



**MEMORANDUM**  
Harvey Ruvin  
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Clerk of the Board of County Commissioners  
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**B&F**

**AGENDA ITEM NO. 6 (A)**

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TO: Honorable Chairperson Jimmy Morales      DATE: May 15, 2003  
And Members of the Budget and Finance

FROM: Kay M. Sullivan, Director      SUBJECT: Approval of Commission  
Clerk of the Board      Committee Minutes

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The following Clerk's Summary of Minutes are submitted for approval by the Budget and Finance Committee:

March 6, 2003

Attachment  
KMS/js

1 -



Stephen P. Clark  
Government Center  
111 N.W. 1st Street  
Miami, FL 33128

# CLERK'S SUMMARY OF Meeting Minutes Budget and Finance Committee

Jimmy L. Morales (7), Chairperson; Katy Sorenson (8), Vice Chairperson;  
Commissioners Jose "Pepe" Diaz (12), Sally A. Heyman (4), Dennis C. Moss (9), and  
Rebeca Sosa (6)

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Thursday, March 6, 2003

9:30 AM

COMMISSION CHAMBERS

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**Members Present:** Jose "Pepe" Diaz, Sally A. Heyman, Jimmy L. Morales, Dennis C. Moss, Katy Sorenson, Rebeca Sosa.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

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**1A**     INVOCATION

**1B**     PLEDGE OF ALLEGIANCE

**1C**     ROLL CALL

**Report:** *In addition to the Committee members in attendance, the following support staff was present: Assistant County Managers Tom David, Ray Baker, Bill Johnson and Samuel Williams, Assistant County Attorneys Gerald Sanchez, Craig Collier, Cynthia Johnson-Stacks and Robert Cuevas; and Deputy Clerks Doris Dickens and Jovel Shaw.*

**031339 Report**  
CHANGES TO THE MARCH 6, 2003 AGENDA

**Report:** *Assistant County Attorney Gerald Sanchez advised the Committee of changes to today's agenda as follows: 4A Supplement, 4B Supplement, 4C, 4D and 7H.*

*Commissioner Sosa moved that the Committee approve the County Manager's memorandum entitled "Requested Changes to the Budget and Finance Committee Agenda," with the changes noted by the County Attorney. This motion was seconded by Chairperson Morales, and upon being put to a vote, passed by a vote of 6-0.*

**2 COUNTY COMMISSION**

2A      030215      **Ordinance**      **Rebeca Sosa**

ORDINANCE AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY FLORIDA TO INCREASE THE COUNTY MANAGER'S DELEGATED AUTHORITY TO ADVERTISE FOR BIDS, AWARD AND REJECT BIDS OR PROPOSALS FOR THE PURCHASE OF UP TO ONE MILLION DOLLARS (\$1,000,000) WORTH OF SUPPLIES, MATERIALS OR SERVICES (OTHER THAN PROFESSIONAL SERVICES) WITHOUT THE NEED FOR PRIOR COMMISSION APPROVAL; PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Heyman*

*Vote: 4-1*

*No: Sorenson*

*Absent: Diaz*

**Report:** *Commissioner Sosa stated the Procurement Management Policy Subcommittee reviewed the foregoing proposed ordinance. She stated the intent of the ordinance was to reduce the time requirement for the procurement process and increase the County Manager's delegated authority to advertise for bids, and up to \$1 million, and to award and reject bids up to \$1 million for the purchase of supplies, materials or services, without prior Commission approval from \$500,000 to \$1,000,000.*

*Mr. Theodore Lucas noted Administrative Order 3-2 addressed concerns raised regarding change orders that states, "the County Manager, or his designee, shall have the authority to approve contract modifications which increase the contract value by no more than \$100,000, or 15% of the contract price, whichever was less." He also noted quarterly reports were provided to the Board and agenda items 7F and 7H were an example of those reports.*

*In response to Commissioner Sorenson's concern regarding inconsistency in the Procurement Management Director and the County Manager recommendation, Mr. Lucas noted the County Manager delegated the authority to the Procurement Management Director to award contracts. He indicated the Manager could intervene in the award of contracts.*

*Assistant County Manager Bill Johnson stated that very seldom does the County Manager intervene with recommendation for contract awards.*

*Mr. Lucas explained that non-competitive purchases recommended such as bid waivers, and sole-source bids were presented to the full Board for approval.*



2D 030706 Resolution Betty T. Ferguson

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, MAY 13, 2003, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF THE PROPOSED CITY OF MIAMI GARDENS THE QUESTION OF WHETHER THE CHARTER PROPOSED BY THE NORTH DADE CHARTER COMMISSION SHOULD BE ADOPTED AS THE MUNICIPAL CHARTER FOR THE CITY OF MIAMI GARDENS (SEE AGENDA ITEM NO. 13P)

*Forwarded to BCC with a favorable recommendation as amended*

*Mover: Moss*

*Seconder: Diaz*

*Vote: 6-0*

**Report:** *Chairperson Morales advised that Board of County Commissioners Chairperson Barbara Carey-Shuler has already placed the foregoing proposed resolution on the March 11, 2003 Board of County Commissioners agenda.*

*Following clarification by Assistant County Attorney Cynthia Johnson-Stacks regarding the process, Commissioner Ferguson asked that Mr. Ronald Book and the representatives of Pro Player Group appear before the Committee, along with the attorney and the representatives of the North Dade Charter Commission regarding the efforts that went into bring this proposal forward. She indicated Mr. Book would read an amendment to the North Dade Charter into the record.*

*Chairperson Morales acknowledged those persons present who were in favor of the foregoing proposed resolution.*

*Mr. Ronald Book, 2999 N.E. 191 Street, Penthouse #6, representing Pro Player Stadium in the interest of Huzienga Holdings, appeared before the Committee and stated there were a number of interests and concerns raised by the Stadium that were addressed. Mr. Book commented that all parties involved worked collectively for the betterment of the community.*

*In response to Commissioner Ferguson's comments regarding an amendment to the North Dade Charter, Mr. Book read the amendment as stated in Section 9.6 entitled "Stadium properties; Dolphin Center DRI," as follows: "...in recognition of the fact that Stadium Properties, referenced in Exhibit "A", has significant importance to the economy and well-being of all of Miami-Dade County, jurisdiction over the Properties for purposes of zoning and building approvals, water and sewer installations (if applicable), compliance with environmental*

regulations, street maintenance (including sidewalks, if applicable) and utility regulation shall remain with Miami-Dade County. The City will preserve the rights and approvals of Stadium Properties, as referenced in Exhibit "A", and its surrounding development which are laid out in the DRI Development Order Resolution Z-210-85, dated September 26, 1985, and zoning resolutions and ordinances affecting Stadium Properties, as amended through December 21, 2012.

Notwithstanding the foregoing, jurisdiction for the Dolphin Center DRI Development Order and any amendments thereto shall remain with Miami-Dade County. Commencing with the date of incorporation, the City shall have all other jurisdiction over the property described in Appendix "B." Within one hundred eighty (180) days after the election of a municipal council, the City and Miami-Dade County will enter into an interlocal agreement that includes the provisions of this Section."

Mr. Book, in response Chairperson Morales' question whether a copy of that amendment had been provided to the County Attorney, stated only the Committee members had a copy of the amendment. He noted Exhibit A and B referenced in the proposed North Dade Charter were not included within the DRI Development Agreement referenced in the Charter.

Mr. Al Brewster, Chairman, North Dade Charter Commission, noted that Exhibits A and B had been changed to Exhibits C and D.

Mr. Brewster commented that this document represented a strong partnership between the community and the Stadium Properties. Mr. Brewster also requested respectively requested once all questions were answered, that this document be forwarded to the Board with the Committee's full support.

Commissioner Ferguson noted another amendment to Section 8.5 entitled "Initial Election of City Council and Mayor," regarding the dates for the election.

Chairperson Morales stated the foregoing proposal would be forwarded with committee amendments.

Assistant County Attorney Cynthia Johnson-Stacks stated the qualifying dates for election of the City officials would be May 15 and May 16, 2003, the

general election would be held on June 24, 2003; and the run-off election would be held on July 22, 2003.

Chairperson Morales announced the foregoing resolution would be amended with those dates.

Discussion ensued among the Committee members and staff regarding Section 10.1 of the proposed Charter entitled "Transfer of Funds from County," which provided that the County shall pay \$6.5 million to the City for planning and construction of the Carol City Community, subject to an interlocal agreement.

Assistant County Manager Tom David stated the subject project was currently in the design phase and would be an on-going project. He stated the Manager supported this project, the language was drafted to remind the Board of opportunities to complete this project.

Dr. David Morris, Director, Office of Management and Budget stated an appropriation would be made from the County's budget for fiscal year 2003-04 or 2004-05. He stated since the area would be incorporated, staff would recommend that funding be allocated from the Countywide budget, as opposed to the unincorporated budget.

Commissioner Sorenson stated budget decisions would continue on the foregoing community center but the City of North Dade Charter should not obligate the County to any agreement to fund this project.

Assistant County Attorney Cynthia Johnson-Stacks advised the Committee that the provisions outlined in the City of Miami Gardens Charter did not legally obligate the County. She stated the foregoing issue was subject to the approval of an interlocal agreement.

Commissioner Sorenson indicated she would support the foregoing item provided it was not required.

Commissioner Heyman expressed concern with a municipal charter stating that the County intended to fund a project in the proposed new municipality.

Dr. Morris stated the design of the community center was currently underway. He indicated the construction would begin in fiscal year 2004-05.

*Assistant County Manager Tom David stated the Manager recognized when he agreed to the language in the North Dade Charter regarding the community center it was recognition that the project had begun. He noted this incorporation was unique in terms of its mitigation and, the subject project was currently underway.*

*Commissioner Sosa suggested issues pertaining to incorporation and annexation be forwarded for review by the Incorporation and Annexation Subcommittee.*

*Commissioner Diaz stated all existing incorporation proposals were using this incorporation along with others that have been approved by the Board as guides for their incorporation. He advised staff that a precedent was being set and other requests may want the same consideration.*

*Commissioner Sorenson noted the difficulty in developing consistent incorporation policies, as each community was different. She indicated that special consideration should be given to this proposal because it was revenue positive to the County.*

*Commissioner Heyman expressed concern with the City of Miami Gardens incorporation being considered by the Boundaries Commission without a quorum being present. She also noted a portion of the boundaries included in the proposed annexation was part of the City of North Miami Beach and the creation of an enclave that was shared by two Commission District boundaries.*

*In response to Commissioner Heyman's concern regarding the boundaries, Assistant County Manager Tom David stated the boundary issue in question had been resolved.*

*Assistant County Attorney Craig Collier stated the legal description for the proposed City of Miami Gardens contained no portion of the City of North Miami Beach.*

*Chairperson Morales commended staff and the North Dade Municipal Advisory Committee for their efforts. He concluded by concurring with Commissioner Sorenson that each incorporation request would have to be considered on its own merits.*

2E 030619 Resolution Bruno A. Barreiro

RESOLUTION APPROVING PARTICIPATION WITH MIAMI BEACH IN MEMORIAL DAY WEEKEND FESTIVITIES AND PROVIDING IN-KIND SERVICES IN THE AMOUNT OF \$307,924.20 ASSOCIATED WITH THE REGIONAL IMPACT OF THIS EVENT

*Forwarded to BCC with a favorable recommendation as amended*  
*Mover: Sosa*  
*Seconded: Morales*  
*Vote: 6-0*

**Report:** *Assistant County Manager Tom David stated that a subsequent meeting was held in the County Manager's Office along with the police departments from Miami-Dade and the City of Miami Beach that changed the number of police officers required to provide police services from 85 to 102 based upon security needs. He also stated the change increased the total from \$27,598.00 to \$335,522.00.*

*Chairperson Morales stated the foregoing proposed resolution would be forwarded as amended to reflect the increase in the total amount for police services.*

*Mayor David Dermer, City of Miami Beach, appeared before the Committee to discuss the City of Miami Beach's request for assistance with the Memorial Day Weekend festivities.*

*In response to Commissioner Sorenson's comments as to why the foregoing event was not included as a budget line item, Mr. David stated the Manager's budget proposal included an allocation of \$1 million in County reserve in the last budget process, for these types of events. He also stated the Manager felt the foregoing resolution involved a public policy issue for regional type of events.*

*Commissioner Sorenson stated the foregoing subject event was an annual regional event and public safety was an issue, which distinguished this from other in-kind service request.*

*Mr. David stated Commissioner Sorenson's concern would be addressed in the budget presentation.*

*Commissioner Barreiro, as sponsor of the foregoing proposed resolution, urged the Committee to support the item.*

*Commissioner Heyman discussed the economic and the regional impact of this event. She stated not only would the revenue generated be*

*disproportionate with Miami Beach, but also the Tourist Tax which was revenue shared through the Conventional Development Tax for all of Miami-Dade County for different activities.*

*Commissioner Heyman agreed with her colleagues that regional events of this nature should be included as a line item budget line item.*

*Commissioner Sosa spoke in support of the foregoing item and in support of the criteria for fee waivers. She referred to a list of fee waivers requested by each Commission District, and the need for establishment of uniform criteria for approval of fee waivers. She concluded her comments by stating that fee waivers should be a line item in the budget to ensure available funding for future requests.*

*In response to Commissioner Sosa's request for an investigation that there was a backup of emergency calls due to police coverage at a fee waiver event held in Hialeah, Assistant County Manager Tom David stated a memorandum would be provided at the next Committee meeting to address Commissioner Sosa's concern regarding a backup of emergency calls due to police coverage at the event held in Hialeah.*

*Commissioner Diaz concurred with his colleagues regarding the inclusion of these types of request in the County's budget. He suggested that each Board member provide a list based upon previous requests.*

*Commissioner Moss commended the Mayor of Miami Beach and all persons involved in coordinating this event. He noted past experiences with this event, the planning efforts, and the availability of additional resources to ensure that the event went well.*

*Chairperson Morales asked that the impact of in-kind services on service level be addressed.*

*Chairperson Morales stated the foregoing item would be placed on the March 11, 2003 County Commission agenda.*

2F 023241 Resolution Betty T. Ferguson

RESOLUTION RELATING TO INCORPORATION AND ANNEXATION REQUIRING THAT THE BOARD OF COUNTY COMMISSIONERS RETAIN AS PART OF THE UNINCORPORATED MUNICIPAL SERVICE AREA (UMSA) CERTAIN BUSINESS, COMMERCIAL OR INDUSTRIAL (CBI) AREAS; PROVIDING EXCEPTIONS

*Deferred to next committee meeting*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Diaz that the foregoing items be deferred indefinitely. Commissioner Sosa seconded this motion.*

*Following discussion of the motion to defer the foregoing items, Assistant County Manager Tom David suggested the foregoing proposed resolutions be deferred to the next Committee meeting tentatively scheduled for April 14, 2003, and forwarded for consideration by the Incorporation and Annexation Subcommittee.*

*Chairperson Morales stated Agenda Item 2G was not a policy issue, and intended to initiate discussion of issues involving incorporation and annexation of the unincorporated areas. He indicated the intent was to bring in additional resources and public participation to address infrastructure and other issues of concerns. He recommended this resolution be deferred to the next Committee meeting.*

*Commissioner Diaz noted staff had initiated efforts to develop incorporation and annexation policies to address infrastructure and other incorporation and annexation issues; and they were currently researching and compiling information, soliciting public input and feedback from those involved in the process. He stated a memorandum would be sent all members of the Board to identify certain persons to be notified of this discussion to be held by the Incorporation and Annexation Subcommittee. Commissioner Diaz stated the Subcommittee would hold an open forum and once all the information had been compiled and organized, it would be presented to the Budget and Finance Committee prior to being considered by the full Board.*

*Chairperson Morales suggested that a map be developed to identify unincorporated areas in Miami-Dade County. He asked that staff adopt a proactive approach in addressing incorporation and annexation issues.*

Commissioner Diaz stated that the Incorporation and Annexation Subcommittee would address a regional-type government as opposed to unincorporated municipal service area (UMSA) during deliberation.

Commissioner Moss asked that the Incorporation and Annexation Subcommittee review the issues of commercial/business/industrial (CBI) areas as part of the incorporation/annexation policy discussions. He also requested the Manager prepare a report outlining the budgeting process for County departments charging each other services fees.

Upon being put to a vote, the Committee deferred Agenda Items 2F, 2F Alternate, 2G, 2H and 2J to the next Committee meeting scheduled for April 14, 2003.

2F ALT. 023301 Resolution Jose "Pepe" Diaz

RESOLUTION RELATING TO INCORPORATION AND ANNEXATION REQUIRING THAT THE BOARD OF COUNTY COMMISSIONERS RETAIN AS PART OF THE UNINCORPORATED MUNICIPAL SERVICE AREA (UMSA) CERTAIN BUSINESS, COMMERCIAL OR INDUSTRIAL (CBI) AREAS; PROVIDING EXCEPTIONS

Deferred to next committee meeting  
Mover: Diaz  
Seconder: Sosa  
Vote: 6-0

Report: See report/note under Agenda Item 2F - Legislative File #023241.

2G 023134 Resolution Jimmy L. Morales

RESOLUTION EXPRESSING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS TO EXPLORE INCORPORATION OR ANNEXATION OF THE UNINCORPORATED MUNICIPAL SERVICE AREA PURSUANT TO POLICIES ADOPTED BY THE COUNTY COMMISSION; CREATING AND ESTABLISHING THE COMPOSITION OF A TASK FORCE; ESTABLISHING DUTIES OF THE TASK FORCE INCLUDING DIRECTING THE TASK FORCE TO PREPARE A CONCEPTUAL MAP AND FINANCIAL ANALYSIS RELATING TO THE FUTURE INCORPORATION OR ANNEXATION OF THE ENTIRE UNINCORPORATED AREA

Deferred to next committee meeting  
Mover: Diaz  
Seconder: Sosa  
Vote: 6-0

Report: See report/note under Agenda Item 2F - Legislative File #023241.



**3B 030405 Resolution**

RESOLUTION APPROVING AND RATIFYING EXECUTION OF THE 2002-2005 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY, THE MIAMI- DADE COUNTY AVIATION DEPARTMENT AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, A.F.L.-C.I.O., MIAMI-DADE COUNTY AVIATION EMPLOYEES LOCAL 1542 (Employee Relations Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Diaz, Sosa*

**Report:** *Discussion ensued among Commissioner Sorenson and staff regarding the premium pay that entitled full-time bargaining unit employees to receive a \$25.00 biweekly pay supplement due to the reopening of the Firefighters collective bargaining agreement; and the waiver of reopening all collective bargaining agreements as long as the County agreed to negotiate additional wages in the current agreements for all bargaining unit employees.*

**3C 030497 Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES AND BID PROTEST PROCEDURES FOR THE PURCHASE OF ITEMS AND SERVICES; AUTHORIZING THE COUNTY MANAGER TO AWARD CONTRACTS AND EXECUTE OPTIONS TO RENEW ESTABLISHED THEREUNDER; AND WAIVING THE REQUIREMENTS OF SECTIONS 2-8.1 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE BY A TWO-THIRD VOTE OF THE BOARD MEMBERS PRESENT (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sorenson*

*Seconder: Moss*

*Vote: 4-0*

*Absent: Sosa, Diaz*

**3D 030499 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE BIDS, CONTRACT MODIFICATIONS, PURCHASES MADE UNDER COMPETITIVELY AWARDED CONTRACTS OF OTHER GOVERNMENTAL ENTITIES, REJECTION OF BIDS, REQUESTS TO ADVERTISE FOR BIDS AND EXECUTE OPTIONS TO RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF COMMODITIES AND SERVICES (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sorenson*

*Seconder: Heyman*

*Vote: 4-0*

*Absent: Diaz, Sosa*

4 COUNTY MANAGER

## 4A 030554 Report

ANNEXATION APPLICATION FROM SOUTH MIAMI  
(County Manager)

*Forwarded to BCC with a favorable  
recommendation*

*Mover: Morales*

*Seconder: Sosa*

*Vote: 6-0*

**Report:** *The following persons appeared before the  
Committee and spoke in opposition of the  
foregoing proposed annexation application from  
the City of South Miami:*

*Mr. Philip A. Davis, 6225 SW 85 Street (Snapper  
Creek Drive)*

*Mr. Richard Horton, Vice President, Green  
Companies*

*Mr. Henry Bullseye, a resident of the Snapper  
Creek area*

*Ms. Monica Atkins White, a resident of the  
Snapper Creek area*

*The following person appeared before the  
Committee and spoke in support of the City of  
South Miami annexation application:*

*City of South Miami Mayor Horace Feliu*

*Mr. Dick Ward, a resident of Snapper Creek*

*Mr. Wayne Bracken, a resident*

*Mr. Peter Neuman, Chaplain, Dade County Police  
Benevolent Association, appeared before the  
Committee, and noted the City of South Miami  
(SM) demoted all their police officers in order to  
address \$24,000 shortfall in its budget. He further  
discussed the status of other budget cuts made by  
SM. Mr. Neuman urged the members of the  
Committee to review the issue of police officers  
and the services, and also asked that the City of  
South Miami's budget and financial status be  
reviewed.*

*Mr. Dan McCrea, a member of the City of South  
Miami Commission, appeared before the  
Committee and urged the Committee members to  
allow the City of South Miami to proceed with its  
annexation application. He also stated he looked  
forward to welcoming the resident of the Snapper  
Creek Area into the City of South Miami. Mr.  
McCrea pointed out that like many other  
municipalities SM officials struggled with its  
budget and the police officer situation was  
currently under consideration by staff. He noted  
citizens have worked long and hard to bring the*

*foregoing application to the City.*

*Mr. Sanford Youkilis, Acting City of South Miami Manager, appeared before the Committee to discuss the budget issues previously referred to by other speakers and noted several areas have been identified by the administration. He stated the police issue as part of budget conservative changes was implemented and 6 police officers were impacted. Mr. Youkilis recommended that the Committee approve the County Manager's recommendation.*

*Commissioner Diaz expressed concern with the police officers issue in the City of South Miami and noted he felt comfortable with moving forward if there were no problems. He stated public safety was one of the most critical issues for citizens of this community.*

*Mayor Feliu reassured Committee members that the City had sufficient police officers to provide service for this proposal. He urged the Committee to allow the residents to vote.*

*Following discussion of the proposed funding cutback for the COPS Program and public safety, Commissioner Sorenson requested that the COPS Program funding be included in the Legislative Package for Miami-Dade County.*

*Mayor Feliu noted the officers were kept at the expense of the City of South Miami and the City would make sure that they retain those officers.*

*In response to Chairperson Morales' inquiry regarding the next step in the process, Assistant County Attorney Craig Coller advised it was the Committee's determination whether or not the Board would instruct the County Attorney to prepare an ordinance for first reading. He indicated the ordinance would be subject to a ballot vote for approval by the electorate, if approved by the Board at the second reading.*

*Discussion ensued among the Committee members and staff regarding the Fire District, the Debt Service and the Library District.*

*In response to Commissioner Moss' question regarding whether this annexation included any commercial/business/industrial (CBI) areas, Ms. Crespo-Tabak responded this area was included as part of the Dadeland CBI.*

*Commissioner Moss stated the issue of CBI areas would be reviewed holistically based upon the proposed resolutions sponsored by Commissioners Diaz and Ferguson. He indicated he felt uncomfortable voting on this proposal without resolving the issue of how the Board plans to retain CBI areas as part of the unincorporated municipal service area (UMSA).*

*Commissioner Diaz stated he understood Commissioner Moss' concern regarding mitigation for CBI areas and questioned whether a CBI area was being mitigated in the annexation proposal.*

*In response to Commissioner Diaz' question, Ms. Crespo-Tabak noted the Planning Advisory Board recommended that the City of South Miami mitigate 100% of the adverse impact to UMSA.*

*Commissioner Sosa stated based upon the request by the residents of the Snapper Creek area, she would support the annexation request. She indicated she favored annexation rather than incorporation, but she emphasized the need for the County to review and adopt incorporation/annexation policies holistically.*

*Commissioner Diaz concurred with Sosa and urged his colleagues to support the review of incorporation/annexation policies.*

*In response to Commissioner Moss' inquiry regarding the boundaries of the proposed City of South Miami Annexation Application and the unincorporated area within the City of South Miami, Mr. Richard Moore, Director, City of South Miami--Department of Planning and Zoning, outlined the boundaries of the area to be annexed and advised the Committee member that consideration was given to the unincorporated area within the City limits.*

*Chairperson Morales noted the foregoing annexation was located in District 7, however, the mitigation agreement recommended by the PAB had not been negotiated.*

*Following the discussion, the Committee by motion duly made, seconded and carried, approved the motion to forward this report to the full Board.*

4A SUP 030694 Report

SUPPLEMENTAL INFORMATION REGARDING  
ANNEXATION OF SOUTH MIAMI

*Presented*

## 4B 030557 Report

ANNEXATION APPLICATION FROM NORTH MIAMI  
(County Manager)

*Forwarded to BCC with a favorable  
recommendation*

*Mover: Heyman*

*Seconder: Morales*

*Vote: 4-0*

*Absent: Sosa, Diaz*

**Report:** *Mr. Elbert Waters, Director, City of North Miami, Community Planning Development Department, appeared before the Committee to request that the Committee approve the proposed annexation from the City of North Miami, which he also noted, included the Home Depot site.*

*Mr. Mike Radell, attorney, representing Home Depot, appeared before the Committee, stated the following provision was included as part of the Settlement Agreement between the City of North Miami and Miami-Dade County: "the annexed area shall be annexed with the current BU-2 zoning remaining in full force and effect, should the City adopt new land development regulations and rezone the annexed area, the County BU-2 zoning shall nevertheless remain in full force and effect, if the City new zoning restricts Home Depot rights to operate or continue to operate the store in the annexed area; and in the event of a casualty on the annexed area the City of North Miami agrees that the annexed area may be redevelop in accordance with plans substantially complying with the site plan used for construction of the store..."*

*Commissioner Heyman requested that mitigation issue raised by Mr. Radell be addressed by the County Attorney.*

*Following discussion of the language read by Mr. Radell to be included in the proposed ordinance, Assistant County Attorney Craig Collier advised the Committee that the recommendation from the Planning Advisory Board (PAB) and the Boundaries Commission was the language of the Settlement Agreement contained within the ordinance. He noted the language would be one of the conditions for the annexation. Mr. Collier stated an interlocal agreement would be prepared as part of the ordinance.*

*Discussion ensued in connection with the mitigation payments and the stormwater utility that was part of the Settlement Agreement.*

*Ms. Sylvia Crespo-Tabak advised the Committee that the PAB recommended 100% mitigation. She discussed the issue of the stormwater utility debt service and noted the Department of Environmental Resources Management issued a permit that required retention of the stormwater on-site. Ms. Crespo-Tabak indicated the plans for Home Depot identified stormwater run-offs.*

*Assistant County Attorney Collier stated there were two issues: (1) the amount for the stormwater utility and (2) the mitigation payment recommended by PAB. He indicated the Settlement Agreement addressed concerns raised by the City of North Miami regarding reimbursement of the mitigation payment by Home Depot during the zoning proceedings. Mr. Collier stated the mitigation payment was not a payment that comes directly from Home Depot, it was a mitigation payment that would come from the City.*

*Mr. Radell stated the County should make a policy decision for property tax mitigation because the issue came about during discussion of commercial/business/industrial areas.*

**4B SUP 030695 Report**

SUPPLEMENTAL INFORMATION REGARDING ANNEXATION APPLICATION FROM NORTH MIAMI

*Presented*

**4C 030558 Report**

ANNEXATION APPLICATION FROM HIALEAH (County Manager)

*Deferred to no date certain  
Mover: Sorenson  
Seconder: Heyman  
Vote: 4-0  
Absent: Sosa, Diaz*

**Report:** *The Committee by motion duly made, seconded and carried deferred the foregoing report for consideration by the Planning Advisory Board, as requested by the Chairperson Morales.*

## 4D 030556 Report

ANNEXATION APPLICATION FROM HIALEAH  
GARDENS (County Manager)

*Deferred to no date certain*

*Mover: Sorenson*

*Seconder: Heyman*

*Vote: 4-0*

*Absent: Sosa, Diaz*

**Report:** *The Committee by motion duly made, seconded and carried deferred the foregoing report for consideration by the Planning Advisory Board, as requested by the Chairperson Morales.*

## 5 COUNTY ATTORNEY

## 6 CLERK OF THE BOARD

## 7 REPORTS

## 7A 030214 Report

ORAL REPORT - RE: OVERVIEW OF PERFORMANCE  
MEASUREMENT IN MIAMI-DADE COUNTY (Office of  
Management and Budget)

*Deferred to next committee meeting*

*Mover: Moss*

*Seconder: Heyman*

*Vote: 4-0*

*Absent: Sosa, Diaz*

**Report:** *Chairperson Morales requested that the foregoing report be deferred to the next Committee meeting.*

## 7B 030218 Report

ORAL REPORT - OVERVIEW OF GRANTS  
COORDINATION EFFORTS (Office of Management and  
Budget)

*Deferred to next committee meeting*

*Mover: Moss*

*Seconder: Heyman*

*Vote: 4-0*

*Absent: Diaz, Sosa*

**Report:** *Commissioner Moss requested that the foregoing report be presented at the next Committee meeting.*



7G 030613 Report

DSWM UTILITY SERVICE FEE FUND UPDATE (Solid Waste Management Department)

*Report Received  
Mover: Sorenson  
Seconder: Heyman  
Vote: 4-0  
Absent: Diaz, Sosa*

7H 030494 Report

CONTRACT MONITORING REPORT - [2/01/03 AND 1/31/04] (County Manager)

*Report Received  
Mover: Sorenson  
Seconder: Heyman  
Vote: 4-0  
Absent: Sosa, Diaz*

8 ADJOURNMENT

**Report:** *There being no further business to come before the Committee, the meeting was adjourned at 12:13 p.m.*