



MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
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GOE
Agenda Item No. 6(A)

TO: Honorable Chairwoman Natacha Seijas
and Members, Governmental Operations
Environment Committee

DATE: February 13, 2007

FROM: Kay M. Sullivan
Director, Clerk of the Board Division

SUBJECT: Approval of Commission
Committee Minutes

A handwritten signature in black ink that reads "Kay M. Sullivan".

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Governmental Operations and Environment Committee:

Infrastructure and Land Use Committee

January 16, 2007

KMS/js
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Infrastructure and Land Use Committee

Natacha Seijas (13) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Audrey M. Edmonson (3), Carlos A. Gimenez (7), Barbara J. Jordan (1), and Dorrin D. Rolle (2)

Tuesday, January 16, 2007

9:30 AM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas.

Members Absent: None.

Members Late: None.

Members Excused: None.

043331 Report

NOTE: THE PORTION OF EACH RESOLUTION
REFLECTING COMMISSIONERS' VOTES WILL BE
UPDATED FOR THE NEXT COUNTY COMMISSION
MEETING.

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

2A

063329 Resolution

RESOLUTION PERTAINING TO BUILDING BETTER COMMUNITIES BOND PROGRAM BY APPROVING AFTER PUBLIC HEARING SIGNIFICANT MODIFICATION TO PROJECT NO. 330 - "IMPROVEMENTS TO THE WOLFSONIAN-FIU" IDENTIFIED IN EXHIBIT A TO RESOLUTION NO. R-919-04 (Cultural Affairs Council)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 5-0
Absent: Edmonson

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Diaz expressed satisfaction with the explanation provided to him regarding the Wolfsonian FIU project, and noted he understood that the contract would not involve any additional costs.

Commissioner Rolle spoke in support of the foregoing proposed resolution. He requested an explanation for the significant modification to the project.

Mr. Michael Spring, Director, Department of Cultural Affairs, responded, noting the significant modification to the project involved improvements to three buildings on the Wolfsonian Campus versus one building; including 2,500 square feet of added space available to the public pursuant to the General Obligation Bond (GOB) referendum. He noted the modification had no fiscal impact and would not increase the cost of the project.

Hearing no further discussion or comment, the Committee proceeded to vote on the foregoing resolution as presented.

2A SUPPLEMENT

070113 Supplement

SUPPLEMENTAL INFORMATION RE: SUBSTANTIAL MODIFICATION OF BUILDING BETTER COMMUNITIES PROJECT NO. 330- THE WOLFSONIAN- FLORIDA INTERNATIONAL UNIVERSITY (FIU)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 5-0
Absent: Edmonson

2B

063328 Resolution

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES BOND PROGRAM PROJECT NO. 46-"MIAMI METROZOO" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 AFTER A PUBLIC HEARING; AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE A GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE ZOOLOGICAL SOCIETY OF FLORIDA FOR A MIAMI METROZOO PROJECT AND EXERCISING CANCELLATION PROVISIONS THEREIN (Park & Recreation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 5-0

Absent: Edmonson

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Diaz asked the Park and Recreation Director to provide him with a cost analysis detailing the difference in the cost of the existing project versus the initial cost projection, before this resolution was forwarded to the County Commission.

Commissioner Rolle spoke in support of this resolution but questioned whether it would change the prioritization of other County initiatives. He expressed concern regarding how other projects would be prioritized should the County decide to proceed with them.

Mr. Roger Hernstadt, Director, Office of Capital Improvements (OCI), noted as indicated in the supplement, twelve bond sales were initially contemplated for the duration of the Building Better Communities Governmental Obligation Bond (BBB GOB) Program. He also noted that due to the favorable growth in the Tax Rate and Millage, the final bond sale would not be necessary, which would allow the County to advance \$150 million worth of projects sooner. He noted staff recommended this project be initiated sooner and that they be allowed to periodically submit recommendations to this Committee on when to proceed on other projects.

Ms. Vivian Donnell-Rodriguez also responded to Commissioner Rolle's request for clarification. She pointed out that community meetings were conducted which resulted in a consensus among

the participants that Arcola Lakes project in District #2 should proceed. She said the design consultants, architects and engineers were recently hired for this project. Additionally, Ms. Donnell-Rodriguez noted staff was in the process of scheduling a meeting with Commissioner Rolle to brief them on the status of this project and the scheduled completion dates.

Commissioner Rolle asked the Department of Capital Improvements Director to provide him with an explanation regarding the process to be used to prioritize additional projects in the GOB program and the impact it would have on other projects currently scheduled to move forward that were being considered for advancing forward

Commissioner Jordan asked Department of Capital Improvements Director to contact her office to schedule a meeting to discuss the possibility of expediting the construction of the Land Mark Government Municipal Facility in District #1.

Commissioner Gimenez asked Mr. Hernstat whether he conducted a revolving type analysis of the GOB approved projects annually to de-obligate monies obligated for projects that were never implemented.

Mr. Hernstadt noted staff reviewed the status of these projects were reviewed on a monthly basis to determine which projects on the scheduled would be forwarded as originally presented as well as those projects that were on schedule and/or those that were advanced on the schedule. He said quarterly reports were provided to the County Commission.

Hearing no further discussion or comment, the Committee proceeded to vote on the foregoing resolution.

2B SUPPLEMENT**070114 Supplement**

SUPPLEMENTAL INFORMATION RE: METROZOO
AMAZON AND BEYOND, GOB PROJECT 46

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Diaz

Vote: 5-0

Absent: Edmonson

2C

063696 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND MICHAEL E. AND JANICE R. CHRISTIE AS SELLERS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconded: Diaz

Vote: 5-0

Absent: Edmonson

2D

063697 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES IN THE SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND LYNN O. FARR, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JOSEPH E. FARR, DECEASED AS SELLER; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconded: Diaz

Vote: 5-0

Absent: Edmonson

2E

070049 Resolution

RESOLUTION RATIFYING THE AWARD OF EMERGENCY REPAIR CONTRACTS TO REPAIR DAMAGE CAUSED TO SECONDARY CANALS BY HURRICANES KATRINA AND WILMA; AS ORIGINALLY AUTHORIZED IN RESOLUTION R-222-06 (Department of Environmental Resources Management)

Withdrawn

Mover: Diaz

Seconded: Jordan

Vote: 5-0

Absent: Edmonson

2F

070048 Resolution

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY ("USGS") TO CONDUCT A GROUNDWATER STUDY OF THE FLORIDAN AQUIFER AT THE NORTH DISTRICT WASTEWATER TREATMENT PLANT (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

2G

063498 Resolution

RESOLUTION APPROVING FORM OF AN AGREEMENT OF PURCHASE AND SALE FOR ACQUISITION OF A PARKING GARAGE CONSISTING OF 1,583 PARKING SPACES CONSTRUCTED ON MIAMI-DADE EMPOWERMENT TRUST PROPERTY KNOWN AS POINCIANA INDUSTRIAL CENTER LOCATED AT THEORETICAL NW 24TH AVENUE AND NW 75TH STREET, MIAMI FLORIDA FOR AN AMOUNT NOT TO EXCEED \$23,542,114; AUTHORIZING THE COUNTY MANAGER TO NEGOTIATE, FINALIZE AND EXECUTE SAID AGREEMENT IN ACCORDANCE WITH CERTAIN TERMS AND CONDITIONS TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE ACQUISITION AUTHORIZED BY THE BOARD AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED IN SUCH AGREEMENT (General Services Administration Department)

Withdrawn

Report: (See Agenda Item 2G Substitute; Legislative No. 070126)

2G SUBSTITUTE

070126 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF THE AGREEMENT OF PURCHASE AND SALE FOR ACQUISITION OF A PARKING GARAGE CONSISTING OF 1,583 PARKING SPACES CONSTRUCTED ON COUNTY OWNED PROPERTY KNOWN AS POINCIANA INDUSTRIAL CENTER LOCATED AT THEORETICAL NW 24TH AVENUE AND NW 75TH STREET, MIAMI FLORIDA FOR AN AMOUNT NOT TO EXCEED \$23,542,114, AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE ACQUISITION AUTHORIZED BY THE BOARD AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 063498] (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconded: Jordan

Vote: 4-0

Absent: Edmonson, Seijas

Report: *Chairwoman Seijas relinquished the Chair to Commissioner Diaz and left the Chambers.*

The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.

Commissioner Rolle noted a developer was finally been selected to develop the Poincianna Industrial Park after several representatives from District #2 had tried for many years to get the Park developed. He introduced Mr. Dennis Stackhouse, whom he noted would provide a brief overview of this project.

Mr. Dennis Stackhouse, 780 Fisherman Street, Opa-locka, Florida, Town Center Properties, appeared before the Committee, and provided an overview of the Poinciana Biopharmaceutical Park, located at the Poinciana Industrial Center. He noted the construction of this project had been in progress for over a year and that Phase I consisted of five buildings, including the subject garage and two pharmaceutical development and research facilities (Buildings 6A and 6B). Included in Building 6A, Mr. Stackhouse pointed out, was the Jackson Memorial Clinic, which would treat 159,000 free-patient visits per year and relocation of the Florida A&M University (FAMU) 6-Year Program. He further noted that Building 6B was the subject of a \$20 million grant requested from the State which would be used as seed monies to develop an imaging center that would create a central nervous system disorders registry in South Florida.

Mr. Stackhouse noted two critical initiatives required by the Federal Drug Administration (FDA) for development of pharmaceuticals were Standardizations of BioMarkets and Post-Surveillance on drugs already approved and that both initiatives were extremely expensive. He noted FDA asked Massachusetts Institute of Technology (MIT) to join with other pharmaceutical companies in doing these initiatives, which they did; that Miami was selected as opposed to Boston, primarily because JMH was the largest public hospital in the United States that had the ability to operate both initiative requirements for the FDA.

Mr. Stackhouse also noted National Institute of Health had expressed a willingness to fund the early phases of the project. In addition, he noted a partnership was collaborated between FAMU and Miami Dade College (MDC) to train students in the bio-pharmaceutical industry, and that to date, they had been successful in obtaining \$5.5 million in federal grants to fund this initiative. Mr. Stackhouse noted the foregoing project would create about 4,000 high paying jobs in Poinciana Park over the next five years and the subject garage, which would be constructed during Phase I, would be essential to the success of this project.

In response to Commissioner Gimenez' question regarding whether the garage had already been built, Assistant County Manager Roger Carlton noted the construction of the garage begun. He explained that the intent of this proposed resolution was to establish a process to acquire the garage once the construction was completed and to include safeguards to ensure the other two buildings were completed before the County released funding to finance the garage. Mr. Carlton stated this was a partnership between the County, the developer and companies committed to creating the jobs; and that Mr. Stackhouse had personally guaranteed the garage would be completed before the County paid for it.

Commissioner Gimenez spoke in support of this project, He questioned the feasibility of purchasing a garage before completing the other facilities or why not construct all buildings simultaneously.

Mr. Stackhouse noted Buildings 2, 6A and 6B would be built simultaneously with the garage and that he personally guaranteed the construction of

Buildings 6A and 6B. He explained the County required that leases be in place for Building 6A and that a Letter of Intent be provided for Building 6B before the garage the County paid for the garage.

In response to Commissioner Gimenez' question regarding the viability of the garage should only Building 6A be completed, Mr. Stackhouse noted the garage would provide 650 parking spaces for Building 6A.

Mr. Stackhouse explained, however, that prior to construction beginning, critical components were initiated such as the collaboration between the two colleges to train employees in the biopharmaceutical industry and the solidifying of the relationship between Boston and Miami through JMH to create opportunities to do the FDA initiatives before the construction begun. Mr. Stackhouse further explained that he had a Letter of Intent for the entire 6B building, which would house the imaging center and the MIT headquarters. He noted that as soon as the State grant was obtained, the planning of Building 6B would begin. He further noted these buildings were intricately linked to public/private partnerships to make Miami the U.S. headquarters for Central Nervous System Disorders and to create an environment that allowed several drug companies to participate in this process.

In response to Commissioner Gimenez' concerns regarding the County purchasing a garage Stackhouse noted the County requested he guarantee the completion of Building 6B and deliver a Letter of Intent for 175,000 feet before the garage was purchased.

Commissioner Jordan commented that when she was an Assistant County Manager, she had been involved with many false starts regarding the Poinciana Industrial Park and that finding a Master Developer to develop this park had been difficult. She commended Commissioner Rolle for his leadership in moving this project forward. She also commended the developer for taking on this initiative that would provide something outstanding for this community.

Vice-Chairman Diaz concurred with Commissioner Jordan that both Commissioner Rolle and the developer should be commended. He noted he shared similar concerns as Commissioner Gimenez, but he would like to ask

the developer to state, for the record, the guarantees in place.

Mr. Augusto Maxwell, Law firm of Akerman Senterfitt, One SE Third Avenue, attorney representing the developer, appeared before the Committee and noted he received many guarantees to avoid the issues that Mr. Gimenez had raised. Among the guarantees, he noted, were enforceable leases and letters of intent for a majority of both the buildings; that Mr. Stackhouse had personal assets on the line to guarantee completion of this project, and that \$1.5 million would be held in escrow by the County from the purchase of the garage until Buildings 6A and 6B were completed, along with a default provision.

Commissioner Rolle expressed appreciation to Miami-Dade Empowerment Trust, Assistant County Manager Roger Carlton, General Services Administration, and Lee Solomon, for great efforts in moving this project forward and to Mr. Stackhouse for providing an elaborate visionary plan to bring a number of jobs to this community.

Hearing no further discussion, the Committee proceeded to vote on the foregoing resolution.

2H

070029 Resolution

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF NW 11 STREET LYING BETWEEN NW 72 AVENUE AND 650 FEET WEST OF NW 72 STREET IN GOVERNMENT LOT 2, BETWEEN TOWNSHIP 53 AND 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Rolle, Edmonson

12

2I

070037 Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF NINE (9) RIGHT-OF-WAY PARCELS AND THE EXECUTION OF THREE (3) PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENTS AND ONE (1) AERIAL EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENTS TO STATE ROAD 826 (PALMETTO EXPRESSWAY) AND STATE 836 (DOLPHIN EXPRESSWAY) FROM NW 87 AVENUE TO NW 57 AVENUE (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

2J

063579 Ordinance

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DIRECT APPLICATIONS AND APPEALS TO THE COUNTY COMMISSION FOR INFILL HOUSING; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 2L] (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Seijas
Vote: 4-0
Absent: Rolle, Edmonson

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing proposed ordinance. There being no person wishing to speak on this matter, the public hearing was closed.

Hearing no discussion or comments, the Committee proceeded to vote on the foregoing ordinance

2K

063582 Ordinance

ORDINANCE REPEALING SECTION 2-704 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE MIAMI-DADE COUNTY FLOOD MANAGEMENT TASK FORCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing proposed ordinance. There being no person wishing to speak on this matter, the public hearing was closed.

Commissioner Diaz, on behalf of all citizens of Miami-Dade County, expressed appreciation to the members of the Miami Dade County Flood Management Task Force for their efforts and dedication in improving the countywide flooding issues.

Hearing no further discussion or comments, the Committee proceeded to vote on the foregoing ordinance.

2L

063578 Ordinance

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-36.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO ADMINISTRATIVE ADJUSTMENT PROCEDURE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 2J] (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 4-0

Absent: Rolle, Edmonson

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing proposed ordinance. There being no person wishing to speak on this matter, the public hearing was closed.

Hearing no discussion or comments, the Committee proceeded to vote on the foregoing ordinance.

2M

070052 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$6,377,861.60 BETWEEN SOUTHEASTERN ENGINEERING CONTRACTORS, INC. AND MIAMI-DADE COUNTY FOR THE BUILDING BETTER COMMUNITIES / GENERAL OBLIGATION BOND PROJECT ENTITLED THE BELEN PUMP STATION DRAINAGE IMPROVEMENT PROJECT SW / NW 118 AVENUE TO SW / NW 122 AVENUE AND FROM NW 6 STREET TO SW 7 STREET, IN COMMISSION DISTRICT 12 (PROJECT NO. 1-70102 GOB; 2005GOB1001R) (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

Report: *In response to Commissioner Diaz' comment regarding the pumps, Department of Environmental Resource Management (DERM) Director Carlos Espinosa, reassured committee members that the two pumps would be put in place.*

Hearing no further discussion or comments, the Committee proceeded to vote on the foregoing ordinance.

3 COUNTY COMMISSION

15

3A

063598 Resolution

Barbara J. Jordan,

Dorrin D. Rolle

RESOLUTION DIRECTING THE COUNTY MANAGER TO PROMINENTLY DISPLAY ALL CO-DESIGNATION ROAD SIGNS ON AVAILABLE TRAFFIC CONTROL LIGHT MAST ARMS

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Jordan noted after the County Commission approved the co-designation of 22nd Avenue to name it Betty Ferguson Avenue, she learned that the Public Works Department (PWD) had established an administrative policy providing that co-designation road signs must be placed on the side of the road, rather than on the mast arms of traffic signal lights. She pointed out that the intent of this proposed resolution was to adopt a formal policy that co-designation signs be placed on the traffic signal light arm masts.

Commissioner Rolle asked that the provisions in the foregoing resolution be extended to include co-designation of 32nd Avenue (Rosa Parks Boulevard) and that illuminated signs be displayed on traffic signal mast arms along 32nd Avenue.

Ms. Esther Calas, Director, PWD, explained it was the policy of the Florida Department of Transportation (FDOT) to place the co-designation road signs on the side of the road, which was based on the size of the lettering and the signs and that PWD placed them on the traffic light mast arms whenever possible. She further noted that placing signs on traffic light mast arms for only one co-designation was no problem, but this could become a problem when more than one sign was involved.

Commissioner Rolle noted the co-designation signs of NW 95th Street were very well done and should be used as a model for placing signs throughout the County.

Hearing no further discussion or comments, the Committee proceeded to vote on the foregoing ordinance.

3B

063609 Resolution

Katy Sorenson

RESOLUTION DIRECTING COUNTY MANAGER TO SEEK GRANTS AND OTHER FUNDING SOURCES FOR DEPLOYMENT OF ETHANOL AND BIODIESEL INFRASTRUCTURE AND FLEET VEHICLES, INVENTORY COUNTY FLEET FOR OPPORTUNITIES TO ENCOURAGE DEMAND FOR ALTERNATIVE FUELS, AND RE-ESTABLISH THE ALTERNATIVE FUELS ADVISORY COMMITTEE TO DEVELOP FIVE YEAR STRATEGY [SEE AGENDA ITEM NO. 3(C)]

Deferred to next committee meeting

Mover: Diaz

Seconder: Rolle

Vote: 5-0

Absent: Edmonson

Report: *The foregoing proposed resolutions were read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Hearing no objection, Agenda Item 3B was considered simultaneously with Agenda Item 3C.

Commissioner Seijas noted that if and when the County joined the Chicago Climate Exchange, a permanent team would need to be established to address all of these issues. She stated she preferred the foregoing resolution be forwarded to the BCC without re-establishing the Alternative Fuels Advisory Committee or that it be deferred to allow Commissioner Sorenson to participate in the discussion.

Assistant County Attorney Armstrong-Coffey advised that the Committee could either defer the resolution or amend it to strike the provisions relating to the re-establishing of the Fuel Advisory Committee.

Chairwoman Seijas stated she would feel more comfortable with a deferral of the foregoing proposed resolution until the next Committee meeting so that Commissioner Sorenson could be present.

****Regarding Item 3C, Chairwoman Seijas asked that a cost estimate be attached to this proposed resolution when it was forwarded for Committee review.*

Commissioner Diaz spoke in support of the foregoing proposed resolutions. He asked that he be added as co-sponsor of both resolutions when they came back for Committee review.

Assistant County Manager Roger Carlton noted that Commissioner Sorenson could not be present

today due to a family medical emergency.

Chairwoman Seijas noted the prayers of the Committee members were with Commissioner Sorenson and her family and that she wished her husband a speedy recovery.

3C

063610 Resolution

Katy Sorenson

RESOLUTION DIRECTING COUNTY MANAGER TO DIRECT THE AGRICULTURAL MANAGER TO COMPLETE A BIOFUEL PRODUCTION FEASIBILITY STUDY, AND SEEK GRANTS AND OTHER FUNDING SOURCES FOR THE DEVELOPMENT OF FUEL CROPS, ETHANOL AND BIODIESEL PRODUCTION IN MIAMI-DADE COUNTY [SEE AGENDA ITEM NO. 3(B)]

Deferred to next committee meeting

Mover: Diaz

Secunder: Rolle

Vote: 5-0

Absent: Edmonson

Report: *(See Report Under Companion Resolution, Agenda Item 3B)*

18

3D

070125 Resolution

Natacha Seijas

RESOLUTION GRANTING PETITION TO CLOSE ALL ROADS WITHIN THE PLAT OF COUNTRY CLUB OF MIAMI ESTATES SECTION ONE, RECORDED IN PLAT BOOK 75, PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, EXCEPT THE EAST 150 FEET OF GUY DEL RUSSO PARKWAY AND CONVEYING SAID ROADS TO COUNTRY CLUB OF MIAMI ESTATES IMPROVEMENT ASSOCIATION, INC, A HOMEOWNERS ASSOCIATION IN ACCORDANCE TO FLORIDA STATUTE 336.125 (ROAD CLOSING PETITION NO. P-820)

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Rolle

Vote: 5-0

Absent: Edmonson

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas relinquished the Chair to Commissioner Diaz.

Vice-Chairman Diaz opened the floor and the following individual(s) appeared:

Mr. Gary Dumas, 19365 E. St. Andrews Drive, appeared before the Committee on behalf of the County Club of Miami Estates Improvement - Home Owners Association (HOA). He expressed appreciation to members of the County Commission and County staff for the attention given to this petition and for bringing it forward for Committee review and recommendation for approval by the Board of County Commissioners (BCC). Mr. Dumas noted he received a document that referenced one of the public purposes underlined in the resolution, which was taxation of properties, roads and right-of-ways vacated by the County; and that the document referenced taxation and an appraisal prepared by the Property Appraiser. He requested the HOA be allowed to review this matter with the Property Appraiser and County staff before this resolution was considered by the County Commission.

Chairwoman Seijas agreed that it might be appropriate for staff to speak to the Property Appraiser and the County Attorney regarding this matter. She noted however, that the subject property would be used for both public and private purposes and that she did not believe the reference in the subject document was applicable to this proposed resolution.

4 COUNTY MANAGER

4A

070045 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTIONS, AS AUTHORIZED BY SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS (County Manager)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

070063 Report

CLERK'S SUMMARY OF MINUTES FOR INFRASTRUCTURE AND LAND USE COMMITTEE MEETING(S): NOVEMBER 14, 2006 (Clerk of the Board)

Approved

Mover: Jordan

Seconder: Diaz

Vote: 5-0

Absent: Edmonson

6B

070082 Report

CLERK'S SUMMARY OF MINUTES FOR INFRASTRUCTURE AND LAND USE COMMITTEE MEETING(S):

OCTOBER 13, 2006 (WORKSHOP)
NOVEMBER 3, 2006
DECEMBER 12, 2006 (Clerk of the Board)

Approved

Mover: Jordan

Seconder: Diaz

Vote: 5-0

Absent: Edmonson

7 REPORTS

7A

063694 Report

STATUS REPORT: MIAMI-DADE COUNTY MANATEE
PROTECTION PLAN (County Manager)

Withdrawn

Mover: Diaz

Seconder: Jordan

Vote: 5-0

Absent: Edmonson

Report: *Chairwoman Seijas noted the Fish and Wildlife Conservation was in the process of updating the Statewide Manatee Protection Plan and that the foregoing report requested authorization to begin an update of Miami Dade County's Manatee Protection Plan. She expressed concern regarding the implication of initiating a comprehensive review of the County's Plan before the final Statewide Plan was received. Referring to a letter received from the State regarding this matter, Chairwoman Seijas noted the Executive Director stated that, "During the development of the Statewide Management Plan, it is vital that the protection and provisions of the County based Manatee Protection Plan stay in place." She requested this report be deferred to no date certain, pending the County receiving the final Statewide Plan with full costs and funding before beginning a comprehensive review of the County's Plan.*

Assistant County Attorney Coffey-Armstrong advised that the Committee Rules limited the ability to defer a report to no date certain. She suggested it might be more appropriate to withdraw the foregoing report and re-file it.

7B

070047 Report

INTERIM PROGRESS REPORT OF THE MIAMI-DADE
COUNTY RESOURCE CONSERVATION COMMITTEE
(County Manager)

Report Received
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Edmonson

Report: *Hearing no objection, Agenda Item 7B was considered simultaneously with Agenda Item 7F.*

Chairwoman Seijas referred to the Resource Conservation Committee's interim report and requested the County Manager determine whether monies needed to join the Chicago Climate Exchange could be allocated from revenues for the County's Recycling initiatives (Agenda Item 7B). She stated she wanted to eliminate the concern that it would cost too much to join.

Assistant County Manager Roger Carlton advised there were two levels of expense, the cost to join the exchange and the risk factor if goals were not met. He noted staff was in the process of calculating those costs and would include them in their final recommendations.

Chairwoman Seijas noted her intent was to prevent staff from coming back with a recommendation not to join the Exchange because the risk was too great. She stated the real risk would be to not join and that she did not want funding to be an issue.

In response to Commissioner Gimenez question regarding exposure, Assistant County Manager Carlton noted the exposure was significant and that staff would provide a detailed report regarding this information at the next Committee meeting.

7C

070051 Report**WATER SHORTAGE WARNING ISSUED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT****Report Received****Mover: Diaz****Seconder: Gimenez****Vote: 5-0****Absent: Edmonson**

(County Manager)

Report: *Mr. John Renfrow, Director, Water and Sewer Department (WASD), noted the foregoing report was a reminder that on November 9th, 2006, the South Florida Water Management District issued a declaration warning of a water shortage which, he noted, was an indication that the water level in Lake Okeechobee was inadequate. He further noted the County Commission had adopted the Best Management Practices - Water Use Efficiency 5-year Plan, which WASD was implementing. Mr. Renfrow pointed out that Chapter 24 of Dade County's Code, which dealt with mandatory water restrictions for watering lawns, was still in place.*

Chairwoman Seijas asked whether warnings could be issued to municipalities that were not in compliance with Chapter 24 of the Code. She noted some municipalities used flower foliage for landscaping that required a lot of water and was very costly in terms of usage. She stated she thought a warning should be issued so that when municipalities replant, they would give more consideration to conserving water.

Assistant County Manager Roger Carlton noted he believed this Committee had previously addressed the establishment of a cooperative committee with municipalities to consider water conservation issues and that her suggestion could be added to that agenda.

Mr. Renfrow pointed out that in the past, DERM worked with the Police Department in a collaborative effort to issue warnings and that he thought his staff should meet internally to consider a process for doing this.

7D

070050 Report

REPORT ON THE SOUTH MIAMI-DADE WATERSHED
PLAN DESIGN GUIDELINES AND IMPLEMENTATION
STRATEGIES (County Manager)

Report Received
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Edmonson

Report: *Commissioner Seijas noted a public hearing was not required for the foregoing report, however, she deemed the issue important enough to hear additional public comments. She asked that all speakers limit their time to two minutes.*

Commissioner Seijas opened the floor for public input and the following persons appeared in connection with the foregoing report:

1. Ms. Sara Fain, representing National Parks Conservation Association and the Watershed Area residents, appeared before the Committee and requested the Watershed Study process be allowed to continue and that the Watershed Advisory Committee be allowed to reach a consensus on all recommendations to create a sustainable Watershed Plan.

2. Mr. Alan Ferago, 534 Menedez Avenue, Coral Gables appeared before the Committee and spoke in support of continuing this process.

3. Mr. Paul Newhart, 15800 SW 79th Avenue, Village of Palmetto Bay Community Council Member (District #2) and Chairman of Economic Development Council appeared before the Committee and noted the concerns and opinion of the Village of Palmetto Bay Councils regarding the conclusion of the Watershed Study.

4. □Honorable Mayor Paul Vormus, Town of Cutler Bay, appeared before the Committee and noted this study failed to build a consensus on smart growth strategies and that the Charrette should lead in that vision.

5. □Ms. Jaime Furgang, 444 Brickell Avenue, Suite #850, Miami, Florida, member of the Watershed Advisory Committee and Representative of the Audubon Society of Florida, appeared before the Committee and stated she believed it would be in the best interest of the community to allow the Watershed Advisory Committee to reach the consensus on the recommendations for the Watershed Plan.

6. Mr. Dick Frost, Member of Watershed Study Advisory Committee and Representative of the Tropical Audubon Society, spoke in support of the

recommendations/strategies listed in the foregoing report.

7. Mr. John Alger, Vice President, Dade County Farm Bureau, appeared on behalf of Dade County Farm Bureau President, Larry Dunagan and read into the record, Mr. Dunagan's letter that expressed his concern regarding the progress/outcome of the Watershed Study. He also expressed disappointment with Mr. Roger Carlton's memorandum and comments attacking the Farm Bureau's Director.

8. Mr. John Hubbard appeared before the Committee and noted the Watershed study did not address the impact/risks to private land owners if the plan were implemented.

9. Mr. John Frederick, representing the Dade County Farm Bureau, 1860 Old Dixie Highway, spoke in opposition to the Watershed Plan because he felt it would not satisfy the concerns of all stakeholders, specifically regarding flooding and private property rights.

10. Mr. William Losner, 20251 SW 272nd Street, Homestead, Florida, Member of the Watershed Study Advisory Committee (WSAC), spoke in opposition to the Watershed plan and expressed concern with the outcome of the consensus process. He noted members of the WSAC were supposed to be visionaries, but their suggestions were never presented to the Infrastructure and Land Use Committee.

11. Mr. Jim Pierce, 16920 SW 274th Street, Board Chairman, City of Homestead/Florida City Chamber of Commerce, spoke in support of the process and the study results, but expressed concern with data that was five years old and with loss of Agriculture Land, infrastructure issues, and limited development of the Homestead Air force Base.

12. Ms. Debra Lamb, 13441 SW 100th Court, representing the Unincorporated Miami Dade residents, appeared before the Committee and asked that the Unincorporated Areas of Miami Dade County be given fair and "equal" treatment.

13. Ms. Coleen Boggs, 16300 SW 184th Street, expressed concern that the Watershed Study had evolved into a Land Use study that addressed Urban Development Boundary Line issues, rather than the protection of Biscayne Bay. She noted her concerns with areas identified as Wetland restoration areas and the diminishing of her property value.

14. Mr. Ed Swakon, 55 Almeria Avenue, Coral Gables, President of EAS Engineering Consultants, spoke in opposition to the foregoing

report and expressed concern regarding the outcome of the Watershed Study, regarding Mr. Carlton's memorandum, and regarding the fact that Watershed study did not include public input.

15. Ms. Trudy Burton, 15225 NW 77th Avenue, Miami Lakes, Florida, on behalf of the Builders Association of South Florida, spoke in opposition to the study, and expressed concern that it did not properly address the main issue, which was to protect Biscayne National Park.

16. Mr. Jeffrey Burkow, 200 S. Biscayne Boulevard, acknowledged Committee members for their hard work in this process, however, expressed concerns with the Test Land Use Scenarios used in this Study and the unrealistic gross density increases proposed in this study.

There being no other persons to appear in connection with this matter, the public hearing was closed.

Chairwoman Seijas noted, for the record, that the following municipalities had adopted resolutions opposing the Watershed Study: The Village of Palmetto Bay, the City of South Miami, the Village of Pine Crest and the Town of Cutler Bay. She also noted the following Associations had raised strong concerns regarding the Watershed Study: Pine Crest Business Association, the Cutler Bay Business Association, the Economic Development Council of South Miami Dade, the Palmetto Bay Business Association, the Chamber South, the Dade County Farm Bureau, the Greater Homestead City Chamber of Commerce, the Dade County Agricultural Council Incorporated and the Builders Association of South Florida.

Chairwoman Seijas expressed concern that citizens who participated in the public hearings were criticized for expressing their concerns and/or oppositions. She stated that unfortunately everyone was reacting to a study that had yet to be published. Chairwoman Seijas noted the study would provide an extensive amount of data, but would not provide any strong recommendations for the County because the Advisory Committee did not approve any of the implementation strategies, according to the report. She noted that when the study was published, she would be interested in reviewing the recommendations regarding the County's plan to re-hydrate coastal wetlands.

Chairwoman Seijas stated this process had gone

on long enough and the study needed to be completed. She noted that according to the forgoing report, the work of the Watershed Advisory Committee was complete; that the requirement of Miami Dade's Comprehensive Plan-Element 3E had been met; and that once this Committee received the report, the Watershed Study Advisory Committee would be sunset. She further noted she was advised by Mr. Carlton that the Watershed study could be published by March 2007. **Chairwoman Seijas asked the Consultants, Keith and Schnars, PA, to submit the final Watershed Study plan for Committee review no later than March, 2007; that once this report was submitted, the Watershed Advisory Committee sunset and that all future public meetings be cancelled.

Chairwoman Seijas further explained that once the study was published, it would be archived as in the County's official records and no further legislative action would be required. She noted that after further review, it would be the responsibility of the Committee of Jurisdiction to instruct County staff on how to proceed with the Watershed plan. Chairwoman Seijas expressed appreciation to all members of the Watershed Advisory Committee for their time and effort in this process.

Commissioner Gimenez requested Mr. Carlton to state his opinion regarding the motion to receive the foregoing report.

Mr. Roger Carlton, speaking as Chair of the South Dade Watershed Plan Advisory Committee (SDWPAC), noted this Committee was given the challenge to plan for 370 square miles and protect Biscayne Park, as a priority. He noted the process had been long and arduous and these issues could be debated for a long time. Mr. Carlton further noted that as Chair of the SDWPAC, it was his province to express his feelings in the newspaper, and he never intended to take advantage of his role as an Assistant County Manager. He stated that when he became an Assistant County Manager, he discussed his position as Chair with the County Attorney and the Ethics Commission and was told he could remain Chair provided he gave up his vote in this process. He stated this was a complicated process and it was a challenge to figure out how to guide growth in South Dade, while avoiding the mistakes of the past and that the debate was a healthy part of it. He welcomed bringing closure to the study, and noted when the document was finalized and published, the

appropriate processes would be put in place to address the recommendations. Mr. Carlton expressed his appreciation for the opportunity to serve as Chair of the South Dade Watershed Plan Advisory Committee.

Commissioner Diaz spoke in support of receiving the foregoing report and expressed appreciation to members of the Watershed Study Advisory Committee for their efforts. He noted he felt that no matter how many more meetings were conducted, the outcome would not change and the process needed to move forward.

Chairwoman Seijas stated that regardless of who was the next appointed Chair of the Committee of jurisdiction over this matter, she would fulfill her promises to the citizens of South Dade to meet with them in the South to discuss today's actions, if they so desired.

7E

070094 Report

ORAL REPORT RE: ADVISORY COMMITTEE TO ADDRESS WATER CONSERVATION ISSUES AND ALTERNATIVE WATER SUPPLIES FOR THE DEVELOPMENT COMMUNITY (County Manager)

Report Received
Mover: Diaz
Secunder: Gimenez
Vote: 5-0
Absent: Edmonson

Report: *Mr. Renfrow provided an oral report regarding the establishment of an Advisory Committee to address development as it related to water conservation and that this Committee would consist of representatives from various County departments, along with representatives from the Farming, Development, and the Environmental community. He noted staff would conduct a meeting this week to create a selection list and would come back with a report before this Committee.*

7F

070081 Report

CHICAGO CLIMATE EXCHANGE STATUS REPORT (County Manager)

Report Received
Mover: Diaz
Secunder: Rolle
Vote: 5-0
Absent: Edmonson

Report: (NOTE: See Agenda Item 7B, Legislative File No. 070047.)

8 ADJOURNMENT

Report: *Chairwoman Seijas noted today's meeting was the last of the Infrastructure and Land Use Committee as it was structured and that she wanted to express her appreciation to all County Staff and Department Directors who participated in the INLUC meetings while she was Chair. She stated the last two years had had been very productive in resolving many issues resolved, especially concerning Water, which she was pleased about.*

There being no further business to come before this Board, the Infrastructure and Land Use Committee was adjourned at 12:03 PM.