MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
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ATC

Agenda Item No. 6(A)

TO: Dianne Davis, Agenda Coordinator
County Manager's Office

DATE: March 15, 2007

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

SUBJECT: Approval of Commission Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for placement on the upcoming Airport and Tourism Committee agenda for approval:

February 15, 2007

Attachment
KMS/jm

MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
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TO: Honorable Chairman Jose "Pepe" Diaz and Members, Airport and Tourism Committee

DATE: March 15, 2007

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

SUBJECT: Approval of Commission Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Airport and Tourism Committee:

February 15, 2007

Attachment
KMS/jm

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

CLERK'S SUMMARY OF

Meeting Minutes

Airport and Tourism Committee

Jose "Pepe" Diaz (12) Chair; Sally A. Heyman (4) Vice Chair; Commissioners Carlos A. Gimenez (7), Joe A. Martinez (11), Dorrin D. Rolle (2), and Rebeca Sosa (6)

Thursday, February 15, 2007 **9:30 AM** **COMMISSION CHAMBERS**

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, Dorrin Rolle.

Members Absent: Rebeca Sosa.

Members Late: None.

Members Excused: None.

1 MINUTES PREPARED BY:

Report: *Judy Marsh, Commission Reporter, (305) 375-1967*

1A INVOCATION

Report: *The Committee members observed a Moment of Silence followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Attorneys Abigail Price-Williams and Thomas Abbott; Assistant County Manager Susanne Torriente; and Deputy Clerks Doris Dickens and Judy Marsh.*

Commissioners Jordan and Seijas were also present.

Chairman Diaz called the meeting to order at 9:38 a.m. He thanked County Commission Chairman Bruno A. Barreiro for appointing him as chairman of the Airport and Tourism Committee. Chairman Diaz introduced the Committee members. He noted Commissioner Martinez was on his way and Commissioner Sosa would be absent from today's committee meeting due to an unforeseen family medical emergency.

070734 **Report**
CHANGES TO TODAY'S COMMITTEE AGENDA

Report: *Assistant County Attorney Abigail Price-Williams advised that Agenda Items 3I and 3J were added to today's agenda. She noted Agenda Item 3E contained a scrivener's error and the section titled "Company Principles" on page 1 should be corrected to reflect Ronald Colas and James Kanter, not David Yeamans.*

It was moved by Commissioner Heyman that the Committee approve the foregoing changes to the February 15, 2007 Airport and Tourism Committee agenda. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 4-0, (Commissioners Martinez and Sosa were absent).

1D PUBLIC HEARING

2 COUNTY COMMISSION

2A

070278 **Resolution** **Dennis C. Moss, Audrey M. Edmonson, Sen. Javier D. Souto**

RESOLUTION ADOPTING GOVERNMENTAL STRUCTURE TASK FORCE RECOMMENDATIONS REGARDING MIAMI-DADE COUNTY COMMUNITY PERIODICAL ADVERTISING PROGRAM AND INSTRUCTING THE COUNTY MANAGER TO IMPLEMENT THE RECOMMENDATIONS

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Rolle
Vote: 5-0
Absent: Sosa

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Commissioner Martinez expressed appreciation to Commissioner Moss, Chairman of the Governmental Structure Task Force and the Task Force members for their accomplishments.

In response to Chairman Diaz' inquiry, Assistant County Manager Susanne Torriente said subsequent to the foregoing proposed resolution being adopted by the County Commission, staff would bring back an administrative order to the Commission. She noted it was her understanding that Commissioner Souto was working with the County Attorney's Office regarding amendments to his original resolution and this would also be presented to the Commission.

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

2B

070284 **Resolution** **Barbara J. Jordan**

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; DIRECTING COUNTY MANAGER TO SEEK TERMINATION OF THE REVIVED AND AMENDED AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION FOR CERTAIN PREMISES AT SUCH AIRPORT; DIRECTING THE COUNTY MANAGER TO ENTER INTO NEGOTIATIONS WITH THE CARRIE MEEK FOUNDATION, INC., FOR A DEVELOPMENT LEASE AGREEMENT INVOLVING THE SAME PREMISES; FINDING AND DETERMINING THAT PREMISES UNDER SUCH DEVELOPMENT LEASE AGREEMENT CONSTITUTE AN AIRPORT FACILITY PERMITTING THE DEVELOPMENT LEASE AGREEMENT TO BE NEGOTIATED; AND DIRECTING COUNTY MANAGER TO RETURN TO THIS BOARD FOR APPROVAL OF THE NEGOTIATED DEVELOPMENT LEASE AGREEMENT

Amended

Report: *(See Agenda Item 2B Amended, Legislative File No. 070502)*

2B Amended

070502 **Resolution** **Airport and Tourism Committee**

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; DIRECTING THE MAYOR OR HIS DESIGNEE TO SEND A WRITTEN NOTICE TO THE OPA-LOCKA COMMUNITY DEVELOPMENT CORPORATION (CDC) IN WHICH CDC IS GIVEN NINETY (90) DAYS TO CURE ITS DEFAULTS UNDER THE REVIVED AND AMENDED AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CDC, AND IF CDC FAILS TO PROVIDE AN ADEQUATE CURE WITHIN SUCH NINETY-DAY PERIOD, DIRECTING THE MAYOR OR HIS DESIGNEE TO SEND A NOTICE OF TERMINATION OF THE AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 070284]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Heyman
Seconder: Gimenez
Vote: 5-0
Absent: Sosa

Report: *Assistant County Attorney Abigail Price-Williams read into the record the proposed resolution sponsored by Commissioner Jordan which directed the County Manager to seek termination of the Revived and Amended Agreement with the Opa-locka Community Development Corporation for certain premises at such Airport; and directed the County Manager to enter into negotiations with The Carrie Meek Foundation, Inc. for a development lease agreement involving the same premises. (See Agenda item 2B, Legislative File 070284 for resolution sponsored by Commissioner Jordan).*

Chairman Diaz expressed appreciation to Commissioners Jordan and Seijas, who were not members of the committee, for attending today's meeting.

The proposed resolution sponsored by Commissioner Jordan (Agenda Item 2B), was moved by Commissioner Heyman and seconded by Commissioner Gimenez for discussion.

Commissioner Jordan provided an historical overview and chronological timeline of the Revived and Amended Lease Agreement approved by the Board of County Commissioners ("Board") in May of 1997 with the Opa-locka Community Development Corporation (CDC) for a 40-year term. She noted an agreement was initially approved in 1986 with the CDC for development of an airport industrial park at Opa-locka Executive Airport; however, no development was initiated within the period of the agreement and the agreement lapsed by virtue of the passage of time. Commissioner Jordan said the leasehold was approximately 121 acres in the industrial

area of Opa-locka Executive Airport, plus two (2) joint venture areas consisting of 24 and 30 acres.

Commissioner Jordan pointed out that various companies had expressed an interest in operating at Opa-locka Airport, however, they all cited difficulties in negotiating with the CDC and the demands placed on those companies in advance. She stated she had letters of support from the Mayor and two commissioners from the City of Opa-locka who were in favor of her proposed resolution and she urged the Committee to support this resolution. Commissioner Jordan noted while it was her understanding that the CDC had identified a development partner, this partner could work with the Carrie Meek Foundation and allow Opa-locka Airport a chance to move forward.

Commissioner Seijas spoke in support of the foregoing proposed resolution and noted Opa-locka Airport was previously a part of Commission District 13. She said the foregoing resolution would also benefit District 13 and the County needed to proceed with a solid proposal.

Discussion ensued among the Committee members and staff regarding the resolution sponsored by Commissioner Jordan.

Commissioner Heyman spoke in support of the foregoing proposed resolution.

In response to Commissioner Heyman's inquiry, Assistant County Attorney Abigail Price-Williams noted language would be included in the new development lease agreement to identify breach of contract, and to reduce automatic renewal of the lease.

Mr. Miguel Southwell, Assistant Aviation Director for Business Development, Miami-Dade Aviation Department (MDAD), responded to questions from Commissioner Gimenez regarding the letter he sent to the CDC regarding the Lease Agreement.

In response to Commissioner Gimenez' concern regarding the County potentially being placed in a libelous position, Assistant County Attorney Price-Williams noted there was always the potential of someone filing a claim against the County; however, the discussions between the Aviation Department and the CDC were subject to the Board's approval.

Assistant County Attorney Thomas Abbott advised that Commissioner Jordan's proposed resolution directed the County Manager to seek termination of the Lease Agreement with the Opa-locka CDC and to ensure that the process to terminate the lease was done legally to prevent the County from being subject to liability. He advised the Agreement included provisions that the County must give the CDC 30 days to cure its defaults. Mr. Abbott noted if during the 30 days, the CDC presented the County with a development package from Higgins Development Partners (Higgins) with a reasonable development schedule and a project that could be acceptable to the Aviation Department, it would probably legally be the case that the CDC had cured its default and the County would need to work with them on that basis.

Commissioner Heyman requested Assistant County Attorney Abbott review the record compiled by Commissioner Jordan relating to the Opa-locka CDC.

Pursuant to Commissioner Rolle's request, Chairman Diaz announced that today's meeting was open for public input.

Mr. Alfred Gonzalez, attorney representing the Opa-locka CDC, 2525 Coral Gables, appeared before the Committee. He stated the CDC was in compliance with the Lease Agreement and had not received a letter of default. Mr. Gonzalez noted Higgins Development Partners, a renowned national developer, had agreed to perform under the CDC'S Lease Agreement and said it was unfair to require Higgins to present a development plan within 30 days. He asked the Committee to table the proposed resolution sponsored by Commissioner Jordan and the lease could be terminated if the CDC did not present a plan to staff. Mr. Gonzalez said the CDC had spent $120 million in projects in this area and had a track record; they were willing to work with staff to change the terms of the lease and Higgins was directed by the Aviation Department to discuss this issue with the CDC. Mr. Gonzalez noted he was not notified of today's Committee meeting.

Mr. Paul Sherman, 848 Brickell Avenue, attorney representing Higgins Development Partners, appeared before the Committee. He noted Higgins was historically a well-financed developer who was prepared to simultaneously enter into negotiations with the Airport and could develop a world-class business park at Opa-locka Airport.

Mr. Sherman explained the circumstances which resulted in Higgins entering into a transaction with the CDC and noted he was told by Mr. Southwell to meet with the CDC. He said he was not notified that the proposed resolution would be on today's agenda.

Commissioner Rolle noted the CDC attempted to comply with the directives previously given by Commissioner Heyman and he did not believe a six-month cure period would hurt the Carrie Meek Foundation. He also expressed concern as to whether the leases going forward would be compatible to the leases that were given to Renaissance and other developers and noted staff should determine whether the CDC was given a marketable lease. Commissioner Rolle indicated he would be supportive of the foregoing resolution if it was amended to allow the CDC a six-month due diligence period before moving forward.

Commissioner Heyman said it had been over one year since the companies with development leases at Opa-locka Airport were given a timeframe to proceed with development and the CDC was the only company that had not renegotiated its lease.

Assistant County Attorney Price-Williams advised the Lease Agreement allowed for the Aviation Department to give the CDC an opportunity to cure its default within 30 days, however, the Department could give the CDC a six-month cure period pursuant to the County's approval.

In response to Commissioner Gimenez' inquiry, Assistant County Attorney Price-Williams noted the Adler leases could be bifurcated from the Opa-locka CDC lease.

Commissioner Gimenez asked Assistant County Attorneys Price-Williams and Abbott to ensure that benchmarks were incorporated in the Lease Agreement with the Opa-locka CDC and if these benchmarks were not met, the County would proceed to terminate the Lease if an executed development agreement from Higgins was not submitted to the County within the prescribed timeframe. He also asked that a two-month timeframe be assigned to the sublease agreement.

Mr. Anthony Williams, Executive Director, the Carrie Meek Foundation, appeared before the Committee. He provided an overview of the Foundation and its development plans for Opa-locka Airport. Mr. Williams said the Foundation

was committed to ensuring that development occurred and had the capacity to bring together local and national partners to accomplish the project on an expedited timeframe.

Honorable Carrie Meek, President, the Carrie Meek Foundation, appeared before the Committee. She noted Opa-locka was one of the poorest areas in the County and the Foundation could provide jobs for area residents and all aspects of a functioning community.

Mr. Kirk Sykes, President, Urban Strategy America Fund ("USA"), 198 Highland Street, appeared before the Committee. He noted USA focused on economic development, job creation and financial returns, and its investors were banks, insurance companies and pension funds. Mr. Sykes said his mandate was to place capital into areas of economic development such as Opa-locka, put people to work and show his investors that the capital was successful in stimulating economic development. He noted USA was creating job training and jobs for minorities and women throughout the country and at air force bases.

Commissioner Seijas expressed appreciation to Chairman Diaz for allowing her to participate. She expressed concern that in ten years the CDC had not developed the subject site.

Commissioner Jordan expressed concern regarding extending the timeframe for the CDC. She pointed out that Higgins' proposal was for ninety-five percent ownership versus five percent in terms of the CDC. Commissioner Jordan asked the Committee to begin the process to seek termination of the Revived and Amended Agreement with the Opa-locka CDC.

Commissioner Gimenez noted he would prefer a resolution directing the County Manager to seek termination of the Revived and Amended Agreement between Miami-Dade County and the Opa-locka CDC for certain premises at the Airport if certain deadlines were not met.

In response to Commissioner Martinez' suggestion that an alternate resolution sponsored by the Committee be prepared and both resolutions be forwarded to the Board, Commissioner Gimenez said he was afraid the foregoing resolution could create problems in the future.

Commissioner Heyman recommended Opa-locka CDC be given 90 days to submit to the County an executed development agreement with Higgins Development Partners and/or any other principals that were part of the CDC's leasehold agreement; and failure to deliver to the County all principals tied to the business development under the CDC's leasehold would constitute bad faith and termination of the CDC's lease; and the County Manager would revive a Letter of Agreement with another community based organization.

Following clarification that the motion made earlier by Commissioner Heyman and seconded by Commissioner Gimenez was for discussion purposes only, the Committee voted on a motion moved by Commissioner Martinez and seconded by Chairman Diaz to forward Agenda Item 2B as presented to the Board which upon being put to a vote, failed to carry by a vote of 2-3, (Commissioners Martinez and Chairman Diaz voted "yes") (Commissioners Gimenez, Heyman and Rolle voted 'no") (Commissioner Sosa was absent).

It was moved by Commissioner Heyman that the Committee reconsider Commissioner Jordan's proposed resolution, and upon being put to a vote, passed by a vote of 5-0.

Following further discussion, the Committee expressed its intent to solely address the existing Agreement and the Committee amended the resolution to provide that a written notice be sent to the Opa-locka CDC giving the CDC 90 days to cure its default under the Revived and Amended Agreement; and instructed the county attorney to terminate the CDC's Lease Agreement if an executed development agreement between the Opa-locka CDC and Higgins Development Partners was not submitted to the County within 90 days.

2C

063604 **Resolution** **Dorrin D. Rolle**

RESOLUTION RELATING TO THE RENTAL CAR FACILITY AT MIAMI INTERNATIONAL AIRPORT; DIRECTING COUNTY MANAGER TO TAKE APPROPRIATE STEPS TO IMPLEMENT THE PRELIMINARY ALLOCATION NUMBER 16 DATED AUGUST 2005 ESTABLISHED BY THE AVIATION DEPARTMENT IN RESPONSE TO DIRECTION FROM THE TRANSPORTATION COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS [SEE ORIGINAL ITEM UNDER FILE NO. 063334]

Withdrawn

Report: *(See Agenda Item 2C Substitute, Legislative File No. 063604)*

2C Substitute

063604 **Resolution** **Dorrin D. Rolle**

RESOLUTION RELATING TO THE RENTAL CAR FACILITY AT MIAMI INTERNATIONAL AIRPORT; DIRECTING COUNTY MANAGER TO TAKE APPROPRIATE STEPS TO IMPLEMENT THE PRELIMINARY ALLOCATION NUMBER 16 DATED AUGUST 2005 ESTABLISHED BY THE AVIATION DEPARTMENT IN RESPONSE TO DIRECTION FROM THE TRANSPORTATION COMMITTEE OF THE BOARD OF COUNTY COMMISSIONERS [SEE ORIGINAL ITEM UNDER FILE NO. 063334]

Deferred to March 15, 2007
Mover: Rolle
Seconder: Gimenez
Vote: 5-0
Absent: Sosa

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

It was moved by Commissioner Rolle that the foregoing proposed resolution be forwarded to the County Commission as presented. He noted the resolution directed the County Manager to continue working with the 16 participating rental car companies, to agree on a space allocation formula per the Board's directive of August 2005; and directed the Manager to provide a progress report on negotiation efforts within 90 days. Commissioner Rolle said the 2005 Committee directives included the Aviation Department's chart for space allocation which used the total car capacity, proposed linear footage and a proposed square footage.

Following Commissioner Rolle's comment that the foregoing resolution should take into consideration the smaller car rental companies, Commissioner Martinez seconded the motion.

Commissioner Gimenez expressed concern that if the large car rental companies pulled out of the proposed Rental Car Facility (RCF) Project, funding for the Project would be impacted. He indicated he had asked the Aviation Department to prepare a graph delineating the issues.

Chairman Diaz noted he wanted the resolution sponsored by Commissioner Gimenez which was considered by the previous Regional Transportation Committee, and the foregoing proposed resolution to be placed on the March 20, 2007 County Commission agenda; and in the interim, staff should re-negotiate with the companies.

Commissioner Gimenez asked Commissioner Rolle, sponsor, whether he would agree to defer the foregoing resolution in order to allow further discussion and a presentation from representatives of the Florida Department of Transportation (FDOT) and the Miami-Dade Aviation Department (MDAD) Director. He noted the Metrorail could potentially be affected by this issue.

Chairman Diaz noted a meeting could be held before the March 20, 2007 County Commission meeting.

Commissioner Martinez referred to the instructions given to Miami-Dade Aviation Department in August 2005. He noted to date, the amount of parking spaces for the larger companies had increased and the spaces for the smaller companies had decreased. Commissioner Martinez said the process had been steered to give a larger market share to the large companies.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, said he had no problem with deferring the foregoing resolution to the next Committee meeting. He noted pursuant to a resolution which was considered by the former Regional Transportation Committee, he met with representatives of the car rental companies; however, he was disappointed with the outcome of those meetings. Mr. Abreu said he had presented a proposal to the companies; however, a consensus was not reached. He noted both the resolution sponsored by Commissioner Gimenez and the foregoing proposed resolution required an amendment which the large and small companies refused to sign.

Commissioner Heyman asked that staff prepare a report indicating the consequences of the car rental companies failing to carry out contracts pursuant to the signed agreements; of the Florida Department of Transportation's involvement in the RCF Project; and of major car rental companies pulling out of the Project. She asked that this report be submitted as part of the support information to be presented for Committee review and also include any guarantees in place to protect the County and its partners if this Project failed, the amount of funding tied to the Project and the timing of delays.

Pursuant to Commissioner Gimenez' request, Commissioner Rolle agreed to defer the foregoing

proposed resolution to the Committee meeting scheduled for March 15, 2007 at 9:30 a.m.

Assistant County Attorney Abigail Price-Williams advised that the deferral count would start over.

Mr. Johnny Martinez, Secretary, Florida Department of Transportation (FDOT), noted FDOT had invested $600 million in the RCF Project and was close to negotiating contract terms with the contractor for another $311 million. He expressed concern about giving the contractor a Notice to Proceed until there were assurances that the large companies would remain in the deal. Secretary Martinez noted the contractor could not hold the current prices.

Chairman Diaz noted this was a new Committee and he felt it would be prudent to defer the foregoing proposed resolution for 30 days, in order to finalize a procedure to move forward.

Commissioner Diaz asked that staff and Secretary Martinez meet with representatives of the rental car companies and each Committee member before the March 15, 2007, Committee meeting.

Following discussion, the Committee deferred the foregoing proposed resolution to the Committee meeting scheduled for March 15, 2007 at 9:30 a.m.

3 DEPARTMENTS

3A

070173 **Resolution**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN LANDRUM & BROWN, INC. AND MIAMI-DADE COUNTY FOR THE AVIATION ACOUSTICAL AND LAND USE COMPATIBILITY PLANNING SERVICES, PROJECT NO. E06-MDAD-02 FOR ALL COUNTY AIRPORTS, IN THE MAXIMUM AMOUNT OF $501,250.00 AND AUTHORIZING COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

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

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

In response to Commissioner Martinez' inquiries, Miami-Dade Aviation Department Director Jose Abreu said the work order agreement contracts would be available as needed.

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

3B

070172 **Resolution**

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN ENVIRONMENTAL SCIENCE ASSOCIATES CORPORATION AND MIAMI-DADE COUNTY FOR THE AVIATION ACOUSTICAL AND LAND USE COMPATIBILITY PLANNING SERVICES, PROJECT NO. E06-MDAD-02 FOR ALL COUNTY AIRPORTS, IN THE MAXIMUM AMOUNT OF $501,250.00 AND AUTHORIZING COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE CONTRACT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

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

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Commissioner Martinez noted he felt the consultants referenced in the foregoing proposed resolution should be hired on a job basis as needed.

3C

070240 **Resolution**

RESOLUTION AUTHORIZING SECOND AMENDMENT TO NONEXCLUSIVE MANAGEMENT AGREEMENT FOR OPERATION OF THE PUBLIC PARKING FACILITIES AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING COUNTY MANAGER TO EXECUTE SECOND AMENDMENT AND EXERCISE ALL OTHER RIGHTS INCLUDING CANCELLATION PROVISIONS CONTAINED THEREIN; AND WAIVING COMPETITIVE BID PROCEDURES AND PROVISIONS (Aviation Department)

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

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Commissioner Martinez noted he was supportive of the month-to-month extension; however, he expressed concern regarding $6 million being paid to Airport Parking Associates in one year.

Chairman Diaz noted he felt comfortable with the proposed contract as these contracts would be analyzed in the future.

Commissioner Gimenez asked that a study be conducted to determine whether public parking facilities at Miami International Airport could be operated cheaper by utilizing in-house staff.

3D

070259 **Resolution**

RESOLUTION APPROVING THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PEREZ AND PEREZ ARCHITECTS PLANNERS, INC., FOR MIA SOUTH TERMINAL PROGRAM SUPPLEMENTAL ARCHITECTURAL/ENGINEERING SERVICES, PROJECT NO. H010A AT MIAMI INTERNATIONAL AIRPORT, AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE CANCELLATION AND TERMINATION PROVISIONS THEREOF; INCREASES THE MAXIMUM CONTRACT AMOUNT TO $12,531,250 (Aviation Department)

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

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Commissioner Gimenez spoke in support of the foregoing proposed resolution and asked that future increases in the contract amount be referenced in this agreement.

Mr. John Cosper, Deputy Aviation Director for the Capital Improvement Program (CIP), Miami-Dade Aviation Department, responded to questions from Commissioner Martinez regarding the increased contract amount.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, noted there were many changes relating to the South Terminal Program and professionals needed to be available if the contract was delayed.

In response to Commissioner Martinez' inquiry, Mr. Abreu noted Miami-Dade County Mayor Alvarez was thoroughly briefed on the South Terminal, however, he was not yet briefed on the North Terminal.

Chairman Diaz asked that Mayor Alvarez's staff be briefed on departmental items.

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

3E

070266 **Resolution**

RESOLUTION APPROVING THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BURNS AND MCDONNELL ENGINEERS, INC., FOR MIA SOUTH TERMINAL PROGRAM SUPPLEMENTAL ARCHITECTURAL/ ENGINEERING SERVICES, PROJECT NO. H010A AT MIAMI INTERNATIONAL AIRPORT, AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE CANCELLATION AND TERMINATION PROVISIONS THEREOF; INCREASES THE CONTRACT BY UP TO $3,508,750 (Aviation Department)

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

Report: *Assistant County Attorney Abigail Price-Williams advised that the foregoing proposed resolution contained a scrivener's error and the section titled "Company Principles" on page 1 should be corrected to reflect Ronald Colas and James Kanter, not David Yeamans.*

(See notes under Agenda item 3D)

3F

070191 **Resolution**

RESOLUTION APPROVING PROFESSIONAL ENGAGEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND RICONDO & ASSOCIATES, INC., FOR STRATEGIC AIRPORT MASTER PLANNING SERVICES FOR THE COUNTY'S SYSTEM OF PUBLIC USE AIRPORTS, PROJECT NO. E06-MDAD-01; IN AN AMOUNT NOT TO EXCEED $4,010,000; AND AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Rolle
Vote: 3-1
No: Martinez
Absent: Gimenez, Sosa

Report: *Assistant County Attorney Price-Williams read the foregoing proposed resolution into the record.*

There being no discussion, the Committee proceeded to vote on the foregoing resolution.

3G

070430 **Resolution**

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; APPROVING ASSIGNMENT OF DEVELOPMENT LEASE AGREEMENT BY OPA-LOCKA AVIATION GROUP, LLC, FORMERLY KNOWN AS STAGECOACH AVIATION OPF, LLC, TO AA ACQUISITIONS, LLC; APPROVING THE AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE ASSIGNEE, AA ACQUISITIONS, LLC; FINDING AND DETERMINING THAT THE PREMISES FOR SUCH LEASE CONSTITUTES AIRPORT FACILITIES WHOSE LEASE MAY BE NEGOTIATED; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ADDITIONAL DOCUMENTS UPON APPROVAL OF THE COUNTY ATTORNEY TO EFFECT THE PURPOSES OF THE AGREEMENT; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT WITH AA ACQUISITIONS LLC., AND TO EXERCISE THE TERMINATION PROVISIONS THEREOF (Aviation Department)

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

Report: *Assistant County Attorney Price-Williams read the foregoing proposed resolution into the record.*

In response to Commissioner Heyman, Assistant County Attorney Thomas Abbott noted there was nothing in the language that would compromise the leaseholder from developing the property.

Miami-Dade Aviation Director Jose Abreu noted he was in support of the foregoing proposed resolution.

Assistant County Attorney Abbott advised that approval of the lease agreement would be conditioned upon receipt of a release document that would eliminate any and all claims that Stagecoach/Opa-locka Aviation Group (OAG) might have served against the County.

3H

070433 **Resolution**

RESOLUTION RELATING TO MIAMI-DADE COUNTY'S AIRPORT SYSTEM; APPROVING COUNTY MANAGER'S PROPOSED INCREASE OF $963.4 MILLION TO MIAMI-DADE AVIATION DEPARTMENT'S CAPITAL IMPROVEMENT PROGRAM BUDGET FOR A TOTAL AMOUNT OF $ 6.2 BILLION (Aviation Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Heyman
Vote: 4-1
No: Martinez
Absent: Sosa

Report: *Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

Mr. Jose Abreu, Director, Miami-Dade Aviation Department (MDAD), appeared before the Committee. He noted the foregoing proposed resolution was an amendment to MDAD's Capital Improvement Program (CIP) and this item needed to be considered by the Board of County Commissioners (Board) in March in order for MDAD to be able to borrow funds in May. Mr. Abreu said the Power Point presentation that would be given regarding the foregoing item was identical to the one given to the former Regional Transportation Committee (RTC) in October 2006.

Chairman Diaz expressed appreciation to Commissioner Gimenez for his accomplishments as chairman of the previous Regional Transportation Committee.

Mr. Sunil Harman, Manager of Development, Miami-Dade Aviation Department, provided an overview of the vision articulated by the Board in 1994 for an international connecting gateway hub and its partnership with American Airlines (American) to achieve this vision. He noted American had restructured its business model and established itself as a leader of oneworld airlines. Mr. Harman said the North Terminal was crucial to American's success and by the opening of the North Terminal, American and its oneworld partners would be at eighty-five (85%) of Miami International Airport (MIA's) market share. He noted the CIP was sunsetting the current master plan which was dated to 1994; and the Federal Aviation Administration requested MDAD to prepare a new master plan.

Mr. Narinder Jolly, Assistant Aviation Director for Facilities Development, Miami-Dade Aviation

Department, provided an overview of the June 2005 plan for the North Terminal Project which included certain critical functions that were essential for efficiency and proper functioning of American Airlines and most of their other partners in the North Terminal.

Mr. Jolly discussed cost increases during 2005-2007 due to market conditions, including lack of competition, labor cost increases, transportation cost increases and noted these factors had significantly impacted the estimated budget and construction cost for the Project. He summarized Concepts 1, 2 and 3 which were developed to contain the budget for the Project and to reduce construction duration. Mr. Jolly noted Concept 3, which was the preferred alternative provided for all the gates on the North Terminal, except one which would be international; it would include the Automated People Mover system; gate delivery baggage system; inline explosive detection system and provide the efficiency of airfield proximity by removing Concourse "C." He said under Concept 3, construction duration of the Project was reduced from six to four years and represented $27 million in savings and construction costs, $15 million savings in the contract with Parsons-Odebrecht Joint Venture (POJV) and $31 million additional savings for the management team. Mr. Jolly noted although there was a four-year duration, three gates would be opened in 2007, three in 2008 and five gates would be opened in 2009 and the remainder of the gates would be opened in 2010 and 2011. He said Concept 3 increased the Project from $1.9 billion to $2.6 billion and this was reflected in the new CIP.

Mr. John Cosper, Deputy Aviation Director for the Capital Improvement Program (CIP), Miami-Dade Aviation Department, summarized the status of the North Terminal Project. He noted the construction phasing of the Project was revamped and completion of the Project was expected early in 2011. Mr. Cosper said a Peer Review Group was brought in to review the Project and their findings indicated the following:

- *Option 3 was preferred to the other options presented*
- *MDAD could not afford not to complete the project*
- *MDAD should proceed with revision of POJV's contract to general contractor (GC) format*
- *MDAD should tailor its Management Team to fit GC construction contract format*

• To facilitate construction phasing, Concourse "A" should be closed as soon as possible
• MDAD should be proactive in building bridges with the contracting community

Mr. Cosper said most of the CIP increase related to the North Terminal. He noted the closing budget for the North Terminal Project was $772 million consisting of $720 million in additional funding for the North Terminal Core Project and approximately $52 million for North Terminal Support Project. Mr. Cosper also noted there were also additional costs to close the South Terminal Project.

Mr. Abreu said approximately $50 million to $60 million of projects should have been included in the CIP, including basic projects such as roof repairs. He noted the number for the entire CIP was in the billion dollar range, however, the exact number was not known as staff was still negotiating with POJV. Mr. Abreu advised that a bonding capacity study would be done by the end of this month. He noted although the media kept reporting cost overruns on the North Terminal, technically this was not an overrun because the work had not yet been contracted.

Commissioner Heyman asked that the tapes of the previous Transportation Committee meeting at which Mr. Abreu and staff summarized the CIP be provided to Chairman Diaz and Commissioner Martinez.

In response to Commissioner Heyman's concern regarding inadequate manpower for construction projects at MIA, Mr. Abreu noted Mr. Max Fajardo was recently named Chief Executive Officer for the South Terminal and results should be presented within the next few weeks.

Commissioner Gimenez noted he was willing to support the foregoing proposed resolution; however, he expressed concern regarding the impact the increased CIP could have on the cost per enplaned passengers.

Chairman Diaz asked Mr. Abreu to provide the cost per enplaned passenger to the Committee as soon as possible.

Commissioner Rolle asked Mr. Abreu to meet with the Business Development Department Director to develop a plan to increase the number of minorities working on the North/South Terminal

Projects at MIA and to submit this plan for Committee review once completed.

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

3I

070475 **Resolution**

RESOLUTION RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT AT MIAMI INTERNATIONAL AIRPORT; APPROVING THE SECOND COUNTY AMENDMENT TO DESIGN SERVICES AGREEMENT WITH BERMELLO AJAMIL & PARTNERS, INC. FOR THE B-C INFILL INTERIOR FINISH-OUT, CONTRACT NO. MIA-746-R-3, IN AN INCREASED AMOUNT OF UP TO $3,522,000; AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE CANCELLATION AND TERMINATION PROVISIONS THEREOF (Aviation Department)

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

Report: *Assistant County Attorney Price-Williams read the foregoing proposed resolution into the record.*

There being no discussion, the Committee proceeded to vote on the foregoing resolution.

3J

070476 **Resolution**

RESOLUTION RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT AT MIAMI INTERNATIONAL AIRPORT; APPROVING SECOND COUNTY AMENDMENT TO THE DESIGN SERVICES AGREEMENT WITH WOLFBERG/ALVAREZ AND PARTNERS, INC. FOR CONCOURSE D REMODEL, CONTRACT NO. MIA-739C, AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE CANCELLATION AND TERMINATION PROVISIONS THEREOF; INCREASES THE MAXIMUM CONTRACT AMOUNT TO $6,580,899 (Aviation Department)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Rolle
Vote: 5-0
Absent: Sosa

Report: *Assistant County Attorney Price-Williams read the foregoing proposed resolution into the record.*

There being no discussion, the Committee proceeded to vote on the foregoing resolution.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

070365 **Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR THE JANUARY 18, 2007 REGIONAL TRANSPORTATION COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Heyman
Seconder: Gimenez
Vote: 5-0
Absent: Sosa

7 REPORTS

7A

070319 **Report**

ORAL REPORT RE: NORTH TERMINAL DEVELOPMENT TRANSITION (County Manager)

Not presented

Report: *Chairman Diaz asked that a written report on the foregoing item be provided to the Committee members.*

7B

070322 **Report**

ORAL REPORT RE: SOUTH TERMINAL DEVELOPMENT TRANSITION (County Manager)

Not presented

Report: *Chairman Diaz asked that a written report on the foregoing item be provided to the Committee members.*

7C

070323 **Report**

ORAL REPORT RE: CENTRAL TERMINAL (County Manager)

Not presented

Report: *Chairman Diaz asked that a written report on the foregoing item be provided to the Committee members.*

7D

070351 **Report**

DIAL-A-LIFE ADVISORY AND OVERSIGHT BOARD SEMI-ANNUAL STATUS REPORT AND DIAL-A-LIFE PROGRAM SURPLUS CELLULAR TELEPHONES REPORT

Report Received
Mover: Martinez
Seconder: Heyman
Vote: 5-0
Absent: Sosa

(County Manager)

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 1:03 p.m.*