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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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RCA  
Agenda Item No. 6A

**TO:** Honorable Chairman Javier D. Souto  
and Members, Recreation  
and Cultural Affairs Committee

**DATE:** May 14, 2007

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

**SUBJECT:** Approval of Commission  
Committee Minutes

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The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Recreation and Cultural Affairs Committee:

**April 9, 2007**

Attachment  
KMS/jm



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

## CLERK'S SUMMARY OF Meeting Minutes

### Recreation & Cultural Affairs Committee

Javier D. Souto (10) Chair; Dennis C. Moss (9) Vice Chair; Commissioners Audrey M. Edmonson (3), Barbara J. Jordan (1), Katy Sorenson (8), and Dorrin D. Rolle (2)

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Monday, April 9, 2007

2:00 PM

COMMISSION CHAMBERS

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**Members Present:** Audrey M. Edmonson, Dennis C. Moss, Dorrin Rolle, Katy Sorenson, Javier D. Souto.

**Members Absent:** Barbara J. Jordan.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Zorana Gainer, Commission Reporter  
305-375-2510*

**1A INVOCATION**

**1B PLEDGE OF ALLEGIANCE**

**1C ROLL CALL**

**Report:** *In addition to the Committee members, there being also present the following staff members: Assistant County Manager Alex Munoz; Assistant County Attorney Wilfredo Ferrer and Assistant County Attorney Monica Rizo; Deputy Clerks Doris Dickens and Zorana Gainer.*

**1D DISCUSSION MATTERS**

1D1

**071048 Report**

DISCUSSION ITEM RE: THE ESTABLISHMENT OF  
EQUESTRIAN PROGRAMS FOR CHILDREN AT ALL  
REGIONAL PARKS

*Presented*

**Report:** *Assistant County Attorney Wilfredo Ferrer read the foregoing discussion item into the record.*

*Ms. Vivian Rodriguez, Director, Parks & Recreation, noted they were researching the feasibility of adding equestrian lessons at the Equestrian Center at Tropical Park, she stated expansion to other parks may be possible in the future.*

*Chairman Souto expressed concern regarding the equestrian program being at only one park, and stated these types of programs should be extended to all kids within Miami-Dade.*

1D2

**071049 Report**

DISCUSSION ITEM RE: THE DESIGNATION OF  
CERTAIN PARKS FOR SPECIAL ACTIVITIES

*Presented*

1D3

**071050 Report**

DISCUSSION ITEM RE: THE OVERALL MAINTENANCE  
OF THE EXTERIOR OF LIBRARIES, AS WELL AS THE  
RESTROOMS IN THE LIBRARIES

*Presented*

**Report:** *Assistant County Attorney Wilfredo Ferrer read the foregoing discussion item into the record.*

*Chairman Souto asked Assistant County Manager Alex Munoz to ensure that the exterior of County libraries as well as the restrooms in libraries, parks and the restroom facilities along the Rickenbacker and Venetian Causeways were maintained and monitored on a regular basis. He noted this including the water and plumbing. He commended Assistant County Attorney Alex Munoz and the Public Library System Director for the progress made in implementing programs at the libraries.*

*Mr. Bill Urbizu, Assistant Director, Miami-Dade Libraries, responded to Chairman Souto's concern, noting the department had developed more strict written specifications for both the janitorial and grounds maintenance throughout the library system's 44 branches. He noted the janitorial proposals were currently being reviewed and he anticipated that a decision would be made within the next 30 days, providing for more aggressive cleaning of heavily trafficked areas, floors and restrooms in all regional library. He also noted the lawns would be cut weekly starting June 1st.*

*Chairman Souto noted Miami-Dade County was a national and international tourist destination visited by politicians and dignitaries from other countries and it was important to ensure that restrooms and other facilities were always clean and well-maintained.*

1D4

**071051 Report**

DISCUSSION ITEM RE: OUTDOOR EXHIBITION OF  
FAMILY FILMS IN PARKS TO BRING FAMILIES AND  
CHILDREN TOGETHER IN COMMUNITIES

**Presented**

**Report:** *Assistant County Attorney Wilfredo Ferrer read the foregoing discussion item into the record.*

*Ms. Vivian Donnell Rodriguez, Director, Parks & Recreation Department, spoke in support of this proposal and noted the department had already done outdoor films in parks, which was a great place. The department did a series of short film at the Deering Estates in a few months ago conjunction with the Miami Film festival. Ms. Donnell Rodriguez pointed out that funding and securing sponsorships for these types of events were an issue; that in other cities corporations had in some cases underwritten the cost of rental equipment and the film itself. She reassured Chairman Souto that the department was exploring the possibilities and had met with a local non-profit film organization and discussed the possibility of doing these types of events in parks.*

**1E PUBLIC HEARING**

1E1

**070452 Ordinance** **Sen. Javier D. Souto**

ORDINANCE PERTAINING TO CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ENTITLED "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; DELETING SECTION 26-33; CREATING ARTICLE III TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR ALL PERSONS WORKING OR VOLUNTEERING ON COUNTY PARK PROPERTY; REQUIRING CONFIRMATION THAT AN EMPLOYEE OR VOLUNTEER IS NOT LISTED ON THE NATIONAL SEX OFFENDER PUBLIC WEBSITE; PROHIBITING SEXUAL OFFENDERS, SEXUAL PREDATORS, CERTAIN VIOLENT FELONS, CERTAIN NARCOTICS TRAFFICKERS, AND NON-LEGAL IMMIGRANTS FROM WORKING OR VOLUNTEERING ON PARK PROPERTY BELONGING TO MIAMI-DADE COUNTY; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Agenda Item 1E1 Substitute Amended; Legislative File No. 071209.*

1E1 SUB.

**071103 Ordinance** **Sen. Javier D. Souto**

ORDINANCE PERTAINING TO CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ENTITLED "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; DELETING SECTION 26-33; CREATING ARTICLE III TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR ALL PERSONS WORKING OR VOLUNTEERING ON COUNTY PARK PROPERTY; REQUIRING CONFIRMATION THAT AN EMPLOYEE OR VOLUNTEER IS NOT LISTED ON THE NATIONAL SEX OFFENDER PUBLIC WEBSITE; PROHIBITING SEXUAL OFFENDERS, SEXUAL PREDATORS, CERTAIN VIOLENT FELONS, CERTAIN NARCOTICS TRAFFICKERS, AND NON-LEGAL IMMIGRANTS FROM WORKING OR VOLUNTEERING ON PARK PROPERTY BELONGING TO MIAMI-DADE COUNTY; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE 070452]

*Amended*

**Report:** *See Agenda 1E1 Substitute Amended; Legislative File No. 071209.*

1E1 SUB. Amended

**071209 Ordinance**

**Sen. Javier D. Souto**

ORDINANCE PERTAINING TO CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ENTITLED "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; DELETING SECTION 26-33; CREATING ARTICLE III TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR ALL PERSONS WORKING OR VOLUNTEERING ON COUNTY PARK PROPERTY; REQUIRING CONFIRMATION THAT AN EMPLOYEE OR VOLUNTEER IS NOT LISTED ON THE NATIONAL SEX OFFENDER PUBLIC WEBSITE; PROHIBITING SEXUAL OFFENDERS, SEXUAL PREDATORS, CERTAIN VIOLENT FELONS, CERTAIN NARCOTICS TRAFFICKERS, AND NON-LEGAL IMMIGRANTS FROM WORKING OR VOLUNTEERING ON PARK PROPERTY BELONGING TO MIAMI-DADE COUNTY; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 070452 AND 071103]

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Souto*

*Seconded: Rolle*

*Vote: 5-0*

*Absent: Jordan*

**Report:** *Assistant County Attorney Wilfredo Ferrer read the foregoing proposed ordinance into the record.*

*Chairman Souto, as sponsor of this proposed ordinance, relinquished the Chair to Commissioner Moss.*

*Vice Chairman Moss opened the public hearing and called for persons wishing to be heard.*

*Mr. Jay Baum, CEO/Risk Manager, Miami-Dade County Fair and Expo Inc. MDCFE, appeared before the Board in support of the foregoing proposed ordinance. He noted he applauded Chairman Souto for developing this proposed resolution, noting the MDCFE had been conducting background checks for 600 plus employees long before this proposal. Consequently, he had been working County staff and they had ironed out some difficulties, which were reflected in the substitute ordinance. Additionally, he questioned Item B1 in the Shannon Melendi Act on handwritten page 6, providing that a volunteer on a County-owned and operated park cannot volunteer more than 72 consecutive hours and Item H on handwritten page 7, defining a volunteer as child event work or a park vendor for more than one (1) day in any (6) month period. He also questioned the language contained within Item D on handwritten*

page 7, identifying persons and events exempted from the definition of park vendor. Mr. Baum expressed concern that a conflict or a misunderstanding existed regarding these items and requested further clarification.

Assistant County Attorney Monica Rizo explained the exemption only applied to 1-day events; that 3-day event would not be exempted pursuant to this ordinance.

Following further clarification by the Assistant County Attorney, Chairman Souto noted Mr. Baum was trying to clarify that the language should be change based on whether the event involved children, as opposed to adults. He suggested this ordinance be amended to add appropriate language to exempt 3-day shows (off season events in which only adults attended) from this ordinance.

Mr. Baum responded to Commissioner Rolle's request for clarification.

In regards to Mr. Baum's question regarding the definition of a volunteer and the hours they could work, Ms. Rizo stated the volunteer clause was intended to exempt any volunteer that has been a volunteer for only one day in a six month period, they would be exempted from having to undergo a background check altogether. If a volunteer is working a period less than 72 hours, he/she may by-pass the background check requirement provided they are accompanied by someone who has undergone a background check.

Mr. Baum pointed out that the exemption as written would result in extenuating circumstances for events that required up to 600 volunteers.

Chairman Souto noted persons volunteering for 72 hours should not require accompaniment.

Vice Chairman Moss expressed concern regarding the cost of conducting the proposed background checks, particularly for Community-Based and other volunteer organizations. He questioned whether staff had considered retaining an outside entity to conduct background checks and to defray some of the cost.

Following further comments, Commissioner Moss asked Assistant County Manager Alex Munoz to research the feasibility of retaining an outside entity to conduct criminal background checks for

volunteers at County Parks.

Ms. Vivian Donnell Rodriguez, Director, Parks & Recreation Department, Committee members that some organizations did provide background checks, and she would initiate efforts to identify a company and report by to the Committee.

Mr. Baum noted he currently utilized a private professional background screening company at a fee of \$15 for a national background check through one database, including the national sexual predator database. Commissioner Souto recommended that Ms. Donnell Rodriguez work with Baum to identify an entity.

Mr. Kenneth Newman, 1030 SW 1st Avenue spoke in support of the foregoing proposed ordinance, he asked the committee to work closely with the sports community under the national governing bodies to save the county money.

Ms. Mary Pettit (phonetic), 13395 SW 89th Court, spoke in opposition of the foregoing ordinance. She noted she was specifically opposed to the scope and depth of the ordinance. Ms. Pettit suggested the committee seek council from the school board regarding the challenges they have faced with the "Jessica Lunsford Act". She noted this act had placed undue hardship on people that had any kind of criminal activity on their record.

Mr. Paul Broman (phonetic), 10013 SW 223rd Lane, spoke in opposition of the foregoing ordinance. Mr. Broman stated he was a representative of the Zoological Society of Florida. Mr. Broman said most of their events were intensely volunteer driven and they would not be able to carry on large events under the current language of the foregoing ordinance.

Vice Chairman Moss asked if it was Mr. Broman's suggestion that a waiver be provided for weekend/3 day events.

Mr. Broman stated he agreed with Vice Chairman Moss and it would not be feasible to prescreen every volunteer.

In response to Chairman Souto's question regarding adding the 72 hour exemption, Assistant County Attorney Rizo stated this language would be added to the foregoing ordinance.

Mr. David Guzman (phonetic) 1825 Ponce DeLeon Boulevard spoke in support of the foregoing ordinance. He expressed concern regarding how this ordinance would affect high school students that were required to complete community hours to graduate. He stated many students were illegal immigrants and this ordinance would exclude them from doing community hours, He recommended the language be changed to address these issues.

Ms. Katria Whitfield (phonetic) 516 Navarro Avenue, spoke in opposition of the foregoing ordinance.

Hearing no other persons wishing to appear in connection with this item, the public hearing was closed.

Chairman Souto asked that this ordinance also be amended to exclude background checks on students 17 years of age or less.

Assistant County Attorney Rizzo noted the foregoing proposed ordinance should be amended to delete the following language on page 6, under section 26-37, Item B1: "volunteers have to be accompanied by someone having undergone a criminal background check," and to replace it with the following language: "any volunteer who is on a park owned or operated by Miami-Dade County for a period not to exceed 72 consecutive hours." Additionally, Ms. Rizzo noted a scrivener's error existed in Item B3 and should be corrected to read as follows: "official sponsors of a carnival or fair who are at all times accompanied by a person having undergone a criminal background check." On page 7, under D1, delete the providing that a volunteer must be accompanied by a person having undergone a criminal background check and insert the following language: "any volunteer who is on a park owned or operated by Miami-Dade County for a period not to exceed 72 consecutive hours," and Item D8 Trade Show, should be added to the added to the exemption to read as follows: carnivals, festivals, trade shows and fairs that do not host amusement rides. Under H, the definition of volunteers shall be changed from 1 day to 72 consecutive hours, child event workers and park vendors should be deleted and this item should read as follows: "volunteers shall refer to any individual performing volunteer duties for a CBO

*for a programming partner or for the Miami-Dade Park and Recreation Department for more than 72 consecutive hours in any six month period." In addition, Ms. Rizzo noted this ordinance should only apply to persons 18 years of age and older."*

*Commissioner Sorenson suggested staff take a closer look at the unintended consequences the foregoing ordinance.*

*Vice Chairman Moss explained his concerns regarding the unintended consequences may be similar to those experienced by Dade County School System; that school system was extremely stringent in following the letter of the law and did not provide the flexibility to address individual background checks on a case-by-case basis, which hurt a lot of people. He noted the school board had subsequently revisited its process and issued waivers to individuals who were affected.*

*Commissioners Sorenson asked if a person was arrested for shoplifting when they were 15 years old, would they be precluded from volunteering at a park, in response Mr. Baum stated shoplifting was a misdemeanor and the ordinance called for crimes of violence within the last 5 years, crimes of a sexual nature, selling narcotics within the last 5 years. He stated they were not allowed to run a background check for persons under the age of 18, unless they were convicted as an adult.*

*Assistant County Attorney Rizzo stated the ordinance would also be amended to reflect that those persons volunteering through a high school volunteering program will also be exempted from the requirement of having to undergo a background check.*

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

## **2 COUNTY COMMISSION**

2A

**070972 Resolution Sen. Javier D. Souto**  
RESOLUTION ESTABLISHING TAX EXEMPT TRUST  
FUND TO PAY COST OF BRONZE SCULPTURE OF  
FORMER PRESIDENT RONALD W. REAGAN TO BE  
LOCATED AT RONALD REAGAN EQUESTRIAN  
CENTER  
*Amended*  
*Secunder: Rolle*

2A Amended

**071170 Resolution Sen. Javier D. Souto**  
RESOLUTION ESTABLISHING TAX EXEMPT TRUST  
FUND TO PAY COST OF SCULPTURE OF FORMER  
PRESIDENT RONALD W. REAGAN TO BE LOCATED  
AT RONALD REAGAN EQUESTRIAN CENTER  
*Forwarded to BCC with a  
favorable recommendation with  
committee amendment(s)*  
*Mover: Souto*  
*Secunder: Rolle*  
*Vote: 5-0*  
*Absent: Jordan*

2B

**070945 Resolution Bruno A. Barreiro**  
RESOLUTION RETROACTIVELY AUTHORIZING IN-  
KIND SERVICES FROM THE MIAMI-DADE PARK AND  
RECREATION DEPARTMENT FOR THE APRIL 12-15,  
2007 BOTS IQ NATIONAL ROBOTICS COMPETITION  
SPONSORED BY BOTS IQ INC., A NOT-FOR-PROFIT  
ORGANIZATION, IN AN AMOUNT NOT TO EXCEED  
\$2,232.00 TO BE FUNDED FROM THE DISTRICT 5 IN-  
KIND RESERVE FUND  
*Forwarded to BCC with a  
favorable recommendation*  
*Mover: Rolle*  
*Secunder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2C

**070920 Resolution Rebeca Sosa**  
RESOLUTION AUTHORIZING IN-KIND SERVICES  
FROM THE MIAMI-DADE PARK AND RECREATION  
DEPARTMENT FOR THE JUNE 9, 2007 DOLPHIN  
FISHING TOURNAMENT AND FISH FRY SPONSORED  
BY OPTIMIST CLUB OF MIAMI SPRINGS FLORIDA,  
INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN  
AMOUNT NOT TO EXCEED \$3,866.00 TO BE FUNDED  
FROM THE DISTRICT 6 IN-KIND RESERVE FUND  
*Forwarded to BCC with a  
favorable recommendation*  
*Mover: Rolle*  
*Secunder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2D

**070678 Resolution**

**Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JULY 15, 2006 BACK 2 SCHOOL JAMBOREE SPONSORED BY THE ANTIOCH MISSIONARY BAPTIST CHURCH OF CAROL CITY, FL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$716.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Moss*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Jordan*

2E

**070607 Resolution Sally A. Heyman**

RESOLUTION DIRECTING THE INSPECTOR GENERAL TO CONDUCT AN AUDIT OF COUNTY-OWNED WORKS OF ART IN ART IN PUBLIC PLACES INVENTORY

*Deferred to next committee meeting*

*Mover: Moss*

*Seconded: Edmonson*

*Vote: 5-0*

*Absent: Jordan*

**Report:** *Commissioner Heyman provided a brief overview regarding the intent of the foregoing ordinance. She noted the inventory audit should contain a record of all the works of art formally accepted into the collection of Art in Public Places Program (APP), description of each piece, current location of each piece, and a current photograph of each piece. Commissioner Heyman further noted there should be an explanation of the APP's current process of maintaining inventories and catalogues of the collection. She stated there have been concerns regarding the whereabouts of a number of APP's artworks. An audit was conducted in 2000, numerous artworks were listed as "un-located", and Commissioner Heyman suggested a forensic list be compiled to identify the artworks, locate the pieces and properly catalogue them. She further suggested the audit be conducted by the Inspector General.*

*Commissioner Sorenson stated she was alarmed about the missing pieces. She asked the Director of APP to explain how inventory was tracked and what happened to the missing/unaccounted for artwork.*

*Mr. Ivan Rodriguez, Director, Art in Public Places, explained that the inventory was updated on an annual basis and had been in place since the late 1990's. He stated the database had previously crashed, but was now current. Mr. Rodriguez noted the inventory identified damaged pieces as well as a list of the "unlocated" pieces. He said the pieces were old pieces from the 1970's and 1980's, and staff was aware of the unlocated pieces. Mr. Rodriguez noted the Auditor's Office conducted an inventory audit in 2005, and that police reports were filed for the missing items and copies of the formal audit report were forwarded to the County Commission. He noted the unlocated pieces dated back 20 years ago.*

*Commissioner Moss asked Mr. Ivan Rodriguez, Director, Art in Public Places (APP), to provide him copies of the formal audit report that was*

*previously submitted to the County Commission regarding the APP's inventory and process of keeping track of Art work.*

*In response to Mr. Rodriguez's comments regarding inventory and unlocated pieces, Commissioner Heyman stated she possessed a 3 page list comprised of approximately 30 to 40 items that were not on the police report, therefore, the APP's list was inaccurate and inconsistent. She further stated better accountability was needed and a structure to forensically monitor the inventory of artwork.*

*Commissioner Moss expressed great concern regarding an audit being conducted by the Inspector General. He suggested Auditing Management conduct the review, and forward any criminal activities found to the Inspector General.*

*In response to Commissioner Rolle's question regarding the total value of the unaccounted items, Mr. Rodriguez assessed approximately \$20,000.*

*Assistant County Manager Munoz clarified that there were two categories involved, accession and unlocated items. He asked Mr. Rodriguez to obtain accurate totals for each category.*

*Mr. Rodriguez stated he welcomed an audit and noted this stemmed from the so-called missing sculpture from South Miami's Metro-rail Station, which was never missing. Mr. Rodriguez said he had written documentation since 2005 indicating the sculptures location; the sculpture had been dismantled without authorization and moved.*

*An annual update was conducted to keep track of inventory stated Mr. Rodriguez. Staff physically visited sites and recorded the artworks inventory number. He noted it took time to locate artwork when departments changed locations without notifying APP.*

*Chairman Souto concurred with Commissioner Moss regarding the audit being conducted by another entity rather than the Inspector General.*

*Hearing no further questions or comments, the Committee proceeded to vote on the foregoing proposed ordinance.*

2F

**070831 Resolution Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT FOR THE MARCH 30-31, 2007, RELAY FOR LIFE EVENT OF WEST KENDALL SPONSORED BY AMERICAN CANCER SOCIETY, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,586.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2G

**070673 Resolution Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 3, 2007 AZUCAR AWARDS SPONSORED BY THE UNITY COALITION OF MIAMI-DADE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,000.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2G SUPP.

**071093 Report**

FISCAL IMPACT STATEMENT AND OTHER PERTINENT INFORMATION RELATING TO RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 3, 2007 AZUCAR AWARDS SPONSORED BY THE UNITY COALITION OF MIAMI-DADE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,000.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

16

2H

- 070675 Resolution** **Katy Sorenson**  
 RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 17-18, 2007 RELAY FOR LIFE SPONSORED BY THE AMERICAN CANCER SOCIETY- RELAY FOR LIFE OF EAST KENDALL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,091.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2H SUPP.

- 071092 Report**  
 FISCAL IMPACT STATEMENT AND OTHER PERTINENT INFORMATION RELATING TO RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 17-18, 2007 RELAY FOR LIFE SPONSORED BY THE AMERICAN CANCER SOCIETY- RELAY FOR LIFE OF EAST KENDALL, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,091.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

2I

- 071009 Resolution** **Dorrin D. Rolle**  
 RESOLUTION DIRECTING COUNTY MANAGER TO CONDUCT A GREENWAYS AND BICYCLE TRAILS FEASIBILITY STUDY TO IDENTIFY PROJECT AREAS IN DISTRICT 2, AND TO IDENTIFY FUNDING SOURCES FOR SUCH STUDY AND FUNDING SOURCES FOR THE DEVELOPMENT OF THE GREENWAYS AND BICYCLE TRAILS  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Moss*  
*Vote: 5-0*  
*Absent: Jordan*

2J

- 071010 Resolution** **Dorrin Rolle**  
 RESOLUTION DIRECTING THE COUNTY MANAGER TO CONDUCT A FEASIBILITY STUDY TO ERECT A MINI PARK WITHIN THE PROPERTY BETWEEN N.W. 107-105 STREETS ALONG N.W. 17 AVENUE, AND TO IDENTIFY FUNDING SOURCES FOR SUCH A MINI PARK  
*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Souto*  
*Vote: 5-0*  
*Absent: Jordan*

**3 DEPARTMENTS**

3A

**070886 Resolution**

RESOLUTION AUTHORIZING THE RECEIPT AND EXPENDITURE OF \$22,734 IN STATE GRANT FUNDS FROM THE STATE OF FLORIDA DIVISION OF CULTURAL AFFAIRS' FY2006-2007 LOCAL ARTS AGENCIES PROGRAM (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Sorenson*  
*Vote: 5-0*  
*Absent: Jordan*

3B

**070887 Resolution**

RESOLUTION AUTHORIZING FUNDING OF FOURTEEN FELLOWSHIP AWARDS IN THE AMOUNT OF \$150,000 TO SOUTH FLORIDA ARTISTS FROM THE DEPARTMENT OF CULTURAL AFFAIRS FISCAL AGENT FOR THE FY 2006-2007 SOUTH FLORIDA CULTURAL CONSORTIUM VISUAL AND MEDIA ARTISTS FELLOWSHIP PROGRAM (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Moss*  
*Vote: 5-0*  
*Absent: Jordan*

3C

**070888 Resolution**

RESOLUTION APPROVING FUNDING OF A \$20,000 GRANT FROM THE DEPARTMENT OF CULTURAL AFFAIRS AS FISCAL AGENT FOR THE SOUTH FLORIDA CULTURAL CONSORTIUM TO THE FRIENDS OF THE BASS MUSEUM FOR THE REGIONAL EXHIBITION OF THE SOUTH FLORIDA CULTURAL CONSORTIUM'S FY 2006-2007 VISUAL AND MEDIA ARTISTS FELLOWSHIP PROGRAM (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Rolle*  
*Seconder: Moss*  
*Vote: 5-0*  
*Absent: Jordan*

3D

**070909 Resolution**

RESOLUTION AUTHORIZING THE APPROVAL OF THIRTY-SEVEN (37) GRANTS FROM THE DEPARTMENT OF CULTURAL AFFAIRS FY 2006-2007 COMMUNITY GRANTS PROGRAM – THIRD QUARTER WITH ARCA IMAGES, INC. A/F/A MADERAMEN; ART WORKS FOR US, INC.; BRAZZ DANCE THEATER, INC.; CITY OF MIAMI - GENERAL SERVICES ADMINISTRATION/OFFICE OF PROTOCOL; COCONUT GROVE CHAMBER OF COMMERCE; CORAL GABLES CHAMBER SYMPHONY AND OPERA, INC.; CUBAN CULTURAL HERITAGE CORPORATION (HERENCIA CULTURAL CUBANA); EARTH LEARNING, INC.; EARTHMAN PROJECT, INC., THE; ESPANOLA WAY ASSOCIATION, THE; FANTASY THEATRE FACTORY A/F/A MIAMI ACTING COMPANY, INC.; FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, THE, FOR THE BENEFIT OF THE CUBAN RESEARCH INSTITUTION; FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, THE, FOR THE BENEFIT OF THE SCHOOL OF MUSIC; FRIENDS OF THE YOUNG MUSICIANS CAMP, INC.; GALATA, INC.; GREATER MIAMI BILLFISH TOURNAMENT; HISPANIC-AMERICAN LYRIC THEATRE, INC. A/F/A FOR HISPANIC CULTURAL CENTER; JACQUES MARITAIN FOUNDATION, INC.; KENDALL CHURCH OF GOD, INC.; KNOWLEDGE BUILDERS OF FLORIDA, INC.; MAD CAT THEATRE COMPANY; MASTER CHORALE OF SOUTH FLORIDA, INC.; MIAMI DANCE PROJECT, INC.; MIAMI OVERSEAS CHINESE ASSOCIATION, INC.; MIAMI WORLD THEATER, INC.; MIAMI-DADE PUBLIC LIBRARY FOUNDATION, INC.; MICHAEL ANN RUSSELL JEWISH COMMUNITY CENTER; NATIONAL ART EXHIBITION BY THE MENTALLY ILL, INC.; NEW WORLD FESTIVAL, INC.; RETHINK AND REUSE CENTER, INC.; ROOTS AND CULTURE, INC.; SOCIEDAD CULTURAL SANTA CECILIA, INC. A/F/A FOR EMILIO PUJOL CLASSICAL GUITAR FOUNDATION, INC.; SOUTH FLORIDA COMPOSERS ALLIANCE, INC. A/F/A FOR ARTEMIS PERFORMANCE NETWORK; TALENT ARTISTIC JUVENILE, INC.; TEMPLE BETH SHOLOM; UNIDAD OF MIAMI BEACH, INC. D/B/A MIAMI BEACH HISPANIC COMMUNITY CENTER; VERY SPECIAL ARTS OF FLORIDA (VSA OF FLORIDA); AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Edmonson*  
*Second: Rolle*  
*Vote: 5-0*  
*Absent: Jordan*

3E

**070942 Resolution**

RESOLUTION AUTHORIZING CHANGE ORDER NO. 01 TO CONTRACT NO. CUA 9722 SMDCC WITH THE TOWER GROUP, INC., TO REPLENISH THE OWNER-CONTROLLED CONTINGENCY ACCOUNT, INCREASE FUNDS IN THE INSPECTOR GENERAL ACCOUNT, AND FUND A DEDICATED ALLOWANCE ACCOUNT IN THE SOUTH MIAMI-DADE CULTURAL ARTS CENTER'S CONSTRUCTION CONTRACT (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Moss*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Jordan*

3E Substitute

**071118 Resolution**

RESOLUTION AUTHORIZING CHANGE ORDER NO. 01 TO CONTRACT NO. CUA 9722 SMDCC WITH THE TOWER GROUP, INC., TO REPLENISH THE OWNER-CONTROLLED CONTINGENCY ACCOUNT, INCREASE FUNDS IN THE INSPECTOR GENERAL ACCOUNT, AND FUND A DEDICATED ALLOWANCE IN THE SOUTH MIAMI-DADE CULTURAL ARTS CENTER'S CONSTRUCTION CONTRACT [SEE ORIGINAL ITEM UNDER FILE NO. 070942] (Cultural Affairs Council)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Moss*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Jordan*

3F

**070978 Resolution**

RESOLUTION AUTHORIZING STAFF TO COMPLETE NEGOTIATIONS WITH MURPHY/BAKLOT LLC (PAUL MURPHY AND ARVA JAHN) ("MURPHY/JAHN") FOR THE DEVELOPMENT OF A 199 CAR GARAGE ON THE SITE PREVIOUSLY OCCUPIED BY THE CONSTRUCTION TRAILERS SOUTH OF THE ZIFF BALLET OPERA HOUSE AND OWNED BY THE COUNTY, AND AN ADDITIONAL APPROXIMATELY 500 SPACES ON A LOT OWNED BY FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") BUT UNDER LONG TERM PURCHASE OPTION WITH MURPHY/JAHN DIRECTLY WEST OF THE COUNTY'S LAND; COMPLETE NEGOTIATIONS UNDER CERTAIN DEFINED PARAMETERS WITH MAEFIELD HOLDINGS ("MAEFIELD") FOR THE PROPERTY EAST OF THE BOULEVARD SHOPS AND NORTH OF THE KNIGHT CONCERT HALL, A TWO ACRE TRACT THAT CAN ACCOMMODATE AN APPROXIMATELY 1,600 SPACES; AND, COMPLETE NEGOTIATIONS WITH THE FDOT FOR THE USE OF SEVERAL LOTS ADJACENT TO THE CCPA FOR APPROXIMATELY 405 TEMPORARY PARKING SPACES (General Services Administration Department)

*Amended*

3F Amended

**071273 Resolution**

RESOLUTION AUTHORIZING STAFF TO COMPLETE NEGOTIATIONS WITH MURPHY/BAKLOT LLC (PAUL MURPHY AND ARVA JAHN) ("MURPHY/JAHN") FOR THE DEVELOPMENT OF A 199 CAR GARAGE ON THE SITE PREVIOUSLY OCCUPIED BY THE CONSTRUCTION TRAILERS SOUTH OF THE ZIFF BALLET OPERA HOUSE AND OWNED BY THE COUNTY, AND AN ADDITIONAL APPROXIMATELY 500 SPACES ON A LOT OWNED BY FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") BUT UNDER LONG TERM PURCHASE OPTION WITH MURPHY/JAHN DIRECTLY WEST OF THE COUNTY'S LAND; COMPLETE NEGOTIATIONS UNDER CERTAIN DEFINED PARAMETERS WITH MAEFIELD HOLDINGS ("MAEFIELD") FOR THE PROPERTY EAST OF THE BOULEVARD SHOPS AND NORTH OF THE KNIGHT CONCERT HALL, A TWO ACRE TRACT THAT CAN ACCOMMODATE AN APPROXIMATELY 1,600 SPACES; AND, COMPLETE NEGOTIATIONS WITH THE FDOT FOR THE USE OF SEVERAL LOTS ADJACENT TO THE CCPA FOR APPROXIMATELY 405 TEMPORARY PARKING SPACES [SEE ORIGINAL ITEM UNDER FILE NO. 070978] (General Services Administration Department)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Moss*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Jordan*

**Report:** *Assistant County Attorney Wilfredo Ferrer read the foregoing proposed resolution into the record.*

*Assistant County Manager Roger Carlton explained the intent of the foregoing proposed resolution. He stated this resolution would give the authority to negotiate to develop 699 parking spaces on the west side of the Ziff Ballet Opera House, 199 across the street, and 500 on the west side of 2nd Avenue, with no net costs to the County (creating a surplus). Mr. Carlton noted the cost of land on the east side was significantly higher and the resolution allowed for negotiation on certain perimeters such as the company would assume costs for building and managing the garage and the County would commit to a fixed annual contribution as follows: The county would not own the garage at the end of the 30 years and the other that the county would own the garage. In addition to that proposal, 400 parking spaces would be constructed, on an interim basis with FDOT on land available until construction begins on Highway 395. Mr. Carlton reiterated that the resolution would only allow negotiations.*

*In response to Commissioner Moss' question whether this resolution would be forwarded for*

Recreation & Cultural Affairs Committee

CLERK'S SUMMARY OF

Meeting Minutes

Monday, April 09, 2007

*consideration by the County Commission, Mr. Carlton responded this resolution would authorize negotiations under the aforementioned terms, extending the negotiation period for an additional 30 days. He noted the final negotiated contract must be considered by the County Commission.*

*Commissioner Moss initially moved to defer the foregoing proposed resolution, upon clarification of what the resolution allowed staff to do; however, he rescinded this motion, and presented an alternate motion to forward with committee amendment(s).*

*Hearing no further questions or comments, the Committee proceeded to vote on the foregoing proposed resolution.*

3G

**070939 Resolution**

RESOLUTION APPROVING PRIORITY FOCUS AREAS, EVALUATION CRITERIA, AND SOLICITATION DOCUMENTS FOR FY 2007-2008 COUNTY FUNDING OF COMMUNITY BASED ORGANIZATIONS FOR THE PARK PROGRAMMING AND CAPITAL IMPROVEMENTS REQUEST FOR PROPOSALS (Park & Recreation Department)

*Forwarded to BCC with a favorable recommendation  
Mover: Moss  
Seconder: Edmonson  
Vote: 5-0  
Absent: Jordan*

3H

**070941 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF EASEMENT TO FLORIDA POWER AND LIGHT COMPANY FOR THE INSTALLATION AND MAINTENANCE OF ELECTRICAL FACILITIES IN TROPICAL PARK AND AUTHORIZING THE COUNTY MANAGER TO TAKE SUBSEQUENT ACTION (Park & Recreation Department)

*Forwarded to BCC with a favorable recommendation  
Mover: Edmonson  
Seconder: Moss  
Vote: 5-0  
Absent: Jordan*

3I

**071106 Resolution**

RESOLUTION AUTHORIZING A REQUEST TO INITIATE AND ADVERTISE IN FOR CONSTRUCTION CONTRACT FOR THE HAULOVER MARINA DOCKMASTER COMPLEX, CONTRACT NO. 222302-03-003 (Park & Recreation Department)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Moss*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Jordan*

**Report:** *Chairman Souto requested that staff prepare the appropriate memorandum requesting that Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the April 24, 2007 BCC meeting for consideration.*

**4 COUNTY MANAGER**

4A

**070962 Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING EXECUTION OF A MODIFICATION OF AGREEMENT TO THE LEASE WITH MUSEUM OF SCIENCE, INC FOR USE OF 3290 SOUTH MIAMI AVENUE, MIAMI, FOR THE OPERATION OF A MUSEUM OF SCIENCE AND PLANETARIUM; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (County Manager)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Moss*  
*Seconder: Rolle*  
*Vote: 5-0*  
*Absent: Jordan*

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

6A

**070973 Report**

APPROVAL OF CLERKS SUMMARY OF MINUTES FOR THE MARCH 12, 2007 RECREATION AND CULTURAL AFFAIRS COMMITTEE MEETING (Clerk of the Board)

*Approved*  
*Mover: Moss*  
*Seconder: Rolle*  
*Vote: 5-0*  
*Absent: Jordan*

**7      REPORTS**

7A

**070897    Report**REPORT ON UPCOMING SPECIAL EVENTS, OPENINGS  
AND GROUNDBREAKING CEREMONIES (County  
Manager)***Report Received***

7B

**070821    Resolution**SUNSET REVIEW OF COUNTY BOARDS FOR 2007 -  
LIBRARY ADVISORY BOARD***Report Received***

7C

**071019    Report**STATUS REPORT ON THE COCONUT GROVE  
PLAYHOUSE (County Manager)***Report Received***

7D

**071065    Report**DEPARTMENTAL BUDGET PRESENTATIONS (County  
Manager)***Report Received***

7D SUPP.

**071105    Resolution**DEPARTMENTAL BUDGET PRESENTATIONS  
SUPPLEMENTAL INFORMATION (County Manager)***Report Received*****8      ADJOURNMENT**