



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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GOE
Agenda Item No. _____

May 15, 2007
6A

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

DATE: May 9, 2007

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

SUBJECT: Approval of Commission
Committee Minutes

The following Clerk's Summary of Minutes are submitted for approval by the Governmental Operations and Environment Committee:

- April 10, 2007

KS:jt
Attachment



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

**CLERK'S SUMMARY OF
Meeting Minutes
Governmental Operations and Environment
Committee**

Natacha Seijas (13) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Audrey
M. Edmonson (3), Carlos A. Gimenez (7), Joe A. Martinez (11), and Dorrin D. Rolle (2)

Tuesday, April 10, 2007

9:30 AM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Joe A.
Martinez, Dorrin Rolle, Natacha Seijas.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jill Thornton, Commissioner Reporter*
(305) 375-2505

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present:
Assistant County Manager Roger Carlton,
Assistant County Attorneys Joni Armstrong-Coffey
and Craig Collier; and Deputy Clerks Doris
Dickens and Jill Thornton.*

*Assistant County Attorney Joni Armstrong-Coffey
informed the Committee of the requested changes
in the County Manager's Memorandum entitled
"Requested Changes to the Governmental
Operations and Environmental Committee
Agenda," dated April 10, 2007 and noted Agenda
Item 3A should be withdrawn, as requested by
Commissioner Souto.*

*Hearing no objection, it was moved by
Commissioner Diaz that the changes to today's
agenda as recommended in the County Manager's
memorandum be approved. This motion was
seconded by Commissioner Gimenez, and upon
being put to a vote, passed by a vote of 6-0.*

1D **CHAIRPERSON**

1D1

070984 Report

REMARKS FROM CHAIRPERSON SEIJAS

Presented

Report: *Chairwoman Seijas called the meeting to order at 9:48 a.m. and provided opening remarks. She noted a number of issues on today's agenda required some discussion, including a public hearing item concerning murals that would be heard as soon as Commissioner Barreiro arrived. She also noted a resolution on today's agenda regarding the Water Shed Plan (Agenda Item 3J) that she would allow Committee members to discuss but no further public input was needed.*

Chairwoman Seijas thanked Committee members and everyone who participated in the Mitigation Workshop held last week. She noted after the Committee heard from the League of Cities, the County Manager, and a presentation by Ms. Jennifer Glazer-Moon, a resolution was prepared and presented before this Committee today that captures the essence of that discussion, which was to phase out mitigation of three cities-the City of Miami Lakes, the City of Palmetto Bay and the City of Doral. She asked that the Assistant County Attorney walk the Committee members through the phase-out process at the time this resolution is considered in today's meeting.

Chairwoman Seijas addressed efforts to obtain the 20-year Water Consumption Use Permit from the South Florida Water Management District. She noted she attended a meeting two weeks ago with the District Director, Carol Ann Wehle, Florida State Representatives Carlos Lopez-Cantera and Anitere Flores, the Builders Association of South Florida and staff from the Water and Sewer Department (WASD). She noted during that meeting, everyone seemed to agree that the requirements of the Water Management District had been met.

Chairwoman Seijas noted she and Mr. John Renfrow, Director, WASD, met with Florida Governor Charlie Crist last week to advise him of the issues concerning the 20-Year Water Use Consumption Permit. She stated Governor Crist expressed interest and support for the County's progress and efforts to work constructively with the South Florida Water Management District (SFWMD). She further noted this issue would be discussed in Palm Beach County by the SFWMD

Board on Thursday (4/12) and she believed Mayor Alvarez would represent Miami-Dade County at this critical meeting. Chairwoman Seijas asked the Department of Water and Sewer Director to provide a report at the May 15th GOEC meeting on the County's efforts to organize the "Water for Peoples" Program.

Chairwoman Seijas noted she was looking forward to Water Conservation policies for future development in Miami-Dade County. She noted the WASD staff was working with developers and other concerned parties to reach a consensus and she felt it was time that some proposals were put forth. She asked that some ideas regarding water conservation be presented in report form or resolution at the May 15th GOEC meeting for review.

2 DEPARTMENT(S)

2A

070953 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 2.48 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND CARRAZANA FAMILY LIMITED PARTNERSHIP, L.P. AS SELLER; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

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

5

Governmental Operations and Environment Committee

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, April 10, 2007

2A SUPPL.

070970 Supplement

SUPPLEMENTAL INFORMATION RE: THE SOUTH
DADE WETLANDS PURCHASE

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

2B

070957 Resolution

RESOLUTION APPROVING EXECUTION OF A
CONTRACT WITH THE CITY OF WEST MIAMI FOR
PROVISION OF WATER SERVICE BY THE COUNTY TO
THE CITY (Water & Sewer Department)

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

*Hearing no comments or discussion, the
Committee proceeded to vote on the foregoing
proposed resolution as presented.*

2C

071021 Resolution

RESOLUTION RATIFYING EXECUTION OF AN
AMENDMENT TO AN EXISTING AGREEMENT
BETWEEN MIAMI-DADE COUNTY AND THE NATURE
CONSERVANCY FOR CONTINUED PROVISION OF
LAND ACQUISITION AND OTHER SERVICES FOR THE
ENVIRONMENTALLY ENDANGERED LANDS
PROGRAM (Department of Environmental Resources
Management)

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

*Hearing no comments or discussion, the
Committee proceeded to vote on the foregoing
proposed resolution as presented.*

6

2D

070991 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A THIRD AMENDMENT TO AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT VI; PROVIDING FOR PERFORMANCE OF PROFESSIONAL SERVICES ASSOCIATED WITH THE FIVE YEAR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT NO. FLS000003; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

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

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

2E

070968 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A SUBGRANT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES AND MIAMI-DADE COUNTY TO RETROACTIVELY ACCEPT RADIO INTEROPERABILITY EQUIPMENT AS PART OF THE STATE AND LOCAL DOMESTIC PREPAREDNESS EQUIPMENT PROGRAM (Enterprise Technology Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

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

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

7

2F

070958 Bid Advertisement

REQUEST TO ADVERTISE FOR NORTHEAST
TRANSFER STATION COMPACTOR REPLACEMENT -
PROJECT NO: 06E022; CONTRACT NO: 06E022;
PROJECT LOCATION: 18701 NE 6 AVENUE, MIAMI,
FLA. 33179 (Solid Waste Management Department)

*Forwarded to BCC with a favorable
recommendation
Mover: Diaz
Seconder: Gimenez
Vote: 6-0*

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

Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.

2G

071006 Resolution

RESOLUTION AUTHORIZING AN EXTENSION OF THE
INTERDEPARTMENTAL AGREEMENT BETWEEN THE
DEPARTMENT OF SOLID WASTE MANAGEMENT AND
THE METRO-MIAMI ACTION PLAN TO SUPPORT
ECONOMIC DEVELOPMENT INITIATIVES (Solid Waste
Management Department)

*Forwarded to BCC with a favorable
recommendation
Mover: Diaz
Seconder: Gimenez
Vote: 6-0*

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

Commissioner Rolle asked Assistant County Manager Roger Carlton and representatives from the Department of Solid Waste Management and the Metro Miami Action Plan (MMAP) to meet with him before this item was considered by the County Commission.

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

2H

070951 Resolution

RESOLUTION APPROVING EXECUTION OF LEASE AGREEMENT WITH THE CITY OF MIAMI SPRINGS FOR 751 DOVE AVENUE BY THE COUNTY TO THE CITY FOR USE OF AN ATHLETIC FIELD AND DOG PARK (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

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

2I

070952 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF MIAMI SPRINGS FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE CITY (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

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

2J

070955 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF NORTH BAY VILLAGE FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE CITY (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

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

2K

070956 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE VILLAGE OF VIRGINIA GARDENS FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE VILLAGE (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

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

3 COUNTY COMMISSION

3A

070453 Ordinance

Sen. Javier D. Souto

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-13 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ENTITLED "UNUSUAL USES", SPECIFICALLY, UNUSUAL USE REGULATIONS FOR CARNIVALS AND CIRCUSES; REQUIRING CLEARANCE BY THE MIAMI-DADE COUNTY POLICE DEPARTMENT PRIOR TO OPERATING CIRCUSES OR CARNIVALS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

3B

070193 Ordinance Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; PROVIDING DEFINITIONS; CREATING LIMITED EXEMPTION FOR CERTAIN MURAL SIGNS WITHIN THE CITY OF MIAMI DOWNTOWN CORE; AUTHORIZING SIGNS WITH NONCOMMERCIAL MESSAGES WHERE COMMERCIAL MESSAGES ARE PERMITTED; PROVIDING TIME LIMITATION TO ISSUE SIGN PERMIT; PROVIDING APPEAL PROCEDURES; RESTRICTING APPLICATION FOR BILLBOARDS OR MURALS UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063589 AND 070170]

Withdrawn

Report: (See Agenda Item 3B Substitute #2; Legislative File No. 070976)

3B SUBSTITUTE

070788 Ordinance Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; PROVIDING DEFINITIONS; CREATING LIMITED EXEMPTION FOR CERTAIN MURAL SIGNS WITHIN THE CITY OF MIAMI DOWNTOWN CORE; AUTHORIZING SIGNS WITH NONCOMMERCIAL MESSAGES WHERE COMMERCIAL MESSAGES ARE PERMITTED; PROVIDING TIME LIMITATION TO ISSUE SIGN PERMIT; PROVIDING APPEAL PROCEDURES; RESTRICTING APPLICATION FOR MURALS UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063589, 070170, AND 070193]

Withdrawn

Report: (See Agenda Item 3B Substitute #2; Legislative File No. 070976)

3B SUBSTITUTE# 2

070976 Ordinance

Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; PROVIDING DEFINITIONS; CREATING LIMITED EXEMPTION FOR CERTAIN MURAL SIGNS WITHIN THE CITY OF MIAMI DOWNTOWN CORE; AUTHORIZING SIGNS WITH NONCOMMERCIAL MESSAGES WHERE COMMERCIAL MESSAGES ARE PERMITTED; PROVIDING TIME LIMITATION TO ISSUE SIGN PERMIT; PROVIDING APPEAL PROCEDURES; RESTRICTING APPLICATION FOR MURALS UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063589, 070170, 070193 AND 070788]

Amended

Report: *(See Agenda Item 3B Substitute #2 Amended; Legislative File No. 071166 for the amended version)*

3B SUB #2 AMENDED

071166 Ordinance

Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; PROVIDING DEFINITIONS; CREATING LIMITED EXEMPTION FOR CERTAIN MURAL SIGNS WITHIN THE CITY OF MIAMI DOWNTOWN CORE; AUTHORIZING SIGNS WITH NONCOMMERCIAL MESSAGES WHERE COMMERCIAL MESSAGES ARE PERMITTED; PROVIDING TIME LIMITATION TO ISSUE SIGN PERMIT; PROVIDING APPEAL PROCEDURES; RESTRICTING APPLICATION FOR MURALS UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063589, 070170, 070193, 070788 AND 070976]

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

Mover: Edmonson

Seconder: Rolle

Vote: 6-0

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 ordinance and the following individual(s) appeared in support:

1. Mr. Dustin Milton, 3430 Poinciana Avenue, City of Miami;
2. Mr. Alfredo J. Gonzalez, 1201 Brickell Avenue, representing Wilbright Brush Outdoor Advertising, requested an amendment increasing the number of signs to 35;
3. Mr. Carlos Lacasa, representing CVS Outdoor, requested an amendment increasing the number of days to comply to 30, in the maintenance provision, and to provide notification to the property owner and the permit holder simultaneously.
4. Mr. Edward McCormick, Brickell area resident; and
5. Mr. Manny Prietis, 400 Maladad Avenue, Coconut Grove.

The following individual(s) appeared in opposition:

1. Ms. Barbara Bisno, 1000 Venetian Way, President of Venetian Causeway Neighborhood Alliance, spoke in opposition to this ordinance unless it was amended.

Hearing no other persons in connection with this matter, the public hearing was closed.

Commissioner Barreiro explained the intent of the

foregoing ordinance was to create a zone in the core of downtown Miami where murals could be placed, and to limit the number of permits allowed within that zone with a 2-year sunset provision. Additionally, he noted, it would create a process by which the County and the City could enforce the codes relating to these murals.

Commission Gimenez noted he was in support of this legislation. He pointed out that until the foregoing ordinance became effective; all murals currently posted in the City of Miami were illegal. He suggested increasing the fine imposed for violating this ordinance to make it unprofitable for those who continued violating the ordinance. He questioned the daily fine amount currently imposed by the City and the County.

In response to Commissioner Gimenez' question, Assistant County Manager Carlton noted the fine imposed was \$250 per day by the City of Miami and \$500 per day by the County.

In response to Commissioner Gimenez' question regarding whether the County enforced its fines and how many murals currently existed in the County, Mr. Sam Walthour, Director, Team Metro, noted that after a sweep was done by Team Metro, 20 murals were counted in the County. He also noted citations were issued to those in violation in the City of Miami.

Commissioner Gimenez suggested this ordinance be amended to allow five murals be posted on County-owned public buildings in the downtown core area, if the County so desired.

Assistant County Attorney Joni Armstrong-Coffey advised the most recent federal case law imposed significant restrictions on local governments regarding earning revenues through murals that advertise. She noted the County could compete for the number of murals permitted in the City's core, but it would be difficult to sustain based on the current federal case law. In response to comments made by Committee members regarding murals posted at Miami International Airport (MIA), she noted the airport, like the downtown core area, was a physically distinctive area.

In response to Commissioner Gimenez' question as to whether it was possible to place murals at the Seaport of Miami, Assistant County Attorney Armstrong-Coffey noted staff had considered this and would like to work with the Commission

concerning this matter.

Commissioner Rolle stated he would like to see what was done at MIA be replicated at the Seaport of Miami. He noted he had the same concerns and he planned to initiate legislation that would possibly generate revenue for Miami's Seaport.

Assistant County Manager Carlton noted discussions had transpired between the County's Administration and the County Attorney's Office to develop such a recommendation for the Seaport. He suggested the Committee go forward with the foregoing proposed ordinance as presented today and allow staff to bring back a recommendation regarding the Seaport and certain public buildings in the downtown core area.

Commissioner Gimenez questioned the revenues generated by these murals. He stated he would like to see some mitigation fee paid by mural owners to enhance or beautify the landscaping in Downtown Miami's core.

Assistant County Attorney Armstrong-Coffey noted staff believed a fee could be assessed for a study to determine what impacts the murals would have on the landscaping and beautification of the area.

In response to Commissioner Gimenez' question regarding whether there were any provisions in this ordinance to regulate the lighting of murals, Assistant County Attorney Armstrong-Coffey noted the ordinance specifically cross-referenced the Sign Code regarding other illumination limitations, which limited illumination to the hours of 6:00 pm to midnight.

In response to Commissioner Gimenez' question regarding whether this ordinance could be modified to limit indirect lighting reflected from the mural, Commissioner Barreiro noted he believed this was addressed in cross-reference of the City's Codes.

Assistant County Attorney Armstrong-Coffey noted Code 3396 provided that indirect lighting should not shine directly on an adjacent property, but did not specify the type of lighting.

Commissioner Rolle noted he supported this ordinance but had concerns with the boundaries. He suggested it be amended to include some areas in the Health District, near Jackson Memorial

Hospital (JMH).

Commissioner Barreiro noted a lot of discussion had occurred in reference to expanding the zone into the Health District (Civic Center area), which would trigger the need to discard this ordinance and start the process over again. He noted he would commit to speaking with the City's attorneys to proffer an amendment independent of this process that would address expanding the boundaries. He noted his intent was to begin the process in order to address illegal murals.

Assistant County Attorney Armstrong-Coffey noted if this ordinance were amended today, it could become a question of whether it fell within the scope of first reading and the public hearing notice, which was based on certain boundaries. She noted staff could work with Commissioner Barreiro on a future amendment.

In response to Commissioner Rolle's concerns, Commissioner Barreiro noted he was committed to working closely with the Health District, the Mural Industry, the City of Miami and staff to address this issue and bring it back as soon as possible.

Commissioner Edmonson noted she looked forward to an amendment and that she supported this ordinance because an enforcement process was needed for the many illegal murals now in place. She spoke in opposition to the amendment suggested by one public speaker to increase the number of signs approved in this ordinance.

Commissioner Gimenez noted he would like the number of approved murals to be reduced from 30 to 25 and reserve five of those for County buildings to possibly offset some expenses at the Performing Arts Center (PAC) or the Seaport of Miami with the revenues generated. He asked if the ordinance could be amended today to increase the fines.

Assistant County Attorney Armstrong-Coffey noted increasing the fines today would present a different scope than the ordinance presented before the Committee today, but it could be brought back for further amendment.

Commissioner Diaz spoke in support of this ordinance. He questioned whether the language in the County's Code specified murals or billboards. He also questioned the meaning of the language "...civil violation notices remains

unresolved..." in F1, F2, handwritten page 9, of this ordinance; and the language "...no permit shall be issued...."

Assistant County Attorney Armstrong-Coffey noted the Sign Code previously did not reference murals but treated them as billboards. She further noted F1 through F5 were all designed to bring every existing mural into compliance and to eliminate existing agreements.

Assistant County Attorney Craig Collier further clarified that fines issued by Team Metro would need to be complied with in order for these people to participate in the process.

Commissioner Diaz expressed concern with the language in the ordinance that seemed to prevent those who had been fined in the past from participating in this process. He stated he wanted to ensure this ordinance complied with the sponsor's intention to allow a level playing field for all mural owners to compete for permits. He requested the language in this ordinance be changed to state the intent in a simpler fashion.

Assistant County Attorney Armstrong-Coffey noted the proposed language required everyone to come into compliance before they could participate in the City of Miami's process for mural permits. She suggested the following language as an amendment "...no permit shall be issued for a mural on property on which a civil violation notice for a mural remains unresolved..."

Commissioner Barreiro noted he would refer to the County Attorney for the proper language, however; his intent with this ordinance was to prohibit participation in the process if any outstanding violation issues were unresolved.

Following further discussion regarding the process to obtain a permit and compliance with unresolved issues and fines, Commissioner Gimenez asked what would stop someone who complied and obtained a permit within the zone area, from putting up murals elsewhere, and was there a provision revoking the permit in the event of violation of this ordinance.

Commissioner Barreiro noted based on this ordinance, the City of Miami would have the jurisdiction to issue the permit, but if found to be outside the zone in the unincorporated area, they could not revoke that permit.

Assistant County Attorney Armstrong-Coffey noted a provision in the County's ordinances allowed the City of Miami to issue a permit under certain conditions, including that the permit applicant was not in violation anywhere else. She noted if a violation of putting up a mural somewhere else existed, the County could enforce against that.

Commissioner Gimenez stated he would like to revoke the permit if they came out of compliance somewhere else and placed murals in other jurisdictions. He questioned whether the owner of the property or the applicant would be fined.

In response, Mr. Sam Walthour, Team Metro, noted both parties would be cited, however, if one party complied by removing the sign, than the companion citation could be dismissed.

Responding to Commissioner Diaz' question regarding language not specific in the prior County Code as it related to murals, Assistant County Attorney Collier noted the County's Code provided that only the signs authorized in the Code were permitted, but since murals were not specified, they were not permitted. He stated the Code needed to be amended to specify murals in order to permit them and that was what this ordinance proposed to do.

Commission Diaz stated he felt the number of murals provided in this ordinance should be increased to avoid future problems. He noted he had concerns with the language in the ordinance, which did not allow for a level playing field unless stated differently and he would feel more comfortable if the language was modified.

Assistant County Attorney Armstrong Coffey noted the provision in F1 thru F3 providing that "...a civil violation notice remains unresolved..." meant they had to resolve it satisfactory through Team Metro. She noted since the language included the phrase "and it remains unresolved" meant it would not apply to people who had resolved their past citations.

Mr. Sam Walthour noted he interpreted the word "resolve" to mean the citation and continuing penalties had been paid and the mural was taken down.

In response to Commissioner Diaz' question regarding what the next process would be

following compliance, Assistant County Attorney Coffey noted the party would then be eligible to participate in the City's process for obtaining a permit, and that process would be designed by the City.

Assistant County Manager Carlton clarified he believed Commissioner Diaz was concerned that the 30-day provision to comply was not enough time to clear citations in order to compete in the process and suggested an amendment extending the time frame. Regarding the need for the City to establish its process, he reminded the Committee that the request for this initiative came from the City because they wanted murals in the downtown core. He noted though the City would issue the initial permit, it would be subject to the County's review and the language in this ordinance sufficiently ensured the County's oversight. He noted the language in F1 thru F5 would prevent individuals with continuous violations from participating in this process, including violators outside the zone, and would give the County the ability, in conjunction with the City, to enforce compliance.

In response to Commissioner Martinez' comments, Commissioner Barreiro noted he would not micromanage the City's process, but would require that the City have a process in place. Regarding a level playing field, he stated he believed this ordinance created that. He noted there was a lot of opposition to forcing the removal of murals, which he believed was the real issue and that he believed all murals should come down to allow for a level playing field. He noted nine agreements existed whose owners wanted them to remain until the process was initiated, however, Commissioner Barreiro stated he wanted all the murals to come down, the owners to come into compliance, if needed and everyone to apply for a permit.

Commissioner Diaz asked if a City of Miami representative was present. He stated he thought the agreements currently in place with the City allowed the companies to keep their murals up.

Commissioner Barreiro noted he met with the City representatives who agreed with his position that all murals should come down. He noted they also requested the City be allowed to implement its own process, which he agreed to and that's how the language of this ordinance came about.

Commissioner Seijas spoke in support of this ordinance. She stated she hoped the parameters included Midtown as well, and that a timeframe be set up for that as soon as this ordinance was forwarded for second reading.

Commissioner Barreiro stated he would work simultaneously with the timing of the foregoing ordinance and with all concerned parties to create an amended ordinance.

Chairwoman Seijas noted the Social Workers Union had no representation at today's meeting. She stated she found some of the things stated today regarding enforcement to be too punitive and found it difficult to support them. She noted it seemed the language was the problem and she suggested the language in F1 through F3 be clarified to read "...no permit shall be issued until such civil violation notices are resolved," which conveyed the same meaning. She also concurred with the suggestion that the compliance provision be increased to 45 days to allow for unforeseen circumstances or other issues that could cause delays.

Commissioner Barreiro accepted Chairwoman Seijas' suggested amendments.

Chairwoman Seijas noted philosophically she did not support this ordinance but would support Commissioner Barreiro. She noted she was against interfering with the municipalities' processes and with Team Metro enforcement the cities codes. She asked that the staff of Team Metro be informed that this ordinance did not empower them with authority over and above any municipality. She pointed out that no business owners had offered to donate any of their profits to provide social services. She also noted she opposed murals placed on public County buildings.

Commissioner Barreiro noted he spoke with their attorneys to see if dollars could be contributed for cultural affairs, but there were legal constraints.

Following Commissioner Martinez request that the proposed amendments be read into the record, Assistant County Attorney Armstrong-Coffey stated the ordinance would be amended to change the language to read "...until the civil violation was resolved;" and to change the time to come into compliance from 30 to 45 days.

In response to Commissioner Barreiro's comments that he thought an additional amendment to change the maintenance provision from 10 days to 30 days was included, Assistant County Attorney Armstrong-Coffey noted that would pose a problem because it would require changing the entire Sign Code.

Commissioner Gimenez asked if an amendment could be made today to increase the fines. He stated unless fines were increased, this ordinance would be pointless, noting that people should be punished for breaking the law. He stated fines needed to be set at an appropriate amount that served as a deterrent to habitual offenders. If not, more than 30 murals would be raised because it was profitable to put them up, in spite of the fines. Commissioner Gimenez pointed out that the City entered into agreements with businesses to raise murals even when they were in violation of the County's Code.

In response to Commissioner Martinez' question regarding whether the City or the County would be responsible for increasing the fines, Commissioner Barreiro stated he believed that could be addressed through the forthcoming amendment and that he would work with the industry and staff to come up with an appropriate amount.

In response to Commissioner Diaz' proposed amendment to increase the number of murals provided in this ordinance to more than 30, Commissioner Barreiro stated he would study that as well.

Hearing no further discussion, the Committee proceeded to vote on the forgoing proposed ordinance, as amended to change the language to read "...until the civil violation was resolved;" and to change the time to come into compliance from 30 to 45 days.

3C

071004 Resolution**Natacha Seijas**

RESOLUTION EXPRESSING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS, UPON THE REQUEST OF THE TOWN OF MIAMI LAKES, THE VILLAGE OF PALMETTO BAY, AND THE CITY OF DORAL, TO PHASE OUT MITIGATION FOR THOSE MUNICIPALITIES UNDER CERTAIN CIRCUMSTANCES

The motion that this matter be Forwarded to BCC with a favorable recommendation failed.

Mover: Martinez

Seconder: Seijas

Vote: 3-3

No: Edmonson, Diaz, Gimenez

Report: *Hearing no objection, the Committee considered Agenda Items 3C and 3D simultaneously.*

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

Regarding Agenda Item 3C, Commissioner Diaz noted he discussed the subject of mitigation going forward three years with Mayor Juan Carlos Bermudez, City of Doral, and legal counsel. He stated this resolution provided for six years and he just wanted to ensure everyone was on the same page.

Chairwoman Seijas noted the language in this resolution meant the three cities-the Town of Miami Lakes, the Village of Palmetto Bay and the City of Doral would have three additional years to phase out following their sixth year, which was discussed at the Mitigation Workshop.

Commissioner Diaz stated he thought the agreement was for three years going forward beginning in the coming year. In response to Commissioner Diaz' comments regarding federal legislation, Chairwoman Seijas noted that legislation had been in process for about six weeks.

Commissioner Gimenez noted philosophically, he did not favor mitigation and pursuant to this resolution, the Cities of Palmetto Bay and Doral would now pay for nine years.

Chairwoman Seijas noted this would be a great help to the City of Doral, which was commercial and would be eliminated immediately.

Commissioner Sorenson, non-member of this Committee, noted her understanding was similar to that of Commissioner Diaz concerning what was agreed to by the Cities at the Mitigation

Workshop. She noted there was a consensus of three years by the Cities, even though Miami Lakes would be the most disadvantaged and noted representatives from those municipalities attending today's meeting could confirm that agreement.

Commissioner Diaz stated he could not support this resolution because he personally felt it was agreed upon in another way.

In response to Commissioner Gimenez' request to hear from the cities' attorney, Mr. Miguel Diaz de la Portilla appeared before the Committee and noted his understanding was that the Cities agreed to a three-year phase out starting this year and the issue of mitigation would be settled within three years. Mr. Diaz de la Portilla noted the cities had no issues regarding Agenda Item 3D, but requested that the Committee consider a three-year phase out plan beginning this year in Agenda Item 3C.

In response to Commissioner Gimenez' question regarding how many years each city would have to pay mitigation if the terms in the legislation were changed to seven years, Assistant County Attorney Cynthia Johnson-Stacks noted Miami Lakes would have to pay one year. She advised that Ms. Glazer-Moon would address the other two cities.

Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, noted the City of Palmetto Bay would have to pay three more payments and the City of Doral would have to pay four more payments.

In response to Commissioner Gimenez' proposed amendment to change the terms to seven years; Chairwoman Seijas stated she would not accept that amendment.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing proposed resolution presented in Agenda Item 3D, which passed 5-0 (Commissioner Edmonson was absent). Later in today's meeting, the Committee proceeded to vote on the proposed resolution in Agenda Item 3C, and upon being put to a vote, the motion failed 3-3 (Commissioners Gimenez, Diaz and Edmonson voted No).

3D

071005 Resolution

Jose "Pepe" Diaz

RESOLUTION EXPRESSING THE INTENT OF THE BOARD OF COUNTY COMMISSIONERS, UPON THE REQUEST OF THE CITY OF DORAL, TO REDUCE ITS MITIGATION PAYMENT FROM 1.5 MILS IN THE RESIDENTIAL AREA, AS ADJUSTED AND 1.5 MILS IN THE COMMERCIAL, BUSINESS, INDUSTRIAL AREA (CBI) TO 1 MIL IN THE CITY OF DORAL, SUBJECT TO ADJUSTMENTS

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

Report: *(See Agenda Item 3C, Legislative No. 071004 for the report)*

3E

070748 Resolution

Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MANAGER TO REVIEW THE FEASIBILITY OF CREATING THE CAPABILITY ON THE COUNTY WEB PORTAL OF RECEIVING POSITIVE FEED BACK ON COUNTY POLICY INITIATIVES

Deferred to next committee meeting

Mover: Martinez

Seconder: Gimenez

Vote: 5-0

Absent: Edmonson

Report: *Assistant County Attorney Joni Armstrong-Coffey announced that Commissioner Moss requested the foregoing proposed resolution be deferred.*

Hearing no objection, the Committee proceeded to vote on the request for deferral.

3F

070471 Resolution

Katy Sorenson

RESOLUTION CREATING CHARTER REVIEW TASK
FORCE*Motion to forward to BCC without
a recommendation failed**Mover: Martinez**Seconder: Gimenez**Vote: 5-1**No: Seijas*

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

Commissioner Sorenson, as sponsor of the foregoing resolution, noted an alternative resolution had already been forwarded to the Board of County Commission (BCC) and she respectfully requested this resolution be forwarded as a companion to it. She noted this resolution differed in that the Commission would make recommendations for appointments to the Task Force from different groups delineated in the resolution that would provide legal expertise. She stated she would also entertain additional groups that would address other areas of interest as it related to the Charter review.

Chairwoman Seijas noted it was difficult to understand this change of direction since the past method worked fine.

Commissioner Sorenson stated she thought that having outside parties on the Task Force to review the Charter would give this process a different perspective of how the community thought the Charter should be changed, since the Charter was for both the Commission and the community. She noted any recommendation for changes to the Charter would ultimately be reviewed and approved by the County Commission before it was placed on the ballot anyway.

Commissioner Martinez stated he recalled the 4-Day Rule being invoked upon this resolution at the BCC and the alternate was forwarded without a recommendation. He recommended sending this resolution but without a recommendation as was done with the alternate.

Commissioner Edmonson stated she did not agree with the change, however, she would not object to this resolution being forwarded to the BCC without a recommendation. She stated she felt

Governmental Operations and Environment Committee

Commissioners were elected to represent their voters; therefore, it should be up to the Commissioners to appoint someone to represent their interests on the Task Force.

Commissioner Gimenez noted he was comfortable with the changes but wanted to ensure that it included representation from the municipalities. He noted he would support forwarding it without a recommendation.

Commissioner Diaz noted changes were made to the alternate resolution he sponsored, to allow a balance across the board and to allow Commissioners to sit on the Task Force. He stated he felt this process needed to take place as soon as possible, which was why he went forward with the alternate resolution. He noted for the record, however, that after extensive discussion and several amendments, he believed the alternate resolution was forwarded to the BCC with a favorable recommendation.

Hearing no further discussion or comments, the Committee proceeded to vote on the motion to forward the foregoing resolution to the BBC without a recommendation.

Note: The motion to forward the foregoing resolution without a recommendation required a unanimous vote. Consequently, the foregoing motion failed.

3G

070400 Resolution **Rebeca Sosa**
RESOLUTION DIRECTING COUNTY MANAGER TO IMPLEMENT MEASURES TO CONSOLIDATE AND PROMOTE GREATER UNIFORMITY OF CAPITAL CONSTRUCTION ACTIVITIES WITHIN MIAMI-DADE COUNTY **Withdrawn**

Report: (See Agenda Item 3G Substitute; Legislative No. 070940)

26

3G SUBSTITUTE

070940 Resolution

Rebeca Sosa

RESOLUTION DIRECTING COUNTY MAYOR/MANAGER TO RESEARCH AND REPORT ON MEASURES NECESSARY TO CONSOLIDATE AND PROMOTE GREATER UNIFORMITY OF CAPITAL CONSTRUCTION ACTIVITIES WITHIN MIAMI-DADE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 070400]

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

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

In response to Commissioner Rolle's question regarding the number of departments that have capital improvements, Mr. Roger Hernstadt, Director, Officer of Capital Improvements, appeared before the Committee and noted that currently there were twenty departments to implement capital improvements and he understood this item was directing a study, not taking any affirmative action.

Pertaining to Commissioner Rolle's inquiry of whether this study would include all the pros and cons, Mr. Hernstadt assured him that it would.

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

3H

070661 Resolution

Sally A. Heyman,

Audrey M. Edmonson

RESOLUTION DIRECTING THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS TO PROVIDE THE COMMISSION WITH NOTICE OF CERTAIN ADVISORY BOARD VACANCIES

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

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

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

27

31

071040 Resolution

Natacha Seijas

RESOLUTION DIRECTING THE COUNTY MANAGER
TO DEVELOP A CONSTRUCTION SEQUENCING PLAN
TO IMPROVE N. W. 87TH AVENUE BETWEEN MIAMI
GARDENS DRIVE AND 154TH STREET

*Forwarded to BCC with a favorable
recommendation*

Mover: Seijas

Seconder: Rolle

Vote: 6-0

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

*Chairwoman Seijas noted she spoke with the
County Mayor last week about the need to have a
clear, coordinated plan to complete the
improvement on NW 87th Avenue, within
Commission District #13. She noted he agreed
that work needed to proceed in an orderly manner
beginning with improvements slated for the
intersection of Miami Gardens Drive and continue
south until completed. Chairwoman Seijas
clarified that this was the intent of the foregoing
resolution.*

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

3J

071077 Resolution

Natacha Seijas

RESOLUTION ACCEPTING SOUTH MIAMI-DADE WATERSHED STUDY AND PLAN; RECOGNIZING EFFORTS OF THE ADVISORY COMMITTEE FOR THE SOUTH MIAMI-DADE WATERSHED PLAN ("WATERSHED ADVISORY COMMITTEE") AND THE BISCAYNE NATIONAL PARK BUFFER DEVELOPMENT REVIEW COMMITTEE ("BUFFER REVIEW COMMITTEE"); FINDING THAT THE EFFORTS OF THE WATERSHED ADVISORY COMMITTEE ARE CONCLUDED PURSUANT TO THE REQUIREMENTS OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE COUNTY MANAGER TO UNDERTAKE APPROPRIATE ACTIONS TO CONCLUDE THE RESPONSIBILITIES AND EXISTENCE OF THE BUFFER REVIEW COMMITTEE AND TRANSFER ITS DUTIES TO COUNTY PROFESSIONAL STAFF [SEE AGENDA ITEM NO. 7I]

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Secunder: Rolle

Vote: 6-0

Report: *Hearing no objection, the Committee considered Agenda Item 3J simultaneously with Agenda Item 7I, a related report.*

The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey, along with the related foregoing report.

Hearing no discussion or comments, the Committee proceeded to vote on the foregoing resolution and report, as presented.

4 COUNTY MANAGER

29

4A

070901 Resolution

RESOLUTION APPROVING AMENDMENT ONE TO A TRAINING AND MENTORING CONTRACT BETWEEN MIAMI-DADE COUNTY AND FLORIDA VENTURE FOUNDATION, INC WITH AN EFFECTIVE DATE OF MAY 15, 2006 (County Manager)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Diaz

Vote: 6-0

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

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

4B

070961 Resolution

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES BOND PROGRAM PROJECT NO. 55 - EL PORTAL- ACQUIRE LAND FOR PARK IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 AFTER A PUBLIC HEARING (County Manager)

Forwarded to BCC due to Charter change

Mover: Edmonson

Seconder: Diaz

Vote: 6-0

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

Commissioner Martinez spoke in opposition to the foregoing resolution because the change was significant to what was approved as the GOB project.

Commissioner Edmonson asked that Mr. Hernstadt or the City's attorney, Mr. Miguel Diaz de la Portilla, clarify this.

Mr. Roger Hernstadt, Director, Capital Improvements, appeared before the Committee and noted for the record that this item had been presented to and affirmed by the Citizen's Advisory Committee.

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

4C

070974 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)

Amended

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey. She also read a requested amendment to delete page 9 of 9, a project which was related to Agenda Item 3I.*

Commissioner Martinez expressed concerns with the way this ordinance was expedited in relation to the election certification date and noted that the original estimate listed on handwritten page 6, exhibit A, for "Construction Management and Renovation Services for the Miami-Dade County Courthouse Terra Cotta Restoration" differed significantly from the amount awarded.

Wendy Norris, Director, General Services Administration (GSA), appeared before the Committee and noted the original project was simply for the restoration of the Terra Cotta but the Courts had asked that the replacement of some windows damaged by Hurricane Wilma also be included. She noted because this was an historical County building and a specialty, this scope was added to the restoration.

Commissioner Martinez asked that this ordinance be bifurcated to separate out that portion involving the restoration of the Miami-Dade County Courthouse Terra Cotta, which he opposed since the price showed a large difference from one agreed to at the election that was certified on January 26.

In response to Commissioner Gimenez' inquiry of who provided the original estimates for these projects that always seemed to be underestimated, Mr. Roger Hernstadt, Director, Office of Capital Improvements (OCI), noted the user County departments hired Design Engineers and Architects to assist them in preparing the estimates, which was reviewed by departmental personnel. He further explained that when a deviation of more than 10% exists, it requires a follow-up written report by the Design Architect/

Engineer and is analyzed by the user Department to justify the differential.

Commissioner Gimenez asked where the money came from to support the list of capital projects where the bid amounts came in substantially over the estimate, or what projects were de-funded,

Mr. Hernstadt noted if not enough money was allocated to the project to pay for the increased cost that resulted from the bid, the user department would consult with OSBM and agree upon a way to allow the project to go forward and bring them within the budget, otherwise, the project would not be awarded. He further noted if reprogramming from one project to another project was necessary, that would not be part of an expedited ordinance but would be presented as an individual item.

Upon conclusion of the discussion, the foregoing proposed resolution was bifurcated to separate out that portion involving the Courthouse project, as requested by Commissioner Martinez. The Committee proceeded to vote on the foregoing resolution as amended to exclude the Courthouse Tower project. This motion was seconded by Commissioner Seijas, and upon being put to a vote, passed by a vote of 6-0.

It was then moved by Commissioner Gimenez that the Committee forward the portion of the foregoing resolution pertaining to the award of the Courthouse project, to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 5-1. (Commissioner Martinez voted No)

Commissioner Rolle asked the Office of Capital Improvements Director to provide him with an explanation of the bid rejection as it relates to Sectors 2, 3 and 4 of the Scott Carver Project.

4C COURTHOUSE PROJECT

4D

070990 Resolution

RESOLUTION AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$115,000 AND TIME EXTENSION TO THE MEMORANDUM OF AGREEMENT WITH THE CITY OF MIAMI GARDENS FOR A LANDSCAPE IMPROVEMENT AND BEAUTIFICATION PROJECT ON NW 27 AVENUE (County Manager)

Deferred to next committee meeting
Mover: Rolle
Seconder: Gimenez
Vote: 6-0

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

Hearing no comments or discussion, the Committee proceeded to vote on a motion to defer the foregoing resolution.

Commissioner Rolle asked Assistant County Manager Carlton to provide him with an update on the vendors selected for landscaping (within the boundaries of NW 79th Street to NW 62nd Street and NW 17th Avenue to NW 7th Avenue) in Commission District #2 and the triangle area in Commission District #1.

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

071029 Report

CLERK'S SUMMARY OF MINUTES FOR GOVERNMENTAL OPERATIONS AND ENVIRONMENT COMMITTEE MEETING: MARCH 13, 2007 (Clerk of the Board)

Approved
Mover: Rolle
Seconder: Gimenez
Vote: 6-0

7 REPORTS

7A

070852 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007-
BUILDING BETTER COMMUNITIES-GENERAL
OBLIGATION BOND CITIZENS' ADVISORY
COMMITTEE (County Manager)

Report Received
Mover: Martinez
Second: Gimenez
Vote: 5-0
Absent: Diaz

Report: *Chairwoman Seijas noted she had a sunshine meeting with County Commission Chairman Barreiro regarding the need to establish a Sub-Committee to review the sunset of County Boards, which he agreed with.*

Commissioners Gimenez and Edmonson volunteered to serve on the sub-committee.

Chairwoman Seijas noted she would appoint Vice-Chairman Diaz to serve on this Committee as well and suggested the review be done in as few meetings as possible.

34

7B

070937 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007-
FISHER ISLAND COMMUNITY COUNCIL 16

Deferred to no date certain
Mover: Gimenez
Seconder: Martinez
Vote: 6-0

(County Manager)

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

Commissioner Martinez spoke in opposition to continuing Community Council #16, which he noted had a quorum for only one zoning hearing.

Chairwoman Seijas suggested this needed to be studied further.

Assistant County Attorney Joni Armstrong-Coffey noted the Committee could accept the foregoing report with a direction to staff to prepare appropriate legislation eliminating Community Council #16 and transferring their zoning responsibility to another board, or the Committee could defer the report.

In response to Chairwoman Seijas question regarding whether the Committee could defer the report and give a direction as well, Assistant County Attorney Armstrong-Coffey stated she thought it would come back as a resolution or an ordinance eliminating that geographical area and giving jurisdiction to another community council.

Commissioner Gimenez stated he would prefer that this report be deferred in order to hear from the District Commissioner.

Following further discussion, the Committee proceeded to vote on a motion to defer the foregoing report.

7C

070938 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007 –
SOUTH BAY COMMUNITY COUNCIL 15

Report Received
Mover: Gimenez
Seconder: Diaz
Vote: 6-0

(County Manager)

35

7D

071001 ReportORAL REPORT ON CHICAGO CLIMATE EXCHANGE
(County Manager)**Report Received**

Report: *Assistant County Manager Roger Carlton provided a brief oral review on the County joining the Chicago Climate Exchange. He noted the County Commission gave the approval to join the Exchange and staff had nearly completed the application. He noted there were a few legal issues that needed to be addressed and that he believed the application would be filed within a week.*

Chairwoman Seijas noted she and Harvey Ruvin, Chairman of the Climate Exchange Task Force would attend a meeting in Chicago in June 2007. She asked Assistant County Manager Carlton to ensure that the application for membership to the Chicago Climate Exchange was filed and that all issues were resolved by June. She also asked that Assistant County Attorney's Gerald Heffernan or Peter Tell arrange to meet with her to explain any outstanding issues concerning the County joining the Exchange.

7E

070986 Report
STROM DRAIN CLEANING REPORT # 4

Report Received
Mover: Diaz
Seconder: Rolle
Vote: 6-0

(County Manager)

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

In response to Commissioner Diaz' request for a status report, Mr. Antonio Cotarelo, Assistant Director, Public Works Department, noted staff was almost in full force with all of the FEMA contracts and currently had twenty crews cleaning drains on a daily basis. He noted the FHWA contracts were ready to be awarded in May 2007.

Commissioner Diaz asked Assistant County Manager Carlton to provide to his office as soon as possible, a report, a map or a graph depicting the areas where storm drains had already been cleaned. Chairwoman Seijas asked that this report also be provided at the May 15th GOEC meeting.

7F

070997 Report
PROGRESS REPORT OF THE MIAMI-DADE COUNTY
RESOURCE CONSERVATION COMMITTEE

Report Received
Mover: Diaz
Seconder: Rolle
Vote: 6-0

(County Manager)

Governmental Operations and Environment Committee

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, April 10, 2007

7G

070355 Report

FIRST ANNUAL "GREEN GOVERNMENT" REPORT
(County Manager)

Report Received
Mover: Diaz
Seconder: Seijas
Vote: 6-0

Report: *Chairwoman Seijas commended Commissioner Sorenson for her efforts in initiating "green government" activity.*

Assistant County Manager Carlton noted further reports were forthcoming on how to better organize and coordinate all of the departmental efforts. He noted the entire County has done a superb job at keeping us at the state of the art and would continue in that effort.

7H

070999 Report

STATUS REPORT ON THE MIAMI RIVER DREDGING
PROJECT – APRIL 2007

(County Manager)

Report Received
Mover: Diaz
Seconder: Seijas
Vote: 6-0

7I

071000 Report

REPORT RE: SOUTH MIAMI-DADE WATERSHED
STUDY AND PLAN [SEE AGENDA ITEM NO. 3J] (County
Manager)

Report Received
Mover: Seijas
Seconder: Rolle
Vote: 6-0

071480 Report
NON-AGENDA REPORT

Report: *Commissioner Diaz noted as Chairman of the Miami-Dade Sports Commission, he promised to report to this Committee any new information he received regarding proposed sites for a new baseball stadium for the Florida Marlins. He noted two proposed sites -the Orange Bowl and a site in the downtown area were being considered. He further noted they met with Chief Judge Joseph Farina to discuss the site originally proposed for the Children's Court, as well as the other two sites and also talked briefly with Mayor Manny Diaz, who expressed that either site was fine with him. He noted Major League baseball needs a schematic plan for the proposed stadium and he would bring one back before the Commission as soon as something was formalized.*

Chairwoman Seijas suggested Commissioner Diaz relay her concerns to the Florida Marlins team regarding comments made in a televised interview regarding their options for a prospective site, which she found to be offensive and unacceptable. She noted they needed to be more respectful of the process relating to the Children's Court site, which had been in progress for the past seven years, as well as the nearby Charter School and the Child Care Center, which would disappear if one of the proposed sites were implemented.

Commissioner Martinez noted he knew there would not be seven votes within this Committee for the downtown site. He stated he read and heard the comments and although he wanted to keep the Florida Marlins in Miami-Dade County, many sites had been offered that were rejected. He pointed out that articles regarding State funding not available for Day Care and thousands of families were on a waiting list throughout the State of Florida. He noted this County could not afford to do away with any Day Care Centers and whatever site was approved, would be approved by the Commission, not what the Administration negotiated.

Commissioner Diaz noted the message was clearly understood by the County Manager and Major League Baseball regarding Day Care Centers. He further noted he would speak to the Florida Marlins team regarding their comments during televised interviews. He stated he had worked

hard on this effort to assure the end results would be beneficial to this community. He noted the Sports Commission continued to look for sites and once the packages were done, the County Manager, the Mayor, and he would bring it before the Commission for review.

Chairwoman Seijas commended Commissioner Diaz on his efforts.

Commissioner Gimenez stated he believed the two proposed sites were both viable and that he believed there was enough time to work out the issues. He hoped the Commission would give both sites consideration. He noted if the issues could be worked out, and the Children's Courthouse could be moved to a better location, he believed downtown was a better site because of the mass transit in place. He stated whatever location was decided upon should ensure the best opportunity to succeed.

In response to Commissioner Edmonson's question whether a downtown site on the Bay had been considered, Commissioner Diaz noted he asked the County Manager to look at that site as well.

Commissioner Gimenez noted that site belonged to the City of Miami, which was consistently opposed to putting a baseball stadium at Bicentennial Park.

Commissioner Martinez indicated that site would have been an excellent location. He pointed out the County was about to sell property to accommodate parking for the Performing Arts Center (PAC) and the Commission needed to consider the problems now occurring at the PAC when considering the downtown site. He noted baseball was a family game that usually started at 7:00 pm and many folks leaving downtown would probably not return to attend a game nor would folks feel safe walking through the downtown area at night to reach their parking spots.

Commissioner Diaz advised that he previously requested a written report on a study of parking and safety issues be provided, in conjunction with a study done by Major League Baseball.

ADJOURNMENT

Report: *There being no further business to come before this Board, the Governmental Operational and Environmental Committee meeting was adjourned at 12:23 p.m.*