



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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GOE
Agenda Item No. _____ 6A

June 12, 2007

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

DATE: June 4, 2007

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

SUBJECT: Approval of Commission
Committee Minutes

The following Clerk's Summary of Minutes is submitted by the Clerk of the Board for approval by the Governmental Operations and Environment Committee.

➤ May 15, 2007

Attachment
KMS/msy



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, May 15, 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, (305) 375-3505*
Commissioner Reporter

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, Craig Collier, Jay Williams, David Murray, and Geri Bonzon-Keenan; and Deputy Clerks Doris Dickens and Jill Thornton.*

Assistant County Attorney Joni Armstrong-Coffey noted the changes listed in the County Manager's Memorandum entitled "Requested Changes to the Governmental Operations and Environmental Committee Agenda," dated May 15th, 2007.

Chairwoman Seijas requested Agenda Items 2N and 2S be deferred to the June 12th GOEC meeting for the Department of Business Development to address some concerns with the contracts.

It was moved by Commissioner Gimenez that the changes in the County Manager's memorandum be approved as noted by Assistant County Attorney Armstrong-Coffey, along with the additional changes requested by Chairwoman Seijas. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 5-0. (Commissioner Rolle was absent)

1D **CHAIRPERSON**

1D1

071587 Miscellaneous

REMARKS FROM CHAIRPERSON SEIJAS

Report: *Chairwoman Seijas called the meeting to order at 9:42 a.m. and provided opening remarks. She noted she invited the Director of the National Parks to provide information regarding a study for the Public Lands Trust at the June 12th Committee meeting, which she noted involved coastal properties vital to the well-being of Biscayne National Park.*

Chairwoman Seijas asked Assistant County Manager Roger Carlton to ask Ms. Emily Young, Environmentally Endangered Lands (EEL) Program Manager, to identify which endangered properties were on the list for the County to purchase. She stated she would like the County's list re-prioritized based on the presentation made by the National Parks Director.

Chairwoman Seijas noted she would work with the County Manager's Office to schedule a Committee Budget Workshop for the proprietary departments only, before the June 12th GOEC meeting. She noted that after the Special Legislative Session in Tallahassee was over, she would ask the Budget Director to provide a report on the impact of property tax reforms on the departments that rely on general fund dollars.

Commissioner Diaz noted at the April 10th GOEC meeting, he was appointed to chair a subcommittee for the sunset review of County Boards. He indicated he had asked all County departments to compile information relating to various committee structures and provide it to the subcommittee for review.

2 DEPARTMENT(S)

2A

071336 Resolution

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 4-76, ELECTION BOARD AND SUPPORT PERSONNEL COMPENSATION SCHEDULE, AND APPROVING IMPLEMENTING ORDER _____ TO CREATE A MORE EQUITABLE PAY SCALE AND PROVIDE FLEXIBILITY TO INCREASE OR DECREASE THE RATE OF PAY DEPENDING ON ECONOMIC FACTORS (Elections Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2B

071386 Resolution

RESOLUTION APPROVING THE ESTABLISHMENT OF A DEDICATED FRAUDULENT CONTRACTOR RECOVERY TRUST FUND TO RECEIVE MONIES AND MAKE APPROPRIATE DISBURSEMENTS TO PROVIDE RELIEF AND ASSISTANCE TO PROPERTY OWNERS AND RESIDENTS DAMAGED BY THE ACTIONS OF CONTRACTORS WHO OBTAINED ILLEGAL LICENSES THROUGH A RECENT FRAUDULENT LICENSE SCHEME; AUTHORIZING USE OF \$600,000 OF THE BUILDING CODE COMPLIANCE OFFICE CARRYOVER REVENUE TO BE TRANSFERRED INTO THE FRAUDULENT CONTRACTOR RECOVERY TRUST FUND (Building Code Compliance Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2C

071310 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI GRANTING THE COUNTY ACCESS TO WETLANDS LOCATED ON VIRGINIA KEY TO IMPLEMENT THE PROPOSED WORK SET FORTH IN CLASS I PERMIT NO. CC04-274 (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2D

071311 Resolution

RESOLUTION ADDING APPROXIMATELY 10 ACRES TO THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) SOUTH DADE WETLANDS PROJECT AND TO THE EEL PRIORITY A ACQUISITION LIST AND AUTHORIZING THE COUNTY MANAGER TO PURSUE ACQUISITION OF PROJECTS ON THE EEL ACQUISITION LIST (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2E

071312 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A COUNTY DISCLAIMER FOR THE RELEASE OF THE EAST 50 FEET OF CANAL RESERVATION WITHIN SECTION 29, TOWNSHIP 54 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA, WHICH LIES WITHIN TRACT 1, MIAMI EVERGLADE LAND CO., LIMITED, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 AT PAGE 3 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2F

071314 Resolution

RESOLUTION AUTHORIZING THE EXCHANGE OF PROPERTY RIGHTS BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND MIAMI-DADE COUNTY FOR THE RELOCATION OF THE NORTHLINE CANAL AT THE INTERCHANGE OF S.R. 826/S.R. 836, AND THE GRANTING BY MIAMI-DADE COUNTY OF A PERMANENT EASEMENT TO THE FDOT IN AND ACROSS PORTIONS OF THE AFORESAID NORTHLINE CANAL, IN SECTIONS 34 & 35, TOWNSHIP 53 SOUTH, RANGE 40 EAST; SECTION 2, TOWNSHIP 54 SOUTH, RANGE 40 EAST; GOVERNMENT LOT 2, TOWNSHIPS 53 & 54 SOUTH, RANGE 40 EAST; AND APPROVING A LICENSE AGREEMENT WITH FDOT FOR TEMPORARY USE OF PARCEL 702 (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

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 resolution, as presented.

2G

071317 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 4.952 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 PRISCILLA SILAGHI AND OLIMPIU SILAGHI AS SELLERS; 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: Diaz

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 resolution, as presented.

2G SUPPL.

071304 Supplement

SUPPLEMENTAL INFORMATION TO SOUTH DADE WETLANDS PURCHASE

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

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 resolution, as presented.

2H

071321 Resolution

RESOLUTION APPROVING FORM OF CHICAGO CLIMATE EXCHANGE, INC. APPLICATION FOR MEMBERSHIP AS A PHASE II MEMBER FOR DIRECT EMISSIONS ONLY AND ALL RELATED AGREEMENTS AND LETTERS; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AND FILE FOR AND ON BEHALF OF THE COUNTY SUCH APPLICATION AND RELATED AGREEMENTS AND LETTERS; DESIGNATING COUNTY REPRESENTATIVES TO PERFORM THE REQUIRED DUTIES AS SET FORTH IN THE APPLICATION FOR MEMBERSHIP AND RELATED RULEBOOK; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO DESIGNATE ANY ADDITIONAL REPRESENTATIVES OR MAKE SUBSTITUTIONS AS NEEDED DURING THE TERM OF MEMBERSHIP OF THE COUNTY IN THE CHICAGO CLIMATE EXCHANGE, INC. AS A PHASE II MEMBER FOR DIRECT EMISSIONS ONLY (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 6-0

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

Commissioner Martinez noted according to the County Manager's memorandum, only fuel consumption could be considered for a credit reduction since the County applied as a phase II member of the Chicago Climate Exchange. He questioned why the exchange of light bulbs, which would reduce emissions by 90%, was not considered.

Mr. Carlos Espinosa, Director, Department of Environment Resource Management, noted the County only applied for the fuel consumption category, and that an analysis on the operation buildings category indicated the County would be deficient in meeting the criteria and would have to purchase credits at a higher rate. He noted the concept was to start with fuel consumption in hopes that the Departments would develop initiatives addressing environmentally friendly buildings.

Chairwoman Seijas commended Assistant County Attorney Peter Tell for his efforts on this initiative.

Assistant County Manager Roger Carlton noted, for the record, that the County Manager's memorandum needed to be corrected to reflect the

annual membership fee as \$10,000 rather than \$5,000.

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

2I

071352 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIAMI AND MIAMI-DADE COUNTY, FLORIDA FOR FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FUNDED STORMWATER DRAINAGE PROJECTS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

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 resolution, as presented.

2J

071353 Resolution

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY AT KENDALL-TAMIAMI EXECUTIVE AIRPORT AS ROAD RIGHT-OF-WAY FOR SW 120 STREET IN SECTION 15, TOWNSHIP 55 SOUTH, RANGE 39 EAST; DIRECTING THE MAYOR OR DESIGNEE TO APPRAISE AND COMPENSATE THE AVIATION DEPARTMENT FOR THE VALUE OF THE PROPERTY AND TO COLLECT THE SAME AMOUNT FROM THE DEVELOPER INCLUDING THE COST OF SAID APPRAISAL (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

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 resolution, as presented.

2K

071354 Resolution

RESOLUTION AUTHORIZING THE APPROVAL OF A CONSENT AND SUBORDINATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE TRANSFER OF A PORTION OF A CERTAIN INTEREST MIAMI-DADE COUNTY HAS BY VIRTUE OF A RESTRICTIVE COVENANT, IN LANDS LOCATED AT WEST AT 12880 S.W. 6 STREET, SAID PORTION OF LAND OWNED BY JORGE NEGRIN AND MALBIA NEGRIN, IN SECTION 2, TOWNSHIP 54 SOUTH, RANGE 39 EAST (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 6-0

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

Responding to Chairwoman Seijas' inquiry, Assistant County Manager Carlton noted Mr. and Ms. Negrin were aware of this purchase agreement and were working with the County and the South Florida Water Management District.

In response to Commissioner Diaz's question whether this couple had any complaints regarding the sale of the easement on their property, Mr. Carlos Espinosa, Director, Department of Environmental Resource Management (DERM), noted DERM received a copy of the agreement and a letter from the District, which did not include any complaints.

Chairwoman Seijas pointed out that the backup material relating to this resolution did not include a signature. She asked that a signature be include in the backup material when this resolution was forwarded to the County Commission.

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

2L

071290 Resolution

RESOLUTION APPROVING A PROJECT REQUEST TO ADVERTISE IN THE AMOUNT OF \$500,000.00 FOR MIAMI-DADE COUNTY PROJECT ENTITLED SW 268/264 STREET CONNECTOR BETWEEN SW 147 AVENUE AND SW 112 AVENUE WITHIN COMMISSION DISTRICTS 8 & 9 (PROJECT NO. E06-PW-06; CONTRACT NO. 20060240) (Public Works 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 resolution, as presented.

2M

071294 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$106,180.99 IN CONTRACT FUNDS FOR RESURFACING (PUBLIC WORKS DEPARTMENT) CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040422) (Public Works Department)

Deferred to next committee meeting

Mover: Martinez

Seconder: Diaz

Vote: 6-0

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

Following discussion regarding concerns that the contractors had not fulfilled the Community Small Business Enterprise (CSBE) goals in these contracts, Chairwoman Seijas noted Agenda Items 2M, 2O and 2P should be deferred until these goals were satisfied.

In response to Commissioner Rolle's question regarding how the contractors could make up the difference, Ms. Miriam Singer, Director, Procurement Management Department, noted the CSB ordinance provides that when a firm does not complete the goal in the contract, they could make up the difference in an upcoming contract. She advised that all DBE Compliance issues would be placed on future agenda items, under the Performance Section dealing with Living Wages/Responsibility Wage and meeting small business goals.

Chairwoman Seijas asked the Assistant County Attorney whether the County Commission had the option to defer the approval of a change order until the CSBE goals in the contract were met.

Assistant County Attorney Joni Armstrong-Coffey stating she believed there could be an indefinite deferral at the Committee level; however, she would provide a definite answer by the end of today's meeting.

Commissioner Gimenez asked how the contractors could comply with CSBE goal requirements when these were retroactive change orders and the work was already completed.

Ms. Esther Calas, Department of Public Works Director, stated these were open-ended contracts based on work orders. She noted it was the contractor's responsibility to work out a solution with the Department of Business Development (DBD) on how to make up the goal.

Ms. Singer noted another option would be to have the firm make up the deficit in an existing contract with the County.

Commissioner Gimenez asked Ms. Singer to tally the total amount of deficits in small business participation goals in all retroactive CSBE contracts. He also asked Ms. Singer to prepare a report for Committee review reflecting the total amount of the deficits (unmet goals) in this contract and a plan to either add the deficit on top of any participation goal(s) in any future contract awarded to H & J Asphalt, Inc or to require this contractor to make up the deficit on an existing contract to be identified by staff.

Chairwoman Seijas asked Ms. Singer to submit a background report on H&J Asphalt, Inc. at the June 12th Committee meeting, reflecting this company's performance and commitment level in terms of meeting or not meeting the participation goals. She also asked Ms. Singer to revisit how participation goals were set to ensure that they were realistic and attainable, with a follow-up report to the Committee on June 12th.

Responding to Commissioner Edmonson's concern that the same firm was awarded several of the contracts listed throughout this agenda, Ms. Calas noted this field was highly competitive and the awards were based on the lowest bidder.

Commissioner Gimenez noted it was unfair to hold contractors accountable for unattainable goals and emphasized the need for future goals to be realistic.

Commissioner Rolle asked Assistant County Manager Carlton to meet with him to discuss any potential conflict regarding the proposal to merge the Department of Business Development and the Procurement Management Department.

Assistant County Manager Roger Carlton noted this issue was brought up by Commissioner Jordan at an earlier meeting and the County Manager and staff were working to address it.

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

2N

071295 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & R PAVING, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$102,277.01 IN CONTRACT FUNDS FOR RESURFACING PROJECT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040450) (Public Works Department)

Deferred to July 11, 2007

Mover: Gimenez

Seconder: Martinez

Vote: 5-0

Absent: Rolle

Report: *During consideration of changes to today's agenda, the foregoing proposed resolution was deferred, as requested by Chairwoman Seijas.*

2O

071297 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$102,129.71 IN CONTRACT FUNDS FOR RESURFACING IMPROVEMENT PROGRAM (ZONE 2) (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20030252) (Public Works Department)

Deferred to next committee meeting

Mover: Martinez

Seconder: Diaz

Vote: 6-0

Report: *See report under Agenda Item 2M; Legislative Rile No. 071294.*

2P

071298 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$97,464.59 IN CONTRACT FUNDS FOR RESURFACING (PUBLIC WORKS DEPARTMENT) CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040423) (Public Works Department)

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

Report: *See report under Agenda Item 2M; Legislative Rile No. 071294.*

2Q

071393 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A COUNTY INCENTIVE GRANT PROGRAM (CIGP) AGREEMENT BETWEEN MIAMI-DADE COUNTY, THE TOWN OF BAY HARBOR ISLANDS AND THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,200,000 FOR THE REHABILITATION OF THE WEST RELIEF BRIDGE ON THE BROAD CAUSEWAY BY THE TOWN OF BAY HARBOR ISLANDS; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND FORWARD FUNDS TO THE TOWN OF BAY HARBOR ISLANDS AS SPECIFIED IN THE CIGP AGREEMENT (Public Works 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 resolution, as presented.

2R

071388 Resolution

RESOLUTION APPROVING A PROJECT REQUEST TO ADVERTISE IN THE AMOUNT OF \$6,916,143.28 FOR MIAMI-DADE COUNTY PROJECT ENTITLED REFURBISH NW 17 AVENUE BASCULE BRIDGE OVER THE MIAMI RIVER, LOCATED WITHIN COMMISSION DISTRICTS 3 AND 5 (PROJECT NO. 20070495) (Public Works 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 resolution, as presented.

2S

071176 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR ADJUSTING MANHOLE CASTINGS AND VALVE BOXES FOR A 24-MONTH PERIOD, CONTRACT NO. W-897, DIVISION 1 AND 2, PROJECT LOCATION: COUNTYWIDE. (Water & Sewer Department)

Deferred to July 11, 2007

Mover: Gimenez

Seconder: Martinez

Vote: 5-0

Absent: Rolle

Report: *During consideration of changes to today's agenda, the foregoing proposed bid award was deferred, as requested by Chairwoman Seijas.*

2T

071177 Bid Awards

REQUEST TO ADVERTISE FOR CONTRACT NO. W-898, CONSTRUCTION CONTRACT FOR STREET PAVEMENT REHABILITATION; COUNTYWIDE IN DIVISION 1 AND DIVISION 2. (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

Responding to Commissioner Rolle's inquiry regarding the CSBE goal and the lack of measures in this contract, Ms. Miriam Singer, Director, Procurement Management Department, noted it was determined by DBD staff and the Review Committee that the availability of certified firms for replacement paving (patching) was insufficient to establish a goal for this particular scope of work.

Following comments by Commissioner Diaz regarding roadwork patching by new County trucks, Ms. Esther Calas, Director, Public Works Department, noted in-house crews had been increased to do some emergency patching work, and the Neighborhood Enhancement Action Teams (NEAT) had been used to do some types of asphalt patching, as well.

Commissioner Edmonson asked the Procurement Department Director to list on future contracts whether they contained CDBE participation goals, and if not, why.

Commissioner Gimenez asked the Public Works Department Director to provide him with a comparative analysis reflecting the projected cost for having roadwork patching performed in-house versus contracting it out.

2U

071284 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR THE INSTALLATION OF A 36-INCH FORCE MAIN AT SW 157 AVENUE FROM THE NORTH BANK OF CANAL C-1W TO HAMMOCKS BOULEVARD, CONTRACT NO: S-739A

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

(Water & Sewer Department)

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 resolution, as presented.

2V

071121 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR SOUTH LEJEUNE ROAD OFFICE BUILDING PHASE II RENOVATION CONTRACT NO: W-876R (Water & Sewer Department)

Amended

Report: *(See Agenda Item 2V Amended, Legislative No. 071574 for the amended version.)*

2V AMENDED

071574 Request to Advertise

CONTRACT AWARD RECOMMENDATION FOR SOUTH LEJEUNE ROAD OFFICE BUILDING PHASE II RENOVATION CONTRACT NO. W-87R [SEE ORIGINAL ITEM UNDER FILE NO. 071121] (Water & Sewer Department)

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

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

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

The foregoing proposed recommendation for contract award was forwarded to the County Commission with a favorable recommendation, with committee amendment(s) to include a signature on handwritten page 5 of the contract, as requested by staff.

2W

071289 Bid Advertisement

REQUEST TO ADVERTISE FOR CONTRACT NO. W-836:
REMOVAL OF CALCIUM CARBONATE DEPOSIT AT
THE ALEXANDER ORR WATER TREATMENT PLANT

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

(Water & Sewer Department)

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.*

2X

071293 Bid Advertisement

REQUEST TO ADVERTISE FOR THE INSTALLATION
OF APPROXIMATELY 4600 LINEAR FEET OF 10-INCH
AND 12-INCH FORCE MAIN FROM PUMP STATION 427
TO THE 16-INCH FORCE MAIN AT THE INTERSECTION
OF NW 191 STREET AND NW 37 AVENUE: CONTRACT
NO: S-827

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

(Water & Sewer Department)

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.*

2Y

071395 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$349,466.75 BETWEEN R.J. BEHAR & COMPANY, INC., CONSULTING ENGINEERS AND MIAMI-DADE COUNTY FOR THE PROJECT ENTITLED SW 328TH STREET FROM SW 152ND AVENUE TO SW 137TH AVENUE IN COMMISSION DISTRICT 9 (PROJECT NO. 20060302) (Public Works 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.

2Z

071447 Resolution

RESOLUTION AUTHORIZING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF SUNNY ISLES BEACH, CONVEYING ALL THE COUNTY'S RIGHT, TITLE AND INTEREST IN AND TO A PORTION OF PROPERTY LOCATED AT 350 SUNNY ISLES BLVD ALSO KNOWN AS PUMP STATION 301
(Water & Sewer Department)

Amended

Report: *See Agenda Item 2Z Amended; Legislative File No. 071632.*

2Z AMENDED

071632 Resolution

RESOLUTION AUTHORIZING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF SUNNY ISLES BEACH, CONVEYING ALL THE COUNTY'S RIGHT, TITLE AND INTEREST IN AND TO A PORTION OF PROPERTY LOCATED AT 350 SUNNY ISLES BLVD ALSO KNOWN AS PUMP STATION 301 [SEE ORIGINAL ITEM UNDER FILE NO. 071447] (Water & Sewer Department)

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

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

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

Assistant County Attorney David Murray noted three scrivener's error existing in the legal description of the subject property to be conveyed to the City of Sunny Isles.

Hearing no comments or discussion, the foregoing proposed resolution was forwarded to the County Commission with a favorable recommendation, with committee amendment(s) to correct the language in the legal description of the property described in Exhibit A, handwritten page 8 of the resolution to read as follows: "Description of a portion of land being and lying in Section 14, Township 52, South Range 42 East, in Miami-Dade County Florida, more particularly, described as follows: The west 25.00 feet of the North 105 feet, more or less of Alamanda Park, second revised plat of Bella Vista Subdivision, as recorded in Plat Book 50 at page 76 of the Public Records of Miami-Dade County, Florida.

2AA

070338 Ordinance

ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTION 8-5 PERTAINING TO UNSAFE STRUCTURES; ESTABLISHING SECTION 8-9 REGARDING PERMIT APPLICATIONS; AMENDING SECTION 8-11 PERTAINING TO THE RECERTIFICATION OF EXISTING BUILDINGS; ESTABLISHING SECTION 8-19 PERTAINING TO BUILDING PERMIT EXTENSIONS; ESTABLISHING SECTION 8-20 PERTAINING TO CERTIFICATES OF OCCUPANCY AND COMPLETION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Building Department)

Withdrawn
Mover: Gimenez
Seconder: Martinez
Vote: 5-0
Absent: Rolle

Report: *During consideration of changes to today's agenda, the foregoing proposed ordinance was withdrawn.*

2BB

070451 Ordinance

ORDINANCE PERTAINING TO EDUCATIONAL FACILITIES IMPACT FEE; AMENDING SECTIONS 33K-1, 33K-2, 33K-4, 33K-6, 33K-10, 33K-11 AND 33K-15 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING EDUCATIONAL FACILITIES IMPACT FEES; INCREASING THE NUMBER OF BENEFIT DISTRICTS; PROVIDING AUTOMATIC ADJUSTMENT OF FEE UTILIZING THREE YEAR ROLLING AVERAGE FROM THE MOST CURRENT FLORIDA'S CONSTRUCTION COST INDEX FOR STUDENT STATIONS AS PUBLISHED BY THE FLORIDA DEPARTMENT OF EDUCATION, OFFICE OF EDUCATIONAL FACILITIES; REQUIRING ANNUAL PUBLIC COMMENT ON IMPACT FEE REPORT; AMENDING SECTIONS 33-311 AND 33-314 PROHIBITING COMMUNITY ZONING APPEALS BOARDS AND BOARD OF COUNTY COMMISSIONERS FROM IMPOSING AS A CONDITION OF APPROVAL OF ZONING APPLICATIONS, CONTRIBUTIONS IN EXCESS OF EDUCATIONAL FACILITIES IMPACT FEE; PROVIDING APPLICABILITY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Deferred to July 11, 2007**Mover: Diaz**Seconder: Seijas**Vote: 6-0*

Report: *Chairwoman Seijas advised that the foregoing proposed ordinance would be deferred to the July 11th Committee meeting, however, as a courtesy to the Miami-Dade School Board members present today, she would open the public hearing and allow them to speak. She noted anyone wishing to speak today would not be permitted to speak again in July.*

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

Chairwoman Seijas opened the public hearing and the following individuals appeared in connection with the foregoing ordinance:

1. Dr. Marta Perez, Miami-Dade School Board member, appeared before the Committee and respectfully requested the continuation not be counted as a deferral.

2. Dr. Martin Karp, Vice-Chair, Miami-Dade School Board, requested that he be permitted to speak at the July meeting. He stated he was hopeful the County Commission and the Miami-Dade School Board would continue working

together on these initiatives.

3. Mr. Joseph Cortese, 28532 Tiffany Drive, representing the Skill Trade Employees of Dade County, appeared before the Committee and expressed concern that if this ordinance was not adopted, the funds needed by the District to build more schools would have to be allocated from the Maintenance budget. He noted approximately \$2 billion worth of needed maintenance had been deferred due to neglect.

4. Mr. Jorge Luis Lopez, Chairman of the Interlocal Agreement Oversight Committee, noted this was a collaborative opportunity for the school system and the County to work together. He spoke in support of this ordinance on behalf of the oversight committee, and encouraged Committee members to seriously consider this ordinance.

The following persons indicated they would like to defer their comments to the July 11th meeting:

1. Councilwoman, Ms. Ileene S. Wallace
2. Ms. Ana Rift-Conde
3. Ms. Mariel Seymour
4. Ms. Gloria Romero Roses
5. Mr. Dennis Caserta, Vice-President, Dade County School Administrators' Association, Local 77
6. Ms. Shawn Frazier-Stephens
7. Mr. Salvador Jurado, Jr.

Hearing no one else in connection with this matter, Chairwoman Seijas noted the public hearing would be continued at the July 11th GOEC meeting.

3 COUNTY COMMISSION

3A

070870 Ordinance

Bruno A. Barreiro

Withdrawn

ORDINANCE AMENDING CHAPTER 33, ARTICLE XXXVII OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO THE AIRPORT ZONING AREA FOR MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD); CREATING AND AMENDING PROVISIONS RELATING TO ALLOWABLE HEIGHTS OF PERMANENT AND TEMPORARY STRUCTURES AND TREES, AND CERTAIN TEMPORARY EVENTS THAT MAY AFFECT AIR TRAVEL, ALLOWABLE LAND USES, PERMIT ISSUANCE AND REVIEW, AND ENFORCEMENT OF REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *(See Agenda Item 3A Substitute; Legislative File No. 071516)*

3A SUBSTITUTE

071516 Ordinance

Bruno A. Barreiro

ORDINANCE AMENDING CHAPTER 33, ARTICLE XXXVII OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO THE AIRPORT ZONING AREA FOR MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD); CREATING AND AMENDING PROVISIONS RELATING TO ALLOWABLE HEIGHTS OF PERMANENT AND TEMPORARY STRUCTURES AND TREES, AND CERTAIN TEMPORARY EVENTS THAT MAY AFFECT AIR TRAVEL, ALLOWABLE LAND USES, PERMIT ISSUANCE AND REVIEW, AND ENFORCEMENT OF REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070870]

Deferred to next committee meeting
Mover: Gimenez
Seconder: Diaz
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 and hearing no persons wishing to speak on this matter, the public hearing was closed.

It was moved by Commissioner Gimenez that this ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Diaz for discussion.

Assistant County Attorney Jay Williams noted some scrivener errors existed in this ordinance that needed to be corrected.

Chairwoman Seijas expressed concern regarding the lack of backup material on the Federal Aviation Administration (FAA)'s involvement in discussions or any input from the airlines and pilots.

Mr. Sunil Harman, Planning Department Manager, Miami-Dade Aviation Department, noted the Interlocal Agreement with the City of Miami was going through the County's approval process, and the Aviation Department was trying to coordinate activities with the FAA. He noted Mr. Kevin Haggerty, FAA Obstruction Evaluation Services Manager, and Mr. Bruce Spear, FAA National Operations Manager, were available today to testify that the Aviation Department and the FAA evaluations were consistent and they both concluded that there were no impacts to the airport.

Regarding the Height Zoning Ordinance, Mr. Harman noted the Regional Transportation Committee (RTC) requested the Aviation Department identify areas where structures 1,000 feet or higher could be permitted. He noted the current Height Zoning Ordinance provides for a maximum height of 949 feet above the means sea level in the urban core of the City of Miami and the FAA restricted that to a maximum of 849 feet. He asked that he be permitted to make a brief presentation indicating how the Aviation Department expanded that area without a detrimental effect to the Airport's operations.

Mr. Harman noted the pilots were not present due to a scheduling conflict, and a conference was scheduled for tomorrow (5/16) with the FAA, the Airlines, the pilots and the Aviation Department.

Following discussion regarding Chairwoman Seijas' and Commissioner Martinez's concerns regarding the absence of an interlocal agreement between the FAA and the City of Miami, Commissioner Gimenez withdrew his motion to forward this ordinance, and Commissioner Diaz withdrew his second.

It was then moved by Commissioner Gimenez that the foregoing ordinance be deferred to the next Committee meeting. This motion was seconded by Commissioner Diaz.

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

Mr. Harman clarified for the record, the Aviation Department released the Interlocal Agreement on May 11, 2007, which was pending verification of legal sufficiency.

Mr. Kevin Haggerty noted the Interlocal Agreement was very important to the FAA and the FAA was encouraged by it and felt that it could be used as a model on a national level. He also noted this agreement would provide the FAA and the Airline Industry with very important data to preserve airspace.

Responding to Committee members questions regarding when the Interlocal Agreement would be ready to send back to the City of Miami, Assistant County Attorney Williams noted this agreement would be reviewed for legal sufficiency

and sent to the City of Miami today.

3B

070554 Ordinance

Jose "Pepe" Diaz,

Dorrin D. Rolle

Withdrawn

ORDINANCE PERTAINING TO ZONING REGULATION
OF SIGNS; AUTHORIZING MUNICIPALITIES TO OPT
OUT OF REGULATIONS RESTRICTING SIGN
PLACEMENT IN PROXIMITY TO EXPRESSWAYS;
AMENDING SECTION 33-121.11 OF THE CODE OF
MIAMI-DADE COUNTY; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Report: *(See Agenda Item 3B Substitute; Legislative File
No. 070724)*

3B SUBSTITUTE

070724 Ordinance

Jose "Pepe" Diaz,
Dorrin D. Rolle

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; AUTHORIZING MUNICIPALITIES TO OPT OUT OF REGULATIONS RESTRICTING SIGN PLACEMENT IN PROXIMITY TO EXPRESSWAYS; AMENDING SECTION 33-121.11 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070554]

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Martinez

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 and the following person(s) appeared in connection with the foregoing proposed ordinance:

1. Mr. Ron Book, 2999 NE 191 Street, expressed support of the foregoing ordinance on behalf of the City of Miami and the City of North Miami.

Hearing no one else in connection with this matter, the public hearing was closed.

Commissioner Rolle asked if this ordinance would apply to billboards placed in North Miami.

Assistant County Attorney Craig Coller noted if this ordinance was adopted and the City of North Miami adopted its own ordinance authorizing it, than those billboards would be affected.

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

3C

070965 Ordinance

Carlos A. Gimenez

ORDINANCE AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO SPECIFY PROCEDURES FOR THE EXERCISE OF POWERS AND AUTHORITY OF THE MAYOR AND THE COUNTY COMMISSION REGARDING APPOINTMENT OF THE COUNTY MANAGER AND OF DEPARTMENT DIRECTORS OF ADMINISTRATIVE DEPARTMENTS OF THE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

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 and hearing no person wishing to speak on this matter, the public hearing was closed.

Following a discussion regarding Chairwoman Seijas' suggestion that recruitment information be included in this process, Chairwoman Seijas asked Assistant County Attorney Armstrong-Coffey to explore the possibility of including a list of the applicants, their resumes, and the names of the individual(s) ultimately selected for consideration by the County Commission, along with this proposed ordinance.

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

3D

071123 Ordinance

Rebeca Sosa,

Carlos A. Gimenez

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-151.14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PERTAINING TO PRIVATE COLLEGES AND UNIVERSITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Martinez

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 and hearing no one wishing to speak on this matter, the public hearing was closed.

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

3E

071296 Resolution

Bruno A. Barreiro

RESOLUTION DIRECTING THE COUNTY MANAGER
TO REVIEW THE FEASIBILITY OF USING 311 TO
RECEIVE COMPLAINTS REGARDING TAXICABS

*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 Diaz noted he felt the process of
routing all County departments' customer calls
through the 311 Call Center should be expedited
to reduce redundancy. He stated he felt it was
more efficient to have all calls routed through one
entity, which would make it easier for County
Departments and District Commissioners to
receive reports and responde to them.*

*Responding to Chairwoman Seijas' comment
regarding implementing Commissioner Diaz's
idea, Ms. Judy Zito, Director, Government
Information Center, (GIC), noted a plan was
underway to consolidate the services of all
departments with the 311 Call Center and should
be completed by the end of 2008.*

*Regarding the proposed resolution as it pertained
to Taxicabs, Ms. Zito stated she felt this resolution
was doable and GIC was evaluating the call
volume and working with Consumer Services to
ensure this would be a smooth transition.*

*Commissioner Diaz asked Assistant County
Manager Roger Carlton to provide him with a
copy of the report that shows the progression and
timelines (per department) for consolidating the
County's information centers with the 311 Call
Center.*

*Chairwoman Seijas expressed appreciation to the
311 call center's staff and to the 311 specialist
who assisted a constituent on Mother's Day, who
called and was very disturbed because his cat
died. She noted it was also the caller's Birthday
and the specialist demonstrated empathy and
patience.*

3F

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

Withdrawn
Mover: Gimenez
Seconder: Martinez
Vote: 5-0
Absent: Rolle

Report: *During consideration of changes to today's agenda, the foregoing proposed resolution was withdrawn, as requested by Commissioner Moss.*

3G

071153 Resolution**Katy Sorenson**

RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE POTENTIAL FOR SELLING RENEWABLE ENERGY CREDITS FROM LANDFILL GAS PROJECT, DEVELOP PROCESS FOR SELLING RENEWABLE ENERGY CREDITS, ESTABLISH FRAMEWORK FOR TRADING ADDITIONAL RENEWABLE ENERGY CREDITS FROM FUTURE COUNTY ALTERNATIVE ENERGY PROJECTS, AND CREATE A RENEWABLE ENERGY TRUST FUND FOR NEW ALTERNATIVE ENERGY PROJECTS FUNDED BY NOT LESS THAN 80% OF SALE PROCEEDS OF RENEWABLE ENERGY CREDITS

Forwarded to BCC without a 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.*

Chairwoman Seijas asked Assistant County Manager Carlton to convey to Commissioner Sorenson that she felt this was an excellent proposal which she would support, provided that the portion relating to "implementation" was excluded and considered later. She suggested this resolution be forwarded without a recommendation.

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

3H

071430 Resolution Carlos A. Gimenez

RESOLUTION DIRECTING CHARTER REVIEW TASK
FORCE TO CONSIDER RESTRUCTURING THE BOARD
OF COUNTY COMMISSIONERS

Withdrawn
Mover: Gimenez
Seconder: Martinez
Vote: 5-0
Absent: Rolle

Report: *During consideration of changes to today's
agenda, the foregoing proposed resolution was
withdrawn, as requested by Commissioner
Gimenez.*

4 COUNTY MANAGER

4A

071110 Ordinance

ORDINANCE EXPEDITING PROCEDURES FOR CONTRACTS RELATING TO ALL FUNDED CAPITAL IMPROVEMENT PROJECTS WHERE FUNDING HAS BEEN APPROVED AS PART OF THE ANNUAL PROPOSED RESOURCE ALLOCATION AND MULTI-YEAR CAPITAL PLAN FOR FISCAL YEAR 2006-2007 AND SUBSEQUENT FISCAL YEARS; OR WHERE FUNDING HAS BEEN INCLUDED IN THE 2007 TRANSPORTATION IMPROVEMENT PLAN (TIP) AND SUBSEQUENT FISCAL YEARS, AS APPROVED BY THE METROPOLITAN PLANNING ORGANIZATION (MPO); CONTRACTS FUNDED BY A BOND ISSUE SUBJECT TO THE RULES GOVERNING THE BOND; AND CONTRACTS FOR UNANTICIPATED FUNDED PROJECTS THAT ARE AUTHORIZED BY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OR INITIATED IN RESPONSE TO ANY NATURAL DISASTER OR DECLARATION OF AN EMERGENCY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (County Manager)

Tabled**Mover: Martinez****Seconder: Diaz****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 and hearing no person wishing to speak on this matter, the public hearing was closed.

Commissioner Martinez noted he could not support this ordinance at this time, because he felt it would not provide transparency. He also noted the memorandum should refer to the Mayor and not the County Manager.

Commissioner Diaz noted he was opposed to this ordinance at this time. He asked for clarification regarding the following language: "bids exceeding the estimate amount by 20%."

Mr. Roger Hernstadt, Director, Capital Improvement Projects (CIP), explained that this ordinance would require an outside assessment of a bid that was 10%-20% above or below the estimated cost of the project; that if the justification was acceptable, the contract could be expedited. Otherwise it would be placed on an agenda for approval.

Commissioner Diaz expressed concern that this proposed ordinance had no safeguards. He stated

he preferred oversight on projects and that the County Commission should establish the safeguards.

Commissioner Gimenez noted that he thought change orders were due to a lack of planning, that the 20% threshold for overbids was too high, and that he was uncomfortable with giving the Administration this much authority.

Chairwoman Seijas spoke in opposition to this ordinance because she felt there were too many variables and the Commission would be treading on dangerous grounds.

Following discussion, it was moved by Commissioner Martinez that the foregoing proposed ordinance be tabled. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed 6-0.

4B

070643 Ordinance

Sally A. Heyman

ORDINANCE AMENDING SECTION 2-8.2.10 OF THE CODE OF MIAMI-DADE COUNTY RELATED TO PROCUREMENT PROCEDURES FOR CONTRACTS RELATED TO PROJECTS FUNDED IN WHOLE OR IN PART BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE (County Manager)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 5-0

Absent: Edmonson

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

Following discussion regarding the sponsorship of this proposed ordinance, Chairwoman Seijas asked that the agenda be changed to list Commissioner Heyman as the sponsor of this item and remove the County Manager.

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

Commissioner Martinez asked if this ordinance had already been approved at the June 6, 2006 BCC meeting.

Assistant County Attorney Bonzon-Keenan clarified the ordinance approved in June 2006, required that municipal officials use their own procurement policies when constructing a municipal project within their jurisdiction. She pointed out that this proposal required that municipal officials use their own procurement policies when constructing a project on behalf of the County, unless the respective municipality did not have a Small Business program in place.

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

4C

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)

Tabled**Mover: Martinez****Seconder: Gimenez****Vote: 6-0**

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

Assistant County Manager Carlton explained the County Manager received a request that recommended this agreement be extended from July 1, 2007 to August 1, 2007.

Ms. Alyce Robertson, Manager, Office of Community Image, noted this agreement involved a joint project between the City of Miami Gardens and Opa-locka in preparation of the Super bowl. She noted the City of Miami Gardens was the project manager, and agreed to do the work in the City of Opa-locka. She noted this resolution would provide the needed monies to complete the pavers in the City of Opa-locka.

In response to Commissioner Diaz's question regarding whether an agreement existed with the County, Ms. Robertson noted this was a request through the Vice-Chairwoman's Office. She noted the City of Miami Gardens added their funds to this project.

In response to Chairwoman Seijas' question, Ms. Robertson noted the cost of the pavers of the City of Opa-locka was initially taken out of the bid, in order to complete the landscaping portion. She noted this resolution would allow Miami Gardens to amend the bid to put the pavers back in. She explained that the pavers had been installed in the City of Miami Gardens portion of the project, but not in the City of Opa-locka.

Following further discussion, Commissioner Diaz questioned whether the Interlocal Agreement should be between the County and the City of Miami Gardens or between the City of Miami Gardens and the City of Opa-locka.

Ms. Robertson noted this was a State Road.

Assistant County Attorney Armstrong-Coffey stated she was unaware of the arrangements between the two cities in terms of working on this project together. She noted, however, an Interlocal Agreement would normally be required between the two cities.

Commissioner Martinez noted this was deferred at the last Committee meeting for the same concerns. He stated he had a problem with funding this project from the Secondary Gas Tax Funds because the City of Opa-locka's segment was funded by other funding sources, including the Highway Beautification Council, the Landscape Joint Committee, and the Community Image Advisory Board.

In response to Chairwoman Seijas' question regarding whether the Community Image Advisory Board's \$150,000 had always been allocated for the City of Opa-locka, Ms. Robinson noted this was a new allocation.

Following comments by Chairwoman Seijas, Commissioner Gimenez noted he was not in support of this resolution because if the County paid for Opa-locka's portion, then Miami Gardens would request the County reimburse them for their pavers.

Following further discussion, it was moved by Commissioner Martinez that the foregoing proposed ordinance be tabled. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed 6-0.

4D

071285 Resolution

RESOLUTION APPROVING TERMS OF AND AUTHORIZING MAYOR OR HIS DESIGNEE TO EXECUTE GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE DADE HERITAGE TRUST INC. RELATED TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 265 – “HUBBARD-ALVAREZ BUNGALOW” AND EXERCISE CANCELLATION PROVISIONS THEREIN (County Manager)

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

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

Responding to Commissioner Martinez' question regarding public access to this historical Bungalow, Mr. Roger Hernstadt, Director, Capital Improvement Projects, noted this Bungalow would become a private residence, but it would be opened to the public during Heritage Week.

Assistant County Attorney Geri Bonzon-Keenan noted a scrivener's error existing within the attached grant agreement, handwritten page 17, that should be corrected to exclude the following language from Section 21 of the agreement: "The grantee agrees to a) maintain the project for a minimum of 25 years; b) agrees to govern itself, in regards to the subject project, in accordance with Article 6 of the County Charter; c) keep the project open safely and properly maintained for all Miami-Dade County residents; and d) allow all Miami-Dade County residents equal access and uses of the project and not discriminate when charging facility admission fees."

Assistant County Attorney Bonzon-Keenan noted this was the standard language, but the Historic Preservation Office was proposing to amend the legislative rules pertaining to this issue. She noted they would propose adding a section in the administrative rules to deal with how often these residences would be open to the public.

Commissioner Martinez questioned if CDT funds could be used versus GOB funds. He expressed concern regarding the use of GOB funds to restore a historical site that would be used as a private residence with no public access.

Mr. Hernstadt noted the subject bungalow was

currently owned by the Dade Heritage Trust and the GOB funds would be used to renovate the historical elements. He noted that once restored, this bungalow would be sold and the funds would be used to restore other bungalows, which in essence would become a revolving fund. He noted this was the only mechanism for maintaining the historical nature of these bungalows.

Commissioners Chairwoman Seijas and Edmonson expressed concern that this appeared to be more of a real estate rather than a historical preservation effort.,

Ms. Becky Roper Matkov, Executive Director, Dade Heritage Trust, responded, noting the Trust acquired this bungalow in an effort to prevent it from being demolished and the intent was to restore it as an environmentally "green" demonstration project aimed at helping people make their residents more environmentally friendly. The intent was also to inspire people to purchase these bungalows as homes.

In response to Chairwoman Seijas' question regarding the number of bungalows the Trust had acquired, Ms. Roper Matkov noted they only had funds to acquire the subject bungalow.

Chairwoman Seijas noted her primary concern was the exception to the language that prohibits the sell of it.

Following comments by Commissioner Gimenez that he felt this venture would not be profitable, Commissioner Martinez pointed out that pursuant to the agreement, the Trust expected to make some profit from the sale of this bungalow. He concern regarding the following language: "the County Mayor or his designation has the right to approve any property being considered for purchase without any approval."

Chairman Barreiro noted most of these bungalows were in Little Havana on properties zoned for much higher density, and he had concerns regarding the proposal with selling them to the private sector. He urged his colleagues to allow him to work with the Trust and the County Administration to work out the issues and to analyze all related documents and come back with a recommendation..

Following comments by Commissioner Diaz, Mr. Hernstadt noted they could consider all the

comments made and bring back another ordinance that restored the one bungalow as suggested and keep it opened to the public as a demonstration model, rather than try to restore multiple bungalows.

Following further discussion, the foregoing proposed ordinance was deferred to the next Committee meeting for the language to be changed.

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

071373 Report

CLERK'S SUMMARY OF MINUTES FOR
GOVERNMENTAL OPERATIONS AND ENVIRONMENT
COMMITTEE MEETING: APRIL 10, 2007 (Clerk of the
Board)

Approved
Mover: Martinez
Seconder: Diaz
Vote: 5-0
Absent: Rolle

7 REPORTS

7A

070937 Report

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

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

Report: *Chairwoman Seijas asked that the foregoing reports (Agenda Items 7A thru 7I) be forwarded to Commissioner Diaz's Sunset Review Subcommittee.*

Commissioner Rolle asked why the costs for Community Councils (CC) noted in Agenda Items 7A and 7B were much higher than other CCs.

Mr. Sam Walthour clarified the cost in those two items was an error, which inadvertently reflected the total cost of all CCs. He noted for the record, the report in Agenda Item 7A (CC #16) should reflect \$16,893 for zoning and \$5,436 for non-zoning meetings and that Agenda Item 7B (CC#8) should reflect \$ 107,000 for zoning and \$10,078 for non-zoning meetings.

Commissioner Rolle asked the Team Metro Director to review and provide him with an explanation of the differences in the amounts for Community Council #11 (Agenda Item 7D) compared with Community Council #8 (Agenda Item 7B).

In response to Chairwoman Seijas' question regarding the number of times CC #16 had met in the past two years, Mr. Walthour noted they met one time in 2006 for a zoning meeting and eight times for non-zoning meetings.

Commissioner Edmonson asked why CC #16 should be permitted to continue if there were no quorums for the zoning meetings.

Mr. Sabrata Basu, Assistant Director, Planning Department, responded to Commissioner Edmonson's concerns, he noted most of the meetings were cancelled because CC #16 normally had no zoning items to consider.

In response to Commissioner Martinez' question regarding why zoning meetings were scheduled when there were no items to consider, Mr. Sabata noted items were deferred.

Responding to comments by Commissioner Martinez regarding consolidating Fisher Island's CC, Chairman Barreiro noted Fisher Island had zoning applications come in one building at a time rather than separate smaller developments. He noted this area was landlocked with high density and with very restrictive covenants. Chairman Barreiro noted Fisher Island deserved to have its own CC until the County Commission addressed how to consolidate or eliminate the CCs.

Following discussion, the Committee received the foregoing reports (Agenda Items 7A thru 7I) and referred them to a Subcommittee on the sunset review of County Boards.

7B

071171 Report

2007 SUNSET REVIEW OF COUNTY BOARDS - NORTH CENTRAL COMMUNITY COUNCIL 8

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

Report: *(See report under Agenda Item 7A, Legislative No. 070937 for the report)*

7C

071197 Report

2007 SUNSET REVIEW OF COUNTY BOARDS – NORTHEAST DADE COMMUNITY COUNCIL 2

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

Report: *(See report under Agenda Item 7A, Legislative No. 070937 for the report)*

7D

071198 Report

2007 SUNSET REVIEW OF COUNTY BOARDS – WEST KENDALL COMMUNITY COUNCIL 11

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

Report: *(See report under Agenda Item 7A, Legislative No. 070937 for the report)*

Governmental Operations and Environment Committee

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, May 15, 2007

7E

071199 Report

2007 SUNSET REVIEW OF COUNTY BOARDS
REDLAND COMMUNITY COUNCIL 14

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

Report: (See report under Agenda Item 7A, Legislative No. 070937 for the report)

7F

071241 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007 –
BISCAYNE SHORES COMMUNITY COUNCIL 7

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

Report: (See report under Agenda Item 7A, Legislative No. 070937 for the report)

7G

071242 Report

2007 SUNSET REVIEW OF COUNTY BOARDS -
WESTCHESTER COMMUNITY COUNCIL 10

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

Report: (See report under Agenda Item 7A, Legislative No. 070937 for the report)

7H

071243 Report

2007 SUNSET REVIEW OF COUNTY BOARDS –
COUNTRY CLUB OF MIAMI COMMUNITY COUNCIL 5

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

Report: (See report under Agenda Item 7A, Legislative No. 070937 for the report)

7I

071244 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007 -
KENDALL COMMUNITY COUNCIL 12

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

Report: *(See report under Agenda Item 7A, Legislative No. 070937 for the report)*

7J

071256 Report

THREE-MONTH REPORT ON VOLUNTARY
WORKFORCE HOUSING ORDINANCE (County Manager)

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

7K

071301 Report

SET OF STANDARDS AND DIRECTIONS FOR THE
DEVELOPMENT COMMUNITY THAT ADDRESSES
WATER CONSERVATION ISSUES AND ALTERNATIVE
WATER SUPPLIES

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

(County Manager)

Report: *Chairwoman Seijas asked that the County Attorney draft the appropriate ordinances relating to this report that addresses water conservation issues and alternative water supplies.*

7L

071306 Report

PROGRESS REPORT NO. 1: ACTIVITIES SPONSORED
ON BEHALF OF THE "WATER FOR PEOPLE"
ORGANIZATION

Report received as amended
Mover: Diaz
Seconder: Gimenez
Vote: 5-0
Absent: Rolle

(County Manager)

Report: *The foregoing report was received as amended to reflect the name- Robert A. Cuevas-in the report title.*

7M

071389 Report

REPORT TRAFFIC CALMING DEVICES INSTALLED
THROUGHOUT MIAMI-DADE COUNTY

(County Manager)

Report Received
Mover: Martinez
Seconder: Gimenez
Vote: 5-0
Absent: Rolle

7N

071392 Report

REPORT ON STORM DRAIN CLEANING MAP REPORT

(County Manager)

Report Received
Mover: Martinez
Seconder: Gimenez
Vote: 5-0
Absent: Rolle

8 ADJOURNMENT

Report: *There being no further business to come before this Board, the Governmental Operational and Environmental Committee meeting was adjourned at 12:02 p.m.*