



**MEMORANDUM**

Harvey Ruvin  
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Clerk of the Board of County Commissioners  
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GOE

Agenda Item No 6(A)

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

DATE: December 11, 2007

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

SUBJECT: Approval of Commission  
Committee Minutes

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

- November 13, 2007

KS:jt  
Attachment



**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Governmental Operations and Environment  
Committee (GOEC)**

**Board of County Commissioners**

Stephen P. Clark Government Center  
Commission Chambers  
111 N.W. First Street  
Miami, Florida 33128

November 13, 2007  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division

Jill Thornton, Commission Reporter  
(305) 375-2505





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)

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Tuesday, November 13, 2007

9:30 AM

COMMISSION CHAMBERS

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**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.

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## 1 MINUTES PREPARED BY:

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

## 1A ROLL CALL

**Report:** *The following staff members were present:  
Assistant County Manager Susanne Torriente;  
Assistant County Attorneys Geri Bonzon-Keenan,  
Craig Collier, Cynthia Johnson-Stacks, Oren  
Rosenthal, and Monica Rizo; and Deputy Clerks  
Doris Dickens and Jill Thornton.*

*In addition to the changes listed in the County  
Manager's Memorandum entitled "Requested  
Changes to the Governmental Operations and  
Environment Committee Agenda," dated  
November 13, 2007, Assistant County Attorney  
Geri Bonzon-Keenan requested that Agenda Item  
2E be deferred to the December 11th Committee  
meeting, as requested by the County Manager.*

*It was moved by Commissioner Diaz that the  
requested changes in the County Manager's  
memorandum be approved, along with the  
additional changes noted by Assistant County  
Attorney Bonzon-Keenan. This motion was  
seconded by Commissioner Martinez, and upon  
being put to a vote, passed by a vote of 6-0.*

**1B**      **CHAIRPERSON**

1B1

**073211 Discussion Item**

REMARKS FROM CHAIRPERSON SEIJAS

*Presented*

**Report:** *Chairwoman Seijas called the meeting to order at 9:49 a.m. and provided opening remarks. In recognition of Veterans Day, Chairwoman Seijas expressed appreciation to all veterans for their noble and dedicated service. She reminded staff that at last month's Committee meeting (10/12), she requested the Climate Change Task Force's (CCTF) Quarterly Report be submitted at the Committee meeting in December. She asked that Mr. Harvey Ruvin, Chair of the CCTF, be properly noticed and that this report be included as an item on the December 11 Committee meeting agenda.*

*Commissioner Seijas noted important items involving amendments to the Charter were on today's agenda that needed to be considered by this Committee and forwarded for further review by the County Commission. She also noted she would allow the sponsors of proposed Charter revisions to present their proposals and state their positions on the record today without further debate on the merits of the proposals.*

**1C**      **PRESENTATION(S)**

4

1C1

## 072973 Citizen's

PRESENTATION BY MS. ROBIN REITER  
(CHAIRWOMAN) OF THE BUILDING BETTER  
COMMUNITIES GENERAL OBLIGATION BOND  
PROGRAM CITIZENS ADVISORY COMMITTEE (County  
Manager)

*Presented*

**Report:** *Ms. Robin Reiter, Chairwoman of the Building Better Communities General Obligation Bond (BBC-GOB) Citizens Advisory Committee, provided an update on the BBC-GOB program. She expressed appreciation to George Navarrete, Roger Hernstadt and staff from the Office of Capital Improvements (OCI) for marshalling the resources and moving forward in an aggressive manner on this program. She also expressed appreciation for their support of her as Chair of the Citizens' Advisory Committee (CAC).*

*Ms. Reiter noted the first bond sale for the \$2.9 billion bond program occurred in July 2005, with \$266 million in bonds being sold. She noted approximately \$155 million had been allocated for county, municipal and not-for-profit projects, approved by the voters. She also noted that when she provided an update on the first bond sale before this Committee last year, the scheduled programs were approximately 6% delayed by 180 days or greater. This year, she noted, the projects were 13% delayed in schedule by 180 days or greater, and she believed this was partially due to the sunset of the County's Expedite Ordinance. She encouraged the Commission to consider staff's recommendation to reinstate that process.*

*Ms. Reiter noted the CAC's oversight subcommittee reviewed each of the 13% late projects to determine the reason they were late and how to move them forward. She noted many municipalities had contracts, and had done exceedingly well; that Hialeah was ahead of the game on most projects, and every municipality was addressing all issues very seriously. Ms. Reiter noted 625 sites were currently undergoing construction or other GOB program activity, and that 84 of those were included in the projects that were 13% delayed.*

*Ms. Reiter noted the CAC addressed key questions on the voters' ballots regarding mortgage subsidies and the interest earnings on the bonds. She noted it was discovered that mortgage*

subsidies were not capital construction items and that money would need to be reallocated to capital items. She further noted the CAC was working with the Affordable Housing Task Force members to develop recommendations on the appropriate use of earned interest income, for review by the County Commission. Ms. Reiter advised the CAC recently received a request, sponsored by Commissioner Martinez, to provide \$10 million from the \$20 million interest earned this year, to the Florida International University's (FIU) College of Medicine. Ms. Reiter noted it had been the CAC's intention and recommendation that interest earnings be used to expedite GOB projects in future years or to ensure funds were available to complete projects promised to the voters. She stated, however, that following extensive discussions, the CAC accepted Commissioner Martinez recommendation by a vote of 6-5, but asked staff to provide a plan to allocate future interest income.

Discussion ensued among Committee members, staff and Ms. Reiter regarding whether the interest earned would be allocated across all projects in the bond program approved by voters in the eight ballot questions.

Mr. Ian Yorty, Director, Office of Capital Improvements, noted the interest accrued over the entire first bond series and staff had not tracked it for a certain value of projects per question.

Ms. Reiter noted the CAC held a discussion on whether to allocate the interest earned across all questions, which was why they asked for a plan. She noted the CAC believed the bond program was in good standing and was pleased with staff's support, but expressed concern with the expedite ordinance issue. She noted it was important that the percentage of delayed projects not increase and that the program move forward in an aggressive manner to fulfill promises made to voters, to honor commitments to fund the approved programs appropriately, and to recommend a plan of action to the County Commission for their approval.

## 2 DEPARTMENT(S)

2A

**073214 Resolution**

RESOLUTION AUTHORIZING THE ACCEPTANCE OF FIVE (5) ENVIRONMENTALLY ENDANGERED LANDS COVENANTS IN MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Assistant County Attorney Geri Bonzon-Keenan noted a scrivener's error in the foregoing resolution that needed to be corrected to delete the word "mortgages" and insert the word "mortgagees."*

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

2B

**073227 Resolution**

RESOLUTION AUTHORIZING THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM TO BID ON AND TO PURCHASE TAX DEEDS FOR REAL PROPERTIES WHICH ARE LISTED ON THE EEL PRIORITY A ACQUISITION LIST WHERE THE PURCHASE PRICE IS EQUAL TO OR LESS THAN EITHER THE APPRAISED VALUE OR THE TAX ASSESSED VALUE AND REQUIRING ANNUAL REPORTS OF TAX DEED PURCHASES TO THE BOARD OF COUNTY COMMISSIONERS (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2C

**073190 Resolution**

RESOLUTION AUTHORIZING THE APPROVAL OF A COUNTY DISCLAIMER FOR THE RELEASE OF CERTAIN PORTIONS OF CANAL RESERVATION NO LONGER NEEDED BY MIAMI-DADE COUNTY IN SECTION 21, TOWNSHIP 52 SOUTH, RANGE 40 EAST (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2D

**073219 Resolution**

RESOLUTION AUTHORIZING THE APPROVAL OF A COUNTY DEED TO VACATE CERTAIN PORTIONS OF COUNTY CANAL RIGHT-OF-WAY AND CANAL MAINTENANCE EASEMENT WHICH ARE NO LONGER NEEDED BY MIAMI-DADE COUNTY IN THE SOUTH ONE-HALF (S½) OF SECTION 26 & SECTION 35, TOWNSHIP 52 SOUTH, RANGE 39 EAST (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2E

**073188 Resolution**

RESOLUTION AUTHORIZING THE EXCHANGE OF PROPERTY RIGHTS BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND MIAMI-DADE COUNTY AS PART OF THE GOLDEN GLADES CANAL RELOCATION (NW 170 STREET CANAL) AT I-75 (SR 93) AND THE GRANTING UNDER A SPECIAL AGREEMENT BY MIAMI-DADE COUNTY OF A PERMANENT EASEMENT TO THE FDOT IN AND ACROSS PORTION OF SAID CANAL UNDER I-75, IN SECTION 16, TOWNSHIP 52 SOUTH, RANGE 40 EAST (Department of Environmental Resources Management)

*Deferred to next committee meeting*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 6-0*

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed resolution was deferred to the December 11th Governmental Operations and Environment Committee meeting, as requested by the County Manager.*

2F

**073071 Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$39,300, BETWEEN VINCENT E. LASCARA, SR., MARY ALICE BOOTH, EXECUTOR, ESTATE OF A. J. LASCARA, ELLYN S. BECKER, EXECUTOR, ESTATE OF RUTH BECKER LEVINSON, AND HOWARD F. SIDMAN, EXECUTOR, ESTATE OF ARLENE R. SIDMAN, AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 1.363-ACRES LOCATED IN THE VICINITY OF N.W. 127TH AVENUE AND N.W. 74TH STREET, IN THE MIAMI-DADE COUNTY NORTHWEST WELLFIELD BUFFER AREA PROJECT, FOR THE PURPOSE OF PROTECTING THE PUBLIC WATER SUPPLY; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2G

**073025 Resolution**

**Joe A. Martinez**

RESOLUTION DESIGNATING REAL PROPERTY AND IMPROVEMENTS LOCATED AT 2400 SOUTH DIXIE HIGHWAY AS A MULTI-USE COUNTY GOVERNMENT FACILITY; AUTHORIZING ALLOCATION IN AN AMOUNT EQUAL TO \$5,800,000 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 232 – “FUTURE MULTI-USE FACILITIES”; AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$5,182,100 BETWEEN 300 GROVE PROFESSIONALS, INC., AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER, OF REAL PROPERTY TOGETHER WITH ITS IMPROVEMENTS LOCATED AT 2400 SOUTH DIXIE HIGHWAY FOR THE PURPOSE OF EXPANDING SERVICES FOR THE DEPARTMENT OF HUMAN SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2H

**073234 Resolution**

RESOLUTION AUTHORIZING DUE DILIGENCE ANALYSIS, RELATED STUDIES AND THE EMPLOYMENT OF APPRAISERS OF THREE SITES OF LAND LOCATED AT 21220 & 21230 S.W. 115 ROAD, 21143 S.W. 117 AVENUE, 21281-83 S.W. 117 AVENUE, AND 102 AND 114 N.W. 62 STREET, 5429 N.W. 6 PLACE, AND 5435 N.W. 6 PLACE, AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO NEGOTIATIONS WITH THE PROPERTY OWNERS TO ACQUIRE THE SITES FOR THE DEVELOPMENT OF PERMANENT SUPPORTIVE HOUSING FOR FORMERLY HOMELESS PERSONS AND FAMILIES AND AFFORDABLE HOUSING FOR LOW INCOME PERSONS AND FAMILIES (Miami-Dade Homeless Trust)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

21

**073274 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY, CITIES OF MIAMI-DADE COUNTY AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR PUBLIC SCHOOL FACILITY PLANNING (Department of Planning & Zoning)

*Deferred to next committee meeting*

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas noted Committee members received this lengthy, complicated document just last week, and noted she had several questions regarding it. She noted she felt it was disrespectful to this Committee to receive a document of this magnitude without staff briefing them on it. She also noted no report was attached advising that the Planning Advisory Board (PAB) voted against it.*

*Assistant County Attorney Oren Rosenthal explained that the PAB had not voted against it, rather to amend it regarding charter schools; he concurred that the PAB did not like the way it was drafted.*

*Commissioner Gimenez noted he did not have the opportunity to review this document thoroughly; that it was a large and difficult document to understand, and that he preferred this item be deferred to allow Committee members the opportunity to review it.*

*Chairwoman Seijas' noted she found it unacceptable that a staff member from the Planning Department would comment that the County should accept this agreement because the building industry accepted it. She noted this was a professional body of integrity and those comments were unnecessary.*

*Mr. Basu apologized on behalf of that staff member and assumed full responsibility. He noted staff worked to the last minute on this complex document and advised that the deadline was quickly approaching.*

*In response to Commissioner Diaz' question regarding how long the parties had worked on this*

agreement, Ms. Susan Travarathan (phonetic), attorney representing the School Board Task Force, noted the School Board Task Force met for 18 months and issued a report in January 2007. She stated they had worked on this agreement for approximately two years.

Commissioner Diaz noted he desired more clarity and time to review a document of such significance before voting on it. He asked staff to send representatives from all concerned entities to brief committee members on this.

Commissioner Martinez noted he had read this document, and was opposed to it because it required the County's educational element in the Comprehensive Development Master Plan (CDMP) to be consistent with the public school system without the flexibility to be reviewed on a case-by-case basis. He noted he agreed with the request to defer.

There being no objection, the Committee deferred the foregoing proposed resolution to the next Committee meeting scheduled for December 11, 2007 at 9:00 a.m.

Mr. Basu noted staff would begin making appointments with each Committee member to brief them on this agreement prior to the November 27th CDMP amendment hearing.

2J

**073225 Resolution**

RESOLUTION APPROVING DELETION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 216-"NEIGHBORHOOD SERVICE CENTER LAND ACQUISITION AND CONSTRUCTION" AND APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 215-"NEIGHBORHOOD SERVICE CENTER DEMOLITION AND RECONSTRUCTION" EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-917-04 AFTER A PUBLIC HEARING (Office of Capital Improvements)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2K

**073115 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF LAND FOR RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS ALONG SW 328 STREET, FROM US1 TO SW 162 AVENUE TO BE A PUBLIC NECESSITY, AND AUTHORIZING THE MAYOR AND THE COUNTY ATTORNEY TO EMPLOY APPRAISERS AND EXPERT WITNESSES, OBTAIN REQUIRED ENVIRONMENTAL AUDITS AND TAKE ANY AND ALL APPROPRIATE ACTION TO ACQUIRE THE SUBJECT PROPERTIES IN FEE SIMPLE, BY DONATION, DEDICATION BY MAINTENANCE PER F.S. 95.361, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS, OR BY EMINENT DOMAIN PROCEEDINGS, INCLUDING A DECLARATION OF TAKING AS NECESSARY, FOR AND ON BEHALF OF MIAMI-DADE COUNTY (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2L

**073159 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE A PORTION OF SW 264 STREET (BAUER DRIVE), FROM SW 122 AVENUE EAST FOR APPROXIMATELY 298 FEET (ROAD CLOSING PETITION NO. P-848) (Public Works Department)

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

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

2M

**073160 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE A PORTION OF SW 136 PLACE AT THEORETICAL SW 6 STREET (ROAD CLOSING PETITION NO. P-748) (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Commissioner Martinez questioned why municipalities were paid for their road improvements and the County's road improvements were delayed.*

*Ms. Esther Calas, Director, Public Works Department, noted the foregoing improvements were part of the Transportation Improvement Program (TIP) and programmed through the five-year plan. She noted TIP periodically funded municipalities when their roads crossed County roads.*

*Commissioner Martinez asked staff to include, in future agenda items regarding road improvements/closings, information stating whether the project was part of the TIP plan.*

2N

**073255 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT IN THE AMOUNT OF \$400,500 BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES TO PARTICIPATE IN FUNDING IMPROVEMENTS ALONG THE PONCE DE LEON BOULEVARD CORRIDOR AND THREE TRAFFIC ROUNDABOUTS; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

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

20

**073257 Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTIONS IN THE CERTIFICATION OF A VALID PUBLIC EMERGENCY PURSUANT TO FLORIDA STATUTES AND IN AUTHORIZING THE SELECTION OF AN ENGINEERING CONSULTANT FOR VENETIAN CAUSEWAY BRIDGES REHABILITATION (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Commissioner Edmonson noted she supported this resolution, but questioned whether it was customary to declare an emergency without making the District Commissioner aware.*

*Ms. Esther Calas, Director, Public Works Department, concurred with Commissioner Edmonson's concern and apologized for not notifying her. She vowed to ensure that respective District Commissioners were notified of future items.*

*In response to Commissioner Gimenez' question regarding how long these repairs would last, Ms. Calas noted they would last several years or until the bridges could be replaced. She noted the repairs were needed now because the bridges were near salt water and required more maintenance.*

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

2P

**073117 Resolution**

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY TO CONDUCT AN ASSESSMENT OF SEAWATER ENCROACHMENT AND SEAWATER ENCROACHMENT MONITORING NETWORK IMPROVEMENTS IN MIAMI-DADE COUNTY, FLORIDA IN THE AMOUNT OF \$1,825,764 (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas advised she would attend a South Florida Water Management District (SFWMD) Board meeting in Key Largo on Thursday, November 15, 2007, to address the 20-year Water Consumption Use Permit. She invited Committee members to attend. She noted it was essential that the County obtain this permit since the County's current 18-year permit would expire this month.*

*Commissioner Martinez commended Chairwoman Seijas for her leadership in caring for the County's resources and ensuring this plan's success.*

*Mr. John Renfrow, Director, Water and Sewer Department, noted all these construction projects were conditions of this permit, and the County was ahead of schedule in its commitments to SFWMD to obtain the Water Consumption Use permit. He further noted that Thursday's meeting in Key Largo was a time certain meeting to be held at 10:00 a.m. and all Commissioners were invited to attend.*

*In response to Commissioner Diaz question as to whether this meeting was in coalition with the Task Force meeting, Mr. Renfrow noted this was a separate meeting.*

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

2Q

**073119 Resolution**

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY TO CONDUCT A QUANTIFICATION OF GROUNDWATER FLOWS IN SUPPORT OF SIMULATION OF SURFACE AND GROUNDWATER FLOWS TO BISCAYNE BAY IN MIAMI-DADE COUNTY, FLORIDA IN THE AMOUNT OF \$2,702,870 (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2R

**073150 Resolution**

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT WITH THE CITY OF SOUTH MIAMI FOR BILLING OF STORMWATER UTILITY CHARGES BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2S

**073165 Resolution**

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT WITH THE CITY OF AVENTURA FOR BILLING OF STORMWATER UTILITY CHARGES BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

2T

**073118 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A RELEASE OF COVENANT FOR ENVIRONMENTALLY ENDANGERED LAND OWNED BY GEORGE R. TIMINSKY, DESCRIBED AS GABLE ESTATES NO 4 PB 70 - 99 LOT 3 BLK G LOT SIZE - SUBJECT TO EEL COV PER-R-1892-94 ON 1.19 AC OR 11222-1842 0881 1 COC 24380 - 1320 25203 -1715 0306 1 LOCATED AT 9000 ARVIDA DRIVE, CORAL GABLES, MIAMI-DADE COUNTY, FLORIDA IN FAVOR OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas opened the public hearing on the foregoing proposed resolution. 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 resolution as presented.*

2U

**072757 Ordinance**

ORDINANCE AMENDING SECTION 24-48.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PERMIT APPLICATION FORMS; AMENDING SECTION 24-48.5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PERMIT ISSUANCE AND WAIVER OF BONDING REQUIREMENTS; PROVIDING WRITTEN CONSENT FOR SUBMERGED LANDS OWNED BY GOVERNMENTAL ENTITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Environmental Resources Management)

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

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

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

2V

**072441 Ordinance**

ORDINANCE PERTAINING TO FIXED-GUIDEWAY RAPID TRANSIT SYSTEM DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RAPID TRANSIT ZONE PERMITTED USES; AMENDING SECTION 33C-4 PERTAINING TO RAPID TRANSIT DEVELOPMENTAL IMPACT ZONE; CREATING SECTION 33C-8 PERTAINING TO RAPID TRANSIT ZONE DISTRICT REGULATIONS FOR NON-METRORAIL DEVELOPMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

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

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed resolution was deferred to no date certain, as requested by the County Manager.*

2W

**073010 Ordinance**

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO RELIGIOUS FACILITIES AND MISSIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

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

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

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

2X

**072675 Ordinance**

ORDINANCE REPEALING ORDINANCES NO. 01-100, 04-136, AND 04-148 OF MIAMI-DADE COUNTY ESTABLISHING THE REDLAND, PLANT, AND GOULDS AREA MUNICIPAL ADVISORY COMMITTEES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Office of Strategic Business Management)

*Amended*

**Report:** *(See Agenda Item 2X Amended; Legislative File No. 073440 for the amended version)*

22

2X AMENDED

**073440 Ordinance**

ORDINANCE REPEALING ORDINANCE NO. 01-100 OF MIAMI-DADE COUNTY ESTABLISHING THE REDLAND AREA MUNICIPAL ADVISORY COMMITTEE; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072675] (Office of Management and Budget)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*  
**Mover: Edmonson**  
**Seconder: Diaz**  
**Vote: 5-0**  
**Absent: Rolle**

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas opened the public hearing and the following persons appeared:*

- 1. Ms. Enid Demps, 11025 SW 223rd Street, Goulds, Florida spoke in opposition to this ordinance as it pertains to the Goulds MAC.*
- 2. Mr. J.L. Demps, Jr., 11025 SW 223rd Street, Goulds, Florida, spoke in opposition to this ordinance as it pertains to the Goulds MAC.*
- 3. Ms. Karen Esty, 14445 SW 200th Street, Miami, Florida, spoke in opposition to this ordinance as it pertains to the Redland and Goulds MAC.*
- 4. Mr. Kenneth Forbes, 25121 SW 120th Place, Princeton, Florida, spoke in opposition to this ordinance as it pertains to the PLANT (Princeton, Leisure City and Naranja) MAC.*
- 5. Mr. Lewis Canty, 11770 Bells Road, Goulds, Florida, spoke in opposition to this ordinance as it pertains to the Goulds MAC.*
- 6. Mr. Miguel DeGrandy, 800 Douglas Road, Coral Gables, Florida, attorney representing the "Citizens Against Redlands Corporation," requested this resolution be bifurcated to separate out the Goulds and the PLANT MAC.*

*There being no other person to appear in connection with this ordinance, the public hearing was closed.*

*It was moved by Commissioner Edmonson that the foregoing proposed ordinance be bifurcated to separate out that portion involving the PLANT*

*(Princeton, Leisure City and Naranja), and  
Goulds Municipal Advisory Committees (MAC).  
This motion was seconded by Commissioner Diaz,  
and upon being put to a vote, passed 5-0  
(Commissioner Rolle was absent).*

*Hearing no objections, the committee forwarded  
the foregoing proposed ordinance to the BCC with  
a favorable recommendation, as amended to  
exclude the PLANT (Princeton, Leisure City and  
Naranja), and Goulds MACs.*

2X1

**073365 Ordinance**

ORDINANCE REPEALING ORDINANCE NOS. 04-136  
AND 04-148 OF MIAMI-DADE COUNTY ESTABLISHING  
THE PRINCETON, LEISURE CITY AND NARANJA  
(PLANT), AND GOULDS AREA MUNICIPAL ADVISORY  
COMMITTEES; PROVIDING SEVERABILITY,  
EXCLUSION FROM THE CODE, AND AN EFFECTIVE  
DATE (Governmental Operations and Environment  
Committee)

*Forwarded to BCC without a  
recommendation  
Mover: Edmonson  
Seconder: Diaz  
Vote: 5-0  
Absent: Rolle*

2Y

**072676 Ordinance**

ORDINANCE RELATING TO INCORPORATION  
PROCEDURES; REQUIRING MUNICIPAL ADVISORY  
COMMITTEES (MACS) TO BE ESTABLISHED BY  
ORDINANCE; ESTABLISHING DEADLINES FOR MAC  
STUDIES; REQUIRING CERTAIN INFORMATION TO BE  
PROVIDED IN MAC REPORTS AND BY COUNTY  
STAFF; AMENDING SECTIONS 20-23 AND 20-29 OF  
THE CODE OF MIAMI-DADE COUNTY, FLORIDA  
("CODE"); PROVIDING SEVERABILITY, INCLUSION IN  
THE CODE AND AN EFFECTIVE DATE (Office of  
Strategic Business Management)

*Amended*

**Report:** *(See Agenda Item 2Y Amended; Legislative File  
No. 073441 for the amended version)*

2Y AMENDED

**073441 Ordinance**

ORDINANCE RELATING TO INCORPORATION PROCEDURES; REQUIRING MUNICIPAL ADVISORY COMMITTEES (MACS) TO BE ESTABLISHED BY ORDINANCE; ESTABLISHING DEADLINES FOR MAC STUDIES; REQUIRING CERTAIN INFORMATION TO BE PROVIDED IN MAC REPORTS AND BY COUNTY STAFF; AMENDING SECTIONS 20-23 AND 20-29 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072676] (Office of Strategic Business Management)

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

*Mover: Gimenez*

*Secunder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas opened the public hearing and the following persons appeared:*

- 1. Ms. Karen Esty, 14445 SW 200th Street, Miami, Florida, spoke in opposition to this ordinance as it pertains to the REDLAND MAC.*
- 2. Ms. Bari Schanerman, 2145 NE 207th Street, Miami, Florida, spoke in opposition to this ordinance as it pertains to the Skylake MAC.*
- 3. Ms. Doritha Nixon, 2190 NE 135th Street, asked that the North Central MAC be re-established.*

*Assistant County Attorney Craig Collier noted this ordinance provided that MACs complete their process within two years, and that existing MACs had two additional years, as well. He noted, to the best of his knowledge, the North Central MAC was non-existent.*

*Mr. Jorge Fernandez, Office of Strategic Business Management (OSBM), noted the North Central MAC no longer existed legally; that it had completed its process and had gone before the Boundaries Commission and the Planning Advisory Board.*

*Chairwoman Seijas informed Ms. Nixon that this ordinance did not apply to the North Central MAC and asked her to speak with Mr. Fernandez regarding her concerns for proper advisement.*

*There being no other person to appear in connection with this ordinance, the public hearing was closed.*

*Commissioner Gimenez spoke in support of this ordinance and suggested an amendment to extend the timeframe of existing MACs by the length of the moratorium, should one be imposed on incorporations.*

*Chairwoman Seijas clarified that should a moratorium be imposed, it would not count against the timeframe provided in this ordinance.*

*Hearing no objections, the Committee forwarded the foregoing proposed ordinance to the BCC with a favorable recommendation with committee amendment(s) to provide that in the event the Board of County Commissioners adopted an ordinance suspending the processing of incorporation requests, the calculation of the two-year time period provided in this ordinance shall be tolled during the pendency of such suspension.*

2Z

**072677 Ordinance**

ORDINANCE RELATING TO ANNEXATION PROCEDURES; REQUIRING ENCLAVE INFORMATION TO BE PROVIDED WITH MUNICIPAL BOUNDARY CHANGE APPLICATIONS; DELETING REQUIREMENT THAT APPLICANT MUNICIPALITY OBTAIN CONSENT OF MATERIALLY AFFECTED MUNICIPALITY; REQUIRING PUBLIC HEARING BEFORE PLANNING ADVISORY BOARD ("PAB"); REQUIRING PAB TO PROVIDE CERTAIN RECOMMENDATIONS; AMENDING SECTIONS 20-3, 20-6 AND 20-7 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); CREATING SECTION 20-3.1 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Office of Strategic Business Management)

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

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Chairwoman Seijas opened the public hearing and the following person(s) appeared:*

*1. Ms. Bari Schanerman, 2145 NE 207th Street, Miami, Florida, appeared before the committee and asked for clarification on this ordinance.*

*Assistant County Attorney Craig Collier noted the County's Charter contained a provision that required a municipality seeking annexation of an area, to obtain consent from other adjacent municipalities with potential interests in the subject area. He further noted this ordinance allowed for the consent to be obtained later in the process, during the Planning Advisory Board (PAB) stage, rather than during the application process.*

*Chairwoman Seijas explained that Ms. Schanerman was inquiring as to whether the citizens of an area that a municipality wanted to annex, could choose whether to be annexed or remain unincorporated.*

*Assistant County Attorney Collier noted the Charter provided for citizens of an unincorporated area being annexed by a municipality, the right to vote on the request for annexation of their area. He advised that if a majority voted against it, the proposed annexation*

would not occur.

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

2Z SUPPLEMENT

**072956 Supplement**

SUPPLEMENTAL INFORMATION RE: MAP DEPICTING FIFTEEN (15) ENCLAVES IN THE UNINCORPORATED MUNICIPAL SERVICE AREA (UMSA)

**Presented**  
**Mover: Diaz**  
**Seconder: Martinez**  
**Vote: 5-0**  
**Absent: Rolle**

2AA

**073323 Bid Awards**

CONTRACT AWARD RECOMMENDATION BETWEEN MALCOLM PIRNIE, INC. AND MIAMI-DADE COUNTY FOR PROFESSIONAL BOND ENGINEERING SERVICES IN THE AMOUNT OF \$6,100,000.00 - PROJECT NO. E05-SWM-01; CONTRACT NO. E05-SWM-01 (Solid Waste Management Department)

**Amended**

**Report:** (See Agenda Item 2AA Amended; Legislative File No. 073468 for the amended version)

2AA AMENDED

**073468 Bid Awards**

CONTRACT AWARD RECOMMENDATION BETWEEN MALCOLM PIRNIE, INC. AND MIAMI-DADE COUNTY PROFESSIONAL BOND ENGINEERING SERVICES IN THE AMOUNT OF \$6,100,000.00-PROJECT NO. E05-SWM-01; CONTRACT NO. E05-SWM-01[SEE ORIGINAL ITEM UNDER FILE NO. 073323] (Solid Waste Management Department)

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

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *TThe foregoing proposed bid award was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Commissioner Gimenez expressed concern regarding the two-year option renewable solely by the County Manager. He asked that this contract award be amended to remove that language and provide a requirement that the option come back before the County Commission for approval.*

*Hearing no objection, the Committee forwarded the foregoing proposed bid award with a favorable recommendation, with committee amendment(s) to provide that the two-year (2) renewal option be approved solely by the County Commissioners.*

*Commissioner Gimenez noted he sponsored a resolution that was adopted requiring any language regarding delegation embedded in an ordinance/resolution be included in the memorandum as well. He asked that in future legislation, the Assistant County Attorneys clearly identify any language regarding delegation in the memorandums as well.*

2BB

**073319 Resolution**

RESOLUTION AUTHORIZING APPROVAL OF IMPLEMENTING ORDER 8-8: ESTABLISHING GUIDELINES TO FURTHER OUR SUSTAINABLE BUILDINGS PROGRAM INITIATIVE; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Forwarded to BCC without a recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*In response to Chairwoman Seijas' question regarding a manager, Ms. Wendy Norris, Director, General Services Administration (GSA), noted Ms. Susannah Troner was currently working in that capacity. She advised that the Department had launched a nationwide recruitment and hoped to hire a manager by February 2008.*

*Regarding Chairwoman Seijas' concern regarding a nationwide recruitment when many qualified people resided in the County, Ms. Norris noted they were placing advertisements throughout the Country, which included local ads, to tap resources, but wanted to ensure it was being read by qualified persons throughout the Country.*

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

**3 COUNTY COMMISSION**

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3A

**072478 Ordinance Audrey M. Edmonson**

ORDINANCE RELATING TO THE SAFETY OF CRANES AND OTHER HOISTING EQUIPMENT; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR MANUFACTURE AND INSTALLATION; PROVIDING FOR EDUCATION AND CERTIFICATION OF OPERATORS; ESTABLISHING STANDARDS FOR HURRICANE PREPAREDNESS; PROVIDING FOR ENFORCEMENT; CREATING CHAPTER 8E OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed ordinance was deferred to the December 11th Governmental Operations and Environment Committee meeting, as requested by the Sponsor, Commissioner Edmonson.*

3A SUBSTITUTE

**073101 Ordinance Audrey M. Edmonson**

ORDINANCE RELATING TO THE SAFETY OF CRANES AND OTHER HOISTING EQUIPMENT; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR MANUFACTURE AND INSTALLATION; PROVIDING FOR EDUCATION AND CERTIFICATION OF OPERATORS; ESTABLISHING STANDARDS FOR HURRICANE PREPAREDNESS; PROVIDING FOR ENFORCEMENT; CREATING CHAPTER 8E OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072478]

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

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed ordinance was deferred to the December 11th Governmental Operations and Environment Committee meeting, as requested by the Sponsor, Commissioner Edmonson.*

3B

072873 Ordinance

Natacha Seijas,

Jose "Pepe" Diaz, Rebeca Sosa

ORDINANCE WAIVING ALL COUNTY PROCUREMENT POLICIES AND PROCEDURES OTHER THAN LIVING WAGE AND RESPONSIBLE WAGE REQUIREMENTS FOR PLANNING, DESIGN AND CONSTRUCTION OF REVERSE OSMOSIS WATER TREATMENT PLANT JOINTLY OWNED BY COUNTY AND CITY OF HIALEAH AND LOCATED IN CITY OF HIALEAH; AUTHORIZING CITY OF HIALEAH TO USE ITS MUNICIPAL PROCUREMENT POLICIES AND PROCEDURES IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FOR PLANNING, DESIGN AND CONSTRUCTION OF SUCH REVERSE OSMOSIS WATER TREATMENT PLANT; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

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

3C

**073180 Resolution**

**Carlos A. Gimenez**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO USE MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO DESIGN AND INSTALL APPROXIMATELY THREE MILLION DOLLARS OF WATER PIPELINES AND FIRE HYDRANTS IN THE AREA BOUNDED BY SW 72ND STREET TO THE NORTH, SW 80TH STREET TO THE SOUTH, SW 84TH COURT TO THE WEST AND SW 77TH COURT TO THE EAST; FINDING INSTALLATION OF WATER PIPELINES AND FIRE HYDRANTS BY MIAMI-DADE WATER AND SEWER DEPARTMENT FORCES TO BE NECESSARY TO THE PUBLIC'S HEALTH, SAFETY AND WELFARE; AND WAIVING RESOLUTION NO. R-120-83 [SEE AGENDA ITEM NO. 7C]

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

3D

**073060 Resolution**

**Sally A. Heyman**

RESOLUTION DIRECTING COMMUNITY COUNCILS TO PROMOTE, IN THEIR ROLE AS MEMBERS OF THE COMMUNITY ZONING APPEALS BOARDS, THE BENEFITS OF THE DESIGN AND CONSTRUCTION OF "GREEN BUILDINGS"

*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 Geri Bonzon-Keenan.*

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

3E

**073268 Resolution**

Sally A. Heyman

RESOLUTION DIRECTING THE SUPERVISOR OF ELECTIONS TO ASSIST THE SECRETARY OF STATE IN SELLING OR OTHERWISE DISPOSING OF EXISTING, EXCESS TOUCH SCREEN VOTING MACHINES

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 4-1*

*No: Martinez*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Assistant County Attorney Oren Rosenthal requested the title of the foregoing proposed resolution be amended to delete the language "Supervisor of Elections" and to insert the language "County Mayor or his designee."*

*Chairwoman Seijas recalled that, in the past, changing a resolution's title required a new resolution be brought forth. She noted this resolution needed to remain as written to be voted on today.*

*Commissioner Gimenez questioned whether this resolution meant they could not direct any department directors, only the County Mayor or whether this also applied to the County Manager.*

*In response to Commissioner Diaz' request for clarification, Mr. Lester Sola, Supervisor of Elections, noted this resolution, sponsored by Commissioner Heyman, asked that the Supervisor of Elections be the Mayor's designee to enter into discussion with the Secretary of State, and to offer any assistance in the disposal or sale of the current touch screen election equipment. He noted that under the approved Legislative Bill 537, Florida counties were required to turn voting equipment over to the Secretary of State, the only one authorized to negotiate the sale of said equipment. He noted the State would be required to turn over proceeds from such sales, to the counties, to help with any remaining unpaid balance for the equipment. Mr. Sola also noted this legislation removed the counties' ability to sell the equipment themselves and specifically stated that the Secretary of State be the one agent designated to sale or dispose of the touch screen equipment.*

*In response to Commissioner Diaz' question of whether being a Chartered County excluded Miami-Dade, Assistant County Attorney Rosenthal noted it was a condition for receiving the funding from the State.*

*Following Chairwoman Seijas' comments that the State still held Federal funds for counties, Mr. Sola noted his Department had made it their number one priority to pursue the \$67 million of federal funds being held by the State for voting equipment.*

*Commissioner Martinez noted the County had a choice of forfeiting the \$5,000 offered by the State, and selling its equipment on the open market.*

*Mr. Sola noted the Board of County Commissioners approved entering into the agreement with the State to accept the \$5,000 in return for the equipment, and was bound by that agreement. He noted shortly after the law was passed, the Secretary of State began negotiations and was offered one dollar per unit by one vendor, as the value of the outdated equipment had decreased significantly. He also noted the number of states converting to a paper-based election had increased, and stated that this Country would ultimately be a full paper-based election system.*

*In response to Commissioner Gimenez' question for the purpose of this resolution, Mr. Sola advised he would offer whatever assistance was necessary to the Secretary of State, based on his experience, to ensure that the County received the best value for its equipment.*

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

3F

**073192 Resolution**

**Dennis C. Moss**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 4-41, SCHEDULE OF FEES FOR PERMITS FOR PUBLIC WORKS CONSTRUCTION AND OTHER PUBLIC WORKS RELATED ITEMS, AND APPROVING IMPLEMENTING ORDER \_\_\_\_\_ TO SET A SCHEDULE OF FEES FOR PERMITS FOR PUBLIC WORKS CONSTRUCTION AND OTHER PUBLIC WORK RELATED ITEMS AND EXEMPTING MIAMI METROZOO FROM CERTAIN FEES

*Deferred to December 11, 2007*

*Mover: Gimenez*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*It was moved by Commissioner Martinez that the foregoing resolution be forwarded to the County Commissioner with a favorable recommendation. This motion was seconded by Commissioner Edmonson for discussion.*

*Commissioner Martinez asked why Metro Zoo was the only one exempted, and not other County facilities.*

*Ms. Esther Calas, Director, Public Works Department, noted the department charged \$15 per banner to maintain them, not including administrative costs. She noted banners were becoming a popular way of advertising and had become overwhelming for the department to maintain.*

*Commissioner Martinez withdrew his previous motion.*

*In response to Commissioner Diaz' question regarding the cost to the County for installing banners, Ms. Esther Calas noted she would need to research this matter and provide that amount at a later date.*

*Chairwoman Seijas suggested this item be deferred and brought back in December with a feasible report on the costs.*

*There being no objection, the Committee deferred the foregoing proposed resolution to the next Committee meeting scheduled for December 11, 2007 at 9:00 a.m.*

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3G

**073273 Resolution**

**Natacha Seijas**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 332 - "HIALEAH HIGH SCHOOL PERFORMING ARTS CENTER" IDENTIFIED IN APPENDIX A TO RESOLUTION R.-919-04 TO INCLUDE THE DEVELOPMENT OF A PARKING STRUCTURE AND RELATED STREET IMPROVEMENTS TO SERVE HIALEAH HIGH SCHOOL PERFORMING ARTS CENTER AND MILANDER PARK COMPLEX

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

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

3H

073262 Resolution

Joe A. Martinez,  
Jose "Pepe" Diaz

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 305 - "PRIMARY HEALTH CARE FACILITIES," AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-916-04, TO INCREASE ALLOCATION BY \$10 MILLION TO BE FUNDED FROM INTEREST EARNINGS GENERATED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS, SERIES 2005 AFTER A PUBLIC HEARING; AND APPROVING ALLOCATION OF SUCH \$10 MILLION TO FLORIDA INTERNATIONAL UNIVERSITY COLLEGE OF MEDICINE AMBULATORY CARE CENTER

*Forwarded to BCC with a favorable recommendation*  
**Mover: Martinez**  
**Secunder: Diaz**  
**Vote: 4-1**  
**No: Edmonson**  
**Absent: Rolle**

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Commissioner Rolle noted some years ago, when the bond series was approved, a project was approved in Miami Beach using some of the interest earned and he had asked at that time that a process be established concerning the use of earned interest. He noted he was not opposed to the foregoing proposed resolution, but concerned that no process had been developed. He asked staff when the County Manager planned to bring back a process on what to do with the earned interest. Commissioner Rolle noted some projects in District #2 had been delayed and he believed a process was needed to deal with projects promised to other districts.*

*Chairwoman Seijas concurred with Commissioner Rolle's comments. She asked whether it would be appropriate for the Committee to direct staff to come back, no later than January, with a process for future earned interest, or to make that request in the form of a motion.*

*Commissioner Gimenez noted one way to develop a process would be to sponsor a resolution asking staff to come back with a process. He noted eight separate ballot questions were approved regarding the bond program, and his primary concern was the use of earned interest. He also noted it appeared the pooled earned interest from the bond series of each question should be applied to projects related to that question, and asked for a legal opinion.*

Assistant County Attorney Gerald Heffernan noted he would confer with the bond council and do an analysis to ensure that was appropriate, as well as check the policy procedures on how to provide interest earnings. He noted the construction fund was a combined fund and the interest earned was on the entire fund. He noted that no legal requirement existed to designate the funds to a specific question; however, there might be a policy issue.

Commissioner Gimenez stated he wanted to ensure that what was done was legal.

Commissioner Edmonson concurred with the comments of Commissioner Rolle, and noted she would like to see a process as well.

Chairwoman Seijas opened the floor to allow Commissioner Martinez to recognize the president of FIU.

Mr. Modesto Maidique, President, FIU, appeared before the Committee and expressed appreciation to Committee members for their support. He noted with the support of the County, the proposal to eliminate the funds for FIU's College of Medicine failed and the medical school was not cut from the State's budget. He noted FIU had exceeded its 38,000 student enrollment this year and was the 15th largest University in the Country in terms of enrollment. He noted FIU was the County's university, which graduated upwards of 7,500 students per year, and more Bachelor, Masters and PHD degrees than any other university or four-year college in Miami-Dade County. Mr. Maidique noted he experienced many obstacles in trying to help FIU achieve programs for Engineering, Architect, Law and Medicine. He announced that all these programs were now running and expressed hope that FIU would continue to grow.

Regarding the medical school, Mr. Maidique noted FIU's College of Medicine attracted one of America's foremost Health Care Administrators, whose background included Chancellor of Health Science at Louisiana State University and a Director of Charity Hospital in New Orleans. Also, an expert in research on Geriatrics from John Hopkins had joined the school's faculty, as well as others from all areas to the medical field. Mr. Maidique noted FIU provided an 800-page

document for preliminary accreditation to the Accreditation Commission, who would arrive within two weeks and make their recommendation in February. He expressed confidence that FIU's medical program would be accredited.

Mr. Maidique stated FIU began an aggressive fund raising program this year and had raised approximately \$8 million per month. He also noted that FIU signed agreements with Jackson Hospital North, Mount Sinai, and Miami Children's Hospital; and persuaded the Public Health Trust (PHT) to partner with them in a commitment to build a new building in the northeast quadrant of FIU's campus. He described plans to dedicate the four floors of the new building and noted this would be one of only two accredited Public Health programs in the State of Florida. Mr. Maidique stated Mr. Marvin O'Quinn, President of Jackson Health Trust, was asked to provide his guidance and support for the proposed Ambulatory Primary Care Facility on FIU's campus. Mr. Maidique read into the record, a letter from Mr. O'Quinn in support of the request.

Commissioner Rolle congratulated FIU on its accomplishments, but expressed concern with approving this without having a process in place, and excused himself from voting on this item.

In response to Chairwoman Seijas' request for clarification on how to proceed, Assistant County Attorney Bonzon-Keenan noted the Committee could request the County Attorney to prepare a resolution, as a committee item, directing the County Manager to develop a process for both interest earnings and premiums, using different funding; or request the County Manger to develop a process.

Chairwoman Seijas noted she had asked County Attorney Cuevas to provide in writing the appropriate procedure for obtaining the process. She asked the County Attorney to provide specific instructions regarding the appropriate process for presentation at the December 11th Committee meeting.

Assistant County Manager Susanne Torriente noted the County Manager was working on a recommendation regarding the process for presentation before the County Commission.

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

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**073309 Resolution**

**Bruno A. Barreiro**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY; AND SHALL SERVE NO MORE THAN THREE CONSECUTIVE FOUR-YEAR TERMS IN OFFICE

***Forwarded to BCC without a recommendation  
Mover: Diaz  
Seconder: Edmonson  
Vote: 5-0  
Absent: Rolle***

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

*Chairwoman Seijas suggested that all proposed resolutions pertaining to the Charter Review amendments be forwarded to the BCC without a recommendation, to be considered at a Special BCC meeting to be announced by the BCC Chair.*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation.*

3J

**073310 Resolution****Carlos A. Gimenez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE SALARY PROVIDED BY STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY \$91,995), AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY; AND SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE

*Forwarded to BCC without a recommendation*

*Mover: Diaz*

*Secunder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record and noted Commissioner Heyman requested her sponsorship of Agenda Item 3J be withdrawn.*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation.*

3K

073314 Resolution

Carlos A. Gimenez,

Jose "Pepe" Diaz, Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF THE PUBLIC SAFETY DIRECTOR AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING MATTERS, THE PUBLIC SAFETY DIRECTOR SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER

*Withdrawn*

**Report:** (See Agenda Item 3K Substitute; Legislative File No. 073336)

3K SUBSTITUTE

073336 Resolution

Carlos A. Gimenez,

Jose "Pepe" Diaz, Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF THE POLICE DEPARTMENT DIRECTOR AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING MATTERS, THE POLICE DEPARTMENT DIRECTOR SHALL PERFORM HIS DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER [SEE ORIGINAL ITEM UNDER FILE NO. 073314]

*Amended*

**Report:** (See Agenda Item 3K Substitute Amended; Legislative File No. 073379 for the amended version)

3K SUBSTITUTE AMENDED

073379 Resolution

Carlos A. Gimenez,

Jose "Pepe" Diaz, Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REQUIRE APPOINTMENT OF A POLICE DEPARTMENT DIRECTOR AND TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF SUCH DIRECTOR, AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING, THE POLICE DEPARTMENT DIRECTOR SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION OR INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER [SEE ORIGINAL ITEM UNDER FILE NOS. 073314 AND 073336]

Forwarded to BCC without recommendation with committee amendments

Mover: Gimenez

Seconder: Edmonson

Vote: 5-0

Absent: Rolle

Report: The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.

Assistant County Attorney Monica Rizo noted scrivener's errors existing within the title of the resolution; within the third bullet point of the ballot question; within the first paragraph of Article-21, Section 2.02 D; and within the provisions of Article-9, C, pertaining to the Police Department Director, that should be corrected as follows:

Line 6 in the title of the final resolution shall read as follows: "...Home Rule Charter to require appointment of a police department director and ..."

Additionally, Ms. Rizo noted the word "constituent" should be inserted in the third bullet point of the ballot question and the language shall read as follows:

\*EXCEPT FOR CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING, SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION OR INTERFERENCE FROM THE MAYOR OR MANAGER?

The language contained within the first line of Article -21, Section 2.02, D, first paragraph, shall

read as follows:

*"Notwithstanding any other provision of this Charter, the Mayor shall appoint a Police Department Director..." , and that the word "and" be deleted and replaced with the word "or" on the last line of this paragraph.*

*Article 9, C, provisions pertaining to the Police Department Director, shall read as follows:*

*"...The Mayor shall delegate to a Police Department Director the powers and functions of such office and such director shall carry out the policy directives of the Board of County Commissioners. The powers and functions delegated to the Police Department Director shall not include those which pertain to corrections and the operation of the County jails and detention facilities, The Mayor may delegate to a suitable person or persons the powers and functions which pertain to corrections and the operations of the County jails and detention facilities."*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation, with amendments as stated by Assistant County Attorney Rizo.*

3L

073315 Resolution

Carlos A. Gimenez,

Jose "Pepe" Diaz, Sally A. Heyman

*Amended*

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF THE SUPERVISOR OF ELECTIONS AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING, THE SUPERVISOR OF ELECTIONS SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER

**Report:** *(See Agenda Item 3L Amended; Legislative File No. 073376 for the amended version)*

45

3L AMENDED

073376 Resolution

Carlos A. Gimenez,

Jose "Pepe" Diaz, Sally A. Heyman

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REQUIRE APPOINTMENT OF A SUPERVISOR OF ELECTIONS AND TO PROVIDE A METHOD OF APPOINTMENT, REAPPOINTMENT AND DISMISSAL OF SUCH SUPERVISOR AND TO REQUIRE THAT, EXCEPT FOR THE PURPOSE OF TRANSMITTING CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING, SUCH SUPERVISOR SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION AND INTERFERENCE FROM THE MAYOR OR COUNTY MANAGER [SEE ORIGINAL ITEM UNDER FILE NO. 073315]

*Forwarded to BCC without recommendation with committee amendments*

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Assistant County Attorney Monica Rizo noted scrivener's errors existing within the title; within the ballot question; and within Article-21 of the foregoing resolution that should be corrected as follows:*

*Line 6 in the title of the final resolution shall read as follows: "...Home Rule Charter to require appointment of a Supervisor of Elections and ..."*

*Additionally, Ms. Rizo noted the word "constituent" should be inserted in the third bullet point of the ballot question and the language shall read as follows:*

*\*EXCEPT FOR CONSTITUENT INQUIRIES, BUDGETING, AND FUNDING, SHALL PERFORM HIS/HER DUTIES WITHOUT SUPERVISION OR INTERFERENCE FROM THE MAYOR OR MANAGER?*

*The language contained with the first line of Article -21, Section 2.02, D, first paragraph, shall read as follows:*

*"Notwithstanding any other provisions if this Charter, the Mayor shall appoint a Supervisor of Elections, who shall have the powers and*

*functions of the Supervisor of Registration or Elections. Such person shall be appointed to a renewable four-year term..."*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation, with amendments as stated by Assistant County Attorney Rizo.*

3M

**073316 Resolution Joe A. Martinez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE DUTIES OF THE COUNTY TAX COLLECTOR FROM THE MAYOR OR HIS OR HER APPOINTEE TO A PERSON ELECTED AND SUBJECT TO RECALL BY THE VOTERS

*Withdrawn*

**Report:** *(See Agenda Item 3M Substitute; Legislative File No. 073351)*

3M SUBSTITUTE

**073351 Resolution Joe A. Martinez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE DUTIES OF THE COUNTY TAX COLLECTOR FROM THE MAYOR OR HIS OR HER APPOINTEE TO A PERSON ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073316]

*Amended*

**Report:** *(See Agenda Item 3M Substitute Amended; Legislative File No. 073378 for the amended version)*

3M SUBSTITUTE AMENDED

073378 Resolution

Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE DUTIES OF THE COUNTY TAX COLLECTOR FROM THE MAYOR OR HIS OR HER APPOINTEE TO A PERSON ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NOS. 073316 AND 073351]

Forwarded to BCC without recommendation with committee amendments  
Mover: Diaz  
Seconder: Edmonson  
Vote: 5-0  
Absent: Rolle

**Report:** The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.

Assistant County Attorney Cynthia Johnson-Stacks noted scrivener's errors existing within the title and body of Section 5.04 of the foregoing resolution that should be corrected as follows:

The words "County Tax Collector; Tax Collection Department" should be inserted into the title of Section 5.08, so that the language reads as follows:

SECTION 5.08. COUNTY TAX COLLECTOR;  
TAX COLLECTION DEPARTMENT,  
ASSESSMENT AND COLLECTION OF TAXES.

Additionally, Section 5.04, paragraph A, first sentence shall read as follows:

"Commencing with the general election to be held in November 2008 and every four years thereafter, the Miami-Dade County Tax Collector shall be the administrative head of the Tax Collection Department and an officer of the County recognized by this Charter who shall be elected..."

Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation, with amendments as stated by Assistant County Attorney Johnson-Stacks.

3N

**073311 Resolution**

**Rebeca Sosa**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957, BUT RECEIVE INSTEAD THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) AND USED BY OTHER FLORIDA COUNTIES, INCLUDING BROWARD COUNTY

*Withdrawn*  
*Mover: Diaz*  
*Seconder: Martinez*  
*Vote: 6-0*

**Report:** *During consideration of the changes to the agenda, the foregoing proposed resolution was withdrawn, as requested by the County Manager.*

3O

**073312 Resolution**

**Joe A. Martinez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SHERIFF FROM THE MAYOR OR HIS APPOINTEE TO A COUNTY OFFICIAL ELECTED BY THE VOTERS

*Withdrawn*

**Report:** *(See Agenda Item 3O Substitute; Legislative File No. 073349)*

30 SUBSTITUTE

073349 Resolution

Joe A. Martinez

*Amended*

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SHERIFF FROM THE MAYOR OR HIS APPOINTEE TO A COUNTY OFFICIAL ELECTED BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073312]

**Report:** *(See Agenda Item 30 Substitute Amended; Legislative File No. 073375 for the amended version)*

## 30 SUBSTITUTE AMENDED

073375 Resolution

Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SHERIFF FROM THE MAYOR OR HIS APPOINTEE TO A COUNTY OFFICIAL ELECTED BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NOS. 073312 AND 073349]

*Forwarded to BCC without recommendation with committee amendments*

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Assistant County Attorney Cynthia Johnson-Stacks noted scrivener's errors existing within the ballot question; within Section 5.08; and within Section 9.01 of the foregoing resolution that should be corrected in the final resolution to read as follows:*

*The language "excluding those powers and functions that pertain to corrections and the operation of the county jails" should be inserted in the title of the ballot question so that the language in the ballot question reads as follows:*

*SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SHERIFF, EXCLUDING THOSE POWERS AND FUNCTIONS THAT PERTAIN TO CORRECTIONS AND THE OPERATION OF THE COUNTY JAILS, FROM THE MAYOR OR HIS APPOINTEE TO A COUNTY OFFICIAL ELECTED BY THE VOTERS?*

*Additionally, Ms. Johnson-Stacks noted the words "on a countywide basis" should be inserted in the fourth paragraph of Section 5.08, so that the language shall read as follows:*

*"The County Sheriff shall provide law enforcement services on a countywide basis to the unincorporated municipal service area...."*

*The language "excluding those powers and functions that pertain to corrections and the*

*operation of County jails” should be inserted in the last sentence of paragraph C of Section 9.01, so that the language shall read as follows:*

*“Notwithstanding any provision herein to the contrary, after the effective date of this Charter amendment, the powers and functions of the Office of Sheriff, excluding those powers and functions that pertain to corrections and the operation of County jails, shall be transferred to the County Sheriff, who is elected pursuant to Section 5.08 of this Home Rule Charter.*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation, with amendments as stated by Assistant County Attorney Johnson-Stacks.*

3P

**073313 Resolution**

**Joe A. Martinez**

***Withdrawn***

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SUPERVISOR OF REGISTRATION OR ELECTIONS FROM THE MAYOR OR HIS OR HER APPOINTEE TO A COUNTY OFFICIAL ELECTED AND SUBJECT TO RECALL BY THE VOTERS

**Report:** *(See Agenda Item 3P Substitute; Legislative File No. 073350)*

3P SUBSTITUTE

073350 Resolution

Joe A. Martinez

*Amended*

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SUPERVISOR OF REGISTRATION OR ELECTIONS FROM THE MAYOR OR HIS OR HER APPOINTEE TO A COUNTY OFFICIAL ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NO. 073313]

**Report:** *(See Agenda Item 3P Substitute Amended; Legislative File No. 073377 for the amended version)*

3P SUBSTITUTE AMENDED

073377 Resolution

Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SUPERVISOR OF REGISTRATION OR ELECTIONS FROM THE MAYOR OR HIS OR HER APPOINTEE TO A COUNTY OFFICIAL ELECTED AND SUBJECT TO RECALL BY THE VOTERS [SEE ORIGINAL ITEM UNDER FILE NOS. 073313 AND 073350]

*Forwarded to BCC without recommendation with committee amendments*

*Mover: Martinez*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Geri Bonzon-Keenan.*

*Assistant County Attorney Cynthia Johnson-Stacks noted scrivener's errors existing within the title of the ballot question, and within Section 5.08 of this resolution that should be corrected in the final resolution to read as follows:*

*The following words "Registration or" should be inserted in the second line of the ballot question, so that the language in the ballot question shall read as follows:*

*"SHALL THE CHARTER BE AMENDED TO PROVIDE FOR THE TRANSFER OF THE POWERS AND FUNCTIONS OF THE COUNTY SUPERVISOR OF REGISTRATION OR ELECTIONS...?"*

*Additionally, the following words "Supervisor of Elections" should be inserted into the title of Section 5.08, so that the language shall read as follows:*

*SECTION 5.08. SUPERVISOR OF ELCTIONS;  
DEPARTMENT OF ELECTIONS*

*The language contained within the first sentence of the first paragraph in Section 5.08 shall read as follows:*

*"...the Supervisor of Elections shall be the administrative head of the Elections Department and an officer of the County recognized by this*

*Charter who shall be elected... ”*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation, with amendments as stated by Assistant County Attorney Johnson-Stacks.*

3Q

073318 Resolution

Jose "Pepe" Diaz

*Withdrawn*

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMENCING ON MARCH 1, 2008 AND EACH YEAR THEREAFTER, EACH COUNTY COMMISSIONER MAY CHOOSE TO DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT, AND RECEIVE THE POPULATION BASED SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995) INSTEAD OF THEIR CURRENT \$6,000 ANNUAL SALARY ESTABLISHED IN 1957; OR CHOOSE TO CONTINUE TO RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY WITHOUT ANY PROHIBITION ON OUTSIDE EMPLOYMENT

**Report:** (See Agenda Item 3Q Substitute; Legislative File No. 073331)

3Q SUBSTITUTE

073331 Resolution

Jose "Pepe" Diaz

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION TO BE HELD ON TUESDAY, JANUARY 29, 2008 FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT COMMENCING ON MARCH 1, 2008 AND EACH YEAR THEREAFTER, EACH COUNTY COMMISSIONER MAY CHOOSE TO CONTINUE TO RECEIVE THEIR CURRENT \$6,000 ANNUAL SALARY WITHOUT ANY PROHIBITION ON OUTSIDE EMPLOYMENT; OR CHOOSE TO DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER, HOLD NO OTHER EMPLOYMENT, AND RECEIVE THE SALARY PROVIDED BY STATE STATUTORY FORMULA (CURRENTLY APPROXIMATELY \$91,995 BUT ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION) [SEE ORIGINAL ITEM UNDER FILE NO. 073318]

*Forwarded to BCC without a recommendation*  
*Mover: Diaz*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

*Hearing no objection, the foregoing proposed resolution was forwarded to the BCC without a recommendation.*

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

073212 Report

CLERK'S SUMMARY OF MINUTES FOR THE GOVERNMENTAL AND ENVIRONMENT COMMITTEE MEETING RE: OCTOBER 12, 2007 (Clerk of the Board)

*Approved*  
*Mover: Gimenez*  
*Seconder: Diaz*  
*Vote: 5-0*  
*Absent: Rolle*

**7 REPORTS**

7A

**073186 Report**

CHICAGO CLIMATE EXCHANGE PROGRESS REPORT  
(County Manager)

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

7B

**073258 Report**

REPORT ON THE INSTALLATION OF GUARDRAILS  
ALONG CANALS AND OTHER BODIES OF WATER  
ADJACENT TO THE COUNTY-MAINTAINED  
ROADWAYS (County Manager)

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

7C

**073216 Report**

MANAGER'S MEMORANDUM REGARDING  
RESOLUTION AUTHORIZING THE COUNTY MAYOR  
OR DESIGNEE TO USE MIAMI-DADE WATER AND  
SEWER DEPARTMENT'S FORCES TO DESIGN AND  
INSTALL WATER PIPELINES AND FIRE HYDRANTS IN  
A CERTAIN AREA OF MIAMI-DADE COUNTY TO  
PROVIDE POTABLE WATER TO HOMES AFFECTED BY  
A CONCENTRATION OF ARSENIC [SEE AGENDA ITEM  
NO. 3C] (County Manager)

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

**8 ADJOURNMENT**

**Report:** *There being no further business to come before  
this Board, the Governmental Operations and  
Environment Committee meeting was adjourned at  
12:21 p.m.*