MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
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TC
Agenda Item No. 4(A)

TO: Honorable Chairman Dorrin D. Rolle and Members, Transit Committee

DATE: February 13, 2008

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

SUBJECT: Approval of Commission Committee Minutes

The Clerk of the Board is submitting the following Clerk's Summary of Minutes for approval by the Transit Committee:

January 16, 2008

KMS/as
Attachment

/a.

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

CLERK'S SUMMARY OF
Meeting Minutes
Transit Committee

Dorrin D. Rolle (2) Chair; Barbara J. Jordan (1) Vice Chair; Commissioners Audrey M. Edmonson (3), Sally A. Heyman (4), and Katy Sorenson (8)

Wednesday, January 16, 2008 **2:00 PM** **COMMISSION CHAMBERS**

Members Present:	Audrey M. Edmonson, Sally A. Heyman, Barbara J. Jordan, Dorrin Rolle, Katy Sorenson.
Members Absent:	None.
Members Late:	None.
Members Excused:	None.
Members Absent County Business:	None.

1 MINUTES PREPARED BY:

Report: *Alicia Stephenson, Commission Reporter, (305) 375-1475.*

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Manager Alina Hudak; Assistant County Attorney Bruce Libhaber; and Deputy Clerks Diane Collins and Alicia Stephenson.*

Assistant County Attorney Bruce Libhaber noted that Agenda Items 1F1 Supplement and 3D Substitute were added to today's agenda.

It was moved by Commissioner Heyman that the Committee approve the foregoing changes to the January 16, 2008 Transit Committee agenda. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 3-0, (Commissioners Edmonson and Jordan were absent).

1D CHAIRMAN'S REMARKS

1E SPECIAL PRESENTATION(S)

1F PUBLIC HEARING(S)

1F1

073542 **Ordinance** **Sen. Javier D. Souto, Bruno A. Barreiro, Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Joe A. Martinez, Katy Sorenson, Rebeca Sosa**

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA APPLYING CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS FOR THE ESTABLISHMENT OF THE PATRIOT PASSPORT PROGRAM TO PROVIDE FARE-FREE TRANSIT SERVICES TO HONORABLY DISCHARGED VETERANS WHO ARE MIAMI-DADE COUNTY RESIDENTS AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED THE STANDARD THRESHOLD APPLIED TO DETERMINE ELIGIBILITY FOR THE LOW-INCOME, SENIOR CITIZENS' ADDITIONAL HOMESTEAD EXEMPTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE *Amended*

Report: *See Agenda Item No. 1F1 Amended (Legislative File #080184)*

1F1 Amended

080184 **Ordinance** **Sen. Javier D. Souto, Bruno A. Barreiro, Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Joe A. Martinez, Katy Sorenson, Rebeca Sosa, Dennis C. Moss**

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA APPLYING CHARTER COUNTY TRANSIT SYSTEM SURTAX PROCEEDS FOR THE ESTABLISHMENT OF THE PATRIOT PASSPORT PROGRAM TO PROVIDE FARE-FREE TRANSIT SERVICES TO HONORABLY DISCHARGED VETERANS WHO ARE MIAMI-DADE COUNTY RESIDENTS AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED THE STANDARD THRESHOLD APPLIED TO DETERMINE ELIGIBILITY FOR THE LOW-INCOME, SENIOR CITIZENS' ADDITIONAL HOMESTEAD EXEMPTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 073542]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed ordinance into the record.*

The public hearing was opened by Chairman Rolle; however, it was closed after no one appeared in response to Chairman Rolle's call for persons wishing to be heard in connection with the foregoing proposed ordinance.

Assistant County Attorney Libhaber noted that Commissioner Souto, as the original sponsor of this ordinance, had submitted a friendly amendment to the proposed ordinance.

Assistant County Attorney Libhaber read into the record the friendly amendment to add the following language after the last sentence of Section 29-124(a) of the County Code: "Surtax proceeds may be applied to those Patriot Passport fare-free transit services provided since the commencement of the initial pilot program on June 18, 2004."

Assistant County Attorney Libhaber noted that a Patriot Passport pilot program had been active from June 18, 2004 to June 18, 2007, and was funded by Charter County Transit System Surtax proceeds. He further noted that the Patriot Passport program had continued from the expiration date of the pilot program to the current date. Mr. Libhaber clarified that this ordinance

would fill the funding gap between June 18, 2007 and the present for the Patriot Passport program. Assistant County Attorney Libhaber also noted that the proposed ordinance would allow Surtax funds to be applied to reimburse Miami-Dade Transit (MDT) for the cost of the Patriot Passport program.

Commissioner Sorenson noted her concerns that the Surtax funds had been budgeted to address needs other than reimbursing MDT for the cost of the Patriot Passport program.

Ms. Mayra Bustamante, MDT Deputy Director of Administration, noted that MDT had received Surtax funds for FY 06-07 through June 2007. However, she added, MDT had not received Surtax funds for July through September 2007.

Commissioner Sorenson asked whether Citizens' Independent Transportation Trust (CITT) staff had determined that CITT had no need for the Surtax funds, and that, therefore, the Surtax funds could be budgeted to address other needs.

Ms. Bustamante noted that MDT staff annually presented MDT's budget requests to CITT, and that MDT invoiced CITT based on MDT's budget. Ms. Bustamante also noted that the cost of the program for July through September was approximately $200,000.

In response to Commissioner Sorenson's inquiry as to whether one of her constituents' Golden Passports could be adjusted to indicate that he was a veteran, Ms. Ruby Adams, MDT Assistant Director, Customer Service, noted that MDT would be placing a background on the Golden Passport photograph to indicate whether the individual was a veteran. Ms. Adams further noted that placement of the background would have no fiscal impact.

Commissioner Rolle asked Assistant County Manager Alina Hudak to identify a funding source(s) for future projects other than the Charter County Transit System Surtax proceeds, as proposed in this ordinance.

The Board proceeded to vote on this ordinance as amended.

1F1 SUPP.

080135 **Report**

FISCAL IMPACT STATEMENT TO ORDINANCE AMENDING SEC. 29-124 OF THE CODE TO ESTABLISH THE PATRIOT PASSPORT PROGRAM

Presented

Report: *Assistant County Attorney Bruce Libhaber presented the foregoing proposed report.*

1F2

073546 **Ordinance**

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO MEMBERSHIP OF THE NOMINATING COMMITTEE FOR THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Citizens' Independent Transportation Trust)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed ordinance into the record.*

The public hearing was opened by Chairman Rolle; however, it was closed after no one appeared in response to Chairman Rolle's call for persons wishing to be heard in connection with the foregoing proposed ordinance.

Hearing no questions or comments, the Committee proceeded to vote on this ordinance as amended.

2 COUNTY COMMISSION

2A

073531 **Resolution** **Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE DECEMBER 12, 2007 ELDERLY CHRISTMAS PARTY SPONSORED BY LITTLE HAVANA ACTIVITIES AND NUTRITION CENTERS OF DADE COUNTY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $6,500.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

Amended

Report: *See Agenda Item 2A Amended (Legislative File # 080183).*

2A Amended

080183 **Resolution** **Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE DECEMBER 12, 2007 ELDERLY CHRISTMAS PARTY SPONSORED BY LITTLE HAVANA ACTIVITIES AND NUTRITION CENTERS OF DADE COUNTY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $7,034.20 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND [SEE ORIGINAL ITEM UNDER FILE NO. 073531]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Assistant County Manager Alina Hudak requested that this resolution be amended to provide that in-kind services in an amount not to exceed $7,034.20 be allocated from the District 5 In-Kind Reserve Fund for the December 12, 2007 Elderly Christmas Party, in lieu of the $6,500.00 reflected in this resolution.

The Committee proceeded to vote on the proposed resolution as amended.

2B

080121 **Resolution** **Bruno A. Barreiro, Rebeca Sosa**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE DECEMBER 16, 2007 AMIGOS FOR KIDS ANNUAL HOLIDAY TOY DRIVE CARAVAN SPONSORED BY AMIGOS TOGETHER FOR KIDS, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $2,311.00 TO BE FUNDED IN PART FROM THE DISTRICTS 5 IN-KIND RESERVE FUND AND IN PART FROM THE DISTRICT 6 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

2C

080048 **Resolution** **Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE DECEMBER 18, 2007 MIAMI BEACH HISPANIC COMMUNITY CENTER SENIOR HOLIDAY PARTY SPONSORED BY UNIDAD OF MIAMI BEACH INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $381.00 TO BE FUNDED FROM DISTRICT 5 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

2D

080072 **Resolution** **Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE DECEMBER 15, 2007 "LLAMADAS INTERNACIONALES" EVENT SPONSORED BY WEST DADE COMMUNITY SERVICES, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED $569.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

3 DEPARTMENTS

3A

073776 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDING IN THE AMOUNT OF $450,000 FOR OPERATION OF THE SOUTH MIAMI-DADE BUSWAY TRANSIT CORRIDOR PROJECT; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Heyman
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

3B

073777 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF $450,000 FOR OPERATION OF THE FLAGLER MAX BUS ROUTE SERVICE; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

3C

080091 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A PRELIMINARY ENGINEERING AGREEMENT IN THE AMOUNT OF $30,000.00 BETWEEN MIAMI-DADE COUNTY AND CSX TRANSPORTATION, INC., FOR THE REVIEW AND APPROVAL OF PRELIMINARY AND FINAL ENGINEERING PLANS OF A BRIDGE OVER CSXT MILEPOST SX-1029.42, FOR THE METRORAIL ORANGE LINE – PHASE I / NORTH CORRIDOR METRORAIL EXTENSION PROJECT; AND AUTHORIZING THE COUNTY MANAGER TO EXPEND FUNDS PURSUANT TO THE AGREEMENT (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Jordan
Seconder: Heyman
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Commissioner Jordan asked the Miami-Dade Transit Director to schedule a meeting with City of Opa-locka officials to discuss the proposed overhead crossing at NW 27 Avenue south of Veterans Way (Ali Baba Avenue), specifically whether "Veterans Way" was reflective of the community at large.

The Committee proceeded to vote on this resolution.

3D

080094 **Resolution**

RESOLUTION AUTHORIZING THE WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AND AUTHORIZING THE COUNTY MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED $150,000.00 BETWEEN MIAMI-DADE COUNTY AND THE WEST VIRGINIA UNIVERSITY RESEARCH CORPORATION (WVURC), FOR THE PREPARATION OF A REPORT ANALYZING THE FEASIBILITY OF USING BIODIESEL IN DIESEL BUSES OPERATED BY MIAMI-DADE TRANSIT (SEE ITEM NO. 080174) (Miami-Dade Transit Agency)

Withdrawn

Report: *The foregoing resolution was withdrawn during consideration of changes to the day's agenda.*

See Agenda Item No. 3D Substitute (Legislative File No. 080174).

3D Substitute

080174 **Resolution**

RESOLUTION AUTHORIZING THE WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AND AUTHORIZING THE COUNTY MAYOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED $150,000.00 BETWEEN MIAMI-DADE COUNTY AND THE WEST VIRGINIA UNIVERSITY RESEARCH CORPORATION (WVURC), FOR THE PREPARATION OF A REPORT ANALYZING THE FEASIBILITY OF USING BIODIESEL IN DEISEL BUSES OPERATED BY MIAMI-DADE TRANSIT [SEE ORIGINAL ITEM UNDER FILE NO. 080094] (Miami-Dade Transit Agency)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Sorenson
Seconder: Edmonson
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber noted that the foregoing proposed resolution differed from the original in that it corrected a scrivener's error in the Background section of the resolution to clarify that the agreement between Miami-Dade County and the West Virginia University Research Corporation would be for a twelve-month period, and that it corrected a scrivener's error on the attached Intergovernmental Agreement Between Miami-Dade Transit Agency and The West Virginia University Research Corporation to revise the estimated task completion dates for the duration of the agreement and payment schedule. He read the foregoing proposed resolution into the record.*

Commissioner Sorenson spoke in support of the proposed resolution.

Chairman Rolle asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed resolution to be heard at the January 22, 2008 County Commission meeting, as requested by Commissioner Sorenson.

In response to Commissioner Jordan's question as to whether a waiver was being requested because the contract was a sole source contract, Mr. Kapoor noted that this was a sole source contract with regard to the testing related to this resolution, that West Virginia University Research Corporation was a certified lab, and that based on the County's findings, no other group was available to validate information related to testing.

3E

073778 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDS FROM ITS COMMUTER ASSISTANCE PROGRAM (CAP) IN THE AMOUNT OF $200,000 FOR THE OPERATION OF THE DADE-MONROE EXPRESS TRANSIT SERVICE; AND AUTHORIZING THE RECEIPT AND EXPENDITURES OF FUNDS AS SPECIFIED IN THE SJPA (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Edmonson
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this resolution.

4 CLERK OF THE BOARD

4A

080050 **Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR DECEMBER 12, 2007 TRANSIT COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Jordan
Seconder: Sorenson
Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this report.

5 REPORTS

5A

073779 **Report**

INVOICING AND DBE STATUS REPORT ON THE PROGRAM MANAGEMENT CONSULTANT (PMC) CONTRACT

Report Received
Mover: Jordan
Seconder: Rolle
Vote: 5-0

(County Manager)

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this report.

5B

080012 **Report**

MONTHLY REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE PORT OF MIAMI TUNNEL

Report Received
Mover: Heyman
Seconder: Sorenson
Vote: 5-0

(County Manager)

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this report.

6 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 2:25 p.m.*