



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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TC
Agenda Item No. 5(A)

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

DATE: March 5, 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:

February 13, 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

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

Wednesday, February 13, 2008

2:00 PM

COMMISSION CHAMBERS

Members Present: Audrey M. Edmonson, Sally A. Heyman, Barbara J. Jordan, Dorin 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

1C1

080731 Report

CHANGES TO TODAY'S 02/08/2008 TRANSIT
COMMITTEE AGENDA

Report: *The following staff members were present:
Assistant County Manager Ysela Llort; Assistant
County Attorney Bruce Libhaber; and Deputy
Clerks Doris Dickens and Alicia Stephenson.*

*Assistant County Attorney Bruce Libhaber noted
that Agenda Item 3G Substitute was added to
today's agenda, and that scrivener's errors
existing in Agenda Items 2E, 2F, 3I should be
corrected.*

*It was moved by Commissioner Heyman that the
Committee approve the foregoing changes to the
February 13, 2008 Transit Committee agenda, as
requested by the County Attorney. This motion
was seconded by Commissioner Jordan, and upon
being put to a vote, passed by a vote of 5-0.*

1D **CHAIRMAN ROLLE'S REMARK(S)**

Report: *Chairman Rolle requested that Assistant County Manager Ysela Llord facilitate scheduling of a Sunshine meeting between Commissioners Edmonson, Jordan and himself to discuss the federal government's rating report on the north corridor Metrorail Extension Project and to discuss the County's plan of action in response to this report. Commissioner Jordan noted that a meeting should be scheduled to discuss the County's plan of action. She also asked that staff work closely with the Federal Transit Administration (FTA) regarding this matter.*

Chairman Rolle also requested that staff schedule a presentation before the committee in March, 2008 regarding impacts on the Miami-Dade Transit's budget, and that a workshop of the full Commission be scheduled in order to update the Board regarding transit issues.

Commissioner Edmonson requested an update regarding the Transit Village.

Chairman Rolle noted the importance of commissioners being updated, by the end of the following week, regarding who they needed to meet with in Washington, D.C. .

Commissioner Edmonson asked that the Assistant County Manager invite the FTA Regional Director to the Sunshine meeting.

Chairman Rolle noted that the FTA Regional Director could be invited to the Sunshine meeting once it had been scheduled.

1E **SPECIAL PRESENTATION(S)**

1E1

080308 **Special Presentation**

THE 2008 MLK ART & ESSAY CONTEST WINNERS
FROM EDISON PARK ELEMENTARY, CHARLES DREW
MIDDLE AND MIAMI NORTHWESTERN SENIOR

Presented

1F PUBLIC HEARING(S)

1F1

073616 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 WITHIN THE CITY OF
MIAMI; PROVIDING SEVERABILITY, INCLUSION IN
THE CODE, AND AN EFFECTIVE DATE (Department of
Planning & Zoning)

Amended

Report: *See Agenda Item No. 1F1 Amended (Legislative
File No. 080511).*

1F1 Amended

080511 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 WITHIN THE CITY OF MIAMI; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 073616] (Department of Planning & Zoning)

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

Mover: Heyman

Second: Edmonson

Vote: 5-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed ordinance into the record. He noted that amendments were made to the foregoing ordinance at the February 12th Governmental Operations and Environment (GOE) Committee meeting.*

Assistant County Attorney John McInnis noted that the ordinance, as amended by the GOE Committee on February 12, 2008, had been distributed to Transit Committee members.

Chairman Rolle opened the public hearing on the foregoing ordinance.

Mr. Gus Gil, 9360 Sunset Drive, representing Grove Central Station LLC and Coconut Grove Station Development, appeared before the Board in support of the foregoing ordinance.

Mr. Gil noted that the foregoing ordinance would create standards for Metrorail stations. He also noted that Grove Central Station LLC and Coconut Grove Station Development was the only entity that held a current lease on four stations for which standards would be created. He further noted the lease went back to 2000, and that the process which involved negotiations and lease payments totaling over \$1 million, had been lengthy. Mr. Gil added that the properties had not yet been developed, and noted it was his understanding that the Grove Central Station LLC and Coconut Grove Station Development had made many provisions that would protect the neighborhood. He further noted that approval of this ordinance would facilitate the development of

other Metrorail stations, and would allow the County to create values on County properties. Mr. Gil added that the company's lease involved a profit-sharing agreement, which would allow the County to profit once the properties were developed.

Mr. James McMaster, 2940 SW 30 Court, appeared before the Committee in connection with the foregoing ordinance. He noted that a height limitation was needed if no cap could be placed on the f.a.r. Mr. McMaster suggested a 200-foot height limitation.

Chairman Rolle asked Assistant County Attorney Bruce Libhaber and Department of Planning and Zoning (DP&Z) staff to make note of and follow up on the concerns expressed by the speakers who appeared before the Committee in connection with the foregoing ordinance.

Mr. John Steger, 2430 Trapp Avenue, Coconut Grove Park Homeowners Association representative and former secretary of the Coconut Grove Village Council's subcommittee on development of the subject site, appeared before the Committee in connection with the foregoing ordinance. He noted that through a community charrette, all applicable parties agreed that a mixed-use facility was most appropriate for the subject properties. Mr. Steger noted that the proposed standards in the ordinance required at least two kinds of use. He suggested including percentages for the uses, for example, 30% housing. Mr. Steger further noted that including a retail component on the subject properties was important to the neighbors. Mr. Steger noted that proposed standards would allow a building 414 feet in height, and that neighbors thought this height would be incompatible with the height of buildings in the surrounding area. He also expressed concern that no maximum f.a.r. had been proposed.

Ms. Janice Tarbert, 2520 SW 24 Terrace, Silver Bluff, noted she supported a 200-foot height cap. She also noted that she believed a provision for affordable housing should be included in the Master Development Standards contained within this ordinance.

In response to comments from speakers, Mr. Gil noted the lease on the subject properties included a minimum of 19 stories, and it would not be

feasible to reduce this to 14 stories. He also noted that no maximum f.a.r. had been established because this was an urban design project and that setbacks and design of the building were used to contain the square footage on the property. Mr. Gil added that the lease required three different uses; and that retail, office, and residential uses were being considered. Mr. Gil noted, for the record, that the proposed building could be capped at 250 feet.

DP&Z Director Subrata Basu noted that amendments were made to this ordinance at the February 12, 2008 GOE Committee meeting as follows:

~to underline the following language in the 7th line of Section 33 C-4: "for those stations not subject to Section 33C-2(D)(9)(e)";

~to underline the following language in lines 15 to 21 of Section 33 C-4: "if located in unincorporated Miami-Dade County or the appropriate municipality if located in incorporated Miami-Dade County";

~to add the following language to Section 33C-4: "Notwithstanding anything to the contrary herein, mailed notice of hearings before the Rapid Transit Developmental Impact Committee pursuant to Section 33-2(D)(9)(e) shall be provided in the same manner as hearings on applications filed before the Community Zoning Appeals Board pursuant to Section 33-310(d)(3) for the special exceptions expressly enumerated in that subsection. Mailed notice of the hearings shall also be provided simultaneously to the municipality in which the application site is located. Applications shall comply with the procedural requirements of Section 33-304. ";

~to change "25%" to "12.5%" in Section 33C-8(C)(1)(b);

~to add the following language to Section 33C-8(C)(2)(a): "When non residential uses are located across the street from single family zoned property, the build-to-line shall be 30' for the pedestal, except 20' if colonnade is provided, a minimum of 40' for the tower and a minimum of 50' for the penthouse. ";

~to add the following language to the end of Section 33C-8(C)(2)(b) and to the end of Section

33C-8(C)(2)(c) : "zoned districts.";

~to delete Section 33C-8(C)(3)(a), which read, "Metropolitan Urban Centers (Dolphin Station at NW 199 Street) shall have a minimum f.a.r. of 3.0";

~to add the following language to Section 33C-8(C)(5)(a): "(maximum – 7 stories pedestal, 13 stories tower, 5 stories penthouse)";

~to add the following language to Section 33C-8(C)(5)(b): "(maximum - 5 stories pedestal, 8 stories tower, 2 stories penthouse)";

~to change Section 33C-8(C)(5), (a) under the paragraph beginning with "All rapid transit development" to read as follows: "Metropolitan Urban Centers: ; a total of 30 stories (maximum - 8 stories pedestal, 16 stories tower, 6 stories penthouse) with Silver Certification; 40 stories (maximum - 11 stories pedestal, 22 stories pedestal, 22 stories tower, 7 stories penthouse) with Gold Certification;

~to change Section 33C-8(C)(5), (b) under the paragraph beginning with "All rapid transit development" to read as follows: "Community Urban Centers: ; a total of 20 stories (maximum – 6 stories pedestal, 11 stories tower, 3 stories penthouse) with Silver Certification; 25 stories (maximum – 7 stories pedestal, 13 stories tower, 5 stories penthouse) with Gold Certification"; and

~to add the following language to the beginning of the second paragraph in Section 33C-8(C)(7)(h): "Multi-story parking garage structures shall be screened along all frontages (streets and common open spaces), except along a service road or a pedestrian passage, by a liner building containing a minimum depth of 20' of habitable space."

Chairman Rolle noted the City of Miami's Manager had submitted a letter in support of the foregoing ordinance which was presented at the February 12th GOE Committee meeting.

At the invitation of Chairman Rolle, Ms. Lourdes Slazyk, City of Miami zoning administrator, appeared before the Committee. She noted that at yesterday's GOE meeting, an e-mail was presented, which stated that the City of Miami's Mayor and Manager and Commissioner Marc Sarnoff requested that this ordinance be deferred.

She noted that Commissioner Sarnoff was still requesting a deferral, if possible.

There being no one else to appear before the Committee in connection with the foregoing ordinance, Chairman Rolle closed the public hearing.

In response to Commissioner Edmonson's inquiry regarding whether the City of Miami had voted to approve the ordinance, and whether a member of the City of Miami's Commission opposed the ordinance and was requesting a deferral, Mr. Gil noted that the ordinance was not before the City of Miami Commission for consideration.

Chairman Rolle clarified that a letter from Mr. Hernandez in support of the foregoing ordinance was received at the GOE Committee meeting yesterday (2/12), and that the ordinance was being heard now.

Commissioner Sorenson spoke in support of this ordinance and commended Mr. Basu for his efforts. Commissioner Sorenson inquired as to whether the DP&Z was working with Miami-Dade Transit (MDT) to coordinate land use and transportation issues regarding the Orange Line transit project. She noted that at a Smart Growth conference in Washington last week, it was noted that land use had to be compatible in order for the County to receive funding from the Federal Transit Administration (FTA) for transit projects.

Mr. Basu noted that the two departments were working together on the Orange Line project. He added that four charrettes had been held along the Orange Line corridor and that three charrettes were pending. Commissioner Sorenson noted this coordination needed to continue.

Commissioner Heyman expressed concern regarding the ordinance as amended. She noted that some of the amendments had substantive consequences. Commissioner Heyman asked whether the ordinance, as amended by the GOE Committee, was consistent with the charrettes which had been held regarding this ordinance.

Mr. Basu noted that DP&Z's recommendations and the February 12th GOE amendments were consistent with public input received. He noted the County had not participated in the charrettes and he did not have the recommendations from the

charrette.

Mr. Gil noted that the charrette would not be given any serious consideration.

Commissioner Heyman's asked whether the ordinance, as amended, was consistent with the statement in the Fiscal Impact/Funding Source section of the ordinance, which read, "This ordinance should have no adverse fiscal impact to the County."

Assistant County Manager Ysela Llort noted that the ordinance as amended, had no additional financial impacts to the County.

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

1F2

080351 Resolution

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF A GRANT AMENDMENT APPLICATION FOR CONGESTION MITIGATION AIR QUALITY (CMAQ) IMPROVEMENT PROGRAM FUNDS AND TRANSPORTATION ENHANCEMENT (TE) FUNDS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) FOR \$2,289,500 IN SECTION 5307 FLEXIBLE FUNDING FOR LAND ACQUISITION AND CONSTRUCTION OF A PARK AND RIDE FACILITY AT THE SOUTHERN TERMINUS OF THE SOUTH MIAMI-DADE BUSWAY (SW 344TH STREET) IN FLORIDA CITY AND FOR BICYCLE PARKING RACKS AND LOCKERS AT METRORAIL STATIONS AND PARK AND RIDE SITES; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE AGREEMENT (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 ordinance into the record.*

Chairman Rolle opened the public hearing.

Mr. Eric Tullberg, 7884 SW 179 Terrace, appeared before the Committee in support of the foregoing ordinance. He noted that bicycle parking was extremely important to an efficient transit system. Mr. Tullberg submitted, for the record, pictures indicating how bicycle racks should be used, and noted the importance of using the "U" type racks. He suggested staff use a document published by the Association of Pedestrian and Bicycle Professionals, which he also submitted for the record.

Mr. John Hopkins spoke in support of adding bicycle parking facilities close to Metrorail stations, and noted that the parking should be in covered areas and in view of security guards.

Commissioner Sorenson asked whether this ordinance could be amended so that design and location could be addressed.

Assistant County Manager Ysela Llort noted that these issues would be addressed in much greater detail by the Metropolitan Planning Organization.

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

2 COUNTY COMMISSION

2A

073735 Resolution Dennis C. Moss

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE SEPTEMBER 12-16, 2007 NATIONAL LEADERSHIP CONFERENCE OF HAITIAN MAYORS SPONSORED BY GALATA INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$5,796.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

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

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

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

2B

080324 Resolution Bruno A. Barreiro

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JANUARY 23 – FEBRUARY 3, 2008 WINTER 2008 RESIDENCE OF THE CLEVELAND ORCHESTRA AND AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE WINTER 2008 RESIDENCE OF THE CLEVELAND ORCHESTRA SPONSORED BY THE MUSICAL ARTS ASSOCIATION OF MIAMI, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,425.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

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

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

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

2C

080327 Resolution Audrey M. Edmonson

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JANUARY 19, 2008 MARTIN LUTHER KING, JR. DAY OF SERVICE SPONSORED BY SERVICE FOR PEACE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$8,083.00 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

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

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

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

2D

080320 Resolution Carlos A. Gimenez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE FEBRUARY 23, 2008 GRAND RE-OPENING OF HISTORIC VIRGINIA KEY BEACH PARK "PARADISE RENEWED" SPONSORED BY THE CITY OF MIAMI, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,970.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

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

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

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

2E

080336 Resolution Dennis C. Moss

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR TRANSPORTATION TO THE DECEMBER 16, 2007 DODGE CITY CHRISTMAS PARTY SPONSORED BY NARANJA OPTIMIST CLUB, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$852.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

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

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

Pursuant to the February 13, 2008 County Manager's memorandum of changes, the foregoing proposed resolution contained a scrivener's error in the subject of the County Manager's memorandum and the subject should read: "Resolution retroactively authorizing in-kind services for the December 16, 2007 Doge City Christmas Party sponsored by Naranja Optimist Club, Inc."

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

2F

080335 Resolution Dennis C. Moss

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR TRANSPORTATION TO THE DECEMBER 16, 2007 DODGE CITY CHRISTMAS PARTY SPONSORED BY CENTRO CAMPESINO-FARMWORKER CENTER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$426.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

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

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

Pursuant to the February 13, 2008 County Manager's memorandum of changes, the foregoing proposed resolution contained a scrivener's error in the subject of the County Manager's memorandum and the subject should read: "Resolution retroactively authorizing in-kind services for the December 16, 2007 Doge City Christmas Party sponsored by Centro Campesino-Farmworker Center, Inc."

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

3 DEPARTMENTS

3A

073738 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$48,494.80 BETWEEN CEB CONSTRUCTION, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED BUS-BAY IMPROVEMENTS AT NW 79 AVENUE AND SOUTH OF NW 2 STREET (PROJECT – CICC 7040-0/07 RPQ NO. 20070570) (Public Works Department)

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

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

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

3B

080284 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$500,000.00 BETWEEN ALL QUALITY ELECTRICAL SERVICES, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERNALLY ILLUMINATED STREET NAME SIGNS INSTALLATION CONTRACT - COUNTYWIDE (PROJECT – CICC 7040-0/07 RPQ NO. 20070784) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 5-0

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

In response to Commissioner Sorenson's question as to whether Light Emitting Diode (LED) lights or energy-efficient lights were being used, Ms. Ester Calas, Public Works Director, noted that all illuminated signs were LED signs.

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

3C

080285 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$565,000.00 BETWEEN CEB CONSTRUCTION, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ADA SIDEWALK CONTRACT - COUNTYWIDE (PROJECT – CICC 7040-0/07 RPQ NO. 20070791) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 5-0

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

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

3D

080300 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE AND FINAL TO THE CONTRACT WITH H & R PAVING, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$145,837.20 IN CONTRACT FUNDS PTP RESURFACING CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NUMBER 20040507) (Public Works Department)

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

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

With regard to the foregoing resolution and Agenda Item 3E, Commissioner Jordan requested clarification regarding three open violations.

Ms. Penelope Townsley, Department of Small Business Development (SBD) Director, noted that the company's three open violations were for failure to meet CSBE goal with a deficit in the amount of \$220,000 and that the firm had approved make-up plans to cure the deficit in the amount of approximately \$300,000.

Commissioner Jordan noted she had instructed the County Attorney's Office to draft legislation amending the guidelines for the penalties related to violations, because she believed companies were being allowed to repeatedly do make-ups.

Ms. Townsley noted that Chairman Rolle would be sponsoring an amendment which would limit the number of make-ups allowed to a firm, and which would require that the firm pay the value of the deficit within a certain timeframe, or be suspended. She noted that this amendment was in the final stages of development.

Chairman Rolle noted, for the record, the fact that the company's 32 recorded violations had been committed over a period of about 14 years provided him with a level of comfort. Ms. Townsley's testimony at the February 12th Governmental Operations and Environment (GOE) Committee meeting that SBD was working with the company and that the company was reacting favorably to remedy its problem also provided him with some degree of comfort, Chairman Rolle noted.

Commissioner Jordan noted she would like to review Chairman Rolle's legislation. She added that before she considered withdrawing her legislation Chairman Rolle's legislation and her legislation could be reviewed to consider the possibility of amending Chairman Rolle's legislation to accommodate any concerns she may have.

The Committee proceeded to vote on the foregoing resolution.

3E

080302 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE AND FINAL TO THE CONTRACT WITH H & R PAVING, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$110,989.60 IN CONTRACT FUNDS FOR PTP RESURFACING CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NUMBER 20040509) (Public Works Department)

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

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

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

3F

080282 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR OLETA
RIVER STATE PARK MITIGATION - PROJECT NO:
2007.013; CONTRACT NO: 2007.013

(Seaport and Miami-Dade Police Departments)

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

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

*In response to Commissioner Jordan's question as
to what was being done to strengthen availability
in areas where no availability existed, Ms.
Penelope Townsley, Department of Small Business
Development (SBD) Director, noted that SBD was
encouraging those entities in trade areas with
opportunities, but with no availability, to come in
for certification.*

*Commissioner Jordan asked Ms. Penelope
Townsley, Department of Small Business
Development Director, to submit to her a report
indicating trade areas with low availability, and
indicating whether appropriate resources had
been provided in order to advance recruitment in
those areas.*

*Chairman Rolle asked Mr. Bill Johnson, Port
Director, to report back to him regarding the use
of proceeds remaining from the settlement that
was reached in connection with this bid award.*

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

3G

080353 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA) FOR FINANCING OF THE COMMUTER RAIL PROJECT IN THE AMOUNT OF \$7,036,950; AND AUTHORIZING THE COUNTY MAYOR TO EXPEND FUNDS AS SPECIFIED IN THE INTERLOCAL AGREEMENT(SEE AGENDA ITEM NO. 080447) (Miami-Dade Transit Agency)

Withdrawn
Mover: Heyman
Seconder: Jordan
Vote: 5-0

Report: *The foregoing proposed resolution was withdrawn during consideration of changes to the day's (2/13) agenda.*

See Agenda Item No. 3G Substitute (Legislative File No. 080447).

3G SUB.

080447 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA) FOR FINANCING OF THE COMMUTER RAIL PROJECT IN THE AMOUNT OF \$7,036,950; AND AUTHORIZING THE COUNTY MAYOR TO EXPEND FUNDS AS SPECIFIED IN THE INTERLOCAL AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 080353] (Miami-Dade Transit Agency)

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

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

Hearing no questions or comments, the Committee proceeded to vote on the foregoing 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 February 19, 2008 County Commission meeting.

3H

080354 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT IN THE AMOUNT OF \$22, 519,138.49 BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE FUNDING FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED NW 74 STREET PHASE 1; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

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

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

In response to Commissioner Jordan's question as to how the increase in the cost of completing the project would impact the pro forma and other projects, Ms. Ester Calas, Public Works Department Director, noted this project had been included in the pro forma and had not impacted other projects.

Ms. Calas noted that the Florida Department of Transportation (FDOT) had committed to start repaying the County in 2011/2012, that funds had become currently available, and that FDOT had decided to provide the County with these funds now.

Following a brief description of the County's funding responsibility, the Committee proceeded to vote on the foregoing resolution.

31

080374 Resolution

RESOLUTION AUTHORIZING THE REJECTION OF ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. 439 FOR PTP HEAVY RAIL VEHICLE REHABILITATION; AND WAIVING THE REQUIREMENTS OF SECTIONS 2-8.3 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO BID PROTEST PROCEDURES BY TWO-THIRDS (2/3S) VOTE OF THE BOARD MEMBERS PRESENT (Procurement Management Department)

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

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

Pursuant to the February 13, 2008 County Manager's memorandum of changes, the foregoing proposed resolution contained a scrivener's error in line 4, third paragraph on handwritten page 2 of the County Manager's memorandum, and the words "additional items and" should be deleted so that the parenthetical phrase reads "exclusive of contingency."

Commissioner Heyman noted her concerns regarding the history of the project identified in this resolution with regard to maintenance, rehabilitation, expenditures and implementation.

In response to Commissioner Jordan's question as to whether New Starts vehicles provided the opportunity for the County to consider the entire fleet, and that there was no intention to provide wrong information regarding the life cycle costs of the old cars, Mr. Kapoor noted this was correct.

Chairman Rolle expressed concern that lack of communication between Miami-Dade Transit (MDT) staff and commissioners was costing money.

Chairman Rolle asked Assistant County Manager Ysela Llort and Mr. Harpal Kapoor, Miami-Dade Transit (MDT) Department Director, to insure that MDT staff improved their communication with the full Board of County Commissioners and Commission Committees regarding problems that impacted transit.

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

Chairman Rolle asked Assistant County Manager Ysela Llord to prepare and to provide the Committee with a PowerPoint presentation regarding this resolution, to include clarification regarding legislation previously approved by the Board, versus current recommendations from staff in connection with this resolution.

3J

080383 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A CROSSEASEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND GC HOMES, INC.; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ALL THE PROVISIONS THEREIN (Miami-Dade Transit Agency)

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

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

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

4 CLERK OF THE BOARD

4A

080310 Report

CLERK'S SUMMARY MEETING MINUTES FOR JANUARY 16, 2008 TRANSIT COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Jordan
Secunder: Heyman
Vote: 5-0*

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

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

5 REPORTS

5A

080312 Report

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

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

(County Manager)

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

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

5B

080314 Report

MONTHLY REPORT FROM THE FLORIDA
DEPARTMENT OF TRANSPORTATION ON THE PORT
OF MIAMI TUNNEL (County Manager)

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

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

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

5C

080253 Report

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT
1ST QUARTER FISCAL YEAR 2007-2008

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

(County Manager)

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

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

5D

080301 Report

LIST OF ADDITIONAL TRAFFIC INTERSECTION
IMPROVEMENTS FOR FY 07-08

(County Manager)

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

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

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

5E

080409 Report

ORANGE LINE UPDATE (County Manager)

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

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

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

080730 Report

NON-AGENDA REPORT-FEBRUARY 13, 2008 TRANSIT
COMMITTEE

Report: *Mr. William Long, president of Clever Devices Ltd., 137 Commercial Street, Plainview, NY, made a presentation regarding technology and its role in the County's ability to provide transportation services to the community. He noted transportation technology helped provide safety and reliability and helped reduce the cost of public transportation services. Mr. Long spoke in support of his company deploying a state of the art transportation system in Miami-Dade County.*

Mr. Al Maloof, 100 SE 2nd Street, representing Clever Devices Ltd., appeared before the Board. He noted that Mr. Long made his comments in response to concerns expressed by Chairman Barreiro and other commissioners this week regarding the need for forward thinking regarding using technology in planning transit systems.

Mr. Maloof noted the importance of implementing the best in ridership technology and cost saving systems as the County made progress on its bus and rail transportation programs.

Chairman Rolle asked that Assistant County Manager Ysela Llord direct staff to review information presented by Clever Devices Ltd., and to submit a report to the Committee, if necessary. Chairman Rolle added that Clever Devices Ltd. representatives submitted a letter to him requesting an opportunity to make this presentation.

6 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 4:09 p.m.*