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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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HPSIC  
Agenda Item No: 6(A)

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**TO:** Honorable Chairwoman Sally A. Heyman  
and Members, Health, Public Safety and  
Intergovernmental Committee

**DATE:** April 16, 2009

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

**SUBJECT:** Approval of Commission  
Committee Minutes

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The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Health, Public Safety and Intergovernmental Committee:

February 12, 2009

KMS/js  
Attachment



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

## CLERK'S SUMMARY OF Meeting Minutes

### Health, Public Safety & Intergovernmental Cmte

Sally A. Heyman (4) Chair; Rebeca Sosa (6) Vice Chair; Commissioners Bruno A. Barreiro (5), Jose "Pepe" Diaz (12), Dorrin D. Rolle (2), and Javier D. Souto (10)

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Thursday, February 12, 2009

2:00 PM

COMMISSION CHAMBERS, SPCC

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**Members Present:** Bruno A. Barreiro, Jose "Pepe" Diaz, Sally A. Heyman, Dorrin D. Rolle, Rebeca Sosa, Javier D. Souto.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Jovel Shaw, Commission Reporter, (305) 375-1289*

**1A INVOCATION**

**1B PLEDGE OF ALLEGIANCE**

**Report:**

*The Committee convened in a moment of silence, followed by the Pledge of Allegiance.*

**1C**      **ROLL CALL**

**Report:**    *The following staff members were present:  
Assistant County Manager Alina Hudak, Assistant  
County Attorney Valda Clark Christian, and  
Deputy Clerk Jovel Shaw.*

*Chairwoman Heyman called the meeting to order  
at 2:05 p.m.*

*Chairwoman Heyman asked that Department  
Directors and speakers introduce themselves with  
their title prior to them speaking before the  
Committee members.*

*Chairwoman Heyman provided the following  
decorum to be followed during the Committee  
proceedings as follows:*

- (1) That the Committee meetings would start promptly at 2:00 p.m., and if no quorum was present at 2:30 p.m. the Committee members at the discretion of the Board of County Commissioners (BCC) Chairman Dennis C. Moss would forward the agenda items scheduled for that meeting to the BCC without recommendation or dialogue.*
- (2) That she welcomed dialogue among the Committee members, Departmental representatives, or public speakers, but through the Chair on the scheduled discussion and/or debate on agenda items according to public records requirements.*
- (3) That future Committee agendas be organized by subject matter according to the Committee's jurisdiction regarding police, fire rescue, corrections, health professionals, and the other departments.*

*In addition to the changes noted in the February 12, 2009, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda," Assistant County Attorney Valda Clark Christian advised the Committee of the following changes to today's (2/12) agenda as follows:*

- a requested amendment to Agenda Item 2B to add a whereas clause in between the 4th and 5th whereas clause to read as follows: "WHEREAS, on January 8, 2008, Miami Police Department Detective James Walker was shot and killed by an AK-47 when he attempted to take police action while off duty";*

- a correction to Agenda Item 3B to correct the following scrivener's errors:

- to insert in Section 4.02(b) after "The Mayor of Miami-Dade County" the following language: "designee shall appoint two Directors";
- to delete Section 4.02(c) in its entirety;
- to delete "County Manager" in the second sentence in Section 4.03(a), and the sentence would read, "Directors appointed by the Commissioners of Districts with odd numbers shall serve initial terms of two years."

Hearing no objection, Commissioner Diaz moved that the Committee approve the County Manager's memorandum of changes and the additional changes noted by Assistant County Attorney Clark Christian. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Souto were absent).

## 1D SPECIAL PRESENTATION(S)

1D1

**090273 Special Presentation**ANIMAL SERVICES ADOPTIONS AND VALENTINE'S  
DAY EVENT (Animal Services)**Presented****Report:** *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

*Dr. Sara Pizano, Director, Miami-Dade Animal Services, informed the Committee members that approximately 700 animals were adopted in January 2009, which was the highest number of adoptions for the department and a celebration was held in recognition of this achievement. Dr. Pizano also informed the Committee members that Sunday, February 15th, would be the "Open Your Heart and Open Your Home Adoption" event from 10:00 a.m. to 3:00 p.m. at Animal Services, 7401 N.W 74 Street. She noted that today (2/12) was the first day Animal Services and the Humane Society of Greater Miami were offering to Miami-Dade citizens free spay/neuter for cats. Dr. Pizano proceeded to inform the Committee members the Department was working with Miami-Dade Corrections and Rehabilitation to have dogs spend time at Turner Guilford Knight (TGM) Correction Center for a period of 46 weeks for training services to prepare the animals for adoption. She also noted the Department launched a "Donations Online" link to its webpage. Dr. Pizano also informed the Committee members that the department partnered with Humane Society of Greater Miami to inform the community of a walk scheduled for February 21, 2009, "The 2009 Walk for the Animals."*

**1E DISCUSSION ITEM(S)**

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1E1

**090206 Report**

STATUS REPORT ON THE NEW ANIMAL SERVICES FACILITY (Animal Services)

**Report Received**

**Mover: Sosa**

**Seconder: Diaz**

**Vote: 4-0**

**Absent: Barreiro, Souto**

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

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

1E2

**090207 Report**

STATUS REPORT ON CRIME STATISTICS (Miami-Dade Police Department)

**Report Received**

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

*Mr. J.D. Patterson, Assistant Director, Support Services, Miami-Dade Police Department (MDPD), appeared before the Committee and invited the Committee members and the entire Board of County Commissioners to a press conference scheduled by the Office of the County Mayor Carlos Alvarez and the MDPD Director for Wednesday, February 18, 2009, at 10:30 a.m., at MDPD Police Headquarters. He stated the Mayor would present the "Five Year Crime Comparison Report."*

*Chairwoman Heyman stated the Committee members would look forward to the dialogue from the County Mayor and the MDPD Director next week.*

1E3

**090208 Report**

STATUS REPORT ON MIAMI-DADE BLUE HEALTH PLAN (LIMITED BENEFIT LOW COST INSURANCE PRODUCT) (Office of Countywide Healthcare Planning)

*Deferred to no date certain*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 4-0*

*Absent: Souto, Barreiro*

**Report:** *During consideration of changes to today's agenda, the Committee deferred the foregoing report to no date certain as requested in the February 12, 2009, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety and Intergovernmental Committee Agenda."*

1E4

**090209 Report**

STATUS REPORT ON THE STIMULUS PACKAGE AND  
PROPOSED BUDGET PRIORITIES IN TALLAHASSEE  
(Office of Intergovernmental Affairs)

*Report Received*  
*Mover: Sosa*  
*Seconder: Diaz*  
*Vote: 6-0*

**Report:** *The Committee proceeded to vote on the foregoing report as presented.*

*Chairwoman Heyman noted a scrivener's error and a correction to reflect "Washington D.C." instead of "Tallahassee" on this report.*

*Mr. Joe Rasco, Director, Office of Intergovernmental Affairs, presented the foregoing status report regarding the stimulus package and the proposed budget priorities in Washington D.C. He proceeded to provide an overview of the Federal Economic Stimulus Package.*

*Chairwoman Heyman asked the Office of Intergovernmental Affairs (OIA) Director to provide the Commission members with a copy of the critical legislative priorities approved as part of the Miami-Dade County 2009 Federal Legislative Agenda (based on compromise) before the Washington D.C. Fly-in. She asked the Director to prioritize the critical appropriations priorities based on input from the County lobbyist in Washington D.C. and to submit it to members of the Commission. In addition, she also asked the Director to review projects included in the County's Federal Legislative Priorities to ensure that the projects were identified for funding in the Federal Economic Stimulus Package (FESP). In addition, she asked that these priorities be based on the FESP that Congress was accepting.*

*Chairwoman Heyman asked the OIA Director to provide members of the State Intergovernmental Affairs Subcommittee (SIAS) with copies of the Florida Senate Bill 630 imposing a moratorium for the collection of impact fees from developers to pay for new roads and infrastructure. In addition, she asked that the County Congressional Delegation lobby against this legislation.*

*Commissioner Sosa asked the Office of Intergovernmental Affairs (OIA) Director, also to ensure that each of the funding appropriations identified in the County's Federal Legislative Agenda were paired with a matching funding*

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source in the Federal Economic Stimulus Package (FESP). In addition, that the Director ensure the FESP was carefully analyzed; and that the Administration anticipate the future needs of the County and ensure that all funding opportunities were pursued.

Commissioner Sosa informed the Committee members that a Sunshine Meeting was scheduled to discuss the SIAS goals and objectives.

1E5

090283 Discussion Item

Dennis C. Moss

SECURITY AT THE STEPHEN P. CLARKE CENTER

**Report Received**

**Mover: Sosa**

**Seconder: Diaz**

**Vote: 6-0**

**Report:** Assistant County Attorney Valda Clark Christian read the foregoing report into the record.

Chairwoman Heyman stated the strategic and budgetary issues for the security at the Stephen P. Clark Center was being addressed at an executive level rather than in a public meeting or forum. She informed the Committee members that a report would be presented at the next Committee meeting along with recommendations initiated through the Miami-Dade Police Department.

The Committee received the foregoing report as presented.

2 COUNTY COMMISSION

2A

**083681 Resolution**

**Barbara J. Jordan**

RESOLUTION URGING THE U.S. DEPARTMENT OF HOMELAND SECURITY NOT TO DEPORT LYGLENSON LEMORIN AND FURTHER URGING THE MIAMI-DADE COUNTY CONGRESSIONAL DELEGATION TO INTERVENE ON LEMORIN'S BEHALF

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
**Mover: Rolle**  
**Seconder: Barreiro**  
**Vote: 3-2**  
**No: Sosa, Heyman**  
**Absent: Souto**

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*It was moved by Commissioner Rolle that the Committee forward this proposed resolution as presented. Commissioner Sosa seconded this motion for discussion.*

*Commissioner Sosa noted she opposed this resolution and the setting of a precedent by the County urging the United States (U.S.) Department of Homeland Security not to deport Mr. Lyglenson Lemorin and urging the County's Congressional Delegation to intervene on Mr. Lemorin's behalf.*

*Commissioner Jordan explained the intent of this proposed resolution.*

*Commissioner Sosa stated she would support a resolution urging non-deportation by the U.S. Department of Homeland Security of a legal resident found not guilty of a crime.*

*Commissioner Jordan stated she would accept Commissioner Sosa's comments as an amendment to this resolution.*

*Chairwoman Heyman expressed concern with an individual acquitted of a crime having knowledge of the intent to commit a crime.*

*Commissioner Jordan stated she would withdraw this resolution at this time.*

*Commissioner Rolle suggested that this resolution be forwarded to the County Commission without recommendation.*

*Commissioner Diaz emphasized the need for more details to support this resolution and noted he*

*supported Commissioner Rolle's comments to forward it to the County Commission without recommendation. He suggested Commissioner Jordan present a different resolution that would be more inclusive without naming a specific person.*

*Discussion ensued among Committee members and Assistant County Attorney Christian regarding the possible deferral or withdrawal of this proposed resolution, the urging of the US Department of Homeland Security for non-deportation of U.S. citizens, and the guidelines for homeland security.*

*The Committee proceeded to vote on this proposed resolution as presented.*

*Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.*

2B

**090224 Resolution**

**Barbara J. Jordan,**

**Dorrin D. Rolle, Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A CAPITAL OFFENSE TO KILL OR INJURE SOMEONE WITH AN AK-47 OR OTHER SEMI-AUTOMATIC ASSAULT WEAPON

*Amended*

**Report:** *See Agenda Item 2B Amended, Legislative File No. 090357 for the amended version.*

2B AMENDED

090357 Resolution

Barbara J. Jordan,

Dorrrin D. Rolle, Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A CAPITAL OFFENSE TO KILL OR INJURE SOMEONE WITH AN AK-47 OR OTHER SEMI-AUTOMATIC ASSAULT WEAPON [SEE ORIGINAL ITEM UNDER FILE NO. 090224]

*Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments*

*Mover: Sosa*

*Seconder: Rolle*

*Vote: 5-0*

*Absent: Souto*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record. She recommended that this proposed resolution be forwarded with Committee amendment(s) to add between the fourth and fifth whereas clause a clause to read as follows:*

*"WHEREAS, on January 8, 2008, Miami Police Department Detective James Walker was shot and killed by an AK-47 when he attempted to take police action while off duty;"*

*Commissioners Rolle and Sosa asked to be listed as cosponsors on this proposed resolution.*

*Commissioner Diaz stated he supported anyone's right to bear arms. He expressed he wanted to ensure that law abiding citizens who acted in self-defense were not penalized if they stored their fire arms attached in their home and adhered to the proper requirements to have these types of weapons.*

*In response to Commissioner Diaz' comments, Assistant County Attorney Christian stated this proposed resolution encouraged the Florida Legislature to enact new legislation that would change the offense and/or punishment for killing or injuring someone with an AK-47 or other semi-automatic assault weapon.*

*Discussion ensued among Committee members and Assistant County Attorney Christian regarding the use of these types of weapons for self-defense versus causing harm to others, and punishment for offenders who pled self-defense.*

*Chairwoman Heyman asked Assistant County Manager Alina Hudak to ensure that a copy of the "10-20-Life" legislation in the Florida Legislature (House Bill 113) accompanied this proposed*

*resolution when it came before the Commission.*

*Hearing no objection, the Committee forwarded this proposed resolution as amended.*

*Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.*

2C

**090214 Resolution****Barbara J. Jordan,**

**Sally A. Heyman, Dorrin D. Rolle, Katy Sorenson**  
 RESOLUTION URGING THE U.S. CONGRESS TO  
 REINSTATE THE FEDERAL ASSAULT WEAPONS BAN;  
 URGING THE FLORIDA LEGISLATURE TO IMPOSE A  
 STATE ASSAULT WEAPONS BAN; AND  
 ALTERNATIVELY URGING THE FLORIDA  
 LEGISLATURE TO LIFT THE PREEMPTION ON LOCAL  
 GOVERNMENTS' REGULATING ASSAULT WEAPONS  
 IN FLORIDA AND ALLOW LOCAL GOVERNMENTS TO  
 IMPOSE AN ASSAULT WEAPONS BAN

*Forwarded to the BCC by the BCC  
 Chairperson with a favorable  
 recommendation  
 Mover: Heyman  
 Seconder: Rolle  
 Vote: 3-2  
 No: Barreiro, Diaz  
 Absent: Souto*

**Report:** *Assistant County Attorney Valda Clark Christian  
 read the foregoing proposed resolution into the  
 record.*

*Chairwoman Heyman relinquished the Chair to  
 Vice-Chairwoman Sosa.*

*The Committee proceeded to vote on this proposed  
 resolution.*

*Commissioner Jordan reminded the Committee  
 members that police departments, local  
 communities and municipalities supported this  
 proposed resolution urging the United States  
 Congress to reinstate the federal assault weapons  
 ban.*

*Commissioner Sosa noted she supported  
 forwarding this proposed resolution to the  
 Commission for consideration, but indicated she  
 would not support it in the end because criminals  
 would obtain and possess these types of weapons  
 anyway.*

*Commissioner Rolle asked to be listed as a  
 cosponsor on this proposed resolution.*

*Chairwoman Heyman requested staff to prepare  
 the appropriate memorandum to the Board of  
 County Commissioners (BCC) Chairman Dennis  
 C. Moss requesting that the Board's Rules and  
 Procedures be waived to hear this proposed  
 resolution at the February 17, 2009, Board  
 meeting.*

2D

**090223 Resolution**

**Barbara J. Jordan,**

**Sally A. Heyman, Dorrin D. Rolle, Katy Sorenson**  
RESOLUTION URGING THE U.S. CONGRESS AND THE  
FLORIDA LEGISLATURE TO PASS LEGISLATION  
REQUIRING ALL GUN SALES REGARDLESS OF VENUE  
OR TYPE TO BE REGISTERED WITH LAW  
ENFORCEMENT WITHIN 14 DAYS OF PURCHASE,  
REQUIRING FIREARM OWNERS TO REPORT LOST OR  
STOLEN FIREARMS TO LAW ENFORCEMENT &  
CREATING A FIREARMS REGISTRATION SYSTEM AND  
DATABASE AVAILABLE ONLY TO LAW  
ENFORCEMENT

*Forwarded to the BCC by the BCC  
Chairperson with a favorable  
recommendation*

*Mover: Sosa*

*Seconder: Heyman*

*Vote: 4-1*

*No: Diaz*

*Absent: Souto*

**Report:** *Assistant County Attorney Valda Clark Christian  
read the foregoing proposed resolution into the  
record.*

*The Committee proceeded to vote on this  
resolution as presented.*

*Chairwoman Heyman stated law enforcement  
agencies supported this resolution.*

*Commissioner Rolle asked to be listed as a  
cosponsor on this proposed resolution.*

*Chairwoman Heyman requested staff to prepare  
the appropriate memorandum to the Board of  
County Commissioners (BCC) Chairman Dennis  
C. Moss requesting that the Board's Rules and  
Procedures be waived to hear this proposed  
resolution at the February 17, 2009, Board  
meeting.*

2E

**090319 Resolution**

**Bruno A. Barreiro**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DEFINE IN STATUTE THE TERMS "IMPOUNDMENT" AND "IMMOBILIZATION"; SET IN STATUTE A FEE SCHEDULE FOR VEHICLE IMPOUNDMENT AND IMMOBILIZATION; AND PROVIDE IN STATUTE REQUIREMENTS AND STANDARDS FOR PRIVATE COMPANIES AND PERSONS ENGAGED IN THE BUSINESS OF PROVIDING IMMOBILIZATION SERVICES

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Barreiro*  
*Seconder: Sosa*  
*Vote: 5-0*  
*Absent: Souto*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*The Committee proceeded to vote on this resolution as presented.*

*In response to Commissioner Barreiro's request for a waiver, Chairwoman Heyman requested staff prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting. In addition, she asked that all of the agenda items on today's (2/12) agenda urging the Florida Legislature and the Federal government be included in this request for a waiver.*

2F

**090245 Resolution**

**Sally A. Heyman**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ALLOW PROCEEDS FROM THE EXISTING \$5 SURCHARGE ON CIVIL PENALTIES FOR VIOLATING ANIMAL CONTROL AND CRUELTY ORDINANCES TO BE USED FOR ANIMAL SHELTER OPERATING EXPENSES

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Sosa*  
*Seconder: Heyman*  
*Vote: 4-0*  
*Absent: Souto, Barreiro*

**Report:**

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

*Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.*

2G

**090229 Resolution**

**Rebeca Sosa**

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO COVER ADDITIONAL HOSPITAL STAYS FOLLOWING LABOR AND/OR CHILDBIRTH WHEN LABOR WAS STRESSFUL ON THE MOTHER AND CHILD

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Sosa*  
*Seconder: Rolle*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

*Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.*

2H

**090131 Resolution**

**Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROHIBIT TALKING, TEXT MESSAGING OR OTHERWISE USING WIRELESS COMMUNICATION DEVICES, INCLUDING CELLULAR TELEPHONES AND PERSONAL DIGITAL ASSISTANTS, WHILE DRIVING UNLESS OPERATED WITH A HEADSET OR HANDS-FREE DEVICE

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Sosa*  
*Seconder: Heyman*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*The Committee proceeded to vote on this proposed resolution as presented.*

*Commissioner Sosa explained the intent of this proposed resolution.*

*In response to Commissioner Diaz' question regarding the Commission previously considering a prohibition of using wireless communication devices including cellular telephones and personal digital assistants, Assistant County Attorney Christian noted this subject matter was presented before the Florida Legislature, and it did not pass by that body at its initial hearing.*

*Commissioner Barreiro stated the County Commission adopted a resolution (R-306-98) urging the Florida Legislature to enact legislation to provide that the use of a cellular phone while operating a motor vehicle may be considered as evidence of negligence. He pointed out the County legislation was preempted by the State of Florida, and since that time the County has continuously urged the Florida Legislature to put forth or enact similar legislation.*

*Commissioner Souto recommended that the County begin a program with its employees to encourage them not to use wireless communication devices, including cellular telephones and personal digital assistants, while driving.*

*Chairwoman Heyman proceeded to provide an overview of the prior consideration by the Florida Legislature on this subject matter that included eating, grooming, and reading. She noted that last year the Commission supported legislation for not using wireless communication devices, including*

cellular telephones and personal digital assistants, while driving in a school zone.

Commissioner Sosa reminded the Committee members that former Commissioner Barbara M. Carey-Shuler sponsored a resolution to ban the use of cellular telephones while driving, and then the City of Pinecrest enacted the same legislation for its city not allowing residents to drive within its city limits while using cellular telephones. Commissioner Sosa stated the State was concerned that if local municipalities enacted this type of legislation in one area and not the other, then drivers would become confused. Therefore, in order for this law to be applied uniformly throughout the State of Florida (State) this legislation should come from the State.

Hearing no further questions or comments, the Committee forwarded this proposed resolution as presented.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

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**090213 Resolution**

**Rebeca Sosa**

RESOLUTION COMMENDING THE FLORIDA LEGISLATURE FOR REQUIRING INSURANCE COMPANIES TO PROVIDE COVERAGE FOR AUTISM BEHAVIORAL THERAPY; URGING THE LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO EXTEND COVERAGE TO OTHER DEVELOPMENTAL DISABILITIES; FURTHER URGING THE LEGISLATURE TO PASS LEGISLATION REQUIRING A PHYSICIAN TO REFER A CHILD TO AN APPROPRIATE SPECIALIST FOR AUTISM SCREENING WHEN A PARENT OR GUARDIAN REPORTS THAT A MINOR EXHIBITS SYMPTOMS OF AUTISM

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Sosa*  
*Second: Heyman*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record. She advised the Committee members of a scrivener's error that should be corrected on handwritten page 1, in the 2nd and 4th whereas clauses to change the bill reference to read SB 2654.*

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

*Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.*

**3 DEPARTMENT**

3A

**083677 Resolution**

RESOLUTION AMENDING TERMS AND CONDITIONS FOR DISBURSEMENTS FROM ANIMAL SERVICES TRUST FUND AND SUPERSEDING RESOLUTION NO. R-1385-06 (Animal Services)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Sosa*  
*Seconder: Rolle*  
*Vote: 4-0*  
*Absent: Souto, Barreiro*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*Hearing no objection, the Committee forwarded this resolution as presented.*

3B

**090179 Resolution**

RESOLUTION AUTHORIZING COUNTY MAYOR OR DESIGNEE TO FACILITATE CREATION OF THE MIAMI-DADE ANIMAL SERVICES FOUNDATION, INC., AMENDING PREVIOUSLY APPROVED ARTICLES OF INCORPORATION AND BY-LAWS, AND SUPERSEDING RESOLUTION NO. R-706-07 (Animal Services)

*Amended*

**Report:** *See Agenda Item 3B Amended, Legislative File No. 090424 for the amended version.*

3B AMENDED

**090424 Resolution**

RESOLUTION AUTHORIZING COUNTY MAYOR OR DESIGNEE TO FACILITATE CREATION OF THE MIAMI-DADE ANIMAL SERVICES FOUNDATION, INC., AMENDING PREVIOUSLY APPROVED ARTICLES OF INCORPORATION AND BY-LAWS, AND SUPERSEDING RESOLUTION NO. R-706-07 [SEE ORIGINAL ITEM UNDER FILE NO. 090179] (Animal Services)

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

*Mover: Sosa*

*Seconder: Rolle*

*Vote: 4-0*

*Absent: Souto, Barreiro*

**Report:** *Assistant County Attorney Valda Christian recommended that the foregoing proposed resolution be forwarded with Committee amendment(s) to correct the following scrivener's errors:*

- (1) to insert in Section 4.02(b) after "The Mayor of Miami-Dade County" the following language: "designee shall appoint two Directors";*
- (2) to delete Section 4.02(c) in its entirety;*
- (3) to delete "County Manager" in the second sentence in Section 4.03(a), and the sentence would read, "Directors appointed by the Commissioners of Districts with odd numbers shall serve initial terms of two years."*

*Hearing no objection, the Committee forwarded this proposed resolution as amended.*

3C

**083680 Resolution**

RESOLUTION AMENDING IMPLEMENTING ORDER 4-51, ANIMAL SERVICES DEPARTMENT FEE SCHEDULE, TO REVISE FEES FOR LICENSE TAGS [ SEE AGENDA ITEM NO. 3(D)] (Animal Services)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Diaz*  
*Seconder: Sosa*  
*Vote: 4-0*  
*Absent: Souto, Barreiro*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*It was moved by Commissioner Diaz that the Committee forward this proposed resolution as presented. Commissioner Sosa seconded this motion for discussion.*

*Commissioner Sosa questioned if this resolution was increasing any animal services fees.*

*Dr. Sara Pizano, Director, Miami-Dade Animal Services Department, provided an overview of the proposed changes to Implementing Order 4-51 that would revise the Animal Services Department Fee Schedule for license tag fees.*

*Hearing no objection, the Committee forwarded this proposed resolution as presented.*

3D

**083373 Ordinance**

ORDINANCE PERTAINING TO ANIMALS; AMENDING SECTIONS 5-7 AND 5-11 OF THE CODE; AMENDING REQUIRED LICENSES, CATEGORIES OF LICENSE FEES, AND DURATION OF LICENSES FOR DOGS; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 3(C)] (Animal Services)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Rolle*

*Vote: 4-0*

*Absent: Souto, Barreiro*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed ordinance into the record.*

*Chairwoman Heyman opened the public hearing. There being no one wishing to speak before the Committee, Chairwoman Heyman closed the public hearing.*

*The Committee proceeded to vote on this proposed ordinance as presented.*

*In response to Commissioner Sosa's question regarding an increase to the animal services fees, Dr. Sara Pizano, Director, Miami-Dade Animal Services Department, provided an overview of the proposed changes to Chapter 5 of the Miami-Dade County Code pertaining to animals and to the associated Implementing Order 4-51. She specifically noted the purpose for this authorization was to issue multi-year licenses for rabies vaccinations.*

*Commissioner Sosa questioned the status of the Animal Services Mobile Unit, and if the department was still offering that mobile service.*

*In response to Commissioner Sosa's question, Dr. Pizano informed the Committee members that the department has collaborated with Humane Society of Greater Miami (Humane Society) to provide the mobile unit services twice a week. She provided an overview of the animal services offered by the mobile unit.*

*Commissioner Sosa stated citizens residing in Commission District 6 were inquiring about the Animal Services Mobile Unit and they requested that the mobile unit provide services in District 6. She pointed out if any Committee or Commission members preferred the mobile unit services in their commission district they should work with the*

department for sponsorship of the mobile unit to visit their respective commission district.

Dr. Pizano noted the cost for the mobile animal services unit was approximately \$1,000 per day that included the cost staffing of the mobile unit in order to provide these services. She welcomed the opportunity to work with any of the Commission members to sponsor and to provide the mobile unit throughout Miami-Dade as needed.

Assistant County Manager Alina Hudak clarified while the fees may not have necessarily increased the cycle of the fees were different. Therefore, some people may perceive this proposed ordinance was an increase in animal service fees.

Dr. Pizano clarified that the proposed changes would allow the 3-year tag to coincide with the option of the 3-year rabies vaccinations. She noted an annual rabies vaccination and tag registration would still be in place.

3E

**090011 Resolution**

RESOLUTION AMENDING RESOLUTION NO. R-939-97 TO CHANGE THE ACCOUNT TITLE AND EXISTING SIGNATURE AUTHORITIES ON THE TRUST ACCOUNT FOR BOND PAYMENTS (Corrections & Rehabilitation Department)

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

**Report:** Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.

*The Committee proceeded to vote on this proposed resolution as presented.*

*Commissioner Rolle asked the Corrections and Rehabilitation Department Director to provide him with a written status report regarding the Corrections and Rehabilitation Department Food Services Bureau Memorandum of Understanding.*

3F

**090012 Resolution**

RESOLUTION TO CHANGE THE ACCOUNT TITLE AND EXISTING SIGNATURE AUTHORITIES ON THE DADE COUNTY TRUST ACCOUNT (Corrections & Rehabilitation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Diaz*

*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3G

**090014 Resolution**

RESOLUTION AMENDING RESOLUTION NO. R-204-02 TO CHANGE EXISTING SIGNATURE AUTHORITIES ON THE MIAMI-DADE COUNTY CORRECTIONS WORK FURLOUGH TRUST ACCOUNT (Corrections & Rehabilitation Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Diaz*

*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3H

**083635 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 13810 N.E. 5 AVENUE, 13850 N.E. 5 AVENUE, AND 13890 N.E. 5 AVENUE, NORTH MIAMI, WITH NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY, A PUBLIC BODY CORPORATE AND POLITIC, FOR PREMISES TO BE UTILIZED BY THE MIAMI-DADE FIRE RESCUE DEPARTMENT TO CONSTRUCT AND OPERATE FIRE RESCUE STATION NUMBER 18 WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED \$99.00 FOR THE TERM OF THE LEASE INCLUDING OPTION RENEWAL TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Secunder: Rolle*

*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3I

**083678 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN MIAMI-DADE COUNTY AND MEMBER AGENCIES OF THE CHILD ABDUCTION RESPONSE TEAM AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND AUTHORIZING THE COUNTY MAYOR AND HIS DESIGNEE TO EXECUTE AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO EXERCISE THE CANCELLATIONS PROVISION CONTAINED THEREIN (Miami-Dade Police Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Secunder: Rolle*

*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3J

**090016 Resolution**

RESOLUTION AUTHORIZING RETROACTIVE EXECUTION OF AN INTERLOCAL AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES BETWEEN MIAMI-DADE COUNTY AND THE CITIES OF SOUTH MIAMI AND DORAL; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Police Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Diaz*

*Vote: 6-0*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3K

**090114 Resolution**

RESOLUTION APPROVING CONTRACT MODIFICATIONS FOR MEDICAL TRANSPORTATION SERVICES, CONTRACTS 68A, 68B AND 68C TO MODIFY THE LIQUIDATED DAMAGES PROVISION, EXTEND THE CONTRACT TERM, AND INCREASE THE CONTRACT ALLOCATION BY \$40,000 FOR CONTRACT 68C; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation  
Mover: Diaz  
Seconder: Sosa  
Vote: 4-0  
Absent: Souto, Barreiro*

**Report:** *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

*In response to Commissioner Sosa's question regarding the sponsorship of this proposed resolution, Commissioner Gimenez explained he was present at today's (2/12) Committee meeting to answer any questions concerning this resolution. He noted he initiated this proposal due to a concern raised by the ambulance companies regarding the increase in medical transport by the Miami-Dade Fire Rescue, which affected the ambulance companies and their ability to provide medical transportation services.*

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

**4 COUNTY MANAGER**

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

**7 REPORTS**

29

**090634 Report**

NON-AGENDA REPORT ITEM(S) FOR THE FEBRUARY 12, 2009, HEALTH, PUBLIC SAFETY AND INTERGOVERNMENTAL COMMITTEE (HPSIC):

*Presented*

**Report:** *1. Commissioner Souto thanked the Miami-Dade Police and the Fire Rescue Departments for their response to an emergency that occurred in Commission District 10. Commissioner Souto asked the County Manager and the County Attorney along with the Office of Intergovernmental Affairs to inform the Florida Legislature to require property owner(s) to check on their rental property to ensure that the properties were in good condition and the homes were not a haven for illegal activities.*

*2. Commissioner Diaz congratulated the Miami-Dade Fire Rescue Department (MDFR), the County Mayor, the County Manager and Assistant County Manager Alina Hudak for the department's Fire Rescue Expo held on Saturday, February 7, 2009, that was an outstanding event. He expressed his appreciation for an outstanding job done by MDFR.*

*Mr. Herminio Lorenzo, MDFR Chief, expressed appreciation to Commissioner Diaz for his comments and to other members of the Commission and staff who attended this event. He noted this event was well attended and received by the community.*

**8 ADJOURNMENT**

**Report:** *There being no further business to come before the Committee, the meeting adjourned at 3:11 p.m.*