MEMORANDUM
Harvey Ruvin
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HPSIC
Agenda Item No: 6(A)

TO: Honorable Chairwoman Heyman and Members of the Health, Public Safety & Intergovernmental Committee

DATE: July 16, 2009

FROM: Diane Collins, Acting Division Chief
Clerk of the Board
Diane Collins

SUBJECT: Approval of Commission Committee Minutes

The following Clerk's Summary of Minutes is submitted by the Clerk of the Board for approval by the Health, Public Safety & Intergovernmental Committee.

- June 11, 2009

Attachment
KMS/msy

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)

Thursday, June 11, 2009 **2:00 PM** **COMMISSION CHAMBERS, SPCC**

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.

1 MINUTES PREPARED BY:

Report: *Mary Smith-York, Commission Reporter (305) 375-1598*

1A INVOCATION

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

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Manager Alina Hudak; Assistant County Attorneys Valda Christian and Jess McCarty; and Deputy Clerks Doris Dickens and Mary Smith-York.*

Assistant County Attorney Valda Christian asked that Agenda Items 2E and 3F be added to today's agenda pursuant to the County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety, and Intergovernmental Committee Agenda." Additionally, she noted the third page was inadvertently omitted from the original report listed as Agenda Item 7A, and that report should be replaced with the new report distributed during today's meeting.

It was moved by Commissioner Sosa that today's agenda be accepted with the requested changes. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 5-0 (Commissioner Barreiro was absent).

1D DISCUSSION ITEM(S)

1D1

091652 **Discussion Item** **Sally A. Heyman**

AN OVERVIEW OF THE OPERATIONS AND MANAGEMENT OF THE OFFICE OF INTERGOVERNMENTAL AFFAIRS — ***Presented***

1D2

091767 **Discussion Item** **Sally A. Heyman**

OFFICE OF INTERGOVERNMENTAL AFFAIRS - DISCUSSION ITEM REGARDING WASHINGTON INTERN PROGRAM — ***Presented***

1E1 SPECIAL PRESENTATION(S)

1E1

091777 **Resolution** **Sally A. Heyman**

INTRODUCTION OF THE NEW DIRECTOR OF EMERGENCY MANAGEMENT, CURTIS SOMMERHOFF — ***Presented***

Report: *Assistant County Attorney Valda Christian read the foregoing citizen's presentation into the record.*

Mr. Curtis Sommerhoff, Director, Department of Emergency Management and Homeland Security (DEMHS), presented a brief overview of the department's initiatives to prepare the County for hurricane season. He noted the department was currently engaged in the following activities:
- working with the American Red Cross, Animal Services, the Department of Health, and Miami Dade Public Schools (MDPS) to ensure the availability of adequate evacuation centers;
- ensuring that over 85,000 general population spaces were available at 56 locations countywide;
- publishing the list of primary sites on the DEMHS website;
- providing an additional 3,000 special needs spaces at six facilities;
- providing detailed information for obtaining assistance on the department's website and at the 311 call center;
- identifying three pet-friendly evacuation centers with capacity to house 250 pets and 1500 residents:
- working with Miami-Dade Transit and MDPS to ensure resources were available to assist with transportation to shelters;
- establishing 65 emergency bus pick-up sites throughout the evacuation zone, with additional sites in every mobile home park countywide;
- working with County departments through the disaster assistance employee program; and
- working with all municipalities to ensure a robust distribution program existed to meet community needs following a disaster.

Mr. Sommerhoff noted the department participated in more than 30 community outreach events; and worked closely with the business community to ensure the list of supermarkets and gas stations with generator capability (over 70 supermarkets and 95 gas stations) was up-to-date. In conclusion, Mr. Sommerhoff advised that on May 28th, 29th, and June 1st, the Emergency Operations Center held the Annual Statewide Hurricane Exercise to test the County's plan and procedures; and on May 30-31st, the DEMHS

partnered with various County departments and organizations, including the ARC and the City of Miami Beach to hold the Second Annual Storm Craft Expo at the Miami Beach Convention Center.

1E2

091789 **Special Presentation** **Sally A. Heyman**

REV. ABRAHAM J. THOMAS, RE: CRIME PREVENTION INITIATIVE — ***Presented***

Report: *Assistant County Attorney Valda Christian read the foregoing citizen's presentation into the record.*

Rev. Abraham J. Thomas, 17320 N.W. 17th Avenue, Miami Gardens, appeared before the Committee and distributed informational packets labeled "Crime Prevention Initiative," He referred to a February 2009 press conference, during which the County allocated $50,000 to fund efforts in apprehending the suspects in the recent shooting deaths in Liberty City. Rev. Thomas stated that he presented a copy of his book, "Murderer" to Mr. Richard "Dick" Mastin, to assist with crime prevention in the community; and noted he had also distributed a copy to individual Commissioners. He indicated that Commissioner Souto issued copies of this book to the middle schools within District 10. Rev. Thomas noted Mr. Mastin wrote a song, which was included in the package, as a way of speaking out on the awareness of crime. He noted his organization needed $40,000 to complete its crime prevention initiative and requested the opportunity to follow-up with Committee members regarding this matter.

2 COUNTY COMMISSION

2A

091687 **Resolution** **Carlos A. Gimenez**

RESOLUTION URGING THE CITY OF MIAMI TO CO-DESIGNATE SW 32ND AVENUE FROM GRAND AVENUE TO DAY AVENUE AS "YVONNE M. MCDONALD ROAD" AND APPROVING SUCH DESIGNATION

Forwarded with a favorable recommendation
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Barreiro

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

There being no questions or comments, the committee proceeded to vote.

2B

091630 **Resolution** **Sally A. Heyman,**

Jose "Pepe" Diaz, Rebeca Sosa, Dorrin D. Rolle

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO STUDY WHETHER COST SAVINGS CAN BE ACHIEVED THROUGH DE-CRIMINALIZING CERTAIN COUNTY ORDINANCE VIOLATIONS

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

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

Chairwoman Heyman recognized Honorable Judge Sloan for his role in working with the County Attorneys, the Public Defenders, the State Attorney, and the County Manager's Office to observe efficiencies within the criminal and civil justice systems.

The Honorable Samuel Sloan, Administrative Judge for the Criminal Division of County Court, appeared before the Committee and provided a brief overview of the foregoing resolution. He suggested the County Commission consider changing the status for violation of County ordinances (i.e. noise ordinances, open-air concerts, panhandling, commercial markings on vehicles, being in the parks after hours, etc.) from criminal to a non-criminal violation. Judge Sloan noted these infractions were of a non-violent nature and processing them as criminal violations was not an efficient use of the County's and the Courts' resources.

Chairman Heyman noted Judge Sloan would come back before this Committee in 90 days with recommendations, and she recognized the entities working outreach with Judge Sloan as the Clerk's Office, Chief Judge Joe Brown, Miami-Dade Police Department, State Attorney's Office, Public Defender's Office, County Manager's Office, and County Attorney's Office.

Commissioner Diaz expressed his appreciation to Judge Sloan for his leadership efforts in this initiative. He and Commissioner Sosa asked to be added as co-sponsors of this resolution.

Chairman Heyman asked the Director of the Office of Intergovernmental Affairs to begin crafting appropriate legislation from the lists of perspective ordinances provided by Judge Sloan and bring back recommendations for the

committee's consideration.

In response to Commissioner Souto's request for the list identifying the County Ordinances that would be affected by this resolution, Judge Sloan stated he would generate the list and submit it to each Committee member.

Chairwoman Heyman asked Judge Sloan to provide a copy of this list, labeled "Not Official," to the County Clerk's Office.

There being no further questions or comments, the Committee proceeded to vote.

2C

091622 **Resolution** **Dennis C. Moss**

RESOLUTION REGARDING A CONFLICT WAIVER REQUEST BY THE CARRIE MEEK GROUP PURSUANT TO ITS FEDERAL LOBBYING CONTRACT WITH MIAMI-DADE COUNTY

Forwarded without recommendation
Mover: Diaz
Seconder: Sosa
Vote: 6-0

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

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation. This motion was seconded by Commissioner Sosa, for discussion.

In response to Commissioner Diaz' request for clarification on this resolution, Mr. Jess McCarty, Office of Intergovernmental Affairs Director, noted the Board had passed several similar resolutions dealing with conflict waiver requests. He explained that it was the Boards discretion to decide how to proceed on each request, which resulted in a variety of outcomes.

Commissioner Sosa expressed concern that this request was from a company that currently had a legal conflict with the County. Commissioner Sosa asked the Director of the Office of Intergovernmental Affair to research whether the County had ever allowed lobbyists, other than attorneys representing a law firm, to obtain a conflict waiver to represent a firm that had a lawsuit pending against the County, and to report the findings at the next Committee meeting.

Upon hearing Commissioner Sosa's concern, Commissioner Diaz amended his earlier motion to forward the foregoing resolution to the BCC without recommendation, stating that the Chairman and full County Commission should be present during discussion of this issue.

Chairwoman Heyman asked the Director of the Department of Procurement Management to provide committee members with copies of the contracts for the Carrie Meek Group and the Gomez Barker Associates, Inc., and to highlight the terms of engagement in each.

There being no further questions or comments, the Committee proceeded to vote.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss, requesting a waiver of the Board's Rules and Procedures to hear the foregoing proposed resolution at the next Board of County Commissioner's meeting.

2D

091075 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE RELATING TO THE BUILDING CODE AND UNSAFE STRUCTURES; CREATING A SECTION OF THE CODE OF THE MIAMI-DADE COUNTY, FLORIDA THAT ESTABLISHES GUIDELINES FOR THE CLASSIFICATION OF STRUCTURES IDENTIFIED AS BEING USED FOR THE PRODUCTION OR MANUFACTURING OF ILLEGAL NARCOTICS OR DRUGS AS AN UNSAFE STRUCTURE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended
Mover: Souto

Report: *(SEE AGENDA ITEM 2D AMENDED; LEGISLATIVE FILE NO. 091861.)*

2D Amended

091861 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE RELATING TO THE BUILDING CODE AND UNSAFE STRUCTURES; CREATING A SECTION OF THE CODE OF THE MIAMI-DADE COUNTY, FLORIDA THAT ESTABLISHES GUIDELINES FOR THE CLASSIFICATION OF STRUCTURES IDENTIFIED AS BEING USED FOR THE PRODUCTION OR MANUFACTURING OF ILLEGAL NARCOTICS OR DRUGS AS AN UNSAFE STRUCTURE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091075]

Forwarded to the BCC with a favorable recommendation with subcommittee amendment(s)
Mover: Souto
Seconder: Diaz
Vote: 6-0

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

Chairwoman Heyman opened the public hearing and seeing no one to appear, closed the public hearing.

Mr. Charles Danger, Building Department Director, requested the following amendments to the foregoing resolution: on handwritten page 6, section (3), to change the response time from 48 hours to 5 days; and on handwritten page 8, Section 4, to change the effective date of this ordinance from ten (10) days to 180 days.

It was moved by Commissioner Souto that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation with committee amendment(s) as requested by Mr. Danger. This motion was seconded by Commissioner Sosa, followed by discussion.

Assistant County Attorney Christian advised there was a legal concern associated with the first proposed amendment to change 48 hours to five days regarding due process, and noted this was not recommended by the County Attorney's Office. She explained that this change would deprive individuals from their homes for five days rather than to two day.

Assistant County Attorney Michael B. Nadler noted the 48 hours could be changed to exclude holidays and weekends; however, extending the days beyond 48 hours would keep individuals out of their homes without a formal inspection.

Commissioner Diaz agreed that grow houses within the County were an increasing concern and

asked for clarification on what the problem was with extending the timeframe to five days.

Mr. Nadler advised that the problem with extending the timeframe to five days was that once a grow house was identified, based on preliminary determination, the police posted a notice restricting the property owner from entering the property. He noted, at this point in the process, no formal notice had been sent, nor had any adjudication been done yet, on the issue. Mr. Nadler advised that extending the restriction beyond two days without a formal inspection, hearing, or notice to the property owner, would open the door for the issue of violation of the owner's due process rights to surface.

Commissioner Diaz inquired whether giving a notice could suffice to extend the time to five days. He emphasized that 48 hours was not enough time to complete the inspection process and asked what would happen if the property owner was injured or killed because he/she entered the property within 48 before the inspection could be completed.

Chairwoman Heyman pointed out that extending the response time would create a legal due process issue that would stop the government's efforts to eliminate grow houses. She recommended keeping the language "48 hours or two work days," and proceeding with the amendment changing the language from "ten (10) days" to "180 days." Chairwoman Heyman asked Assistant County Attorney Jess McCarty to work with Commissioner Souto's office to research existing case law and begin crafting language that further supported this legislation before it came before the full Board.

In response to Commissioner Diaz' question of why the Building Department staff required more than 48 hours, Mr. J.D. Patterson, Assistant Director, Miami-Dade Police Department, noted he would not object to Mr. Danger working with the County Attorney's Office to come up with appropriate language.

Assistant County Attorney Nadler advised that one approach to addressing this issue regarding those properties to which the Building Department did not accompany the Police, a system could be set up to provide that, within the first 48 hours after the notice was posted, the Building Department would send out a preliminary notice advising that the house had been raided as a grow house. He

explained that this notice would inform that certain violations of the Building Code had been identified and that a formal inspection would be conducted within five (5) working days, Mr. Nadler added that this would allow the Building Department to do the official inspection. He stated the notice on the door would remain essentially the same; however, the Building Department would be required to send out an additional preliminary notice.

There being no further questions or comments, the Committee proceeded to vote.

The Committee forwarded the foregoing proposed ordinance to the BCC with a favorable recommendation with committee amendment(s) to change the language on handwritten page 8, Section 4, from "...ten (10) days" to "...180 days..."

2E

091798 **Resolution** **Dennis C. Moss**

RESOLUTION REGARDING A CONFLICT WAIVER REQUEST BY GOMEZ BARKER ASSOCIATES, INC. RELATED TO STATE LOBBYING ON BEHALF OF MIAMI-DADE COUNTY

Forwarded with a favorable recommendation
Mover: Sosa
Seconder: Souto
Vote: 6-0

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

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation. This motion was seconded by Commissioner Souto, followed by discussion.

In response to Commissioner Sosa's question regarding the need for a retroactive waiver, Chairwoman Heyman noted Gomez Barker Associates, Inc. (GBA) was a subcontractor to a prime contract with Rutledge, Ecenia, Purnell & Hoffman, P.A. She also advised that the foregoing request was for a conflict waiver rather than a retroactive waiver.

Mr. Fausto Gomez, President, Gomez Barker Associates, Inc., and member of the County's state lobbying team, appeared before the committee and, in response to Commissioner Sosa's question of whether he requested a waiver, answered that he had not. Mr. Gomez stated he received an email from Assistant County Attorney Jess McCarty, requesting confirmation that upon Mr. McCarty's notice that the County had adopted a position, that he stopped lobbying. Mr. Gomez advised that he responded the same day that he did stop. He further noted subsequent to that email, Mr. Joe Rasco, Intergovernmental Affairs Director, requested a letter indicating the particulars of the issue. Mr. Gomez noted he provided confirmation that having been advised of the County's position on the issue by Mr. McCarty, GBA immediately stopped lobbying. He further noted that on April 28, 2009, he responded via email to Mr. McCarty's request; and also sent a subsequent letter to Mr. Rasco, as requested.

Commissioner Sosa recommended lobbying guidelines be changed to require that the County's position on issues dealing with other municipal governments be verified, prior to the lobbyist becoming involved, and that a waiver be obtained

beforehand. She requested Mr. McCarty to meet with her to further address this issue.

Commissioner Diaz asked Assistant County Attorney Jess McCarty to work with the Ethics Commission to develop guidelines to help members of the Commission understand the legislative intent of future conflict waiver requests.

There being no further questions or comments, the Committee proceeded to vote.

3 DEPARTMENT

3A

091647 **Resolution**

RESOLUTION AUTHORIZING THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT TO CO-HOST THE CORRECTIONAL ACCREDITATION MANAGERS' ASSOCIATION 2011 ANNUAL NATIONAL CONFERENCE IN MIAMI-DADE COUNTY (Corrections & Rehabilitation Department)

Forwarded with a favorable recommendation
Mover: Sosa
Seconder: Souto
Vote: 6-0

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

There being no questions or comments, the committee proceeded to vote.

3B

091649 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A HURRICANE SHELTER AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE DADE COUNTY SCHOOL BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND AMEND SUCH AGREEMENT AS REQUIRED; AND TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO THE AGREEMENT AND TO EXERCISE ANY CANCELLATION PROVISION CONTAINED THEREIN (DEPARTMENT OF EMERGENCY MANAGEMENT & HOMELAND SECURITY) (Dept. of Emergency Management & Homeland Security)

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

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

There being no questions or comments, the committee proceeded to vote.

3C

091521 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 7855 N.W. 12 STREET, SUITE 114, MIAMI, WITH AOA OFFICE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, BY: ADLER OFFICE ASSOCIATES, LTD., A FLORIDA LIMITED PARTNERSHIP, ITS' MANAGING MEMBER, BY: ADLER OFFICE ASSOCIATES, INC., A FLORIDA CORPORATION, ITS' GENERAL PARTNER, FOR PREMISES TO BE UTILIZED BY THE MIAMI-DADE DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR ADMINISTRATIVE OFFICES WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED $1,089,372.03 FOR THE FIVE-YEAR TERM OF THE LEASE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

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

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

Commissioner Sosa requested staff to indicate on future requests to authorize execution of leases, whether the lease was new or existing.

Assistant County Manager Alina Hudak noted the lease reflected in the foregoing resolution was an existing lease and stated she believed the Corrections & Rehabilitation Department had been at this location since 1997. Ms. Hudak noted she would verify this and report her findings back to Commissioner Sosa.

Commissioner Sosa directed attention to handwritten page 2, in the section entitled 'Fiscal Impact," and pointed out the estimated first lease year's cost.
There being no further questions or comments, the Committee proceeded to vote.

3D

091646 **Resolution**

RESOLUTION RATIFYING THE MAYOR OR MAYOR'S DESIGNEE'S SUBMISSION OF AN APPLICATION FOR A GRANT IN THE AMOUNT OF $3,463,508 FROM THE UNITED STATES DEPARTMENT OF JUSTICE RECOVERY ACT: EDWARD BYRNE MEMORIAL COMPETITIVE GRANT PROGRAM FOR ALLIANCE FOR YOUTH EXCELLENCE, A COMMUNITY CRIME PREVENTION INITIATIVE ADMINISTERED BY MIAMI-DADE COUNTY'S JUVENILE SERVICES DEPARTMENT, PARK AND RECREATION DEPARTMENT AND MIAMI-DADE POLICE DEPARTMENT; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO RECEIVE AND EXPEND SAID GRANT FUNDS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE AND EXECUTE SUCH CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, AND AMENDMENTS AFTER APPROVAL BY THE COUNTY ATTORNEY'S OFFICE; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (Juvenile Services Department)

Forwarded with a favorable recommendation
Mover: Diaz
Seconder: Souto
Vote: 6-0

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

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation. This motion was seconded by Commissioner Sosa, followed by discussion.

Commissioner Sosa referenced language on page two of the foregoing resolution indicating that a match was not required, however, to maximize the number of children served it was anticipated that the County would provide a voluntary match in the amount of $2 million from the budgeted general fund. She asked if this $2 million was included in the $2.2 million budgeted for FY 2008-09, or whether this needed to be included in this Fiscal Year's budget.

In response to Commissioner Sosa's concerns, Ms. Wansley Walters, Juvenile Services Department Director, noted the funds were already budgeted as normal operational costs. At Chairwoman Heyman's request, Ms. Wansley announced that she was being considered for the position of Administrator for the Office of Juvenile Justice and Delinquency Prevention at the Department of

Justice. She clarified that she had not yet been nominated.

Committee members congratulated Ms. Wansley on being considered and expressed their hopes for her success.

There being no further questions or comments, the Committee proceeded to vote.

3E

091766 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN - RFQ NO. 685 (Procurement Management Department)

Amended

Report: *(SEE AGENDA ITEM 3E AMENDED; LEGISLATIVE FILE NO. 091872.)*

3E Amended

091872 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFQ NO. 685 [SEE ORIGINAL FILE NUMBER 091766] (Procurement Management Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Sosa
Vote: 6-0

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

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation. This motion was seconded by Commissioner Sosa, for discussion.

Responding to Commissioner Diaz' inquiry as to the proposed contract amount, Ms. Miriam Singer, Procurement Management Department Director, stated the proposed amount based on the consultations with the Chair consisted of two contracts at $200,000 each, with $100,000 for all work orders across the board. She noted currently the total allocation was $1,125,000, which included three contracts at $200,000 each, $100,000 for work orders for each, and another $225,000 overall beyond that.

Commissioner Diaz suggested there be one contract with a multi-purpose firm rather than two smaller contracts with two different firms. He inquired about there being no requirement in the Request for Qualifications (RFQ) for experience in intergovernmental trade and tourism as a qualification for this contract.
In response to Commissioner Diaz' concerns, Mr. Joe Rasco, Intergovernmental Affairs Department Director, concurred that reducing the number of contracts and the dollar amounts would reduce costs to the County. He noted the Commission should consider the issue of whether another firm would be available in the event there was a conflict with one firm. Mr. Rasco indicated International Trade was one of the items reflected on handwritten page 19; however, experience in tourism would be added to the qualifications.

In response to Commissioner Diaz' request for a description of this competitive process, Ms. Singer explained that an RFQ would be issued soliciting up to two (2) firms, giving the Commission the flexibility of choosing one or two firms. At Commissioner Diaz' request that the exact number of firms be listed, Ms. Singer advised that the language could be modified to the Committee's specifications.

Commissioner Sosa noted she would convene the State Intergovernmental Affairs Subcommittee in the near future, to discuss the issue of preventing conflict waiver requests.

Chairwoman Heyman noted she felt it was time to reduce the number of lobbying firms back to two, without lowering the price, in order to address the County's diversity and the redirection of the lobbyist's obligation to the County, in the event of a conflict. She requested the federal contract be amended to require work orders be issue-specific and at the recommendation of the Project Manager; be reviewed by the County Attorney's Office; and be approved by the Chair of the Board of County Commissioners (BCC) or designee. Chairwoman Heyman requested that all lobbyists report their activities directly to the BCC, the Commission Auditor, in addition to the Office of Intergovernmental Affairs. She recognized Eric and Eddie, the current lobbying team in Washington, D.C., serving only Miami-Dade County, and noted it would be prudent to reduce the firms to two, for a cost savings of $625,000 and greater accountability.

With regard to Mr. Rasco's comment that international trade was reflected on handwritten page 19, Commissioner Diaz clarified that the language "international trade" referred to Federal Subject Area/Issue rather than qualifications. Commissioner Diaz asked the Director of the Office of Intergovernmental Affairs to ensure international trade and tourism were included in the qualifications to be considered for this competitive process.

Chairwoman Heyman asked that Mr. Eric Olson's name be inserted on handwritten page two under Project Manager, reflecting that the Office of Intergovernmental Affairs directs reports to the BCC. She further asked Mr. Rasco to ensure the weekly reports from lobbyists other than the team in Washington, D.C., were copied to individual

commissioners via email.

The Committee forwarded the foregoing proposed resolution to the BCC with a favorable recommendation with committee amendment(s) to incorporate language indicating, in the RFQ, the exact number of firms to receive the contract award.

Chairwoman Heyman asked the Procurement Management Department Director to consider reimbursing law students and other participants in the County's Federal Lobbyist Internship Program in Washington, D.C. for travel expense (i.e. bus, train, and taxicab) incurred during their internship; and to consider allocating sufficient funding to pay each participant a maximum of $100 per week for the remaining ten weeks of the program.

3F

091698 **Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S ACTION TO APPLY FOR, RECEIVE, AND EXPEND $18,436,362 FROM THE RECOVERY ACT: EDWARD BYRNE MEMORIAL COMPETITIVE GRANT PROGRAM FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS BUREAU OF JUSTICE ASSISTANCE IN CATEGORIES I, II, III, IV, V, AND VIII; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE AND EXECUTE SUCH CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, MODIFY OR AMEND THE APPLICATION IN ORDER TO RECEIVE ADDITIONAL FUNDS OR TO EXTEND THE PERFORMANCE PERIOD AS REQUIRED IF AWARDED (Miami-Dade Police Department)

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

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

There being no questions or comments, the committee proceeded to vote.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

091688 **Report**

SUMMARY OF THE HEALTH, PUBLIC SAFETY AND INTERGOVERNMENTAL COMMITTEE MEETING FOR THE MAY 14, 2009 MINUTES (Clerk of the Board)

Approved
Mover: Sosa
Seconder: Diaz
Vote: 6-0

7 REPORTS

7A

091775 **Report**

OFFICE OF INTERGOVERNMENTAL AFFAIRS - REPORT ON THE AMERICAN RECOVERY AND REINVESTMENT ACT AND PRELIMINARY REPORT ON THE 2009 SESSION OF THE FLORIDA LEGISLATURE (Office of Intergovernmental Affairs)

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

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

There being no questions or comments, the committee proceeded to vote.

092098 Report
NON-AGENDA ITEMS REPORT

Report: *Commissioner Souto asked the Mr. Joe Rasco, Office of Intergovernmental Affairs Director, to provide a progress report on the development of ideas in Tallahassee and Washington, D.C., regarding foreclosure issues.*

In response, Mr. Rasco stated his office had contacted Honorable Congresswoman Ileana Ros-Lehtinen's office to alert her to Commissioner Souto's concerns regarding foreclosures, as well as researched the possibility of addressing this issue under one of the categories of the American Recovery and Reinvestment Act (ARRA). He noted his staff was meeting with the Senior Advisor to the County Manager's office to brainstorm ideas for making some of the stimulus funds available. Mr. Rasco pointed out that language in the ARRA stated that some persons could not be helped until after the foreclosure process was completed. He noted this provision made it difficult to target funds for Commissioner Souto's proposal to help those persons going through foreclosure.

Commissioner Souto pointed out that people facing foreclosure needed help during the process, rather than after the fact, and noted legislation for action on behalf of banks and lending institutions to work with those families was needed. He emphasized that this problem required more than money to resolve.

Chairwoman Heyman concurred with Commissioner Souto that this was about more than money, and recalled that this entire body supported the Mortgage Task Force initiative, sponsored by Mayor Carlos Alvarez. She further noted this initiative was also sponsored by United States Congressman Kendrick Meek and Senator Bill Nelson and was supported by the National Association of Counties (NACO). Chairwoman Heyman pointed out the County Commission submitted the resolution, which was passed by the House and Senate, and was included as a schedule in the stimulus package. She added that Commissioner Martinez had initiated the Blue Health program and noted she had asked NACO to work with Assistant County Attorney Jess McCarty to develop a resolution for immediate passage of comprehensive federal health reform legislation. She noted this resolution would

address the need for assistance for the increasing number of indigent individuals in the County, who were losing their houses and healthcare, as well as assistance for the County's medical facilities to care for them. Chairwoman Heyman asked her colleagues to provide feedback on what it was costing the uninsured, the County and the Public Health Trust as a result of the current economic situation.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 3:42 p.m.*