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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  
(305) 375-5126  
(305) 375-2484 FAX  
www.miami-dadeclerk.com

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BPS -- October 13, 2009  
Agenda Item No. 6A

**TO:** Honorable Chairwoman Katy Sorenson  
and Members, Budget, Planning & Sustainability  
Committee

**DATE:**

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

**SUBJECT:** Approval of Commission  
Committee Minutes

*Diane Collins*

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The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Budget, Planning & Sustainability Committee:

July 14, 2009

DC/sr  
Attachment



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

## CLERK'S SUMMARY OF Meeting Minutes

### Budget, Planning and Sustainability Committee

Katy Sorenson (8) Chair; Joe A. Martinez (11) Vice Chair; Commissioners Audrey M. Edmonson (3), Carlos A. Gimenez (7), Sally A. Heyman (4), and Barbara J. Jordan (1)

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Tuesday, July 14, 2009

2:00 PM

Commission Chambers

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**Members Present:** Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Joe A. Martinez, Katy Sorenson.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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#### 1 MINUTES PREPARED BY

**Report:** *Scott Rappleye, Commission Reporter, (305) 375-5108*

#### 1A MOMENT OF SILENCE

**Report:** *Chairwoman Sorenson called the meeting to order at 2:00 p.m. The Committee convened in a moment of silence followed by the Pledge of Allegiance.*

#### 1B PLEDGE OF ALLEGIANCE

**1C**      **ROLL CALL**

**Report:** *The following staff members were present: Assistant County Managers Alina Hudak and Susanne Torriente; Assistant County Attorneys Jess McCarty, Gerald Heffernan, Oren Rosenthal, Dennis Kerbel, John McInnis, and Hugo Benitez; and Deputy Clerks Doris Dickens and Scott Rappleye.*

**CHANGES TO TODAY'S COMMITTEE AGENDA**

*Assistant County Attorney Jess McCarty indicated that in addition to the July 14, 2009, County Manager's memorandum entitled, "Requested Changes to the Budget, Planning and Sustainability Committee Agenda," the following additional change had been requested: that Agenda Item 3R Substitute be added.*

*It was moved by Commissioner Heyman that the changes listed in the County Manager's memorandum and the additional change noted by the Assistant County Attorney be accepted. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 5-0 (Commissioner Jordan was absent).*

*Commissioner Martinez invoked the 3-Day Rule on Agenda Item 4M Substitute.*

*Assistant County Attorney McCarty advised that the 3-Day Rule could not be invoked on Agenda Item 4M Substitute since this item was properly placed on the Agenda. He noted the rule would not be applicable to any substitute to this item.*

**1D**      **OPENING REMARKS FROM CHAIR  
SORENSEN**

**Report:** *Chairwoman Sorenson noted Mayor Carlos Alvarez would release his proposed Fiscal Year (FY) 2009-10 County budget on July 15, 2009. She pointed out that the County Commission would have one week to analyze the Mayor's proposal before setting the maximum millage rate that would be used on the Truth in Millage (TRIM) notice. She encouraged the commissioners to support a millage rate that provided flexibility to address the difficult budget decisions. Chairwoman Sorenson asked the Commission Auditor to prepare possible budget scenarios using various millage rates to help the Commission determine what budget scenario would be best for the community.*

**1E**      **SPECIAL PRESENTATIONS**

1E1

092050 **Special Presentation** **Katy Sorenson**  
EDUCATIONAL PRESENTATION ON DEBT ISSUANCE **Presented**  
AND DEBT MANAGEMENT  
FUNDAMENTALS/FINANCE DEPARTMENT

**Report:** *Mr. Carter Hammer, Director, Finance Department, presented a PowerPoint presentation entitled "Debt Issuance and Debt Management Fundamentals." He explained that the County issued debt to finance capital improvements that were not pay-as-you-go projects. He pointed out the term for County debt issued for an asset could not be longer than the useful life of the asset. Mr. Carter noted the Florida Statutes prohibited debt issuance to fund operating expenses. He pointed out the County issued three classes of bonds: General Obligation Bonds (GOB), Special Obligation Bonds, and Revenue Bonds.*

*Commissioner Martinez asked Mr. Hammer to provide him with a list of all County Special Obligation Bonds and Revenue Bonds with the revenue sources that would pay them.*

*Mr. Hammer continued his presentation by discussing the benefits of tax exempt bonds. He noted two types of fixed rate bonds existed: serial bonds and term bonds. He explained that term bonds were larger in dollar amount and required periodic payments into a sinking fund to ensure that enough money was set aside to pay the term of the bond maturity.*

*Responding to Commissioner Martinez's questions on the County's use of the sinking fund, Ms. Lilly Monzon, Bond Administration Director, Finance Department, noted the sinking fund allowed the County to budget the funds for a term bond's maturity in annual payments beginning four years before the bond matured.*

*Following Mr. Hammer's explanation of slide 10, "Types of Bonds," Commissioner Gimenez questioned the scenario that was used for the Capital Appreciation Bonds (CAB) on that slide.*

*Mr. Frank Hinton, Bond Analyst, Finance Department, explained that this CAB example was a scenario of Convention Development Tax (CDT) growth starting at \$3.44 million with 7% growth for the first two years followed by 5% growth thereafter. He noted that this CAB example had a*

coverage factor built into it, that the revenue stream was reduced by that coverage factor, and that the revenue stream represented the amount of money that could be used for debt service over 18 years.

Commissioner Gimenez expressed concern regarding the County obligating future generations to pay for current debt issuances through CAB.

Mr. Hammer resumed his presentation by explaining bonds that were variable rate debt.

Chairwoman Sorenson requested Mr. Hammer explain how County financial reserves impacted the County's credit rating.

Mr. Hammer noted credit rating bureaus used the level of unrestricted reserves to rate the County. He pointed out that the County was concerned regarding the impact that using its unrestricted reserves would have on its credit rating. He explained that the debt service on the County's recent \$350 million General Obligation Bond financing would increase \$25.9 million if the County's credit rating dropped from AA- to A+.

Commissioner Gimenez asked Mr. Hammer to be prepared to respond to questions at the July 21, 2009, County Commission meeting regarding the July 9, 2009, County Manager's memorandum regarding the sale of Marlins stadium bonds, including whether said memorandum explained that the County lost \$36 million when it refinanced the series 1998 Professional Sports Franchise Facilities Tax (PST) bonds. He pointed out the PST Bonds Final Numbers document indicated the net present value savings for PST bonds was negative \$36 million.

## 2 PUBLIC HEARINGS

2A

091856 Ordinance

Jose "Pepe" Diaz,

Audrey M. Edmonson, Barbara J. Jordan

ORDINANCE ESTABLISHING PROCEDURES FOR  
PROVIDING PREFERENCE TO LOCAL CERTIFIED  
SERVICE-DISABLED VETERAN BUSINESSES IN  
COUNTY CONTRACTS; CREATING SECTION 2-8.5.1 OF  
THE CODE; PROVIDING SEVERABILITY, INCLUSION  
IN THE CODE AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Report Under Agenda Item 2A AMENDED,  
Legislative File No. 092175.*

2A AMENDED

092175 Ordinance Jose "Pepe" Diaz,

Audrey M. Edmonson, Barbara J. Jordan, Rebeca Sosa,  
Carlos A. Gimenez, Dorrin D. Rolle, Dennis C. Moss, Katy  
Sorenson, Sen. Javier D. Souto

ORDINANCE ESTABLISHING PROCEDURES FOR  
PROVIDING PREFERENCE TO LOCAL CERTIFIED  
SERVICE-DISABLED VETERAN BUSINESSES IN  
COUNTY CONTRACTS; CREATING SECTION 2-8.5.1 OF  
THE CODE; PROVIDING SEVERABILITY, INCLUSION  
IN THE CODE AND AN EFFECTIVE DATE [SEE  
ORIGINAL ITEM UNDER FILE NO. 091856]

*Forwarded to BCC by BCC  
Chairperson without  
recommendation with committee  
amendment(s)*

*Mover: Edmonson*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the  
foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing  
on the foregoing proposed ordinance. She closed  
the public hearing after no one appeared wishing  
to speak.*

*Commissioner Gimenez explained that this  
proposed ordinance would apply a 5% preference  
to Local Certified Service-Disabled Veteran  
Business Enterprises (LCSDVBE) in bids for  
County contracts, however, the County would  
award the contract for 100% of the price in the  
LCSDVBE's bid. He suggested that this proposed  
ordinance be amended to award County contracts  
to LCSDVBE that were within 5% of the lowest bid  
if LCSDVBE would match the lowest bid. He  
pointed out that this suggested amendment would  
benefit LCSDVBE by providing them work and  
would benefit the County by awarding the contract  
for a lower price.*

*Commissioner Edmonson, co-sponsor to this  
proposed resolution, did not accept Commissioner  
Gimenez requested amendment.*

*Commissioner Gimenez noted he would propose  
this amendment again when this proposed  
resolution came before the Board.*

*Responding to Chairwoman Sorenson's request  
for an explanation of Section 2-8.5.1(2) on  
handwritten page 3, Ms. Miriam Singer, Director,  
Department of Procurement Management, noted  
Section 2-8.5.1(2) clarified how the local  
preference would be applied. She explained that  
Small Business Enterprise (SBE) firms would  
receive preference over a local business. She  
pointed out that all SBE firms were also local*

*businesses.*

*Assistant County Attorney Daniel Frastai advised that Section 2-8.5.1(3) should be amended to add "an additional" before the word "five." He clarified that in Section 2-8.5.1(2) the 5% preference on the price of the bid applied only for the review committee evaluating the bid, and that the contract price, if awarded, would be the original bid amount.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended to Section 2-8.5.1(3) to add "an additional" before the word "five."*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2A SUPPLEMENT

**092134 Supplement**

**FISCAL IMPACT TO ORDINANCE ESTABLISHING  
PROCEDURES FOR PROVIDING PREFERENCE TO  
LOCAL CERTIFIED SERVICE-DISABLED VETERAN  
BUSINESS IN COUNTY CONTRACTS**

***Presented***

2B

**091880 Ordinance**

**Jose "Pepe" Diaz**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERMITTING PLANT NURSERY USE WITHIN UTILITY EASEMENTS AND RAILROAD RIGHTS-OF-WAY IN IU (INDUSTRIAL ZONING DISTRICTS) SUBJECT TO CONDITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to the BCC by the BCC Chairperson without recommendation*  
*Mover: Martinez*  
*Seconder: Heyman*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Chairwoman Sorenson questioned why this proposed ordinance limited the use of nurseries to not-for-profit corporations.*

*Mr. Marc LaFerrier, Director, Department of Planning and Zoning, noted the sponsor of this proposal had requested that this provision requiring a not-for-profit entity be included.*

*Chairwoman Sorenson expressed concern regarding this provision requiring a not-for-profit entity. She pointed out the importance of the agriculture industry in this county. She suggested this proposed ordinance be forwarded without recommendation.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance without recommendation.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2C

091924 Ordinance

Carlos A. Gimenez

ORDINANCE RELATING TO ZONING AND OTHER  
LAND DEVELOPMENT REGULATIONS; PROVIDING  
FOR THE BIRD ROAD DESIGN AND INDUSTRIAL  
ZONING DISTRICT ("BRDI"); CREATING SECTIONS 33-  
278.5 THROUGH 33-278.9 OF THE CODE OF MIAMI-  
DADE COUNTY, FLORIDA; PROVIDING  
SEVERABILITY, INCLUSION IN THE CODE AND AN  
EFFECTIVE DATE

*Withdrawn*

**Report:** *See Report Under Agenda Item 2C Amended,  
Legislative File No. 092370.*

2C AMENDED

092370 Ordinance

Carlos A. Gimenez

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE BIRD ROAD DESIGN AND INDUSTRIAL ZONING DISTRICT ("BRDI"); CREATING SECTIONS 33-278.5 THROUGH 33-278.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 091924)

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

*Mover: Gimenez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Commissioner Martinez requested clarification regarding the boundaries of the proposed Bird Road Design and Industrial District (BRDI).*

*Commissioner Gimenez noted his intent to keep the BRDI from extending beyond Commission District 7.*

*Chairwoman Sorenson noted the BRDI would be favorable in the Falls area. She questioned whether the provisions of the BRDI could be applied Countywide.*

*Assistant County Attorney Dennis Kerbel advised the master plan consideration underlying this proposed ordinance prohibited it from being applied to areas Countywide, however, another proposed ordinance could be drafted that applied in variance in districts Countywide.*

*Mr. Marc LaFerrier, Director, Department of Planning and Zoning, noted he was aware that other sites in the County were similar to the subject site and that the provisions in this proposal could apply to those sites as well. He pointed out that BRDI was a zoning district that would be applicable only if property owners in this area applied for rezoning.*

*Chairwoman Sorenson asked Mr. LaFerrier to prepare legislation establishing design and industrial zoning districts in other areas of the county where it would be most beneficial.*

*Responding to Commissioner Gimenez' request for recommended boundaries for the BRDI, Mr. LaFerrier suggested the BRDI be bounded by SW 40 Street on the North, SW 48 Street on the South, SW 70 Avenue on the East, and SW 74 Avenue on the West.*

*Assistant County Attorney Kerbel advised that scrivener's errors existed in this proposed ordinance that needed to be corrected; to change in Section 33-278.5 the word "sitting" to "siding"; and to change in the last sentence of Section 33-278.9 the word "DI" to "BRDI."*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended, to define the boundaries for the Bird Road Design and Industrial District as follows: SW 40 Street on the North, SW 48 Street on the South, SW 70 Avenue on the East, and SW 74 Avenue on the West; to change in Section 33-278.5 the word "sitting" to "siding"; and to change in the last sentence of Section 33-278.9 the word "DI" to "BRDI."*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2D

091887 Ordinance

Barbara J. Jordan

ORDINANCE RELATING TO ZONING; MODIFYING VOTE REQUIREMENTS TO DELETE OR MODIFY DECLARATIONS OF RESTRICTIVE COVENANTS SUBMITTED IN CONNECTION WITH ZONING APPLICATIONS; CREATING SECTION 33-313.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Report Under Agenda Item 2D AMENDED, Legislative File No. 092226.*

## 2D AMENDED

092226 Ordinance

Barbara J. Jordan

ORDINANCE RELATING TO ZONING; MODIFYING VOTE REQUIREMENTS TO DELETE OR MODIFY DECLARATIONS OF RESTRICTIVE COVENANTS SUBMITTED IN CONNECTION WITH ZONING APPLICATIONS; CREATING SECTION 33-313.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091887]

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

*Mover: Jordan*

*Seconder: Edmonson*

*Vote: 4-2*

*No: Martinez, Gimenez*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Assistant County Attorney Dennis Kerbel advised that Section 33-313.1 on handwritten page 4 should be amended as follows:*

- *to add on line three after "zoning application": "that would result in an increase in the density or intensity of a use";*
- *to delete on line four the words "of the Community Zoning Appeals Board or"; and*
- *to add at the end the following sentence: "It is provided, however, that this section shall not apply to an application to delete or amend a declaration of restrictive covenants for a property within an urban center district or urban area district."*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance and the following persons appeared before the Committee:*

*Ms. Truly Burton, Builders Association of South Florida, spoke in support of this proposed ordinance. She requested a copy of the proposed amendment to this proposal.*

*Mr. Jeffrey Berkow, 200 S Biscayne Boulevard, expressed concern regarding this proposed ordinance did not differentiate between declarations of restrictive covenants and the other zoning approvals or conditions. He expressed concern that this proposed ordinance would require a 2/3 majority vote of the Commission to amend declarations of restrictive covenants that were agreed to by residents with the understanding that they could be changed by a majority vote of the Commission. He requested that this proposed ordinance apply prospectively to zoning applications.*

*Chairwoman Sorenson closed the public hearing after no one appeared wishing to speak.*

*Commissioner Jordan noted the intent of this proposed ordinance was to ensure the Commission honored its commitments to the community by requiring a 2/3 majority of the Commission approve changes to declarations of restrictive covenants. She clarified that the Commission should change declarations of restrictive covenants only under extenuating circumstances.*

*Commissioner Gimenez expressed concern regarding the proposal for a 2/3 majority vote of the Commission to amend declarations or restrictive covenants.*

*Commissioner Martinez pointed out that this proposed ordinance, as amended, would apply only when a zoning application would increase the density or intensity.*

*Mr. LaFerrier clarified that increased intensity was greater use of floor area in non-residential developments.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended in Section 33-313.1 on handwritten page 4 as follows:*

- to add on line three after "zoning application": "that would result in an increase in the density or intensity of a use";*
- to delete on line four the words "of the Community Zoning Appeals Board or"; and*
- to add at the end the following sentence: "It is provided, however, that this section shall not apply to an application to delete or amend a declaration of restrictive covenants for a property within an urban center district or urban area district."*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2E

**090795 Ordinance** **Joe A. Martinez** *Withdrawn*  
ORDINANCE AMENDING SECTION 33-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR PERMANENT DONATION COLLECTION BINS ON IMPROVED PROPERTY OWNED BY A CHARITY AND PROVIDING FOR BUFFERING, SET BACKS AND PERMIT REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**Report:** *See Report Under Agenda Item 2E SUB # 2, Legislative File No. 092140.*

2E SUB

**092056 Ordinance** **Joe A. Martinez** *Withdrawn*  
ORDINANCE AMENDING SECTION 33-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR PERMANENT DONATION COLLECTION BINS ON IMPROVED PROPERTY OWNED BY A CHARITY AND PROVIDING FOR BUFFERING, SET BACKS AND PERMIT REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 090795]

**Report:** *See Report Under Agenda Item 2E SUB # 2, Legislative File No. 092140.*

2E SUB # 2

**092140 Ordinance****Joe A. Martinez**

ORDINANCE AMENDING SECTION 33-19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR PERMANENT DONATION COLLECTION BINS ON IMPROVED PROPERTY OWNED BY A CHARITY AND PROVIDING FOR BUFFERING, SET BACKS AND PERMIT REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 090795 & 092056]

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

*Mover: Martinez*

*Seconder: Edmonson*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Chairwoman Sorenson questioned whether the County could regulate collected donations as outlined in Section 33-19.(b)(2)(ii) on handwritten page five. She suggested this proposed ordinance be amended to end the first sentence after the word "purpose" on line four.*

*Commissioner Martinez explained that the intent of this proposed ordinance was to address the Goodwill's concern that organizations could collect goods by claiming that they were for a charitable cause, and then sell them to advance a different cause.*

*Ms. Eileen Mehta, Bilzin Sumberg Baena Price & Axelrod, Attorney representing Goodwill Industries, explained that this proposed ordinance applied to the use of the proceeds of the donations, and that those proceeds must be used for the charitable purpose they were collected to support.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2F

## 091734 Ordinance

Natacha Seijas

ORDINANCE PERTAINING TO COUNTY DEPARTMENTS AND BUSINESSES; CREATING SECTION 2-2.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA REQUIRING THE USE OF THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) BY COUNTY DEPARTMENTS TO CLASSIFY BUSINESSES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 4-2*

*No: Heyman, Sorenson*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Chairwoman Sorenson noted the County had an existing classification system. She questioned whether using the North American Industry Classification System (NAICS) would have any value to the County.*

*Ms. Miriam Singer, Director, Department of Procurement Management, noted the County used the National Institute of Governmental Purchasing (NIGP) classification code for procurement. She pointed out that this proposed ordinance extended beyond procurement, and it would have a fiscal impact to the County. She explained that the County could implement the NAICS, however, the County would need to continue using the NIGP. Ms. Singer noted the NAICS would provide the County with economic trends and data that could be used to collect information about businesses that were performing work for the County or benefited from receiving County contracts.*

*Commissioner Heyman asked Ms. Singer to provide her with a complete report regarding the fiscal impact of this proposed ordinance on all County agencies.*

*Commissioner Gimenez noted the NAICS would provide uniformity between the County, State, and Federal Government codes, and that vendors would only need one code to do business with all three.*

*Ms. Singer clarified that the County would use the NIGP along with the NAICS, if this proposed*

**Budget, Planning and Sustainability Committee**

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*ordinance was adopted by the Commission. She pointed out that the County would use the NAICS for research purposes.*

*Commissioner Gimenez questioned Ms. Singer regarding the efficiency of the County using both code systems.*

*Commissioner Jordan noted the NAICS would complement the NIGP. She noted the County needed to protect the interests of smaller companies, which the NIGP did.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2F SUPPLEMENT

**092130 Supplement**

FISCAL IMPACT TO ORDINANCE PERTAINING TO COUNTY DEPARTMENTS AND BUSINESSES; CREATING SECTION 2-2.1 OF THE CODE REQUIRING THE USE OF THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS)

*Presented*

2G

**091883 Ordinance**

**Natacha Seijas**

ORDINANCE RELATING TO ZONING; MODIFYING NOTICE REQUIREMENTS AND PROCEDURES FOR APPLICATIONS TO EXTEND EXPIRATION DATES, BUILD-OUT DATES AND PHASING DEADLINES IN CERTAIN PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDERS AND RELATED ZONING ACTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Report Under Agenda Item 2G AMENDED, Legislative File No. 092227.*

2G AMENDED

092227 Resolution

Natacha Seijas

ORDINANCE RELATING TO ZONING; MODIFYING NOTICE REQUIREMENTS AND PROCEDURES FOR APPLICATIONS TO EXTEND EXPIRATION DATES, BUILD-OUT DATES AND PHASING DEADLINES IN CERTAIN PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDERS AND RELATED ZONING ACTIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091883]

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

*Mover: Martinez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Assistant County Attorney Dennis Kerbel advised that this proposed ordinance should be amended to add the following language to the Code of Miami-Dade County, Florida Section 33-309: Community Zoning Appeals Board/Board of County Commissioners Applications for public hearing:*

*“For property that is the subject of a DRI development order that was under act of construction as of July 1, 2007, the Director shall file an application to extend to build out date, expiration date, and faith in deadlines contained in such a development order for the maximum period of time declared by state law not to constitute substantial deviation from the existing development order provided that the owner of the property consents to the application and has funds sufficient to pay the cost of advertising and notice as required under Section 33-310 of this Code or sufficient security for such sums have been provided by or on behalf of the property owner.”*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended by Assistant County Attorney Kerbel.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2H

**091817 Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 33-20(E) OF THE CODE OF MIAMI-DADE COUNTY TO EXEMPT PERSONAL WATERCRAFT FROM THE REQUIREMENT OF BEING STORED BEHIND THE FRONT LATERAL LINE OF HOMES IN SOME ZONING DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Report Under Agenda Item 2H SUB, Legislative File No. 092097.*

2H SUB

**092097 Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 33-20(E) OF THE CODE OF MIAMI-DADE COUNTY TO EXEMPT PERSONAL WATERCRAFT FROM THE REQUIREMENT OF BEING STORED BEHIND THE FRONT LATERAL LINE OF HOMES IN SOME ZONING DISTRICTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091817]

*No Action Taken*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.*

*Hearing no motion on this proposed ordinance, the Committee took no action.*

2I

**090550 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT ("DKUCD"), AMENDING SECTIONS 33-284.56 THROUGH 33-284.63 AND SECTION 33-314, CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

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

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance and the following persons appeared before the Committee:*

*Mr. Jeffrey Berkow, 200 S Biscayne Boulevard, questioned whether the provisions of this proposed ordinance would grandfather site plans previously approved by a community council.*

*Mr. Marc LaFerrier, Director, Department of Planning and Zoning, noted site plans approved under the previous regulations would be grandfathered in, however, previously approved site plans would be subject to this proposed ordinance if they were changed or had requested changes.*

*Chairwoman Sorenson closed the public hearing after no one appeared wishing to speak.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

2J

**091641 Report**

VILLAGE OF PINECREST ANNEXATION APPLICATION (Office of Strategic Business Management)

*Deferred to September 8, 2009  
Mover: Heyman  
Seconder: Gimenez  
Vote: 5-0  
Absent: Jordan*

**3 COUNTY COMMISSION**

3A

**091941 Resolution Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI DADE FIRE RESCUE DEPARTMENT FOR THE JULY 19, 2009 "CHRISTMAS IN JULY BIKE RUN" SPONSORED BY KIDS AND FAMILIES FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$22,088.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3B

**092006 Resolution Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 25-28, 2009 "DOLPHIN FISHING TOURNAMENT AND COMMUNITY FISH FRY" SPONSORED BY OPTIMIST CLUB OF MIAMI SPRINGS, INC., IN AN AMOUNT NOT TO EXCEED \$5,466.00 TO BE FUNDED FROM THE DISTRICT 12 IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3C

**092009 Resolution Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JULY 4, 2009 "VILLAGE OF VIRGINIA GARDENS 4TH OF JULY FESTIVITIES" SPONSORED BY VILLAGE OF VIRGINIA GARDENS IN AN AMOUNT NOT TO EXCEED \$960.00 TO BE FUNDED FROM THE DISTRICT 12 IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3D

**091866 Resolution Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 23, 2009 "LITTLE HAITI HEALTH CENTER CELEBRATION" SPONSORED BY THE MIAMI-DADE COUNTY HEALTH DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$1,085.00 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3E

**091942 Resolution Audrey M. Edmonson, Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE GENERAL SERVICES ADMINISTRATION FOR THE JULY 12, 2009 "ZO'S SUMMER GROOVE BLOCK PARTY" SPONSORED BY THE ALONZO MOURNING CHARITIES, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED IN PART FROM THE DISTRICT 3 AND 5 IN-KIND RESERVE FUNDS

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3F

**091865 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 5, 2009 "RELAY FOR LIFE" SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,855.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3G

**092008 Resolution Sen. Javier D. Souto**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE JULY 18-19, 2009 "XXI FESTIVAL INDEPENDENCIA DE COLOMBIA" SPONSORED BY READ2SUCCEED, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$54,446.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3H

**091863 Resolution Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 16, 2009 "FLORIDA POLICE AND FIRE TUNE-UP TOURNAMENT" SPONSORED BY METRO-RED LAW ENFORCEMENT ATHLETIC CLUB, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$353.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3I

**091943 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 3, 2009 "ONE PEOPLE ONE COMMUNITY MULTI-CULTURAL FESTIVAL" SPONSORED BY GALATA, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$790.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3J

**091944 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 29, 2009 "EVENING UNDER THE STARS TALENT SHOWCASE" SPONSORED BY AIR BASE ELEMENTARY SCHOOL IN AN AMOUNT NOT TO EXCEED \$960.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3K

**091864 Resolution Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 27, 2009 "CAN ANYTHING GOOD COME OUT OF THE HOOD: COMMUNITY EXPO & FAMILY FEST" SPONSORED BY THE INNER CITY YOUTH OF SOUTH FLORIDA-YOUTH ATHLETIC LEAGUE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,675.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3L

**091867 Resolution** **Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE JUNE 12-14, 2009 "34TH ANNUAL NORTHWEST TRACK & FIELD CLASSIC" SPONSORED BY MIAMI NORTHWEST EXPRESS TRACK CLUB, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$12,616.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3M

**092003 Resolution** **Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 13, 2009 "CHAMPIONS FOR TOMORROW" SPONSORED BY LEADERS FOR TOMORROW, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$790.00 TO BE FUNDED FROM THE DISTRICT 2 IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3N

**092010 Resolution** **Natacha Seijas**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE JUNE 20, 2009 "WORLD REFUGEE DAY" SPONSORED BY INTERNATIONAL RESCUE COMMITTEE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,400.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

30

**091947 Resolution Katy Sorenson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 29, 2009 "UNVEILING OF THE RENDITION OF THE HAITIAN MEMORIAL MONUMENT" SPONSORED BY UNIQUE COALITION OF MINORITY BUSINESS (UCOMB) OF SOUTH DADE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$5,222.00 TO BE FUNDED FROM THE DISTRICT 8 IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3P

**091949 Resolution Katy Sorenson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 16, 2009 "TROPICAL CORNUCOPIA" SPONSORED BY REDLAND TROPICAL GARDENS AND BOTANICAL FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,455.00 TO BE FUNDED FROM THE DISTRICT 8 IN-KIND RESERVE FUND

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3Q

**091862 Resolution Katy Sorenson**

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE TO BEGIN PLANNING FOR EARTH DAY 2010, THE 40TH ANNIVERSARY OF EARTH DAY

*Withdrawn*

**Report:** *See Report Under Agenda Item 3Q AMENDED, Legislative File No. 092161.*

3Q AMENDED

092161 Resolution Katy Sorenson

RESOLUTION DIRECTING THE MAYOR OR HIS  
DESIGNEE TO BEGIN PLANNING FOR EARTH DAY  
2010, THE 40TH ANNIVERSARY OF EARTH DAY [SEE  
ORIGINAL ITEM UNDER FILE NO. 091862]

*Forwarded to the BCC by the BCC  
Chairperson with favorable  
recommendation with committee  
amendments  
Mover: Sorenson  
Seconder: Martinez  
Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the  
foregoing proposed resolution into the record.*

*Chairwoman Sorenson relinquished the Chair to  
Vice-Chairman Martinez.*

*Assistant County Attorney Alina Hudak requested  
the County Administration be allowed more than  
60 days to provide the Commission with a report  
regarding the County's Earth Day 2010 plans.*

*Hearing no other questions or comments, the  
Committee proceeded to vote on this proposed  
resolution as amended to change "60 days" to  
"90 days" on handwritten page four.*

*Chairwoman Sorenson resumed the Chair.*

*Pursuant to County Commission Chairman Moss'  
memorandum dated June 8, 2009, the foregoing  
proposed resolution was forwarded to the July 21,  
2009 Commission meeting.*

3R

091953 Resolution Carlos A. Gimenez

RESOLUTION ESTABLISHING A POLICY REQUIRING  
THAT THE COUNTY'S INTERNAL AUDITOR HAVE AN  
EXTERNAL PEER REVIEW AT LEAST ONCE EVERY  
THREE YEARS AS REQUIRED BY GOVERNMENT  
AUDITING STANDARDS

*Withdrawn*

**Report:** *See Report Under Agenda Item 3R SUBSTITUTE,  
Legislative File No. 092147*

3R SUBSTITUTE

**092147 Resolution**

**Carlos A. Gimenez**

RESOLUTION ESTABLISHING A POLICY REQUIRING THAT THE COUNTY'S INTERNAL AUDITOR PERIODICALLY HAVE AN EXTERNAL PEER REVIEW OR QUALITY REVIEW ASSESSMENT [SEE ORIGINAL ITEM UNDER FILE NO. 091953]

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

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 6-0*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3S

**091970 Resolution**

**Carlos A. Gimenez**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO STUDY THE EXTENT OF THE COUNTY'S FUNDING OF ALL COMMUNITY REDEVELOPMENT AGENCIES AND RELATED ISSUES AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PREPARE A WRITTEN REPORT REGARDING SAME ADDRESSING THE IMPACT TO THE COMMUNITY REDEVELOPMENT AGENCIES OF HAVING THE NET SURPLUS FUNDS DEPOSITED INTO COMMUNITY REDEVELOPMENT AGENCIES TRUST FUNDS RETAINED BY OR RETURNED TO THE TAXING AUTHORITIES FOR 2009-2010 AND 2010-2011 FISCAL YEARS AND RECOMMENDING A COURSE OF ACTION WITH RESPECT TO SUCH NET SURPLUS FUNDS

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

*Mover: Gimenez*

*Seconder: Martinez*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Chairwoman Sorenson noted some Community Redevelopment Agencies (CRAs) carried over funds to save for large scale projects. She expressed concern regarding the County retaining net surplus funds from CRAs.*

*Commissioner Gimenez clarified that this proposed resolution did not intend to recapture CRAs' reserve funds. He explained that the County would retain the Tax Increment Funds (TIF) for Fiscal Years 2009-10 and 2010-11. He pointed out that bonds and debts for CRAs would still be paid. He noted the County could potentially retain \$50 million.*

*Mr. George Knox, 150 SE 2 Ave, Attorney representing North Miami Beach Community Redevelopment Agency, requested the Commission direct the County Mayor to seek the input of the CRAs as he conducted the study and prepared the report required in this proposal.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3T

**091933 Resolution**

**Barbara J. Jordan**

RESOLUTION DIRECTING COUNTY MAYOR AND MANAGER TO PROPOSE IN COLLECTIVE BARGAINING NEGOTIATIONS: (1) THE ADDITION OF TWO PAY STEPS TO THE BEGINNING OF THE PAY RANGE FOR EACH COUNTY CLASSIFICATION; AND (2) A FIVE PERCENT CAP ON INDIVIDUAL ANNUAL SALARY INCREASES BASED ON MERIT RAISES AND COST OF LIVING RAISES COMBINED

*Motion dies due to lack of second  
Mover: Jordan*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Commissioner Jordan noted that the County had had training steps in the pay plan, but the County began using the training steps as the starting level for all new employees. She pointed out that a study indicated the County paid its employees better than most government entities. She noted that County employees received 5% merit increases and 3% cost-of-living adjustments annually, which was unprecedented.*

*It was moved by Commissioner Jordan that this proposed resolution be forwarded to the County Commission with a favorable recommendation.*

*Hearing no second the foregoing motion, the motion failed.*

3U

**091858 Resolution**

**Katy Sorenson**

RESOLUTION APPOINTING CHARLES D. LOPEZ TO  
THE NARANJA LAKES COMMUNITY  
REDEVELOPMENT AGENCY BOARD

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

**Report:** *Assistant County Attorney Jess McCarty read the  
foregoing proposed resolution into the record.*

*Chairwoman Sorenson relinquished the Chair to  
Vice-Chairman Martinez.*

*Hearing no other questions or comments, the  
Committee proceeded to vote.*

*Chairwoman Sorenson resumed the Chair.*

*Pursuant to County Commission Chairman Moss'  
memorandum dated June 8, 2009, the foregoing  
proposed resolution was forwarded to the July 21,  
2009 Commission meeting.*

3U SUPPLEMENT

**092138 Supplement**

SUPPLEMENTAL INFORMATION RE: THE  
APPOINTMENT OF CHARLES D. LOPEZ TO THE  
NARANJA LAKES COMMUNITY REDEVELOPMENT  
AGENCY BOARD

***Presented***

3V

092027 Resolution Barbara J. Jordan,  
Audrey M. Edmonson, Carlos A. Gimenez, Sally A.  
Heyman, Joe A. Martinez, Katy Sorenson

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO REQUIRE A POSITIVE COMPREHENSIVE REPORT FROM THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S ENVIRONMENTAL TECHNOLOGY VERIFICATION PROGRAM, ALONG WITH OTHER CRITERIA, FOR BID SOLICITATION OR PROCUREMENT BY THE COUNTY OF ANY FUEL SAVINGS PRODUCTS

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

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Commissioner Jordan noted that entities had approached her regarding demonstrations of products that would be useful in County vehicles. She expressed concern that an unsolicited proposal could harm the County, notwithstanding the County policy regarding unsolicited proposals, and noted that fuel saving products should be subject to pass a certain standard.*

*Commissioners Martinez, Edmonson, Gimenez, Heyman, and Chairwoman Sorenson asked that they be listed as co-sponsors.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3W

**091931 Resolution**

**Joe A. Martinez**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND PRESENT TO THE BOARD WITHIN NINETY (90) DAYS A "GREEN" PROCUREMENT PREFERENCE PROGRAM FOR THE PURCHASE OF ENVIRONMENTALLY RESPONSIBLE PRODUCTS AND SERVICES

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

*Mover: Martinez*

*Seconder: Edmonson*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Chairwoman Sorenson noted that she had discussed green procurement with the Department of Procurement Management Director, and that the Director should have a report forthcoming.*

*Ms. Miriam Singer, Director, Department of Procurement Management, noted that the Department would present the report, which addressed this proposed resolution, at the September 8, 2009, Budget, Planning and Sustainability meeting.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3X

**090222 Resolution**

**Dorrin D. Rolle**

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE TO CONDUCT A COMPREHENSIVE REVIEW OF THE MIAMI-DADE COUNTY SIGN CODE AND TO SUBMIT FOR THE BOARD'S CONSIDERATION A RECOMMENDED REVISION TOGETHER WITH A DETAILED EXPLANATION THEREFOR

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

*Mover: Jordan*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Commissioner Gimenez noted the County needed to emphasize enforcing the sign code to determine whether changes should be made as opposed to conducting a comprehensive review.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

3Y

**091836 Resolution**

Katy Sorenson

RESOLUTION OPPOSING THE PLANNED ROUTE FOR FPL TRANSMISSION LINES ALONG U.S. 1; URGING FPL TO IDENTIFY ALTERNATE ROUTES OR CONSTRUCT TRANSMISSION LINES UNDERGROUND TO MINIMIZE THE ADVERSE IMPACTS ON COMMUNITIES ALONG U.S. 1

**Forwarded to the BCC by the BCC Chairperson without recommendation**  
**Mover: Gimenez**  
**Seconder: Edmonson**  
**Vote: 6-0**

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Chairwoman Sorenson noted this proposed resolution was deferred to this Committee by the County Commission.*

*Commissioner Gimenez explained that he deferred this proposed resolution at the July 2, 2009, County Commission Meeting with the intent that the impacted municipalities, the stakeholders, and the commissioners of the impacted districts could discuss this issue. He expressed concern that those people were not present. He requested a specific day be designated for this issue.*

*Chairwoman Sorenson pointed out the County had to respond to the Florida Power and Light (FPL) application to construct an electric transmission line along U.S. 1 and the accompanying busway by August 29, 2009.*

*Commissioner Edmonson requested County staff provide the Committee with their opinion on this issue.*

*Assistant County Attorney John McInnis advised that the County received the FPL application on June 30, 2009, and that County departments were reviewing it to determine whether it was complete and could be evaluated on land use and zoning.*

*Commissioner Edmonson noted the Committee should hear staff's recommendations before making a decision on this issue.*

*In response to Commissioner Gimenez's inquiry regarding the details of the August 29, 2009, deadline to respond, Assistant County Attorney McInnis advised the August 29, 2009, deadline was not a deadline on the County providing a written response to the application.*

*Commissioner Heyman noted she would not be*

*comfortable voting on this issue at this time. She expressed concern regarding the absence of several parties that had a vested interest in this issue.*

*Assistant County Attorney McInnis advised that the State Statutes governing this FPL application did not require a response within 60-days of receipt of the application.*

*Mr. Manny Rodriguez, FPL, 9250 W Flagler Street, noted the Florida Department of Environmental Protection (DEP) sent him a letter with October 8, 2009, as the deadline for municipalities to file a response to this application.*

*In response to Chairwoman Sorenson questioning the feasibility of a Committee workshop on this issue in early September 2009, Assistant County Attorney McInnis advised that the County departments needed to first determine if the application was complete, and that the departments had 30 days from June 30, 2009, to do that. He further advised that the County had to prepare a statement regarding the consistency of this application with local laws and regulations, and that the County had 45 days from June 30 to do that.*

*Mr. Marc LaFerrier, Director, Department of Planning and Zoning, clarified that the County had 30 days to determine whether this application was complete and sufficient, that the County had 15 days for the consistency review after determining if the application was complete, that the County was not the only entity evaluating whether this application was complete, that the entities sent their evaluations to the DEP for a final determination on the completeness of this application and would notify the County regarding the completeness, and that the County would start the consistency review of this application after DEP's notification.*

*Assistant County Attorney McInnis advised that the County could not hold an informational public meeting on this application more than 55 days after FPL filed the application, however, a judge could alter the timelines on this application if both parties agreed. He clarified that an informational public meeting was different than the Commission holding a workshop to discuss this issue and give directions to County staff.*

*Commissioner Gimenez explained he intended to have a meeting with the County Commission and the impacted municipalities, and that the County Commission would take a position on this application that could be sent to the State. He questioned the deadline for the County to hold such a meeting.*

*Mr. Jorge Lopez, FPL, clarified the letter from DEP stated that October 8, 2009, was the deadline to propose an alternative route.*

*Chairwoman Sorenson questioned whether FPL would be using an alternative route for the transmission lines by constructing them underground, but still along United States Highway 1 (US 1).*

*Commissioner Gimenez noted underground transmission lines would be more expensive. He questioned who would pay that added expense.*

*Mr. Rodriguez noted the Florida Public Service Commission ruled that the entity that would benefit from underground projects would be responsible for the cost differential. He explained the cost differential for underground transmission lines was \$13 to \$18 million more per mile than the cost for overhead transmission lines.*

*Commissioner Gimenez noted the Commission needed to have the County Administration's opinions on this issue before making a decision.*

*Chairwoman Sorenson pointed out the municipalities had apprised FPL that they opposed the US 1 route, however, FPL submitted its application with that proposed route.*

*Commissioner Jordan asked Assistant County Manager Alina Hudak to provide her with a report before July 23, 2009, responding to the following issues:*

- the number of miles of transmission lines FPL planed to construct in each of the municipalities impacted;*
- the cost breakdown for the \$13 to \$18 million per mile price for the transmission lines;*
- the variables that accounted for the wide spread estimated cost per mile; and*
- the alternative routes for the transmission lines that FPL had considered for this purpose.*

*Responding to Commissioner Jordan's question*

*whether FPL was prepared to present alternative routes, Mr. Rodriguez noted FPL was willing to participate in the process being proposed by the Committee. He explained that the application process intended to make all the requested information available and to allow the interested entities to have a productive discussion.*

*Following Mr. LaFerrier's responses to her questions regarding the feasibility of the Commission discussing this issue on July 23, 2009, Chairwoman Sorenson noted the Commission would invite the impacted municipalities to attend the discussion on this issue July 23.*

*Commissioner Martinez expressed concern regarding FPL using overhead transmission lines in any location in the county.*

*Mr. Rodriguez pointed out that the planned high voltage transmission lines were designed to withstand stronger winds than normal transmission lines.*

*Mr. Jeff Cutler, Vice-Mayor, Village of Pinecrest, 6230 SW 114 Street, spoke in opposition to the visual impact of overhead transmission lines along US1*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution without recommendation.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

#### **4 DEPARTMENTS**

4A

**091911 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND RICHARD S. LUCK, TRUSTEE, AS SELLER FOR A PURCHASE PRICE OF \$36,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4B

**091912 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.16 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND BELEN R. GARCIA AS SELLER FOR A PURCHASE PRICE OF \$90,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4C

**091913 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.78 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND HEDY HUBBARD AS SELLER FOR A PURCHASE PRICE OF \$89,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4D

**091914 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND JORGE LUIS AVALOS VARELA AS SELLER FOR A PURCHASE PRICE OF \$42,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4E

**091915 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 18.44 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND RICHARD S. LUCK, TRUSTEE, AS SELLER FOR A PURCHASE PRICE OF \$93,720; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4F

**091917 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND ANDRES ETCHEGARAY FIGUEROA, CRISTIAN ALBERTO ETCHEGARAY AND BECKY L. ETCHEGARAY AS SELLERS FOR A PURCHASE PRICE OF \$22,800; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4G

**091918 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND USSOUTH HOLDING CORP. AS SELLER FOR A PURCHASE PRICE OF \$36,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4H

**091916 Resolution**

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$260,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT ENVIRONMENTAL ENHANCEMENT THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4I

**091822 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF HIALEAH AND MIAMI-DADE COUNTY FOR SPECIFIED WATER QUALITY SAMPLING AND ANALYSIS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4J

**091824 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT NUMBER 4600001822 WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR THE BISCAYNE BAY SURFACE WATER QUALITY AND BIOLOGICAL MONITORING PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4K

**092021 Resolution**

RESOLUTION REAPPOINTING TWO EXISTING MEMBERS TO THE AGRICULTURAL PRACTICES ADVISORY BOARD

(Department of Planning & Zoning)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4L

**091407 Resolution**

RESOLUTION APPOINTING SQUIRE, SANDERS & DEMPSEY LLP ALONG WITH Y3K HOLDINGS, INC. D/B/A KNOXSEATON; AND GREENBERG TRAUERIG, P.A. ALONG WITH EDWARDS & ASSOCIATES, P.A.; AND HOGAN & HARTSON LLP ALONG WITH THE LAW OFFICES OF STEVE E. BULLOCK, P.A., TO SERVE IN THE COUNTY BOND COUNSEL POOL; APPOINTING BRYANT MILLER OLIVE P.A. ALONG WITH MANUEL ALONSO-POCH, P.A.; AND FOLEY & LARDNER LLP ALONG WITH RICHARD KUPER, P.A.; AND AKERMAN SENTERFITT ALONG WITH THE LAW OFFICES OF MICHAEL DIAZ, TO SERVE IN THE AUTHORITY BOND COUNSEL POOL; APPOINTING HUNTON & WILLIAMS LLP ALONG WITH THE LAW OFFICES THOMAS H. WILLIAMS, JR., P.L.; AND NABORS, GIBLIN & NICKERSON, P.A. ALONG WITH LIEBLER, GONZALEZ & PORTUONDO, P.A.; AND EDWARDS ANGELL PALMER & DODGE LLP ALONG WITH RASCO REININGER PEREZ ESQUENAZI & VIGIL P.L. TO SERVE IN THE DISCLOSURE COUNSEL POOL, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH THE POOLS FOR AND ON BEHALF OF MIAMI-DADE COUNTY POOL NOS.: RFQ662, RFQ663 AND RFQ664 (Procurement Management Department)

*Withdrawn*

**Report:** *See Report Under Agenda Item 4L AMENDED, Legislative File No. 092163.*

## 4L AMENDED

## 092163 Resolution Budget, Planning and Sustainability Committee

RESOLUTION REJECTING COUNTY MANAGER'S RECOMMENDATIONS FOR NEW COUNTY BOND COUNSEL POOL, AUTHORITY BOND COUNSEL POOL AND DISCLOSURE COUNSEL POOL; AND APPROVING EXTENSION OF CURRENT COUNTY BOND COUNSEL POOL, AUTHORITY BOND COUNSEL POOL AND DISCLOSURE COUNSEL POOL FOR PERIOD OF TWELVE MONTHS [SEE ORIGINAL ITEM UNDER FILE NO. 091407]

*Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments*  
**Mover: Jordan**  
**Seconder: Edmonson**  
**Vote: 5-1**  
**No: Sorenson**

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Chairwoman Sorenson questioned the impact of this Committee not forwarding this proposed resolution to the County Commission during this meeting.*

*Ms. Miriam Singer, Director, Department of Procurement Management, noted the current County Bond Counsel Pool, Authority Bond Counsel Pool, and Disclosure Counsel Pool contracts would expire August 2, 2009, and that the County Commission needed to direct the County Mayor or his designee to extend those contracts or it needed to act on this proposed resolution.*

*Commissioner Heyman noted this proposed resolution should be forwarded to the County Commission to provide the Commission an opportunity to discuss bond issuances in a volatile market.*

*It was moved by Commissioner Heyman that this proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Chairwoman Sorenson.*

*Commissioner Gimenez asked Assistant County Attorney Gerald Heffernan to prepare legislation outlining the information to be disclosed to the County Commission when the County proposed to issue bonds, including the projected gains or losses, the market conditions, and the debt service schedule. He expressed concern that the County was not adhering to the Citizens' Bill of Rights in the County's Home Rule Charter and Amendment.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution, and upon being put to a vote, the motion failed 3-3 (Commissioners Jordan, Gimenez, and Edmonson voted "No").*

*In response to Chairwoman Sorenson's inquiry regarding the impact of the foregoing failed motion, Assistant County Attorney Heffernan advised that vote would impact only outstanding bond issuances that were not assigned to a counsel pool before August 2, 2009.*

*It was moved by Commissioner Jordan that the County Commission approve to extend the existing County Bond Counsel Pool, the Authority Bond Counsel Pool, and the Disclosure Counsel Pool contracts to August 2, 2010. This motion was seconded by Commissioner Edmonson.*

*Ms. Lilly Monzon, Bond Administration Director, Finance Department, noted no bond issuances would be impacted if this motion was forwarded to the County Commission and subsequently adopted by the Commission before August 2, 2009.*

*Assistant County Attorney Heffernan advised that the Committee would implicitly reject this proposed resolution if it approved Commissioner Jordan's motion. He noted that the County would have no approved County Bond Counsel Pool, Authority Bond Counsel Pool, and Disclosure Counsel Pool contracts if the Commission 4-day ruled the proposed resolution that Commissioner Jordan's motion would create. He explained that the County would not face any consequences for not having approved counsel pools as long as the County did not have to make any bond transactions.*

*The Committee members questioned staff regarding the alternatives it had regarding this proposed resolution and Commissioner Jordan's motion, as well as the potential outcomes of those alternatives.*

*Commissioner Heyman pointed out that this proposed resolution was recommending one or more of the vendors in the current counsel pool contracts. She suggested the Committee amend this proposed resolution to forward only the recommended vendors that were on the current counsel pool contracts to the County Commission for consideration.*

*Chairwoman Sorenson noted that staff had explained that the County could continue normal bond issuance operations, notwithstanding a possible 4-day rule of the proposed resolution that Commissioner Jordan's motion would create, by assigning all bond issuances to a counsel pool before August 2, 2009.*

*Commissioner Heyman suggested the motion on the floor be amended to extend the current counsel pool contracts for only the vendors that were also recommended in this proposed resolution.*

*Commissioner Jordan did not accept Commissioner Heyman's suggested amendment.*

*Commissioner Martinez noted Commission Chairman Moss had indicated that all agenda items approved in July 2009 committee meetings would be placed on the July 21, 2009, County Commission agenda, which would make the proposed resolution that Commissioner Jordan's motion would create not subject to the 4-day rule.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution as amended to approve extending the existing County Bond Counsel Pool, the Authority Bond Counsel Pool, and the Disclosure Counsel Pool contracts to August 2, 2010.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing Committee action was forwarded to the July 21, 2009 Commission meeting.*

4M

**091669 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REJECT PROPOSALS RECEIVED FOR THE REQUEST FOR PROPOSALS TO OBTAIN EMPLOYEE GROUP DENTAL INSURANCE PROGRAM RFP NO. 673 (Procurement Management Department)

**Withdrawn**

**Report:** *See Report Under Agenda Item 4M SUB, Legislative File No. 092102.*

4M SUB

**092102 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH DELTA DENTAL INSURANCE COMPANY TO OBTAIN AN EMPLOYEE GROUP DENTAL INSURANCE PROGRAM INDEMNITY PLAN IN THE AMOUNT \$115.8 MILLION FOR THE TERM OF THE THREE-YEAR AGREEMENT AND THE THREE ONE-YEAR OPTIONS TO RENEW, BASED ON CURRENT ENROLLMENT; REJECTION OF PREPAID PLAN DESIGN PROPOSALS RECEIVED FOR THE REQUEST FOR PROPOSALS TO OBTAIN EMPLOYEE GROUP DENTAL INSURANCE PROGRAM RFP NO. 673; AUTHORIZING A ONE-YEAR EXTENSION OF CONTRACT NOS. RFP421A AND RFP421B WITH COMPBENEFITS CORPORATION IN THE AMOUNT OF \$2 MILLION, BASED ON CURRENT ENROLLMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 091669] (Procurement Management Department)

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

*Mover: Heyman*

*Seconder: Jordan*

*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record. He advised that pursuant to Rule 4.01.(n) from the Board of County Commissioners Rules of Procedure this substitute item to Agenda Item 4M was not subject to the 3-day rule.*

*Commissioner Martinez expressed concern that most of the bids submitted for the contract in this proposed resolution were deemed non-responsive.*

*It was moved by Commissioner Martinez that this proposed resolution be deferred.*

*Assistant County Manager Alina Hudak noted that deferral of this proposed resolution would present the County with trouble for the 2010 open enrollment.*

*Commissioner Martinez questioned Ms. Wendi Norris, Director, General Services Administration (GSA), to clarify the County Manager's recommendation in this proposed resolution.*

*Mr. Miguel De Grandy, 800 Douglas Road, Attorney representing Metropolitan Life Insurance Company (MetLife), appeared before the Committee and explained that Met Life followed*

*State Laws and standard industry practices for which the County Attorney deemed its proposal non-responsive. He expressed concern that the County was denying MetLife its right to protest the County Attorney's non-responsive decision. Mr. De Grandy pointed out that correspondence from the Department of Procurement Management to the proposers to Request for Proposals (RFP) No. 673 indicated that the "County Manager or designee has rescinded the previous recommendation ... and has recommended award as shown in the attached document." He noted the Code of Miami-Dade County granted MetLife the right to protest this new recommendation.*

*Chairwoman Sorenson noted Mr. De Grandy was presenting a bid protest to this proposed resolution. She questioned whether she should allow him to continue his presentation.*

*Assistant County Attorney Oren Rosenthal advised that this proposed resolution was deferred at the June 9, 2009, Budget, Planning and Sustainability Committee meeting with directions to the County Administration, and that it was a legislative matter and not subject to protest. He further advised that the Committee had the discretion to entertain Mr. De Grandy's arguments.*

*Chairwoman Sorenson noted Commissioner Gimenez had recognized Mr. De Grandy, and she questioned whether Commissioner Gimenez wanted Mr. De Grandy to continue.*

*Commissioner Gimenez noted that he had recognized Mr. De Grandy to provide him the opportunity to explain why MetLife should have the right to protest, which he had done. Commissioner Gimenez noted he was satisfied with the Assistant County Attorney's response regarding protests to this proposed resolution. Commissioner Gimenez questioned whether this proposed resolution would save the County money.*

*Assistant County Manager Alina Hudak noted this proposed resolution would save the County money and provide enhanced benefits.*

*Ms. Miriam Singer, Director, Department of Procurement Management, explained that the County negotiated a contract with Delta Dental Insurance Company that was \$1 million less than the County's current indemnity employee group dental insurance contract with Met Life, and she*

*listed the enhanced benefits.*

*Commissioner Martinez expressed concern that the County could have saved more than \$1 million if it had negotiated with more than one vendor. He expressed concern that the RFP process for this contract was not fair. He pointed out that 12 out of 15 proposers were deemed non-responsive, and that some were deemed non-responsive on the second or third review for responsiveness. He questioned the number of times the County Attorney reviewed the MetLife proposal before ruling it non-responsive.*

*Assistant County Attorney Rosenthal advised that he did not review any proposal more than once to determine responsiveness, and that he received one request to review the responsiveness of MetLife subsequent to the selection committee ranking the proposals.*

*Responding to Commissioner Martinez's request for an explanation regarding the County requesting a review for responsiveness for MetLife when it was the number one ranked firm following the selection committee evaluating the technical component of the proposals, Ms. Singer noted the MetLife proposal appeared to propose multiple plans as opposed to one specific plan. She pointed out that the Procurement Department reviewed all the proposals to determine whether others had proposed multiple plans.*

*Commissioner Martinez questioned whether RFP No. 673 clearly indicated that multiple plans could not be submitted.*

*Ms. Singer noted the RFP was clear regarding the need to propose one clear plan.*

*In response to Commissioner Martinez's inquiry regarding Delta Dental's rank, Ms. Singer noted Delta Dental had the third highest composite score, however, the local preference ordinance moved Delta Dental ahead the second ranked firm; MetLife was the top ranked firm, but was deemed non-responsive.*

*Commissioner Martinez questioned the difference between the pre-paid dental plan and the indemnity dental plan.*

*Ms. Norris explained the pre-paid plan provided access to benefits for a fee, and the indemnity plan covered certain treatments. She clarified that the*

County currently provided employees the choice between two pre-paid plans and one indemnity plan. This proposed resolution recommended that the County reject all bids for the pre-paid plans and extend the existing contract for one year, and that the County enter into a contract with Delta Dental for the indemnity plan, Ms. Norris noted.

Hearing no other questions or comments, the Committee proceeded to vote.

Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.

4N

**091908 Resolution**

RESOLUTION AUTHORIZING A TWO YEAR EXTENSION OF INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR RECIPROCITY IN THE EXTENSION OF LOCAL PREFERENCE TO COUNTY VENDORS (Procurement Management Department)

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

**Report:** Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.

Commissioner Gimenez questioned why this proposed resolution did not include architects and engineers.

Ms. Miriam Singer, Director, Department of Procurement Management, noted the State's Consultants' Competitive Negotiation Act (CCNA) did not allow local preference to be applied for engineers and architects.

Assistant County Attorney Hugo Benitez advised that the CCNA did not allow price comparisons, but a competitive negotiation, following a qualitative evaluation of the firms.

Hearing no other questions or comments, the Committee proceeded to vote.

Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.

40

**091966 Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AWARD OF CONTRACTS UNDER FULL AND OPEN COMPETITION FOR THE PURCHASE OF GOODS AND SERVICES VALUED IN EXCESS OF \$100,000 AND UP TO \$1,000,000 EXECUTED DURING THE PERIOD OF JANUARY 1, 2009 THROUGH MARCH 31, 2009 (Procurement Management Department)

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

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4P

**091997 Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER (Procurement Management Department)

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

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Commissioner Gimenez expressed concern that the 6-month contract extension requested in Item 2.3: Medical Transport Billing and Collection Services cost more than the same period of time under the original contract.*

*Ms. Miriam Singer, Director, Department of Procurement Management, noted this proposed resolution would pay the vendor 5.25% of the funds it collected. She explained that the vendor was collecting greater amounts of money than it had before.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

4Q

**091998 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, CONTRACT MODIFICATIONS, AND COMPETITIVELY BID CONTRACTS OF OTHER GOVERNMENTAL ENTITIES, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Procurement Management Department)

*Withdrawn*

**Report:** *See Report Under Agenda Item 4Q AMENDED, Legislative File No. 092166.*

## 4Q AMENDED

**092166 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, CONTRACT MODIFICATIONS, AND COMPETITIVELY BID CONTRACTS OF OTHER GOVERNMENTAL ENTITIES, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYORS DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 091998] (Procurement Management Department)

*Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments*  
*Mover: Jordan*  
*Seconder: Edmonson*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

*Commissioner Martinez requested that Item 2.2: Mixed Paper Recycling and Office Document Shredding, Item 2.3: Towing Services (County Vehicles), and Item 2.4: Rental of Trailers, Trucks and Vans (Pre-qualification) be bifurcated from this proposed resolution.*

*It was moved by Commissioner Jordan that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to delete Item 2.2: Mixed Paper Recycling and Office Document Shredding, Item 2.3: Towing Services (County Vehicles), and Item 2.4: Rental of Trailers, Trucks and Vans (Pre-qualification). This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 6-0.*

*It was moved by Commissioner Jordan that Item 2.2: Mixed Paper Recycling and Office Document Shredding, Item 2.3: Towing Services (County Vehicles), and Item 2.4: Rental of Trailers, Trucks and Vans (Pre-qualification) be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Chairwoman Sorenson, and upon being put to a vote, failed by a vote of 3-3 (Commissioners Martinez, Edmonson, and Gimenez voted "No").*

*Assistant County Attorney Alina Hudak expressed concern that the foregoing motion on Items 2.2, 2.3, and 2.4 that failed would have significant operational impacts. She pointed out that Item 2.2 may impact the Elections Department printing ballots.*

*Commissioner Martinez explained that Items 2.2, 2.3, and 2.4 were not time sensitive and that the County should postpone awarding contracts until after the Fiscal Year 2009-10 County budget was adopted.*

*Ms. Miriam Singer, Director, Department of Procurement Management, noted the Miami-Dade Transit Agency (MDT) would save 25% on towing services if the Commission adopted Item 2.3.*

*Following discussion among Committee members regarding the County eliminating unnecessary expenses to provide additional carryover funds at the end of Fiscal Year 2008-09, Commissioner Jordan cautioned the Committee members against labeling departmental requests as "wants" or "needs" without allowing the departments to explain their requests.*

*Chairwoman Sorenson noted the Commission was a policy making board and should not micromanage. She questioned whether the Committee wanted to revisit Item 2.3.*

*Assistant County Attorney McCarty advised that the previous motion on Item 2.3 failed and that another motion on that Item was in order.*

*It was moved by Commissioner Jordan that Item 2.3: Towing Services (County Vehicles) be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Chairwoman Sorenson.*

*Responding to Commissioner Edmonson's request for clarification regarding the 25% savings by approving the \$740,000 requested allocation in Item 2.3, Ms. Singer clarified that MDT had an existing towing services contract for \$1 million for the same level of service in Item 2.3, and that MDT would not use the existing contract and would use only the contract in Item 2.3 for \$740,000.*

*Hearing no other questions or comments, the Committee proceeded to vote on Commissioner Jordan's motion that Item 2.3: Towing Services (County Vehicles) be forwarded to the County Commission with a favorable recommendation, and upon being put to a vote, passed by a vote of 5-1 (Commissioner Martinez voted "No").*

*Pursuant to County Commission Chairman Moss'*

*memorandum dated June 8, 2009, the foregoing  
proposed resolution was forwarded to the July 21,  
2009 Commission meeting.*

**5 COUNTY MANAGER**

5A

**091546 Ordinance**

ORDINANCE RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN MIAMI-DADE COUNTY; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT; PROVIDING DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING FIRE PROTECTION SPECIAL ASSESSMENTS; PROVIDING THAT FIRE PROTECTION SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR FIRE PROTECTION SPECIAL ASSESSMENTS UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1 LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE IMPOSITION OF INTERIM ASSESSMENTS; PROVIDING AUTHORIZATION FOR EXEMPTIONS AND HARDSHIP ASSISTANCE; PROVIDING PROCEDURES FOR COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (County Manager)

*The motion that this matter be Forwarded to BCC with a favorable recommendation failed.*

*Mover: Jordan*

*Seconder: Sorenson*

*Vote: 1-5*

*No: Gimenez, Heyman, Martinez, Edmonson, Sorenson*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

*Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance and the following person appeared before the Committee:*

*Ms. Danielle Blake, Realtor Association of Greater Miami and the Beaches, expressed concern that this proposed ordinance was for a non-ad valorem special assessment that could not be appealed to the Value Adjustment Board, and that residents would have no assurance regarding the 3% millage rate cap being kept in place.*

*Chairwoman Sorenson closed the public hearing after no one appeared wishing to speak.*

**Budget, Planning and Sustainability Committee**

*CLERK'S SUMMARY OF*

*Meeting Minutes*

*Tuesday, July 14, 2009*

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*Commissioner Gimenez noted he did not support this proposed ordinance. He pointed out that the County already had the framework for a fire assessment fee.*

*Commissioner Heyman noted the County Manager should have withdrawn this proposal. She explained that the Commission did not need to make decisions to tax residents more in the future.*

*Responding to Chairwoman Sorenson's question regarding the benefits for the Commission to adopt this proposed ordinance now as opposed to a year later when the County Manager recommended the fire fee be implemented, Assistant County Attorney Jim Black advised the Commission could adopt this proposed ordinance now and would only need to adopt two resolutions next year, however, the Commission would have to pass an ordinance similar to this proposed ordinance as well as the two resolutions next year if this proposed ordinance was not adopted.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

**5A SUPPLEMENT**

**092083 Supplement**

**SUPPLEMENT TO FIRE PROTECTION ASSESSMENT  
ORDINANCE**

***Presented***

**5B**

**092055 Resolution**

**RESOLUTION AUTHORIZING MODIFICATIONS TO THE  
MIAMI-DADE COUNTY PURCHASE OF DEVELOPMENT  
RIGHTS PROGRAM TO PROVIDE ADDITIONAL  
FUNDING OPTIONS THROUGH STATE AND FEDERAL  
GRANTS OPPORTUNITIES (County Manager)**

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

***Mover: Heyman***

***Seconder: Edmonson***

***Vote: 4-2***

***No: Gimenez, Martinez***

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

5C

**092053 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE UNITED STATES FOR THE FARM AND RANCH LANDS PROTECTION PROGRAM TO PROVIDE MATCHING FUNDS IN AN AMOUNT UP TO \$1,600,00.00 □FOR THE MIAMI-DADE COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM (County Manager)

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Heyman*  
*Seconder: Edmonson*  
*Vote: 4-2*  
*No: Martinez, Gimenez*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

5D

**092054 Resolution**

RESOLUTION APPROVING AN "AGREEMENT TO PURCHASE DEVELOPMENT RIGHTS/CONSERVATION EASEMENT" IN THE AMOUNT OF \$2,380,000.00, OF APPROXIMATELY 85 ACRES, WITH 60 ACRES LOCATED AT SW 272 STREET AND SW 212 AVENUE AND 25 ACRES LOCATED AT SW 304 STREET AND SW 212 AVENUE AS PART OF THE COUNTY'S PURCHASE OF DEVELOPMENT RIGHTS PROGRAM WITH DANIEL LYONS AND JANE LYONS AS SELLERS; PROJECT FUNDING SOURCE INCLUDING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (County Manager)

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
*Mover: Heyman*  
*Seconder: Edmonson*  
*Vote: 4-2*  
*No: Gimenez, Martinez*

**Report:** *Pursuant to County Commission Chairman Moss' memorandum dated June 8, 2009, the foregoing proposed resolution was forwarded to the July 21, 2009 Commission meeting.*

**6 COUNTY ATTORNEY**

**7 CLERK OF THE BOARD**

7A

**092070 Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR  
BUDGET, PLANNING & SUSTAINABILITY COMMITTEE  
MEETING FOR: JUNE 9, 2009 (Clerk of the Board)

*Approved*  
*Mover: Heyman*  
*Seconder: Edmonson*  
*Vote: 6-0*

**8 REPORTS**

8A

**091799 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009  
MIAMI-DADE COUNTY HISTORIC PRESERVATION  
BOARD

*Report Received*  
*Mover: Heyman*  
*Seconder: Jordan*  
*Vote: 6-0*

8B

**092007 Report**

ANNUAL REPORT ON SWAP TRANSACTIONS FOR FY  
ENDED SEPTEMBER 30, 2008 - REVISED (County  
Manager)

*Report Received*  
*Mover: Heyman*  
*Seconder: Jordan*  
*Vote: 6-0*

**Report:** *Assistant County Attorney Jess McCarty read the foregoing report into the record.*

*Commissioner Gimenez asked the Finance Department Director to provide him with an up-to-date report on swap transactions for fiscal year 2008-09.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

**9 ADJOURNMENT**

**Report:** *There being no other business to come before the Committee, the meeting adjourned at 6:12 p.m.*