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MEMORANDUM  
Harvey Ruvin  
Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
Miami-Dade County, Florida  
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GO  
Agenda Item No. 7(A)

**TO:** Honorable Chairman Carlos A. Gimenez  
and Members, Government Operations  
Committee

**DATE:** November 9, 2009

**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 Government Operations Committee:

September 8, 2009

Attachment  
DC/jm



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

# CLERK'S SUMMARY OF Meeting Minutes Government Operations Committee

Carlos A. Gimenez (7) Chair; Natacha Seijas (13) Vice Chair; Commissioners Jose  
"Pepe" Diaz (12), Audrey M. Edmonson (3), Joe A. Martinez (11), and Rebeca Sosa (6)

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**Tuesday, September 8, 2009**

**9:30 AM**

**COMMISSION CHAMBERS**

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**Members Present:** Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Joe A. Martinez, Rebeca Sosa.

**Members Absent:** Natacha Seijas.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Judy Marsh, Commission Reporter,  
(305) 375-1967*

**1A INVOCATION**

**Report:** *The Committee members observed a Moment of  
Silence followed by the Pledge of Allegiance.*

**1B PLEDGE OF ALLEGIANCE**

**1C**      **ROLL CALL**

**Report:**    *The following staff members were present: Senior Advisor to the County Manager Cynthia Curry; Special Assistant County Manager for Management Assessment and Performance Howard Piper; Assistant County Attorneys Geri Bonzon-Keenan and Daniel Frastai; Senior Deputy Clerk Doris Dickens and Deputy Clerk Judy Marsh.*

*Commissioner Sorenson was also present.*

*Chairman Gimenez called the meeting to order at 9:52 a.m.*

*Assistant County Attorney Geri Bonzon-Keenan noted Items 1D2 and 3A Supplement were added to today's agenda. She also noted Item 4L contained a scrivener's error and installation of the new 12-inch water main should be along NE 2 Avenue between NE 57 Street to NE 69 Street; not NE 54 Street.*

*It was moved by Commissioner Sosa that the Committee approve the September 8, 2009 Government Operations Committee agenda. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 4-0, (Commissioners Martinez and Seijas were absent).*

**1D**      **DISCUSSION ITEM**

1D1

092467 Discussion Item

Joe A. Martinez

TAXICAB INDUSTRY CONCERNS

*Presented*

**Report:** *Commissioner Martinez provided an overview of concerns expressed by members of the taxicab industry regarding the issuance of taxicab medallions, insurance coverage and rates and the division between the North and South routes. He pointed out that seniority was meaningless in this industry as it related to the issuance of taxicab medallions. Commissioner Martinez stated that he was advised by the South Florida Taxicab Association that the insurance rate for drivers was \$425.00 per week; not per month. He noted it was his understanding that the County was divided into two sections, North and South, which apparently prohibited a driver from picking up passengers not in their assigned territory, even if they were in the area dropping off another passenger. Commissioner Martinez said he was also advised of a proposed fee increase to the taxicab industry and this would negatively impact many drivers.*

*Mr. Diego Feliciano, President, South Florida Taxicab Association, (SFTA) Inc., noted he supported the senior lottery but suggested raising the bar higher so that drivers with 10, 15 and 20 years experience could be recipients. Regarding the issue of insurance, Mr. Feliciano said the \$425.00 was the approximate price of an average lease and this included the cost of a radio dispatch, insurance, and the fees paid to the taxicab companies. He noted since the State of Florida deemed drivers independent contractors, drivers had to provide their own insurance. Mr. Feliciano said the SFTA had looked at the possibility of insuring drivers; however, the cost was astronomical and would be in addition to the \$425.00. Concerning the South Dade District, Mr. Feliciano noted a breakdown had occurred in the Homestead area and some drivers did not wish to drive in that area because of violence from illegal drivers. He noted the goal was to serve the entire community.*

*Mr. Niaz Mohammad, 17922 SW 145 Avenue, said the lottery medallions were started for the benefit of taxicab drivers and every year the quota for senior drivers decreased while the number of senior cab drivers increased. He spoke in support of increased medallions for senior and junior drivers to ensure a fair process for everyone. Mr.*

Government Operations Committee

*Mohammad asked the Committee to look at the process to determine what could be done for these drivers.*

*Chairman Gimenez noted the Committee needed more time to address this issue.*

*Commissioner Sosa noted the information received was very important to this Committee; however, the Committee needed time to dedicate its full attention to the taxicab issues. She asked that the county attorney(s) provide the Committee with clarification on the Committee's jurisdiction on these issues and clarification from the Administration on the proposed taxicab fees. Commissioner Sosa said the Committee needed to identify solutions to protect the taxicab industry and suggested addressing the issues raised after the Budget Hearings.*

*Commissioner Diaz said the County Commission had been supportive of taxicab drivers for a long time, and the drivers were Miami-Dade County's ambassadors. He noted he met with Mr. Feliciano but needed more information.*

*Chairman Gimenez noted his intent for the Committee to further consider issues relating to the taxicab industry within 60 days. He asked the drivers to meet with Committee members and with other members of the County Commission. Chairman Gimenez noted he was hopeful that legislation would be sponsored by a Committee member and following discussion between the Committee members, the Administration and industry members, a recommendation or legislation would follow.*

*Commissioner Martinez asked that the Commission Auditor and Assistant County Attorney Bonzon-Keenan meet with Mr. Feliciano and provide him with a written update in 30 days, including the proposed taxicab fees, and the North and South issue.*

*Commissioner Martinez asked Assistant County Attorney Bonzon-Keenan to apprise the Committee members whether the proposed taxicab fee increase was included in the proposed FY 2009-10 Budget.*

*Commissioner Sosa asked Senior Advisor to the County Manager Cynthia Curry to provide a status report on the proposed Request for Proposal for the Special Transportation Service*

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*(STS) that could potentially be more costly to the County, versus extending the existing contract. She asked that each Committee member be provided with a copy of this report.*

*Chairman Gimenez asked members of the taxicab industry to make appointments with Committee members, Assistant County Attorney Bonzon-Keenan and the Commission Auditor to discuss the issues raised.*

*Chairman Gimenez asked Senior Advisor to the County Manager Cynthia Curry to follow up on a report he previously requested regarding the cost differential of STS provided by the County versus the service the County was federally mandated to provide.*

*Later in the meeting, Ms. Curry noted the information Chairman Gimenez requested on STS' comparative costs was included in the information for the first Budget Hearing on September 3, 2009, on page 8 of 12. Ms. Curry said that she provided a copy to his staff.*

1D2

092512 Discussion Item Carlos A. Gimenez  
EARLY DEPARTURE INCENTIVES Presented

**Report:** Assistant County Attorney Geri Bonzon-Keenan read the foregoing item into the record.

Chairman Gimenez noted the County Manager's memorandum regarding an early departure incentive program indicated that such a program would not be cost effective. He stated that his intent was not to have employees leave County service before their retirement but rather whether employees who were eligible for retirement wanted to leave early. Chairman Gimenez inquired whether the Administration planned to revisit this issue.

Commissioner Sosa noted the County Manager's memorandum stated that it could be disruptive to perform a survey if it could not be guaranteed that such survey would result in a definitive action. She pointed out that surveys were conducted for other issues and questioned whether someone other than the County Commission could decide that a resolution adopted by the Commission requesting a specific action was not necessary.

Mr. Howard Piper, Special Assistant County Manager for Management Assessment and Performance, said an employee survey for an early departure incentive program was not conducted because the Administration wanted to understand the details of such a program before surveying employees.

Chairman Gimenez said that Resolution R-1035-09 relating to incentives to encourage employees' early departure from County service, included the possibility of payment of health insurance premiums for employees for two or three years, and spreading the impact of the buyout over a period of two to four years, which could result in benefits to the County and tax benefits to employees. He noted if higher paid employees left the County then lower paid employees' jobs could be saved. Chairman Gimenez pointed out the cost difference in the salaries would offset the health benefits and the additional pay out, and if an analysis had been conducted, then the Administration could have come back to the Committee with the analysis results or with some other incentive programs. He noted no one called

him to request clarification on this proposal; and good ideas were everywhere and were not the purview of one or two people. Chairman Gimenez said this proposal resulted from discussions with union representatives and nothing was done. He requested input from Committee members and union representatives.

At the request of Commissioner Diaz, Assistant County Attorney Bonzon-Keenan read a portion of the second paragraph of the County Manager's memorandum into the record.

Commissioner Diaz said he understood the Administration's need to determine alternatives, however, he did not appreciate comments such as "in likelihood" or "it could or could not" or "will be or will not", noting these were words did not belong in government. He pointed out that the County Commission had the power to subpoena staff. Commissioner Diaz concurred with Chairman Gimenez that the Commission and the Administration must work together. He noted that he also met with the unions and understood their proposal.

Commissioner Edmonson said she received this memorandum this morning (9/8) and felt it was divisive. She noted that she also questioned the county attorneys during the Budget Workshops regarding subpoenas and the Commission Auditor could subpoena on his own. Commissioner Edmonson said she felt it was time the Commission require the County Administration to carry out the Commission's instructions. She noted she did not believe it was the decision of the Senior Advisor to the County Manager or Mr. Piper and felt the Committee needed to address this issue with those who were responsible. Commissioner Edmonson said that she would support efforts by Chairman Gimenez to address this issue. She also requested to hear from union representatives.

In response to Commissioner Sosa's earlier inquiry as to whether someone other than the Commission could decide that a specific action requested by the Commission was not necessary, Assistant County Attorney Bonzon-Keenan advised that the Mayor and the Manager were required to carry out policies adopted by the County Commission.

Commissioner Martinez said that he felt the Committee was directing its ire at the wrong

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people. He reminded the Committee that the County now had a strong mayor and that's who the Committee needed to speak with. Commissioner Martinez said that he also met with the unions and requested the Table of Organizations (TOs) and a survey and this information was not provided to him.

Mr. Stan Hills, President, Miami-Dade Fire Fighter's Union, noted he discussed early retirement incentives with the County Administration months ago, realizing that the County might be faced with downsizing. He pointed out that under the current County Pay Plan, new employees would be laid off if a lay-off occurred. Mr. Hills noted the salary differential between a senior employee and a junior employee was probably enough to fund an early retirement incentive and save a few jobs. He said the loss of healthcare coverage prevented most County employees from retiring as they would be required to obtain health coverage during the timeframe between retirement and when they were eligible for Medicare. Mr. Hills noted through an early retirement program, 537 people left county service in Palm Beach County; the City of Los Angeles also had a participation plan and General Motors offered an early buyout. He said the County employees who would be laid off were single parents who would be coming back to utilize social services. Mr. Hills noted he was hopeful that an early departure incentive would be looked at as part of the overall formula and felt that working with employees would probably be better for morale.

Mr. Greg Blackman, President, Government Supervisors Association of Florida, OPEIU, Local 100, representing County professionals and supervisors, noted he read the memorandum relating to early departure incentives and it did not reflect the dialogue between Chairman Gimenez and the union. He stated that he felt this issue needed to be looked at along with all other options.

Chairman Gimenez noted the intent was to let go top employee(s) who would be receiving a pension and then promote people from inside to fill these top positions.

It was moved by Commissioner Martinez that the Administration revisit this issue again with the employees' union representatives before September 17, 2009 to determine whether

*recommendations could be developed that would save the County money and save some jobs. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 5-0, (Commissioner Seijas was absent).*

*Commissioner Sosa said many issues needed to be reviewed as part of this process. She noted she tried to request information regarding saving funding for furniture and her request was not addressed by the Administration. Commissioner Sosa stated that cuts could be made to other areas to balance the budget rather than impacting employees and County residents.*

*Mr. Piper noted Alternative 1 on handwritten page 10 of the report attached to the County Manager's memorandum included employees who were in the Deferred Retirement Option Program (DROP) or close to retirement and offered them a three-year medical payment for leaving early. He noted staff looked at this possibility being accomplished through a lump sum payment or payment over time and reflected the net compensation reductions. Mr. Piper said it was the County Commission's discretion to decide which direction it would take. He noted the report also indicated the reduction in salary costs by offering early retirement.*

*Chairman Gimenez asked Mr. Piper to meet with the union representatives before September 17th to develop recommendations that would provide the required savings to balance the budget and save some jobs.*

*Chairman Gimenez asked that if some constructive recommendations were developed as a result of the meeting between Mr. Piper and the union representatives, that these recommendations be incorporated within the information for the Second Budget Hearing.*

## **2 COUNTY COMMISSION**

2A

**092242 Resolution Katy Sorenson**

RESOLUTION DECLARING ONE 1999 CHEVY MINI-PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO REDLAND TROPICAL GARDENS & BOTANICAL FOUNDATION, INC.

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

2B

**092250 Resolution Katy Sorenson**

RESOLUTION DIRECTING THE COUNTY MAYOR TO PREPARE A PLAN TO ADDRESS THE PROBLEM OF WATER SHUT-OFF IN OCCUPIED MULTI-FAMILY BUILDINGS

*Amended*

**Report:** *(See Agenda Item 2B Amended, Legislative File No. 092555)*

2B Amended

092555 Resolution

Katy Sorenson,

Jose "Pepe" Diaz, Audrey M. Edmonson, Rebeca Sosa  
RESOLUTION DIRECTING THE COUNTY MAYOR TO  
PREPARE A PLAN TO ADDRESS THE PROBLEM OF  
WATER SHUT-OFF IN OCCUPIED MULTI-FAMILY  
BUILDINGS [SEE ORIGINAL ITEM UNDER FILE NO.  
092250]

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

*Mover: Sosa*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the  
foregoing proposed resolution into the record.*

*Commissioners Sosa, Diaz and Edmonson spoke  
in support of this proposed resolution and asked to  
be listed as co-sponsors.*

*Chairman Gimenez welcomed Commissioner  
Sorenson, sponsor of the foregoing proposed  
resolution.*

*Commissioner Sorenson noted the focus of this  
resolution was mainly on renters. She noted  
condominiums were different because they had  
associations and often had their own meters,  
whereas rental buildings usually had one meter.*

*Commissioner Edmonson noted some  
condominiums in her District suffered the same  
consequences and she suggested this proposal be  
amended to include condominiums.*

*Commissioner Sorenson accepted Commissioner  
Edmonson's proposed amendment but noted a  
separate plan would need to be prepared to  
address water shut-off in condominiums and rental  
buildings.*

*Hearing no further comments or questions, the  
Committee voted on this proposed resolution as  
amended.*

2C

092455 Resolution Sally A. Heyman

RESOLUTION DECLARING ONE 2001 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO CHABAD LUBAVITCH OF NORTH MIAMI, INC.

*Forwarded to BCC with a favorable recommendation  
Mover: Martinez  
Seconder: Diaz  
Vote: 5-0  
Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

2D

092406 Resolution Jose "Pepe" Diaz

RESOLUTION DECLARING MISCELLANEOUS RADIO EQUIPMENT SURPLUS AND AUTHORIZING ITS DONATION TO THE CITY OF SWEETWATER POLICE DEPARTMENT

*Forwarded to BCC with a favorable recommendation  
Mover: Martinez  
Seconder: Diaz  
Vote: 5-0  
Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

2E

092427 Resolution Barbara J. Jordan

RESOLUTION DECLARING ONE 2003 DODGE PICKUP SURPLUS AND AUTHORIZING ITS DONATION TO THE CAMILLE AND SULETTE MERILUS FOUNDATION, INC.

*Forwarded to BCC with a favorable recommendation  
Mover: Martinez  
Seconder: Diaz  
Vote: 5-0  
Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

2F

**092407 Resolution**

**Dennis C. Moss**

RESOLUTION DECLARING ONE 1997 DODGE  
PASSENGER VAN SURPLUS AND AUTHORIZING ITS  
DONATION TO IGLESIA BAUTISTA ESTRELLA DE  
BELEN INC.

*Forwarded to BCC with a favorable  
recommendation*

*Mover: Martinez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the  
foregoing proposed resolution into the record.*

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

**3 PUBLIC HEARINGS**

3A

**091818 Ordinance Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 21-30.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CONTINUING PENALTIES FOR PROPERTY OWNERS OF PROPERTIES WITH GRAFFITI DURING THE APPEAL TIME OF A CHAPTER 8CC CITATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed ordinance into the record.*

*Chairman Gimenez opened the public hearing and called for persons wishing to appear before the Committee in connection with this proposed ordinance. After hearing no one, he closed the public hearing.*

*It was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Edmonson.*

*Commissioner Sosa noted a few businesses in her District had to paint over graffiti on a weekly basis. She suggested the County enforcement agencies work with the Police Department to try and catch violators in the act because a burden was being placed on business owners. Commissioner Sosa noted the special paint needed to cover graffiti was very expensive. She stated that she agreed with setting the rules to keep the County clean but was sympathetic to the business owners.*

*Commissioner Martinez and Chairman Gimenez spoke in support of this proposed ordinance.*

*Hearing no further comments or questions, the Committee voted on this proposed ordinance as presented.*

3A Supplement

**092522 Supplement**

FISCAL IMPACT TO ORDINANCE AMENDING SECTION 21-30.01 OF THE CODE; PROVIDING FOR CONTINUING PENALTIES FOR PROPERTY OWNERS OF PROPERTIES WITH GRAFFITI DURING APPEAL TIME OF A CITATION

**Presented**

3B

**092181 Resolution**

RESOLUTION APPROVING APPLICATION FOR TEN (10) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO MEDICAL TRANSPORTATION MANAGEMENT, CORP. D/B/A AMC MEDICAL TRANSPORTATION TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

3C

**092360 Resolution**

RESOLUTION APPROVING APPLICATION FOR SIX (6) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO LA-MAR MEDICAL TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

3D

**092367 Resolution**

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30326 FROM BRICKELL KEY TOURS AND TRANSPORTATION, INC. TO NIAGARA OUTSOURCING SERVICES, INC. D/B/A FIVE DIAMONDS LIMOUSINE TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

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3E

**092368 Resolution**

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30212 FROM LUCA-MALEN, INC. TO MANOLITO TOURS & SHUTTLES, INC. D/B/A EXPRESS SHUTTLE TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

3F

**092369 Resolution**

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30322 FROM ONE WAY TRANSPORTATION, INC. TO ONE WAY VIP TRANSPORTATION, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

**4 DEPARTMENTS**

17

4A

**092272 Resolution**

RESOLUTION EXTENDING EMERGENCY RELIEF PROVISIONS OF ORDINANCE NO. 09-10 (Building Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4B

**092425 Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR TO APPLY FOR, RECEIVE AND EXPEND FEDERAL FUNDS FROM THE UNITED STATES ELECTION ASSISTANCE COMMISSION TO SUPPORT THE MIAMI-DADE ELECTIONS DEPARTMENT IN IMPLEMENTING A HIGH SCHOOL MOCK ELECTION PROGRAM; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND FUNDS AND EXECUTE SUCH CONTRACTS AND AMENDMENTS AS REQUIRED IF AWARDED (Elections Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4C

**092045 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN ENERGY PERFORMANCE CONTRACT WITH FPL SERVICES, LLC, PURSUANT TO CHAPTER 489.145 (4)(D) OF THE FLORIDA STATUTES, IN AN AMOUNT NOT TO EXCEED \$6,046,925, FOR WORK TO BE PERFORMED AT THE MIAMI INTERNATIONAL AIRPORT'S MAIN TERMINAL; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4D

**092262 Resolution**

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER AND LIGHT COMPANY (FPL) FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, LOCATED AT 3501 N. W. 46 STREET, UNINCORPORATED MIAMI-DADE COUNTY, IN THE NEW GSA TRADES SHOP FACILITY; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAID EASEMENT (General Services Administration)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4E

**092265 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 1405 S.W. 107 AVENUE, SUITE 301-M, MIAMI, FL, WITH UNIVERSITY CENTER NORTH, LTD., FOR PREMISES TO BE UTILIZED AS A DISTRICT OFFICE BY THE COMMISSIONER OF DISTRICT 11, WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED \$293,515.00 FOR THE THREE-YEAR TERM OF THE LEASE AND THE RENEWAL OPTION TERM; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Martinez*  
*Seconder: Sosa*  
*Vote: 5-0*  
*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4F

**092269 Resolution**

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERPETUAL EASEMENT LOCATED AT STATE ROAD NO. 933 (NW 12 AVENUE) AND NW 12 STREET TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING TWO LIGHT POLES, INCLUDING FOUNDATION AND OTHER IMPROVEMENTS; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAID PERPETUAL EASEMENT ON BEHALF OF MIAMI-DADE COUNTY (General Services Administration)

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

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4G

**092313 Resolution**

RESOLUTION APPROVING THE REPLACEMENT OF COUNTY OWNED PROPERTY LOCATED AT 1785 NW 47 STREET, MIAMI, FOR PROPERTY OWNED BY FERNADO S. RUIZ LOCATED AT 1871 NW 41 STREET, MIAMI, THROUGH THE INFILL HOUSING INITIATIVE; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE A COUNTY DEED (General Services Administration)

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

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

4H

**092332 Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL TO CONTRACT BETWEEN BUDGET CONSTRUCTION CO. INC. AND MIAMI-DADE COUNTY FOR NEEDS ASSESSMENT PROGRAM PROJECT NO. UWMR-49A: INSTALLATION OF A 12-INCH AND 8-INCH WATERMAIN EXTENSION IN THE VILLAGE OF MIAMI SHORES, CONTRACT NO. W-881; AND INCREASING CONTRACT AMOUNT BY \$22, 721.85 (Water & Sewer Department)

*Deferred to next committee meeting*

*Mover: Martinez*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Daniel Frastai read the foregoing proposed resolution into the record.*

*Commissioner Edmonson moved the foregoing proposed resolution. This motion was seconded by Commissioner Sosa for discussion.*

*In response to Commissioner Sosa's inquiry regarding the rationale for increasing the contract amount by \$22,721.85, Mr. Howard Piper, Special Assistant County Manager for Management Assessment and Performance, said in order to cover the \$65,000 overrun on the project, staff had to utilize the remaining dollars in the contract which was approximately \$42,000, and needed the County Commission's permission to expend the remaining \$22,000 on the contract. He noted the contractor performed well and was not in default; however, the quality of the subcontractor's asphalt work was unacceptable, and this was addressed through their surety bond.*

*Commissioner Sosa asked that she be provided with a total disclosure of the \$22,721.85 line item, the performance evaluation and the number of contracts handled by the company and any action plan to work together with municipal governments to inform them of any County projects that involved boundaries within municipalities. She said that she would like to work with the county attorneys and the Administration to draft a resolution to prevent a reoccurrence.*

*Mr. Piper noted it was the County's standard, normal operation to coordinate fully with municipalities on proposed projects.*

*In response to Commissioner Martinez' inquiry as to whether the Village of Miami Shores was aware of the County project and plans, Mr. Doug Yoder, Deputy Director Regulatory Compliance and*

Government Operations Committee

Capital Improvements, said the Village issued a permit to the County for the original plans; however, during the time the permit was issued and the County contractor came on-board, the Village proceeded with landscaping work. He noted since this was within the Village right-of-way, the County had an obligation to restore the necessary portions. Mr. Yoder said it was his understanding that it was an oversight on the part of the Village that they proceeded with the landscaping, not recalling that the plans were in place.

Commissioner Edmonson noted she would prefer to defer this proposed resolution in order to determine whether the Village of Miami Shores knew of the proposed project.

The Committee by motion duly made, seconded and carried, voted to defer this proposed resolution to October 13, 2009.

Chairman Gimenez asked that a representative from the Village of Miami Shores respond to the questions raised by the Committee members regarding installation of the proposed water main installation within the Village of Miami Shores.

Hearing no further comments or questions, the Committee deferred this proposed resolution to October 13, 2009.

41

**092337 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF HIALEAH AND AMB I-75 LLC FOR THE TEMPORARY RELEASE OF A PORTION OF MIAMI-DADE WATER AND SEWER DEPARTMENT'S WATER AND SEWER SERVICE AREAS (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Diaz*  
*Seconder: Martinez*  
*Vote: 5-0*  
*Absent: Seijas*

**Report:** Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.

Hearing no comments or questions, the Committee voted on this proposed resolution as presented.

23

4J

**092342 Resolution**

RESOLUTION APPROVING THE EXECUTION OF A CONTRACT WITH THE CITY OF HIALEAH GARDENS FOR THE PROVISION OF SANITARY SEWAGE DISPOSAL SERVICE BY MIAMI-DADE COUNTY TO THE CITY OF HIALEAH GARDENS (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4K

**092344 Resolution**

RESOLUTION APPROVING EXECUTION OF STORMWATER BILLING AGREEMENT WITH THE CITY OF MIAMI SPRINGS FOR BILLING OF STORMWATER UTILITY CHARGES BY MIAMI-DADE WATER AND SEWER DEPARTMENT (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4L

**092345 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR TO USE MIAMI-DADE WATER AND SEWER FORCES TO INSTALL A NEW 12-INCH WATER MAIN ALONG NE 2 AVENUE BETWEEN NE 54 STREET AND NE 69 STREET IN AN AMOUNT NOT TO EXCEED \$1.2 MILLION; WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-120-83 (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record. She noted the foregoing proposed resolution contained a scrivener's error and installation of the new 12-inch water main should be along NE 2 Avenue between NE 57 Street to NE 69 Street; not NE 54 Street.*

*Chairman Gimenez commended the Water and Sewer Department for performing a project in Commission District 7 expeditiously and under budget.*

*Commissioner Sosa also commended WASD for the projects being performed in Commission District 6.*

*Commissioner Edmonson noted the City of Miami was planning on performing road work; however, because they met with the County they were holding back on this work until the County completed this project. She noted this was the right way to proceed and to save the County money.*

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

4M

**092359 Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO CONTRACT BETWEEN MIAMI SKYLINE CONSTRUCTION CORP. AND MIAMI-DADE COUNTY FOR CONSTRUCTING A TWO-LEVEL MASONRY LABORATORY BUILDING AND A GROUND FLOOR PARKING STRUCTURE AT THE JOHN E. PRESTON WATER TREATMENT PLANT FOR CONTRACT NO. W-888R AND A NON-COMPENSABLE TIME EXTENSION OF 90 DAYS (Water & Sewer Department)

**Forwarded to BCC with a favorable recommendation**

**Mover: Sosa**

**Seconder: Edmonson**

**Vote: 5-0**

**Absent: Seijas**

**Report:** *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4N

**092449 Resolution**

RESOLUTION AMENDING RESOLUTION NO. R-1335-03 TO INCREASE THE BLANKET AMOUNT FROM \$75,000 TO \$200,000 PER YEAR AUTHORIZING THE MIAMI-DADE WATER AND SEWER DEPARTMENT TO SECURE INDEPENDENT, CERTIFIED (MAI, ASA) PROPERTY APPRAISERS ON AN AS-NEEDED BASIS IN ACCORDANCE WITH ESTABLISHED COUNTY APPRAISER SELECTION PROCEDURES (Water & Sewer Department)

**Motion dies due to lack of second**

**Report:** *It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded for discussion only. This motion subsequently died for lack of a second.*

**5 COUNTY MANAGER**

**6 COUNTY ATTORNEY**

**7 CLERK OF THE BOARD**

Government Operations Committee

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, September 08, 2009

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7A

**092445 Report**

CLERK'S SUMMARY OF MINUTES FOR THE JULY 14,  
2009 GOVERNMENT OPERATIONS COMMITTEE  
MEETING (Clerk of the Board)

*Approved*  
*Mover: Sosa*  
*Second: Diaz*  
*Vote: 5-0*  
*Absent: Seijas*

**Report:** *Assistant County Attorney Geri Bonzon-Keenan  
read the foregoing proposed report into the record.*

*Hearing no comments or questions, the Committee  
voted on this report as presented.*

**8 REPORTS**

**9 ADJOURNMENT**

**Report:** *There being no further business to come before the  
Committee, the Government Operations  
Committee meeting was adjourned at 11:11 a.m.*