



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

HPSI  
Agenda Item No. 6A

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

**DATE:** January 14, 2010

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

**SUBJECT:** Approval of Commission  
Committee Minutes

*Diane Collins*

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

December 10, 2009

DC/js  
Attachment



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

## CLERK'S SUMMARY OF Meeting Minutes

### Health, Public Safety & Intergovernmental Cmte

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

---

Thursday, December 10, 2009

2:00 PM

Commission Chambers

---

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

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

---

#### 1 MINUTES PREPARED BY :

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

#### 1A INVOCATION

#### 1B PLEDGE OF ALLEGIANCE

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



**1E**      **OFFICE OF INTERGOVERNMENTAL AFFAIRS**

1E1

**093239**    **Report**

2010 FEDERAL INTERGOVERNMENTAL ITEMS OF JURISDICTION TO THE HEALTH, PUBLIC SAFETY & INTERGOVERNMENTAL COMMITTEE (Office of Intergovernmental Affairs)

**Report Received**  
**Mover: Sosa**  
**Seconder: Diaz**  
**Vote: 5-0**  
**Absent: Barreiro**

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

**2**      **COUNTY COMMISSION**

2A

**091901**    **Ordinance**

**Sally A. Heyman,**  
**Rebeca Sosa**

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(S) OF CODE OF THE MIAMI-DADE COUNTY, FLORIDA, RELATING TO LOBBYING; REQUIRING PRINCIPALS AND LOBBYISTS TO FILE AFFIDAVIT REGARDING CONTINGENCY FEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

**Report:**    *Assistant County Attorney Gerald Sanchez read the foregoing proposed ordinance into the record.*

*Chairwoman Heyman opened the public hearing. She closed the public hearing after no one appeared before the Committee in connection with this ordinance.*

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

2B

**092762 Ordinance** **Jose "Pepe" Diaz** *Withdrawn*  
 ORDINANCE RELATING TO SEXUAL OFFENDERS AND PREDATORS; CREATING SECTION 21-285 OF THE CODE OF MIAMI-DADE COUNTY; CREATING CHILD SAFETY ZONES AND PROHIBITING LOITERING AND PROWLING IN CHILD SAFETY ZONES; AMENDING ARTICLE XVII OF CHAPTER 21 OF THE CODE RELATING TO RESIDENCY RESTRICTIONS; APPLYING MIAMI-DADE COUNTY SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS THROUGHOUT INCORPORATED AND UNINCORPORATED MIAMI-DADE COUNTY; PREEMPTING MUNICIPAL SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS; ADDING A QUALIFYING OFFENSE TO CONFORM TO STATE STATUTES; AND PROVIDING FOR PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**Report:** *See Agenda Item 2B Substitute Legislative File No. 093271.*

2B SUB

**093271 Ordinance** **Jose "Pepe" Diaz** *Amended*  
 ORDINANCE RELATING TO SEXUAL OFFENDERS AND PREDATORS; CREATING SECTION 21-285 OF THE CODE OF MIAMI-DADE COUNTY; CREATING CHILD SAFETY ZONES AND PROHIBITING LOITERING AND PROWLING IN CHILD SAFETY ZONES; AMENDING ARTICLE XVII OF CHAPTER 21 OF THE CODE RELATING TO RESIDENCY RESTRICTIONS; APPLYING MIAMI-DADE COUNTY SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS THROUGHOUT INCORPORATED AND UNINCORPORATED MIAMI-DADE COUNTY; PREEMPTING MUNICIPAL SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS; ADDING A QUALIFYING OFFENSE TO CONFORM TO STATE STATUTES; AND PROVIDING FOR PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 092762]

**Report:** *See Agenda Item 2B Substitute Amended, Legislative File No. 093288 for the amended version.*

## 2B SUBSTITUTE AMENDED

093288 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO SEXUAL OFFENDERS AND PREDATORS; CREATING SECTION 21-285 OF THE CODE OF MIAMI-DADE COUNTY; CREATING CHILD SAFETY ZONES AND PROHIBITING LOITERING AND PROWLING IN CHILD SAFETY ZONES; AMENDING ARTICLE XVII OF CHAPTER 21 OF THE CODE RELATING TO RESIDENCY RESTRICTIONS; APPLYING MIAMI-DADE COUNTY SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS THROUGHOUT INCORPORATED AND UNINCORPORATED MIAMI-DADE COUNTY; PREEMPTING MUNICIPAL SEXUAL OFFENDER AND PREDATOR RESIDENCY RESTRICTIONS; ADDING A QUALIFYING OFFENSE TO CONFORM TO STATE STATUTES; AND PROVIDING FOR PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 092762 & 093271]

*Forwarded to BCC without recommendation with committee amendments*

*Mover: Diaz*

*Seconder: Sosa*

*Vote: 4-1*

*No: Souto*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed ordinance into the record.*

*Chairwoman Heyman opened the public hearing and the following individual(s) appeared:*

*Ms. Lauren Book-Lim, 18851 NE 29 Avenue, Lauren's Kids, appeared before the Board and spoke in support of this proposed ordinance.*

*Ms. Carlene Sawyer, 4500 Biscayne Boulevard, President of the American Civil Liberties Union of Florida (ACLU), thanked the County Commissioners, particularly Commissioner Diaz, for his diligence in bringing forth legislation to protect the citizens of this community from sexual predators or offenders. She spoke in opposition to this proposed ordinance and noted she felt that it was severely inadequate as presented. Ms. Sawyer provided the Committee members with a copy of a Final Report entitled, "Availability and Spatial Distribution of Affordable Housing in Miami-Dade County and Implications of Residency Restriction zones for Registered Sex Offenders."*

*Mr. Benjamin Burton, 3550 Biscayne Boulevard, Miami Coalition for the Homeless (MCH), appeared before the Committee and advised Commission members that members of the MCH would like to collaborate with the County in this effort to address homelessness pursuant to this ordinance.*

*Mr. Ronald Book, 18851 NE 29 Avenue, appeared before the Board and noted he was speaking today as a children's advocate and as Chairman of Lauren's Kids. He commended Commissioner Diaz for his leadership on this proposed ordinance, and urged Committee members to forward it for consideration by the County Commission on December 15, 2009.*

*Hearing no one else wishing to speak before the Committee, Chairwoman Heyman closed the public hearing.*

*Chairwoman Heyman questioned whether this proposed ordinance would supersede other existing legislation enacted by municipalities pertaining to child restriction zones.*

*Assistant County Attorney Thomas Logue stated this proposal would preempt all municipal ordinances and if approved, would limit the regulatory agencies to the Miami Dade County and the State of Florida, which was a regional approach.*

*A discussion ensued between Chairwoman Heyman and Commissioner Diaz regarding the residency restrictions. Commissioner Diaz noted the intent of this proposed ordinance was providing consistency or uniformity in sexual offender and predator residency restrictions throughout the County.*

*3:05:13 (Directive)*

*Commissioner Sosa asked Assistant County Attorney Thomas Logue to provide her with a definition of "sexual offender and sexual predator" and whether "Romeo and Juliet" type offense could be prosecuted as a sexual predator before this ordinance was forwarded to the County Commission. She also asked that staff ensure all municipalities be notified and invited to participate in the discussion when this matter was considered by the County Commission.*

*In response to Commissioner Souto's question whether this proposed ordinance was in conflict with any existing State and Federal laws, Assistant County Attorney Logue stated it was not in conflict with any existing laws.*

*A discussion ensued between Commissioners Souto and Diaz regarding how this proposed ordinance would enhance the protection of*

children from sexual predators in this community.

Further discussion ensued between Commissioner Souto and Assistant County Attorney Logue regarding the difference in committing a sexual act versus loitering and prowling in a Child Safety Zones.

Commissioner Diaz thanked Mr. Book and Ms. Lauren Book for their foundation to assist young girls on this issue. He noted he worked with various Florida State legislators to address Commission Sosa's issue regarding the "Romeo and Juliet" and to create a category for this type of offense.

3:23:10

Assistant County Attorney Thomas Logue noted a technical amendment should be made to remove the following language from Section 21-282 (1) (a) of this ordinance: "...and registered said residence pursuant to Sections 775.21, 943.-0435 or 944.607, Florida Statutes"

It was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the Board of County Commissioners (BCC) with a favorable recommendation with a Committee amendment(s) to remove the following language from Section 21-282 (1)(a): "and registered said residence pursuant to Sections 775.21, 943.-0435 or 944.607, Florida Statutes." This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 4-1 (Commissioner Souto voted "No" and Commissioner Barreiro was absent).

Hearing no further comments or questions, the Committee forwarded this proposed ordinance to the Board of County Commissioners (BCC) with a favorable recommendation with Committee amendment(s).

2C

**092618 Ordinance**

**Audrey M. Edmonson**

ORDINANCE RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE; AMENDING SECTION 2-11.1(S) TO PROVIDE THAT ANY PERSON WHO APPEARS AS A LOBBYIST ON BEHALF OF A CERTIFIED SMALL BUSINESS ENTERPRISE OR COMMUNITY SMALL BUSINESS ENTERPRISE SHALL NOT BE REQUIRED TO PAY LOBBYIST REGISTRATION FEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Agenda Item 2C Substitute Legislative File No. 093172.*

2C SUB

093172 Ordinance

Audrey M. Edmonson,

Jose "Pepe" Diaz, Sally A. Heyman, Rebeca Sosa  
ORDINANCE RELATING TO CONFLICT OF INTEREST  
AND CODE OF ETHICS ORDINANCE; AMENDING  
SECTION 2-11.1(S) TO PROVIDE THAT ANY PERSON  
WHO APPEARS AS A LOBBYIST ON BEHALF OF A  
CERTIFIED SMALL BUSINESS ENTERPRISE OR  
COMMUNITY SMALL BUSINESS ENTERPRISE SHALL  
NOT BE REQUIRED TO PAY LOBBYIST  
REGISTRATION FEES; PROVIDING SEVERABILITY,  
INCLUSION IN THE CODE AND AN EFFECTIVE DATE  
(SEE ORIGINAL ITEM UNDER FILE NO. 092618)

*Amended*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed ordinance into the record.*

*Chairwoman Heyman opened the public hearing. She closed the public hearing after no one appeared before the Committee in connection with this ordinance.*

*Commissioner Diaz noted an ordinance already existed that accomplished the intent of this proposed ordinance.*

*Assistant County Attorney Sanchez explained that the existing Miami-Dade County Code required that all of the entities register and pay the lobbyist registration fees. Whereas this proposal would require that the entities to register, but would exempt those entities identified in this ordinance from registration fees.*

*In response to Commissioner Diaz' comments, Commissioner Edmonson explained the intent of this proposed ordinance.*

*Mr. Robert Meyers, Executive Director, Commission on Ethics and Public Trust, appeared before the Committee, and concurred with Commissioner Edmonson's explanation that a principal of a company must register as a lobbyist.*

*Commissioner Diaz stated that the principal/owner of the company should have the right to speak for its company without compensation and should not be required to pay the lobbyist registration fees.*

*A discussion ensued between Commissioner Diaz and Mr. Meyers regarding a policy matter for the County Commission and whether to amend this*

*proposed ordinance to state a principal/company shall not be required to register or pay the lobbyist registration fee.*

*Following the discussion between Commissioner Diaz and Mr. Meyers, Assistant County Attorney Sanchez stated Commissioner Diaz' proposed amendment was beyond scope of this ordinance.*

*Further discussion ensued among Chairwoman Heyman, Commissioner Diaz and Assistant County Attorney Sanchez regarding the amended language offered by Chairwoman Heyman to specify a principal of that entity, instead of just any person, as proposed in this ordinance.*

*Assistant County Attorney Gerald Sanchez read the following amended language offered by Chairwoman Heyman as follows: "any principal who only appears as a representative of a certified Micro Enterprise as defined in section 2-8.1.1.1.1 of the Code, as a representative of a certified Level 1 Community Small Business Enterprise, as defined in section 10-33.02 or as a representative of a certified Tier I Community Business Enterprise, as defined in section 2-10.4.01 shall register with the Clerk as required by this subsection, but, upon request, shall not be required to pay any registration fees."*

*It was moved by Commissioner Sosa and seconded by Commissioner Diaz that the foregoing proposed ordinance be amended.*

*The Committee proceeded to vote on this proposed ordinance with Committee amendment(s).*

*Commissioner Diaz asked the Assistant County Attorney Gerald Sanchez to prepare legislation to provide that the principal owner of any company doing business with the County would no longer be required to pay lobbyist registration fees.*

*Chairwoman Heyman and Commissioners Diaz and Sosa asked that they be listed as co-sponsors on this proposed ordinance.*

*It was moved by Commissioner Sosa that the foregoing proposed ordinance be forwarded to the Board of County Commissioners (BCC) with a favorable recommendation with Committee amendment(s) to provide that any principal who only appears as a representative of a certified Micro Enterprise as defined in section 2-8.1.1.1.1 of the Code, as a representative of a certified*

*Level 1 Community Small Business Enterprise, as defined in section 10-33.02 or as a representative of a certified Tier I Community Business Enterprise, as defined in section 2-10.4.01 shall register with the Clerk as required by this subsection, but, upon request, shall not be required to pay any registration fees. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 6-0.*

*Hearing no objection, the Committee forwarded this proposed ordinance to the Board of County Commissioners (BCC) with Committee amendment(s).*

2D

091808 Ordinance

Barbara J. Jordan,

Rebeca Sosa, Sen. Javier D. Souto

ORDINANCE CREATING THE MIAMI-DADE COUNTY YOUTH COMMISSION AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; PROVIDING FOR APPOINTMENT OF STUDENT REPRESENTATIVES OF MIAMI-DADE PUBLIC SCHOOLS AS MEMBERS OF SUCH COMMISSION; SETTING FORTH QUALIFICATIONS OF MEMBERS AND TERMS OF OFFICE, PROVIDING FOR ELECTION OF OFFICERS AND OTHER MATTERS; PROVIDING FOR EXCEPTION TO SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO REQUIREMENT THAT COUNTY BOARD MEMBERS BE ELECTORS; PROVIDING FOR COUNTY STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn*

**Report:** *See Agenda Item 2D Substitute, Legislative File No. 093272.*

2D SUB

093272 Ordinance

Barbara J. Jordan,

Rebeca Sosa, Sen. Javier D. Souto

ORDINANCE CREATING THE MIAMI-DADE COUNTY YOUTH COMMISSION AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; PROVIDING FOR APPOINTMENT OF STUDENT REPRESENTATIVES AS ITS MEMBERS; SETTING FORTH QUALIFICATIONS OF MEMBERS AND TERMS OF OFFICE, PROVIDING FOR ELECTION OF OFFICERS AND OTHER MATTERS; PROVIDING FOR EXCEPTION TO SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO REQUIREMENT THAT COUNTY BOARD MEMBERS BE ELECTORS; PROVIDING FOR COUNTY STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091808] *Amended*

**Report:** *See Agenda Item 2D Substitute Amended, Legislative File No. 093301 for the amended version.*

2D SUBSTITUTE AMENDED

093301 Ordinance

Barbara J. Jordan,

Rebeca Sosa, Sen. Javier D. Souto

ORDINANCE CREATING THE MIAMI-DADE COUNTY YOUTH COMMISSION AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; PROVIDING FOR APPOINTMENT OF STUDENT REPRESENTATIVES AS ITS MEMBERS; SETTING FORTH QUALIFICATIONS OF MEMBERS AND TERMS OF OFFICE, PROVIDING FOR ELECTION OF OFFICERS AND OTHER MATTERS; PROVIDING FOR EXCEPTION TO SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO REQUIREMENT THAT COUNTY BOARD MEMBERS BE ELECTORS; PROVIDING FOR COUNTY STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEMS UNDER FILE NOS. 091808 & 093272]

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

*Mover: Sosa*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Souto*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed ordinance into the record.*

*Chairwoman Heyman opened the public hearing. She closed the public hearing after no one appeared in connection with this ordinance.*

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

*Commissioner Diaz questioned the allocation and the funding source for the Program Officer Position for the Miami-Dade County Youth Commission.*

*In response to Commissioner Diaz' question, Ms. Irene Taylor-Wooten, Special Assistant to the County Manager for Social Services, advised the Committee the County Manager's supplemental report would be amended to reflect that the Juvenile Services Department, rather than the Office of Community Advocacy would administer the Youth Commission, which meant that this proposal would not have any fiscal impact.*

*Hearing no objection, the Committee forwarded the foregoing proposed ordinance with a favorable recommendation with Committee amendment(s) to incorporate a revised fiscal statement as noted by Ms. Taylor-Wooten.*

2E

**091973 Resolution****Katy Sorenson**

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY THAT ALL CONTRACT LOBBYISTS SHALL OBTAIN A CONFLICT WAIVER FROM THE BOARD OF COUNTY COMMISSIONERS PRIOR TO REPRESENTING ANY CLIENT IN ANY FORUM THAT IS ADVERSE TO THE COUNTY; DIRECTING THE MAYOR OR DESIGNEE TO IMPLEMENT THE POLICY IN ALL FUTURE CONTRACTS FOR LOBBYING; REQUIRING ALL CONFLICT OF INTEREST WAIVER REQUESTS TO BE SUBMITTED DIRECTLY TO THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS, WHO SHALL PLACE THE CONFLICT WAIVER REQUEST ON THE NEXT AVAILABLE BOARD OF COUNTY COMMISSIONERS AGENDA

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Rolle*

*Vote: 5-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.*

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

*Chairwoman Heyman requested staff prepare the appropriate memorandum asking Chairman Moss to waive the Board's Rules and Procedures to allow this proposed resolution to be considered at the December 15, 2009 County Commission meeting.*

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

*Chairwoman Heyman expressed concern regarding the timeliness of this proposal and asked Assistant County Attorney Jess McCarty if additional language was needed at this time. She stated that the Florida Legislature was in the process of addressing this same issue.*

*Assistant County Attorney McCarty stated that with the addition of this provision, the County has sufficient tools in place to address the issue outlined in the proposed resolution.*

*Commissioner Sosa asked Assistant County Attorney Jess McCarty and the Office of Commission on Ethics and Public Trust Director to schedule a Sunshine Meeting to discuss this proposed resolution and to clarify the definition of "independent entity."*

*Commissioner Sorenson noted she concurred with*

*Commissioner Sosa that additional discussion regarding this resolution was necessary and that she would support scheduling a Sunshine Meeting for that purpose.*

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

2F

**093152 Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO DEVELOP AND IMPLEMENT A PILOT MIAMI-DADE COUNTY CERTIFIED LIFE SAFETY TECHNIQUES DECAL PROGRAM FOR RESTAURANTS LOCATED IN MIAMI-DADE COUNTY; URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION REQUIRING RESTAURANTS TO HAVE AVAILABLE AT LEAST ONE EMPLOYEE PER SHIFT WHO IS TRAINED IN CERTAIN LIFE SAFETY TECHNIQUES

*Forwarded to BCC with a favorable recommendation*  
*Mover: Souto*  
*Seconder: Sosa*  
*Vote: 4-1*  
*No: Diaz*  
*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.*

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

*Assistant County Manager Alina Hudak stated that the administration would need to further review, analyze and provide a report regarding the development and implementation of a pilot program for restaurants to have at least one employee per shift trained in life safety techniques.*

*Chairwoman Heyman asked Assistant County Manager Alina Hudak to meet with the Miami-Dade Fire and Rescue (MDFR) Chief and report on the fiscal impact of this proposal.*

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

*In response to Commissioner Diaz' request for clarification regarding the intent of this proposed resolution, Assistant County Attorney Martin Sybblis explained the intent of this resolution was to encourage, rather than require restaurant owners to have at least one employee per shift trained in life safety techniques.*

*Commissioner Diaz expressed concern that this proposal could create a liability for restaurants.*

*A discussion ensued between Commissioner Diaz and Assistant County Attorney Sybblis regarding the current Florida Statute Section 509.213 that required every public food service establishment to post a sign illustrating and describing how to perform the Heimlich maneuver. In addition, Mr. Sybblis stated that the Florida Statutes further provided that posting this sign would not place a*

*burden or obligation on the restaurant owners in the event of an emergency medical situation.*

*Commissioner Sosa spoke in support of this proposed resolution and recommended that that it be amended to state that the County encourage restaurant owners to ensure employees were trained in life safety techniques.*

*Commissioner Souto asked that the report requested by Chairwoman Heyman also include an estimate of the number of restaurants and visitors that would be impacted by this proposal.*

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

### 3 DEPARTMENTS

3A

#### 093102 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RETROACTIVELY EXECUTE A SUPPLEMENTAL AGREEMENT TO THE CONTRACT FOR GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, D.C. TO ASSIGN THE CONTRACT FROM TEW CARDENAS LLP TO CARDENAS PARTNERS LLC. SUPPLEMENTAL AGREEMENT NO. 1 TO CONTRACT NO. Q74C (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.*

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

*Chairwoman Heyman asked the Office of Intergovernmental Affairs Director to inform the Committee on who represented governmental consultant contracts, subcontracts and associates. In addition, she asked that this information be provided at the next Committee meeting.*

3B

**093103 Resolution**

RESOLUTION AUTHORIZING EXTENSION OF CONTRACTS WITH GREENBERG TRAUIG, P.A., ALCALDE & FAY, AND TEW CARDENAS LLP FOR UP TO SIX MONTHS, ON A MONTH-TO-MONTH BASIS, WITH AN ADDITIONAL ALLOCATION IN AN AMOUNT NOT TO EXCEED \$300,000.00, TO CONTINUE PROVIDING GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, D.C. CONTRACT NOS. Q74A, Q74B, AND Q74C (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconded: Sosa*

*Vote: 5-0*

*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.*

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

*Commissioner Sosa reminded the Committee members of the County Commission's request for a five (5) percent reduction for the County's State lobbyists and that the Federal lobbyists were being asked to accept a five (5) percent reduction for the cost of providing governmental representation and consulting services in Washington D.C. Chairwoman Heyman spoke in support of Commissioner Sosa's comments urging a five percent reduction for the County's Federal lobbyist fees.*

*Commissioner Rolle asked Assistant County Manager Hudak to meet with him and the Office of Intergovernmental Affairs Director to discuss this resolution before this item was considered by the full Board of County Commissioners.*

*Chairwoman Heyman informed Mr. Joe Rasco, Office of Intergovernmental Affairs Director, and Ms. Miriam Singer, Department of Procurement Management Director, that there was a delay in payment during the February, March, and April legislative sessions. She asked that appropriated steps be taken to prevent this from happening in the future.*

3C

**093167 Resolution**

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY (FPL) FOR A PAD MOUNT EQUIPMENT AREA AND THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES, LOCATED AT JACKSON SOUTH COMMUNITY HOSPITAL (Public Health Trust)

*Withdrawn*  
*Mover: Diaz*  
*Seconder: Sosa*  
*Vote: 5-0*  
*Absent: Souto*

3D

**093173 Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND STATE OF FLORIDA FUNDS FROM THE DEPARTMENT OF COMMUNITY AFFAIRS TO SUPPORT HAZARDOUS MATERIALS SITE ANALYSIS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND AMEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS STATE PROGRAM; AND TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO ANY APPLICATION AND AGREEMENT; AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN (Miami-Dade Fire and Rescue Department)

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

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.*

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

**4 COUNTY MANAGER**

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

6A

**093226 Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR HEALTH, PUBLIC SAFETY & INTERGOVERNMENTAL COMMITTEE MEETING FOR: OCTOBER 15, 2009 (Clerk of the Board)

*Approved*  
*Mover: Sosa*  
*Seconder: Heyman*  
*Vote: 5-0*  
*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing report into the record.*

*Hearing no objection, the Committee proceeded to vote on this report as presented.*

6B

**093208 Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR HEALTH, PUBLIC SAFETY & INTERGOVERNMENTAL COMMITTEE MEETING FOR: NOVEMBER 12, 2009 (Clerk of the Board)

*Approved*  
*Mover: Sosa*  
*Seconder: Heyman*  
*Vote: 5-0*  
*Absent: Barreiro*

**Report:** *Assistant County Attorney Gerald Sanchez read the foregoing report into the record.*

*Hearing no objection, the Committee proceeded to vote on this report as presented.*

**7 REPORTS**

7A

**092970 Report**

PRELIMINARY STUDY ON THE DECRIMINALIZATION OF CERTAIN COUNTY ORDINANCES (County Manager)

**Report Received**

**Mover: Diaz**

**Seconder: Sosa**

**Vote: 4-0**

**Absent: Souto, Barreiro**

**Report:** *Assistant County Manager Alina Hudak presented the foregoing report regarding a preliminary study on the decriminalization of certain County ordinances. She indicated that this report was provided pursuant to Resolution No. 868-09, which directed staff to evaluate the impact(s) of "decriminalizing" selected County ordinances; and to study whether cost savings could be achieved by eliminating the possibility of jail time for violating certain County ordinance that would have minimal impact on public safety. Ms. Hudak informed the Committee that a study group was formed to analyze the financial and operational impacts as well as the policy implications of decriminalizing the ordinances under consideration.*

*Mr. William Busutil, Senior Business Analyst, Management Planning Performance Analysis, Office of Strategic Business Management, appeared before the Committee and provided an overview of the analysis conducted. He noted OSBM worked with representatives from the following departments and entities: Miami-Dade Police Department, the Miami-Dade Corrections and Rehabilitation, the Eleventh Judicial Circuit, the Clerk of Courts, the Administrative Office of the Courts, the State Attorney's and the Public Defender's Office. He noted that these entities would be impacted financially and operationally if the proposal to decriminalize certain County ordinances was adopted.*

*Ms. Ivonne Duran, Police Legal Advisor 2, Police Legal Bureau, Miami-Dade Police Department (MDPD), appeared before the Committee and noted that the MDPD's recommendation was to retain the criminal aspect of the ordinances pending further review by staff of the minor offenses that could be decriminalized and the establishment of the Pre-Arrest Diversion Pilot Program to mitigate compliance rather than punishment.*

*Chairwoman Heyman asked Assistant County*

*Manager Alina Hudak and Assistant County Attorney Gerald Sanchez to prepare a legal opinion on her proposal to decriminalize or reclassify certain existing County ordinances and to submit a final report to this Committee in February 2010.*

*Hearing no objection, the Committee proceeded to vote on this report as presented.*

**100020 Report**

NON-AGENDA REPORT ITEM FOR THE DECEMBER 10, 2009, HPSIC

**Presented**

**Report:**

*Chairwoman Heyman pointed out that in the past Miami-Dade County as one of the largest urban counties in the country, did not have an assigned budget or dedicated revenue source for animal services other than for rabies tags. She informed the Committee of the recognition under the stewardship of new Animal Services Department Director, Dr. Sara Pizano, that the department had made significant progress in increasing the number of animals saved and improving the condition of the animals while at the shelter. She noted the Florida Animal Control Association (FACA) presented the following awards to Miami-Dade Animal Services:*

- *Employee of the Year Award to Veterinary Technician Erica Gonzalez*
- *Honorable Mention for Outstanding Team Achievement*
- *2009 Animal Control Agency of the Year!*

*Chairwoman Heyman also noted the significant changes in the Animal Services operations and the establishment of public/private partnerships in this County for providing animal services.*

*Dr. Pizano recognized the County Mayor's, the County Manager's and ASD staff's efforts in assisting her in improving animal services in this County.*

*Chairwoman Heyman announced an upcoming holiday event to be hosted at the County's Animal Services for adoption of pets and donations that were tax deductible.*

**8 ADJOURNMENT**

**Report:**

*There being no further business to come before the Committee, the meeting adjourned at 3:57 p.m.*