



MEMORANDUM
Harvey Ruvin
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ASC

Agenda Item No. 6(A)

TO: Honorable Chairman Dorrin D. Rolle
and Members, Airport and Seaport
Committee

DATE: April 15, 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 placement on the upcoming Airport and Seaport Committee agenda for approval:

March 11, 2010

Attachment
DC/ae



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

CLERK'S SUMMARY OF Meeting Minutes Airport and Seaport Committee

Dorrin D. Rolle (2) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Bruno A. Barreiro (5), Carlos A. Gimenez (7), Javier D. Souto (10) and Rebeca Sosa (6)

Thursday, March 11, 2010

9:30 AM

COMMISSION CHAMBERS

Members Present: Carlos A. Gimenez, Dorrin D. Rolle, Rebeca Sosa, Javier D. Souto.

Members Absent: Bruno A. Barreiro, Jose "Pepe" Diaz.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

MINUTES PREPARED BY:

Report: *Alan Eisenberg, Commission Reporter
305-375-2510*

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

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

1C **ROLL CALL**

Report: *The following staff members were present: Assistant County Manager Ysela Llorc; Assistant County Attorney(s) David Murray and Cynji Lee; and Deputy Clerks Judy Marsh and Alan Eisenberg.*

Chairman Rolle called the meeting to order at 9:51 a.m. The Committee proceeded to consider the reports on today's agenda, pending the arrival of a quorum. Chairman Rolle noted that a motion and vote on these reports would be considered once a quorum was present.

Upon convening a quorum at 10:05 a.m., Chairman Rolle asked Assistant County Attorney David Murray to set the agenda for today's meeting.

Assistant County Attorney David Murray noted several scribes' errors in Item 3A as reflected in the County Manager's Changes Memorandum dated March 11, 2010 should be corrected as follows: On handwritten page 1, the Primary Commission District should read District Six, Rebeca Sosa. Also, on handwritten page 4, the CBE goal measure should read 24% this was subsequently changed to 8% (\$1,277,060) due to the need to extensively use the original engineer of record (BMCR) as a sub-consultant and the Current Measure Achieved to Date should read 7.6%.

Assistant County Attorney Murray advised the Committee that a withdrawal was requested on Item 3D by County Manager George Burgess and the item would be submitted at a later date.

It was moved by Commissioner Gimenez that the Committee approve the agenda as presented. This motion was seconded by Commissioner Sosa and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Diaz were absent).

Chairman Rolle acknowledged Congresswoman Carrie Meek.

1D **DISCUSSION ITEM**

1D1

100424 Discussion Item

Dennis C. Moss

DISCUSSION/ADOPTION OF FY 2010 - 2011 BUDGET
PRIORITIES PURSUANT TO SEC. 2-1795 OF THE CODE
[SEE AGENDA ITEM NO. 7C]

Presented

Mover: Sosa

Seconder: Souto

Vote: 4-0

Absent: Barreiro, Diaz

Report: *See Agenda Item No. 7C for complete report.*

*Assistant County Attorney David Murray read the
foregoing proposed discussion item into the record.*

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

1E

PUBLIC HEARING

1E1

100037 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY'S AIRPORT SYSTEM; AMENDING SECTION 25-10 OF THE CODE OF MIAMI-DADE COUNTY TO ADD AN IDENTIFYING SUBJECT MATTER TITLE THERETO; CLARIFYING SECTION 25-2.15(C) TO ALLOW CERTAIN CONDUCT RELATING TO WEAPONS ON THE AIRPORT IF OTHERWISE PERMITTED BY LAW; ADDING SECTION 25-2.20(I) TO AUTHORIZE CODE INSPECTORS AT THE AVIATION DEPARTMENT TO ISSUE SAFETY VIOLATION NOTICES AND SUSPEND A VIOLATOR'S AIRPORT IDENTIFICATION BADGES UNDER STATED CONDITIONS, AND TO PROVIDE FOR REVIEW OF ANY SUCH ACTION BY THE AVIATION DIRECTOR OR DESIGNEE; AMENDING SECTION 25-2.26 TO PROVIDE FOR ENFORCEMENT OF THE PROVISIONS OF CHAPTER 25 OF THE CODE AS CIVIL VIOLATIONS UNDER CHAPTER 8CC IN ADDITION TO BUT NOT IN LIEU OF ENFORCEMENT THEREOF AS PRESENTLY PROVIDED UNDER CHAPTER 25; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record.*

Chairman Rolle 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.

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

2 COUNTY COMMISSION

2A

100115 Resolution

Sen. Javier D. Souto

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERNATIONAL COOPERATION AGREEMENT WITH THE CHAMBER OF COMMERCE OF BILBAO, SPAIN

Forwarded to BCC with a favorable recommendation

Mover: Souto

Seconder: Sosa

Vote: 4-0

Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

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

3 DEPARTMENT

3A

100462 Resolution

RESOLUTION APPROVING FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PEREZ AND PEREZ ARCHITECTS PLANNERS, INC. FOR MIA SOUTH TERMINAL PROGRAM SUPPLEMENTAL ARCHITECTURAL/ENGINEERING SERVICES, MDAD PROJECT NO. B313A AT MIAMI INTERNATIONAL AIRPORT, WHICH INCREASES THE CONTRACT BY A MAXIMUM AMOUNT OF \$802,000; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME (Aviation Department)

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

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Assistant County Attorney Murray noted this proposed resolution contained several scribes' errors as reflected in the County Manager's Changes Memorandum dated March 11, 2010 should be corrected as follows: On handwritten page 1, the Primary Commission District should read District Six, Rebeca Sosa. Also, on handwritten page 4, the CBE goal measure should read 24% this was subsequently changed to 8% (\$1,277,060) due to the need to extensively use the original engineer of record (BMCR) as a sub-consultant and the Current Measure Achieved to Date should read 7.6%.

Chairman Rolle inquired if any work orders and signed documentation existed to confirm that the work as noted on handwritten page 2, Section No.1 had been completed.

Mr. Jose Abreu, Aviation Director, confirmed that this work had been completed and this was the final amendment on this item. He further explained that this would be relevant when a final work order was submitted for the South Terminal. Mr. Abreu noted that the amounts for this change order were totally budgeted and below the borrowing cap.

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

3B

100469 Resolution

RESOLUTION APPROVING FIRST AMENDMENT TO THE DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CARRIE MEEK FOUNDATION, FOR PREMISES AT OPA-LOCKA EXECUTIVE AIRPORT, EXTENDING THE DEVELOPMENT SCHEDULE, AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Second: Souto

Vote: 4-0

Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Chairman Rolle commented that it appeared the Carrie Meek Foundation (Foundation) was experiencing similar problems as the property's predecessor. He noted it was his understanding the property was shovel ready and should have been further along in the process.

Mr. Miguel Southwell, Deputy Aviation Director, responded that the Foundation had met all established goals; however, was suffering due to the economic meltdown. He noted negotiations had lingered due to limited financing and a change to developer requirements. Mr. Southwell commented that developers were now required to provide a 40-percent equity contribution to acquire bank financing. He noted that it was difficult to close negotiations with the seven companies who responded to the Request for Proposal due to these financing requirements. Mr. Southwell said that two of the top ranked companies had joined forces and presented a proposal to the Foundation which was being evaluated. He noted this resolution would provide a time extension.

Chairman Rolle asked whether the term "unbankable" applied to this situation and whether there was any problem with the lease.

In response to Chairman Rolle, Mr. Southwell noted that it was not "unbankable". He further explained that negotiations were underway with the Foundation to make leases more attractive. Mr. Southwell noted an issue was being resolved where a developer had an advantage related to regulatory constraints.

Commissioner Rolle asked Mr. Southwell to meet with him to discuss methods for making leases

more attractive before this resolution was forwarded to the County Commission.

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

3C

100470 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT FOR MIA RUNWAY 8R-26L PAVEMENT REHABILITATION, MDAD PROJECT NO.: H024C-1, BETWEEN THE COUNTY AND GENERAL ASPHALT CO., INC., IN AN AMOUNT NOT TO EXCEED \$7,678,104.08; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Souto

Vote: 4-0

Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Chairman Rolle asked Mr. Jose Abreu, Aviation Director to comment on the requested funding increase.

Mr. Abreu responded that the project was to rehabilitate pavement and electrical wiring for Runway 8R. He noted that the adjacent taxiway also required repairs; however, funding was not available. Mr. Abreu said that the Aviation Department was able to take advantage of exceptional unit pricing due to the economic downturn at the time bids were received. He noted the estimate was for \$29 million and the job was awarded at \$19 million. Mr. Abreu said it was important to proceed with renovations to Taxiway "M" in order to take advantage of lower unit pricing as well as the efficiencies associated with a single restaging of traffic. He noted future costs would exceed the current \$7 million proposal and encouraged that this item proceed in a timely manner. Mr. Abreu further explained the DBE subcontractor goal would now become 8-percent of the new total funded amount.

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

3D

093393 Resolution

RESOLUTION RELATING TO PERMITS AT MIAMI INTERNATIONAL AIRPORT; AMENDING RESOLUTION NO. R-442-02 TO AUTHORIZE AN OPPORTUNITY FEE OF SEVEN AND ONE HALF PERCENT UNDER PERMITS FOR VENDORS PROVIDING GOODS AND SERVICES TO TENANTS AT MIAMI INTERNATIONAL AIRPORT WHERE THE PERMITTEES CHOOSE TO PASS-THROUGH THE STANDARD SEVEN PERCENT OPPORTUNITY FEE TO THEIR CUSTOMERS; APPROVING SETTLEMENT OF A DISPUTE WITH SKY CHEFS, INC. AND GATE GOURMET, INC. ARISING OUT OF THEIR FOOD CATERING PERMITS; APPROVING ALL-INCLUSIVE DEFINITION OF GROSS REVENUES FOR ALL PERMITS BUT PERMITTING EXCLUSION OF OPPORTUNITY FEES FROM THE TERM GROSS REVENUES WHERE PERMITTEES PASS THROUGH THE OPPORTUNITY FEES TO THEIR CUSTOMERS AND THE OPPORTUNITY FEE IS INCREASED UP TO SEVEN AND ONE HALF PERCENT FOR SUCH PERMITTEES (Aviation Department)

Withdrawn

Mover: Gimenez

Seconder: Sosa

Vote: 4-0

Absent: Diaz, Barreiro

Report: *Assistant County Attorney Murray advised the Committee that a withdrawal was requested on this foregoing proposed resolution by County Manager George Burgess and the item would be submitted at a later date.*

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

100241 Report

CLERK'S COMMITTEE MEETING MINUTES FOR THE
JANUARY 14, 2010 AIRPORT AND SEAPORT
COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Gimenez
Seconder: Souto
Vote: 4-0
Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the
foregoing item into the record.*

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

7 REPORTS

7A

100166 Report

SEAPORT DEPARTMENT QUARTERLY REPORT OF
EXECUTED JOINT PARTICIPATION AGREEMENTS
AND SUPPLEMENTAL JOINT PARTICIPATION
AGREEMENTS BETWEEN OCTOBER 1, 2009 AND
DECEMBER 31, 2009 (County Manager)

Report Received
Mover: Gimenez
Seconder: Sosa
Vote: 4-0
Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the
foregoing proposed report into the record.*

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

7B

100306 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2010 -
PORT OF MIAMI CRANE MANAGEMENT, INC.

Report Received
Mover: Gimenez
Seconder: Sosa
Vote: 4-0
Absent: Diaz, Barreiro

Report: *Assistant County Attorney David Murray read the
foregoing proposed report into the record.*

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

7C

100531 Report

DEPARTMENTAL BUDGET PRESENTATIONS [SEE AGENDA ITEM NO. 1D1] (County Manager)

Report Received
Mover: Gimenez
Seconder: Sosa
Vote: 4-0
Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed report into the record.*

Chairman Rolle asked Committee members to submit FY 2010-11 budget priorities within two weeks.

Commissioner Gimenez noted the Airport and Seaport Departments were proprietary departments and leading economic engines in this community and consequently, should not be treated the same as tax supported departments. He said he was no longer looking for budget equivalents between proprietary and non-proprietary departments. Commissioner Gimenez noted the Airport and Seaport budgets must still be reviewed to ensure funding was spent correctly and funding levels were not reduced without cause.

Commissioner Sosa concurred with Commissioner Gimenez. She asked Mr. Jose Abreu, Aviation Director to provide a plan and budget requirements necessary to complete airport expansion and construction. She asked that Mr. Bill Johnson, Seaport Director provide a plan to ensure cruise ships make Miami their home port and to enhance cargo operations. Commissioner Sosa asked that both plans include costs, expectancies, timelines, and ways in which the Committee could assist the Airport and Seaport provide services to the community.

Commissioner Rolle asked that Mr. Abreu and Mr. Johnson provide the Committee with current year's accomplishments; an action plan for completing pending priorities; and projections for the upcoming fiscal year.

Commissioner Rolle asked Assistant County Manager Ysela Llort to provide Mr. Johnson with information about this request.

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

7D

100556 Report

MONTHLY REPORT FROM THE DEPARTMENT OF TRANSPORTATION ON THE PORT OF MIAMI TUNNEL - JANUARY AND FEBRUARY 2010 (County Manager)

Report Received
Mover: Gimenez
Seconder: Sosa
Vote: 4-0
Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed report into the record.*

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

7E

100557 Report

MONTHLY REPORT FROM THE DEPARTMENT OF TRANSPORTATION ON THE MIAMI INTERMODAL CENTER - JANUARY AND FEBRUARY 2010 (County Manager)

Report Received
Mover: Gimenez
Seconder: Sosa
Vote: 4-0
Absent: Barreiro, Diaz

Report: *Assistant County Attorney David Murray read the foregoing proposed report into the record.*

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

100689 Report
NON-AGENDA REPORT

Report: *Assistant County Manager Ysela Llord advised Committee members of several recent articles highlighting Airport and Seaport contributions to the community. She noted that these economic engines were a pride to the community.*

Chairman Rolle noted the positive articles showcasing the Miami-Dade Airport and Seaport appeared in The Florida Trend, The Miami Herald's Business Monday, and The Miami Today should be used for promotional purposes. He asked Mr. Abreu to expound upon these articles.

Mr. Jose Abreu, Aviation Director, pointed out that these articles were very comprehensive; highlighting freight and trade activities. He commented that according to Business Monday, there was nothing like Miami International Airport (MIA) in terms of cargo in the western hemisphere. Mr. Abreu also noted that MIA was the only airport in the United States ranking among the top 10 in the world for freight. Mr. Abreu said he sincerely appreciated the recognition each of these publications had bestowed upon Miami-Dade County.

Chairman Rolle commended Mr. Abreu; Mr. Bill Johnson, Seaport Director and their staffs for these accomplishments. He noted additional acknowledgement would be made at the upcoming County Commission meeting.

Commissioner Sosa said Mr. Abreu and Mr. Johnson were doing a tremendous job attracting more people, businesses, and economic development to Miami-Dade County and their leadership was admirable.

Commissioner Gimenez commended Mr. Abreu for his leadership, honesty, and integrity which had contributed to the airport becoming a source of pride to this community.

Chairman Rolle asked Ms. Llord to ensure that Mr. Johnson was commended for his leadership at the Seaport.

8 ADJOURNMENT

Report: *It was moved by Commissioner Gimenez to adjourn today's meeting at 10:21 a.m. This motion was seconded by Commissioner Sosa and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Diaz and were absent).*