



MEMORANDUM
Harvey Ruvin
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BPS

Agenda Item No. 6A

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

DATE: May 11, 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 Budget, Planning and Sustainability Committee agenda for approval:

April 13, 2010

Attachment
DC/ae



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)

Tuesday, April 13, 2010

2:00 PM

Commission Chambers

Members Present: Carlos A. Gimenez, Barbara J. Jordan, Joe A. Martinez, Katy Sorenson.

Members Absent: Sally A. Heyman.

Members Late: Audrey M. Edmonson.

Members Excused: None.

Members Absent County Business: None.

1 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 Alina Hudak; Assistant
County Attorney(s) Martin Sybllis, Gerald
Heffernan and Cynji Lee; and Deputy Clerks Jovel
Shaw and Alan Eisenberg.*

*Assistant County Attorney Martin Sybllis noted
Item 3J Supplement should be added to today's
agenda.*

*It was moved by Commissioner Martinez that the
Committee approve the agenda as presented. This
motion was seconded by Commissioner Jordan
and upon being put to a vote, passed by a vote of 4-
0; (Commissioners Edmonson and Heyman were
absent).*

1D OPENING REMARKS FROM CHAIR
SORENSEN

1E DISCUSSION ITEMS

1E1

100421 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. 7A)

Presented
Mover: Martinez
Seconder: Gimenez
Vote: 5-0
Absent: Heyman

1F OFFICE OF THE COMMISSION AUDITOR

1G PUBLIC HEARING

1G1

100448 Ordinance

ORDINANCE PERTAINING TO ZONING REGULATION OF MOBILE HOME PARKS AND PARK REDEVELOPMENT; PROVIDING DEFINITION OF MANUFACTURED HOME; REQUIRING ANNUAL CERTIFICATE OF USE FOR MOBILE HOME PARKS; REQUIRING DISCLOSURES IN CONNECTION WITH APPLICATIONS FOR CERTAIN ZONING ACTIONS AND DEVELOPMENT PERMITS AS PART OF RELOCATION PROTECTION PLAN; MODIFYING CERTAIN SIZE AND HEIGHT REQUIREMENTS FOR MOBILE HOME PARKS AND LOT SPACES; REQUIRING REFERRAL OF COMPLAINTS TO STATE AGENCY; PROVIDING JURISDICTION FOR APPEALS OF ADMINISTRATIVE DECISIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 100065][SEE AGENDA ITEM NOS. 5C AND 7G) (Department of Planning & Zoning)

Deferred to no date certain

Mover: Jordan

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed ordinance into the record.*

Chairwoman Sorenson opened the public hearing and called for persons wishing to appear before the Committee in connection with this proposed ordinance. After hearing no one, she closed the public hearing.

The foregoing proposed ordinance was moved by Commissioner Martinez and seconded by Commissioner Jordan for discussion.

Commissioner Jordan noted it was her understanding that this item would not be considered by Committee until an opinion was issued by the Attorney General.

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

2 COUNTY COMMISSION

2A

100683 Resolution

Bruno A. Barreiro

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE GENERAL SERVICES ADMINISTRATION FOR THE FEBRUARY 3-5, 2010 "SOS: SAVING OURSELVES – HELP FOR HAITI TELETHON" SPONSORED BY ENTERTAINMENT INDUSTRY FOUNDATION, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 5 FY 2008-09 IN-KIND RESERVE FUND

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2B

100685 Resolution

Bruno A. Barreiro

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE GENERAL SERVICES ADMINISTRATION FOR THE MARCH 13, 2010 "BIG EVENT" SPONSORED BY BIG BROTHERS BIG SISTERS OF GREATER MIAMI, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 5 FY 2008-09 IN-KIND RESERVE FUND

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2C

100682 Resolution Audrey M. Edmonson

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JANUARY 18, 2010 "KING ZONE YOUTH AND FAMILY FESTIVAL" SPONSORED BY DR. MARTIN LUTHER KING, JR., PARADE AND FESTIVITIES COMMITTEE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$13,500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 3 FY 2008-09 IN-KIND RESERVE FUND

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Heyman, Edmonson

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2D

100679 Resolution Carlos A. Gimenez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 7, 2010 "MIAMI KIDNEY WALK 2010" SPONSORED BY NATIONAL KIDNEY FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 7 FY 2008-09 IN-KIND RESERVE FUND

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2E

100680 Resolution Sally A. Heyman

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 14, 2010 "4TH ANNUAL ARTS FESTIVAL" SPONSORED BY THE TOWN OF SURFSIDE, IN AN AMOUNT NOT TO EXCEED \$1,300.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 4 FY 2008-09 IN-KIND RESERVE FUND

*Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Heyman, Edmonson*

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2F

100681 Resolution Sally A. Heyman

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE NOVEMBER 24-25, 2009 "OJUS FAMILY PICNIC" SPONSORED BY OJUS ELEMENTARY SCHOOL, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 4 FY 2008-09 IN-KIND RESERVE FUND

*Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman*

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2G

100684 Resolution Sally A. Heyman

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 26, 2010 "FIELD DAY" SPONSORED BY THE HIGHLAND OAKS MIDDLE SCHOOL, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 4 FY 2008-09 IN-KIND RESERVE FUND

*Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman*

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2H

100686 Resolution Sen. Javier D. Souto

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 26, 2010 "RED/BLACK FOOTBALL GAME" EVENT SPONSORED BY THE WINSTON PARK ELEMENTARY SCHOOL, IN AN AMOUNT NOT TO EXCEED \$2,130.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 10 FY 2008-09 IN-KIND RESERVE FUND

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

2I

100503 Resolution Carlos A. Gimenez, Bruno A. Barreiro

RESOLUTION AMENDING THE FISCAL YEAR 2009-10 COUNTYWIDE GENERAL FUND BUDGET AND THE UNINCORPORATED MUNICIPAL SERVICE AREA FUND BUDGET; REMOVING APPROPRIATED FUNDING, REVENUE AND POSITIONS FROM AGENDA COORDINATION; APPROPRIATING FUNDING, REVENUE AND POSITIONS TO THE OFFICE OF THE CHAIR DIVISION UNDER THE BOARD OF COUNTY COMMISSIONERS FUND; AND ESTABLISHING POLICY THAT FOR PROSPECTIVE FISCAL YEARS THE COUNTY BUDGET SHALL INCLUDE AN APPROPRIATION TO THE OFFICE OF THE CHAIR DIVISION UNDER THE BOARD OF COUNTY COMMISSIONERS FUND FOR THE AGENDA COORDINATION FUNCTION

Deferred to no date certain
Mover: Gimenez
Seconder: Jordan
Vote: 4-0
Absent: Edmonson, Heyman

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

2J

100816 Resolution**Barbara J. Jordan**

RESOLUTION WAIVING ADMINISTRATIVE ORDER 3-38 IN ORDER TO APPOINT CERTAIN QUALIFIED LAW FIRMS TO AUTHORITY BOND COUNSEL POOL AND RESCINDING RESOLUTION NO. R-1059-09 REGARDING EXTENSION OF CERTAIN BOND COUNSEL POOLS

Forwarded with a favorable recommendation

Mover: Jordan

Seconder: Sorenson

Vote: 3-1

No: Martinez

Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

Commissioner Jordan noted this proposed resolution waives the Administrative Order to approve the Item because a Request for Proposal was already performed. She said this Item complements the County Manager's recommendation for the three firms; however, flows down to the fourth firm to capture firms with experience and have previously performed similar work.

Commissioner Martinez inquired about the rationale for waiving the competitive process to select particular firms.

Assistant County Attorney Gerald Heffernan responded that Commissioner Jordan reverted to the Request for Qualification (RFQ) process conducted during the summer of 2009 where firms were evaluated and ranked by committee based upon their qualifications. He noted the selected firms would have been recommended by the County Manager to the County Commission had the Commission not extended the Bond Counsel pool for another year. Mr. Heffernan said these firms met the minimum County requirements to become Bond Counsel.

Commissioner Martinez noted concern about reverting to a RFQ process which occurred approximately one year ago and that he would review a list of all principles and associates for the selected firms.

Chairwoman Sorenson noted that the County Commission did not accept the outcome of the previous RFQ process and failed to adopt the proposed resolution at that time. She said the existing resolution includes the three firms originally selected by the County Manager as well as a fourth firm which was ranked a few points

lower. Chairwoman Sorenson explained the option presented today was a more efficient method of resolving this issue than initiating a new RFQ process.

Commissioner Gimenez noted he was comfortable with this proposed resolution for now; however, he needed to study it further.

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

2K

100628 Resolution

Joe A. Martinez

RESOLUTION WAIVING REQUIREMENTS OF ADMINISTRATIVE ORDER 3-38 FOR SECURING SPONSORSHIPS AND PURCHASING GOODS AND SERVICES FOR HOSTING THE 6TH ANNUAL JOE A. MARTINEZ HEALTH AND SAFETY EXPO, JUNE 26, 2010

Forwarded with a favorable recommendation

Mover: Martinez

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Heyman

Report: Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.

Commissioner Martinez noted County funding was no longer available and outside funding needed to be secured to accomplish the intent of this proposal. He said a commitment was received from Blue Cross Blue Shield and was soliciting commitments from others.

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

3 DEPARTMENTS

3A

100699 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 8.68 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 YAVIC INVESTMENT AS SELLER FOR A PURCHASE PRICE OF \$52,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Forwarded with a favorable recommendation
Mover: Martinez
Seconder: Jordan
Vote: 4-0
Absent: Edmonson, Heyman*

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

3B

100700 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 SOUTHEAST PROPERTY VENTURES, LLC AS SELLER FOR A PURCHASE PRICE OF \$75,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Forwarded with a favorable recommendation
Mover: Martinez
Seconder: Jordan
Vote: 4-0
Absent: Edmonson, Heyman*

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

3C

100232 Resolution

RESOLUTION AUTHORIZING THE AWARD OF PROJECT NO. E09-DERM-01 PTP; CONTRACT NO. E09-DERM-01-URS FOR ENVIRONMENTAL CLEANUP, COMPLIANCE AND RELATED SERVICES FOR MIAMI-DADE TRANSIT (MDT) AND OTHER COUNTY FACILITIES; AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

Withdrawn

Report: *See Agenda Item No. 3C Substitute; Legislative File No. 100845*

3C SUB

100845 Resolution

RESOLUTION AUTHORIZING THE AWARD OF PROJECT NO. E09-DERM-01 PTP; CONTRACT NO. E09-DERM-01-URS FOR ENVIRONMENTAL CLEANUP, COMPLIANCE AND RELATED SERVICES FOR MIAMI-DADE TRANSIT (MDT) AND OTHER COUNTY FACILITIES, IN THE AMOUNT OF \$2,750,000; AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 100232] (Department of Environmental Resources Management)

Forwarded with a favorable recommendation

Mover: Jordan

Seconder: Gimenez

Vote: 3-1

No: Martinez

Absent: Edmonson, Heyman

Report: *Commissioner Martinez noted he would vote "No" based upon the multiplier.*

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

3D

100233 Resolution

RESOLUTION AUTHORIZING THE AWARD OF PROJECT NO. E09-DERM-01 PTP; CONTRACT NO. E09-DERM-01-CEI FOR ENVIRONMENTAL CLEANUP, COMPLIANCE AND RELATED SERVICES FOR MIAMI-DADE TRANSIT (MDT) AND OTHER COUNTY FACILITIES; AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

Withdrawn

Report: *See Agenda Item No. 3D Substitute; Legislative File No. 100847*

3D SUB

100847 Resolution

RESOLUTION AUTHORIZING THE AWARD OF PROJECT NO. E09-DERM-01 PTP; CONTRACT NO. E09-DERM-01-CEI FOR ENVIRONMENTAL CLEANUP, COMPLIANCE AND RELATED SERVICES FOR MIAMI-DADE TRANSIT (MDT) AND OTHER COUNTY FACILITIES, IN THE AMOUNT OF \$2,750,000; AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 100233] (Department of Environmental Resources Management)

*Forwarded with a favorable recommendation**Mover: Jordan**Seconder: Gimenez**Vote: 3-1**No: Martinez**Absent: Edmonson, Heyman*

Report: *Commissioner Martinez noted he would vote "No" based upon the multiplier.*

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

3E

100715 Resolution

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RESTRICTIVE COVENANT RUNNING WITH THE LAND IN FAVOR OF MIAMI-DADE COUNTY TO PRESERVE AND ENHANCE A 0.918 ACRE CONSERVATION EASEMENT LOCATED IN THE BIRD DRIVE WETLAND BASIN BETWEEN SW 18 STREET AND 20 STREET AND BETWEEN SW 157 AVENUE AND 158 AVENUE IN SECTION 08, TOWNSHIP 54 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

3F

100717 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$700,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT WETLANDS RESTORATION ALONG NORTH BISCAYNE BAY THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Forwarded with a favorable recommendation
Mover: Martinez
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

3G

100718 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$300,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT SEAGRASS RESTORATION IN BISCAYNE BAY THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Forwarded with a favorable recommendation

Mover: Gimenez

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Heyman

Report: *Assistant County Attorney Martin Sybllis read the foregoing proposed resolution into the record.*

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

3H

100903 Resolution

RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REVENUE BONDS (WEXFORD/UNIVERSITY OF MIAMI LIFE SCIENCE AND TECHNOLOGY PARK PROJECT), IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$60,000,000, TO FINANCE PART OF THE COSTS OF THE INITIAL RESEARCH AND DEVELOPMENT BUILDING (THE "PROJECT") IN THE "UNIVERSITY OF MIAMI LIFE SCIENCE AND TECHNOLOGY PARK", FOR THE BENEFIT OF WEXFORD MIAMI, LLC (THE "BORROWER"); AUTHORIZING AN ALLOCATION OF NOT EXCEEDING \$60,000,000 FROM THE COUNTY'S SUBALLOCATION OF THE NATIONAL VOLUME CAP FOR "RECOVERY ZONE FACILITY BONDS" TO THE BORROWER FOR THE PROJECT, PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT (Industrial Development Authority)

*Deferred to no date certain**Mover: Martinez**Seconder: Gimenez**Vote: 4-0**Absent: Edmonson, Heyman*

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.*

Commissioner Gimenez noted competing letters had been received by County Commissioners on this proposed resolution. He requested information pertaining to restrictions and timelines associated with the issuance of revenue bonds.

Assistant County Attorney Gerald Heffernan responded to Commissioner Gimenez that the program currently expires on December 31, 2010. He noted a temporary deferral would not impact the ability to sell bonds and pending legislation was before the Congress that could extend the deadline. Mr. Heffernan said that the developer was responsible for the marketing, financial advisement and underwriting of bonds and would be subject to market conditions.

Commissioner Gimenez noted his support for the resolution. He asked the County Manager to provide him with a report explaining the rationale behind this award recommendation and the alternative proposal; and to obtain from Dr. Eneida Roldan, Jackson Health System President and CEO, a report pertaining to the recommended award.

Chairwoman Sorenson said this was a good

project and suggested that Wexford Miami, LLC meet with community groups to address community participation concerns. She noted that Civica Towers had also applied for the same funding and only one project could be selected.

Chairwoman Sorenson concurred with the deferral; however, she noted that additional information was needed pursuant to the impact of the Civica Tower project on Jackson Health System. She asked the County Manager to provide her with a report prior to next month's Committee meeting including the following information: 1) a written response from Civica Tower addressing the GSA analysis; 2) the impact of Civica Tower's proposal on Jackson's recovery plan; 3) the financing implications of Civica Tower's proposal including the total funding amounts to be borrowed and guaranteed by Civica Tower; the estimated project cash flow analysis; market study; and capacity to sell bonds; and any potential savings in alternative office space and other efficiencies from Civica Tower's proposal.

Chairwoman Sorenson said that public comment would not be entertained today; but would be entertained at next month's Committee meeting.

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

31

100844 Resolution

RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY SOLID WASTE DISPOSAL REVENUE BONDS (WASTE MANAGEMENT INC. PROJECT), IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED \$75,000,000 TO FINANCE CAPITAL PROJECTS FOR PURPOSES OF AND PURSUANT TO SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED (Industrial Development Authority)

*Forwarded with a favorable recommendation
Mover: Jordan
Seconder: Martinez
Vote: 4-0
Absent: Edmonson, Heyman*

Report: Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.

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

3J

100774 Resolution

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

*Forwarded with a favorable recommendation
Mover: Martinez
Seconder: Jordan
Vote: 4-0
Absent: Edmonson, Heyman*

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.*

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

3J SUPPL.

100971 Supplement

SUPPLEMENTAL INFORMATION RE: AWARD OF COMPETITIVE CONTRACTS, SUB-ITEM 1.3 - CONTRACT NO. 1233-5/19: ELEVATOR MAINTENANCE SERVICES AND MODERNIZATION OF ELEVATOR EQUIPMENT FOR VARIOUS MIAMI-DADE COUNTY DEPARTMENTS

*Forwarded with a favorable recommendation
Mover: Martinez
Seconder: Jordan
Vote: 4-0
Absent: Edmonson, Heyman*

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.*

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

3K

100813 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, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Procurement Management Department)

Amended

Report: *See Agenda Item No. 3K Amended; Legislative File No. 101051 for amended version*

3K Amended

101051 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, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 100813] (Procurement Management Department)

Forwarded to BCC with a favorable recommendation as amended

Mover: Jordan

Seconder: Martinez

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.*

Commissioner Martinez noted concern that pursuant to Item 1.1: Defibrillators, Equipment, Accessories and Maintenance, the previous contract award to a sole source, single vendor was \$8,540,000 million for a six-year term. He inquired about the rationale for a \$3 million increase in this contract award for a term that was one year less than the current award.

Ms. Miriam Singer, Director, Department of Procurement Management, responded to Commissioner Martinez that the award included purchases for additional departments. She also indicated that replacement units were being obtained and maintenance provisions were included in the current contract. Ms. Singer agreed to renegotiate the contract award with the vendor in an effort to obtain a lower price.

Commissioner Martinez asked Ms. Singer to provide examples of previous instances where the County paid interest on lease options.

Commissioner Gimenez asked Ms. Singer to provide a comparative analysis identifying the quantities, models, and prices between the previous and proposed contracts. He also asked for a detailed analysis of the usage rates for existing equipment and the hourly rate for equipment repairs.

Commissioner Jordan asked Ms. Singer to provide a report identifying any Small Business Development opportunities in Item No. 3.4, relating to electrical power systems installation before this resolution was considered by the County Commission.

It was moved by Commissioner Jordan that the foregoing proposed resolution be forwarded with a favorable recommendation to the County Commission as amended to bifurcate Item No. 1.1 and to allow the Procurement Department Director to renegotiate the contract award in an effort to obtain a lower price before this resolution was considered by the Commission. The motion was seconded by Commissioner Martinez and upon being put to a vote, passed by a vote of 5-0; (Commissioner Heyman was absent).

3L

100842 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 OCTOBER 1, 2009 THROUGH DECEMBER 31, 2009 (Procurement Management Department)

Forwarded with a favorable recommendation

Mover: Jordan

Seconder: Martinez

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Martin Sybillis read the foregoing proposed resolution into the record.*

It was moved by Commissioner Jordan that the foregoing proposed resolution be opened for discussion. This motion was seconded by Chairwoman Sorenson.

Commissioner Jordan noted several Homeless Trust Items No. 2, 4, 5, & 6 on handwritten page 8 exceeded \$1 million and need to be addressed by the Committee.

Ms. Miriam Singer, Director, Department of Procurement Management, responded that Mr. David Raymond, Executive Director, Miami-Dade Homeless Trust was not present; however a report would be obtained pursuant to the circumstances surrounding the identified purchases.

Chairwoman Sorenson suggested proceeding with the understanding that the requested report would be provided prior to the County Commission meeting.

In response to Commissioner Jordan's request to identify appropriate options, Ms. Singer noted the Committee could bifurcate the Homeless Trust awards from the proposed resolution and invite Mr. Raymond to address these issues at the next Committee meeting. She noted that a decision to ratify awards at the next meeting would not affect the award.

Commissioner Gimenez inquired about the consequences for Administration's failure to comply with desires of the Committee.

Assistant County Attorney Gerald Heffernan responded that there was no specific consequence other than taking action to prevent similar occurrences from happening in the future.

Assistant County Manager Alina Hudak noted that Administration valued the \$1 million delegated authority very seriously and would not make an award which exceeded that authority. She noted items in the cumulative contract value column which exceeded \$1 million was included to demonstrate the total contract value. Ms. Hudak said she believed Commissioner Jordan's question related to whether staff awarded a contract that exceeded the \$1 million threshold, and that was not the case.

Commissioner Gimenez asked Assistant County Attorney Martin Sybblis to prepare a resolution directing the Commission Auditor to advise the County Commission when the County Administration did not comply with their policies and directives.

In response to Commissioner Martinez' inquiry about disposable inserts for the Corrections and Rehabilitation Department, Ms. Singer responded these items were used in conjunction with the food trays. Ms. Singer also noted that biodegradable product usage was being evaluated in response to Commissioner Sorenson's inquiry about sustainable resources.

Commissioner Jordan clarified that her proposal included cumulative amounts and that the \$1 million amount included renewal options.

Assistant County Attorney Martin Sybblis clarified that Agenda Item No. 3L was being considered with the exception of the bifurcated Homeless Trust Items, No. 2, 4, 5 & 6 which exceed the \$1 million funding cap.

It was moved by Commissioner Jordan that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation, with the exception of Items No. 2, 4, 5, & 6, which were bifurcated. The motion was seconded by Chairwoman Sorenson and upon being put to a vote, passed by a vote of 5-0; (Commissioner Heyman was absent).

Later in the meeting, upon Mr. Raymond's arrival, Commissioner Jordan proceeded to inquire about the violation of the resolution prohibiting awards from exceeding the \$1 million limit.

Mr. Raymond responded that in June 2009, Item No. 10A1 was placed on the County Commission

agenda to authorize a one year Request for Proposal (RFP) with two, one-year extensions. He noted these RFP results were approved by the Homeless Trust Board and subsequently submitted to the County Commission pursuant to the procedures established by the County Attorney's office. Mr. Raymond said that Item No. 10A1 clearly specified that the initial contract including the renewal terms would exceed \$1 million. He said he would be amicable to another notification method as deemed appropriate by the County Commission.

Commissioner Jordan said the resolution enacted by the County Commission did not exempt the Homeless Trust. She noted that prior to the enactment of the \$1 million award limit; the Homeless Trust did not require County Commission approval for their contract awards.

Ms. Singer responded to Commissioner Jordan's request that she would research and determine whether the Homeless Trust was the only Board which gave direct awards and would provide an answer later. She noted that Mr. Raymond was building transparency into the process by notifying the Committee of the award results. Ms. Singer said that an alternative for receiving this report could be evaluated.

Commissioner Jordan noted an alternative method would be prudent since the award process had changed for all departments. She said other entities with boards making direct allocations needed to be evaluated and she would proffer a resolution making an exception to award limits if necessary.

It was then moved by Commissioner Jordan to forward this resolution to the County Commission with a favorable recommendation, including Items No. 2, 4, 5, & 6. The motion was seconded by Commissioner Edmonson and upon being put to a vote, passed by a vote of 5-0; (Commissioner Heyman was absent).

Assistant County Attorney Gerald Heffernan clarified that the resolution needed to either be reconsidered or to reconsider the deferral and then vote on the items.

It was moved by Commissioner Jordan that the deferral of the Homeless Trust items included in the foregoing proposed resolution be reconsidered. The motion was seconded by

Budget, Planning and Sustainability Committee
Meeting Minutes

Tuesday, April 13, 2010

CLERK'S SUMMARY OF

Commissioner Edmonson and upon being put to a vote, passed by a vote of 5-0; (Commissioner Heyman was absent).

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

3M

100919 Resolution

RESOLUTION APPROVING A LEASE AGREEMENT WITH FUEL MIAMI, LLC TO LEASE THE SOUTH FAÇADE OF THE COUNTY'S CENTRAL SUPPORT FACILITY FOR THE PURPOSE OF MURAL ADVERTISING SERVICES, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH LEASE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. RFP702 (Procurement Management Department)

Forwarded with a favorable recommendation

Mover: Martinez

Seconder: Gimenez

Vote: 3-2

No: Jordan, Sorenson

Absent: Heyman

Report: *Assistant County Attorney Martin Sybillis read the foregoing proposed resolution into the record.*

Ms. Miriam Singer, Director, Department of Procurement Management, responded to a series of questions posed by Commissioner Gimenez pertaining to this resolution. She noted that the item being considered was a mural; it faced I-95; and would comply with City of Miami and County requirements.

In response to Commissioner Gimenez' inquiry as to whether the County was exempt from the City of Miami's lottery process, Ms. Wendi Norris, Director, General Services Administration responded that the Request for Proposal provided for the issuance of a permit through the lottery process.

Ms. Norris responded to Commissioner Edmonson's inquiry that the subject permit would not exceed the 35 mural limitations. She noted that this permit would yield to the City of Miami's existing process. Ms. Norris said that upon expiration of the lease, the permit could be transferred from one building to another.

Commissioner Jordan noted concern about advertising alcohol and tobacco products on a County building.

Ms. Norris responded that the recommendation allowed for alcohol advertising and prohibited tobacco product advertising. She noted the initial solicitation excluded alcohol product advertising; however, alcohol advertising generated substantially higher revenue potential.

Commissioner Jordan noted that she could not support this item with the inclusion of alcohol advertising.

Chairwoman Sorenson noted she did not like murals and would also vote "No".

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

4 COUNTY MANAGER

4A

100843 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE'S ACTION TO APPLY FOR U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FUNDS AS PART OF A COLLABORATIVE REGIONAL PARTNERSHIP WITH SOUTH FLORIDA REGIONAL PLANNING COUNCIL AND THE TREASURE COAST REGIONAL PLANNING COUNCIL; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE, EXPEND, AND EXECUTE SUCH CONTRACTS, AGREEMENTS, AND MEMORANDA OF UNDERSTANDING, AND AMENDMENTS WITH REGIONAL PARTNERS AFTER APPROVAL BY THE COUNTY ATTORNEY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (County Manager)

Forwarded with a favorable recommendation

Mover: Martinez

Seconder: Edmonson

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed resolution into the record.*

Mr. Daniel Wall, Director, Office of Grants Coordination responded to Commissioner Edmonson that this resolution could include all County departments and more specifically was in collaboration with the Department of Housing and Community Development and the Transit Department.

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

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

100912 Report

CLERK'S SUMMARY OF MINUTES FOR THE MARCH 9,
2010 -BUDGET, PLANNING AND SUSTAINABILITY
COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Jordan
Seconder: Edmonson
Vote: 5-0
Absent: Heyman

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed report into the record.*

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

7 REPORTS

7A

100500 Report

DEPARTMENTAL BUDGET PRESENTATIONS(SEE
AGENDA ITEM NO. 1E1) (County Manager)

Report Received

Report: *Assistant County Attorney Martin Syblis read the foregoing proposed report into the record.*

Ms. Jennifer Glazer-Moon, Budget Director, noted Resource Allocation meetings were underway with County departments. She said that more detailed information would be provided at next month's Committee meeting.

Chairwoman Sorenson noted that budget figures presented were preliminary and that the FY 2010 - 2011 Committee budget priorities had been received. She said insufficient information was available to discuss the budget presentations at this time and encouraged her colleagues and commission staff to participate in the Resource Allocation meetings.

7B

100697 Report

UPDATE ON THE COUNTY'S EARTH DAY "FABULOUS AT 40!" ANNIVERSARY EVENTS (County Manager)

Report Received
Mover: Edmonson
Seconder: Sorenson
Vote: 5-0
Absent: Heyman

Report: *Assistant County Manager Alex Munoz reported Earth Day activities would consist of two signature events. He noted activities included the Baynanza Biscayne Bay Cleanup Day at the Deering Estate on Saturday, April 17, 2010; coordinated by the Department of Environmental Resources Management with cruise industry sponsorship. Mr. Munoz said "Earth Day is Fabulous at 40!" was another event that would be celebrated in the lobby of the Stephen P. Clark Center on Thursday, April 22, 2010, and more than 40 County departments as well as other municipalities and community partners would offer Green giveaways, demonstrate Green initiatives, and other interactive activities.*

Chairwoman Sorenson asked Assistant County Manager Alina Hudak to prepare an appropriate memorandum asking Chairman Moss to waive the Board's rules and procedures to allow this proposed report to be heard at the April 20, 2010 Board of County Commissioners meeting.

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

7C

100712 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2010 - SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL (SEDC)

Report Received
Mover: Martinez
Seconder: Edmonson
Vote: 5-0
Absent: Heyman

8 ADJOURNMENT