



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

TIR
Agenda Item No:
6(A)

TO: Honorable Barbara Jordan and Members
of the Transit, Infrastructure and Roads
Committee

DATE: June 9, 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 Division is submitting the following Clerk's Summary of Minutes for approval by the Transit, Infrastructure and Roads Committee:

May 12, 2010

Attachment
DC/kh



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

CLERK'S SUMMARY OF

Meeting Minutes

Transit, Infrastructure & Roads Committee

Barbara J. Jordan (1) Chair; Carlos A. Gimenez (7) Vice Chair; Commissioners Audrey M. Edmonson (3), Dorrin D. Rolle (2), Natacha Seijas (13) and Katy Sorenson (8)

Wednesday, May 12, 2010

4:02 AM

COMMISSION CHAMBERS, SPCC

Members Present: Audrey M. Edmonson, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas, Katy Sorenson.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1A INVOCATION

Report: *Karen Harrison, Commission Reporter,
(305)375-1296*

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 Llord
- Assistant County Attorney Bruce Libhaber
- Assistant County Attorney Geri Bonzon-Keenan
- Deputy Clerks Doris Dickens and Karen Harrison

1D SPECIAL PRESENTATION(S)

1D1

100978 Special Presentation Dennis C. Moss
COUNTY ADVISORY BOARD RECOGNITION PROGRAM *Presented*

Report: *Commissioner Jordan made a special presentation on behalf of Chairman Dennis Moss, Vice Chair Diaz and the Board of County Commissioners in recognition of members of the County Advisory Board Program.*

Chairwoman Jordan called today's (5/12) meeting to order at 2:19 p.m. and the Committee convened in a moment of silence, followed by the Pledge of Allegiance.

Chairwoman Jordan asked Assistant County Attorney Bruce Libhaber to set the agenda.

Assistant County Attorney Libhaber requested Agenda Items 7E and 7F be added to today's agenda; that a scrivener's error existing in Agenda Item 3B be corrected to insert handwritten page 30 which was inadvertently omitted; and to correct a scrivener's error existing in Agenda Item 3F to change the language contained within the first sentence of the County Manager's recommendation to read as follows: "It is recommended that the Board of County Commissioners adopt the attached resolution ratifying the County Manager's execution of 38 Equitable Distribution Program (EDP) Professional Services Agreements (PSA) during the fourth quarter of 2009 and the first quarter of 2010 as identified on the attached EDP PSA Ratification Reports".

It was moved by Commissioner Gimenez that today's (5/12) agenda be approved with the changes requested in the May 12, 2010, County Manager's memorandum entitled "Requested Changes to the Transit, Infrastructure and Roads Committee Agenda". This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 6-0.

2 COUNTY COMMISSION

2A

101113 Resolution **Dorrin D. Rolle**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 92 - "UNINCORPORATED MUNICIPAL SERVICE AREA - ARCOLA LAKES PARK", AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 TO INCREASE ALLOCATION FROM \$6,000,000 TO \$6,300,000 AFTER PUBLIC HEARING; APPROVING ALLOCATION OF ADDITIONAL \$300,000 FROM INTEREST EARNINGS GENERATED FROM INVESTMENT OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROCEEDS; DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO LIST SUCH PROJECT IN SERIES RESOLUTION AS ELIGIBLE FOR FUNDING IN NEXT SERIES OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS AND TO FUND FROM SUCH BOND PROCEEDS FULL AMOUNT NECESSARY TO DEVELOP AND TIMELY COMPLETE ARCOLA LAKES SENIOR CENTER; REQUIRING BOARD APPROVAL FOR ANY ADJUSTMENTS TO SUCH FUNDING, INCLUDING CASH FLOW REVISIONS; AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO IMPLEMENT EXPEDITED COMPETITIVE PROCESS PROCEDURES AUTHORIZED BY ECONOMIC STIMULUS ORDINANCE FOR SELECTION OF ARCOLA LAKES SENIOR CENTER'S CONTRACTOR [SEE AGENDA ITEM NO. 7E]

Forwarded with a favorable recommendation

Mover: Rolle

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record. He noted the accompanying report was listed on today's agenda as Item 7E.*

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

Later in the meeting, Commissioner Sorenson noted although she voted in favor of the item, she had some concerns regarding operating cost, and she would take a closer look at this proposal before it was considered by the County Commission.

Hearing no objection, Chairwoman Jordan asked Assistant County Manager Ysela Llort to prepare the appropriate memorandum asking Chairman Moss, as Chair of the County Commission, to waive the Board's Rules and Procedures to allow the foregoing proposed resolution to be heard at the June 3, 2010 BCC meeting.

2B

101084 Resolution**Rebeca Sosa**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 293 - "HISTORIC PRESERVATION FUND", AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-919-04 TO ALLOCATE \$1,000,000 TO CURTISS MANSION AFTER PUBLIC HEARING; WAIVING ADMINISTRATIVE RULES CONTEMPLATING COMPETITIVE PROCESS; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE INTERLOCAL COOPERATION AGREEMENT AND TO DISBURSE FUNDS AFTER SATISFACTION OF CONDITIONS PRECEDENT [SEE AGENDA ITEM NO. 7F]

*Deferred to next committee meeting**Mover: Edmonson**Seconder: Seijas**Vote: 6-0*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record, and noted Agenda Item 7F was an accompanying report related to this item.*

It was moved by Commissioner Gimenez that the foregoing proposed resolution be approved. This motion was seconded by Commissioner Sorenson for discussion.

Commissioner Seijas expressed concern because the Board had already approved \$1 million from the General Obligation Bond Program (GOB) by Curtiss Mansion. She noted she was uncomfortable with approving another \$1 million without an explanation.

In response to Commissioner Sorenson's inquiry regarding the process taken concerning this item, Mr. George Navarette, Assistant Director, Office of Capital Improvement (OCI) explained that this was a separate line item on the GOB Grants, which totaled \$10 million. He noted the only allocation approved by the Board was the \$3 million for the Miami Marine Stadium (MMS); therefore no other allocations were made. Mr. Navarette also noted the administrative rules contemplates, but did not legally require a competitive process. He further noted that funding was not included for this line item in the most recent Bond Sale, and staff did not anticipate issuing a Request For Proposal (RFP) in the near future.

Mr. Navarette noted this \$1 million would be needed to finish the interior portion of the building if the foregoing proposed resolution was approved

by the Board, particularly considering the fact that the original \$1 million was spent on securing the shell of the building. Consequently, staff was anticipating that \$1 million would be funded from the next Bond sale. Mr. Navarette noted the Curtiss Mansion representatives would be making a presentation at the next Dade Heritage Trust Board (DHTB) meeting to be held on May 19, 2010 regarding this matter.

Commissioner Sorenson noted she would support the proposed resolution; however, she had some concerns regarding the process.

Chairwoman Jordan noted she would be more comfortable if this proposed resolution was submitted with recommendations from the DHTB.

Chairwoman Jordan questioned whether a process was established for approving projects and whether a list of projects were identified to be funded from the \$10 million. Mr. Navarette noted the projects had not been identified and a process was set-up for approving projects to move forward.

Chairwoman Jordan asked Commissioner Gimenez as the mover of this motion to consider deferring this proposed resolution pending recommendations from the DHTB.

Responding to Commissioner Gimenez' inquiry as to whether the same process was followed with this proposal as with the Miami Marine Stadium (MMS), Mr. Navarette noted the process started with the item being presented to and approved by the Advisory Committee, with a condition that a letter of support be submitted by the DHTB, which he expected to receive by the time this resolution was considered by the BCC in June.

Commissioner Gimenez noted he would support the foregoing proposed resolution, pending a letter of support (recommendation) from the DHTB and with a caveat that this resolution be forwarded through the same process as Miami Marine Stadium before being forwarded to the County Commission.

Assistant County Attorney Geri Bonzon-Keenan noted, for the record, that the Miami Marine Stadium was scheduled to go to the Community Advisory Council (CAC) meeting before being forwarded Board.

As the maker of the motion, Commissioner Gimenez agreed to amend this resolution as recommended by Chairwoman Jordan.

Commissioner Seijas noted for clarification the process was based on a first come first serve basis; and that \$6 million was available out of the \$10 million. She noted she felt that the process was not correct and that the funding would not be distributed fairly pursuant to the process.

Responding to Commissioner Edmonson's inquiry as to whether she would be able to request and receive additional funds for the Hampton House Project, Mr. Navarette noted the request would be subject to the County Commission's approval.

Commissioner Sorenson suggested that Mr. Navarette come up with a competitive process and place it on the BCC agenda as soon as possible.

Chairwoman Jordan suggested this proposed resolution be deferred to the next Committee meeting, pending the resolve of some legitimate issues raised about the process. She noted she would like to see a process developed that included recommendations from the Dade Heritage Trust Board.

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

2C

101095 Resolution**Dennis C. Moss**

RESOLUTION AMENDING RESOLUTION NO. R-1237-01 TO APPROVE CONTRIBUTION FROM PREVIOUS \$5 MILLION ALLOCATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 305 – "PRIMARY HEALTH CARE FACILITIES" FUNDS TO COMMUNITY HEALTH OF SOUTH FLORIDA, INC. TO FUND CONSTRUCTION OF PRIMARY CARE AND BEHAVIORAL HEALTH CENTER FOR CHILDREN AND KENDALL HEALTH CENTER AND EXPANSION OF DORIS ISON COMMUNITY HEALTH CENTER

***Forwarded with a favorable recommendation
Mover: Edmonson
Seconder: Sorenson
Vote: 6-0***

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3 DEPARTMENT

3A

101025 Resolution

RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF COORDINATION AND FARE AGREEMENTS FOR THE COORDINATION OF TRANSPORTATION DISADVANTAGED SERVICES IN MIAMI-DADE COUNTY WITH ACTION COMMUNITY CENTER, INC.; ASSOCIATION FOR RETARDED CITIZENS OF SOUTH FLORIDA (ADULT AND CHILDREN'S PROGRAMS); CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA, INC.; CITRUS HEALTH NETWORK, INC.; COMMUNITY HABILITATION CENTER, INC.; COMMUNITY HEALTH OF SOUTH FLORIDA, INC.; DAVE & MARY ALPER JEWISH COMMUNITY CENTER; EASTER SEALS OF SOUTH FLORIDA, INC.; FELLOWSHIP HOUSE; FLORIDA PACE CENTERS; GABRIELLA'S TENDER HAVEN, INC.; GALATA, INC.; GOODWILL INDUSTRIES OF SOUTH FLORIDA; HEBREW HOMES NETWORK; HIALEAH HOUSING AUTHORITY; JESSIE TRICE COMMUNITY HEALTH CENTER, INC.; LITTLE HAVANA ACTIVITIES & NUTRITION CENTERS OF DADE COUNTY, INC.; MIAMI BEHAVIORAL HEALTH CENTER, INC.; MIAMI CEREBRAL PALSY; MIAMI BEACH COMMUNITY HEALTH CENTER, INC.; MIAMI LIGHTHOUSE FOR THE BLIND; MICHAEL-ANN RUSSELL JEWISH COMMUNITY CENTER; MOUNT ZION BAPTIST CHURCH; NORTH MIAMI FOUNDATION FOR SENIOR CITIZENS, INC.; RENASCENCE MENTAL HEALTH CENTER, INC.; SOUTHWEST SOCIAL SERVICES PROGRAM, INC.; SPECTRUM PROGRAMS, INC.; SUNRISE COMMUNITY, INC.; SUNRISE COMMUNITY INC. LOG CABIN; SUNRISE COMMUNITY INC. OPPORTUNITIES; ST. ANNE'S NURSING CENTER; UNITED CEREBRAL PALSY; UNITED CEREBRAL PALSY, RESIDENTIAL; UNIVERSITY OF MIAMI, DEBBIE SCHOOL; THE VILLAGE SOUTH, INC.; AND VILLA MARIA NURSING AND REHABILITATION CENTER, INC., AND AUTHORIZING THE COUNTY MAYOR, OR DESIGNEE, TO EXECUTE ANY ADDITIONAL COORDINATION AND FARE AGREEMENTS WITH ENTITIES MEETING PROGRAM ELIGIBILITY REQUIREMENTS FOR TRANSPORTATION DISADVANTAGED SERVICES (Miami-Dade Transit Agency)

Forwarded with a favorable recommendation

Mover: Gimenez

Second: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3B

101026 Resolution

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF A TRANSPORTATION DISADVANTAGED TRUST FUND TRIP AND EQUIPMENT GRANT APPLICATION AND AGREEMENT WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED IN THE AMOUNT OF \$6,733,628; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS; AUTHORIZING THE FILING AND EXECUTION OF ANY ADDITIONAL AGREEMENTS, REVISIONS OR AMENDMENTS AS REQUIRED TO CARRY OUT THE PROJECTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit Agency)

Forwarded with a favorable recommendation

Mover: Gimenez

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3C

101050 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDING IN THE AMOUNT OF \$123,000 FOR THE OPERATION OF THE NW/NE 135TH STREET/OPA-LOCKA BOULEVARD CROSSTOWN ROUTE FROM FLORIDA INTERNATIONAL UNIVERSITY (FIU) BISCAYNE BAY CAMPUS TO NW 60TH AVENUE IN MIAMI LAKES; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE JPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit Agency)

Forwarded with a favorable recommendation

Mover: Gimenez

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3D

101060 Resolution

RESOLUTION AUTHORIZING AN AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE MIAMI INTERMODAL CENTER - EARLINGTON HEIGHTS CONNECTOR PROJECT OVER AND UPON SOUTH FLORIDA RAIL CORRIDOR RIGHT-OF-WAY (Miami-Dade Transit Agency)

Forwarded with a favorable recommendation

Mover: Gimenez

Secunder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

Commissioner Rolle asked the Transit Agency Director to provide him with an update on the status of bus benches within the City of North Miami in District 2.

3E

100801 Ordinance

ORDINANCE EXTENDING FOR ADDITIONAL TWO YEARS AUTHORITY DELEGATED TO AWARD AND REJECT MISCELLANEOUS CONSTRUCTION CONTRACTS DESIGNED TO PROVIDE OPPORTUNITIES FOR COMMUNITY SMALL BUSINESS ENTERPRISES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Office of Capital Improvements)

Report: *See Report under Agenda Item 3E Substitute; Legislative File No. 101036*

3E SUBSTITUTE

101036 Ordinance

ORDINANCE EXTENDING FOR ADDITIONAL TWO YEARS AUTHORITY DELEGATED TO AWARD AND REJECT MISCELLANEOUS CONSTRUCTION CONTRACTS DESIGNED TO PROVIDE OPPORTUNITIES FOR COMMUNITY SMALL BUSINESS ENTERPRISES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 100801] (Office of Capital Improvements)

Forwarded with a favorable recommendation

Mover: Edmonson

Seconder: Rolle

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing. She closed the hearing after no one appeared in support or in opposition to the foregoing proposed ordinance.

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

3F

101058 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTIONS, AS AUTHORIZED BY SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING AGREEMENTS FOR CONTINUING SERVICES UNDER THE COUNTY'S EQUITABLE DISTRIBUTION PROGRAM (Office of Capital Improvements)

Forwarded with a favorable recommendation as amended

Mover: Sorenson

Seconder: Rolle

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3G

101035 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

Forwarded with a favorable recommendation

Mover: Sorenson

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3H

101052 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL (RETROACTIVE) OF A CONTRACT BETWEEN MIAMI-DADE COUNTY AND PAVEX CORPORATION DBA RANGER CONSTRUCTION-SOUTH, FOR PUBLIC WORKS DEPARTMENT PROJECT ENTITLED PTP ROADWAY IMPROVEMENTS ALONG NE 2ND AVENUE FROM WEST LITTLE RIVER CANAL (NE 84TH STREET) TO NE 91ST STREET, LOCATED WITHIN COMMISSION DISTRICT 3 (PROJECT NO. 20060227), EXTENDING THE CONTRACT TIME BY 187 CALENDAR DAYS (Public Works Department)

*Forwarded with a favorable recommendation
Mover: Edmonson
Seconder: Gimenez
Vote: 6-0*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

3I

101088 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL (RETROACTIVE) OF A CONTRACT BETWEEN MIAMI-DADE COUNTY AND SOUTHEASTERN ENGINEERING CONTRACTORS, INC., FOR PUBLIC WORKS DEPARTMENT PROJECT ENTITLED BELEN PUMP STATION DRAINAGE IMPROVEMENT PROJECT SW/NW 118TH AVENUE TO SW/NW 122ND AVENUE AND FROM NW 6TH STREET TO SW 7TH STREET, LOCATED WITHIN COMMISSION DISTRICT 12 (PROJECT NO. 2005GOB1001R), EXTENDING THE CONTRACT TIME BY 312 CALENDAR DAYS (Public Works Department)

*Forwarded with a favorable recommendation
Mover: Sorenson
Seconder: Edmonson
Vote: 6-0*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

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

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

101082 Report

SUMMARY OF MINUTES FOR THE TRANSIT,
INFRASTRUCTURE & ROAD COMMITTEE FOR THE
APRIL 14, 2010 MEETING (Clerk of the Board)

Report Received
Mover: Sorenson
Seconder: Edmonson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read
the foregoing report into the record.*

*Hearing no questions or comments, the Committee
proceeded to vote on the foregoing proposed
report.*

7 REPORTS

7A

100929 Report

DEPARTMENTAL BUDGET INFORMATION (County Manager)

Report Received
Mover: Edmonson
Seconder: Sorenson
Vote: 6-0

Report: *Chairwoman Jordan proposed that Sunshine meetings be scheduled to receive reports from each County department, including Committee members that were available, rather than have presentations in the Chambers. She also noted that she wanted to hear from the department directors, rather than receive only reports from the Budget Office.*

Commissioner Sorenson agreed with Chairwoman Jordan regarding the scheduling of Sunshine meetings; however, she wanted to acknowledge that under Chairman Jordan's leadership a lot of improvements were made in the Transit Agency. She also commended Mr. Harpal Kapoor, Director, Transit Agency and his staff and noted the decrease in customer service complaints and bus breakdowns. She also noted the agency reported a surplus of \$14 million.

Chairwoman Jordan commended Mr. Kapoor and his staff. She encouraged them to stay on top these issues due to the significant challenges ahead.

Commissioner Sorenson commended former Chair of TIRC, Commissioner Gimenez as well.

Commissioner Rolle also commended Mr. Kapoor and Assistant Director Clinton Forbes, Transit Agency, for handling service complaints in District 2.

Regarding Chairwoman Jordan's request, Mr. Kapoor noted, for the record, that an initiative, a partnership between Transit and the Miami Airport, addressed the issue regarding the safety of the East Concourse at the Miami International Airport, which required \$7,000 to maintain the structure. Additionally, Mr. Kapoor noted the Transit Agency took over the train services in October 2009 at the Miami International Airport and the availability of trains were 99 percent.

Commissioner Gimenez noted he had been critical of the Transit Agency, but he also wished to

commend Mr. Kapoor and his staff as well, for making the tough decisions that had to be made.

Commissioner Gimenez asked the Mr. Kapoor to look at the Personal Rapid Transit (PRT) System and the possibility of using this system to solve some of the County's rapid transit problems. He also asked Mr. Kapoor to come back to the Board with a report explaining what the PRT is, the cost of the system; and whether it could be linked to Miami Beach, the City of Miami, and other dense areas.

Chairwoman Jordan noted she previously requested and had not received a report and solid recommendations for the PRT as it relates to the North Corridor Alternatives.

Chairwoman Jordan referred back to the discussion regarding scheduling Sunshine Budget Hearing for each department in a conference room.

It was moved by Commissioner Gimenez that a Budget Hearing would be scheduled with each Department Director in their respective conference rooms. This motion was seconded by Commissioner Edmonson and upon being put to a vote, the vote passed unanimously by all those members present.

7B

101083 Report**(ORAL) MONTHLY SPECIAL TRANSPORTATION SERVICES (STS) REPORT (County Manager)****Presented**

Report: *Commissioner Edmonson asked whether she could receive a written report on the foregoing oral report because she wanted to know the status of the Special Transportation Services (STS).*

Chairwoman Jordan noted the Department of Procurement Management could present an oral report on the STS.

Discussion ensued among the Committee members regarding the foregoing item not being under the Cone of Silence.

Assistant County Attorney Libhaber noted assuming this report was not under the Cone of Silence, which included publicized meetings; the caveat was that it be properly noted on the agenda so the general public would know that it would likely be discussed.

Following further discussion, Assistant County Attorney Libhaber noted it would be appropriate for the Committee to proceed with the discussion if this report involved complaints regarding services or issues related to ongoing services. He advised members of the Committee against any discussion regarding procurement since it was not publicly noticed. He explained that if the intent was to allow the discussion on procurement, it would not be a Cone of Silence violation to allow Mr. DeGrandy to speak on the procurement issue.

Chairwoman Jordan noted for clarification that she intended the oral report to be on services.

Commissioner Gimenez noted he disagreed with Assistant County Attorney Libhaber and he read the language from the Charter, which included the Bill of Rights No. 5. He asked how an ordinance could be written that prohibited people from coming before the Board.

Assistant County Attorney Libhaber noted this was a publicly noticed meeting and people were allowed to speak; however, the problem was that the public must be properly noticed. He recommended that the discussion remain in line with the intent of this reports, as articulated by

Chairwoman Jordan.

Commissioner Gimenez asked Assistant County Attorney Libhaber to provide an interpretation on the Cone of Silence as it applies to a citizen's right to speak at the County Commission meeting.

Commissioner Jordan noted since she has been Chair, this item was always on the agenda and was always about services except during a special meeting when procurement was discussed.

Assistant County Manager Ysela Llord agreed with Chairwoman Jordan and noted that specific meeting was a workshop. She noted a written report could be provided as Commissioner Edmonson requested.

Commissioner Seijas noted the need to meet with the Directors and employees because they become very flustered when the Commissioners request something and they think it is a violation of the Cone of Silence. She also noted the last time the Board received a report on the Cone of Silence was September 2009. Commissioner Seijas emphasized the importance for staff to understand the meaning of the Cone of Silence.

Commissioner Edmonson asked that all reports relating to Special Transportation Services be submitted in writing.

In response to Commissioner Rolle's inquiry regarding the process if a vendor had an issue with a Request For Proposal (RFP), Assistant County Attorney Libhaber noted a written document could be submitted to the Contract and Procurement Officer. He also noted that nothing prohibited the Committee members from submitting a written document to the Board of County Commissioners (BCC) so long as a copy was provided to the Clerk of the Board (COB). Assistant County Attorney Libhaber noted the vendor could follow-up with staff, or in writing with the BCC, and/or file a protest if the response did not thoroughly address the concern. He also noted the issue could be brought before the BCC if the item was on that agenda.

Mr. Miguel DeGrandy appeared before the Committee and noted he served on the last two Miami Dade Charter Review Task Force Committees. He also noted what happened last week regarding the denial of the right of an individual to address this BCC pursuant to the

rights given by the County Charter was wrong. Mr. DeGrandy noted that he took the matter to the Ethics Commission (EC); however, he did not have an opinion to present at today's (5/12) meeting because EC would not meet until May 19, 2010. He further noted that he had spoken with Mr. Myers, Executive Director, EC and asked for a preliminary opinion. Mr. Myers said he discussed the matter with the Chairperson of EC and based on that conversation, he did not believe the Cone of Silence prohibited citizen's right to speak regarding an RFP in a public meeting. Pursuant to the Charter, there was an exception that a citizen could speak on any duly noticed RFP provided, Mr. DeGrandy noted. He noted he would have a written confirmation from the EC on May 19, 2010, and that his actions were consistent with the County's Ordinance and Charter. He noted if he submitted a written document to the BCC and provided a copy to the COB, competitors did not have to be notified that this correspondence was submitted, but they would have access to look in the Clerk's file or visit the County Web cast to see if the item was discussed.

Chairwoman Jordan asked that the Director of the EC make time to be present at the next meeting. She emphasized the importance of this issue and noted she never agreed with the Cone of Silence (COS), but it was the present law. Chairwoman Jordan also noted she wanted to ensure her actions would not be in conflict with the COS; however, as an administrator it became a difficult process regarding development of RFPs. She noted procedures and policies could be covered through procurement by submitting questions in writing, but the political process of administration restricted those actions.

Chairwoman Jordan asked that Assistant County Attorney Libhaber prepare an ordinance abolishing the Cone of Silence.

Commissioner Seijas asked to be a co-sponsor on that item.

Commissioner Gimenez noted he would support making modifications to the Cone of Silence, rather than a total abolition. He noted the Commissioners job was to watch staff and he felt that the COS was used to shield certain issues and impedes his ability to do his job. Commissioner Gimenez noted the problem was not only here, but everywhere and he looked forward to Chairwoman Jordan's legislation.

Regarding Commissioner Edmonson's request for a report on the Special Transportation Services (STS), Mr. Harpal Kapoor reported some corrective actions were taken by monitoring and auditing calls at the Call Center. He also noted the field trips were being audited by staff checking centers in addition to looking at the billing process and how to dissolve issues that occur. Mr. Kapoor noted the corrective actions should be implemented within six (6) months.

Assistant County Manager Ysela Llord noted that in terms of the services, they were prepared to discuss the corrective actions that Mr. Kapoor presented; however, if there were questions regarding procurement, a representative from the Office of Procurement was present.

Following further discussion, Chairwoman Jordan asked that the reports on service be in writing in the future.

7C

101097 Report

MDT REPORT - MODAL OPTIONS PRELIMINARY ANALYSIS SUMMARY (County Manager)

Report Received
Mover: Sorenson
Seconder: Edmonson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing report.

7D

101115 Report

FEASIBILITY REPORT - MIAMI-DADE TRANSIT OPERATION AND MAINTENANCE OF THE MIC-MIA AUTOMATED PEOPLE MOVER SYSTEM (County Manager)

Report Received
Mover: Edmonson
Seconder: Jordan
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing report.

7E

101226 Report

REPORT - ITEM 2A ON THE MAY 12, 2010 TRANSIT, INFRASTRUCTURE AND ROADS COMMITTEE [SEE AGENDA ITEM NO. 2A] (County Manager)

Report Received
Mover: Rolle
Seconder: Edmonson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report, which was an accompanying report related to Agenda Item 2A.*

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing report.

7F

101228 Report

REPORT - ITEM 2B ON THE MAY 12, 2010 TRANSIT, INFRASTRUCTURE AND ROADS COMMITTEE [SEE AGENDA ITEM NO. 2B] (County Manager)

Report Received
Mover: Rolle
Seconder: Edmonson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report, which was an accompanying report related to Agenda Item 2B.*

Hearing no questions or comments, the Committee members proceeded to vote on the foregoing report.

Responding to Commissioner Seijas's request to place a discussion item on the next TIRC Agenda regarding Departmental Procurement issues, Chairwoman Jordan noted she would consider her request.

8 ADJOURNMENT

Report: *There being no further business to come before the Transit, Infrastructure and Roads Committee, the meeting was adjourned at 3:20 p.m.*