MEMORANDUM
Harvey Ruvin
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HPSI
Agenda Item No. 6(A)

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

DATE: July 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 approval by the Health, Public Safety and Intergovernmental Committee:

May 13, 2010
June 10, 2010

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, May 13, 2010 | **2:00 PM** | **Commission Chambers**

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

Members Absent: Rebeca Sosa.

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

1C ROLL CALL

Report:

The following staff members were present: Special Assistant to the County Manager for Social Services Irene Taylor-Wooten, Assistant County Attorney Gerald Sanchez; and Deputy Clerks Doris Dickens and Jovel Shaw.

Chairwoman Heyman called the meeting to order and noted the Committee would hear the special presentations until quorum was present.

Following the special presentations, Chairwoman Heyman announced that a quorum was present and the Committee proceeded to consider the remaining items on today's (5/13) agenda.

In addition to the changes noted in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda," Assistant County Attorney Gerald Sanchez advised the Committee Agenda Item 2A should be listed as a public hearing item.

It was moved by Commissioner Souto that the Committee approve the changes requested by the County Manager in his memorandum dated May 13, 2010 and the additional changes requested by Assistant County Attorney Sanchez. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Sosa were absent).

1D SPECIAL PRESENTATION(S)

1D1

100982 **Discussion Item** **Sally A. Heyman**

PRESENTATION BY STEVE ROHM AND ANDREW GOLDSCHMIDT RE: NACO/ CAREMARK DISCOUNT DRUG CARD PROGRAM

Presented

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

Mr. Andrew Goldschmidt, Director for Membership Marketing, National Association of Counties (NACO), 25 Massachusetts Avenue, NW, Washington DC, appeared before the Committee and provided an overview of the NACO Prescription Discount Card Program.

Mr. Stephen Rohm, Strategic Account Executive, CVS Caremark, 9501 East Shea Boulevard, Scottsdale, Arizona, appeared before the Committee and provided an overview of the logistics for usage of the prescription discount card including the program benefits.

Chairwoman Heyman thanked both men for appearing before the Committee and providing the information regarding NACO Prescription Discount Card Program. She asked Mr. Goldschmidt and Mr. Rohm to provide the information distributed today (5/13) during the Committee meeting to Jackson Health Systems and Ms. Janet Perkins, Executive Director, Office of Countywide Healthcare Planning. In addition, she asked that Assistant County Manager Alina Hudak be provided with this information as well. Chairwoman Heyman indicated if the County proceeded with the matter a proposed resolution may come forth. She noted this information presented today (513) was very substantive during the County process to review all options to reduce healthcare costs and keep this community healthy.

1D2

101154 **Special Presentation** **Dennis C. Moss**
COUNTY ADVISORY BOARD RECOGNITION PROGRAM ***Presented***

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

Chairwoman Heyman welcomed Board of County Commissioners (BCC) Vice Chairman Diaz to today's (5/13) Committee meeting to present the foregoing item.

BCC Vice Chairman Diaz presented the foregoing special presentations recognizing County Advisory Board members under this Committee's jurisdiction as part of the County Advisory Board Recognition Program. He also announced a celebration would follow on the third floor terrace level of the Stephen P. Clark Center.

Commissioner Rolle made the special presentation to the Aircraft Noise Abatement Advisory Board and the Port of Miami Crane Management Advisory Board members.

1E DISCUSSION ITEM(S)

1E1

100980 **Discussion Item** **Rebeca Sosa**
DISCUSSION REGARDING THE FUTURE STATUS AND POSSIBLE STAFF/PHYSICIAN CHANGES TO THE MEDICAL CLINIC WITHIN THE STEPHEN P. CLARK BUILDING-DOWNTOWN

Deferred to June 10, 2010
Mover: Souto
Seconder: Rolle
Vote: 4-0
Absent: Barreiro, Sosa

Report: *During consideration of changes to today's (5/13) agenda, the Committee deferred the foregoing discussion item as requested in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda" by the Prime Sponsor to the June 10, 2010, Committee meeting at 2:00 p.m.*

1E1 SUPPLEMENT

101242 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING THE FUTURE STATUS AND POSSIBLE STAFF/PHYSICIAN CHANGES TO THE MEDICAL CLINIC WITHIN THE STEPHEN P. CLARK BUILDING-DOWNTOWN

Deferred to June 10, 2010
Mover: Souto
Seconder: Rolle
Vote: 4-0
Absent: Barreiro, Sosa

Report: *During consideration of changes to today's (5/13) agenda, the Committee deferred the foregoing Supplemental item as requested in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda" by the Prime Sponsor to the June 10, 2010, Committee meeting at 2:00 p.m.*

2 COUNTY COMMISSION

2A

100087 **Ordinance** **Jose "Pepe" Diaz, Audrey M. Edmonson, Sally A. Heyman, Barbara J. Jordan, Rebeca Sosa**

ORDINANCE AMENDING SECTION 2-1.1(S) OF THE CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE TO PROVIDE THAT ANY PRINCIPAL WHO APPEARS AS A LOBBYIST ON BEHALF OF A CORPORATION, PARTNERSHIP OR OTHER ENTITY SHALL NOT BE REQUIRED TO PAY LOBBYIST REGISTRATION FEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Amended

Report: *See Agenda Item 2A Amended, Legislative File No. 101281 for the amended version.*

2A AMENDED

101281 **Ordinance** **Jose "Pepe" Diaz, Audrey M. Edmonson, Sally A. Heyman, Barbara J. Jordan, Rebeca Sosa**

ORDINANCE AMENDING SECTION 2-11.1(S) OF THE CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE TO PROVIDE THAT ANY PRINCIPAL WHO APPEARS AS A LOBBYIST ON BEHALF OF A CORPORATION, PARTNERSHIP OR OTHER ENTITY 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. 100087)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Sosa

Report: *Assistant County Attorney Gerald Sanchez read the foregoing proposed ordinance into the record and advised the Committee that a scrivener's error existing in the title should be corrected to read "Section 2-11.1(S)" instead of "Section 2-1.1(S)."*

Chairwoman Heyman opened the public hearing. After hearing no one wishing to speak, Chairwoman Heyman closed the public hearing.

Commissioner Diaz offered an amendment to the foregoing proposed ordinance to delete the requirement for any principal who appears as a lobbyist on behalf of a corporation, partnership or other entity to request a waiver of the lobbyist registration fee.

Assistant County Attorney Sanchez clarified the amendment would delete the language "but, upon request" from section 2-11.1(S) (3) (b).

Chairwoman Heyman expressed her concern with the legal sufficiency to define "principal."

Mr. Robert Meyers, Executive Director, Commission on Ethnics and Public Trust (COE), read into the record the COE's definition for principal as follows: "an owner or president or chief shareholder of a corporation or an individual that has been designated or has the apparent authority to make final decisions on behalf of a corporate entity."

In response to Chairwoman Heyman's concern regarding legal sufficiency, Assistant County Attorney Sanchez stated the proposed language read by Mr. Meyers met legal sufficiency.

The Committee forwarded the foregoing proposed

ordinance with a favorable recommendation with Committee amendment(s) to delete the language "but, upon request" from section 2-11.1(s) (3) (b); and to include language defining "principal" as an "owner or president or chief shareholder of a corporation or an individual that has been designated or has the apparent authority to make final decision on behalf of a corporate entity."

2B

100870 **Resolution** **Katy Sorenson, Sally A. Heyman, Rebeca Sosa**

RESOLUTION REQUESTING THAT THE COMMISSION ON ETHICS AND PUBLIC TRUST CONDUCT CONFLICT OF INTEREST CHECKS RELATED TO COUNTY CONTRACT LOBBYISTS AND PROVIDE TO THE BOARD A REPORT AND RECOMMENDATION ON ANY COUNTY CONTRACT LOBBYIST CONFLICT OF INTEREST

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Heyman
Vote: 5-0
Absent: Sosa

Report:

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

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

2C

100383 **Ordinance** **Rebeca Sosa**

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST; AMENDING SECTION 2-1074 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CLARIFY AUTHORITY OF COMMISSION ADVOCATE, STATE ATTORNEY AND INSPECTOR GENERAL REGARDING INVESTIGATIONS AND THE FILING OF COMPLAINTS WITH ETHICS COMMISSION; AMENDING PROVISIONS RELATING TO AUTHORITY OF ETHICS COMMISSION TO AUTHORIZE ISSUANCE OF SUBPOENAS; PROVIDING THAT THE CHAIRPERSON OF THE ETHICS COMMISSION MAY AUTHORIZE ISSUANCE OF SUBPOENAS UNDER CERTAIN CIRCUMSTANCES; REQUIRING ETHICS COMMISSION TO FORWARD COPY OF FINAL ORDER FINDING A VIOLATION TO ENTITY WITH AUTHORITY TO TAKE APPROPRIATE DISCIPLINARY ACTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to June 10, 2010
Mover: Souto
Seconder: Rolle
Vote: 4-0
Absent: Barreiro, Sosa

Report: *During consideration of changes to today's (5/13) agenda, the Committee deferred the foregoing proposed ordinance as requested in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda" by the Prime Sponsor to the June 10, 2010, Committee meeting at 2:00 p.m.*

2D

100384 **Ordinance** **Rebeca Sosa, Sally A. Heyman**

ORDINANCE AMENDING SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING DEFINITION OF IMMEDIATE FAMILY TO INCLUDE DOMESTIC PARTNER, STEPCHILDREN AND STEPPARENTS; PROVIDING FOR DEFINITION OF DOMESTIC PARTNER AND CONTRACT STAFF; AMENDING DEFINITION OF EMPLOYEE; PROVIDING THAT CONTRACT STAFF MUST COMPLY WITH CERTAIN PROVISIONS OF THE ETHICS ORDINANCE; PROVIDING THAT COMMISSION STAFF MAY SOLICIT GIFTS ON BEHALF OF NONPROFIT ORGANIZATIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING THAT GOVERNMENTAL LETTERHEAD MAY ONLY BE USED FOR OFFICIAL PUBLIC BUSINESS; AMENDING JURISDICTION OF ETHICS COMMISSION TO INCLUDE CONTRACT STAFF AND CONSULTANTS; INCREASING FINES WHERE PERSON INTENTIONALLY VIOLATES ETHICS ORDINANCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to June 10, 2010
Mover: Souto
Seconder: Rolle
Vote: 4-0
Absent: Sosa, Barreiro

Report: *During consideration of changes to today's (5/13) agenda, the Committee deferred the foregoing proposed ordinance as requested in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda" by the Prime Sponsor to the June 10, 2010, Committee meeting at 2:00 p.m.*

2E

100385 **Ordinance** **Rebeca Sosa, Sally A. Heyman**

ORDINANCE AMENDING SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING PROHIBITION ON TRANSACTING BUSINESS WITH THE COUNTY; PROVIDING THAT COUNTY COMMISSIONERS, COMMUNITY COUNCIL MEMBERS AND OTHER SPECIFIED INDIVIDUALS MAY NOT VOTE ON OR PARTICIPATE IN MATTERS WHERE A FINANCIAL INTEREST EXISTS; PROVIDING FOR DEFINITION OF FINANCIAL INTEREST; EXTENDING LIMITED EXCLUSION FROM PROHIBITION ON CONTRACTING WITH THE COUNTY TO DEPARTMENTAL PERSONNEL; PROHIBITING COUNTY COMMISSIONERS, MAYOR, QUASI-JUDICIAL PERSONNEL, AUTONOMOUS PERSONNEL AND ADVISORY PERSONNEL FROM PARTICIPATING FOR SPECIFIED TIME PERIOD IN ANY MATTER REGARDING PRIOR EMPLOYER OR ENTITY IN WHICH OFFICIAL HELD A FINANCIAL INTEREST; PROVIDING THAT DEPARTMENTAL PERSONNEL AND EMPLOYEES WHO WERE PREVIOUSLY EMPLOYED BY A NOT-FOR-PROFIT ENTITY ARE PRECLUDED FOR SPECIFIED PERIOD OF TIME FROM PERFORMING CONTRACT-RELATED DUTIES REGARDING THAT ENTITY; AMENDING EXEMPTION THAT PROVIDES THAT FORMER COUNTY OFFICIALS, DEPARTMENTAL PERSONNEL AND EMPLOYEES ARE NOT PROHIBITED FROM LOBBYING ON BEHALF OF GOVERNMENTAL ENTITIES, NONPROFIT ENTITIES OR EDUCATIONAL INSTITUTIONS WITHIN THE TWO-YEAR PERIOD AFTER COUNTY SERVICE; AMENDING SECTION 2-11.1(V) OF THE CODE RELATING TO VOTING CONFLICTS TO INCLUDE AUTONOMOUS PERSONNEL; AMENDING SECTION 20-45 OF THE CODE RELATING TO CONFLICT OF INTEREST PROVISIONS APPLICABLE TO COMMUNITY COUNCIL MEMBERS; PROHIBITING FORMER MEMBER OF COMMUNITY COUNCIL FROM APPEARING BEFORE ANY COMMUNITY COUNCIL FOR PERIOD OF TWO YEARS AFTER SERVICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to June 10, 2010
Mover: Souto
Seconder: Rolle
Vote: 4-0
Absent: Barreiro, Sosa

Report: *During consideration of changes to today's (5/13) agenda, the Committee deferred the foregoing proposed ordinance as requested in the May 13, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda" by the Prime Sponsor to the June 10, 2010, Committee*

meeting at 2:00 p.m.

2F

101148 **Resolution** **Joe A. Martinez**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE, THE PUBLIC HEALTH TRUST, AND THE COUNTY ATTORNEY'S OFFICE, TO ASSESS THE OPERATIONAL, FINANCIAL, AND CONTRACTUAL RELATIONSHIP BETWEEN THE PUBLIC HEALTH TRUST AND THE JACKSON MEMORIAL FOUNDATION, INC. AND THE FOUNDATION HEALTH SERVICES, INC. AND URGING THE PUBLIC HEALTH TRUST TO SUSPEND PAYMENT TO THE JACKSON MEMORIAL FOUNDATION, INC., AND THE FOUNDATION HEALTH SERVICES, INC., PENDING REPORTS TO THE COMMISSION

Deferred to June 10, 2010
Mover: Diaz
Seconder: Souto
Vote: 5-0
Absent: Sosa

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

Commissioner Rolle asked for an explanation on the impact of this proposed resolution on Jackson Health System.

Assistant County Attorney Eugene Shy, Jr. stated he could not shed too much light on the impact because the funds referred to in this proposed resolution were being funneled from the Public Health Trust (PHT) to the Jackson Memorial Foundation, Inc. and the Foundation Health Services, Inc. (Foundation). He indicated if the funds were not disbursed to the Foundation, those dollars would remain with Jackson Memorial Hospital (JMH).

Commissioner Diaz noted his issue between the Foundation and the JMH and the transferring of funds from the Foundation to the JMH. He stressed the need for a separate entity and separate accounts for these funds. Commissioner Diaz questioned the process on how the JMH reimbursements go to the Foundations.

Assistant County Attorney Shy noted there was an agreement between the PHT and the Foundation for the Trust to fund some of the office overhead with respect to the operations of the Foundation.

Commissioner Diaz expressed concern with that practice being unethical. He noted his request for a report, which he had not received yet.

The Committee voted for the deferral of the foregoing proposed resolution.

Discussion ensued among the Committee members regarding request for information from the PHT and why Commissioner Martinez proffered this proposed resolution.

Commissioner Souto reminded the Committee members of the Home Rule Charter Amendment that entrusted the County Commission with the responsibility for public health in this community.

A discussion ensued between Commissioner Diaz and Assistant County Attorney Shy regarding the County Commission authority to direct to cease funding or to take action to that effect; and the intent of the proposed resolution that would allow the County Attorney's Office to review the operational, financial and contractual relationship between the PHT and the Foundations.

Assistant County Attorney Laura Llorente advised the Committee members that one of the contracts had a clause stating if the parties mutually agreed to terminate the contract that could happen immediately. She noted one of the contracts allows for immediate termination for cause or termination upon 90-day notice; and the other contract allows for termination with a one-year notice. Ms. Llorente stated the County Attorney's Office was allowing time to obtain complete set of contracts from the PHT staff and assess the termination clauses. In addition, she indicated the Mayor or his designee through the Management Watch Agreement could have 30 days to assess the financial and operational to determine whether it was prudent to continue these relationships with a full report to the County Commission.

Commissioner Diaz stressed he was not comfortable with moving forward with this proposed resolution as presented.

Chairwoman Heyman presented a motion for reconsideration and indicated she would make a motion to forward this proposed resolution without a recommendation.

Commissioner Diaz seconded this motion for reconsideration.

Commissioner Rolle stated he supported the motion for deferral and would not support the motion to reconsider and to forward this proposed resolution without a recommendation. He stressed the need to hear from the PHT.

Discussion ensued among the Committee members regarding the motion for reconsideration.

Commissioner Rolle informed the Committee members regarding a PHT meeting he attended where the County Manager was present regarding contracts and the corrective measure undertaken by Jackson Health Systems to address recent events at the PHT. He indicated the County Manager at this meeting did not express any concerns with the two contracts presented at the meeting regarding (1) a contract between University of Miami and Jackson Health Systems and (2) a contract with a consultant group.

Commissioner Rolle stated the only contracts regarding leases would come to the County Commission for its consideration.

In response to Commissioner Rolle's comments, Assistant County Attorney Shy advised the Committee members only real estate contracts and/or agreements would be presented to the County Commission.

Commissioner Barreiro spoke in opposition of the motion for reconsideration.

The motion for reconsideration, upon being put to a vote, failed by a vote of 2-3 (Commissioner Diaz and Chairwoman Heyman voted "Yes"; Commissioners Barreiro, Rolle and Souto voted "No"; and Commissioner Sosa was absent).

Chairwoman Heyman indicated she would propose in the near future legislation to address obtaining information timely from the PHT.

The Committee voted for the deferral of the foregoing proposed resolution to the next Committee meeting scheduled for June 10, 2010, at 2:00 p.m.

2G

101184 **Resolution** **Sen. Javier D. Souto**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO CONDUCT A STUDY TO DETERMINE THE CURRENT SUBSTANCE, FREQUENCY, AND EFFECTIVENESS OF TRAINING FOR MIAMI-DADE COUNTY'S CITIZEN CRIME WATCH GROUPS AND THE FEASIBILITY OF ENHANCING SUCH TRAINING

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

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.

3 DEPARTMENTS

3A

101055 **Resolution** **Jose "Pepe" Diaz, Joe A. Martinez**

RESOLUTION APPROVING THE MIAMI-DADE POLICE DEPARTMENT TO GIVE OFFICER JOSEPH DERRINGER HIS SNIPER RIFLE IN RECOGNITION OF HIS TWENTY-FIVE YEARS OF DEDICATED SERVICE (Miami-Dade Police Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Souto
Vote: 5-0
Absent: Sosa

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 Diaz asked to be listed as a cosponsor on this proposed resolution.

3B

100800 **Resolution**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON AUGUST 24, 2010, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE THE AUTHORITY TO ABOLISH A MUNICIPALITY BY ORDINANCE WHERE SUCH MUNICIPALITY HAS TWENTY OR FEWER ELECTORS AT THE TIME OF ADOPTION OF THE ORDINANCE ABOLISHING THE MUNICIPALITY (Office of Strategic Business Management)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Heyman
Vote: 5-0
Absent: Sosa

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.

In response to Commissioner Diaz' question regarding the status of the abolishment of a municipality, Mr. Jorge Fernandez, Office of Strategic Business Management (OSBM) Coordinator, explained this proposed resolution was before the County Commission at the request of the Florida Legislature Joint Legislative Auditing Committee. He indicated this group encouraged the County to abolish the City of Islandia, a municipality with twenty or fewer electors. He noted that currently the Miami-Dade County Charter does not contain any provision for the abolition of a municipality where there was no representation.

Mr. Lester Sola, Supervisor of Elections, noted there were three (3) active voters and four (4) non-active voters for a total of seven (7) registered voters that reside in the City of Islandia.

Commissioner Diaz noted this city was part of history and questioned the recommendation to abolish it.

Commissioner Barreiro informed the Committee members that the United States Department of the Interior began to purchase property and now owned most of the island and it was part of Biscayne National Park.

Mr. Fernandez advised the Committee members that there were two to three privately owned

properties on this island.

3C

101048 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH ALCALDE & FAY, PATTON BOGGS, LLP, AND GREENBERG TRAURIG, P.A. TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS 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 NOS. RFQ685A, RFQ685B, AND RFQ685C
(Procurement Management Department)

Deferred to June 10, 2010
Mover: Diaz
Seconder: Souto
Vote: 5-0
Absent: Sosa

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

It was moved by Chairwoman Heyman that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. Commissioner Souto seconded this motion for discussion.

Mr. Jose Villalobos, on behalf of Akerman Senterfitt, appeared before the Committee, and informed the Committee members of his public records request on April 12, 2010, for the tally sheet of the Request for Qualifications (RFQ) in question. He indicated he received the tally sheet from the County on April 13, 2010. Mr. Villalobos provided an overview of the tally sheet and noted how close the scoring was. He noted it was under the County Commission's purview to consider and add another ranked vendor. Mr. Villalobos asked the Committee members to add Akerman Senterfitt, the fourth ranked vendor to this recommendation for approval.

Ms. Miriam Singer, Director, Department of Procurement Management, provided an overview of the background on the RFQ process and the recommendation for approval. She noted there was a one-point difference in the evaluation for the vendor represented by Mr. Villalobos. Ms. Singer noted staff negotiated and signed contracts with the three vendors recommended for this RFQ contract award.

A discussion ensued among Commissioner Diaz, Ms. Singer and Mr. Jose Rasco, Office of Intergovernmental Affairs Director regarding the

expiration date of August 5, 2010, for the three existing contracts for the services outlined in this proposed resolution; and there being no conflict of interest for any of the recommended vendors by the Selection Committee.

Commissioner Rolle questioned which vendors were local.

In response to Commissioner Rolle's questions, Ms. Singer noted the local vendor recommended and stated that she would have to provide the names of the other local vendors not recommended for this award later.

Commissioner Barreiro spoke in support of the deferral of this proposed resolution. He expressed his preference for local vendors to provide these services outlined in this RFQ.

Commissioner Souto spoke in support of adding another local vendor for this RFQ award.

Chairwoman Heyman asked Assistant County Manager Alina Hudak to review the schedule of meetings, including the Committees, regular County Commission meetings, and the August recess to determine the time constraints should the contracts with the existing vendors need to extended in order to restructure to add another vendor. She also asked the Procurement Management Department Director to provide Committee members with a list of all the vendors not recommended for the award for RFQ685a, RFQ685b and RFQ685c involving Governmental Representation and Consulting Services to rank the top five firms, excluding the three recommended for award with emphasis on the firm(s) and employees with local expertise.

Commissioner Diaz reiterated his previous request for a report card for the firms recommended for the award, which he did not get in time to consider for this item.

The Committee voted for the deferral of this proposed resolution to the next Committee meeting scheduled for June 10, 2010, at 2:00 p.m.

3D

101178 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN INTER-LOCAL AGREEMENT FOR FISCAL YEAR 2010-2011 WITH THE MIAMI-DADE COUNTY PUBLIC SCHOOLS/LINDSEY HOPKINS TECHNICAL EDUCATIONAL CENTER FOR THE PROVISION OF ACADEMIC AND CAREER/TECHNICAL EDUCATION FOR INMATES IN THE MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN (Corrections & Rehabilitation Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Souto
Vote: 5-0
Absent: Sosa

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.

3E

101179 **Resolution**

RESOLUTION APPROVING AMENDMENTS TO IMPLEMENTING ORDER 2-8: ETHICAL CAMPAIGN PRACTICES - EXPEDITED PROCEDURE (Commission on Ethics and Public Trust)

Amended

Report: *See Agenda Item 3E Amended, Legislative File No. 101327 for the amended version.*

3E AMENDED

101327 **Resolution**

RESOLUTION APPROVING AMENDMENTS TO THE IMPLEMENTING ORDER 2-8 FOR THE EXPEDITED PROCESS FOR THE ETHICAL CAMPAIGN PRACTICES ORDINANCE(SEE ORIGINAL ITEM UNDER FILE NO. 101179) (Commission on Ethics and Public Trust)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Heyman
Vote: 5-0
Absent: Sosa

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

Commissioner Rolle asked for an explanation on the intent of this proposed resolution.

Mr. Robert Meyers, Executive Director, Commission on Ethnics and Public Trust (COE), explained that COE was given the authority to hold expedited hearings for campaign practices disputes. In addition, Mr. Meyers stated COE was authorized to appoint hearing examiners. He indicated the pool of hearing examiners was limited and only one person met the qualifications. Mr. Meyers stated this proposed resolution would expand the pool of hearing examiners to have more people apply to be hearing examiners to hear the these types of cases.

Commissioner Diaz offered an amendment to remove the word "may" from the second and third sentences under the section entitled, "Selection and Appointment of Hearing Examiners" in the attachment amending Implementing Order 2-8 regarding Ethical Campaign Practices Ordinance.

The Committee forwarded the foregoing proposed resolution with a favorable recommendation with Committee amendment(s) to delete the word "may" from the second and third sentences under the section entitled, "Selection and Appointment of Hearing Examiners" in the attachment amending Implementing Order 2-8 regarding Ethical Campaign Practices Ordinance.

3F

101230 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN TALLAHASSEE, FL, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFQ NO. 728 (Procurement Management Department)

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

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 Diaz reiterated his previous request for a report card for the firms recommended for the award, which he also had not received in time to consider for this item.

4 COUNTY MANAGER

4A

101159 **Resolution**

RESOLUTION APPROVING EXECUTION OF AN AGREEMENT WITH THE STATE OF FLORIDA TO REMIT $650,000 FOR MEDICAID-FUNDED HEALTH SERVICES PROVIDED BY MOUNT SINAI MEDICAL CENTER OF FLORIDA, INC. UNDER COUNTY CONTRACT RFP429A AND APPROVING A CONTRACT AMENDMENT WITH MOUNT SINAI MEDICAL CENTER OF FLORIDA, INC. TO CREDIT MIAMI-DADE COUNTY $664,000 FOR SERVICES RENDERED (County Manager)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Souto
Vote: 5-0
Absent: Sosa

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.

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

101183 **Report**

CLERK'S SUMMARY OF MINUTES FOR THE APRIL 15, 2010 - HEALTH, PUBLIC SAFETY & INTERGOVERNMENTAL MEETING (Clerk of the Board)

Approved
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Sosa

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

The Committee proceeded to vote on this report as presented.

7 REPORTS

7A

101165 **Report**

DEPARTMENTAL BUDGET PRESENTATIONS (County Manager)

Report Received
Mover: Heyman
Seconder: Souto
Vote: 5-0
Absent: Sosa

Report:

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

The Committee proceeded to vote on this report as presented.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 3:49 p.m.*

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, June 10, 2010 **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

1C ROLL CALL

Report: *The following staff members were present: Assistant County Attorney Gerald Sanchez; Assistant County Manager Ysela Llort; and Deputy Clerks Judy Marsh and Jovel Shaw.*

Chairwoman Heyman called the meeting to order at 2:17 p.m.

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

In addition to the changes noted in the June 10, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda," Assistant County Attorney Gerald Sanchez advised the Committee that the County Manager requested that Agenda Item 7A be withdrawn and that Agenda Items 2J, 3G, 3H and 3J be added to today's (6/10) agenda.

It was moved by Commissioner Sosa that the Committee approve today's agenda with the changes requested by the County Manager in his memorandum dated June 10, 2010 and the additional changes requested by Assistant County Attorney Sanchez. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Diaz were absent).

1D DISCUSSION ITEM(S)

1D1

100980 **Discussion Item** **Rebeca Sosa**

DISCUSSION REGARDING THE FUTURE STATUS AND POSSIBLE STAFF/PHYSICIAN CHANGES TO THE MEDICAL CLINIC WITHIN THE STEPHEN P. CLARK BUILDING-DOWNTOWN — ***Presented***

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

Commissioner Sosa presented this discussion item and its supplement. She noted the need to enhance the capability of this medical clinic in order to provide adequate care and screenings for County employees.

Chairwoman Heyman encouraged the Department Directors present to inform their employees to use this medical clinic.

Commissioner Souto reminded the Committee members of a past medical emergency that occurred in the Commission Chambers and the medical clinic was able to assist until the fire rescue unit arrived at the Stephen P. Clark Center.

1D1 SUPPLEMENT

101242 **Supplement**

SUPPLEMENTAL INFORMATION REGARDING THE FUTURE STATUS AND POSSIBLE STAFF/PHYSICIAN CHANGES TO THE MEDICAL CLINIC WITHIN THE STEPHEN P. CLARK BUILDING-DOWNTOWN — ***Presented***

1E PUBLIC HEARING(S)

1E1

101015 **Ordinance** **Joe A. Martinez, Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 25A-3(F) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR HOLDING REGULAR MEETINGS OF THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST IN COMMISSION CHAMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to next committee meeting
Mover: Heyman
Seconder: Sosa
Vote: 6-0

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

Chairwoman Heyman opened the public hearing. After hearing no one wishing to speak, Chairwoman Heyman closed the public hearing.

It was moved by Commissioner Souto that the foregoing proposed ordinance be forwarded with a favorable recommendation. Commissioner Diaz seconded this motion.

Chairwoman Heyman informed Committee members that a cost analysis was needed to ensure the televising of Public Health Trust (PHT) meetings was cost neutral.

Commissioner Souto stated it was extremely important to hold the regular meetings of the PHT in the Commission Chambers.

Commissioner Sosa expressed a concern with the proposed amendment to Chapter 25A-3 of the Miami-Dade County Code to designate the Commission Chambers as the site for the PHT meetings. In addition, she noted a potential scheduling conflict between the Board of County Commissioners (BCC) and the PHT meetings.

Assistant County Attorney Eugene Shy, Jr. stated that the BCC Chair would make the decision on future scheduling of PHT meetings in the Commission Chambers.

Commissioner Sosa expressed that she would be more comfortable with language regarding the use of the Commission Chambers in the event there was a need for an emergency PHT meeting. She noted the possible fiscal impact of billing overtime costs to the PHT for meetings past 4:30 p.m. Commissioner Sosa expressed her concern with imposing additional expenditures on the PHT.

Assistant County Manager Ysela Llort noted the cost issue would be realized depending upon the PHT meeting times.

A discussion ensued among Chairwoman Heyman, Commissioners Sosa, Souto, Rolle and Assistant County Manager Llort regarding the PHT meeting times, the overtime costs, the availability of the Commission Chambers, and the medical staff's attendance and participation in providing reports at the PHT meetings.

Commissioner Diaz expressed the need for transparency in this process with PHT and asked the PHT representative if they supported or opposed this proposed ordinance.

Ms. Mary Lou Tighe, Corporate Director, PHT Governmental Relations, appeared before the Committee, and expressed a concern with the costs associated with traveling to PHT meetings held in the Commission Chambers. She noted that the PHT met every third Monday of the month at 3:30 p.m., and that the PHT Committee meetings were scheduled for 7:00 a.m. on the same day. She indicated, in response to Commissioner Diaz' question, the PHT was willing to promote transparency by televising PHT meetings.

Commissioner Diaz expressed his desire to view the televised PHT meetings.

A discussion ensued among Chairwoman Heyman, Commissioner Sosa and Mr. Angel Petisco, Enterprise Technology Services Department (ETSD) Director regarding the feasibility of ETSD televising the PHT meetings.

Mr. Petisco stated he would work with all concerned parties to address ETSD's capability to televise the PHT meetings.

Chairwoman Heyman asked Assistant County Manager Ysela Llort to provide her with a response, at the next Committee meeting, as to why the Enterprise Technology Services Department (ETSD) Director was not involved in determining the feasibility of televising the regular Public Health Trust (PHT) meetings in the County Commission Chambers; and whether it would be more cost effective and transparent to continue holding the Trust meetings at Jackson Memorial Hospital (JMH). She also asked staff to assess the impact of this proposal in terms of scheduling

conflicts in the Chambers, particularly with the upcoming budget hearings; and the additional costs associated with overtime, etc.

The Board by motion duly made, seconded and carried, deferred the foregoing proposed ordinance to the next Committee meeting.

Commissioner Souto expressed a concern with delaying the foregoing proposed ordinance in an attempt to address issues regarding PHT meetings.

Commissioner Barreiro spoke in support of the deferral provided ETSD could inexpensively accomplish the intent of this proposed ordinance at the PHT facility.

In response to Chairwoman Heyman's question regarding whether the Government Information Center (GIC) could provide technical support, Ms. Judy Zito, GIC Director, asked Mr. Donn Patchen, Station Manager, Miami-Dade Television (MDTV), to inform the Committee members of the PHT's current requirements and capabilities.

Mr. Patchen provided an overview of the current PHT meetings that were televised at the PHT facility. He noted that a vendor was contracted to provide the audio and video for the elderly. Mr. Patchen stated MDTV had the capability to webcast and schedule PHT meetings to be aired on Channel 2 that would be independent from Channel 1 used for Miami-Dade TV the County's government access television station. He also stated an additional personnel cost would be incurred for meetings beyond 4:30 p.m.

A discussion ensued among Commissioners Souto, Diaz and Ms. Tighe regarding the number of PHT regular meetings, PHT committee meetings, PHT Executive Committee meetings and emergency meetings as needed in comparison to BCC meetings.

Commissioner Souto asked Assistant County Attorney Shy for the proposed amended language to televise and create a public record of all PHT meetings held at its current facility.

In response to Commissioner Souto's request, Assistant County Attorney Shy indicated that a new item would be prepared to accomplish the intent of the language offered by Commissioners Diaz and Souto. He noted the title of this proposed ordinance was very specific; therefore, a new item

would need to be prepared.

A discussion ensued among the Committee members and Assistant County Attorney Shy regarding the title of this proposed ordinance, the requirement for a public hearing and public notice and possible creation of a substitute or alternate to this proposed ordinance.

Assistant County Attorney Sanchez asked the Committee members to defer this item to later in today's (6/10) meeting to allow the County Attorney's Office to confer on the proposed amendment discussed by the Committee.

Later in the meeting, Assistant County Attorney Shy advised the Committee that a new item would be prepared to include all PHT meetings.

Commissioner Sosa suggested that Commissioner Martinez, the prime sponsor, be provided with the comments made at today's (6/10) meeting so that he could determine how to move forward with this proposed ordinance.

Commissioner Diaz urged the Administration, in consultation with the BCC Chairman Dennis C. Moss, to expedite bringing this matter back to the Committee for its consideration.

1E2

100383 **Ordinance** **Rebeca Sosa**

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST; AMENDING SECTION 2-1074 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CLARIFY AUTHORITY OF COMMISSION ADVOCATE, STATE ATTORNEY AND INSPECTOR GENERAL REGARDING INVESTIGATIONS AND THE FILING OF COMPLAINTS WITH ETHICS COMMISSION; AMENDING PROVISIONS RELATING TO AUTHORITY OF ETHICS COMMISSION TO AUTHORIZE ISSUANCE OF SUBPOENAS; PROVIDING THAT THE CHAIRPERSON OF THE ETHICS COMMISSION MAY AUTHORIZE ISSUANCE OF SUBPOENAS UNDER CERTAIN CIRCUMSTANCES; REQUIRING ETHICS COMMISSION TO FORWARD COPY OF FINAL ORDER FINDING A VIOLATION TO ENTITY WITH AUTHORITY TO TAKE APPROPRIATE DISCIPLINARY ACTION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn
Mover: Sosa
Seconder: Heyman
Vote: 4-0
Absent: Barreiro, Diaz

Report: *During consideration of changes to today's (6/10) agenda, the Committee withdrew the foregoing proposed ordinance as requested in the June 10, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda."*

1E3

100384 **Ordinance** **Rebeca Sosa, Sally A. Heyman**

Amended

ORDINANCE AMENDING SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING DEFINITION OF IMMEDIATE FAMILY TO INCLUDE DOMESTIC PARTNER, STEPCHILDREN AND STEPPARENTS; PROVIDING FOR DEFINITION OF DOMESTIC PARTNER AND CONTRACT STAFF; AMENDING DEFINITION OF EMPLOYEE; PROVIDING THAT CONTRACT STAFF MUST COMPLY WITH CERTAIN PROVISIONS OF THE ETHICS ORDINANCE; PROVIDING THAT COMMISSION STAFF MAY SOLICIT GIFTS ON BEHALF OF NONPROFIT ORGANIZATIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING THAT GOVERNMENTAL LETTERHEAD MAY ONLY BE USED FOR OFFICIAL PUBLIC BUSINESS; AMENDING JURISDICTION OF ETHICS COMMISSION TO INCLUDE CONTRACT STAFF AND CONSULTANTS; INCREASING FINES WHERE PERSON INTENTIONALLY VIOLATES ETHICS ORDINANCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *See Agenda Item 1E3 Amended, Legislative File No. 101676 for the amended version.*

1E3 AMENDED

101676 **Ordinance** **Rebeca Sosa, Sally A. Heyman**

ORDINANCE AMENDING SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING DEFINITION OF IMMEDIATE FAMILY TO INCLUDE DOMESTIC PARTNER, STEPCHILDREN AND STEPPARENTS; PROVIDING FOR DEFINITION OF DOMESTIC PARTNER AND CONTRACT STAFF; AMENDING DEFINITION OF EMPLOYEE; PROVIDING THAT CONTRACT STAFF MUST COMPLY WITH CERTAIN PROVISIONS OF THE ETHICS ORDINANCE; PROVIDING THAT COMMISSION STAFF MAY SOLICIT GIFTS ON BEHALF OF NONPROFIT ORGANIZATIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING THAT GOVERNMENTAL LETTERHEAD MAY ONLY BE USED FOR OFFICIAL PUBLIC BUSINESS; AMENDING JURISDICTION OF ETHICS COMMISSION TO INCLUDE CONTRACT STAFF AND CONSULTANTS; INCREASING FINES WHERE PERSON INTENTIONALLY VIOLATES ETHICS ORDINANCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 100384)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Sosa
Seconder: Heyman
Vote: 5-0
Absent: Rolle

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

Commissioner Sosa explained this proposed ordinance would amend the definition of domestic partner, immediate family, contract staff, and employees.

It was moved by Commissioner Sosa that this proposed ordinance be forwarded with a favorable recommendation as presented. Commissioner Diaz seconded this motion for discussion.

Commissioner Diaz addressed on page 7, the proposed amendment regarding the use of governmental letterhead shall be limited to official public business. He questioned official public business.

In response to Commissioner Diaz' question, Mr. Robert Meyers, Executive Director, Commission on Ethnics and Public Trust described examples of official public business and the proper use of governmental letterhead as related to this proposed ordinance.

A discussion ensued between Commissioner Diaz and Mr. Meyers regarding the use of governmental letterhead.

Commissioner Sosa, the prime sponsor, offered two options as follows: (1) to remove the proposed language regarding governmental letterhead and (2) to present a separate ordinance regarding use of governmental letterhead.

Commissioner Sosa amended the foregoing proposed ordinance to remove the following proposed language "The use of governmental letterhead shall be limited to official public business" in Section 2-11.1 (4) (g) entitled, "Exploitation of official position prohibited." In addition, she asked the County Attorney's Office to prepare a separate ordinance to define this language.

The Committee forwarded the foregoing proposed ordinance to the County Commission as amended to remove the following language: "The use of governmental letterhead shall be limited to official public business" in Section 2-11.1 (4) (g) entitled, Exploitation of official position prohibited," as proposed by Commissioner Sosa.

Commissioner Sosa asked the County Attorney's Office to prepare and present a separate ordinance to define the language "The use of governmental letterhead shall be limited to official public business".

1E4

100385 **Ordinance** **Rebeca Sosa, Sally A. Heyman**

ORDINANCE AMENDING SECTION 2-11.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCE ("ETHICS ORDINANCE"); AMENDING PROHIBITION ON TRANSACTING BUSINESS WITH THE COUNTY; PROVIDING THAT COUNTY COMMISSIONERS, COMMUNITY COUNCIL MEMBERS AND OTHER SPECIFIED INDIVIDUALS MAY NOT VOTE ON OR PARTICIPATE IN MATTERS WHERE A FINANCIAL INTEREST EXISTS; PROVIDING FOR DEFINITION OF FINANCIAL INTEREST; EXTENDING LIMITED EXCLUSION FROM PROHIBITION ON CONTRACTING WITH THE COUNTY TO DEPARTMENTAL PERSONNEL; PROHIBITING COUNTY COMMISSIONERS, MAYOR, QUASI-JUDICIAL PERSONNEL, AUTONOMOUS PERSONNEL AND ADVISORY PERSONNEL FROM PARTICIPATING FOR SPECIFIED TIME PERIOD IN ANY MATTER REGARDING PRIOR EMPLOYER OR ENTITY IN WHICH OFFICIAL HELD A FINANCIAL INTEREST; PROVIDING THAT DEPARTMENTAL PERSONNEL AND EMPLOYEES WHO WERE PREVIOUSLY EMPLOYED BY A NOT-FOR-PROFIT ENTITY ARE PRECLUDED FOR SPECIFIED PERIOD OF TIME FROM PERFORMING CONTRACT-RELATED DUTIES REGARDING THAT ENTITY; AMENDING EXEMPTION THAT PROVIDES THAT FORMER COUNTY OFFICIALS, DEPARTMENTAL PERSONNEL AND EMPLOYEES ARE NOT PROHIBITED FROM LOBBYING ON BEHALF OF GOVERNMENTAL ENTITIES, NONPROFIT ENTITIES OR EDUCATIONAL INSTITUTIONS WITHIN THE TWO-YEAR PERIOD AFTER COUNTY SERVICE; AMENDING SECTION 2-11.1(V) OF THE CODE RELATING TO VOTING CONFLICTS TO INCLUDE AUTONOMOUS PERSONNEL; AMENDING SECTION 20-45 OF THE CODE RELATING TO CONFLICT OF INTEREST PROVISIONS APPLICABLE TO COMMUNITY COUNCIL MEMBERS; PROHIBITING FORMER MEMBER OF COMMUNITY COUNCIL FROM APPEARING BEFORE ANY COMMUNITY COUNCIL FOR PERIOD OF TWO YEARS AFTER SERVICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

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

Commissioner Sosa, the prime sponsor, explained the intent of this proposed ordinance was to define a conflict of interest and the prohibition on transacting business with the County.

It was moved by Commissioner Sosa that this proposed ordinance be forwarded with a favorable recommendation as presented. Chairwoman Heyman seconded this motion for discussion.

A discussion ensued between Commissioner Diaz and Mr. Robert Meyers, Executive Director, Commission on Ethnics and Public Trust regarding the terms "indirect" and "indirectly"; public versus private educational institutions; and the two-year prohibition ban for lobbying the County in any capacity.

Commissioner Sosa stated she would work with Mr. Meyers and Commissioner Diaz to further address his concerns and possibly offer an amendment to this proposed ordinance when the County Commission considered it.

Commissioner Barreiro spoke in support of this proposed ordinance as presented.

Commissioner Sosa asked that the Commission on Ethics and Public Trust Executive Director meet with Commissioner Diaz and all interested parties to define the word "indirectly" as it applies throughout this proposed ordinance.

The Committee proceeded to vote on this proposed ordinance as presented.

2 COUNTY COMMISSION

2A

101331 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING THE STATE CO-DESIGNATION OF BIRD ROAD/SW 40 STREET FROM SW 89 AVENUE TO SW 92 AVENUE, PASSED DURING THE 2010 LEGISLATIVE SESSION AS "FRANK PASQUARELLA WAY"

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

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

Commissioner Diaz expressed he would cosponsor a co-designation of a street for a Reverend who served in the Marine Corp and resided in Commissioner Souto's district (Commission District 10). (This note would go on Agenda Item 2A only).

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

2B

101332 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING THE STATE CO-DESIGNATION OF BIRD ROAD/SW 40 STREET FROM SW 87 AVENUE TO SW 89 AVENUE AS"BOB ARBETTER'S WAY"

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

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.

2C

101334 **Resolution** **Katy Sorenson**

RESOLUTION APPROVING THE STATE CO-DESIGNATION OF STATE ROAD 997 BETWEEN S.W. 288TH STREET AND S.W. 344TH STREET AS "JOHN TORRESE FAMILY ROAD"

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

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.

2D

101335 **Resolution** **Katy Sorenson**

RESOLUTION APPROVING THE STATE CO-DESIGNATION OF U.S. HIGHWAY 1/STATE ROAD 5 BETWEEN S.W. 104TH STREET AND S.W. 112TH STREET AS "LT. COLONEL CHARLES BROWN MEMORIAL HIGHWAY"

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

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.

2E

101341 **Resolution** **Joe A. Martinez**

RESOLUTION APPROVING THE STATE CO-DESIGNATION OF SW 88 STREET FROM SW 137 AVENUE TO SW 142 AVENUE AS "MANUEL CAPO WAY"

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

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.

2F

101342 **Resolution** **Joe A. Martinez, Rebeca Sosa**

RESOLUTION APPROVING THE STATE ROAD CO-DESIGNATION OF SW 8TH STREET FROM SW 107TH AVENUE TO SW 127TH AVENUE AS "DR. JOSE A. MARQUES BOULEVARD"

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

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.

2G

101358 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING THE STATE ROAD CO DESIGNATION OF SW 40TH STREET/BIRD ROAD FROM SW 102ND AVENUE TO SW 117TH AVENUE AS "ANTHONY J. PEREZ STREET"

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

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.

2H

101148 **Resolution** **Joe A. Martinez**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE, THE PUBLIC HEALTH TRUST, AND THE COUNTY ATTORNEY'S OFFICE, TO ASSESS THE OPERATIONAL, FINANCIAL, AND CONTRACTUAL RELATIONSHIP BETWEEN THE PUBLIC HEALTH TRUST AND THE JACKSON MEMORIAL FOUNDATION, INC. AND THE FOUNDATION HEALTH SERVICES, INC. AND URGING THE PUBLIC HEALTH TRUST TO SUSPEND PAYMENT TO THE JACKSON MEMORIAL FOUNDATION, INC., AND THE FOUNDATION HEALTH SERVICES, INC., PENDING REPORTS TO THE COMMISSION

Withdrawn
Mover: Sosa
Seconder: Heyman
Vote: 4-0
Absent: Barreiro, Diaz

Report: *During consideration of changes to today's (6/10) agenda, the Committee withdrew the foregoing proposed resolution as requested in the June 10, 2010, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety & Intergovernmental Committee Agenda."*

Concerning the findings that the revenue gains for the Foundation were greater than its expenditures, Chairwoman Heyman asked Assistant County Manager Alina Hudak to work with the representative(s) of the PHT to prepare a justification, in the form of a report, reflecting the return on every dollar spent and how much revenue the Foundation collected. She also asked that this information be compared to the Mount Sinai and Baptist Hospital Foundations and that this report be submitted at the next Committee meeting.

2I

101369 **Resolution** **Joe A. Martinez, Dorrin D. Rolle**

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY AUTHORIZING THE INSTALLATION OF RED LIGHT CAMERAS AT HIGH CRASH, HIGH VOLUME INTERSECTIONS; DIRECTING THE MAYOR OR DESIGNEE TO IMPLEMENT A RED LIGHT CAMERA PROGRAM IN MIAMI-DADE COUNTY

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

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 Diaz noted there were different types of red light cameras that were used for a Red Light Camera Program.

Commissioner Sosa expressed her concern with the enforcement of the Red Light Camera Program. She noted a blind spot existed when making a right turn that the cameras could not photograph properly. In addition, she noted due process issues to appeal a violation.

J.D. Patterson, Assistant Director, Support Services, Miami–Dade Police Department (MDPD), informed the Committee members of the legal process for court appearances.

A discussion ensued among Commissioner Sosa, Mr. Patterson and Assistant County Manager Ysela Llort regarding the right turn citation and legal exceptions that would allow making a right turn on red in a careful and prudent manner; and a process to allow a person to review the citation prior to a court hearing date.

Commissioner Barreiro noted the Florida Legislature passed House Bill 325 that authorized the use of cameras for red light enforcement. He stated it behooves the County to have a uniform countywide program; if not there would be 35 municipalities each with different programs. In addition, he stated by implementing a countywide program, the County should share revenue for those citations.

Commissioner Souto noted he was one of the original sponsors of the Seatbelt Legislation when he served in the Florida Legislature. He stressed

the need to address irresponsible drivers as well as protect residents' safety.

Commissioner Rolle asked to be listed as a cosponsor on this proposed resolution.

2J

101520 **Resolution** **Sally A. Heyman**

RESOLUTION DIRECTING MAYOR TO PREPARE A PLAN FOR THE USE OF ELIGIBLE INMATES IN THE CUSTODY OF THE MIAMI-DADE COUNTY DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR SHORELINE CLEANUP IN THE EVENT OIL FROM THE SPILL IN THE GULF OF MEXICO REACHES THE SHORES OF THE COUNTY

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Heyman
Seconder: Diaz
Vote: 6-0

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

Chairwoman Heyman asked Assistant County Manager Ysela Llort to ask Mayor Alvarez to consider using "The Scavenger" boat to assist in shore cleanup in the event of an oil spill.

Chairwoman Heyman requested staff to prepare the appropriate memorandum asking Board of County Commission (BCC) Chairman Dennis C. Moss to waive the Board's Rules and Procedures to allow this proposed resolution to be considered at the June 15, 2010, BCC meeting.

3 DEPARTMENT(S)

3A

101315 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANT FOR THE COUNTY-OWNED PROPERTY AT 3100 PONCE DE LEON, CORAL GABLES, (CORAL GABLES BRANCH COURT); AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

Forwarded to BCC with a favorable recommendation
Mover: Rolle
Seconder: Heyman
Vote: 6-0

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.

Administrative Judge Joel H. Brown, appeared before the Committee, and thanked the Committee members for their approval of this proposed resolution.

3B

101326 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AND ASSIGNMENT OF LEASE AGREEMENT AT 18680 N.W. 67 AVENUE, UNIT # 41, MIAMI, WITH CLUB M & G L.C., A FLORIDA LIMITED LIABILITY COMPANY, FOR PREMISES TO BE UTILIZED BY THE STATE OF FLORIDA DEPARTMENT OF HEALTH, MIAMI-DADE COUNTY HEALTH DEPARTMENT FOR A VITAL RECORDS OFFICE WITH TOTAL FISCAL IMPACT TO THE STATE OF FLORIDA DEPARTMENT OF HEALTH NOT TO EXCEED $161,196.38 FOR THE FIVE-YEAR TERM OF THE LEASE AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

(General Services Administration)

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

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.

3C

101289 **Resolution**

RESOLUTION UPDATING PROVISIONS OF IMPLEMENTING ORDER 7-33 RATES FOR FIRE RESCUE OFF-DUTY SERVICES (Miami-Dade Fire and Rescue Department)

Amended

Report: *See Agenda Item 3C Amended, Legislative File No. 101607 for the amended version.*

3C AMENDED

101607 **Resolution**

RESOLUTION UPDATING PROVISIONS OF IMPLEMENTING ORDER 7-33- RATES FOR FIRE RESCUE OFF-DUTY SERVICES [SEE ORIGINAL ITEM UNDER FILE NO. 101289] (Miami-Dade Fire and Rescue Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Sosa
Vote: 6-0

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

Mr. Albert Garcia, Vice President, Homestead Miami Speedway, appeared before the Committee in support of this proposed resolution. He expressed concern with the 15% administrative surcharge increase and asked Committee members to conduct a study to evaluate the affect of the increase on businesses that used off-duty fire services on a regular basis.

Mr. Herminio Lorenzo, Fire Chief, Miami-Dade Fire Rescue, provided an overview of this recommendation to approve the bi-annual update of Fire Rescue off-duty pay rates and to add the Fire Boat to the hourly equipment rate schedule.

A discussion ensued between Chairwoman Heyman and Mr. Garcia regarding the recommended increase for off-duty pay rates.

It was moved by Commissioner Sosa that the Committee defer this proposed resolution. Commissioner Diaz seconded this motion for discussion.

Ms. Ines Beecher, Budget Coordinator, Office of the Commission Auditor (OCA), informed Committee members, that the OCA had reviewed and discussed these numbers with the administration. She noted that last year, the revenues generated were approximately $1.7 million and the expenses were approximately $1.9 million, with a deficit of approximately $174,000.

The Committee proceeded to vote for the deferral of this proposed resolution.

Chairwoman Heyman stated the deficit could not be made up by the businesses through the administrative surcharge. In addition, she asked Mr. Garcia to stay in touch because this item would be coming back to this Committee with

some adjustments.

Later in the meeting, Commissioner Sosa presented a motion to reconsider this proposed resolution, and Commissioner Diaz seconded this motion for discussion.

Commissioner Diaz noted there were some collective bargaining issues that affected the pay rates.

Assistant County Manager Ysela Llort stated staff became aware of the collective bargaining agreement issue associated with the rates today (6/10).

Later in the meeting, it was moved by Commissioner Sosa that the Committee reconsider this proposed resolution. Commissioner Diaz seconded this motion.

Commissioner Diaz requested Committee members to bifurcate the Off-Duty Fire Rescue Services pay rates to retain the administrative surcharge of 10-percent, and to keep the remaining portion of the recommended 15 percent increase.

The Committee forwarded the foregoing proposed resolution to the Board of County Commissioners (BCC) with a favorable recommendation with Committee amendment(s) to bifurcate the Off-Duty Fire Rescue Services pay rates, to retain the administrative surcharge of 10-percent, and to keep the remaining portion of the recommended 15 percent increase.

3D

101048 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH ALCALDE & FAY, PATTON BOGGS, LLP, AND GREENBERG TRAURIG, P.A. TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS 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 NOS. RFQ685A, RFQ685B, AND RFQ685C
(Procurement Management Department)

Withdrawn

Report: *See Agenda Item 3D Substitute, Legislative File No. 101490.*

3D SUBSTITUTE

101490 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS IN THE AGGREGATE AMOUNT OF $720,000 PER YEAR FOR AN INITIAL ONE YEAR TERM PLUS THREE ONE-YEAR REMOVAL TERMS WITH ALCALDE & FAY, PATTON BOGGS, LLP, AND GREENBERG TRAURIG, P.A. TO OBTAIN GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS 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 NOS. RFQ685A, RFQ685B, AND RFQ685C [SEE ORIGINAL ITEM UNDER FILE NO. 101048] (Procurement Management Department)

Amended (pending receipt of Leg. File No. from CA)

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

Chairwoman Heyman reminded Mr. Joe Rasco, Director, Office of Intergovernmental Affairs (OIA) of the request to provide a report card, which Mr. Rasco indicated that he had provided. She also noted the request for Mr. Rasco to provide a timeline for OIA to construe what was done in compliance with continuity for lobbyist contracts at the Federal level for the next time a Request for Proposal (RFP) or Request for Qualifications (RFQ) was issued; and for Mr. Rasco to meet with Committee members to discuss this matter.

Chairwoman Heyman reminded Ms. Miriam Singer, Director, Department of Procurement Management (DPM) of the request that she seek input on Committee members' requests for the next Federal lobbyist solicitation.

Ms. Singer informed Committee members that Agenda Item 3D Supplement (Legislative File No. 101516) provided a response to all of the issues raised at the May 13, 2010, Committee meeting regarding the RFQ.

Chairwoman Heyman noted the following items:

(1) the direction given by the Committee to staff,
(2) the carryover funding from the OIA
(3) the adjustment in the amount for the contract to be awarded to three (3) to five (5) vendors, and

(4) the OIA in-house office in Washington D.C.

Additionally, Chairwoman Heyman noted her concern with the supplement to add additional providers, which two of them (Akerman Senterfitt and Cardenas Partners, LLC) have provided these services to the County.

Chairwoman Heyman questioned whether the County would re-bid this solicitation if changes were made to the contract scope and funding.

In response to Chairwoman Heyman's question, Assistant County Attorney McCarty stated the County would need to re-bid this solicitation under this circumstance.

Chairwoman Heyman commented that pursuant to the current RFQ scope of work, if the County awarded $190,000 per contract to the three top ranked firms, they could then allocate the remainder of the $720,000 funding to maintain continuity of awarding this RFQ or bifurcate to reduce the contract amount to award equally up to five (5) contracts.

In response to Chairwoman Heyman's comment, Assistant County Attorney McCarty advised Committee members that this proposed resolution could be amended to remove the $150,000 and that it might require an administrative recommendation for a bid waiver and/or a competitive process. He indicated the Committee could also amend this item to allow up to $150,000 or deal with the $150,000 separately.

A discussion ensued between Chairwoman Heyman, Committee members and Assistant County Attorney McCarty regarding Committee options to proceed with this proposed resolution to award governmental representation and consulting services contracts in Washington D.C.

Further discussion ensued among Committee members, Ms. Singer and Mr. Rasco regarding local preference and the Selection Committee deliberation in bringing forth staff's recommendation.

Commissioner Sosa asked Assistant County Attorney Jess McCarty to prepare a resolution prohibiting any individual, company or consultant working with or for any lobbying company consultants contracting with the County from serving on a Selection Committee.

A discussion ensued between Commissioner Sosa and Ms. Singer regarding the composite for the evaluation of proposals for the RFQ, the current vendors and contracts for governmental representation and consulting services in Washington D.C.

Commissioner Sosa asked the Department of Procurement Management (DPM) Director to review the qualifications of the vendors recommended for the award of Contract Nos. RFQ685a, RFQ685b, and RFQ685c specifically, why the proposers' receiving the highest scores were those with relationships with the President Obama's Administration and House and Senate leadership in Washington rather than those with experience, qualifications, and past performance in providing the services described in the solicitation.

Further discussion ensued between Chairwoman Heyman and Mr. Rasco regarding the experience, qualifications, and past performance of the ranked vendors by the Selection committee.

Commissioner Barreiro spoke in support of the recommendation to award a contract to three local ranked firms.

Chairwoman Heyman expressed a concern with rejecting these bids and a new process to award the RFQ.

A discussion ensued between Chairwoman Heyman and Mr. Rasco regarding the funding source, the contract award amount and the number of contracts to award for this RFQ.

Assistant County Attorney McCarty advised Committee members of an option to request a bid waiver and an administrative recommendation; therefore, the item could go forward as amended and it would be contingent on the administration providing a recommendation for a bid waiver to award from three (3) to five (5) firms for the RFQ.

It was moved by Commissioner Diaz that the recommendation be amended to award five firms in the amount of $190,000 per contract per year from the $1.2 million budgeted from the General Fund for the Office of Intergovernmental Affairs to provide for Governmental Representation and Consulting Services in Tallahassee and Washington DC. Commissioner Souto seconded

this motion for discussion.

Assistant County Attorney Jess McCarty recommended the following amended language: (1) to award up to five firms instead of three; (2) to require the Mayor's recommendation to request a bid waiver that required a two-thirds vote of the BCC, (3) to direct the Department of Procurement Management (DPM) to negotiate the contract amount in an amount not to exceed $190,000 per contract per year with the additional firms to be added to this contract award, and (4) to direct DPM staff to locate additional funding necessary and if not successful then renegotiate with all five firms equally.

The Committee forwarded this proposed resolution to the Board of County Commissioners (BCC) with a favorable recommendation with Committee amendment(s) as recommended by Assistant County Attorney McCarty.

3D SUB SUPPLEMENT

101516 Supplement

SUPPLEMENT TO RECOMMENDATION FOR APPROVAL TO AWARD CONTRACT NOS. RFQ685A, RFQ685B, AND RFQ685C: GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC

Forwarded to BCC with a favorable recommendation as amended
Mover: Souto
Seconder: Diaz
Vote: 6-0

3E

101417 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT ON BEHALF OF MIAMI-DADE COUNTY WITH THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY AND THE UNIVERSITY OF MIAMI REGARDING PREPAYMENT OF LEASE AGREEMENTS AND OTHER OBLIGATIONS (Public Health Trust)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Rolle
Seconder: Sosa
Vote: 5-0
Absent: Diaz

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 requested staff to prepare the appropriate memorandum asking Board of County Commissioners (BCC) Chairman Dennis C. Moss to waive the Board's Rules and Procedures to allow this proposed resolution to be considered at the June 15, 2010, BCC meeting.

Commissioner Souto suggested that Jackson Health System conduct a public education program on nutrition to be hosted at public libraries throughout Miami-Dade County.

Commissioner Sosa noted the State of Florida Health Department selected her Office to participate in a conference in Washington D.C. last week. She indicated she would be working with First Lady Michelle Obama's initiative called the "Let's Move" campaign that would focus on childhood obesity that builds on effective strategies and mobilizes public and private sector resources. In addition, she noted the availability of funding and advised that she would present different proposals in the near future that would address Commissioner Souto's suggestion. Commissioner Sosa stated she would provide Commissioner Souto with this information to facilitate implementation of his suggested program.

3F

101514 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN MIAMI-DADE COUNTY AND SCHOOL BOARD OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Police Department)

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

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.

3G

101253 **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEND FUNDS FROM THE MIAMI-DADE POLICE DEPARTMENT LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF $3,235,000 (Miami-Dade Police Department)

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

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.

3H

101515 **Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR A NON-COMPETITIVE CONTRACT MODIFICATION FOR BW7514-15/24-2: 450 MHZ RADIO UPGRADE PROJECT, IN THE AMOUNT OF $9,621,000 AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME (Procurement Management Department)

Deferred to no date certain
Mover: Sosa
Seconder: Rolle
Vote: 4-2
No: Diaz, Souto

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

Chairwoman Heyman expressed a concern with the substantial content of this proposed resolution and receipt of this proposal today (6/10) as an add-on item to the Committee agenda. She suggested that the Committee forward this proposed resolution with no recommendation to the Board of County Commissioners (BCC); and that the Miami-Dade Fire Rescue (MDFR) Fire Chief meet with each BCC member to discuss this item. She reiterated it was unacceptable to receive this item the day of the Committee meeting. She noted another option would be to defer this proposed resolution.

The Committee proceeded to vote for the deferral of this proposed resolution.

In response to Commissioner Diaz' question if this proposed resolution was time sensitive, MDFR Fire Chief advised the Committee members it was time sensitive in the sense that the County might lose its frequency license for the Microwave Radio Communication System.

In response to Chairwoman Heyman's question about the period of the license, Mr. Angel Petisco, Director, Enterprise Technology Services Department (ETSD), appeared and noted the microwave frequency for the 450 MHz Ultra High Frequency (UHF) Radio System (System) required the County to obtain the licenses from the Federal Communications Commission (FCC). He noted that these licenses could be lost because of the high market demand.

Chairwoman Heyman reiterated her concern with bringing this item before the Committee today (6/10) and asked that the MDFR Fire Chief and the ETSD Director meet with each Committee member.

Mr. Petisco reminded the Committee members of the execution of agreements regarding radio rebanding approved by the Board on January 28, 2010, under Resolution No. R-83-10. He noted this resolution vacated the radio frequencies operated by the County, pursuant to FCC orders, and to acquire a new radio system that will operate under new frequencies.

Commissioner Diaz noted that staff worked on this proposed resolution. He asked that this Committee forward this item with no recommendation to the BCC.

Commissioner Barreiro spoke in support of the deferral.

The foregoing proposed resolution was deferred to no date certain.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

5A

101391 **Report**

BOND COUNSEL REQUEST FOR GRANT OF CONFLICT WAIVER (County Attorney)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-1
No: Rolle

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

The Committee proceeded to vote for this report as presented.

6 CLERK OF THE BOARD

7 REPORTS

7A

101359 **Report**

REPORT OF PROPOSED EXPENDITURES FOR THE LAW ENFORCEMENT TRUST FUND (County Manager)

Withdrawn
Mover: Sosa
Seconder: Heyman
Vote: 4-0
Absent: Barreiro, Diaz

Report: *During consideration of changes to today's (6/10) agenda, the Committee withdrew the foregoing report.*

SPECIAL NOTE: See Agenda Item 3G, Legislative File No. 101253.

7B

101449 **Resolution**

DEPARTMENTAL BUDGET PRESENTATION (County Manager)

Report accepted
Mover: Heyman
Seconder: Sosa
Vote: 6-0

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

The Committee proceeded to vote for this report as presented.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 5:29 p.m.*