



MEMORANDUM
Harvey Ruvin
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GO

Agenda Item No. 6(A)

TO: Honorable Chairman Carlos A. Gimenez
and Members of the Government Operations
Committee

DATE: November 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's office is submitting the following Clerk's Summary of Minutes for approval by the Government Operations Committee:

July 13, 2010

DC/jt
Attachment



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Government Operations Committee (GOC)**

Board of County Commissioners

Stephen P. Clark Government Center
Commission Chambers
111 N.W. First Street
Miami, Florida 33128

July 13, 2010
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Diane Collins, Acting Division Chief
Clerk of the Board Division

Jill Thornton, Commission Reporter
(305) 375- 2505





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

CLERK'S SUMMARY OF Meeting Minutes Government Operations Committee

Carlos A. Gimenez (7) Chair; Natacha Seijas (13) Vice Chair; Commissioners Jose
"Pepe" Diaz (12), Audrey M. Edmonson (3), Joe A. Martinez (11), and Rebeca Sosa (6)

Tuesday, July 13, 2010

9:30 AM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Joe A. Martinez, Natacha Seijas, Rebeca Sosa.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jill Thornton, Commission Reporter
(305) 375-2505*

1A INVOCATION

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

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present: Special Assistant to the County Manager Howard Piper; Assistant County Attorneys Geri Bonzon-Keenan, Daniel Frastai, Jess McCarty and Craig Coller; Office of Strategic Business Management Director Jennifer Glazer-Moon; and Deputy Clerks Doris Dickens, Jovel Shaw and Jill Thornton.*

Chairman Gimenez called the meeting to order at 9:58 a.m.

Assistant County Attorney Geri Bonzon-Keenan noted the following changes to today's final agenda: Item 1E1 was withdrawn as requested by the County Manager. She also noted a scrivener's error contained in the last paragraph on handwritten page 1 of Agenda Item 3C should be corrected to reflect \$67.2 million as the total cost for the two projects, in lieu of \$61 million.

It was moved by Commissioner Diaz that the July 13, 2010 Governmental Operations Committee agenda be approved, along with the changes listed in the County Manager's Memorandum of Changes and those requested by Assistant County Attorney Bonzon-Keenan. This motion was seconded by Commissioner Sosa, and passed by a vote of 5-0. (Commissioner Martinez was absent.)

1D **DISCUSSION ITEM****1E** **PUBLIC HEARINGS**

1E1

100981 Ordinance

Rebeca Sosa,

Jose "Pepe" Diaz, Dorrin D. Rolle, Sen. Javier D. Souto
ORDINANCE RELATING TO SEWER CONNECTIONS;
AMENDING SECTION 24-43.1(7) OF THE CODE OF
MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE FOR A
TWO-YEAR MORATORIUM ON CONNECTIONS TO
SEWER MAINS; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AN EFFECTIVE DATE AND
A SUNSET PROVISION

Withdrawn
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Martinez

Report: *During consideration of the changes to today's agenda, the foregoing proposed ordinance was withdrawn, as requested by the County Manager.*

1E2

101338 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30275 FROM VAN GO! TRANSPORTATION, INC. TO MIAMI SUNNY, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *Hearing no objections, Agenda Items 1E2 through 1E10 were heard simultaneously.*

Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolutions into the record.

Chairman Gimenez opened the public hearing and called for persons wishing to be heard in connection with the foregoing proposed resolutions. After no one appeared wishing to be heard, he closed the public hearing.

Commissioner Sosa inquired whether any of the companies listed in the foregoing resolutions that ~~had~~ applied for a transfer of certificate, had any history of performance issues.

Ms. Cathy Grimes Peel, Director, Consumer Services Department (CSD), noted the following three applicants had slight enforcement histories: the applicant (principal of the company) listed in Agenda Item 1E5 received a citation in 2007 for dispatching a passenger vehicle to the wrong location at Miami International Airport (MIA); the applicant listed in Agenda Item 1E9 received one citation for failure to provide employee identification at the Port of Miami; and the applicant listed in Agenda Item 1E10 received a citation in 2009 for failure to complete a Jitney route. She noted all three complaints had been satisfied.

Hearing no further comments or questions, the Committee proceeded to vote on the foregoing proposed resolutions, as presented.

1E3

101340 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30303 FROM CORPORATE CONNECTION LINES, INC. TO PATRICK'S TRANSPORTATION SYSTEM, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E4

101525 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30144 FROM AMERICAN EXECUTIVE INTERNATIONAL CORPORATION TO ALLTOUR OF AMERICA, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E5

101526 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30253 FROM A RIDE TRANSPORTATION, INC. TO TASHA SERVICES, INC. D/B/A ART TRANSPORTATION TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E6

101750 Resolution

RESOLUTION APPROVING APPLICATION FOR TWO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO COUNTY MEDICAL TRANS, CORP. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E7

101751 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30326 FROM NIAGARA OUTSOURCING SERVICES, INC. D/B/A FIVE DIAMONDS LIMOUSINE TO MGH TRANSPORTATION SERVICES, LLC TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E8

101752 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30025 FROM SELECT TRANSPORTATION I, INC. TO R & G TRANSPORTATION, INC. TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E9

101754 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30262 FROM FORT LAUDERDALE & MIAMI AIRPORT SHUTTLE, INC. TO KEY WEST ADVENTURES CORP. D/B/A AIRPORT SHUTTLE TO PROVIDE SPECIAL OPERATIONS SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

1E10

101755 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30005 FROM ALPHE WILLINGHAM D/B/A LIBERTY CITY JITNEY TO JEAN CLAUDE PIERRE D/B/A LIBERTY CITY JITNEY TO PROVIDE JITNEY SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

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

Report: *See agenda Item 1E2; Legislative File No. 101338 for the report.*

2 COUNTY COMMISSION

2A

101224 Ordinance**Bruno A. Barreiro***Withdrawn*

ORDINANCE RELATING TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AMENDING SECTION 2-341 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ESTABLISHING COUNTY POLICY THAT FOR PROSPECTIVE FISCAL YEARS RETAIL WATER AND WASTEWATER RATES SHALL BE ADJUSTED BASED ON CONSUMER PRICE INDEX; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Report: *Assistant County Attorney Geri Bonzon-Keenan read into the record, the foregoing proposed ordinance and the proposed amendment to its title, proffered by Commissioner Barreiro.*

It was moved by Commissioner Seijas that the Committee forward the foregoing proposed ordinance to the County Commission with a favorable recommendation, with an amendment to its title, as stated by the Assistant County Attorney. This motion was seconded by Commissioner Diaz, followed by discussion.

Commissioner Barreiro, prime sponsor of this ordinance, noted he proffered using the U.S. Department of Labor's Bureau of Statistics Consumer Price Index (CPI) as a basis and best method for making recommendations for water rate adjustments.

Commissioner Edmonson asked for an explanation of why the CPI reported by the US Department of Labor, and referenced by Commissioner Barreiro, should be used as a basis for water rate adjustments; what was the difference between this CPI and the average CPI; and what impact would it have on the consumers' water bills.

Commissioner Barreiro explained that the CPI reported by the US Department of Labor (now included in the resolution's title for more clarity) was a specific index used by the Water and Sewer Department (WASD).

Ms. Jennifer Glazer-Moon noted the Administration used this particular index for many years as a reference point when measuring, comparing, and making recommendations to adjust water and sewer rates; that this index was appropriate because it was specifically tied to petroleum-based materials/items used by water

and sewer entities. She noted these items had increased in cost significantly. Ms. Glazer-Moon advised that although the U.S. Department of Labor reported the CPI as 7-percent this year, WASD's Operations and Maintenance (O&M) Budget remained flat, and the Administration would not recommend a rate adjustment tied to this maintenance index in this year's proposed budget.

Commissioner Sosa read into the record, the water rate adjustments proposed in FY 2005/06 through FY 2008/09, and those estimated for this year. She expressed concern that this particular CPI tended to increase, and this trend would continue if the foregoing resolution was approved. She noted she could not support rate increases at this time, and felt that public input should be sought in this matter. She suggested an average of the two CPIs be used.

Following Commissioner Barreiro's clarification that his proposal was for prospective years, not this year's budget, and his comment that he believed the Board could deny any recommendation made by the Administration to raise rates, and lower the rates as well, Assistant County Attorney Bonzon-Keenan concurred that the Board had that ability to lower rates during the County's annual budget process.

Commissioner Sosa noted it was her understanding that based on the foregoing proposal, recommendations for rate adjustments would no longer be required to come before the Board for approval, except to be ratified. She said she would like this issue clarified before this item went before the County Commission.

Ms. Jennifer Glazer-Moon clarified that any proposed fee adjustment must come before the Board for approval as part of the County's annual budget process, regardless of what was written in the County's Code. She noted tying water and sewer costs to the average CPI was not good because that index was tied to a basket of average goods.

Commissioner Diaz noted he could support the particular maintenance index proposed, if rate adjustments had to be tied to something; however, he preferred that rates not be tied to any index and that the Board be given the flexibility to recommend affordable rates.

Commissioner Martinez noted he believed that rates should be tied to something. He pointed out that WASD's customers would receive a savings if rates were tied to the average CPI, since this index decreased this year. He noted he could not support the proposed maintenance index or a continual increase in water rates, since the County's earnings were not tied to the same basket of goods.

Chairman Gimenez noted he could not support this proposal for some of the same reasons given by Commissioner Martinez. He noted the proposed CPI accelerates much faster than the average CPI, and at a rate that exceeded people's ability to pay. He recommended that WASD's Director be instructed to come before the Commission during the County's annual budget hearings to justify the proposed rate adjustment(s); and that Commission members discuss this issue, rather than tie rate adjustments to a national standard that may or may not apply to Miami-Dade County.

Commissioner Seijas withdrew her motion to allow Commissioner Barreiro to defer this ordinance for further review or withdraw it.

Commissioner Diaz withdrew his second.

Following discussion, the foregoing proposed ordinance was withdrawn by Commissioner Barreiro.

2B

101670 Resolution

Bruno A. Barreiro,

Rebeca Sosa, Carlos A. Gimenez, Audrey M. Edmonson
RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH A CHECK REGISTER OF COUNTY EXPENDITURES THAT CAN BE ACCESSED VIA THE COUNTY WEBSITE; AND REQUIRING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ENSURE THAT ALL DATA ADDED TO THE WEBSITE REMAINS ACCESSIBLE TO THE PUBLIC FOR A CERTAIN TIME

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Second: Diaz

Vote: 5-1

No: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez asked to be listed as a co-sponsor of this resolution.

Commissioner Barreiro, prime sponsor of this resolution, noted he proposed having all county expenditures posted on the web for maximum transparency. He noted this resolution requires the Administration to report to the Board within 90 days with recommendations on how to accomplish this, and to implement the system within 180 days.

Commissioner Seijas concurred with posting all government expenditures on the web for more transparency, but suggested an explanation of the expenditure be posted along with the check, as well.

Commissioner Sosa commended Commissioner Barreiro for this proposal; and Commissioner Edmonson asked to be listed as a co-sponsor of this resolution.

In response to Commissioner Martinez' inquiry of whether this proposal also included posting employee's paychecks, Ms. Bonzon-Keenan noted it included all checks.

Commissioner Martinez noted although he supported more transparency in government, he could not support this resolution if employees' salary checks were included because of potential issues concerning privacy rights. He pointed out that the original resolution proposed by Commissioner Souto failed on first reading because it included posting employees' salaries.

Commissioner Diaz noted his concerns were similar to Commissioner Martinez' concerns, but he worked through them after discovering that employee salaries were public records available upon request. He noted he supported furthering government transparency and gaining back the publics' trust and confidence.

Chairman Gimenez spoke in support of this resolution. He noted employee salaries were public records with no privacy rights attached and were accessible to the public. He agreed that Commissioner Barreiro's proposal was a huge step towards better transparency. He also noted that posting the invoice, requisition or paycheck stub should suffice as an explanation for the expenditure.

Regarding Commissioner Diaz' concerns with posting certain private information such as social security numbers on the web, Commissioner Barreiro noted the body of this resolution contained language that says all confidential information would be exempted from disclosure.

Commissioner Seijas noted she believed the Administration should include posting an explanation of why some employees receive higher salaries than others so that the public could gain a better understanding of these expenditures.

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

2C

101648 Resolution Bruno A. Barreiro

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 474 N.W. 4 STREET, MIAMI, WITH THE DEPARTMENT OF OFF-STREET PARKING A/K/A MIAMI PARKING AUTHORITY ("MPA") AN AGENCY AND INSTRUMENTALITY OF THE CITY OF MIAMI, FOR PREMISES TO BE IMPROVED AND UTILIZED AS A PARKING LOT FACILITY WITH 24 HOURS A DAY, 7 DAYS A WEEK ACCESS FOR THE CONVENIENCE OF THE PUBLIC AND SURROUNDING MERCHANTS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (GENERAL SERVICES ADMINISTRATION) (General Services Administration)

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

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Barreiro, sponsor of this resolution, noted residents and merchants of the area where this project was located had long awaited this proposal and more parking in the area. He recognized the owners and employees of Casablanca-Miami restaurant, who were present in the audience in support of this resolution.

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

2D

101640 Resolution County Commission

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, _____, FOR THE PURPOSE OF SUBMITTING TO QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES AS SET FORTH HEREIN THE QUESTION OF WHETHER THE DESCRIBED AREA SHOULD BE ANNEXED TO THE CITY OF SWEETWATER; PROVIDING THAT THE RESOLUTION WILL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF CERTAIN EVENTS (SEE AGENDA ITEM NO. 2E)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Assistant County Attorney Craig Collier advised that the foregoing resolution and the resolution under Agenda Item 2E, if forwarded to the County Commission, should be heard simultaneously with a related Ordinance for second reading.

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

2E

101637 Resolution County Commission

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF SWEETWATER IN CONNECTION WITH THE PROPOSED ANNEXATION BY THE CITY OF SWEETWATER; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED AND TAKE ANY ACTION REQUIRED BY THE COUNTY HEREIN (SEE AGENDA ITEM NO. 2D)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

2F

101717 Resolution**Jose "Pepe" Diaz**

RESOLUTION DIRECTING COUNTY MAYOR OR
MAYOR'S DESIGNEE TO REPORT TO BOARD ON USE
OF COUNTY VEHICLES FOR SALE OF
ADVERTISEMENT SPACE

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Sosa

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Diaz noted, in an effort to find innovative ways to generate new revenues, he brought forth this proposal, which directs the Administration to perform a study and determine the feasibility of displaying paid advertisements on county-owned vehicles. He asked that the deadline for submitting the findings and recommendations of the study to the County Commission be extended from 30-days to 45-days, which would give General Services Administration (GSA) sufficient time to complete the study.

Commissioner Sosa noted she supported this resolution and finding ways to generate additional revenue; however, she asked that the sponsor of this resolution ensure that any proposed legislation approving the display of sign(s) on county-owned vehicles for advertisement purposes include language prohibiting any derogatory (offensive) or discriminatory language on signs.

Commissioner Diaz advised that the Administration would address Commissioner Sosa's concerns in their feasibility study, as well as revise the existing ordinance to ensure that no derogatory or discriminatory language was displayed in the advertisements placed on county-owned vehicles.

Ms. Jennifer Glazer-Moon, Assistant to the County Manager and Office of Strategic Management Budget Director, noted she discussed with Commissioner Diaz the concerns raised by Committee members regarding certain advertisements, and advised him that certain restrictions on advertisements may limit the amount of revenue generated. She noted that as part of the study, the Administration would evaluate the impact of placing certain restrictions on advertisements, and include those findings in

the report to be provided.

Chairman Gimenez asked Assistant County Attorney Bonzon-Keenan to prepare a resolution under his sponsorship, directing the Administration to explore sponsorship opportunities for County parks.

Ms. Glazer-Moon advised that the Administration had worked actively for a number of years on sponsorship opportunities as a revenue stream for parks; that a position in the Office of Grants Coordination was dedicated to soliciting sponsorships. She also noted some Park and Recreation Department events were already sponsored, and some not-for-profit entities, such as Animal Services and Friends of the Library, were created to allow sponsorships for other county departments. Staff has a significant amount of experience in soliciting sponsorships for food and beverage vendors, and was involved in developing proposals for equipment, uniforms, and other items on a daily basis. Ms. Glazer-Moon advised that sponsorships had many procurement ramifications, but the Administration was currently preparing legislation to remove certain restrictions on advertisements.

Chairman Gimenez clarified he wanted the Administration to explore more opportunities for naming parks similarly to how naming was done in the County's Adopt-A-Road Program, rather than sponsor events. He asked Ms. Glazer-Moon to provide a status report on staff's efforts to solicit corporate sponsorships, specifically giving corporate entities the naming rights to parks within the County.

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

2G

101329 Resolution **Dennis C. Moss**

RESOLUTION DECLARING ONE 2000 DODGE VAN SURPLUS AND AUTHORIZING ITS DONATION TO KINGDOM COVENANT MINISTRIES CHURCH

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

2H

101641 Resolution **Rebeca Sosa**

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY, REQUIRING EVERY ITEM CONSIDERED BY THE BOARD OF COUNTY COMMISSIONERS THAT INCREASES A COUNTY FEE TO TAXPAYERS AND OTHER USERS OF COUNTY FACILITIES AND SERVICES TO CLEARLY IDENTIFY SUCH INCREASE

Amended

Report: *(See Agenda Item 2H Amended; Legislative File No. 101908 for the amended version.)*

2H AMENDED

101908 Resolution**Rebeca Sosa**

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY, REQUIRING EVERY ITEM CONSIDERED BY THE BOARD OF COUNTY COMMISSIONERS THAT INCREASES A COUNTY FEE, FINE OR OTHER CHARGE TO TAXPAYERS AND OTHER USERS OF COUNTY FACILITIES AND SERVICES TO CLEARLY IDENTIFY SUCH INCREASE [SEE ORIGINAL ITEM UNDER FILE NO. 101641]

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

Mover: Sosa

Seconder: Edmonson

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Seijas spoke in support of this resolution; however, she questioned whether it would only be applicable to items sponsored by the Administration. Responding to her inquiry, Assistant County Attorney Jess McCarty noted this resolution was applicable to items sponsored by the County Commission and by the Administration.

Commissioner Sosa noted the intent of this resolution would ensure the community was informed everytime the County proposed to increase its fees.

In response to Commissioner Seijas' inquiry regarding whether this resolution included informing the community of proposals to increase fines as well, Assistant County Attorney McCarty advised that this resolution, as proposed, was limited to fees.

Commissioner Seijas pointed out that the Board approved some fines that were increased substantially. She suggested the sponsor of this resolution explore the possibility of including fines in this resolution.

Commissioner Sosa asked that this resolution be amended to include any charge the County could increase to the taxpayers. She accepted Assistant County Attorney McCarty's suggested amendment to add language that states: "fees, fines or other charges."

Hearing no further comments or questions, the Committee forwarded the foregoing proposed resolution to the County Commission with a favorable recommendation, with Committee

Government Operations Committee

Meeting Minutes

Tuesday, July 13, 2010

CLERK'S SUMMARY OF

*amendment(s) to add "fines or other charges"
after the word "fees" in the title and throughout
the body of this resolution.*

21

101763 Resolution

Rebeca Sosa,

Jose "Pepe" Diaz, Audrey M. Edmonson
 RESOLUTION DIRECTING THE COUNTY MAYOR OR
 COUNTY MAYOR'S DESIGNEE TO REQUEST THE
 ENVIRONMENTAL QUALITY CONTROL BOARD
 GRANT EXISTING RESIDENTIAL AND
 NONRESIDENTIAL PROPERTIES A TWO-YEAR
 EXTENSION OF TIME TO CONNECT TO AN APPROVED
 PUBLIC GRAVITY SANITARY SEWER OR APPROVED
 SANITARY SEWER FORCE MAIN

*Forwarded to BCC with a favorable
 recommendation*

Mover: Sosa

Secunder: Diaz

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record. She noted Commissioner Diaz requested to be listed as a co-sponsor of this item.*

Commissioner Edmonson asked to be listed as a co-sponsor to this item, as well.

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the County Commission, with a favorable recommendation. This motion was seconded by Commissioner Diaz, followed by a discussion.

Chairman Gimenez allowed the following person(s) to speak on this item:

Ms. Charlene Emmanuel, 16320 SW 147th Avenue, appeared on behalf of the church, Unity Center of Miami, which, she noted, had complied with all of the Building Code requirements concerning projects developed on its property, except the requirement to connect to the public sewer system listed in this resolution. She also noted this church desires to comply with all of the County's requirements, but cannot afford to connect to the required sewer system at this time because the cost is excessive (over \$100,000) and the church has suffered financial losses due to the current economy. On behalf of the church, she requested the Board approve a two-year extension of time for the church to connect to this system.

Mr. Charles McKinnon, Executive Director, Naranja/Princeton Community Development Corporation (CDC) and Attorney representing small, local nonprofit entities, appeared on behalf of his clients, Unity Center of Miami and Solid Rock Baptist Church. He noted these churches were having difficulties obtaining Certificates of Occupancy (COs) to complete construction

projects on their respective sites because they could not afford to hook up to the County's required water and sewer system. He spoke in support of the church's request for a two-year moratorium.

Commissioner Sosa commended the County Attorney's Office and Department of Environmental Resources Management for bringing to her attention the County's need to request an extension from the Environmental Quality Control Board in order to protect its bonds.

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

2J

101679 Resolution**Sen. Javier D. Souto**

RESOLUTION REQUESTING AND DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PREPARE A REPORT ON THE MOST COST-EFFECTIVE MANNER TO POST ON MIAMI-DADE COUNTY'S WEBSITE VIDEO OR AUDIO RECORDINGS OF THE MEETINGS OF CERTAIN MIAMI-DADE COUNTY BOARDS

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 6-0

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Sosa, followed by a discussion.

Commissioner Diaz asked if this resolution resulted from a previous discussion held by the Board, where staff was directed to conduct a feasibility study on whether all Public Health Trust (PHT) meetings could be recorded.

Assistant County Attorney Geri Bonzon-Keenan noted she was unaware of how this resolution came about, but it requested the Administration to conduct a study to determine the most cost-effective manner for video/audio taping and posting PHT meetings on the internet.

Commissioner Seijas asked if PHT meetings had already been posted on the web, noting she had seen several of them televised.

Ms. Judy Zito, Director, Government Information Center (GIC), advised that PHT Board meetings were televised on Miami-Dade TV, but PHT committee meetings were not. She noted GIC was looking into this and would address it in the forthcoming report.

Responding to Commissioner Seijas' concerns regarding whether the County was able to afford this proposal, Chairman Gimenez clarified that this resolution only requested a study and report, not an implementation of it.

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

2K

100516 Resolution Sen. Javier D. Souto

RESOLUTION AMENDING RESOLUTION NO. R-1164-04 RELATING TO WATER AND SEWER BILLING; REQUIRING THE MIAMI-DADE WATER AND SEWER DEPARTMENT TO ISSUE A ONE-TIME LIFETIME BILLING ADJUSTMENT WHEN THE WATER CONSUMPTION RATE FOR A SINGLE-FAMILY RESIDENTIAL CUSTOMER EXCEEDS SIX (6) TIMES THE AVERAGE QUARTERLY CONSUMPTION BASED ON THE PAST YEAR'S CONSUMPTION REGARDLESS OF WHETHER OR NOT THE PROPERTY HAS A CONCEALED LEAK [SEE AGENDA ITEM NO. 7B]

Tabled
Mover: Seijas
Seconder: Diaz
Vote: 5-0
Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read into the record, the foregoing proposed resolution and the title of the related report, Agenda Item 5B.*

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Sosa for discussion.

Commissioner Diaz expressed concern that the intent of this resolution could be misinterpreted by the public and cost the County more money in the long run. He said he understood and concurred with the need to study the unexplained, extremely high water bills. Using one of his constituents, an 80-year old woman, as an example, Commissioner Diaz noted this individual's water bill was over \$3,000, and the department was unable to provide her with an explanation it. He requested further clarification regarding the intent of this proposal.

Assistant to the County Manager Howard Piper explained that the Water and Sewer Department (WASD) normally examined customers' water bills for anomalies on a monthly basis; and in instances where a water bill exceeded two times the average cost, WASD initiated its own investigation and conducted inspections of the customer's home and water meter to determine the cause for the excessive water bill. He noted if the department determined the customer was at fault, staff would work with that individual to reduce the bill and provide them with advice on how to conserve water.

Mr. Joe Ruiz, Deputy Director of Operations, WASD, added that WASD's process for reviewing

unusually high water bills was proactive, and often completed before the customer became aware of the problem. In addition, the method for testing water meters was very detailed and sophisticated, and staff ensured that all water meters were test-certified by the Consumer Services Department, Mr. Ruiz noted. He said the department also provided an excellent appeals process with administrative hearing officers who were not employees of WASD; and noted the number of unexplained high water bills was very small and in some cases, people actually stole water from others. Mr. Ruiz advised Committee members that WASD had taken appropriate steps to prevent over billing in the future; that the department had done a fair job at finding solutions, but was always opened for suggestions.

Commissioner Diaz asked if WASD had taken a position concerning this proposal.

Mr. Ruiz noted he believed this proposal, as written, would pose a significant financial risk to the Department and a significant burden on staff when trying to track the customers. He said he did not know what the total adjustments would be, but pointed out that adjustments made for a few customers bills just since 2004 totaled to approximately \$3 million, and this resolution could add up to millions of dollars.

Commissioner Diaz withdrew his second to the motion. Hearing no one else to second it, the motion died due to lack of a second.

It was moved by Commissioner Seijas that this resolution be tabled. The motion was seconded by Commissioner Diaz.

Commissioner Sosa suggested the Committee send the sponsor, Commissioner Souto, a message for him to consider having unusually high water bills reviewed by WASD on a case-by-case basis, and adjusted based on merit. She expressed concern that the impact of this resolution and its proposed retroactive adjustments to 2007 could be very expensive to the County and result in the Board having to increase water rates.

Commissioner Seijas gave her reason for wanting this resolution tabled. She acknowledged that WASD had done an excellent job and had exceeded expectations in its efforts to resolve these issues and help its customers; however, she felt the

Board should represent the entire County and not adopt ordinances or resolutions that serve the needs of one individual. She said she would maintain her motion to table this resolution.

In response to Commissioner Sosa's question regarding whether the foregoing motion restricts the sponsor from tweaking this resolution, Assistant County Attorney Bonzon-Keenan noted if tabled, this resolution could be amended and brought back at a later date, or the sponsor could present a new item; that restrictions would apply to a renewal, but not an amended item. Responding further to inquiries of Commissioner Sosa, Ms. Bonzon-Keenan noted restrictions would be imposed for a period of time if this item was tabled today.

Commissioner Diaz noted his respect for the sponsor of this resolution; however, he was concerned because this item applied to only one customer's bill for an approximate \$400 adjustment, and nothing was done to help his constituent whose water bill exceeded \$3,000, or several others with unexplained high water bills. He noted he would only support a resolution that provided a general solution for all WASD customers experiencing these problems.

Discussion ensued between Committee members and Counsel regarding the appropriate actions the Committee could take on this item.

Assistant County Attorney Bonzon-Keenan explained the process for amending and renewing an item that was tabled, the sponsor's options, and the applicable timeframes. In response to the Committee members wanting to defer this resolution, Ms. Bonzon-Keenan advised that a motion to table an item would take precedence over a motion to defer it.

Chairman Gimenez noted he would not object to this resolution being tabled because he preferred to see an item that provided WASD the flexibility to review extraordinary high charges on a case-by-case basis. He noted he was opposed to this resolution, as written, because it could result in unintended consequences, and should be tweaked because of its overreaching policy to resolve one persons' problem.

Hearing no further comments or questions, the Committee proceeded to vote on the foregoing motion to table this resolution.

2L

101784 Resolution

Dennis C. Moss

RESOLUTION DECLARING ONE 2001 DODGE CARGO
VAN SURPLUS AND AUTHORIZING ITS DONATION TO
FOOD OF LIFE OUTREACH MINISTRIES INC.

*Forwarded to BCC with a favorable
recommendation*

Mover: Sosa

Seconder: Edmonson

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan
read the foregoing proposed resolution into the
record.*

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

3 DEPARTMENTS

3A

101323 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LIMITED MOTOR VEHICLE PARKING LICENSE AGREEMENT AT 105 NW 5 STREET, MIAMI, WITH THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES, FOR ONE HUNDRED PARKING SPACES BEING UTILIZED BY MIAMI-DADE COUNTY GENERAL SERVICES ADMINISTRATION, WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED \$13,180 FOR THE FIRST YEAR OF THE AGREEMENT; 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 the BCC by the BCC Chairperson with a favorable recommendation

Mover: Edmonson

Seconder: Diaz

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Diaz asked for an explanation of this item.

Ms. Wendy Norris, Director, General Services Administration (GSA), explained that GSA was temporarily leasing parking space in a State garage at \$10 per stall to accommodate County vehicles that currently park in a County garage in order to free up space in the County garage to accommodate vehicles that park at a parking lot, so that construction of a new parking garage could begin on that lot.

In response to Commissioner Sosa's request for clarification regarding the lease agreement and who owned the parking garage, Ms. Norris noted GSA was temporarily leasing 100 parking spaces in a garage owned by the State of Florida.

Responding to Commissioner Sosa's question regarding whether the County had rented or currently rents any land or space to the State of Florida departments, such as the Florida Department of Health, for \$1 per year, Ms. Norris noted she was not absolutely sure if the County rented any land to the State for \$1 per year, but could say that the Florida Department of Health pays rent to the County at market value.

Commissioner Sosa asked the General Services Administration Director to provide Committee members with a report, before this resolution was

considered by the County Commission, identifying all State-owned land rented by the County and vice-versa, including the amount of rent payments.

NOTE: Chairman Gimenez submitted a memorandum dated July 13, 2010, requesting the Board of County Commissioners (BCC) Chairman Moss to waive the Board's rules and procedures and allow this proposed resolution to be heard at the July 20, 2010 BCC meeting.

3A SUPP.

101709 Supplement

SUPPLEMENT TO LIMITED MOTOR VEHICLE
PARKING LICENSE AGREEMENT

*Forwarded to the BCC by the BCC
Chairperson with a favorable
recommendation*

Mover: Edmonson

Seconder: Diaz

Vote: 5-0

Absent: Martinez

Report: *NOTE: Chairman Gimenez submitted a memorandum dated July 13, 2010, requesting the Board of County Commissioners (BCC) Chairman Moss to waive the Board's rules and procedures and allow this proposed resolution to be heard at the July 20, 2010 BCC meeting.*

3B

101730 Resolution

RESOLUTION APPROVING AMENDMENT TO LEASE AGREEMENT AT 1000 S.W. 57 AVENUE, SUITE 200, MIAMI, WITH INTERAMERICAN BANK, FSB, FOR PREMISES TO BE UTILIZED AS A COMMISSION DISTRICT OFFICE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID AMENDMENT AND EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation

Mover: Sosa

Seconder: Edmonson

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Sosa noted she approached the owners of this building to advise them that the County was faced with a difficult budget this fiscal year and needed to be frugal with taxpayers' dollars, and to request a reduction in the County's rent. She expressed appreciation to all property owners for their consideration and cooperation in reducing their rental rates in leases renewed with the County.

Ms. Wendy Norris, General Services Administration (GSA) Director, noted her staff was currently reviewing new leases and renewals and was successful at getting some rate reductions as well.

Chairman Gimenez commended Ms. Norris and her staff for a great job done in this matter.

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

NOTE: Chairman Gimenez submitted a memorandum dated July 13, 2010, requesting the Board of County Commissioners (BCC) Chairman Moss to waive the Board's rules and procedures and allow this proposed resolution to be heard at the July 20, 2010 BCC meeting.

3C

101579 Resolution

RESOLUTION APPROVING THE ACCEPTANCE OF THE
UNSOLICITED PROPOSAL FOR THE DESIGN/BUILD OF
AN ON-SITE CHLORINE GENERATION AND
EMERGENCY GENERATOR SYSTEM FOR THE
COUNTY'S ALEXANDER ORR JR., JOHN E. PRESTON
AND HIALEAH WATER TREATMENT PLANTS (Water &
Sewer Department)

Amended

Report: *(See Agenda Item 3C Amended; Legislative File
No. 101836 for the amended version.)*

3C AMENDED

101836 Resolution

RESOLUTION APPROVING THE ACCEPTANCE OF THE UNSOLICITED PROPOSAL FOR THE DESIGN/BUILD OF AN ON-SITE CHLORINE GENERATION AND EMERGENCY GENERATOR SYSTEM FOR THE COUNTY'S ALEXANDER ORR JR., JOHN E. PRESTON AND HIALEAH WATER TREATMENT PLANTS [SEE ORIGINAL ITEM UNDER UNDER FILE NO. 101579] (Water & Sewer Department)

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

Mover: Edmonson

Seconder: Diaz

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Sosa asked whether enough funding would be available to address future infrastructure issues if Bond reserves were used to fund these two projects.

Assistant to the County Manager Howard Piper noted approximately \$67 million was set aside in the adopted Capital Improvement Multi-Year Plan to cover these types of projects. He explained that if this resolution was approved, the Administration would seek to relocate these funds to support the projects, once the projects were competitively bid.

Commissioner Sosa asked whether a reallocation of the funds would come before the Board for approval, and whether the project's specifications and the Commission District impacted by the projects would be publicized.

Mr. Piper noted that once the proposed recommendation was approved by the Board, the Administration would initiate a formal competitive bid process for Request for Proposals (RFP), and bring back a contract for the Board's approval that would indicate the projects' estimated costs, fiscal impact and the Commission district in which the project was located in.

Hearing no further discussion, the Committee forwarded the forgoing proposed resolution to the County Commission with a favorable recommendation, with committee amendments to correct a scrivener's error contained within the last paragraph on handwritten page 1 of the County Manager's memorandum to reflect the total cost for the two projects as \$67.2 million rather than \$61 million.

Mr. Piper requested this resolution be waived to the next BCC meeting.

NOTE: Chairman Gimenez submitted a memorandum dated July 13, 2010, requesting the Board of County Commissioners (BCC) Chairman Moss to waive the Board's rules and procedures and allow this proposed resolution to be heard at the July 20, 2010 BCC meeting.

3D

101620 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF NORTH BAY VILLAGE FOR THE COUNTY TO PROVIDE SANITARY SEWAGE DISPOSAL SERVICE TO THE CITY OF NORTH BAY VILLAGE AND TO LEASE A FORCE MAIN FROM THE CITY OF NORTH BAY VILLAGE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Water & Sewer Department)

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

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

3E

101760 Resolution

RESOLUTION APPROVING JOINT PARTICIPATION AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY FOR THE DEVELOPMENT OF A RECLAIMED WATER PROJECT WHICH INCLUDES A MATERIAL AND LABOR CAP OF \$78 MILLION WITH A FOUR PERCENT ANNUAL ESCALATION FOR A PIPELINE TO THE TURKEY POINT FACILITY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation

Mover: Edmonson

Seconder: Diaz

Vote: 5-0

Absent: Martinez

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Diaz noted he strongly supported this resolution because it would support the environment and help the County meet the water re-use requirements.

In response to Chairman Gimenez' question regarding whether this was a water re-use project, Mr. Piper noted it was and that it would satisfy more than half of the water re-use requirements imposed on the County.

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

Mr. Piper requested this resolution be waived to the next BCC meeting.

NOTE: Chairman Gimenez submitted a memorandum dated July 13, 2010, requesting the Board of County Commissioners (BCC) Chairman Moss to waive the Board's rules and procedures and allow this proposed resolution to be heard at the July 20, 2010 BCC meeting.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

101715 Report

CLERK'S SUMMARY OF MEETING MINUTES FOR THE
JUNE 8, 2010 GOVERNMENT OPERATIONS
COMMITTEE MEETING (Clerk of the Board)

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

7 REPORTS

7A

101173 Report

ORAL REPORT RE: DEPARTMENTAL BUDGET
PRESENTATIONS (County Manager)

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

Report: *Commissioner Sosa asked the Office of Strategic Business Management Director to provide Committee members with an explanation of the Water and Sewer Department's (WASD) proposed budget before the next Committee meeting, including the proposal to transfer monies from WASD to the General Fund and the specific line-items associated with this transfer.*

7B

101451 Report

REPORT ON HIGH WATER BILL INVESTIGATION:
MICHAEL ROSENBERG [SEE AGENDA ITEM NO. 2K]

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

8 ADJOURNMENT

Report: *There being no further business to come before the Government Operations Committee, the meeting was adjourned at 11:27 a.m.*