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MEMORANDUM  
Harvey Ruvin  
Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
Miami-Dade County, Florida  
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**INLUC**  
**Agenda Item No. 5A**

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Infrastructure and Land Use  
Committee

**DATE:** September 14, 2011

**FROM:** Christopher Agrippa, Division Chief  
Clerk of the Board Division

**SUBJECT:** Approval of Commission  
Committee Minutes

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The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Infrastructure and Land Use Committee:

July 13, 2011

Attachment  
CA/jm



**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Infrastructure and Land Use Committee (ILUC)**

**Board of County Commissioners**

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

July 13, 2011  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Christopher Agrippa, Division Chief  
Clerk of the Board Division

Judy Marsh, Commission Reporter  
(305) 375-1967





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

## CLERK'S SUMMARY OF Meeting Minutes

### Infrastructure and Land Use Committee

Audrey M. Edmonson (3) Chair; Barbara J. Jordan (1) Vice Chair; Commissioners  
Bruno A. Barreiro (5), Jose "Pepe" Diaz (12), Jean Monestime (2), and Rebeca Sosa (6)

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Wednesday, July 13, 2011

2:00 PM

COMMISSION CHAMBERS

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**Members Present:** Bruno A. Barreiro, Jose "Pepe" Diaz, Audrey M. Edmonson, Barbara J. Jordan, Jean Monestime, Rebeca Sosa.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Judy Marsh, Commission Reporter  
35-375-1967*

**1A INVOCATION**

**1B PLEDGE OF ALLEGIANCE**

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

**1C**      **ROLL CALL**

**Report:** *The following staff members were present: County Manager Alina Hudak; Assistant County Attorneys Geri Bonzon-Keenan, Craig Coller, Hugo Benitez, Debra Herman and Dennis Kerbel; and Senior Deputy Clerk Doris Dickens and Deputy Clerk Judy Marsh.*

*Chairwoman Edmonson called the meeting to order at 2:30 p.m.*

*Assistant County Bonzon-Keenan noted items 1E1 Supplement and 1E3 Supplement were added to today's (7/13) agenda. She also read into the record a new section to be added to Items 2B, 2F and 2G as follows: "Pursuant to Resolution No. R-974-09, the Board directs the County Mayor and the County Mayor's designee to record or cause to be recorded any instrument of conveyance accepted herein in the Public Records of Miami-Dade County Florida and to provide a recorded copy of the instrument to the Clerk of the Board within thirty days (30) of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution."*

*It was moved by Commissioner Sosa that the Committee approve the changes requested by the County Mayor in his memorandum dated July 13, 2011, entitled "Requested Changes to the Infrastructure and Land Use Committee Agenda" and the additional changes noted by Assistant County Attorney Bonzon-Keenan. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 6-0.*

*Chairwoman Edmonson and Committee members congratulated the U.S. Women's National Soccer team on their victory over France, noting they were now proceeding to the Soccer Finals.*

**1D**      **SPECIAL PRESENTATIONS**

1D1

**111498 Service Awards****Joe A. Martinez**PRESENTATION OF A SERVICE AWARD TO THE  
FOLLOWING EMPLOYEE(S):*Presented*MIGUEL E. CASANOVA - WASD - 30 YEARS  
LOIS P. PALMER - WASD - 30 YEARS  
VINCENT SAINTILIEU - WASD - 30 YEARS

**Report:** *Chairwoman Edmonson welcomed everyone to today's (7/13) Service Awards ceremony to recognize the efforts and achievements of County employees. She acknowledged the presence of Commissioner Monestime.*

*Chairwoman Edmonson presented a plaque to Mr. Miguel E. Casanova, Water and Sewer Department (WASD), for 30 years of continuous and loyal service to Miami-Dade County government.*

*Mr. John Renfrow, Director, WASD; and Mr. Ralph Terrero, Assistant Director; congratulated Mr. Casanova.*

*Chairwoman Edmonson recognized newly-elected Commissioner Paul Hernandez, City of Hialeah.*

*Chairwoman Edmonson presented a plaque to Ms. Lois P. Palmer, WASD, for 30 years of continuous and loyal service to Miami-Dade County government.*

*Mr. John Renfrow, and Mr. Vicente Arrebola, Assistant Director, Wastewater Systems Operations, WASD; congratulated Ms. Palmer.*

*Chairwoman Edmonson presented a plaque to Mr. Vincent Saintilien, WASD, for 30 years of continuous and loyal service to Miami-Dade County government.*

*Mr. John Renfrow, Director, and Mr. Vicente Arrebola, congratulated Mr. Saintilien.*

**1E PUBLIC HEARINGS**

1E1

**111266 Ordinance**

**Bruno A. Barreiro**

ORDINANCE PERTAINING TO ZONING; REGULATING  
FENCES CHARGED WITH ELECTRICITY; AMENDING  
SECTION 33-11 OF THE CODE OF MIAMI-DADE  
COUNTY, FLORIDA; PROVIDING SEVERABILITY,  
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Amended*

**Report:** *(See Agenda Item 1E1 Amended; Legislative File  
No. 111576)*

6

1E1 Amended

**111576 Ordinance****Bruno A. Barreiro**

ORDINANCE PERTAINING TO ZONING; REGULATING FENCES CHARGED WITH ELECTRICITY; AMENDING SECTION 33-11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 111266]

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

*Mover: Barreiro*

*Seconder: Diaz*

*Vote: 6-0*

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

*Chairwoman Edmonson opened the public hearing on the foregoing ordinance.*

*Mr. Juan Mayol, 701 Brickell Avenue, appeared before the Committee in support of the foregoing ordinance. He acknowledged Ms. Cindy Gassel (phonetic), Sentry Security System, noting that Sentry was the nations' leading manufacturer and installer of electric fences, featuring the Electric Guard Dog. For the record, Mr. Mayol submitted a list of jurisdictions where electric fences were permitted as a safe deterrent against crime and theft, in response to the industrial and small business needs. Mr. Mayol also submitted photographs of the proposed electric fences as well as the existing barbed wire fences. He noted the proposed fences were tested and certified; they were powered by 12-volt batteries and charged by solar energy; and they received an electrical current pulse every 1.3 seconds rather than a constant current in order to provide power for signage which notified the public that the fences were electrically charged. Mr. Mayol said the proposed electric fences were limited to industrial areas; were only allowed as a secondary barrier behind another fence or wall; were subject to height limitations; were required to obtain building permits in compliance with all life safety codes; and were required to display proper signage. He advised the Committee that he worked with staff from the Planning and Zoning, Fire Rescue, Police, and Building and Neighborhood Compliance Departments.*

*Mr. Mayol expressed appreciation to Commissioner Barreiro for sponsoring the foregoing ordinance and urged the Committee to forward this ordinance to the County Commission with a favorable recommendation.*

Hearing no one else wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.

Commissioner Barreiro noted this proposed ordinance was another mechanism to protect businesses' goods and assets.

It was moved by Commissioner Barreiro that the foregoing ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Diaz.

Commissioner Sosa suggested the ordinance be amended to require the warning signs be posted in English, Spanish and Creole. Commissioner Barreiro accepted this amendment.

Commissioner Jordan questioned whether anyone had ever been seriously injured by the electric fences, noting she wanted to ensure there were no unintended consequences.

Ms. Cindy Gassel (phonetic), 201 Wintermist Drive, Cary, North Carolina, representing Sentry Security, appeared before the Committee. She said there were no incidents of anyone being injured by the electric fences and the Company had never been successfully sued as a result of injury. Ms. Gassel noted studies conducted confirmed the safety of these fences.

Commissioner Diaz offered an amendment that the proposed fences be pulsating systems, and Commissioner Barreiro accepted this amendment.

Commissioner Monestime agreed with Commissioner Sosa that the warning signs should be posted in three languages.

Assistant County Attorney Craig Collier read the following amendments:

~ Page 3, subsection 7, to insert the language "in three languages Spanish, English and Creole" after the language "Such warning signs shall be posted on the electrically charged fence, . . ."

~Page 3, subsection 8, to insert the word "pulsating" after the language "A Building permit shall be required prior to installing an electrically . . ."

Upon being put to a vote, the motion made by Commissioner Barreiro and seconded by

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*Commissioner Diaz, passed by a vote of 6-0.*

*Following the vote on the foregoing ordinance, it was moved by Commissioner Barreiro that this ordinance be reconsidered. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 6-0.*

*Commissioner Diaz proffered, and Commissioner Barreiro accepted, an amendment to exempt military facilities.*

*Hearing no further comments or questions, the foregoing proposed ordinance was forwarded to the County Commission with a favorable recommendation with Committee amendments to insert the language "in three languages Spanish, English and Creole" on page 3, subsection 7, after "Such warning signs shall be posted on the electrically charged fence, . . ."; to insert the word "pulsating" in subsection 8 after the language "A Building permit shall be required prior to installing an electrically . . ."; and to exempt military facilities.*

1E1 SUPP.

**111533 Supplement**

**FISCAL IMPACT TO ORDINANCE PERTAINING TO ZONING; REGULATING FENCES CHARGED WITH ELECTRICITY; AMENDING SECTION 33-11 OF THE CODE**

*Forwarded to BCC with a favorable recommendation*  
*Mover: Barreiro*  
*Secunder: Diaz*  
*Vote: 6-0*

1E2

**111113 Ordinance**

**Lynda Bell,**

**Sally A. Heyman, Barbara J. Jordan**  
 ORDINANCE AMENDING SECTION 2-934 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO THE AGRICULTURAL PRACTICES ADVISORY BOARD; ELIMINATING TERM LIMITS; PROVIDING THAT A MEMBER MAY SERVE UNTIL HIS OR HER SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

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

*Chairwoman Edmonson opened the public hearing on the foregoing proposed ordinance. Hearing no one wishing to speak before the Committee, she closed the public hearing.*

*Hearing no comments or questions, Committee members proceeded to vote on the foregoing ordinance as presented.*

1E3

**111333 Ordinance**

**Jose "Pepe" Diaz,**

**Lynda Bell**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-279 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); MODIFYING REQUIREMENTS FOR HOG FARMS OR HOG RAISING IN AREAS ZONED AGRICULTURE (AU); CREATING SECTION 33-279.1 OF THE CODE; AUTHORIZING CERTAIN AGRICULTURAL USES IN THE OPEN LAND SUBAREAS 1 AND 4, AS DESIGNATED IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Amended*

**Report:** *(See Agenda Item 1E3 Amended; Legislative File No. 111575)*

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1E3 Amended

111575 Ordinance

Jose "Pepe" Diaz,

Lynda Bell

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-279 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); MODIFYING REQUIREMENTS FOR HOG FARMS OR HOG RAISING IN AREAS ZONED AGRICULTURE (AU); CREATING SECTION 33-279.1 OF THE CODE; AUTHORIZING CERTAIN AGRICULTURAL USES IN THE OPEN LAND SUBAREAS 1 AND 4, AS DESIGNATED IN THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 111333]

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

*Mover: Diaz*

*Seconder: Barreiro*

*Vote: 5-1*

*No: Jordan*

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

*Assistant County Attorney Abbie Schwaderer read the following proposed amendments into the record:*

*~ Page 2, at the bottom, the paragraph beginning with "The CDMP acknowledges . . ." the words "regulation (where applicable)" would be added after the word "wetlands "*

*~ Page 3, first paragraph, the sentence beginning "Because of the contribution . . ." would be deleted*

*~ Page 3, second paragraph, the language "Any uses in these Subareas must take place within the existing flood constraints of the areas, and property" as well as "interested parties are encouraged to" would be deleted; and the word "should" would be added*

*~ Page 3, subsection (b)(q), the word "foul" would be replaced with "fowl"*

*~ Page 3, subsection (b)(r), "Raising or keeping of 40 rabbits per acre" would be added*

*~ page 4, subsection (b)(s), "Raising or keeping of cows, horses or other equine animals, goats, sheep, chickens, poultry, rabbits or fowl in excess of any of the above thresholds, only upon issuance of a Certificate of Use (CU) for the property where the uses are to be conducted, subject to site plan approval by the Department. The site plan shall indicate, at a minimum, onsite storm water retention and waste stream management" would be added*

*~ Page 4, subsection (c), the words "areas" and "facilities" would be deleted and*

*~ Page 4, subsection (d), should be deleted in its*

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entirety.

Chairwoman Edmonson opened the public hearing on the foregoing proposed ordinance. Hearing no one wishing to speak before the Committee, she closed the public hearing.

It was moved by Commissioner Diaz that the foregoing ordinance be forwarded to the County Commission with a favorable recommendation with the amendments noted by Assistant County Attorney Schwaderer. This motion was seconded by Commissioner Jordan.

In response to Chairwoman Edmonson's inquiry whether hog farms were considered agricultural areas or farms, Mr. Marc LaFerrier, Director, Department of Planning and Zoning, said these regulations would be applicable to areas zoned agricultural (AU) or GU. He noted GU areas had the same uses as surrounding properties that were zoned agricultural. Mr. LaFerrier said that areas defined in the C-9 Basin and the eight and a half square mile area were designated under the Comprehensive Development Master Plan (CDMP) as Open Land, and the proposed regulations were applicable to agricultural uses and practices in those areas. He noted this was the only section in the Zoning Code where the number of animals on agricultural land could be regulated. Mr. LaFerrier said the Department of Environmental Resources Management (DERM) would require a secondary permit to determine whether groundwater hazards would be an issue relating to raising livestock, if the number of animals exceeded the regulated amount. He noted in the event of complaints or issues regarding pollutants in the area, the Department of Building and Neighborhood Compliance would check the number of animals to determine whether the site complied with the permit requirements. Mr. LaFerrier said traditionally animals were not allowed in those areas because of the proximity to the Everglades and flooding issues.

Chairwoman Edmonson noted her support of this proposed ordinance.

Mr. Charles Danger, Director, Department of Building and Neighborhood Compliance (BNC), said that pursuant to DERM's request, the BNC and federal agencies, spent approximately one year cleaning the C-9 Basin area of illegal activities such as truck parking, cock fighting, animal slaughtering, and dumping. He noted the

difficulties in enforcing this ordinance and he was working with the County Attorney and Mr. LaFerrier to determine whether language could be included in this proposal that would consider these areas as recreational rather than farms, so that the ordinance could be regulated by the Building Code.

Chairwoman Edmonson asked whether an age limit could be included in this proposal for the regulation of young pigs.

Mr. Danger responded that the Zoning Code allowed for up to four dogs to be housed in a residential area and for puppies to be kept for six months; however, the regulation was not applicable to other animals.

Commissioner Diaz said that he was the sponsor of the proposed ordinance; however, Mr. Danger had not communicated with him about this proposal in the last month. He noted his concern that enforcement activities in the area were carried out in a similar manner to a Swat Team. Commissioner Diaz said many problems in the area were addressed, but these were farms and recreational areas, and some people were fined for a lot of issues. He noted this resulted from the State of Florida because a horse was killed in that area and everyone suffered because of that incident. Commissioner Diaz said Sweetwater residents had a right to do what they believed was proper. He noted the County must find a solution rather than making a blanket statement as this resulted in negative situations.

Mr. Danger noted both he and his staff treated everyone with respect. He said that illegal gambling, restaurants serving unsuitable food, flea markets, and nightclub issues existed in the area in addition to those related to the animals. Mr. Danger noted he had nothing against recreational farms; however, it was impossible to regulate the number of animals. He said staff did not go to residents' houses similar to a Swat Team.

Chairwoman Edmonson noted she did not wish to encourage illegal cock and dog fighting.

Commissioner Jordan said that she would withdraw her second to this motion, but supported forwarding this proposed ordinance to the Commission without a recommendation. She noted it appeared that proposed ordinance could

not be enforced. .

*Mr. Danger noted he suggested an amendment to the proposed ordinance that any structure erected to house animals be permitted; however, the County Attorney's Office advised him this requirement was not possible.*

*Assistant County Attorney Schwaderer noted a new State Statute existed which exempted certain farm-related buildings from County Code and Building Code requirements.*

*Commissioner Jordan asked whether any portion of this proposed legislation would be enforceable. She questioned whether area inspections could be based on complaints and/or spot checks, followed by the issuance of a notice for additional permitting if violations were discovered.*

*Mr. Danger said this proposed ordinance would be extremely difficult to enforce, noting his concern that this proposal encouraged illegal activities.*

*Following Commissioner Jordan's withdrawal of her second to the motion, Commissioner Barreiro seconded the motion on the floor.*

*Commissioner Diaz said he would ask area residents to speak with Mr. Danger. He noted 17 different agencies participated in the previous enforcement sweep in the area. He agreed that illegal situations existed; however, believed that this proposal was in response to legitimate hog farms, and not directed at cock fighting activities.*

*Mr. Charles LaPradd, Miami-Dade County Agricultural Manager, said Miami-Dade was home to the States' largest turkey and organic egg producers, and that these businesses were commercial farms operating within the AU, Open Land designation. Mr. LaPradd said this proposal would provide an opportunity for people to utilize their land and the existing restrictions were onerous. He noted illegal slaughterhouses and cock fighting, activities would still be illegal after the adoption of this ordinance.*

*Commissioner Sosa said that she would support this proposal today (7/13) but asked that environmental and other issues relating to this ordinance, be addressed before it was considered by the County Commission.*

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Chairwoman Edmonson asked Mr. LaFerrier and Mr. Danger to meet with the sponsors of this proposed ordinance and each Committee member to clarify how illegal activities such as truck parking, cock fighting, animal slaughtering, gambling, wiring and dumping, flea markets, nightclubs, and restaurants would be enforced in the subject area before this proposed ordinance was considered by the County Commission.

Commissioner Monestime noted although this ordinance would be difficult to enforce, he did not believe people who wanted to do the right thing should be penalized. He questioned whether these residents could apply for a permit.

Responding to Commissioner Monestime, Assistant County Attorney Schwaderer noted certain farm buildings were exempt from the Florida Building Code under State law. She noted State law defined farms and certain types of farm buildings and these definitions could not be changed.

Commissioner Monestime noted he was hopeful this issue could be revisited to allow some of the residents obtain a permit; however, he expressed support for forwarding this proposal to the County Commission.

In response to Commissioner Jordan's question regarding enforcement issues in the subject area, Mr. Danger said agency officials were addressing illegal mining operations, rock piling, dumping, waste management, water pollution, hazardous electrical and plumbing conditions, guns, gambling, cock fighting, restaurants, flea markets, and nightclubs.

Commissioner Diaz noted many illegal activities were corrected by the 17 agencies; and people wanted to make sure these activities did not recur. He noted illegal activities occurred everywhere and he questioned how the enforcement was conducted.

Hearing no further comments or questions, Committee members proceeded to vote on the foregoing resolution with the amendments noted by Assistant County Attorney Schwaderer.

1E3 SUPP.

**111534 Supplement**

FISCAL IMPACT TO ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-279 OF THE CODE MODIFYING REQUIREMENTS FOR HOG FARMS AND HOG RAISING IN AREAS ZONED AGRICULTURE (AU)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Secunder: Barreiro*

*Vote: 5-1*

*No: Jordan*

1E4

111097 Ordinance

Audrey M. Edmonson,

Rebeca Sosa

ORDINANCE PROVIDING FOR AN ADDITIONAL TWO-YEAR EXTENSION OF DEADLINES FOR CERTAIN PREVIOUSLY EXTENDED DEVELOPMENT PERMITS, AGREEMENTS AND RESERVATIONS OF CONCURRENCY CAPACITY; PROVIDING TWO-YEAR EXTENSION OF DEADLINES FOR CERTAIN DEVELOPMENT PERMITS, AGREEMENTS, AND RESERVATIONS OF CONCURRENCY OF CAPACITY NOT PREVIOUSLY EXTENDED; AMENDING SECTION 33G-10 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); PROVIDING FEES FOR SUCH EXTENSIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

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

*Chairwoman Edmonson relinquished the Chair to Vice-Chairwoman Jordan.*

*Vice-Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance.*

*Ms. Truly Burton, Executive Vice-President and Government Affairs Director, Builders Association of South Florida, 15225 NW 77 Avenue, Miami Lakes, appeared before the Committee in support of the foregoing ordinance. She expressed her appreciation to Chairwoman Edmonson for sponsoring this proposal, and to members of the County staff who worked on this ordinance. Ms. Burton noted this ordinance would assist many people who needed development permit extensions.*

*Mr. Juan Mayol, attorney, 701 Brickell Avenue, appeared in support of the foregoing ordinance. He expressed his appreciation to Chairwoman Edmonson for sponsoring this item.*

*Hearing no one else wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.*

*Commissioner Sosa asked to be listed as a co-sponsor to this ordinance.*

*Chairwoman Edmonson resumed the Chair.*

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

1E5

**111128 Ordinance**

**Joe A. Martinez**

ORDINANCE RELATING TO ZONING; CLARIFYING  
VOTING PROCEDURES GOVERNING ZONING  
HEARINGS BEFORE BOARD OF COUNTY  
COMMISSIONERS AND COMMUNITY ZONING  
APPEALS BOARDS; AMENDING SECTIONS 2-1, 33-308,  
AND 33-314 OF THE CODE OF MIAMI-DADE COUNTY,  
FLORIDA ("CODE"); PROVIDING SEVERABILITY,  
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

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

*Chairwoman Edmonson opened the public hearing  
on the foregoing proposed ordinance. Hearing no  
one wishing to speak before the Committee, she  
closed the public hearing.*

*Hearing no comments or questions, Committee  
members proceeded to vote on the foregoing  
ordinance as presented.*

1E6

**111350 Ordinance**

**Joe A. Martinez,**

**Audrey M. Edmonson, Jean Monestime, Rebeca Sosa**  
ORDINANCE CREATING AMNESTY PERIOD;  
CREATING A LIMITED EXCEPTION FROM CIVIL  
PENALTIES AND LIENS FOR BUILDING CODE  
VIOLATIONS UPON A HOMEOWNER'S COMPLIANCE  
WITH THE BUILDING CODE; PROVIDING  
SEVERABILITY, INCLUSION IN THE CODE, AND AN  
EFFECTIVE DATE

*Amended*

**Report:** *(See Agenda Item 1E6 Amended; Legislative File  
No. 111577)*

1E6 Amended

**111577 Ordinance** **Joe A. Martinez,**  
**Jose "Pepe" Diaz, Audrey M. Edmonson, Jean Monestime,**  
**Rebeca Sosa**

ORDINANCE CREATING AMNESTY PERIOD;  
 CREATING A LIMITED EXCEPTION FROM CIVIL  
 PENALTIES AND LIENS FOR BUILDING CODE  
 VIOLATIONS UPON A HOMEOWNER'S COMPLIANCE  
 WITH THE BUILDING CODE; PROVIDING  
 SEVERABILITY, INCLUSION IN THE CODE, AND AN  
 EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE  
 NO. 111350)

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

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

*Chairwoman Edmonson opened the public hearing  
 on the foregoing proposed ordinance. Hearing no  
 one wishing to speak before the Committee, she  
 closed the public hearing.*

*Chairwoman Edmonson suggested that this  
 ordinance be forwarded to the County  
 Commission with a favorable recommendation  
 with Committee amendment(s) to extend the  
 Amnesty Period to six months from the effective  
 date of this ordinance.*

*Chairwoman Edmonson, Commissioners Sosa and  
 Monestime requested to be listed as co-sponsors to  
 this ordinance.*

*Commissioner Jordan asked Mr. Charles Danger,  
 Director, Department of Building and  
 Neighborhood Compliance (BNC), to provide  
 clarification on the intent of this proposal.*

*Mr. Danger noted this proposal waived the civil  
 penalties for homeowners in violation of the  
 Building Code and allowed them the opportunity  
 to make repairs to their homes in order to comply  
 with the Code.*

*In response to Commissioner Jordan's inquiry  
 whether a compliance timeline existed, Assistant  
 County Attorney Hugo Benitez said that  
 homeowners must request a permit to bring the  
 structure into compliance before expiration of the  
 Amnesty Period and must complete the work  
 within the timeframe of the permit obtained.*

*Hearing no other comments or questions,*

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*Committee members proceeded to vote on the foregoing ordinance as amended.*

1E7

**111005 Ordinance**

**Jean Monestime**

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE NORTH CENTRAL URBAN AREA DISTRICT; CREATING SECTIONS 33-284.99.48 THROUGH 33-284.99.54 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTION 33C-7 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Withdrawn  
Mover: Monestime  
Seconder: Sosa  
Vote: 5-0  
Absent: Diaz*

**Report:** *See Agenda Item 1E7 SUBSTITUTE, Legislative File No. 111250*

1E7 SUB.

111250 Ordinance

Jean Monestime

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE NORTH CENTRAL URBAN AREA DISTRICT; CREATING SECTIONS 33-284.99.48 THROUGH 33-284.99.54 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTION 33C-7 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 111005]

*Forwarded with a favorable recommendation*  
*Mover: Monestime*  
*Seconded: Sosa*  
*Vote: 5-0*  
*Absent: Diaz*

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

*Chairwoman Edmonson opened the public hearing on the foregoing proposed ordinance.*

*Mr. Jeffrey Bercow, Bercow Radell and Fernandez, 200 South Biscayne Boulevard, representing Marcos Lapciuc and Imperial Management LLC, and other related entities, the owner of three assemblages of property, located at NW 79th Street and 32nd Avenue, appeared before the Committee in support of this proposed ordinance. He noted his client was in the process of negotiating with a major retailer to sell a portion of these properties, and expressed concerns regarding the impact of this proposal on those properties. Mr. Bercow said that following negotiations with the Mr. Marc LaFerrier, Planning and Zoning Department Director, Mr. LaFerrier agreed that Mr. Lapciuc's properties would be excluded from any future rezoning application to the North Central Urban Area District (NCUAD) and Mr. Lapciuc would retain the current zoning and be able to rezone to NCUAD in the future at his own expense. He submitted correspondence for the record.*

*Hearing no one else wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.*

*Hearing no other comments or questions, Committee members proceeded to vote on the foregoing ordinance as presented.*

1E8

**111254 Ordinance**

**Dennis C. Moss**

ORDINANCE REGARDING RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO AUTHORITY TO SPONSOR OR PRESENT ITEMS ON COMMISSION AGENDA TO PROVIDE THAT THE MAYOR MAY SPONSOR APPLICATIONS FOR AMENDMENT, MODIFICATION, ADDITION, OR CHANGE TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN AND RESOLUTIONS AUTHORIZING GOVERNMENT FACILITIES PURSUANT TO SECTION 33-303 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Jordan*

*Seconder: Barreiro*

*Vote: 5-0*

*Absent: Diaz*

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

*Chairwoman Edmonson opened the public hearing on the foregoing proposed ordinance. Hearing no one wishing to speak before the Committee, she closed the public hearing.*

*Hearing no comments or questions, Committee members proceeded to vote on the foregoing ordinance as presented.*

1E9

**111251 Ordinance**

**Joe A. Martinez**

ORDINANCE PERTAINING TO AIRPORT ZONING REGULATIONS; CREATING SECTION 33-396.1 OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO USES PERMITTED ON KENDALL TAMiami EXECUTIVE AIRPORT LANDS IN THE GP GOVERNMENT PROPERTY ZONING DISTRICT; CREATING SECTION 33-396.2 PERTAINING TO SITE PLAN REVIEW STANDARDS; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation  
Mover: Monestime  
Second: Sosa  
Vote: 5-0  
Absent: Diaz*

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

*Chairwoman Edmonson opened the public hearing on the foregoing proposed ordinance. Hearing no one wishing to speak before the Committee, she closed the public hearing.*

*Hearing no comments or questions, Committee members proceeded to vote on the foregoing ordinance as presented.*

1E10

111236 Ordinance

Bruno A. Barreiro,

**Audrey M. Edmonson, Barbara J. Jordan**  
ORDINANCE INCREASING THE MAYOR OR MAYOR'S  
DESIGNEE'S DELEGATED AUTHORITY TO AWARD  
AND REJECT BIDS OR PROPOSALS FOR CONTRACTS  
FOR PUBLIC IMPROVEMENTS (CONSTRUCTION)  
UNDER THE MISCELLANEOUS CONSTRUCTION  
CONTRACTS (MCC) PROGRAM TO \$5,000,000  
AMENDING SECTION 2-8.1(B) OF THE CODE;  
PROVIDING SEVERABILITY, INCLUSION IN THE CODE  
AND AN EFFECTIVE DATE (Office of Capital  
Improvements)

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

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

*Chairwoman Edmonson opened the public hearing  
on the foregoing proposed ordinance. Hearing no  
one wishing to speak before the Committee, she  
closed the public hearing.*

*Commissioner Jordan asked for clarification on  
the contracts between the \$2.5 million and \$5  
million threshold.*

*Mr. George Navarrete, Director, Office of Capital  
Improvement, said there may be an increase of  
approximately 10 percent in additional contracts;  
however, he did not expect a huge increase in  
projects. He noted most contracts were under  
\$10,000 such as a recreation center in the Parks  
Department, a library, some projects at the  
Seaport as well as the Public Works Department,  
which might exceed \$2.5 million.*

*In response to Commissioner Jordan's inquiry as  
to whether this proposed ordinance would impact  
small businesses, Ms. Penny Townsley, Director,  
Small Business Development Department, said  
small businesses would not be impacted. She  
noted this proposal created more opportunities for  
larger firms.*

*Chairwoman Edmonson noted that although the  
public hearing was closed, she would allow Ms.  
Burton to comment on the foregoing ordinance.*

*Ms. Truly Burton, Executive Vice-President and  
Government Affairs Director, Builders Association  
of South Florida, appeared in support of the  
foregoing ordinance.*

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*Commissioner Jordan requested to be listed as a co-sponsor.*

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

**2 COUNTY COMMISSION**

2A

110635 Ordinance

Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; AUTHORIZING MUNICIPALITIES TO OPT OUT OF CERTAIN MIAMI-DADE COUNTY SIGN REGULATIONS, SUBJECT TO CONDITIONS; PROVIDING MINIMUM STANDARDS FOR SIGNS AT REGIONAL ENTERTAINMENT VENUES; AMENDING SECTIONS 33-1 AND 33-82 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Motion to forward to BCC with a favorable recommendation died due to the lack of a second Mover: Barreiro*

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

*Chairwoman Edmonson noted the foregoing item was not a public hearing; however, she had received many cards from speakers wishing to comment on this item and would allow each speaker one minute.*

*The following individuals appeared before the Committee in opposition to the foregoing proposed ordinance.*

*Mr. Nathan Kurland, 3132 Day Avenue, Miami, Florida, appeared before the Committee and submitted documents and articles in opposition to this ordinance. He also submitted letters from the U.S. Department of Transportation, the Federal Highway Administration; and the Florida Department of Transportation, indicating that the City of Miami and several other cities were incapable of controlling the County's sign ordinance.*

*Ms. Kate Callahan, 2111 Tigertail Avenue, Miami, Florida, appeared before the Committee and urged the County Commission to consider a countywide ordinance to protect the skyline.*

*Mr. Peter Ehrlich, 770 NE 69th Street, appeared before the committee and noted that Scenic Miami-Dade, an affiliate of the national organization, Scenic America, was requesting the Committee to vote "no" on this proposal. He also informed members of the Committee that the Community Image Advisory Board voted unanimously in opposition of this proposal.*

*Ms. Leticia Vega, 5731 SW 13th Street, District 6, appeared before the Committee and requested the*

Committee to vote "no" on this ordinance.

Ms. Nina West, 3690 Avocado Avenue, Coconut Grove, appeared before the Committee asking Committee members to consider the revenue stream generated by tourism; to consider the current economic situation; and to consider the long range impact rather than the immediate return on investment.

Ms. Judith Sandoval, 2536 SW 25 Terrace, Miami, appeared before the Committee, expressing her concern that billboards, particularly flashing billboards along highways, diverted drivers' attention and could cause accidents.

Ms. Barbara Falsey, 3660 NE 166 Street, appeared before the Committee asking the Committee not to forward this proposal to the County Commission due to the current fiscal crisis facing all jurisdictions. She noted the County was seeking to update the sign ordinance, and it would not be prudent for the County to surrender the regional jurisdiction given by the Charter to set minimum standards.

Mr. William Pollak, 19 West Flagler Street, Miami, appeared before the Committee and submitted documentation indicating that the City of Miami had not opted out of the County's Sign Code and asked staff to address whether this was substantiated. Mr. Pollak noted this ordinance undermined the community as neighborhoods competed in a downward spiral to obtain revenue from the outdoor advertising industry.

Hearing no one else wishing to speak before the Committee, Chairwoman Edmonson closed the public hearing.

Commissioner Barreiro, sponsor of the proposed ordinance, asked the Assistant County Attorney to read an amendment into the record.

Assistant County Attorney Dennis Kerbel read into the record the following proposed amendments to Sec. 33-82 (a) of the Code of Miami-Dade County, under Section 2, as outlined in the handout distributed to the Committee members:

"This article shall be known as the "Sign Code of Miami-Dade County, Florida" and shall be applicable in the unincorporated areas of Miami-Dade County, and specifically in the incorporated areas of Miami-Dade County. It is provided,

however, that, except for the rapid transit system right-of-way (Division 6) and busway right-of-way (Division 7), a municipality shall be permitted to opt out of this article subject to the requirements of this section. Prior to taking action to opt out of this Sign Code, the municipality shall demonstrate to the Miami-Dade County Planning & Zoning Director that the municipality is not in violation of federal and state signage regulations; if the Director determines that the municipality may not opt out, the municipality may appeal that determination to the Board of County Commissioners in accordance with the provisions of Section 33-314 of this chapter for appeals of administrative decisions. Any municipality that has opted out of this Sign Code shall not thereafter enforce regulations for regional entertainment venues or the uses described in the definition thereof that are more restrictive than provided in this Sign Code, as may be amended from time to time. All municipal regulations or other actions to opt out in accordance with this section shall be filed with Miami-Dade County Department of Planning and Zoning. When the provisions of this article are applicable to a municipality, the municipality shall be responsible for enforcement."

Commissioner Barreiro said he proffered this proposed amendment as a safeguard so that municipalities that were not in compliance with federal and state regulations could not opt out of the Sign Code. He noted a single Sign Code was not universally applicable and therefore each city should establish its own standards. Commissioner Barreiro said he previously proposed having a single bus shelter advertising ordinance and the County Commission determined that to be a locally decided issue. He noted if the Commission did not agree with this proposed ordinance, then it should reconsider the bus shelter ordinance. Commissioner Barreiro concurred with not having a substantial proliferation of signs throughout the community; however, he noted he believed that the County should not micromanage the municipalities.

Commissioner Barreiro noted the League of Cities supported this proposed ordinance.

It was moved by Commissioner Barreiro that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation as amended.

The foregoing motion died due the lack of a

*second.*

2B

**111444 Resolution Bruno A. Barreiro** *Amended*  
RESOLUTION APPROVING AGREEMENTS RELATED  
TO GRANT IN AMOUNT OF \$3,704,147 FOR DISTRICT 5  
TO RUDG LLC FOR ACQUISITION AND  
REHABILITATION OF TWENTY-FOUR AFFORDABLE  
ELDERLY RENTAL HOUSING UNITS FROM BUILDING  
BETTER COMMUNITIES GENERAL OBLIGATION  
BOND PROGRAM PROJECT NUMBER 249 –  
"PRESERVATION OF AFFORDABLE HOUSING UNITS  
AND EXPANSION OF HOME OWNERSHIP"

**Report:** *(See Agenda Item 2B Amended; Legislative File  
No. 111550)*

2B Amended

**111550 Resolution**

**Bruno A. Barreiro**

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$3,704,147 FOR DISTRICT 5 TO RUDG LLC FOR ACQUISITION AND REHABILITATION OF TWENTY-FOUR AFFORDABLE ELDERLY RENTAL HOUSING UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" (SEE ORIGINAL ITEM UNDER FILE NO. 111444)

*Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments*  
*Mover: Barreiro*  
*Seconder: Sosa*  
*Vote: 5-0*  
*Absent: Diaz*

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

*Commissioner Barreiro commented on the intent of this proposed resolution.*

*Chairwoman Edmonson asked whether this proposed project, as well as the projects listed in Items 2E and 2G, were part of the issuance of General Obligation Bond (GOB) Series 2011A.*

*County Manager Alina Hudak advised Committee members that the list of projects being impacted by the millage rates and the proposed budget was evolving. She noted that between now and the time these items were considered by the County Commission, a memorandum would be submitted by the Mayor providing clarification on the impact of the millage rate on projects included in today's (7/13) agenda.*

*In response to Chairwoman Edmonson's inquiry whether the proposed project in the foregoing resolution as well as the projects listed in Items 2E and 2G, were listed in the General Obligation Bond (GOB) Series 2011A issuance, Mr. George Navarrete, Director, Office of Capital Improvements, confirmed that these projects were included in the list approved by the County Commission.*

*Commissioner Monestime suggested this proposal be deferred until the Committee could review the actual numbers since the FY 2011-12 proposed budget would be released later today (7/13).*

*Commissioner Barreiro noted this was part of the \$10 million allocation for housing and was not part of the larger GOB bond.*

*Hearing no further comments or questions, Committee members proceeded to vote on the foregoing resolution with Committee amendments read into the record earlier by Assistant County Attorney Bonzon-Keenan to add a new section as follows: "Pursuant to Resolution No. R-974-09, the Board directs the County Mayor and the County Mayor's designee to record or cause to be recorded any instrument of conveyance accepted herein in the Public Records of Miami-Dade County Florida and to provide a recorded copy of the instrument to the Clerk of the Board within thirty days (30) of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution."*

*Chairwoman Edmonson requested staff to prepare the appropriate memorandum asking the Board of County Commissioners (BCC) Chairman Joe A. Martinez to waive the Board's Rules and Procedures to allow the foregoing proposed resolution to be considered at the July 19, 2011, BCC meeting.*

2C

**111452 Resolution Bruno A. Barreiro**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO ENGAGE IN NEGOTIATIONS WITH THE OWNERS OF FOUR PROPERTIES LOCATED ALONG THE MIAMI RIVER IN CONNECTION WITH THE MIAMI RIVER GREENWAYS PROJECT IN ORDER TO OBTAIN DEDICATIONS OF PORTIONS OF SUCH PROPERTIES NECESSARY TO PROVIDE A CONTINUOUS LINEAR CONSTRUCTION OF THE SEAWALL AND THE RIVERWALK

*Forwarded to BCC with a favorable recommendation  
Mover: Barreiro  
Seconded: Jordan  
Vote: 5-0  
Absent: Diaz*

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

*Commissioner Sosa noted her concern about forwarding this resolution to the County Commission with a favorable recommendation without knowing the fiscal impact; however, she would support a study coming back to the County Commission.*

*In response to Commissioner Barreiro's inquiry, Assistant County Attorney Debra Herman clarified that this resolution was to negotiate with the property owners, and to negotiate dedications which would presumably be free of charge. She further clarified that this proposal must be forwarded to the County Commission for approval.*

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

2D

**111453 Resolution Bruno A. Barreiro**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO ISSUE A REPORT TO THE BOARD AS TO THE CURRENT STATUS OF THE MIAMI RIVER GREENWAYS PROJECT AND TO PROVIDE A PROJECTED TIMELINE FOR ANY REMAINING ACTIVITIES NECESSARY FOR COMPLETION OF THE PROJECT

*Amended*

**Report:** *(See Agenda Item 2D Amended; Legislative File No. 111705)*

2D Amended

111705 Resolution

Bruno A. Barreiro

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO ISSUE A REPORT TO THE BOARD AS TO THE CURRENT STATUS OF THE MIAMI RIVER GREENWAYS PROJECT AND TO PROVIDE A PROJECTED TIMELINE FOR ANY REMAINING ACTIVITIES NECESSARY FOR COMPLETION OF THE PROJECT [SEE ORIGINAL ITEM UNDER FILE NO. 111453]

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*  
*Mover: Barreiro*  
*Seconded: Jordan*  
*Vote: 5-0*  
*Absent: Diaz*

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

*Commissioner Sosa offered, and Commissioner Barreiro accepted, an amendment to direct the Mayor or the Mayor's Designee to provide a report within ninety (90) days instead of sixty (60) days.*

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

2E

111454 Resolution

Dennis C. Moss,

Jose "Pepe" Diaz, Barbara J. Jordan

RESOLUTION APPROVING AMENDMENT TO RESOLUTION NO. R-1147-10 RELATED TO ALLOCATION TO THE MILITARY MUSEUM OF SOUTH FLORIDA AT NAS RICHMOND, INC. FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 293 - "HISTORIC PRESERVATION FUND" TO FUND WORK TO RICHMOND NAVAL AIR STATION; WAIVING ADMINISTRATIVE RULES RELATING TO CONDITION OF DISBURSEMENT

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

**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.*

*Commissioner Jordan requested to be listed as a co-sponsor.*

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

2F

**111457 Resolution**

**Dennis C. Moss**

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$2,000,000 FOR DISTRICT 9 TO VILLA CAPRI ASSOCIATES, LTD. FOR DEVELOPMENT OF TWO-HUNDRED AND TWENTY AFFORDABLE RENTAL MID-RISE APARTMENT UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP”; AND PROVIDING THAT SUCH GRANT SHALL BE FUNDED OVER FORTY-FIVE MONTHS FROM NEXT BUILDING BETTER COMMUNITIES BOND SALE AS CASH FLOWS REQUIRE

*Amended*

**Report:** *(See Agenda Item 2F Amended; Legislative File No. 111562)*

2F Amended

111562 Resolution

Dennis C. Moss

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$2,000,000 FOR DISTRICT 9 TO VILLA CAPRI ASSOCIATES, LTD. FOR DEVELOPMENT OF TWO-HUNDRED AND TWENTY AFFORDABLE RENTAL MID-RISE APARTMENT UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP"; AND PROVIDING THAT SUCH GRANT SHALL BE FUNDED OVER FORTY-FIVE MONTHS FROM NEXT BUILDING BETTER COMMUNITIES BOND SALE AS CASH FLOWS REQUIRE [SEE ORIGINAL ITEM UNDER FILE NO. 111457]

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

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

*Hearing no comments or questions, Committee members proceeded to vote on the foregoing resolution with Committee amendments read into the record earlier by Assistant County Attorney Bonzon-Keenan to: 1) add a new section as follows: "Pursuant to Resolution No. R-974-09, the Board directs the County Mayor and the County Mayor's designee to record or cause to be recorded any instrument of conveyance accepted herein in the Public Records of Miami-Dade County Florida and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution" as noted by Assistant County Attorney Geri Bonzon-Keenan; and 2) to correct a scrivener's error on handwritten page 3 in the first "Whereas" clause to change the amount of \$10,592,307 to \$2 million, as noted by Assistant County Attorney Monica Rizo.*

2G

**111456 Resolution**

**Sen. Javier D. Souto**

*Amended*

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$5,000,000 FOR DISTRICT 10 TO VANGUARDIAN VILLAGE, LLP. FOR DEVELOPMENT OF ONE-HUNDRED AND TWENTY ELDERLY, AFFORDABLE RENTAL MID-RISE APARTMENT UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP”; AND PROVIDING THAT SUCH GRANT SHALL BE FUNDED OVER FORTY-FIVE MONTHS FROM NEXT BUILDING BETTER COMMUNITIES BOND SALE AS CASH FLOWS REQUIRE

**Report:** *(See Agenda Item 2G Amended; Legislative File No. 111573)*

2G Amended

**111573 Resolution**

**Sen. Javier D. Souto**

RESOLUTION APPROVING AGREEMENTS RELATED TO GRANT IN AMOUNT OF \$5,000,000 FOR DISTRICT 10 TO VANGUARDIAN VILLAGE, LLP. FOR DEVELOPMENT OF ONE-HUNDRED AND TWENTY ELDERLY, AFFORDABLE RENTAL MID-RISE APARTMENT UNITS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NUMBER 249 – “PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP”; AND PROVIDING THAT SUCH GRANT SHALL BE FUNDED OVER FORTY-FIVE MONTHS FROM NEXT BUILDING BETTER COMMUNITIES BOND SALE AS CASH FLOWS REQUIRE [SEE ORIGINAL ITEM UNDER FILE NO. 111456]

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

*Mover: Sosa*

*Seconder: Monestime*

*Vote: 5-0*

*Absent: Diaz*

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

*In response to Commissioner Jordan's inquiry regarding the salary range associated with each of the Area Median Income (AMI) percentages, Mr. Lee Salomon, Asset Management and Development Specialist, General Services Administration, said this proposed development had a certain number of one-bedroom units reserved for individuals with incomes at 60 percent of the AMI. He noted the \$51,900 was the current annual AMI, and the proposed rent would not exceed \$776 monthly. Mr. Saloman said the developer was offering a maximum \$1,725 rent for a one-bedroom unit to individuals with incomes at 140 percent (\$96,600) of the AMI.*

*Responding to Commissioner Jordan's inquiry regarding the location, Assistant County Attorney Monica Rizo said the proposed development was located at the NE corner of SW 127th Avenue and 104th Street.*

*Chairwoman Edmonson and Commissioner Sosa noted their support for the foregoing resolution.*

*Hearing no comments or questions, Committee members proceeded to vote on the foregoing resolution with Committee amendments read into the record earlier by Assistant County Attorney Bonzon-Keenan to add a new section as follows: "Pursuant to Resolution No. R-974-09, the Board directs the County Mayor and the County Mayor's*

*designee to record or cause to be recorded any instrument of conveyance accepted herein in the Public Records of Miami-Dade County, Florida and to provide a recorded copy of the instrument to the Clerk of the Board within thirty (30) days of execution of said instrument; and directs the Clerk of the Board to attach and permanently store a recorded copy together with this resolution."*

**3 DEPARTMENTS**

3A

**111483 Resolution** **Jose "Pepe" Diaz**

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DORAL AND MIAMI-DADE COUNTY FOR SPONSORSHIP OF AN ADOPT-A-TREE EVENT IN THE CITY OF DORAL; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS THEREIN (Department of Environmental Resources Management)

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

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

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

3B

**111328 Resolution** **Dennis C. Moss**

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT TO PROVIDE \$333,346 FROM THE MIAMI-DADE COUNTY WETLANDS TRUST FUND TO THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR EXOTIC VEGETATION CONTROL IN EVERGLADES NATIONAL PARK; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

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

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

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

3C

111408 Resolution Dennis C. Moss,

Lynda Bell

RESOLUTION APPROVING 'CONTRACT FOR SALE AND PURCHASE' OF APPROXIMATELY 0.3 ACRES IN THE NAVY WELLS #39 PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND JANE M. WILSON AS SELLER FOR A PURCHASE PRICE OF \$8,700, WHICH MAY BE FUNDED BY THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Sosa*

*Secunder: Edmonson*

*Vote: 5-0*

*Absent: Diaz*

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

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

3D

111346 Resolution Audrey M. Edmonson

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO PIVOTAL UTILITY HOLDINGS, INC., A NEW JERSEY CORPORATION D/B/A/ FLORIDA CITY GAS, FOR \$10.00, AND EXECUTION BY THE COUNTY MAYOR OF SUCH NON-EXCLUSIVE UTILITY EASEMENT (General Services Administration)

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Secunder: Sosa*

*Vote: 5-0*

*Absent: Diaz*

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

*Chairwoman Edmonson relinquished the Chair to Vice-Chairwoman Jordan.*

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

Infrastructure and Land Use Committee  
Meeting Minutes

Wednesday, July 13, 2011

CLERK'S SUMMARY OF

3E

111347 Resolution

Audrey M. Edmonson

RESOLUTION AUTHORIZING THE CONVEYANCE OF A UTILITY EASEMENT TO FLORIDA POWER AND LIGHT (FPL) FOR \$1.00; AND EXECUTION BY THE COUNTY MAYOR OF SUCH UTILITY EASEMENT (General Services Administration)

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

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

*Chairwoman Edmonson relinquished the Chair to Vice-Chairwoman Jordan.*

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

*Chairwoman Edmonson requested staff to prepare the appropriate memorandum asking the Board of County Commissioners (BCC) Chairman Joe A. Martinez to waive the Board's Rules and Procedures to allow the foregoing proposed resolution to be considered at the July 19, 2011, BCC meeting.*

3F

111147 Resolution

Xavier L. Suarez

RESOLUTION GRANTING PETITION TO CLOSE SW 76 STREET, BEGINNING APPROXIMATELY 145 FEET WEST OF THE NORTH ALIGNMENT OF SW 72 COURT WEST FOR APPROXIMATELY 678 FEET (ROAD CLOSING PETITION NO. P-852) (Public Works Department)

*Forwarded to BCC without a recommendation*  
*Mover: Sosa*  
*Seconder: Barreiro*  
*Vote: 5-0*  
*Absent: Diaz*

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

*Commissioner Barreiro asked staff to ensure that the petitioner requesting the road closure meet with the neighbors to discuss outstanding issues before this proposed resolution was considered by the County Commission.*

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

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3G

111373 Resolution

Dennis C. Moss

RESOLUTION GRANTING PETITION TO CLOSE SW 122 AVENUE (SW FERNWOOD ROAD), FROM SW 136 STREET NORTH TO THE SOUTH LINE OF THE FLORIDA POWER & LIGHT CO. RIGHT OF WAY LINE (ROAD CLOSING PETITION NO. P-870) (Public Works Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Monestime*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Diaz*

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

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

3H

111349 Resolution

Xavier L. Suarez

RESOLUTION ACCEPTING BIKE PATH EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT FROM THE CITY OF CORAL GABLES, REGARDING PROPERTY LOCATED IN SECTION 29, TOWNSHIP 54 SOUTH, RANGE 41 EAST (Public Works Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Sosa*

*Vote: 5-0*

*Absent: Diaz*

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

*Chairwoman Edmonson relinquished the Chair to Vice-Chairwoman Jordan.*

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

3I

**111360 Resolution**

RESOLUTION APPROVING EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI BEACH TO PROVIDE FUNDING IN THE AMOUNT OF \$3,011,000 FOR THE RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION OF THE WEST AVENUE BRIDGE PROJECT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

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

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

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

3J

**111364 Resolution**

RESOLUTION APPROVING A SEWAGE DISPOSAL SERVICE CONTRACT WITH THE CITY OF HIALEAH FOR THE PROVISION OF WHOLESALE SEWAGE DISPOSAL SERVICE BY MIAMI-DADE WATER AND SEWER DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

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

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

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

*42*

3K

**111426 Resolution**

RESOLUTION APPROVING CONSTRUCTION CONTRACT NO. S-835 IN THE AMOUNT OF \$1,712,527.18 TO METRO EQUIPMENT SERVICE, INC. TO FURNISH AND INSTALL 24-INCH, 16-INCH AND 12-INCH SANITARY SEWER PIPE IN SW 13 AVENUE FROM SW 7 STREET TO SW 4 STREET AND IN SW 15 AVENUE FROM SW 4 STREET TO W. FLAGLER STREET; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Barreiro*

*Seconder: Monestime*

*Vote: 5-0*

*Absent: Diaz*

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

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

**4 COUNTY MANAGER**

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

6A

**111437 Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR THE JUNE 15, 2011 INFRASTRUCTURE AND LAND USE COMMITTEE MEETING (Clerk of the Board)

*Approved*

*Mover: Sosa*

*Seconder: Monestime*

*Vote: 5-0*

*Absent: Diaz*

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

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

43

7 REPORT

8 ADJOURNMENT

**Report:** *There being no further business, the Infrastructure and Land Use Committee meeting was adjourned at 4:24 p.m.*

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