



MEMORANDUM
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EDSS
Agenda Item No. 5(A)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Economic Development and
Social Services Committee

DATE: November 9, 2011

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

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Economic Development and Social Services Committee:

September 14, 2011

CA/js
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Economic Development & Social Services Committee

Rebecca Sosa (6) Chair; Jean Monestime (2) Vice Chair; Commissioners Bruno A Barreiro (5), Lynda Bell (8), Esteban L. Bovo, Jr. (13), and Dennis C. Moss (9)

Wednesday, September 14, 2011

9:30 AM

Commission Chambers

Members Present: Lynda Bell, Esteban L. Bovo, Jr., Jean Monestime, Dennis C. Moss, Rebeca Sosa.

Members Absent: Bruno A. Barreiro.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jovel Shaw, Commission Reporter, (305) 375-1289*

1A INVOCATION

Report: *Sergeant-at-Arms Michael Roan led the invocation.*

1B PLEDGE OF ALLEGIANCE

Report: *The Pledge of Allegiance followed the invocation.*

1C **ROLL CALL**

Report: *The following staff members were present: Assistant County Attorneys Cynthia Johnson-Stacks, Terrence Smith and Robert Seavey; Deputy Mayor Russell Benford and Deputy Clerks Judy Marsh and Jovel Shaw.*

Chairwoman Sosa called the meeting to order at 9:32 a.m.

In addition to the requested changes noted in the County Mayor's memorandum dated September 14, 2011, Assistant County Attorney Cynthia Johnson-Stacks advised the Committee members of the following request for deferral of Agenda Items 2B to no date certain and 3B to the next Committee meeting.

It was moved by Commissioner Monestime that the Committee approve the changes requested by the County Mayor in his memorandum dated September 14, 2011, entitled, "Requested Changes to the Economic Development & Social Services Committee Agenda" and the additional changes noted by the Assistant County Attorney. This motion was seconded by Commissioner Moss, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Bovo were absent).

Chairwoman Sosa introduced Deputy Mayor Russell Benford, assigned by County Mayor Carlos Gimenez to this Committee. In addition, she acknowledged Deputy Mayor Jack Osterholt, who was present at today's (9/14) meeting.

Vice Chairman Monestime acknowledged Deputy Mayors Benford and Osterholt and indicated that he looked forward to working with them.

In addition, Chairwoman Sosa recognized Florida House Representative Jose Felix Diaz who was present at today's (9/14) Committee meeting.

Commissioner Bovo arrived to the meeting at 10:14 a.m.

1D **SPECIAL PRESENTATIONS**

Economic Development & Social Services Committee

CLERK'S SUMMARY OF

Meeting Minutes

Wednesday, September 14, 2011

1D1

111907 Service Awards

Joe A. Martinez

PRESENTATION OF A SERVICE AWARD TO THE
FOLLOWING EMPLOYEE(S):

Presented

DEBORAH FACEN-NELOMS - CAA - 30 YRS
PAULETTE B. HAYES - CAA - 35 YRS
REBECCA J. LOFFMAN - DHS - 30 YRS

1D2

111361 Special Presentation**Rebeca Sosa**HUD TRAINING/PRESENTATION (CDBG AND
COMMUNITY DEVELOPMENT PLANNING)*Presented*

Report: *Deputy Mayor Russell Benford introduced Ms. Maria Ortiz, Community Planning and Development (CPD) Director, Miami Field Office, United States Department of Housing and Urban Development (US HUD), who was here, at the request of this Committee, to make a brief presentation regarding US HUD's Community Development Block Grant (CDBG) Program.*

Mr. Armando Fana, Field Office Director, Miami Field Office, US HUD, appeared before the Committee and provided a brief overview of the programs offered through the US HUD CPD Program Office that promoted community development. He noted that Ms. Ortiz' presentation today (9/14) would focus on the CDBG program. Mr. Fana expressed that US HUD had concerns with the County Mayor's proposed merging of the County's Housing and Community Development (formerly Office of Community and Economic Development) with the Public Housing Agency. He noted a request by US HUD for the meeting scheduled next week with County Mayor Carlos Gimenez to discuss the proposed merger.

Following Mr. Fana's comments, Commissioner Moss concurred with the concern regarding the proposed merger of the two County departments mentioned by Mr. Fana. He noted an agreement between the County and US HUD for the County to assume full control of its public housing agency. Commissioner Moss questioned whether US HUD should provide input on the proposed merger.

A brief discussion ensued between Commissioner Moss and Mr. Fana regarding the need for further review of the departmental mergers proposed by the Mayor to address US HUD potential concerns.

Chairwoman Sosa thanked Mr. Fana for all of his support and assistance throughout the years. She expressed to her colleagues that, even though we represent a commission district, we still represent the entire County. Chairwoman Sosa stated that, based on the historical economy seen throughout the years, the County should be concerned with designation of targeted areas to receive CDBG

funds. In addition, she noted her concern with the findings that affordable housing and low-income and elderly housing was needed throughout the County. She expressed that the County needed to re-establish and review those targeted areas to re-assess the needs. Chairwoman Sosa stated that the results of the 2010 United States (U.S.) Census could assist the County in re-assessing the needs in this County and possibly expanding the CDBG targeted areas.

Commissioner Moss concurred with Chairwoman Sosa's comments regarding the need for a review of the CDBG targeted areas based on the results of the 2010 Census results. In addition, he stated that this County should focus its limited resources on those targeted areas.

Ms. Maria Ortiz, Community Planning and Development (CPD) Director, US HUD Miami Field Office, appeared before the Committee and thanked the Housing and Community Development staff for working closely with them in reviewing the CDBG program. She stated that the CDBG was flexible, in terms of priority and targeted areas, as long as the grantee met the minimum guidelines in the regulations. Ms. Ortiz proceeded to highlight the following components of the CDBG program:

- the primary objective;*
- the money flow;*
- the selection of activities;*
- the approval of the Consolidated Plan and Action Plan;*
- the criteria for eligible/ineligible activities;*
- the National objective;*
- the low/moderate income targeting requirements;*
- the compliance with all other federal requirements concerning CDBG activities;*
- the administration/planning;*
- the financial management including program income; and*
- the annual performance measurements including reporting requirements;*
- the record keeping; and*
- the monitoring requirements.*

Upon concluding her presentation, Ms. Ortiz introduced Ms. Lisa Bustamante, Senior Representative on behalf of US HUD' Miami Field Office, who had been the direct contact for County staff in preparing this item.

Chairwoman Sosa thanked Ms. Ortiz, Ms.

Bustamante, and County staff for their support and assistance in bringing forth this special presentation.

Commissioner Moss commended Chairwoman Sosa on her leadership for this presentation. He questioned whether there were any new proposed programs or funding for jobs being discussed by the legislature for CDBG.

In response to Commissioner Moss' question, Ms. Ortiz indicated that it was too early to know if new proposed programs would be coming forth for jobs through the CDBG program.

In response to Commissioner Moss' question regarding what issues the County should monitor, Ms. Ortiz stated that the County should monitor vandalism of vacant properties acquired through its Neighborhood Stabilization Program (NSP) and with CDBG funding. She indicated that the County should secure these properties properly until they were occupied. Ms. Ortiz pointed out that it was very important for staff to be knowledgeable and trained on how to secure these properties as a preventative measure for vandalism.

Commissioner Moss noted debates that had occurred regarding how the County and municipalities should spend their CDBG funds when both parties had their own CDBG program and received funding for their respective program.

In response to Commissioner Moss' comments, a discussion ensued between Commissioner Moss and Ms. Ortiz regarding how the CDBG entitlement should work, and a consortium agreement between the County and the affected municipal to use the CDBG funding and to serve the needs of the identified CDBG targeted areas in this community.

Commissioner Moss questioned how long could a CDBG activity continue to receive CDBG funding that generated program income apply for a CDBG funding.

In response to Commissioner Moss' question, Ms. Ortiz stated that under the CDBG rules, there was no limitation on the use of a program income activity under the CDBG program. She indicated there were limitations under the NSP and it ranged from three to 10 years for an activity. Ms. Ortiz stated that at any time the County desired to

have program income activity reviewed, the County could request US HUD for its consideration of determining whether to terminate the CDBG funding for that particular agency or activity.

Commissioner Moss questioned if there were any changes for agencies qualifying as Community Based Development Organizations (CBDO).

In response to Commissioner Moss' question, Ms. Ortiz noted that funding could be provided for technical assistance and a strategy was being developed by US HUD to train prospective CBDOs. She pointed out that if the pool was not there for CBDOs or the capacity level, the County could work with US HUD to address this issue.

The Committee members thanked Ms. Ortiz for a presentation that allowed them to gain knowledge regarding the US HUD CDBG and the Community Development Planning programs.

1E PUBLIC HEARING

1E1

111409 Ordinance

Sen. Javier D. Souto

ORDINANCE AMENDING PART III, CHAPTER 2, ARTICLE XCIX, SECTIONS 2-1441, 2-1442 AND 2-1443 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PARTICIPATION ON THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Monestime

Seconder: Moss

Vote: 4-0

Absent: Bovo, Jr., Barreiro

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed ordinance.*

Chairwoman Sosa opened the public hearing. Hearing no one wishing to speak before the Committee, Chairwoman Sosa closed the public hearing.

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

1E2

111386 Ordinance

Rebeca Sosa

ORDINANCE AMENDING SECTION 29-7, CODE OF MIAMI-DADE COUNTY, DOCUMENTARY SURTAX, AMENDING ADMINISTRATION, COLLECTION AND USE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE (Department of Housing and Community Development)

Forwarded to BCC with a favorable recommendation

Mover: Bell

Seconder: Monestime

Vote: 4-0

Absent: Barreiro, Bovo, Jr.

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed ordinance.*

Chairwoman Sosa opened the public hearing. Hearing no one wishing to speak before the Committee, Chairwoman Sosa closed the public hearing.

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

1E3 AMENDED

112020

Resolution**Rebeca Sosa**

RESOLUTION AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AMEND THE FY 2005 THROUGH FY 2011 ACTION PLANS TO RECAPTURE AND REALLOCATE \$3,938,866 OF PRIOR YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), \$2,548,779 OF HOME INVESTMENT PARTNERSHIPS (HOME), \$2,039,301 OF HOUSING DEVELOPMENT ACTION GRANT (HODAG) PROGRAM FUNDS; AMEND PROJECT SCOPES FOR TWO CDBG FUNDED ACTIVITIES INCLUDING ELEVATOR MODERNIZATION FOR ELDERLY APARTMENTS AND SOUTH FLORIDA URBAN MINISTRIES COMMUNITY CENTER PROJECT; ALLOCATE AN ADDITIONAL \$1.954 MILLION OF FY 2011 CDBG FUNDS TO PARTIALLY RESTORE FUNDING FOR ECONOMIC DEVELOPMENT ACTIVITIES AND ADDRESS HIGH PRIORITY NEEDS OF THE NEIGHBORHOOD REVITALIZATION STRATEGY AREAS, AND \$43,263 IN ADDITIONAL FY 2011 EMERGENCY SOLUTIONS GRANT FUNDS; ADDITIONALLY 40 PERCENT OF THE ADDITIONAL CDBG FUNDING WILL BE ALLOCATED TO ACTIVITIES MANAGED BY COUNTY DEPARTMENTS; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAMS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 111799] (Department of Housing and Community Development)

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

Mover: Monestime

Secunder: Bell

Vote: 4-0

Absent: Barreiro, Bovo, Jr.

Report: *Assistant County Attorney Cynthia Johnson-Stacks read the foregoing proposed resolution. She advised the Committee members of proposed amendments to delete the following language on handwritten Page 3, Item No. 10, "Neighbors and Neighbors Agency (NANA) – Farmer's Market (\$40,000) in its entirety"; to change the allocation amount from \$3,978,866 to \$3,938,866 on handwritten Page 7; and to reflect the recaptured amount as \$5,000 rather than \$45,000 for the "Rehab Richmond Heights and West Perrine Senior Centers".*

Chairwoman Sosa opened the public hearing. Hearing no one wishing to speak before the Committee, Chairwoman Sosa closed the public hearing.

Commissioner Moss stated that he looked forward

to the new process to have the proper dialogue with the Community Advisory Committees regarding the recommendations for reallocation and recapture of any county funding.

It was moved by Commissioner Monestime that the foregoing proposed resolution be forwarded with a favorable recommendation with Committee amendments to delete the following language on handwritten Page 3, Item No. 10, "Neighbors and Neighbors Agency (NANA) - Farmer's Market (\$40,000) in its entirety"; to change the allocation amount from \$3,978,866 to \$3,938,866 on handwritten Page 7; and to reflect the recaptured amount as \$5,000 rather than \$45,000 on handwritten Page 10 for the "Rehab Richmond Heights and West Perrine Senior Centers" as requested by Assistant County Attorney Johnson-Stacks. This motion was seconded Commissioner Bell, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Bovo were absent).

2 COUNTY COMMISSION

2A

111826 Resolution

Bruno A. Barreiro

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE LEASES FOR THE PROPERTY LOCATED AT 395 NW 1ST STREET, MIAMI, FLORIDA, TO BISCAYNE RIVER VILLAGE I, LLC, AND THE PROPERTY LOCATED AT 25 NW NORTH RIVER DRIVE, MIAMI, FLORIDA, TO BISCAYNE RIVER VILLAGE II, LLC, FOR THE PURPOSE OF DEVELOPING AND OPERATING THE PROPERTIES AS AFFORDABLE HOUSING WITH CERTAIN CONDITIONS, FINDINGS AND REQUIREMENTS

Forwarded to BCC with a favorable recommendation

Mover: Bell

Secunder: Monestime

Vote: 4-0

Absent: Bovo, Jr., Barreiro

Report: *Assistant County Attorney Terrence Smith read the foregoing proposed resolution.*

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

2B

111798 Resolution

Barbara J. Jordan

RESOLUTION DIRECTING COUNTY MAYOR OR
MAYOR'S DESIGNEE TO INVESTIGATE, PREPARE
AND SUBMIT A REPORT TO THE MIAMI-DADE BOARD
OF COUNTY COMMISSIONERS RELATED TO
AFFORDABILITY RENTAL AND SALES RATES OF
COUNTY-FUNDED AFFORDABLE HOUSING PROJECTS
IN MIAMI-DADE COUNTY

Deferred to no date certain

Mover: Monestime

Secunder: Moss

Vote: 4-0

Absent: Barreiro, Bovo, Jr.

Report: *During consideration of changes to today's (9/14)
Committee meeting, the Committee deferred the
foregoing proposed resolution to no date certain
as noted by Assistant County Attorney Cynthia
Johnson-Stacks.*

2C

111538 Resolution

Rebeca Sosa

RESOLUTION OPPOSING THE IMPOSITION OF TOLLS TO ACCESS THE PORT OF MIAMI; DIRECTING THE MAYOR OR DESIGNEE TO BRING TO THE BOARD AN ALTERNATIVE FUNDING PLAN; DIRECTING THE MAYOR OR DESIGNEE TO IDENTIFY AN ALTERNATIVE FUNDING PLAN FOR THE PORT OF MIAMI TUNNEL THAT DOES NOT INCLUDE TOLLS

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Secunder: Bell

Vote: 4-0

Absent: Bovo, Jr., Barreiro

Report: Assistant County Attorney Terrence Smith read the foregoing proposed resolution.

Chairwoman Sosa relinquished the Chair to Vice Chairman Monestime.

Commissioner Sosa, the sponsor, provided an overview of the intent of this proposed resolution.

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

Commissioner Moss stated that tolling might be the alternative to take care of operational expenses for the Port of Miami Tunnel.

Mr. Juan Kuryla, Seaport Deputy Director, informed the Committee members that the cruise lines, at the Port, shared Commissioner Sosa's position opposing the imposition of tolls to access the Port of Miami. He indicated that the Department would proceed with identifying alternative funding for the Port Tunnel.

A discussion ensued between Vice Chairman Monestime and Mr. Kuryla regarding any type of charge to use the Port Tunnel.

Mr. Kuryla informed the Committee members that if a toll were imposed for the Port Tunnel, Miami-Dade County would be the only port in the nation that charged a toll to access its Port.

Hearing no objection, the Committee proceeded to vote on this proposed resolution as presented.

3 DEPARTMENT

14

3A

111704 Resolution**Rebeca Sosa***Withdrawn*

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO 11-00454 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTE 288.106; CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 11-00454 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$ 80,800 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2012 THROUGH 2018, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT NO. 11-00454 APPLICATION WITH THE PROVISION THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 11-00454 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO.11-00454 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(6)(D); AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MAKE MODIFICATIONS INCLUDING CHANGES TO DATES FOR JOB CREATION AND DISBURSEMENT OF INCENTIVE AWARDS IF IN THE BEST INTEREST OF THE COUNTY AND EXECUTE ALL CONTRACTS, AGREEMENTS, AND AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE [SEE SUBSTITUTE ITEM UNDER FILE NO. 111933] (Ofc of Economic Development & International Trade)

Report: *See Agenda Item 3A Substitute, Legislative File No. 111933.*

3A SUB

111933 Resolution

Rebeca Sosa

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO 11-00454 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTE 288.106; CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 11-00454 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$80,800 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2012 THROUGH 2018, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT NO. 11-00454 APPLICATION WITH THE PROVISION THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 11-00454 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO.11-00454 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(6)(D); AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MAKE MODIFICATIONS INCLUDING CHANGES TO DATES FOR JOB CREATION AND DISBURSEMENT OF INCENTIVE AWARDS IF IN THE BEST INTEREST OF THE COUNTY AND EXECUTE ALL CONTRACTS, AGREEMENTS, AND AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 111704] (Ofc of Economic Development & International Trade)

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

Mover: Sosa

Secunder: Bovo, Jr.

Vote: 5-0

Absent: Barreiro

Report: *Assistant County Attorney Terrence Smith read the foregoing proposed resolution.*

Chairwoman Sosa relinquished the Chair to Vice Chairman Monestime.

Commissioner Sosa, the sponsor, proceeded to provide an overview of the intent of this proposed resolution.

Hearing no objection, the Committee proceeded to vote on this proposed resolution as presented.

NOTE: Chairwoman Sosa submitted a memorandum dated September 14, 2011, entitled, "Waiver to the September 20, 2011 Board of County Commissioner Meeting."

3B

111768 Resolution

Jose "Pepe" Diaz

RESOLUTION AMENDING RESOLUTION R-1087-07 FOR GOYA FOODS OF FLORIDA AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CHAPTER 2, ARTICLE LXXXVI, AS MODIFIED BY ORDINANCE NO. 11-08; CONFIRMING THAT THE COMMITMENT OF THE INCENTIVE AWARDS FOR GOYA FOODS OF FLORIDA EXISTS; PROVIDING AN APPROPRIATION OF UP TO \$696,352 FROM GENERAL REVENUE FUNDS FOR FISCAL YEARS 2012 THROUGH 2017 AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MAKE NON-SUBSTANTIVE MODIFICATIONS, TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE (Ofc of Economic Development & International Trade)

*Deferred to next committee meeting**Mover: Monestime**Seconder: Moss**Vote: 4-0**Absent: Bovo, Jr., Barreiro*

Report: *During consideration of changes to today's (9/14) Committee meeting, the Committee deferred the foregoing proposed resolution to the next Committee meeting as noted by Assistant County Attorney Cynthia Johnson-Stacks.*

3C

111801 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SHAW ENVIRONMENTAL, INC. FOR CRANE PROGRAM ENGINEERING SERVICES IN THE AMOUNT OF \$2,475,000, CONTRACT NO. E10-SEA-01; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS THEREIN (Seaport Department)

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation**Mover: Bell**Seconder: Monestime**Vote: 5-0**Absent: Barreiro*

Report: *Assistant County Attorney Terrence Smith read the foregoing proposed resolution.*

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

NOTE: Chairwoman Sosa submitted a memorandum dated September 14, 2011, entitled, "Waiver to the September 20, 2011 Board of County Commissioner Meeting."

3D

111909 Resolution **Rebeca Sosa**
RESOLUTION WAIVING COMPETITIVE BIDDING AND *Amended*
AUTHORIZING THE MAYOR OR DESIGNEE TO
EXECUTE AN AGREEMENT WITH FLORIDA EAST
COAST RAILWAY, LLC ("FEC") TO ALLOW THE FEC TO
OVERSEE ON THE COUNTY'S BEHALF CERTAIN
REPAIRS AND IMPROVEMENTS TO RAIL FACILITIES
AT THE PORT OF MIAMI [SEE AMENDED ITEM UNDER
FILE NO. 111949] (Seaport)

Report: *See Agenda Item 3D Amended, Legislative File
No. 111949 for the amended version.*

3D AMENDED

111949 Resolution

Rebeca Sosa

RESOLUTION WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE AN AGREEMENT WITH FLORIDA EAST COAST RAILWAY, LLC ("FEC") TO ALLOW THE FEC TO OVERSEE ON THE COUNTY'S BEHALF CERTAIN REPAIRS AND IMPROVEMENTS TO RAIL FACILITIES AT THE PORT OF MIAMI [SEE ORIGINAL ITEM UNDER FILE NO. 111909] (Seaport)

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

Report: *Chairwoman Sosa relinquished the Chair to Vice Chairman Monestime.*

Assistant County Attorney Terrence Smith read the foregoing proposed resolution.

Mr. Juan Kuryla, Deputy Port Director, Seaport Department, informed the Committee members of proposed amendments, by the Department, to change on handwritten Page 18, Section 11, the date to reflect "January 19, 2012" rather than "November 15, 2011"; and on handwritten Page 21, Section 16, to reflect the date certain as "December 31, 2013."

It was moved Commissioner Sosa that the Committee forward this resolution as amended. Commissioner Bell seconded this motion for discussion.

A discussion ensued among Commissioner Moss, Mr. Kuryla and Mr. Kevin Lynskey, Port Assistant Director for Business Initiatives, regarding the linkage between the bridge and Florida East Coast (FEC) Railway, at the Port, to facilitate the traffic on Biscayne Boulevard.

The Committee forwarded the foregoing proposed resolution with a favorable recommendation with the Committee amendments to change on handwritten Page 18, Section 11, the date to reflect "January 19, 2012" rather than "November 15, 2011"; and on handwritten Page 21, Section 16, to reflect the date certain as "December 31, 2013" as requested by Seaport Deputy Director Kuryla.

NOTE: Chairwoman Sosa submitted a memorandum dated September 14, 2011, entitled, "Waiver to the September 20, 2011 Board of County Commissioner Meeting."

3E

111910 Resolution**Rebeca Sosa**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, AND SUBSEQUENTLY EXECUTE AN AGREEMENT WITH, THE U.S. DEPARTMENT OF COMMERCE FOREIGN TRADE ZONES BOARD FOR THE PURPOSE OF ESTABLISHING AND ADMINISTERING A GENERAL PURPOSE FOREIGN TRADE ZONE (Seaport)

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

Report: *Assistant County Attorney Terrence Smith read the foregoing proposed resolution.*

Assistant County Attorney Robert Seavey advised the Committee members of proposed amendments to change the title to read "RESOLUTION AUTHORIZING THE MAYOR HIS DESGINEE TO APPLY TO THE U.S. FOREIGN-TRADE ZONES BOARD FOR PURPOSE OF ESTABLISHING AND ADMINISTERING A GENERAL PURPOSE FOREIGN TRADE ZONE" ; and to change Section 3 to read as follows: "The Board hereby authorizes the County Mayor or designee to apply to the U.S. Foreign-Trade Zones for a grant of authority to establish and administer a general purpose foreign trade zone."

Chairwoman Sosa relinquished the Chair to Vice Chairman Monestime.

Commissioner Sosa, the sponsor, provided an overview of the intent of this proposed resolution.

Mr. Arcelio Gerardo, representing the current Foreign Trade Zone (FTZ), appeared before the Committee seeking additional information. He stated that the current Foreign Trade Zone was informed that the Port of Miami was seeking to establish a new FTZ in Miami-Dade County. He informed the Committee members that the current FTZs could expand their boundaries to incorporate other areas located within this county.

Commissioner Sosa noted her concern was for protection of free trade within Miami-Dade County.

Commissioner Bell questioned who would administer and operate the proposed FTZ recommended in this resolution.

In response to Commissioner Bell' question regarding who would administer and operate the

FTZ, Mr. Kevin Lynskey, Seaport Department, Assistant Director of Business Initiatives, explained that the County would be the administrator for the new general purpose FTZ. He noted that all of the individual companies would be responsible for the operating and financing costs of the individual zone operations.

Commissioner Moss questioned if any dialogue occurred with the existing FTZs on whether they would expand their boundaries.

In response to Commissioner Moss' question, Mr. Lynskey noted Port Director Bill Johnson did have discussions with the Greater Miami Chamber of Commerce, administrator of the existing FTZ.

An extensive discussion ensued between Commissioner Moss and Mr. Lynskey regarding the two active Zones that existed in the County and their boundaries, and the ultimate goal of this FTZ to incorporate all areas of the County.

Commissioner Moss stated that if the ultimate intent was to incorporate all areas not part of existing FTZs within Miami-Dade County eventually could this proposed resolution be amended today (9/14).

In response to Commissioner Moss' question regarding a proposed amendment to incorporate areas, Assistant County Attorney Robert Seavey stated that he was not privy to any previous discussions held with the existing FTZs; therefore; he noted that he would have to work with staff to review whether an amendment, to this proposed resolution, would be appropriate at this time.

Commissioner Sosa asked Deputy Mayor Jack Osterholt, along with Mr. Kevin Lynskey, Assistant Director of Business Initiatives, Seaport, to meet with Chairman Martinez and Commissioners Moss and Bell to discuss the feasibility of incorporating the three commission districts excluded from this proposal, before it was forwarded to the County Commission.

A discussion ensued between Commissioner Bell and Mr. Lynskey regarding the administrator and the operator of this proposed FTZ.

Vice Chairman Monestime spoke in support of moving this proposed resolution forward and waiting for the new item that would come forth after incorporating the concerns of the

commissioners not outlined in this proposed resolution.

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded with a favorable recommendation with Committee amendment(s) to change the language contained with the title of the resolution to read as follows: "RESOLUTION AUTHORIZING THE MAYOR HIS DESIGNEE TO APPLY TO THE U.S. FOREIGN-TRADE ZONES BOARD FOR PURPOSE OF ESTABLISHING AND ADMINISTERING A GENERAL PURPOSE FOREIGN TRADE ZONE"; and to change the language contained within Section 3 of the body of the resolution as follows: "The Board hereby authorizes the County Mayor or designee to apply to the U.S. Foreign-Trade Zones for a grant of authority to establish and administer a general purpose foreign trade zone," as requested by Assistant County Attorney Seavey. This motion was seconded Commissioner Bell, and upon being put to a vote, passed by a vote of 4-1 (Commissioner Moss voted "No" and Commissioner Barreiro was absent).

4 COUNTY ATTORNEY

5 CLERK OF THE BOARD

5A

111816 Report

CLERK'S SUMMARY OF MINUTES FOR THE ECONOMIC DEVELOPMENT AND SOCIAL SERVICES COMMITTEE MEETING(S): JULY 13, 2011 (Clerk of the Board)

Approved
Mover: Bell
Second: Monestime
Vote: 5-0
Absent: Barreiro

Report: Assistant County Attorney Terrence read into the record the foregoing report.

Hearing no objection, the Committee proceeded to vote on this report as presented.

6 REPORTS

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6A

111780 Report

SEAPORT DEPARTMENT QUARTERLY REPORT OF EXECUTED JOINT PARTICIPATION AGREEMENTS AND SUPPLEMENTAL JOINT PARTICIPATION AGREEMENTS APPROVED APRIL 1 THROUGH JUNE 30, 2011 (Mayor)

Report Received
Mover: Monestime
Seconder: Moss
Vote: 5-0
Absent: Barreiro

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

Hearing no objection, the Committee proceeded to vote on this report as presented.

7 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 11:56 a.m.*