



MEMORANDUM
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RTC
Agenda Item No. 5(A)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Regional Transportation Committee

DATE: September 10, 2012

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 Regional Transportation Committee:

July 09, 2012

CA/jt
Attachment



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Regional Transportation Committee (RTC)**

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

July 9, 2012
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Christopher Agrippa, Division Chief
Clerk of the Board Division

Jill Thornton, Commission Reporter
(305) 375-2505





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

DRAFT
Meeting Minutes
Regional Transportation Committee

Bruno A. Barreiro (5) Chair; Xavier L. Suarez (7) Vice Chair; Commissioners Audrey M. Edmonson (3), Sally A. Heyman (4), Dennis C. Moss (9), and Javier D. Souto (10)

Monday, July 9, 2012

9:30 AM

COMMISSION CHAMBERS

Members Present: Bruno A. Barreiro, Audrey M. Edmonson, Sally A. Heyman, Javier D. Souto, Xavier L. Suarez.

Members Absent: None.

Members Late: None.

Members Excused: Dennis C. Moss.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

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

1A MOMENT OF SILENCE

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

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present: Deputy Mayor/County Manager Alina Hudak; Deputy Mayor Jack Osterholt; Assistant County Attorneys Bruce Libhaber and David Murray; and Deputy Clerks Jovel Shaw and Jill Thornton.*

Assistant County Attorney Bruce Libhaber advised that the following changes were noted in the County Commission Chairman's Memorandum entitled, "Requested Changes to the Regional Transportation Committee Agenda": Agenda Item 6C was added, Agenda Item 3E was withdrawn, and a scrivener's error in Agenda Item 3L was corrected to reflect the resolution referenced in the title on page 4 as: R-707-09. In addition, Assistant County Attorney Libhaber noted the sponsor requested that the language in the title and body of Agenda Item 2A be amended to increase the number of transit passes provided to City Year volunteers per month from 180 to 185, and to increase the number of volunteer service hours from 3,700 to 3,803; and the Administration requested that Agenda Item 1F6 be amended to eliminate from handwritten page 2 the proposed change to discontinue Saturday services for the North Pointe Circular Route 286.

It was moved by Commissioner Heyman that the July 9, 2012 Regional Transportation Committee agenda be approved with the changes noted in the County Commission Chairman's Memorandum of Changes, and the additional changes noted by Assistant County Attorney Libhaber. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 5-0 (Commissioner Moss was absent).

1D **SPECIAL PRESENTATIONS**

1D1

121328 Service Awards Joe A. Martinez

PRESENTATION OF SERVICE AWARDS TO THE FOLLOWING EMPLOYEE(S): *Presented*

- JUAN C. REVOREDO - AVIATION - 35 YEARS
- ALBERT E. WHITESIDE – AVIATION - 30 YEARS
- JEROME WILLIAMS – AVIATION - 30 YEARS
- RICHARD INGRAM – TRANSIT - 30 YEARS
- JAIME JANE-ALVAREZ – TRANSIT - 30 YEARS
- LORINE E. WYARTT – RER - 35 YEARS

Report: *Albert E. Whiteside and Lorine E. Wyartt were not present to receive their service awards.*

1E DISCUSSION ITEM

1F PUBLIC HEARINGS

1F1

121118 Ordinance Bruno A. Barreiro, Dennis C. Moss

ORDINANCE SUNSETTING THE CITIZENS' TRANSPORTATION ADVISORY COMMITTEE; REPEALING ARTICLE XXXVIA, SECTIONS 2-336 THROUGH 2-339.2, INCLUSIVE, OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE

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

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with this ordinance. He closed the public hearing after no one appeared wishing to speak.

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

1F2

121179 Ordinance Sally A. Heyman

ORDINANCE AMENDING SECTION 25-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR LIMITED SOLICITATION BY COUNTY DEPARTMENTS AT MIAMI INTERNATIONAL AIRPORT AT TWO LOCATIONS; PROVIDING FOR INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Souto

Vote: 5-0

Absent: Moss

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with this ordinance. He closed the public hearing after no one appeared wishing to speak.

Commissioner Heyman expressed appreciation to Mr. Ken Pyatt, Deputy Director, Miami International Airport (MIA), and representatives of MIA, the Federal Aviation Administration (FAA), U.S. Department of Customs, Homeland Security and Transportation Security Administration (TSA), and friends of LaGuardia and John F. Kennedy International Airports, for their joint efforts in developing this ordinance, which would allow County departments affiliated with non-profit foundations to solicit funds at MIA under restricted conditions. Commissioner Heyman explained that collection boxes would be installed at two secured locations at MIA for the purpose of accepting donations from inbound passengers passing through U.S. Customs. She noted the collected funds would be earmarked specifically for the Miami-Dade Animal Services Foundation to provide free animal spaying/neutering services and for the Parks Foundation, Inc. to plant more trees.

Commissioner Souto noted he supported this ordinance, but questioned why the Administration now supported placing collection boxes at MIA, when they did not support a similar ordinance he introduced years ago. He asked if the County Attorneys had thoroughly researched this proposal to determine if the County could legally limit solicitation at MIA to a few non-profit groups.

Assistant County Attorney David Murray noted this ordinance, as drafted, would solely permit County departments affiliated with foundations to solicit funds at MIA, and would not open up solicitation at MIA to any third-party charity. He

indicated that this was done intentionally to avoid speech making at the airport by third-party groups, and other first amendment concerns.

Commissioner Souto asked if it was legal for the County to limit solicitation at an international airport that was governed by the FAA. He also asked if the County Attorneys could guarantee that the County would be protected by the law, should this ordinance be challenged.

Assistant County Attorney Murray noted recent Supreme Court rulings and other precedents suggest that it is legally permissible for the County to engage in government speech on its own behalf, which is what this ordinance permits. He stated that it was legal and certainly defensible for the County to do so, based on the court rulings. Mr. Murray advised that this ordinance simply provides for the designation of specific locations at MIA for the County to engage in a particular kind of speech and it would not open up a venue for third-party speeches.

Commissioner Souto noted he still had concerns regarding other non-profit groups with worthy causes being excluded from soliciting at MIA; however, he indicated that he would support the proposed ordinance.

Commissioner Suarez echoed Commissioner Souto's concerns regarding the legality of excluding other non-profit groups from soliciting at MIA. He questioned the rationale behind Miami-Dade County declaring itself involved in charities through affiliated departments, and turning this into government speech. He said he supported the ordinance, but expressed concern with excluding other charities with worthy causes. He said he would research the legality of this process and would not support similar ordinances in the future in deference to the other worthy charities.

Chairman Barreiro suggested that staff calculate the cost of tracking and auditing the collected donations, and include this information in a yearly report. He pointed out that sometimes the cost to manage funds raised through this format exceeded the revenues, and made it unsustainable, which was the case with the People Mover fee.

Commissioner Heyman noted the foundations would audit the collected funds and the cost would be reported annually. She requested that this

ordinance, if forwarded to the County Commissioners, be waived to the next BCC meeting.

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

Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that the Board of County Commissioner's Chairman Martinez waive the Board's rules and allow this proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

1F3

121141 Ordinance

Barbara J. Jordan,

Jean Monestime, Audrey M. Edmonson
 ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO VEHICLES FOR HIRE; AMENDING ARTICLE II OF THE CODE PERTAINING TO SERVICE IN UNDERSERVED TAXI SERVICE AREAS; AUTHORIZING UNDERSERVED AREA TAXICABS TO CONVERT INTO HYBRID UNDERSERVED AREA TAXICABS AND PROVIDE TAXICAB SERVICE OUTSIDE OF DESIGNATED AREAS UNDER CERTAIN CIRCUMSTANCES; AMENDING CHAPTER 8CC OF THE CODE TO PROVIDE FOR PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Second: Heyman

Vote: 5-0

Absent: Moss

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with the foregoing proposed ordinance, and the following persons appeared:

1) Mr. Niaz Mohammad, 17922 SW 145 Avenue, taxicab driver, appeared in support, and expressed the following concerns: 1) taxicab drivers restricted to the North and South areas were not making a decent living; 2) prices for leases/medallions were unaffordable; 3) owners of passenger service companies were controlling lease prices and driving them upward, as high as \$7,000; and 4) taxicab drivers had no real representation on the Taxicab Advisory Board. He suggested that a sub-committee be formed to resolve these issues.

2) Mr. Mohamed Khan, 13701 SW 90 Ave, Apt #L214, taxicab driver, appeared in support and requested that the taxicab medallion lottery be restored to its original format in order to shrink the gap in supply and demand caused by passenger service companies raising the medallion prices. He noted medallions originally cost \$15,000, but owners managed to increase the price to \$415,000 and stopped the lottery process.

3) Mr. Jorge Cortes, 6885 W 2nd Court, Hialeah, taxicab driver, appeared in support and noted he concurred with Mr. Niaz Mohammad that taxicab drivers should be allowed to drive their taxicabs anywhere in the County, and have representation on the Taxicab Advisory Board. He also

expressed support for restoring the medallion lottery to its original format.

4) Mr. Raymond Francois, 11917 NE 16 Ave, taxicab driver, appeared in support, noting taxicab drivers working in the underserved areas were at an economic disadvantage.

5) Mr. Ernst Derosier, 830 NW 143 St, taxicab driver, appeared in support of allowing the taxicab drivers restricted to the North and South areas to work anywhere in the County.

6) Mr. Dawood Akhtar, 1735 NE 142 St, taxicab driver, appeared in support.

7) An unknown speaker appeared in support. He explained that restricting certain taxicab drivers to working in underserved areas was similar to a family having ten children, nine of whom were allowed to play anywhere in the house, while one was restricted to a closet.

Chairman Barreiro closed the public hearing after no other persons appeared wishing to speak.

Chairman Barreiro noted many of the issues raised by speakers today were also raised and considered at a prior RTC meeting, and the Committee was in the process of forming a working group to address them.

At Commissioner Souto's request, Assistant County Attorney Libhaber provided an explanation of this ordinance. He noted some taxicabs drivers currently held licenses that restricted them to providing taxicab services only in certain underserved areas, predominantly in the Northwest section of the County. He indicated that the intent of this ordinance was to alleviate some economic hardships, by allowing taxicab drivers restricted to the underserved areas to go outside those areas and provide services countywide on alternating days.

Mr. Mario Goderich, Deputy Director, Regulatory and Economic Resources Department (RER), added that in 1999 and 2004, the County Commission designated two areas of the County – in the Northwest and South – as underserved areas to address a shortage of taxicab services in those areas. He explained that some taxicab drivers were able to obtain a license via a lottery to provide services in the underserved areas, in exchange for paying less for the medallions at that

time. He said that this ordinance would impact approximately 46 licenses held by taxicab drivers restricted to the underserved areas and allow them to go outside the underserved area on alternating days to pick up passengers anywhere in the County, except at Miami International Airport (MIA).

Commissioner Souto asked whether a third-party study had ever been conducted on the taxicab industry and how it was regulated in Miami-Dade County. He noted to his knowledge this had not been done, and he believed it was important to have a third-party opinion on how the County could best serve the community and its visitors with transportation. He suggested that the Administration reach out to a reputable business school or university to inquire whether such a study could be conducted at no cost.

Mr. Goderich informed Committee members that during 2006-07, the Commission sponsored an extensive third-party study, which was conducted in stages by the Tennessee Transportation and Logistics Foundation. He noted the consultant's recommendations were presented before the County Commission at that time, and he offered to provide it to Committee members.

Chairman Barreiro suggested that staff update the study to include current information and data based on the recent economic downturn.

Commissioner Souto asked Deputy Director Mario Goderich, RER, to provide him with the findings and recommendations of the study conducted by the Tennessee Transportation and Logistics Foundation in 2006-07.

In response to Commissioner Heyman's inquiry, Mr. Goderich confirmed that the Taxicab Advisory Board (TAB) voted unanimously in support of this ordinance.

In response to Commissioner Heyman's inquiries regarding the incentives offered to taxicab drivers committed to serving the underserved areas, and the difference in the price they paid for medallions, Mr. Goderich noted they paid from \$5,000 to \$10,000 less for those particular medallions, depending on what lottery they participated in.

Commissioner Heyman said it was noteworthy that the TAB unanimously supported this ordinance, and that the taxicab drivers, committed to the

underserved areas, were willing to pay an additional \$5,000 to be allowed to go outside the designated areas to serve higher volume areas countywide on alternating days. She noted she supported this ordinance, but expressed concern that drivers might choose the higher volume weekend days to provide countywide services, thereby causing more neglect in the underserved areas. She suggested the RER use the additional \$5,000 to monitor the schedules of the restricted drivers so that the underserved areas would not be neglected further, and to pay for an independent third-party study on how the community could be better served by the taxicab industry.

Commissioner Edmonson asked to be added as a co-sponsor of this ordinance. She noted she agreed with Commissioner Heyman that the TAB's reports and recommendations should have been forwarded to the Committee. She said that she supported this ordinance and believed that the County should assist the historical businesses in the underserved areas to ensure they remained in business. She noted the taxicab drivers who were willing to work in the underserved areas were making sacrifices because these areas were not prosperous enough to enable the drivers to make a decent living. She stressed that this ordinance could help the Commission assist both the underserved areas and the taxicab drivers.

Commissioner Suarez noted he agreed with Commissioner Edmonson's comments, and pointed out that the County needed to find ways to make the taxicab industry more competitive. He said he would personally contact the John F. Kennedy-School of Government at Harvard University to inquire whether it could possibly conduct a study on the Taxicab industry, free of charge. He pointed out that other cities, such as Washington, D.C. used an open medallion system and provided very inexpensive taxicab services compared to Miami. He also noted he concurred with Mr. Mohammed Khan that the fact that medallions were now being sold at \$430,000 when originally sold at \$15,000 meant that the County had managed to separate supply from demand; and as a result, the underserved areas were now more neglected than ever because drivers could not afford to pay the leases or price of medallions.

Commissioner Suarez noted he and his assistant would attend the next Taxicab Advisory Board meeting to sit in on its deliberations, since the

Commission had not received the kind of recommendations or reforms it was seeking for this industry, and had a moral responsibility to provide this community and its tourists with affordable mass transportation.

Commissioner Souto asked if taxicab drivers qualified for assistance from the Mom and Pop Grants Program, which provided grants up to \$10,000 for small businesses.

Deputy Mayor Jack Osterholt indicated that he was unsure whether taxicab drivers qualified for this program, but he would research the matter and report back to the Committee on it.

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

1F4

120864 Ordinance

Joe A. Martinez

ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF FOR-HIRE LIMOUSINES; AMENDING VEHICLE AGE REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *(See Agenda Item; Legislative File No. 121615 for the amended version.)*

1F4 AMENDED

121615 Ordinance

Joe A. Martinez

ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO REGULATION OF FOR-HIRE LIMOUSINES; AMENDING VEHICLE AGE REQUIREMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 120864)

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

Mover: Heyman

Seconder: Barreiro

Vote: 5-0

Absent: Moss

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with this ordinance, and the following persons appeared:

1) Mr. Freddy Castro, 8979 SW 40 Street, owner of Signature Limousines, appeared in support and submitted to the Clerk for the record, copies of a study entitled "Vehicle Age Requirements for Limousines and Luxury Sedan Vehicles."

Referring to a question which Commissioner Souto asked at a previous RTC meeting, he informed the commissioners that the Sergeant-at-Arms used vehicles from 2006 to transport dignitaries. He noted the limousine industry was in a precarious financial situation, and the vehicles were inspected by the County every three months. He requested that the Committee consider extending the age requirement for these vehicles two more years.

2) Mr. Robert Lopez, owner of Majestic Limos, appeared in support of extending the age requirements for limousine/sedans two more years. He noted the Lincoln Town Cars were no longer manufactured, but those in service functioned like work horses, were well-maintained and inspected regularly by the industry, and could operate more years.

Chairman Barreiro closed the public hearing after no other persons appeared wishing to speak.

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

In response to Commissioner Heyman's inquiry as to whether the Limousine Association had

discussed this ordinance with the industry, Deputy Director Goderich, RER, noted the issue was discussed by the Limousine Advisory Group at their April 24, 2012 meeting. He indicated that some limousine operators supported the amendment, while some limousine owners and drivers voiced their concerns about it, and some taxicab drivers opposed it; thus, the positions were split across the industry. He said that members of the hospitality industry had raised concerns in the past about extending the age requirements of vehicles for hire.

Mr. Joseph Mora, Division Director, Passenger Transportation Regulatory, RER, noted the Greater Miami Convention and Visitors Bureau (GMCVB) had always been opposed to extending the age requirements of vehicles for hire, and took the position that Miami-Dade County was a world class destination; thus, they wanted all vehicles for hire in service to be world class vehicles and opposed this ordinance.

Commissioner Heyman acknowledged that this ordinance posed an economic dilemma. She asked if the Department followed through with the inspections of vehicles for hire and removed those vehicles from service that failed the inspections.

Mr. Goderich replied that was correct, adding that if a vehicle failed the inspection, it was taken off the road.

Commissioner Heyman expressed disappointment in the industry representatives who failed to appear at today's public hearing to voice their position. She noted the County aims to promote tourism, and she believed that the patrons of five-star venues should not have to ride in vehicles-for-hire that were 8 years or older or below the industry standards. However, she said she would support this ordinance despite her concerns and rely on the Department's judgment to remove vehicles for hire from service that failed the inspections or did not meet the industry standards.

In response to Chairman Barreiro's inquiry, Mr. Goderich confirmed that the inspections included checking the appearance/aesthetics of the vehicles.

Responding to Chairman Barreiro's inquiry as to whether the foregoing proposal to extend the age requirements would sunset or be a permanent extension, Mr. Goderich noted the extension was permanent.

Commissioner Edmonson pointed out that most of the vehicle age requirement extensions were granted on a temporary basis, until the economy improved. She said that she had always voiced concerns about the appearance/aesthetics of limousines and taxicabs in service throughout the County, and had emphasized that they should meet the nationwide industry standards. She asked if the GMCVB was also opposed to extending the vehicle age requirements for taxicabs.

Mr. Goderich replied that the GMCVB was opposed to extending the current age requirements for all vehicles-for-hire in both the limousine and taxicab industries.

Following Mr. Goderich's reply, it was moved by Commissioner Edmonson that the foregoing proposed ordinance be amended to extend the vehicle age requirements of limousines for hire one additional year, on a temporary basis. This motion was seconded by Commissioner Heyman, followed by a discussion.

In response to Chairman Barreiro's inquiry as to whether the proposed amendment was comparable to the extensions previously granted for the taxicab industry, Mr. Goderich noted it was similar to the extension proposed in today's Agenda Item 1F5. He also indicated that temporary one-year extensions had been granted in the past for both the limousine and taxicab industries.

Commissioner Edmonson explained that her intent was to extend the age requirement one year, on a temporary basis, and revisit the issue after one year to see if another extension was needed.

Mr. Libhaber clarified Commissioner Edmonson's proposed amendment was to remove any references to the extension being permanent, and extend the age requirement an additional year for limousines in service, scheduled to be retired this year.

Commissioner Souto noted he agreed that the vehicle age requirements should be reviewed periodically, but it seemed to him that a well-maintained limousine could continue to function for awhile and serve this industry well. He noted many cities used older vehicle models to transport visitors, and pointed out that the average age of most planes landing at MIA was 20 to 30 years

old. He said that a double standard should not exist for the two industries.

In response to Commissioner Edmonson's question regarding what the average age requirements were for vehicles-for-hire in other municipalities and jurisdictions, Mr. Goderich noted it varied by jurisdiction and some cities had no limitation, but for those that did, the average age was six to seven years for limousines.

Pursuant to Commissioner Edmonson's query regarding what was currently required by the County's Code for age limitations of both limousine and taxicab vehicles, Mr. Mora noted, currently, the Code required that the vehicle age limitation be five years for luxury sedans and stretch limousines, seven years for super-stretch limousines, and eight years for taxicabs.

Responding to Commissioner Edmonson's inquiry regarding what the average age was of taxicabs in service in cities nationwide, Mr. Mora noted New York City required that a new vehicle be put in service and that it be retired after three to five years.

Commissioner Edmonson pointed out that if the age requirement was extended on a permanent basis, the age of the vehicles for hire would continue to increase. She asked Mr. Mora and Mr. Goderich for their recommendations on this matter.

Mr. Goderich noted this was a policy matter, which depended on whether the Commission would be comfortable with keeping older vehicles in service. He indicated that the opinions on this issue were split across the nation, and the hospitality industry considered it from an aesthetics point of view, and opposed any extensions of age requirements for vehicles for hire. However, he noted all vehicles for hire were required to pass inspections, regardless of age.

Commissioner Edmonson withdrew her foregoing motion to amend the ordinance.

Commissioner Heyman moved to amend the ordinance as previously stated by Commissioner Edmonson, and Chairman Barreiro seconded the motion.

Hearing no objections, the Committee forwarded the foregoing proposed ordinance to the County

Commission with a favorable recommendation, with committee amendments to eliminate any references to a permanent change in the age limit requirements for all for-hire limousines and to allow for a one-year extension on the limousines scheduled to be retired on December 31, 2012.

1F5

121045 Ordinance

Jean Monestime,

Joe A. Martinez, Audrey M. Edmonson
 ORDINANCE RELATING TO VEHICLES FOR HIRE;
 AMENDING CHAPTER 31 OF THE CODE OF MIAMI-
 DADE COUNTY, FLORIDA, TO PROVIDE THAT
 TAXICABS SCHEDULED FOR RETIREMENT ON
 DECEMBER 31, 2012 SHALL BE ALLOWED TO BE
 OPERATED FOR AN ADDITIONAL ONE-YEAR PERIOD;
 PROVIDING SEVERABILITY, INCLUSION IN THE CODE
 AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable
 recommendation*

Mover: Edmonson

Secunder: Souto

Vote: 3-1

No: Heyman

Absent: Moss, Suarez

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

*Chairman Barreiro opened the public hearing for
 persons wishing to speak in connection with this
 ordinance, and the following persons appeared:*

- 1) Mr. Raymond Francois, 11917 NE 16 Ave,
 appeared in support and noted the economy was
 bad, and business was slow for the taxicab
 drivers.*
- 2) Mr. Dawood Akhtar, 1735 NE 142 St,
 appeared in support of the proposed one-year
 extension on the vehicle age limitations.*
- 3) Mr. Jorge Cortes, 6885 W. 2nd Court, Hialeah,
 appeared in support of the one-year extension and
 deplored the fact that taxicab drivers were not
 represented by the Taxicab Advisory Group.*
- 4) Mr. Mohamed Khan, 13701 SW 90 Ave, Apt
 #L214, appeared in support of this ordinance and
 suggested that it be amended to raise the age limit
 of taxicabs.*

*Chairman Barreiro closed the public hearing after
 no other persons appeared wishing to speak.*

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

*Commissioner Heyman noted she previously heard
 that the vehicle age requirements for taxicabs
 were extended one year at a time, and asked staff
 to explain those time frames.*

*Mr. Mora noted each time an extension was
 granted, older for-hire vehicles, due to retire, were
 allowed to remain in service one additional year.
 He explained that older taxicabs are retired on
 December 31st of each year, and newer vehicles
 are placed into service the following January.*

Commissioner Heyman asked if it was true that 8 year-old taxicabs, due to retire in 2010, received a one-year extension in 2010, another one in 2011 and were now 10 years old and due to retire in 2012, but the drivers requested another extension to allow them to remain in service one more year.

Mr. Mora noted that was correct.

Commissioner Heyman noted she supported the past two extensions, but would not support another extension on a ten-year old vehicle for-hire. She expressed concerns regarding tourists/passengers being picked up at nice venues or at the airport by a sub-standard vehicle, even if it operated fine mechanically, especially since the County was trying to encourage people to support this industry. She said she believed that vehicles for hire in this community should be retired from service after ten years, and that the medallion owners should provide drivers with newer vehicles in order to attract better business.

Commissioner Souto reiterated that it was fundamental and crucial for the County to have a stringent inspection process in place to guarantee the vehicles for hire were decent and safe, and that the inspections should include inspecting the mechanics as well as the aesthetics of the vehicle.

Commissioner Edmonson said that she would support another one-year extension on the vehicle age requirements until the economy improved, and would co-sponsor this ordinance, but her position remained the same regarding the appearance/aesthetics of older for hire vehicles still in service.

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

1F6

121302 Resolution

Sally A. Heyman

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT RAIL AND BUS SERVICE ADJUSTMENTS TO BE IMPLEMENTED ON OR ABOUT JULY 22, 2012 (Miami-Dade Transit)

Amended

Report: (See Agenda Item 1F6 Amended; Legislative File No. 121463 for the amended version.)

1F6 AMENDED

121463 Resolution Sally A. Heyman

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT RAIL AND BUS SERVICE ADJUSTMENTS TO BE IMPLEMENTED ON OR ABOUT JULY 22, 2012 [SEE ORIGINAL VERSION UNDER FILE NO. 121302] (Miami-Dade Transit)

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

Mover: Heyman

Seconder: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with this resolution, and the following person appeared:

1) Mr. Gary Price, 6748 NW 193 lane, Miami, appeared in support of the proposed changes to the Metrobus/Metrorail line ups, scheduled to be implemented on July 22 and 28, and said that he would like to see the Tri-Rail extended to the airport. He requested more information on all north/south bound bus routes, except Route 133; and more information on the South Dade Busway bus routes, Route 150 airport flyer, Route 99, and Route 238, which no longer stopped at the Earlington Heights station. He questioned the proposed change to discontinue Saturday services of the North Pointe Circular Route 286.

Chairman Barreiro closed the public hearing after no other persons appeared wishing to speak.

Commissioner Suarez noted he would vote "No" on this resolution until he was satisfied that the services reduced in certain areas would be restored.

Commissioner Souto expressed concern that residents, specifically in the Kendall, Westchester and Fountainebleau areas of Commissioner District 10, who depend on public transportation, did not have equal access to transit services as other County residents did to attend the Adrian Arsht Center and other cultural venues countywide. He noted these citizens paid taxes, were a large voting population, and entitled to attend cultural events by way of transit services. He asked the Administration to review this issue carefully and conduct a feasibility study on how to make public transportation services accessible to all Miami-Dade County citizens.

Chairman Barreiro noted he concurred with Commissioner Souto's concerns, which were valid. However, he pointed out that although the residents of District 5 lived closer and had better access to the Adrian Arsht Center, they were unable to attend the events due to the prohibitive admission prices.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing resolution and forwarded it to the County Commission with a favorable recommendation, with a committee amendment to delete the proposal to discontinue service on the North Pointe Circular Route 286 on Saturdays, listed on handwritten page 2.

At the request of Deputy Mayor/County Manager Alina Hudak, Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that the Board of County Commissioners' Chairman Joe A. Martinez waive the Board's rules and allow the foregoing proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

1F7

121338 Resolution

RESOLUTION APPROVING APPLICATION FOR THREE (3) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO MIRACLE TRANSPORTATION SERVICE, LLC TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Regulatory and Economic Resources)

*Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Suarez
Vote: 5-0
Absent: Moss*

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

Chairman Barreiro opened the public hearing for persons wishing to speak in connection with this resolution. He closed the public hearing after no one appeared wishing to speak.

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

2 COUNTY COMMISSION

DRAFT

2A

121304 Resolution Bruno A. Barreiro

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE UP TO 180 TRANSIT PASSES PER MONTH FOR ONE YEAR TO CITY YEAR TO BE DISTRIBUTED TO ITS VOLUNTEERS SERVING WITHIN MIAMI-DADE COUNTY IN EXCHANGE FOR NO LESS THAN 3,700 HOURS OF VOLUNTEER SERVICES IN FURTHERANCE OF BEAUTIFICATION OR OTHER RELATED SERVICES AT OR NEAR TRANSIT FACILITIES

Amended

Report: *(See Agenda Item 2A Amended; Legislative File No. 121583 for the amended version.)*

2A AMENDED

121583 Resolution Bruno A. Barreiro

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE UP TO 185 TRANSIT PASSES PER MONTH FOR ONE YEAR TO CITY YEAR TO BE DISTRIBUTED TO ITS VOLUNTEERS SERVING WITHIN MIAMI-DADE COUNTY IN EXCHANGE FOR NO LESS THAN 3803 HOURS OF VOLUNTEER SERVICES IN FURTHERANCE OF BEAUTIFICATION OR OTHER RELATED SERVICES AT OR NEAR TRANSIT FACILITIES (SEE ORIGINAL ITEM UNDER FILE NO. 121304)

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

Mover: Suarez

Seconded: Heyman

Vote: 5-0

Absent: Moss

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

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed resolution and forwarded it to the County Commission with a favorable recommendation with Committee amendments to revise the language in the title and body of this resolution to increase the number of transit passes provided to the City Year volunteers per month from 180 to 185, and to increase the number of volunteer service hours from 3,700 to 3,803.

3 DEPARTMENTS

3A

121220 Resolution

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE LEASE AND CONCESSION AGREEMENT FOR THE LUGGAGE CART CONCESSION PROGRAM AT MIAMI INTERNATIONAL AIRPORT BETWEEN SMARTE CARTE, INC. AND MIAMI-DADE COUNTY; REQUIRING THE DESIGN AND PROVISION OF LUGGAGE CARTS WITH BRAKES; EXTENDING THE CONTRACT TIME BY FIVE YEARS WITH ONE TWO-YEAR EXTENSION; WAIVING FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ATTACHED AMENDMENT AND ALL POWERS GRANTED THEREIN (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 5-0

Absent: Moss

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

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

3B

121256 Resolution

RESOLUTION AWARDED MANAGEMENT AGREEMENT FOR THE OPERATION OF THE HOTEL MIA AND RELATED AMENITIES AND FOOD AND BEVERAGE FACILITIES AT MIAMI INTERNATIONAL AIRPORT TO TB MIA LLC, FOR A TERM OF TEN YEARS, INCLUSIVE OF OPTIONS TO RENEW, AND IN THE MAXIMUM AMOUNT OF \$5,750,000 IN MANAGEMENT FEES; WAIVING COMPETITIVE PROCEDURES PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE AND SECTION 5.03(D) OF THE MIAMI-DADE COUNTY HOME RULE CHARTER; WAIVING RESOLUTION R-1587-72; FINDING SUCH WAIVERS TO BE IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE SUCH AGREEMENT TO AND ENFORCE ALL TERMS THEREOF, INCLUSIVE OF EXTENSION PERIODS (Aviation Department)

Tabled

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

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

Although the foregoing proposed resolution did not require a public hearing today, Chairman Barreiro allowed the following persons to speak on this item:

1) Mr. Miguel DeGrandy, Attorney representing Hotels International, Inc. (HI), appeared to discuss the procurement process used for this contract, which he believed, was contrary to law and public policy. He explained that the material deviations in this process resulted in the item being presented as a bid waiver. He said that during the pre-bid conference, his client asked whether the healthcare insurance costs-general, liability and workman's compensation-would be reimbursed or could they be included in the fee to bid; and was told by County staff that these costs should be included in the management fee. Mr. DeGrandy noted because this was a ten-year contract and factors were unknown about future healthcare, his client relied in good faith on staff's response and did not tender a bid; however, the other proposing company bid a management fee

and was permitted to put forth the healthcare items as a reimbursable, even though the County Attorneys instructed the Negotiating Committee members that proceeding this way would be a material deviation. In addition, the Negotiating Committee members agreed to consider the healthcare costs as a reimbursable; negotiated terms with the bidder to split the costs; and allowed the bidder to raise his bid price by \$50,000 to pay for half the costs, which was unprecedented, Mr. DeGrandy noted.

Mr. DeGrandy indicated that the issue was not whether the other proposing company was qualified, but rather the integrity of the procurement process, especially since his client inquired about the bid specifications in the beginning of the process, and the other bidder was permitted to break the rules at the end of the process. Mr. DeGrandy questioned why only two bidders participated in this RFP, given the current economy. He noted had the healthcare items been included in the bid specifications, the County might have attracted more bidders and received a better offer. Mr. DeGrandy advised that if the County was unhappy with the recommended company, it could re-bid the contract in a manner that did not appear to show favoritism or compromise the procurement process.

2) Mr. Alex Heckler, 801 Godfrey Road, Attorney representing Turnberry Miami, LLC (TB MIA), appeared in support of the proposed resolution, accompanied by his clients: Scott Rohm, President of Turnberry Hotel Group (THG), Bill Gorman, Regional Director of THG, Jacqueline and Jeffery Soffer, owners/managing partners of TB MIA, the Fountainebleau Hotel of Miami Beach and other hotels in Miami. Mr. Heckler explained that bid waivers were used when an issue occurred in the procurement process, and moving the contract forward was in the best interest of the County. He noted only two companies responded to this RFP, and both submitted documents for general liability health insurance for one employee, the General Manager, but his client was unclear how to list the employees and inadvertently submitted an improper document. This error was not realized until the negotiations, Mr. Heckler noted.

Mr. Heckler acknowledged that the County could re-bid this contract, but noted it could also do a bid waiver. He suggested that a bid waiver was appropriate for the following reasons: 1) the incumbent company was under investigation for its

employees allegedly stealing from MIA, and Miami Dade Aviation Department (MDAD) no longer wanted to do business with it; 2) the County had not received bids for this contract in the past six years, which resulted in carrying the current contract with HI forward on a month-to-month basis; 3) the Administration would like to move forward with the recommended company, which was good and had no prior issues with MIA; and 4) the incumbent company did not bid, and should be judged based on its lack of credibility. Mr. Heckler noted the argument made by Mr. DeGrandy as to why his client did not bid on this contract was invalid. He suggested the reason the company did not bid was because of the ongoing investigation and that it might not have been recommended by the Selection Committee members since four of them were MDAD employees. A bid waiver was recommended for these reasons, Mr. Heckler concluded.

3) Mr. Scott Rohm, President of THG, noted Mr. DeGrandy's argument that the incumbent company did not bid because it was informed that the healthcare insurance costs should be included in the fee was highly unlikely. He pointed out that regardless of whether the County or the management company picked up the costs of health care insurance, the County did not set a price ceiling; therefore, any company could have bid a price high enough to cover the healthcare costs. He suggested that the incumbent company chose not to bid for the reasons stated by Mr. Heckler.

4) Mr. Jose Abreu, Director, MDAD, appeared before the Committee and noted he agreed with Mr. DeGrandy that the procurement process was flawed; however, the Aviation Department's staff answered the applicants' questions at the pre-bid conference and thought the bid specifications were clear. He suggested the Commissioners look beyond the integrity of the process and consider that it would take at least six months to re-bid this contract and, consequently, the Department would have to continue the current contract with HI on a month-to-month basis. He noted the Administration had lost all confidence in HI whose top employees were arrested for allegedly billing fraudulently and escorted out of the airport. He added that the Audit and Management Services Department was about to begin another investigation on HI and its billing practices with regard to workman's compensation; in addition, another employee from the Personnel Department

was arrested last July 2011 for allegedly stealing \$100,000. Mr. Abreu said that even though he understood one was innocent until guilty and the investigation was now completed and in the hands of the Attorney General, he was uncomfortable with HI managing the Hotel MIA due to these allegations, and would never recommend this company again.

Commissioner Heyman pointed out that this hotel had operated on a month-to-month basis for years, noting it was not the first time that RFPs failed or a procurement process was flawed; however, no one had really addressed the industry standards, operations, and financial obligations that were needed to make the RFP legitimate. She said that she was delighted to hear that TB MIA (Turnberry) was recommended for award of this contract given its success in this industry, with such fine hotels as Turnberry Isles of Aventura, the Fountainebleau Hotel of Miami Beach and five star hotels in Las Vegas. Commissioner Heyman said that she was hopeful the County had learned from its past mistakes in prior procurement processes. She expressed concern that hotel consultants were not brought in to review the legitimacy of the RFP prior to bid submission, instead of examining the procurement process after the bids were submitted, as this would have benefited the decision-makers. She asked if it was true that the proposing companies sought tangible information regarding the RFP, which was not provided until after the bids were submitted.

Assistant County Attorney David Murray noted he believed a third addendum was provided after the bids were submitted.

In response to Commissioner Heyman's question, Assistant County Attorney Murray confirmed that all concerned parties in this RFP process received this addendum, and it was made public.

Commissioner Heyman suggested the reason the County was not getting enough legitimate companies to do business with it was because proposing companies were not receiving answers to their questions on RFPs prior to bid submission. She noted the County Attorneys confirmed that TB MIA's proposal was non-compliant with the terms of the RFP and that accommodating the changes requested by the proposing company would require making post-submission changes to the RFP. She asked whether non-compliance was synonymous with not

meeting the terms of the RFP.

Assistant County Attorney Murray noted at that point in the process, it was determined that the proposal was non-compliant, and the Negotiating Committee could either reject the bid or request a bid waiver, and the Committee chose to request a bid waiver.

In response to Commissioner Heyman's question regarding whether the Negotiating Committee re-wrote the terms of the RFP specifically for Turnberry, Assistant County Attorney Murray noted the Committee negotiated directly with Turnberry and recommended a bid waiver for this contract.

Commissioner Heyman noted as much as she liked Turnberry, she believed that changing the rules and procurement policy and negotiating with a non-compliant company to expedite a contract and clean up a disastrous situation at MIA was bad policy and set a terrible precedent. She added that it was embarrassing, especially when the County hired professionals who were familiar with the industry standards to create RFPs, and could consult with the experts prior to advertising the RFP. She said that she would not support a bid waiver, and would like to see the Department adhere to the PKF Hotel Consultants' report.

Mr. Abreu noted he agreed substantially with Commissioner Heyman's comments; however, his intent was to provide the Commission with a choice, given the situation at MIA; and one choice the Commission could consider was a bid waiver. He indicated that management agreements were very different from concession agreements and hard to deal with, and only a few existed at the airport. Mr. Abreu said he would support whatever this Committee decided.

In response to Commissioner Edmonson's question regarding whether Turnberry was technically deemed to be non-responsive, Assistant County Attorney Murray noted the Selection Committee could not have recommended this company with the conditions that Turnberry was seeking; thus, the proposal was deemed non-responsive.

Commissioner Edmonson noted she agreed that the issue was not the qualifications of the company, but rather the integrity of the procurement process. She said she understood

Mr. Abreu's position concerning HI, and heard that the recommended company (Turnberry) was excellent. However, she emphasized that the Commission governs the procurement process and could not continue making exceptions or waiving the bid requirements. She said she preferred to adhere to the rules, and not set a new precedent in a process that apparently was flawed. Commissioner Edmonson noted she agreed with Commissioner Heyman that the consultants should have reviewed the RFP before it went out. She commended Turnberry's representatives for being candid about their inability to meet certain conditions of the RFP; however, she did not want to risk a law suit by eliminating competition. She said that at the proper time, she would put forth a motion to reject the recommendation for a bid waiver and to re-bid the contract.

Commissioner Suarez noted the flawed process had placed the Commission in a quandary because it had the discretion as a governing body to waive the competitive bid requirements under the right conditions, but could not be subjective in the bidding process. However, he said he would love to see TB MIA, which was backed by Turnberry, run the Hotel MIA, and pointed out that members of the Commission had not seen the Inspector General's report yet. He asked the County Attorney to provide him with clarification regarding a legal opinion to which Mr. DeGrandy referred to, indicating that this procurement process was flawed, and inquired if it was put in writing.

Assistant County Attorney Murray noted he believed that Mr. DeGrandy was referring to a question posed by the Negotiating Committee to the County Attorneys as to whether the Committee could negotiate a change in the terms of the contract regarding medical insurance. He said that TB MIA believed it had complied with the bid requirements, and sought to alter its bid price to reflect the RFP requirements, after submitting its bid. He advised that the Committee could not re-negotiate the terms of the contract because that would be a material deviation; however, the Committee could recommend a bid waiver and award the contract outside of the procurement process. Mr. Murray noted this was a discretionary, permissible process that would be legally sustainable, if challenged.

Commissioner Suarez asked if the contract could be changed to a concession agreement which

considered revenues only, based on percentage of gross, as opposed to a management agreement, which considered costs and employees. He said that he did not want to rule out Turnberry, and would support the Administration's recommendation; however, due to the deficiencies in this process, he did not want to risk a law suit. He suggested having a temporary two-year concession agreement instead of a ten-year management agreement.

Chairman Barreiro noted he believed the procurement process was flawed based on the way it was handled. He also noted this was an open government process, which should be followed; therefore, he would not support the proposed resolution. He said he had expressed concern before with regard to tying the County to a long-term hotel contract at the airport. He noted he would support waiving the procurement process to re-bid the contract expeditiously, and he had no issues with TB MIA based on Turnberry's reputation and success with Fountainebleau Hotel on Miami Beach. Chairman Barreiro questioned why only two companies bid in this process; however, he said that he did not fault the Administration, which was in a quandary and could not comment on the pending investigation.

Commissioner Souto noted this item was sensitive and required great care and consideration by the Board, which should not rush its decision. He pointed out that Hotel MIA and the airport were great assets for the County, and people should be as excited about it as they were about proposed casinos. He said that tourism was the County's future, and it was crucial that the County maintain a clean image and try harder to keep its procurement processes transparent.

Hearing no further discussion, it was moved by Commissioner Edmonson that the Mayor's recommendation be rejected, that a new Request for Proposals be developed, and that the contract be re-bid within 90 days. This motion was seconded by Commissioner Heyman and upon being put to a vote, passed by a vote of 4-1; (Commissioner Suarez voted "No"); (Commissioner Moss was absent).

Later in the meeting, it was moved by Commissioner Edmonson that all bids be rejected, that a new Request for Proposals be developed, and that the contract be re-bid within 90 days. This motion was seconded by Commissioner

Heyman and upon being put to a vote, passed by a vote of 4-0; (Commissioners Moss and Suarez were absent).

Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that Board of County Commissioners' Chairman Joe A. Martinez waive the Board's rules and allow the proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

3C

121343 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CYLINDER SHOP INC., FOR CONSTRUCTION OF A STORAGE HANGAR, RAMP, OFFICE SPACE, AND RELATED FACILITIES AT OPA-LOCKA AIRPORT AT A COST OF NOT LESS THAN \$750,000; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE AND ENFORCE THE TERMS OF SUCH AGREEMENT ON BEHALF OF MIAMI-DADE COUNTY (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconded: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

At the request of Commissioner Souto, Mr. Gregg Owens, Miami-Dade Aviation Department, appeared before the Committee and provided an overview on the status of the Opa-Locka Airport. He noted the following regarding three major development leaseholds, which currently exist at this airport:

1) AA Acquisitions – the largest of the leasehold developers – has completed renovations of an aircraft hangar, and recently met with aviation staff to share future plans for development of additional hangars and a Fixed-Based Operator (FBO) on site.

2) Ava Aviations Development – the second largest of the leasehold developers and located on the west side of the airport - has developed three facilities, approximately 600,000 square feet in size, and was in the process of developing a service station and out-parcels on NW 57th Avenue.

3) The Meek Foundation – the smallest of the leaseholders – has contracted with CB Richard Ellis for assistance in securing a developer to develop a site that the Foundation owned at the airport.

Mr. Owens noted much activity was occurring at the Opa-Locka airport, and the leaseholders were performing well. He explained that the leases before the Committee today were for individual tenants to develop at the airport and indicated that over \$100 million in private dollars had been invested into this airport within the past seven years.

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

Assistant County Attorney Libhaber noted the Administration requested that this resolution be waived to the next BCC meeting.

Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that Board of County Commissioners' Chairman Joe A. Martinez waive the Board's rules and allow the proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

3D

121344 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT (OPF); APPROVING SECOND AMENDMENT TO THE DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MIAMI EXECUTIVE AVIATION (MEA) SO AS TO ADD TO THE PREMISES 37,414 SQUARE FEET OF LAND; AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE SUCH SECOND AMENDMENT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

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

Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that Board of County Commissioners' Chairman Joe A. Martinez waive the Board's rules and allow the proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

DRAFT

3E

121346 Resolution

RESOLUTION AWARDING MANAGEMENT AGREEMENT FOR THE OPERATION OF PRIVATE LOUNGES AT MIAMI INTERNATIONAL AIRPORT TO GIDEON TOAL MANAGEMENT SERVICES LLC FOR A TERM OF TEN YEARS, INCLUSIVE OF OPTIONS TO RENEW, AND IN THE MAXIMUM AMOUNT OF \$2,196,000 IN MANAGEMENT FEES; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXERCISE SUCH AGREEMENT TO AND ENFORCE ALL TERMS THEREOF, INCLUSIVE OF EXTENSION PERIODS (Aviation Department)

*Withdrawn**Mover: Heyman**Seconder: Edmonson**Vote: 5-0**Absent: Moss*

Report: *During consideration of changes to today's (7/9) agenda, the foregoing proposed resolution was withdrawn, pursuant to Rule 4.01(j) (2).*

3F

121229 Resolution

RESOLUTION AWARDING CONTRACT IQ9588-0/12, ENGINE FLUSH SYSTEMS, TO BIKO ENGINEERING SERVICE, INC. IN A TOTAL AMOUNT OF UP TO \$25,000; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MODIFY THE CONTRACT, EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND ANY OTHER RIGHTS CONTAINED THEREIN, IN ACCORDANCE WITH THE TERMS OF THE CONTRACT, ON BEHALF OF MIAMI-DADE COUNTY, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Miami-Dade Transit)

*Forwarded to BCC with a favorable recommendation**Mover: Heyman**Seconder: Edmonson**Vote: 4-0**Absent: Moss, Suarez*

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

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

3G

121288 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF MIAMI LAKES FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICE; AND AUTHORIZING THE COUNTY MAYOR, COUNTY MAYOR'S DESIGNEE, OR MIAMI-DADE TRANSIT DIRECTOR TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Miami-Dade Transit)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

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

Deputy Mayor Alina Hudak noted the City of Miami Lakes officials requested that this resolution be waived to the next BCC meeting.

Chairman Barreiro asked staff to prepare the appropriate memorandum requesting that Board of County Commissioners' Chairman Joe A. Martinez waive the Board's rules and allow the proposed resolution to be forwarded for consideration at the July 17, 2012 County Commission meeting.

3H

121289 Resolution

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF A TRANSPORTATION DISADVANTAGED TRUST FUND TRIP AND EQUIPMENT GRANT APPLICATION AND AGREEMENT WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED IN THE AMOUNT OF \$7,633,181; AUTHORIZING EXPENDITURE OF LOCAL MATCHING FUNDS IN THE AMOUNT OF \$848,131; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS; AUTHORIZING THE FILING AND EXECUTION OF ANY ADDITIONAL AGREEMENTS, REVISIONS OR AMENDMENTS AS REQUIRED TO CARRY OUT THE PROJECTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

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

3I

121300 Resolution

RESOLUTION RATIFYING AN AGREEMENT WITH THE CITY OF HIALEAH FOR THE SALE AND TRANSFER OF OWNERSHIP OF FAREBOX COMPONENTS FROM MIAMI-DADE COUNTY IN THE AMOUNT OF \$14,884.00, PURSUANT TO SECTIONS 2-9 AND 2-10 OF THE CODE OF MIAMI-DADE COUNTY (Miami-Dade Transit)

Forwarded to BCC with a favorable recommendation

Mover: Souto

Seconder: Heyman

Vote: 4-0

Absent: Moss, Suarez

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

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

3J

121150 Resolution Jean Monestime

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 17 FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT APPRAISED VALUE OR BY EMINENT DOMAIN PROCEEDINGS; RESCINDING RESOLUTION R-705-09; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Second: Souto

Vote: 4-0

Absent: Moss, Suarez

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

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

3K

121151 Resolution Jean Monestime

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 15 FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT APPRAISED VALUE OR BY EMINENT DOMAIN PROCEEDINGS; RESCINDING RESOLUTION R-703-09; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Second: Souto

Vote: 4-0

Absent: Moss, Suarez

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

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

3L

121152 Resolution

Jean Monestime

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL 19 FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT APPRAISED VALUE OR BY EMINENT DOMAIN PROCEEDINGS; RESCINDING RESOLUTION R-707-09; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation as corrected

Mover: Heyman

Seconder: Souto

Vote: 4-0

Absent: Moss, Suarez

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

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

Note: During consideration of the changes to today's (7/9) agenda, a scrivener's error in the title of the resolution noted on page 4 was corrected to read: R-707-09, as outlined in the Chairman Martinez' memorandum of requested changes.

3M

121154 Resolution Jean Monestime

RESOLUTION RESCINDING RESOLUTIONS R-692-09, R-693-09, R-694-09, R-698-09 AND R-699-09 DATED JUNE 2, 2009, ELIMINATING THE ACQUISITION OF DESIGNATED PARCELS 4, 5, 6, 10 AND 11. (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Souto

Seconder: Heyman

Vote: 4-0

Absent: Moss, Suarez

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

Commissioner Souto noted he received an urgent request to have a cross light installed on SW 107th Avenue so citizens could cross the road safely to the Kendall Indian Hammocks Park. He asked Deputy Mayor Alina Hudak to explore the possibility of having a pedestrian crosswalk/traffic light installed at the entrance of Kendall Indian Hammocks Park on SW 107th Avenue and 79th Street.

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

3N

121351 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$580,494.91 TO AGC ELECTRIC, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED TRAFFIC SIGNAL INTERSECTIONS (PROJECT MCC 7360 PLAN - CICC 7360-0/08, REQUEST FOR PRICE QUOTATION NO. 20120028) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 4-0

Absent: Moss, Suarez

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

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

4 COUNTY ATTORNEY

5 CLERK OF THE BOARD

5A

121334 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE MARCH 29, 2012 REGIONAL TRANSPORTATION COMMITTEE SPECIAL WORKSHOP MEETING (Clerk of the Board)

Approved
Mover: Heyman
Seconder: Souto
Vote: 4-0
Absent: Moss, Suarez

6 REPORTS

6A

121254 Report

MONTHLY REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE MIAMI INTERMODAL CENTER (Mayor)

Report Received
Mover: Heyman
Seconder: Edmonson
Vote: 4-0
Absent: Moss, Suarez

6B

121356 Report

QUARTERLY REPORT: OPA-LOCKA EXECUTIVE AIRPORT AUDIT UPDATE (Mayor)

Report Received
Mover: Heyman
Seconder: Edmonson
Vote: 4-0
Absent: Moss, Suarez

6C

121417 Report

COMMISSION DIRECTIVE RELATING TO THE LIMOUSINE AND TAXICAB ADVISORY GROUPS (Mayor)

Report Received
Mover: Heyman
Seconder: Edmonson
Vote: 4-0
Absent: Moss, Suarez

121762 Report
NON-AGENDA ITEMS

Report: *Commissioner Souto noted the Port of Miami depended heavily on the Panama Canal as a passageway for moving ships between the Atlantic and Pacific Oceans. He expressed concern that the Canal was vulnerable; that it could easily be targeted by terrorists and any catastrophic event there could impact the Port of Miami and County business tremendously. He suggested that the County identify an alternate route or passageway and develop agreements with other countries for this purpose, especially since Asian countries continue to invest here in Miami*

Chairman Barreiro noted the concerns raised by Commissioner Souto were valid; however, issues concerning the Sea Port of Miami should be presented before the Economic Development and Social Services Committee, which had jurisdiction over these matters.

7 ADJOURNMENT

Report: *There being no further business to come before the Regional Transportation Committee, the meeting adjourned at 12:45 p.m.*