



MEMORANDUM
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IMFR
Agenda Item No. 6A

TO: Honorable Chairwoman Lynda Bell
and Members, Internal Management and
Fiscal Responsibility Committee

DATE: October 16, 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 Internal Management and Fiscal Responsibility Committee:

June 12, 2012

CA/jt
Attachment



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Internal Management and Fiscal Responsibility
Committee (IMFRC)**

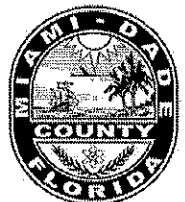
Board of County Commissioners
Stephen P. Clark Government Center
Commission Chambers
111 N.W. First Street
Miami, Florida 33128

June 12, 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

Internal Mgmt. & Fiscal Responsibility Committee

Lynda Bell (8) Chair; Esteban L. Bovo, Jr. (13) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Audrey M. Edmonson (3), Barbara J. Jordan (1), and Xavier L. Suarez (7)

Tuesday, June 12, 2012

2:00 PM

Commission Chambers

Members Present: Lynda Bell, Audrey M. Edmonson, Barbara J. Jordan, Xavier L. Suarez.

Members Absent: None.

Members Late: Esteban L. Bovo, Jr. 2:18:00 PM, Jose "Pepe" Diaz 2:22:00 PM.

Members Excused: None.

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 Edward Marquez; Assistant County Attorneys Jess McCarty, Geri Bonzon-Keenan, Monica Rizo, Juliette Antoine, David Hope and Terrence Smith; Budget Director Jennifer Glazer-Moon, Office of Management and Budget; and Deputy Clerks Jovel Shaw and Jill Thornton.*

Assistant County Attorney Jess McCarty noted, in addition to the changes listed in Board of County Commissioners Chairman Martinez' June 12, 2012 memorandum entitled, "Requested Changes to the Internal Management & Fiscal Responsibility Committee Agenda", Commissioner Sosa requested that Agenda Item 2M be deferred to the July 10, 2012 IMFRC meeting, and Commissioner Souto requested that Agenda Item 2N be withdrawn.

It was moved by Commissioner Edmonson that today's (6/12) Internal Management and Fiscal Responsibility Committee agenda be approved, along with the change listed in the memorandum of changes and those noted by Assistant County Attorney McCarty. This motion was seconded by Commissioner Suarez, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Souto and Bovo were absent).

1D SPECIAL PRESENTATIONS

1D1

121111 Service Awards Joe A. Martinez
PRESENTATION OF SERVICE AWARDS TO THE FOLLOWING EMPLOYEE(S): *Presented*
MICHELLE MCKNIGHT - INTERNAL SERVICES - 30 YRS

1E PUBLIC HEARING

1E1

120490 Ordinance**Lynda Bell,****Esteban L. Bovo, Jr., Rebeca Sosa**

ORDINANCE AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS THAT PERTAIN TO THE ANNUAL BUDGET; AMENDING SECTIONS 2-1793 THROUGH 2-1796 AND SECTIONS 2-1798 THROUGH 2-1800 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATED TO STRATEGIC AND BUSINESS PLANNING, THE DEVELOPMENT, REVIEW AND FORM OF THE COUNTY'S ANNUAL LINE ITEM BUDGET, MANAGERIAL ACCOUNTABILITY AND PERFORMANCE, PERFORMANCE BASED PROGRAM REVIEW, RESERVE FUNDS AND THE LINE ITEM BUDGET FORMAT; AMENDING RESOLUTION NO. R-96-05 RELATING TO QUARTERLY REPORTING OF LONG-TERM VACANT POSITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *(See Agenda Item 1E1 Amended; Legislative File No. 121314 for the amended version.)*

1E1 AMENDED

121314 Ordinance

Lynda Bell,

Esteban L. Bovo, Jr., Rebeca Sosa

ORDINANCE AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS THAT PERTAIN TO THE ANNUAL BUDGET; AMENDING SECTIONS 2-1793 THROUGH 2-1796 AND SECTIONS 2-1798 THROUGH 2-1800 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATED TO STRATEGIC AND BUSINESS PLANNING, THE DEVELOPMENT, REVIEW AND FORM OF THE COUNTY'S ANNUAL LINE ITEM BUDGET, MANAGERIAL ACCOUNTABILITY AND PERFORMANCE, PERFORMANCE BASED PROGRAM REVIEW, RESERVE FUNDS AND THE LINE ITEM BUDGET FORMAT; AMENDING RESOLUTION NO. R-96-05 RELATING TO QUARTERLY REPORTING OF LONG-TERM VACANT POSITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 120490]

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairwoman Bell relinquished the Chair to Commissioner Edmonson.

Commissioner Edmonson opened the public hearing, and called for persons wishing to speak in connection with the foregoing ordinance. The following persons appeared:

1. Mr. Fred Frost, Director, Jobs with Justice/Governmental Affairs, (address not provided), appeared before the Committee and requested that more public input be allowed at the inception of the budget process. He suggested changing language on handwritten page 5, under the heading 'Rule 9.01 Annual Budget' to read: "The budget prepared and recommended by the Mayor shall be presented by the Mayor on or before the Board conducts a public hearing to adopt tentative millage rates for the ensuing fiscal year," instead of: "...on or before the Board adopts tentative millage rates for the ensuing fiscal year."

Vice Chairwoman Edmonson closed the public hearing after no one else appeared wishing to speak.

Commissioner Bell resumed the Chair, and asked for clarification on the public hearing process for annual budgets.

Ms. Jennifer Glazer-Moon, Budget Director, Office of Management and Budget, noted Ordinance #11-45 required that six public hearings be held to discuss any proposed changes to the millage rate or taxes, prior to the Board adopting the annual budget. She pointed out that 14 public hearings were conducted last year, in addition to the two annual public budget hearings required by State law.

Chairwoman Bell explained that the intent of this ordinance was to allow committees of jurisdiction to actively participate in the annual budget development process and to have more oversight of County departments by requiring them to make line-item budget presentations before the respective committees. She noted it also provided for more public input and discussion at the committee level, reducing the time needed by the Committee of the Whole to discuss these issues at the annual budget hearings.

Commissioner Diaz proposed that a public hearing be conducted, prior to the Board setting the millage rate, for the purpose of hearing the priorities and proposals of Community-Based Organizations (CBOs).

In response to Commissioner Jordan's inquiry, Assistant County Attorney Geri Bonzon-Keenan confirmed that the Board set a ceiling on the millage rate in July, but a public hearing was not usually conducted at that time.

Commissioner Jordan said that it seemed the Board was intent on setting a ceiling on the millage rate in July to alert the public of potential tax decreases, especially during election years; however, she believed the Board should consider the needs of the community first. She pointed out that once a ceiling was set, the millage rate could not be adjusted upward, only downward. She acknowledged that the budget process provided for several public hearings to be conducted throughout the community; however, she pointed out that it would be preferable for the community to come before the County Commission, as community meetings were often attended poorly by the public. She said that she would not support this ordinance unless it was amended as proposed for the Board to conduct a public hearing, prior to

setting a ceiling on the millage rate.

Commissioner Suarez noted it seemed the intent of this ordinance was consistent with Mr. Frost's request. He advised that if anyone in the community would like to meet with him privately, they could schedule a meeting by sending him an email request at Joannep.miamidade.gov. He referred to an extensive budget analysis, which he performed and presented before the BCC last year, and said he would like to share it with Mr. Frost.

Commissioner Bovo commended Mayor Gimenez for opening up the budget process to the Commission and the public. He noted the Commissions' fiduciary responsibilities included being guardians of public dollars. He said that he disliked the current practice of having a large number of community members and CBOs coming before the Board to plead for funding. He added that he was opposed to continual layoffs of County employees to fund CBOs that, in some cases, used tax dollars to pay for administrative costs/salaries, and not to provide services. Commissioner Bovo indicated that he supported Commissioner Diaz' proposal to conduct a thorough examination of the CBOs, noting it was important to review their operations, revenues, and board of directors' meeting minutes. He said he believed this ordinance was another step towards opening the budget process further to thoroughly vet the CBOs.

Commissioner Edmonson commended Chairwoman Bell for her efforts to improve the budget process and increase transparency. However, she noted she supported Commissioner Jordan's proposed amendment as it was necessary to have a public hearing prior to setting the millage rate. She said that no one understood the needs of the community better than the District Commissioner, and she preferred to hear directly from CBOs to gain a better understanding of their needs and programs, rather than grade them on a point system. Commissioner Edmonson pointed out that sometimes CBOs forfeited funding by inadvertently submitting the wrong paperwork. She noted the Board, not the Administration, was responsible for approving the budget, and should take control of the process.

Commissioner Bell noted she agreed with her colleagues' comments, but did not see how this ordinance could be amended to reflect their views,

since this ordinance specifically dealt with committee participation in the budget process and oversight of the departments. She said she was amenable to conducting a workshop for the purpose of examining the CBOs, prior to setting the millage rate, but did not want to overstep the BCC Chair's purview by calling a special meeting. Commissioner Bell asked Ms. Glazer-Moon whether a millage rate was set based on revenues rather than expenditures.

Ms. Glazer-Moon noted the millage rate was based on anticipated revenues, but both revenues and expenditures were linked closely together to balance the budget.

Commissioner Bell noted she would support a motion requesting the BCC Chairman to schedule a workshop to hear from the CBOs, prior to the Board setting a ceiling on the millage rate, which would accomplish the intent of the proposed amendment.

Commissioner Diaz noted since the millage rate affected departments, salaries, and layoffs, he would like to hear from the County employees, as well as the CBOs, prior to setting the millage rate. He asked whether the BCC Chair had the authority to call a workshop to discuss these issues, prior to the Board setting the millage rate, or would a resolution or an ordinance be required to accomplish this.

Assistant County Attorney Bonzon-Keenan advised that the millage rate had to be set by August 4 for the ensuing year, and that the BCC Chair had the authority to call a Committee of the Whole meeting at any time.

Commissioner Diaz proposed a motion to request that the BCC Chair set a Committee of the Whole meeting for the purpose of receiving input from the County employees and CBOs, prior to the Board setting the tentative millage rate in July. This motion was seconded by Commissioner Suarez, followed by more discussion.

Commissioner Jordan expressed concern with leaving this matter to the BCC Chair's discretion. She pointed out that the title of the foregoing ordinance was confusing because it dealt with the entire budget process and codified a past practice that included committee participation. She said that it also changed the date for setting the millage rate to July 15 instead of between June 1 and July

15, as reflected on page 5 under the heading 'Rule 9.01 Annual Budget.'

Ms. Glazer-Moon explained that the reason for changing the date to July 15 was to make the Code consistent with State law, which required that a budget be submitted by July 15. She noted the current County Code required that a budget be submitted between June 1 and July 15, and the Administration did not want to be limited to June 1. Ms. Glazer-Moon also noted this ordinance had nothing to do with the date for setting the millage rate, and would not change it because it was established by State law and was required to be set within a certain timeframe after the preliminary tax roll was published and before August 4. She said the millage rate was traditionally set at the second BCC meeting in July.

In response to Commissioner Jordan's question as to whether both proposals could be included in this ordinance, Assistant County Attorney Bonzon-Keenan advised that the amendment could be placed in the ordinance; however, she noted she believed that the motion was to request the BCC Chair to set up a meeting of the Committee of the Whole, which was within his authority and did not have to be codified.

Commissioner Jordan stated that the BCC Chair may well call for a meeting of the Committee of the Whole; but she preferred to codify this process for future budgets, and thus send a stronger message to the community.

Commissioner Edmonson noted she concurred with Commissioner Jordan.

Commissioner Suarez said he saw no inconsistencies in the two proposals, and hoped that both concerns could be satisfied procedurally.

Assistant County Attorney Bonzon-Keenan clarified that both proposals were appropriate; however, because of the time constraints, if the Board was to hear this ordinance, it would not be possible to meet the 7-day notice requirement for a public hearing on an ordinance in time for the approval of this fiscal year's budget. She noted, however, a request to have the BCC Chair schedule a public hearing, prior to the Board setting a millage rate could be done in a timely manner.

Commissioner Edmonson noted she concurred with Commissioner Jordan that both proposals should be approved in order to make it effective this year and codify the process for future years. She said that it was important for the Board to hear the community prior to making any decisions on the annual budget.

Commissioner Bell noted she agreed with the two proposals, and said that she was only trying to be respectful of the BCC Chair's authority. She also said she would request that this ordinance be waived to the June 19th BCC meeting to allow the entire Board to consider the ordinance in time for the approval of this fiscal year's budget.

Assistant County Attorney Bonzon-Keenan advised that waiving this ordinance to the next BCC meeting agenda would not leave sufficient time to meet the 7-day notice requirement for a public hearing on an ordinance. She suggested that this ordinance be placed on the first available BCC agenda that would allow for timely notice of the public hearing.

It was moved by Commissioner Diaz that members of this Committee ask Chairman Martinez to schedule a meeting of the Committee of the Whole, before the adoption of the tentative millage rates for the ensuing fiscal year, and that this meeting be advertised as a public hearing specifically to allow public input and feedback from Community-Based Organizations and County employees. This motion was seconded by Commissioner Suarez, and upon being put to a vote, passed by a vote of 6-0.

It was moved by Commissioner Bell that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation, with Committee amendment(s) requiring that a public hearing be held before the Board of County Commissioners approved the millage rate. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 6-0.

Commissioner Bell requested that staff prepare the appropriate memorandum requesting that Board of County Commissioners' Chairman Martinez waive the Committee's rules and procedures to allow this proposed ordinance to be forwarded to the July 3rd Regular County Commission meeting.

1E2

120847 Ordinance

Rebeca Sosa,
Lynda Bell

ORDINANCE RELATING TO THE RULES OF PROCEDURE; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE AN EXCEPTION TO THE COMMITTEE REVIEW REQUIREMENT FOR ITEMS AWARDED, GRANTING, AMENDING OR RELATING TO AN AWARD OR GRANT OF TARGETED JOBS INCENTIVE FUNDS; QUALIFIED TARGETED INDUSTRY BUSINESS INCENTIVES; PROPERTY OR UTILITY TAX EXEMPTIONS IN ENTERPRISE ZONES; BROWNFIELD ECONOMIC DEVELOPMENT INITIATIVE LOAN FUNDS OR SIMILAR INCENTIVES OR TAX EXEMPTION PROGRAMS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairwoman Bell opened the public hearing for persons wishing to speak in connection with this ordinance. She 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.

1E3

120543 Ordinance**Sen. Javier D. Souto**

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO AUTHORIZE THE CHAIRPERSON TO CREATE THE COMMITTEE TO INVESTIGATE COUNTY AFFAIRS; PROVIDING FOR MEMBERSHIP, POWERS AND DUTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn
Mover: Diaz
Seconder: Suarez
Vote: 5-1
No: Bovo, Jr.

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairwoman Bell opened the public hearing, and called for persons wishing to speak in connection with this ordinance. The following person(s) appeared:

1. Ms. Renita Holmes, 5800 NW 7th Ave., Miami, appeared and asked the Committee to ensure that in addition to their expertise, members appointed to County boards or committees should also be required to be culturally sensitive.

Chairwoman Bell closed the public hearing after no one else appeared wishing to speak.

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

Commissioner Jordan asked for an explanation regarding the difference between the proposed committee, and the functions of the Inspector General (OIG), the Ethics Commission (COE) and the Commission on Human Rights (HRC).

Assistant County Attorney Jess McCarty explained that the Home Rule Charter and the Rules of Procedures provide the BCC and its Chairperson with the power to create a committee of this nature, as well as investigate County affairs, request records and issue subpoenas.

Commissioner Jordan asked why this new committee was needed if the Board already had the same powers.

Assistant County Attorney Monica Rizo explained

that further requirements were added to this ordinance that did not exist in the current Code, pertaining to the ability to confer with law enforcement agencies and investigative agencies.

Commissioner Jordan questioned the necessity of this new committee, noting it duplicated functions already performed by the OIG, the COE and the HRC.

Commissioner Edmonson noted she agreed with Commissioner Jordan's comments. She asked who would make the decision to investigate a person or department or refer the matter to the proposed committee.

Assistant County Attorney Rizo replied that the BCC Chairperson would create the proposed committee and appoint its members in the same manner he created other committees. She further clarified that any commissioner could request an investigation of a County employee or department, but ultimately the BCC Chairperson would assign the matter to the proposed committee.

Commissioner Edmonson noted her primary concern was this turning into a witch-hunt against a County employee or department. She asked how often this committee would meet to deliberate.

Ms. Rizo explained that this issue would be within the prerogative of the BCC Chairperson.

Commissioner Edmonson noted she preferred to hear the intent of this ordinance from the sponsor, and said that she could not support it at this time.

Commissioner Diaz noted this ordinance had been discussed before, and it was not different from current State and federal processes for investigations. He pointed out that similar committees existed at different levels of government. He stated that anyone could alert the OIG, FBI, COE, or the Public Corruption Unit to an issue, and these agencies would initiate an investigation. He noted, although this process could lead to a witch-hunt, he believed the County Commission should have the same right as other entities to issue subpoenas or investigate matters for the purpose of uncovering the truth. He said he saw no harm in this ordinance, and supported it because he believed the sponsor's intent was to provide more transparency to the investigation process.

Commissioner Bovo provided some background to the proposed ordinance, noting he recalled that it had previously been voted down; subsequently, a large number of County vehicles were discovered in a parking lot and Commissioner Souto had raised concerns about the Board's ability to inquire, issue subpoenas and investigate this matter. He further recalled that a monstrous home was built in District 10, and Commissioner Souto was asked questions about it, which he could not answer. As a result, Commissioner Bovo explained, Commissioner Souto proposed this resolution to provide the County Commissioners with the necessary tools to investigate issues and answer the public's queries. Commissioner Bovo noted he supported this item, even if it created another layer of oversight, because he believed it would provide more transparency to the investigation process.

Commissioner Suarez noted he was prepared to move forward with a motion to withdraw this ordinance; but in light of Commissioner Bovo's comments, he would support it.

Chairwoman Bell noted she was convinced by the arguments made by Committee members that the proposed committee was unnecessary. She pointed out that another layer of government was not needed, since the BCC already had the same powers under the Charter, and independent entities existed to investigate employee conduct, transactions, etc. She read language in Section 1.01 of the current Charter, under 'Powers of the BCC;' and said she believed that this proposal would create another layer of expense.

Chairwoman Bell clarified that this ordinance was never heard before because it failed on first reading and she signed a memorandum to have it heard again, even though she opposed it.

Hearing no further comments, it was moved by Commissioner Diaz that the foregoing proposed ordinance be deferred. This motion was seconded by Commissioner Suarez, and upon being put to a vote, failed by a vote of 3-3; (Chairwoman Bell and Commissioners Jordan and Edmonson voted "No").

Commissioner Diaz noted his primary concern was not with regard to his ability to investigate County employees, but rather public companies. He asked if it was permissible for a commissioner to issue a subpoena or request records.

Ms. Rizo advised that, although individual commissioners could make a request for records or an investigation, the BCC Chairperson had the ultimate authority to issue a subpoena.

Chairwoman Bell called for a point of order and informed her colleagues that Commissioner Souto was expected to attend the meeting later today; therefore, she would defer further discussions and a vote on this ordinance until the end of today's agenda to allow the sponsor to be present to explain his intent.

Later in the meeting, Commissioner Souto appeared and explained the intent of this ordinance, noting it specifically dealt with the powers vested in the BCC under Article 1, Section 1.01(A)(20) of the Charter, to: "make investigations of County affairs, inquire into the conduct, accounts, records, and transactions of any department or office of the County, and for these purposes require reports from all County officers and employees, subpoena witnesses, administer oaths and require the production of records." He noted this was not new and had been in the Charter for some time. He pointed out that the BCC was a legislative body similar to Congress, but at a local level and needed to adhere to the powers stated in the Charter. Commissioner Souto noted the County's population was increasing, and County affairs were becoming more complex, with the potential for corruption. He said that the commissioners were blamed when things went wrong, and therefore, must use the powers vested in them to investigate questionable matters.

Commissioner Bovo informed Commissioner Souto that concerns were raised earlier by members of this Committee who questioned the necessity of this new committee, noting the BCC already had the power to investigate, and it duplicated functions already performed by existing entities, such as the COE and the HRC.

Commissioner Souto noted he brought this legislation forward because of observations he had made and concerns he had when confronted with certain issues, and he believed the Commission needed to take action on these matters.

Commissioner Diaz noted, in the past, the BCC had exercised its powers under the Charter to investigate allegations made against some County

employees, and he believed Commissioner Souto was trying to establish a similar process. He also pointed out that the Charter Review Task Force stressed that the County government could never have enough layers to achieve transparency and accountability. He asked Assistant County Attorney Rizo to explain how a commissioner could initiate an investigation.

Ms. Rizo noted committees under the jurisdiction of the County Commission were empowered to investigate County employees, to make inquiries or request reports and other information; but only the BCC Chairman could issue a subpoena pursuant to a request by the Chairperson of the Committee.

Commissioner Diaz noted he recalled past incidents in which a former County Mayor instructed a County employee not to answer commissioners' questions, and to leave the Chambers. In response to Commissioner Diaz' question as to whether his statement was true, Ms. Rizo confirmed that it was correct.

Commissioner Diaz acknowledged that the proposed ordinance could be viewed in various ways, but he viewed it as restoring to the BCC the powers it already possessed under the Charter. He noted he wanted to preserve the powers of the BCC Chairman; however, each commissioner was responsible for his/her own District and accountable to the electors. He said that when he was Mayor of the City of Sweetwater, the City Commissioners were permitted to make inquiries of employees. He noted, however, the County Commissioners did not have the same right to investigate matters, and he believed Commissioner Souto was trying to grant them these powers.

Commissioner Souto clarified that his intent was to empower the BCC members to exercise the powers granted to them by the Charter. He noted, however, the commissioners would ultimately decide whether to exercise those powers.

Commissioner Diaz asked the County Attorneys if the powers described in the Charter were changed when the Strong Mayor form of government was implemented.

Assistant County Attorney Oren Rosenthal noted, prior to the implementation of the Strong Mayor form of government, the commissioners were prohibited from making inquiries of staff, except

through the County Manager; however, the Charter was amended to allow the commissioners to make inquiries consistent with the performance of their functions. He advised that at no point were the commissioners permitted to direct staff to take any specific action.

Commissioner Diaz asked if a commissioner was permitted to make inquiries of a County employee on the spot, and expect an answer.

Assistant County Attorney Rosenthal noted commissioners were permitted to communicate and make inquiries of the Administrative Services staff for the purpose of transmitting constituent inquiries, or assisting commissioners in the exercise of their powers and oversight of departments, as set forth in the provisions under Section 1.01(A) of the Charter.

In response to Commissioner Diaz' inquiry as to whether a commissioner could ask a Deputy Mayor a question and require an answer, Assistant County Attorney Rosenthal noted an inquiry could be made, provided it was pursuant to the oversight powers described in Section 1.01(A). He advised that under the Code of Ethics, County employees generally had an obligation to respond truthfully to inquiries; and this was associated with recent changes made to the Charter, not with the Strong Mayor form of government.

Commissioner Diaz pointed out that in the past he was told that he could not make enquiries of a particular staff, but had to ask his questions through the Mayor.

Assistant County Attorney Rosenthal advised that after the implementation of the Strong Mayor form of government, the Charter was subsequently amended to relax the prohibition on the communication between the County Commissioners and the staff. He stated that under this provision of the Charter, the County Commissioners are entitled to make inquiries provided they are pursuant to the exercise of their powers described in Section 1.01(A) and also to transmit enquiries from their constituents. He reiterated that the Charter still prohibits commissioners from directing staff to take specific actions.

Commissioner Jordan clarified that the incident to which Commissioner Diaz was referring to

occurred immediately after the implementation of the Strong Mayor form of government. She said the Mayor at the time believed that staff members were being improperly accused and instructed them not to attend the BCC meeting. However, she pointed out, the BCC members had always been allowed to communicate with and inquire of staff before the implementation of the Strong Mayor form of government, and again, after the changes were made to the Charter, but were never permitted to give directives to staff, even before the implementation of the Strong Mayor form of government.

Commissioner Jordan reiterated that she did not support the proposed ordinance because the BCC already had the same authority under the Charter. She also noted she believed the intent of the Charter was to give the BCC oversight, which the BCC accomplished by establishing the OIG and other entities to carry out its responsibilities identified in the Charter. She noted she agreed with Commissioner Edmonson that this could turn into a potential witch-hunt, and subject the BCC to accusations of being autocratic. Commissioner Jordan said that she believed this ordinance would hurt the Commission more than help it and cause the Commission to dictate a process rather than go through established entities with the requisite expertise.

Commissioner Suarez noted he understood that the sponsor's intent was to empower the commissioners to exercise the powers provided in the Charter; however, he heard the concerns of his colleagues that this could turn into a potential witch-hunt; and that the Charter could compel testimony of staff under possible contempt. He said he hoped the purpose of this ordinance was not to further an investigation into the matter regarding a monstrous house built in District 10, noting he met with Commissioner Souto in a sunshine meeting to discuss his concerns and the matter was investigated thoroughly. Commissioner Suarez noted unless he was assured that the purpose of this proposal was not to investigate a particular employee or a specific topic, he could not support it.

Commissioner Souto noted he would like to withdraw his ordinance at this time, as his intent had been totally misconstrued, and then exited the meeting.

Commissioner Diaz asked for a point of order, and

moved a motion on behalf of the sponsor to withdraw this ordinance. The Committee proceeded to vote on the motion.

1E4

120900 Ordinance

Sen. Javier D. Souto

ORDINANCE REGARDING RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO AUTHORITY TO SPONSOR OR PRESENT ITEMS ON COMMISSION AGENDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Assistant County Attorney Monica Rizo noted a scrivener's error existed in this ordinance that needed to be corrected. She advised that duplicate language in Section 2-1, Rule 5.05, Section (b), subsection (15), on handwritten page 5 should be deleted.

Chairwoman Bell opened the public hearing for persons wishing to speak in connection with this ordinance. She closed the public hearing after no one appeared wishing to speak, and the Committee proceeded to vote.

The foregoing proposed ordinance was forwarded to the County Commission with a favorable recommendation, as corrected to delete the following duplicate language from Section 2-1, Rule 5.05, Section (b), subsection (15) of the County Code as reflected on handwritten page 5 of this proposed ordinance: "Any County Commissioner or Commission Committee may present or sponsor any item which the Mayor is authorized to present or sponsor pursuant to the preceding sentence, except as provided otherwise in the Home Rule Charter, or state or federal law."

1E5

120829 Ordinance

**Internal Mgmt. & Fiscal
Responsibility Committee**

ORDINANCE REMOVING THE SUNSET DATE FOR THE
AUTHORITY DELEGATED TO A WARD AND REJECT
MISCELLANEOUS CONSTRUCTION CONTRACTS
DESIGNED TO PROVIDE OPPORTUNITIES FOR
COMMUNITY SMALL BUSINESS ENTERPRISES;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE
AND AN EFFECTIVE DATE (Internal Services)

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

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed ordinance into the record.*

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

*1. Ms. Renita Holmes, 5800 NW 7th Ave., Miami,
appeared in support of this ordinance, but asked
for the language to be more specific.*

*Chairwoman Bell closed the public hearing after
no one appeared wishing to speak.*

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

2 COUNTY COMMISSION

2A

121063 Resolution Joe A. Martinez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT AND THE POLICE DEPARTMENT FOR THE MAY 26, 2012 "MEMORIAL DAY" EVENT SPONSORED BY THE WINGS OVER MIAMI MUSEUM, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,120.20 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 11 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *Hearing no objection, the Committee considered Agenda Items 2A through 2F simultaneously.*

Hearing no questions or comments, the Committee proceeded to vote on these resolutions as presented

2B

121066 Resolution Joe A. Martinez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE POLICE DEPARTMENT FOR THE JUNE 3, 2012 "LIGA CONTRA EL CANCER'S 2012 TELETHON" EVENT SPONSORED BY LIGA CONTRA EL CANCER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,320.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 11 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *(See Agenda Item 2A; Legislative File No. 121063 for the report.)*

2C

121067 Resolution Joe A. Martinez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT AND THE POLICE DEPARTMENT FOR THE JUNE 2, 2012 "LAWYERS ON THE RUN" EVENT SPONSORED BY THE CUBAN AMERICAN BAR ASSOCIATION PRO BONO PROJECT, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,612.50 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 11 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *(See Agenda Item 2A; Legislative File No. 121063 for the report.)*

2D

121064 Resolution**Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION AND OPEN SPACES DEPARTMENT AND THE COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT FOR THE APRIL 27, 2012 "SENIOR TOUR OF ZOO MIAMI" EVENT SPONSORED BY THE WEST PERRINE SENIOR CENTER AND THE RICHMOND HEIGHTS SENIOR CENTER IN AN AMOUNT NOT TO EXCEED \$895.36 TO BE FUNDED FROM THE DISTRICT 9 FY 2011-12 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *(See Agenda Item 2A; Legislative File No. 121063 for the report.)*

2E

121065 Resolution**Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION, AND OPEN SPACES DEPARTMENT FOR THE MAY 5 - 6, 2012 "RELAY FOR LIFE OF CORAL REEF" SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,310.00 TO BE FUNDED FROM THE DISTRICT 9 FY 2011-12 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *(See Agenda Item 2A; Legislative File No. 121063 for the report.)*

2F

121068 Resolution**Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE PARKS, RECREATION, AND OPEN SPACES DEPARTMENT FOR THE JUNE 1, 2012 "EVENING UNDER THE STARS" EVENT SPONSORED BY AIR BASE ELEMENTARY SCHOOL IN AN AMOUNT NOT TO EXCEED \$650.00 TO BE FUNDED FROM THE DISTRICT 9 FY 2011-12 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Suarez

Vote: 6-0

Report: *(See Agenda Item 2A; Legislative File No. 121063 for the report.)*

2G

121009 Resolution **Barbara J. Jordan**
RESOLUTION DECLARING ONE 2001 CHEVROLET
BLAZER SURPLUS; AUTHORIZING ITS DONATION TO
KINGDOM AGENDA MINISTRIES, INC. AND
AUTHORIZING THE COUNTY MAYOR OR THE
MAYOR'S DESIGNEE TO EXECUTE A COMMUNITY
BASED ORGANIZATION AGREEMENT AND EXERCISE
ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

*Forwarded to BCC with a favorable
recommendation*

Mover: Jordan

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed resolution into the record.*

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

2H

120969 Resolution **Dennis C. Moss**
RESOLUTION DECLARING ONE 1998 AND ONE 1999
FREIGHTLINER RESCUE TRUCK SURPLUS AND
AUTHORIZING THEIR DONATION TO CITY OF
HOMESTEAD

*Forwarded to BCC with a favorable
recommendation*

Mover: Jordan

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed resolution into the record.*

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

21

120976 Resolution Audrey M. Edmonson,
Lynda Bell, Jose "Pepe" Diaz, Barbara J. Jordan, Dennis
C. Moss, Rebeca Sosa

RESOLUTION PERTAINING TO SUBCONTRACTOR,
DBE AND ACDBE GOALS IN COUNTY CONTRACTS;
REQUIRING EXECUTED SUBCONTRACTS WITH DBE
OR ACDBE GOALS PRIOR TO SUBMISSION FOR
BOARD APPROVAL

*Forwarded to BCC with a favorable
recommendation*

Mover: Edmonson

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed resolution into the record.*

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

*Commissioner Diaz noted his support of this
resolution, and asked whether it only pertained to
subcontracts with the Disadvantaged Business
Enterprise (DBE) goals or whether it also
pertained to prime contracts.*

*Commissioner Edmonson confirmed that this only
pertained to subcontracts with DBE goals, and
explained this was due to a conflict that occurred
at the airport during which the BCC approved a
prime contract in the absence of a subcontract
between the contractor and the DBE, and later,
the contractor changed the scope of work prior to
the subcontract being signed. She clarified that
the terms of the agreement were negotiated prior
to Board approval.*

*Commissioner Diaz noted he wanted to ensure
that this proposed resolution only pertained to the
subcontracts with the DBE goals and not to the
prime contract.*

*Chairwoman Bell asked how the Board could
require that the subcontracts be executed prior to
the prime contract being submitted for approval.
She also asked if this would slow down the
projects and process and be more costly to the
County.*

*Deputy Mayor Edward Marquez confirmed that it
had the potential of slowing down the process
because it required an additional step. He noted
the intent was to solve a problem whereby a
subcontractor was unable to enter into a contract*

with the prime contractors and suggested a possible solution would be to identify a mechanism for the subcontractor to alert the Administration earlier in the process.

Chairwoman Bell noted Commissioner Edmonson's point was well taken and she would like to hear from the County Attorney regarding this issue.

Assistant County Attorney David Hope stated that it was not certain that this requirement would slow down the process since the step was already required, and this resolution just required it to be done earlier in the process. He pointed out that prime contracts were currently required to be executed, prior to Board approval.

Commissioner Edmonson pointed out that a prime contractor could not be awarded a contract without entering into a signed agreement with the Airport Concession Disadvantaged Business Enterprise (ACDBE), prior to Board approval because the two were considered partners. She noted this resolution would ensure that both the DBEs and the ACDBEs were protected in this process, once they entered into an agreement with the prime contractor.

Chairwoman Bell expressed appreciation to Commissioner Edmonson for the clarification and noted she supported this resolution.

Commissioner Jordan asked to be added as a co-sponsor of this resolution. She said she disagreed with the Deputy Mayor that this step would slow down the process because it was already included, and would now be done near the beginning, instead of at the end of the process. She explained that this resolution provided more opportunity for DBEs and ACDBEs to be treated fairly, because some prime contractors had been awarded a contract with Small Business Enterprises (SBE), and subsequently changed the scope of work to lessen the amount of the contract.

Commissioner Diaz noted it was his understanding that the DBE and ACDBE partnered with the prime contractor to solicit a contract; however, the problem arose when the prime contractor, once being awarded the contract, did not enter into an agreement with the small business subcontractors. He said he did not believe that this step would cause a delay in the process and this would ensure that the Board was aware of

both the DBE/ACDBE and the prime contractor when approving the contract. He also asked to be added as a co-sponsor to this resolution.

Chairwoman Bell expressed appreciation to Commissioner Diaz for his comments and clarification.

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

2J

120857 Resolution **Sally A. Heyman** **Withdrawn**
RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE WRITTEN QUARTERLY REPORTS TO THE BOARD OF COUNTY COMMISSIONERS LISTING ALL ACCOUNTS RECEIVABLE ADJUSTMENTS MADE PURSUANT TO IMPLEMENTING ORDER 3-9 IN EXCESS OF \$2,500.00 [SEE SUBSTITUTE ITEM UNDER FILE NO. 121159]

Report: *(See Agenda Item 2J Substitute; Legislative File No. 121159)*

2J SUB

121159 Resolution

Sally A. Heyman

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE WRITTEN QUARTERLY REPORTS TO THE BOARD OF COUNTY COMMISSIONERS LISTING ALL DELINQUENT ACCOUNTS RECEIVABLES SUBJECT TO ADJUSTMENT PURSUANT TO IMPLEMENTING ORDER 3-9 THAT ARE IN EXCESS OF \$2,500.00 [SEE ORIGINAL ITEM UNDER FILE NO. 120857]

Forwarded to BCC without a recommendation

Mover: Jordan

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Suarez asked for an explanation on the intent of this resolution and if it increased or decreased the \$2,500 threshold.

Deputy Mayor Ed Marquez explained that this resolution directed the Administration to provide the County Commission with a quarterly report, listing all accounts receivable and payables in excess of \$2,500 and more than 90 days delinquent.

In response to Commissioner Suarez' inquiry as to whether this resolution applied to any and all accounts receivable and payable made to the County, Mr. Marquez confirmed that as currently written, it did.

Commissioner Suarez expressed concern regarding the amount of paperwork this entailed, and if it referred to any monies owed to the County for any purpose by anyone.

Mr. Marquez clarified that he did not believe this envisioned tax collections, but it addressed all County operations, licensing fees, and monies owed to the County by businesses.

In response to Commissioner Suarez' request for clarification, Assistant County Attorney Juliette Antoine confirmed that this item did not include the tax rolls, but it would be applicable to other items described by Deputy Mayor Marquez, which exceeded \$2,500 and were more than 90 days delinquent.

Chairwoman Bell noted Commissioner Suarez raised a valid point that this report could create a lot of paperwork and become burdensome for staff, if it involved all outstanding debt.

Mr. Marquez pointed out that the County was a big business operation and delinquent accounts were a normal course of business. He noted, currently, County departments were required to report all accounts receivable that were more than 90 days delinquent to the Finance Department, and it was normal practice for the Finance Department to write off a portion of the accounts receivable over a period of time and present the information to the County Commission in September. Mr. Marquez suggested the Committee defer this item to a later date for him to present more information on what it would entail.

Commissioner Suarez noted he would like to proceed with forwarding this item to the County Commission and direct the Administration to provide a report. He asked Deputy Mayor Edward Marquez to include a report on the amount of paperwork involved in producing the quarterly reports requested in this resolution, when it was presented to the County Commission.

Commissioner Bell asked that this report also include the number of hours involved in producing the reports.

Hearing no further questions or comments, the Committee proceeded to vote, and forwarded this resolution to the County Commission without a recommendation.

2K

121086 Resolution

Barbara J. Jordan,

Lynda Bell

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO CREATE AN ORIENTATION PROCESS FOR NEW COMMISSIONERS

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairwoman Bell asked to be listed as a co-sponsor of this resolution.

Commissioner Jordan explained that the intent of this resolution was to help new commissioners who were not familiar with governmental practices, to become oriented with the process and expectations on how to set up a commission office. She said she believed this process would be useful and needed to be codified.

Chairwoman Bell compared her experiences as a new County Commissioner to her orientation as Mayor of the City of Homestead. She expressed appreciation to Commissioner Jordan for bringing this legislation forward.

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

2L

121015 Resolution

Dennis C. Moss

RESOLUTION DELEGATING CERTAIN REDEVELOPMENT POWERS TO THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO CHAPTER 163, PART III OF THE FLORIDA STATUTES

Amended

Report: *(See Agenda Item 2L Amended; Legislative File No. 121291.)*

2L Amended

121291 Resolution Dennis C. Moss

RESOLUTION DELEGATING CERTAIN REDEVELOPMENT POWERS TO THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO CHAPTER 163, PART III OF THE FLORIDA STATUTES [SEE ORIGINAL ITEM UNDER FILE NO. 121015]

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

Report: Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.

Assistant County Attorney Terence Smith noted the sponsor of this item requested that the language "Subject to prior approval of the Board" be stricken from the first sentence in subsection (13) on page 6.

Hearing no further questions or comments, the Committee proceeded to vote on this resolution as amended, and the foregoing proposed resolution was forwarded to the County Commission with a favorable recommendation, with Committee amendment(s) to delete the following phrase from the first sentence of subsection (13), on page 6: "Subject to prior approval of the Board."

2M

120734 Resolution Rebeca Sosa, Sally A. Heyman

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-38, MASTER PROCUREMENT ADMINISTRATIVE ORDER, AND APPROVING IMPLEMENTING ORDER 3-38, MASTER PROCUREMENT IMPLEMENTING ORDER TO INCREASE THE ADMINISTRATION'S SMALL PURCHASE AND PURCHASING CARD AUTHORITY AND TO CONFORM THE MASTER PROCUREMENT IMPLEMENTING ORDER TO CHANGES IN COUNTY CODE

Deferred to July 10, 2012 Mover: Edmonson Seconder: Suarez Vote: 4-0 Absent: Bovo, Jr., Diaz

Report: During consideration of changes to today's (06/12) agenda, the foregoing proposed resolution was deferred to the next IMFRC meeting, as requested by the Prime Sponsor Commissioner Sosa.

2N

120896 Resolution Sen. Javier D. Souto

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 8-5, PERMISSION TO CONDUCT PRIVATE BUSINESS ON PUBLIC PROPERTY, AND APPROVING IMPLEMENTING ORDER 8-5, PERMISSION TO CONDUCT PRIVATE BUSINESS ON PUBLIC PROPERTY TO CLARIFY THAT AGREEMENTS FOR THE EXCLUSIVE USE OF COUNTY PROPERTY FOR A TERM GREATER THAN ONE (1) MONTH REQUIRE BOARD APPROVAL

*Withdrawn**Mover: Edmonson**Seconder: Suarez**Vote: 4-0**Absent: Bovo, Jr., Diaz*

Report: *During consideration of changes to today's (06/12) agenda, the foregoing proposed resolution was withdrawn, as requested by the Prime Sponsor Commissioner Souto.*

3 DEPARTMENT

3A

120930 Resolution

RESOLUTION AUTHORIZING MODIFICATION TO THE CONTRACT 104 FOR REVENUE GENERATING PURPOSES IN THE AMOUNT OF \$1,800,000 WITH GLOBAL TEL LINK CORPORATION TO CONTINUE TO OBTAIN PAYPHONE AND PAYPHONE PRESUBSCRIPTION SERVICES, WAIVING FORMAL BID PROCEDURES AND THE REQUIREMENTS OF SECTIONS 2-8.3 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE, PERTAINING TO BID PROTESTS, BY A TWO-THIRD VOTE OF THE BOARD MEMBERS PRESENT, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. 104; MODIFICATION NO. 2 (Information Technology Department)

*Forwarded to BCC with a favorable recommendation**Mover: Edmonson**Seconder: Bovo, Jr.**Vote: 6-0*

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

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

3B

120968 Resolution

RESOLUTION RATIFYING THE ACTION OF COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE IN APPLYING FOR UNITED STATES DEPARTMENT OF THE INTERIOR UNITED STATES GEOLOGICAL SURVEY FUNDS; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND GRANT FUNDS IN THE TOTAL AMOUNT OF \$39,845, AND TO EXECUTE SUCH CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, AND AMENDMENTS AFTER APPROVAL BY THE COUNTY ATTORNEY; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (Information Technology Department)

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

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

3C

120979 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT IN THE AMOUNT OF \$1,251,000 FOR THE INITIAL FOUR YEAR TERM, AND \$2,267,000 IF THE FOUR ONE-YEAR OPTIONS-TO-RENEW ARE EXERCISED, WITH OCE NORTH AMERICA TO OBTAIN CONTINUOUS FORM HIGH SPEED PRINTERS, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Information Technology Department)

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairwoman Bell commended the Internal Services Department for purchasing refurbished equipment at a low cost, which resulted in considerable savings to the County.

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

3D

120582 Resolution**Joe A. Martinez**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE A REQUEST FOR QUALIFICATIONS (RFQ) FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN FEDERAL GOVERNMENTAL REPRESENTATION AND CONSULTING SERVICES IN WASHINGTON, DC, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Internal Services)

*Withdrawn**Mover: Edmonson**Seconder: Suarez**Vote: 4-0**Absent: Diaz, Bovo, Jr.*

Report: *During consideration of changes to today's (06/12) agenda, the foregoing proposed resolution was withdrawn, as requested by the Prime Sponsor Chairman Martinez.*

3E

120932 Resolution**Dennis C. Moss**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTIES LOCATED ON N.W. 9 AVENUE, BETWEEN N.W. 12 STREET AND N.W. 14 STREET, FLORIDA CITY, FLORIDA; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER(S); WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; WAIVING IMPLEMENTATION ORDER 3-44, AS IT RELATES TO THE UTILIZATION OF AVAILABLE COUNTY-OWNED PROPERTY UNDER THE COUNTY'S INFILL HOUSING PROGRAM, FOR THESE TWO PROPERTIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD TO EXECUTE A COUNTY DEEDS FOR SUCH PURPOSE (Internal Services)

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

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

3F

120992 Resolution**Lynda Bell**

RESOLUTION DECLARING SURPLUS COUNTY-OWNED REAL PROPERTY LOCATED AT SW 157TH AVENUE AND SW 324TH STREET, ALSO KNOWN AS AREA 291; AND AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING THE EXECUTION OF A COUNTY DEED BY THE BOARD OF COUNTY COMMISSIONERS ACTING BY THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD FOR SUCH PURPOSE (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Bell

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairwomen Bell relinquished the Chair to Vice Chairman Bovo, and moved a motion to forward this resolution to the County Commission with a favorable recommendation.

Hearing no questions or comments, the Committee voted on this resolution as presented.

Chairwoman Bell resumed the Chair.

3G

121101 Resolution

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE BY A TWO-THIRDS (2/3S) VOTE OF THE BOARD MEMBERS PRESENT FOR THE PURCHASE OF GOODS AND SERVICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee voted on this resolution as presented.

3H

121083 Resolution

RESOLUTION AWARDING CONTRACT IB7810-0/17, HIGH SECURITY CUSTOMIZED BANKING SUPPLIES, TO HANNA MARKETING IN A TOTAL AMOUNT OF UP TO \$98,000 FOR THE FIVE-YEAR TERM; 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 (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Suarez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee voted on this resolution as presented.

3I

121092 Resolution

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PRE-QUALIFICATION POOL FOR CONTRACT NO. 8076-0/17, DRAINAGE MATERIALS, PRE-QUALIFICATION OF BIDDERS, IN AN AMOUNT UP TO \$1,490,000 FOR THE FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT SPOT BIDS AND AWARD SUBSEQUENT CONTRACTS, ADD VENDORS, CONDUCT MODIFICATIONS, AND EXERCISE, IN THEIR DISCRETION, ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Jordan

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee voted on this resolution as presented.

3J

121093 Resolution

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PRE-QUALIFICATION POOL FOR CONTRACT NO. 1088-0/17, LAW ENFORCEMENT EQUIPMENT AND SUPPLIES, PRE-QUALIFICATION OF BIDDERS, IN AN AMOUNT UP TO \$6,700,000 FOR THE FIVE YEAR TERM, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT SPOT BIDS AND AWARD SUBSEQUENT CONTRACTS, ADD VENDORS, CONDUCT MODIFICATIONS, AND EXERCISE, IN THEIR DISCRETION, ANY CANCELLATION PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee voted on this resolution as presented.

3K

121099 Resolution**Joe A. Martinez**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT COUNTY BUSINESS DURING THE BOARD OF COUNTY COMMISSIONERS' 2012 SUMMER RECESS; THE AUTHORIZING PERIOD WILL BEGIN AT THE ADJOURNMENT OF THE JULY 17, 2012 BOARD OF COUNTY COMMISSIONERS' MEETING AND CONCLUDE AUGUST 20, 2012; AND SUBSEQUENTLY ALL ITEMS WILL BE SUBMITTED TO THE BOARD FOR RATIFICATION AT THE OCTOBER 2, 2012 BOARD OF COUNTY COMMISSIONERS' MEETING (Office of Management and Budget)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Jordan

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Hearing no questions or comments, the Committee voted on this resolution as presented.

3L

121091 Resolution

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PRE-QUALIFICATION POOL FOR CONTRACT NO. 7605-1/22, VAPOR AND GAS VALVES, PARTS, ACCESSORIES, SUPPLIES, AND SERVICES PRE-QUALIFICATION OF VENDORS, IN AN AMOUNT UP TO \$2,000,000 FOR THE INITIAL FIVE YEAR TERM, OR \$4,000,000 IF THE FIVE-YEAR RENEWAL OPTION IS EXERCISED, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT SPOT BIDS AND AWARD SUBSEQUENT CONTRACTS, ADD VENDORS, CONDUCT MODIFICATIONS, AND EXERCISE, IN THEIR DISCRETION, ANY CANCELLATION PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Diaz noted he wanted to ensure that any qualifying company could be added to the pool later.

Deputy Mayor Marquez noted any vendor that qualified and applied could be added to the list. He stated that currently, the pool consisted of all local companies.

Commissioner Suarez asked if the pre-qualifications for the procured items implied that the Board was in agreement with the purchase or would the Board have input prior to the purchases.

Mr. Lester Sola, Director, Internal Services Department, noted this resolution provided for an allocation up to a certain amount, and authorized the procurement department to conduct spot bid competitions from a pre-qualified pool of vendors. Any contract that exceeded this amount would need to be approved by the County Commission, he noted.

Commissioner Suarez noted he would like to meet with Ms. Singer and Mr. Lester to explore this item further; however, he would trust the wisdom of the Procurement Department to only purchase needed supplies/services.

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

presented.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

121114 Report

CLERK'S SUMMARY OF MEETING MINUTES FOR THE
INTERNAL MANAGEMENT AND FISCAL
RESPONSIBILITY COMMITTEE MEETING(S): APRIL 10,
2012 AND MAY 8, 2012 (Clerk of the Board)

Approved
Mover: Edmonson
Seconder: Bovo, Jr.
Vote: 6-0

7 REPORTS

8 ADJOURNMENT

Report: *There being no further business to come before the
IMFRC, the meeting adjourned at 4:23 p.m.*