



MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

INLUC
Agenda Item No. 5(C)

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

DATE: October 17, 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 Infrastructure and Land Use Committee:

September 12, 2012

CA/mf
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Infrastructure and Land Use Committee

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

Wednesday, September 12, 2012

2:00 PM

COMMISSION CHAMBERS

Members Present: Bruno A. Barreiro, Audrey M. Edmonson, Barbara J. Jordan, Jean Monestime, Rebeca Sosa.

Members Absent: Jose "Pepe" Diaz.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Maryse Fontus, Commission Reporter
(305) 375-4906*

1A MOMENT OF SILENCE

Report: *The Infrastructure and Land Use Committee convened in a moment of silence at 2:30 p.m. Commissioner Jordan asked those present to remember Ambassador Chris Stevens and other Embassy staff, killed in Libya.*

1B PLEDGE OF ALLEGIANCE

Report: *The Pledge of Allegiance followed the moment of silence.*

1C ROLL CALL

Report: *The following staff members were present: Deputy Mayor Jack Osterholt; Assistant County Attorneys Geri Bonzon-Keenan, Dennis Kerbel and Oren Rosenthal; and Deputy Clerks Jovel Shaw and Maryse Fontus.*

Assistant County Attorney Geri Bonzon-Keenan advised Committee members of the following additions to today's (09/12) agenda:

- Supplement to Agenda Items 1F1, a fiscal impact statement;*
- Agenda Item 1F7 Substitute, an ordinance pertaining to zoning; and*
- Agenda Items 3H, 3I and 3J.*

It was moved by Commissioner Jordan that the Committee approve today's (9/12) agenda with the changes noted by the Assistant County Attorney, as listed in the Board of County Commissioners' Chairman Joe A. Martinez' memorandum dated September 12, 2012, entitled, "Requested Changes to the Infrastructure and Land Use Committee Agenda". This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 5-0; (Commissioner Diaz was absent).

1D SPECIAL PRESENTATIONS

1D1

121706 Service Awards **Joe A. Martinez**
PRESENTATION OF SERVICE AWARDS TO THE FOLLOWING EMPLOYEES: ***Presented***

WILLIE OLIVER - PWWM - 30 YEARS
 ROBERTO CASTILLA - RER - 30 YEARS
 MARK A. GOODWIN - WATER AND SEWER - 30 YEARS

1D2

121730 Special Presentation

Lynda Bell

MAYOR'S PRESENTATION OF BUDGETS FOR
ADMINISTRATIVE DEPARTMENTS*Presented*

Report: *Ms Jennifer Moon, Director, Office of Management and Budget, asked if Committee members had any questions on the Mayor's presentation of budgets for administrative departments.*

Commissioner Jordan expressed concern about the wage thefts and the County's ability to process the large number of pending cases.

Ms. Glazer-Moon noted at the first budget hearing the Administration provided information on the number of pending cases, which at that time totaled 100. She said staff indicated that half of these cases would be resolved by the end of this month, and within a few months they would all be resolved. Ms. Glazer-Moon informed Commissioner Jordan that \$100,000 was allocated to create a position within RER to deal with the Enterprise Zones, and the Administration was considering the possibility of filling this position as soon as possible to deal with this backlog.

Commissioner Monestime inquired whether some Neighborhood Compliance positions would be eliminated in the Mayor's reorganization of County departments.

Ms. Moon indicated that positions adjustments would only be made to those positions that were currently vacant; therefore, the service would remain the same.

Commissioner Monestime inquired whether three Neighborhood Enhancement Action Teams (NEAT) would be eliminated.

Ms. Moon explained that one of the Community Redevelopment Agency's (CRA) NEAT team would be eliminated, but the particular NEAT team in question was only servicing a particular CRA.

Commissioner Monestime inquired whether a shortage of staff and funding would occur for the repair and maintenance of pump stations.

Ms. Moon said that the Administration was not

making reductions in these areas. She indicated that she would be happy to meet with Commissioner Monestime's staff members and provide them with the correct information.

1E DISCUSSION ITEM

1E1

121787 Discussion Item

Audrey M. Edmonson,

Barbara J. Jordan

A DISCUSSION OF THE STATUS OF WATER AND
SEWER INFRASTRUCTURE IN MIAMI-DADE COUNTY
[SEE ORIGINAL ITEM UNDER FILE NO. 120938]

Presented

Report: *Mr. John Renfrow, Director, Water & Sewer Department (WASD), noted a year ago he sent a memorandum to County Mayor Gimenez informing him of the numerous problems with the water pipes and sewer lines. Pursuant to this memorandum, Commissioner Jordan sponsored a resolution requiring WASD to prepare a report on the state of water and sewer infrastructure in the County. Mr. Renfrow informed Committee members that this report was completed a month ago, and found that the infrastructure was in a state of disrepair. He said that \$1.1 billion would be needed to fix the problems that were found, and these initial repairs would be carried out over the next five to eight years. Beyond that, he pointed out, additional expenditures would be required.*

Mr. Renfrow said that the Water & Sewer Department was currently engaged in discussions with the United States Environmental Protection Agency (EPA) to obtain \$12 billion to finance the repairs over the next 15 years. He noted discussions between WASD and EPA staff members would result in a consent decree, outlining projects that would have to be carried out, including their cost, for the Board's approval. However, Mr. Renfrow stressed how challenging it would be to identify funding for all these repairs, noting the Federal Government was currently identifying potential funding sources.

Mr. Renfrow indicated that the County had 13,000 miles of pipes, and problems were discovered as they were inspected. He pointed out that this state of affairs would not be resolved overnight as it would take time and money. He said that by the first quarter of 2013, WASD would likely receive the consent decree from the Federal Government requiring the repairs. He said the good news was that this would create many construction and engineering jobs, noting in the almost 30 years he had spent with the County, he had never seen such an aggressive capital program.

Chairwoman Edmonson asked how much would be required to start this program.

Mr. Renfrow replied that this would depend on the final version of the consent decree. He informed the Committee members that EPA and WASD staff members were currently meeting in Miami, and he expected that the consent decree would be finalized by the beginning of 2013.

In response to Chairwoman Edmonson's question about the water fees, Mr. Renfrow confirmed that they would have to be raised, since they were the lowest in the country.

Responding to Chairwoman Edmonson's question as to whether the fees would be doubled, Mr. Renfrow replied that eventually the fees would have to be tripled. He indicated that WASD was currently working with the Finance Department to obtain a \$300 million bond to quick-start the repairs.

Commissioner Jordan thanked Mr. Renfrow for a comprehensive report and for providing the information by district. She said she was not surprised that the initial repairs would cost \$1.1 billion, and that prospectively, the repairs would cost \$12 billion over 15 years. She expressed satisfaction that the EPA staff members were in Miami, as they could help prioritize the projects which would need to be financed with the \$300 million bond. She indicated that the consent decree would be helpful for the commissioners in identifying strategies to undertake this ambitious program.

Pursuant to Commissioner Jordan's question, Mr. Renfrow confirmed that WASD has equipment, similar to an MRI, which could reveal problems within the pipes. However, he said that it was impossible to use the equipment on all the pipes, as the County had 13,000 miles of pipes, including 200 miles of the larger pipes.

In response to Commissioner Jordan's question, Mr. Renfrow indicated that the report covered over 100 miles. He noted WASD chose these pipes, because if they ruptured, they would cause significant damage. He acknowledged that at this point WASD did not have a complete picture of the amount of work required to fix all the water pipes.

Commissioner Jordan suggested that Mr. Renfrow's presentation be given to the full Board.

Chairwoman Edmonson noted she agreed with

Commissioner Jordan's suggestion and said that this item would be forwarded to the Board.

Commissioner Monestime pointed out that some areas of the County did not have sewer lines and questioned the likelihood of taking this opportunity to connect the pipes in these areas to sewer lines.

Mr. Renfrow explained that the work WASD would be carrying out would involve repair, and replacement rather than new construction. He indicated that included in the work would be the rehabilitation of six water plants.

Commissioner Monestime reiterated that some areas in his district did not have sewer lines, and pointed out that this would be the perfect opportunity to connect the pipes in these areas to sewer lines. He asked Mr. Renfrow to provide the Board with the approximate cost to construct and connect all sewer lines with the existing 13,000 miles of pipes in the County.

Mr. Renfrow replied that this would take a considerable amount of money, perhaps in the millions of dollars. He assured Commissioner Monestime that he would provide him with the cost estimate of connecting the areas that currently do not have sewer lines to the existing water pipes.

Commissioner Barreiro noted 10 to 12 years ago, when he was the Chair of the Committee, a company made a presentation on the technology used to view inside the water pipes. He observed that the cost was prohibitive, but pointed out that sometimes it was better to be proactive, because it was less expensive to prevent than to repair.

Chairwoman Edmonson thanked Mr. Renfrow for his presentation and said that she would contact Chairman Martinez to arrange this presentation before the full Board.

1F PUBLIC HEARINGS

1F1

121369 Ordinance

Audrey M. Edmonson,

Jean Monestime, Rebeca Sosa

ORDINANCE AMENDING SECTION 32-92 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO ALLOW TENANTS TO RECEIVE WATER AND SEWER SERVICE THROUGH A BRIDGE ACCOUNT NOT TO EXCEED ONE YEAR WHERE MULTI-UNIT PROPERTY IS SERVED BY ONE METER AND PROPERTY OWNER'S ACCOUNT IS TERMINATED FOR NONPAYMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 121252)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Sosa

Vote: 5-0

Absent: Diaz

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

Chairwoman Edmonson relinquished the Chair to Commissioner Jordan.

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

Mr. Charles Elsesser, 3000 Biscayne Blvd., Florida Legal Services, Inc. appeared before the Committee noting many of the lowest income tenants were living in older buildings with one water service. He said that this ordinance extended the time within which the Water & Sewer Department could allow tenants in a foreclosed building to open their own accounts from six months to one year. He stressed that it would have no fiscal impact on the County and would be very important for tenants.

Vice Chairwoman Jordan closed the public hearing after no other persons appeared wishing to speak.

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

1F1 SUPP.

121813 Supplement

FISCAL IMPACT TO ORDINANCE EXTENDING THE PERIOD OF BRIDGE ACCOUNTS WITH THE MIAMI-DADE WATER AND SEWER DEPARTMENT

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

1F2

121466 Ordinance

Audrey M. Edmonson

ORDINANCE AMENDING ORDINANCE NO. 11-76 RELATING TO TASK FORCE ON SCRAP METAL AND COPPER WIRE THEFT; AMENDING COMPOSITION OF THE TASK FORCE TO INCREASE REPRESENTATIVES OF INDUSTRY AND COMMUNITY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 121411)

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Second: Monesime
Vote: 5-0
Absent: Diaz

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

Vice Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

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

1F3

121175 Ordinance

Barbara J. Jordan,

Lynda Bell, Audrey M. Edmonson, Rebeca Sosa
 ORDINANCE RELATING TO PLANNING; MODIFYING VOTE REQUIREMENTS TO DELETE OR MODIFY DECLARATIONS OF RESTRICTIONS PREVIOUSLY ACCEPTED IN CONNECTION WITH APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP"); AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *See Agenda Item 1F3 Amended, Legislative File No. 121930 for the amended version.*

1F3 Amended

121930 Ordinance

Barbara J. Jordan,

Lynda Bell, Rebeca Sosa

ORDINANCE RELATING TO PLANNING; MODIFYING VOTE REQUIREMENTS TO DELETE OR MODIFY DECLARATIONS OF RESTRICTIONS PREVIOUSLY ACCEPTED IN CONNECTION WITH APPLICATIONS TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP"); AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 121175]

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

Mover: Jordan

Seconder: Sosa

Vote: 3-2

No: Barreiro, Monestime

Absent: Diaz

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

Assistant County Attorney Dennis Kerbel read an amendment into the record, which was requested by Commissioner Jordan. He advised that the amendment was to add to Section 1, on handwritten page 5, the following language: "... that would result in an increase in the density or intensity of a use." He said that the same amendment would be inserted on page 6, as the provisions mirrored each other. In addition, he advised that a new Section 2 should be added to provide an applicability provision, which would read: "All CMDP amendment applications that were lawfully filed prior to the effective date of this ordinance shall continue to be subject to the CDMP amendment procedures in effect as of their filing date and shall not be subject to the provisions of this ordinance."

Pursuant to Commissioner Monestime's question, Assistant County Attorney Kerbel confirmed that this ordinance would apply prospectively.

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

Mr. Jeffrey Bercow, 200 South Biscayne Blvd, Attorney, Bercow, Radell and Fernandez, PA, appeared before the Committee and questioned whether the "prospective" component would only apply to the two applications that were currently in process.

Assistant County Attorney Kerbel clarified that the "prospective" component only applied to applications that were currently pending, and

would not apply to applications that were approved in the past. He stated that new applications would have to be filed in order to amend applications that were previously approved.

Mr. Bercow noted if he had a small scale application that was approved in 2007, and it took seven votes to approve, he would now need nine votes to modify it. He pointed out that the County Administration had not received dozens of applications to modify prior covenants and wondered what purpose this item would serve. He said that it was not easy to amend a previously approved covenant, as this required a great deal of time and money. He stated that this ordinance was neither right nor fair, even with the limitation offered by Commissioner Jordan today. He suggested that an application that was accepted with nine votes should be modified with nine votes; whereas an application that was accepted with seven votes should be modified with seven votes. Mr. Bercow also questioned the concept of increased density and intensity of a use.

Ms. Renita Holmes, 5800 NW 7th Ave., appeared before the Committee noting that the Comprehensive Development Master Plan had been under discussion for some time, but the residents of the properties covered by the plan were not consulted. She said that she represented homeowners in Districts 2 and 3 who had a vision regarding their community, but whose vision was blatantly disregarded by the developers. She stressed that the residents should have a say in the development of their communities.

Chairwoman Edmonson closed the public hearing after no other persons appeared wishing to speak.

Commissioner Jordan noted over the years a number of residents came to the Board to discuss the changes happening in their communities with regard to either density or intensity of a use. She explained that she had put forth an item some time ago proposing that zoning applications be approved with a 2/3 vote, and for consistency purposes, was now proposing the same for CDMP applications. She said that after meeting with Mr. Bercow, Ms. Truly Burton and other developers, she proffered the proposed amendments to the item. Commissioner Jordan asked Assistant County Attorney Kerbel to explain the "prospective" component of the item.

Assistant County Attorney Kerbel explained that

applications that are currently pending and were filed prior to this ordinance going into effect would continue to be governed by the old rules. However, an application approved under the old rules for which a new application had been filed seeking to modify the covenant, would require a 2/3 vote if the change related to density or intensity of a use.

Commissioner Jordan pointed out that this item was her way of keeping her word to the community that expected things to remain a certain way based on a commitment made by the Board when it initially approved a covenant. She stated that any developer wanting to modify such a covenant would only be allowed to do so pursuant to approval by more than a simple majority.

Commissioner Monestime noted one of the pending applications was in his district, and he disagreed with the fact that it would not be subject to the new rules. He said that the rules should apply equally to all applications.

Assistant County Attorney Kerbel pointed out that if Commissioner Monestime was referring to the golf course application, it would not be subject to this item because the applicants were not seeking to amend its covenant.

Commissioner Monestime stated that he could not support the second amendment because the laws should apply equally to all applications.

Commissioner Jordan noted she proposed the amendment relating to density or intensity of a use because the residents who came to her office complained about these issues in particular. She pointed out that they complained about the increase in the number of people who would be impacted by a development, or the increase in traffic that would affect their quality of life. She said she did not believe that the amendment she proffered would take away from the critical issues.

Commissioner Monestime said that he agreed to co-sponsor this item if it applied equally to everyone. However, he noted, he could not support it in its present form, and indicated that he was willing to work on the item with Commissioner Jordan to make it more acceptable.

Commissioner Jordan noted she could still propose the original item without the amendment, which she only proffered to promote development.

Assistant County Attorney Kerbel inquired whether the additional narrowing standard of density or intensity of a use should be removed, while maintaining the prospective application.

Commissioner Sosa indicated that she was completely in favor of the prospective component of the item.

Commissioner Monestime said that he was not in favor of keeping the new Section 2.

Assistant County Attorney Kerbel explained that the new Section 2 provided that any application currently in the pipeline would be subject to the old rules; but everything going forward would be subject to the new rules. However, he clarified that if a past covenant had already been approved and needed to be modified, it would be subject to the new rules.

Commissioner Monestime said that currently the new Section 2 was unclear, and asked Assistant County Attorney Kerbel to modify the language.

Commissioner Sosa said that if someone filed a CDMP application, it should be subject to the rules in effect at the time of filing. The new rules should only apply to new CDMP applications, she stressed. She pointed out that this item should be prospective and should not apply to anything that is pending currently.

Pursuant to Commissioner Sosa's question, Assistant County Attorney Kerbel confirmed that any pending application would be subject to the old rules.

Commissioner Sosa asked Chairwoman Edmonson if she could recognize Mr. Bercow who wished to make a comment.

Mr. Bercow noted he disagreed with Assistant County Attorney Kerbel. He said that if you filed an application in 2010 and it was approved, you had an expectation that to modify that application you would be subject to the same rules.

Commissioner Sosa noted she disagreed with Mr. Bercow, because if someone filed an application in 2010 and it was approved, it was now closed. She pointed out that an entirely new application would be needed to modify that covenant.

Commissioner Jordan noted the intent was that this item would not be retroactive, but rather prospective. She stressed that anything currently in the pipeline would not be subject to this item.

Assistant County Attorney Kerbel agreed to modify the language in the new Section 2 to accurately reflect the intent of the item.

Later during the meeting, Assistant County Attorney Kerbel read into the record the language in the new Section 2 as follows: "Applications that were filed in the October 2011 or April 2012 CDMP amendment cycles to amend, modify or change existing CDMP covenants shall continue to be subject to the CDMP amendment procedures in effect as of their filing date. All future applications to amend, modify or change any existing CDMP covenants, except as provided herein, shall be subject to the provisions of this ordinance."

It was moved by Commissioner Jordan that the foregoing proposed ordinance be adopted, as amended. This motion was seconded by Commissioner Sosa.

Exceptionally, Chairwoman Edmonson allowed a speaker, who was unable to attend the public hearing, to place his comments on the record.

Mr. Brian Adler, 1450 Brickell Ave., appeared before the Committee, and thanked Chairwoman Edmonson for allowing him to place his comments on the record, and Commissioner Jordan for meeting with members of the developers' community. He stated that if a covenant was entered into in 2004 and 2005, it should be subject to the rules that were applicable at the time of filing; and the same should apply to all applications previously submitted. On the other hand, he suggested that any new applications be subject to the new rules, as the applicants would have been given fair notice.

Pursuant to Commissioner Sosa's question, Assistant County Attorney Kerbel confirmed that once a CDMP application was approved, and the applicant had proffered a covenant to induce the Board to accept it, it was final.

In response to Commissioner Sosa's inquiry, Assistant County Attorney Kerbel confirmed that if the applicants wished to modify their application later, they would need to submit a new

application, which would be subject to the new rules.

Mr. Bercow stated that Assistant County Attorney Kerbel was not giving Commissioner Sosa the correct advice. He said that every covenant had a clause which provided that it was subject to modification in the future if the applicant went through the Comprehensive Plan process.

Ms. Renita Holmes noted if a covenant was entered into, and the developer wanted to amend it, he should submit a new application and be subject to the new rules.

Responding to Commissioner Monestime's question as to how many such covenants existed, Mr. Mark Woerner, Assistant Director, Metropolitan Planning, Regulatory and Economic Resources, indicated that more covenants were submitted with Comprehensive Plan amendments in the past ten years than in the prior 15 years. However, he noted, in the last ten years, only been a handful of amendments to these covenants had been submitted.

Pursuant to Commissioner Monestime's query, Mr. Woerner replied that changing conditions or different market conditions would be good reasons to support such an amendment.

In response to Commissioner Monestime's question as to whether such amendments were sometimes beneficial to the community, Mr. Woerner replied that applicants sought to amend covenants for good or bad reasons. He stated that his department reviewed all such applications and made recommendations before forwarding them to the Board.

Commissioner Monestime indicated that he would not support this item because there may be times when covenants needed to be changed. He said that if an amendment could bring value to a community, he would support it. On the other hand, he would not support an applicant who was seeking to amend a covenant just because it would be more profitable for the developer.

Assistant County Attorney Kerbel clarified that this item, if passed, would be amended to insert a new Section 2 to provide an applicability provision that will read: "Applications that were filed in the October 2011 or April 2012 CDMP amendment cycles to amend, modify or change

existing CDMP covenants shall continue to be subject to the CDMP amendment procedures in effect as of their filing date. All future applications to amend modify or change any CDMP covenants, except as provided herein shall be subject to the provisions of this ordinance."

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

1F4

121292 Ordinance

Sen. Javier D. Souto,

Joe A. Martinez

Withdrawn

ORDINANCE AMENDING SECTIONS 8C-1, 8C-2 AND 8CC-10 AND CREATING SECTION 8C-6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE INSTALLATION OF GUARDRAILS AND OTHER TRAFFIC BARRIERS FOR PARKING LOTS ADJACENT TO OR ABUTTING BODIES OF WATER IN UNINCORPORATED MIAMI-DADE COUNTY; PROVIDING RETROACTIVITY AND PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Report: *See Item 1F4 Substitute, Legislative File No. 121628.*

1F4 SUB

121628 Ordinance

Sen. Javier D. Souto,

Barbara J. Jordan, Joe A. Martinez, Rebeca Sosa
ORDINANCE AMENDING SECTIONS 8C-1, 8C-2 AND
8CC-10 AND CREATING SECTION 8C-6 OF THE CODE
OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING THE
INSTALLATION OF GUARDRAILS AND OTHER
TRAFFIC BARRIERS FOR PARKING LOTS ADJACENT
TO OR ABUTTING BODIES OF WATER IN
UNINCORPORATED MIAMI-DADE COUNTY;
PROVIDING RETROACTIVITY AND PENALTIES;
PROVIDING SEVERABILITY, INCLUSION IN THE CODE
AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM
UNDER FILE NO. 121292)

*Forwarded to BCC with a favorable
recommendation*

Mover: Sosa

Seconder: Jordan

Vote: 5-0

Absent: Diaz

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

*Chairwoman Edmonson opened the public hearing
on the foregoing proposed ordinance. She closed
the public hearing after no one appeared wishing
to speak.*

*Commissioner Jordan asked to be added as a co-
sponsor to the foregoing proposed ordinance.*

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

1F5

121285 Ordinance Audrey M. Edmonson

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING THE DEFINITION FOR BUILDING STORY; RESTRICTING UPPER FLOOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Deferred to no date certain
Mover: Edmonson
Seconder: Sosa
Vote: 5-0
Absent: Diaz

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

Vice Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Vice Chairwoman Jordan expressed concern that the item would change the required height for buildings' stories.

Mr. Eric Silva, Assistant Director, Development Services Division, Regulatory and Economic Resources (RER), explained that while this item changed the definition section of the Zoning Code, it would not change the 35-foot height requirement for buildings' stories. He confirmed that this would be the requirement for single family homes, as well.

Commissioner Sosa noted even if the height remained the same, this item would prohibit owners from adding a third story to their homes. She expressed concern that this item would have a chilling effect on investments and development in some parts of the County, especially in unincorporated areas within Miami-Dade County.

Responding to Commissioner Sosa's question regarding the intent of this item, Mr. Silva explained that while one section of the code prohibited homeowners from building an extra story, another section allowed it, which was inconsistent. He said that this item applied to unincorporated areas only.

Commissioner Sosa expressed concern that this requirement would not apply countywide, as it created a division within the County; consequently, she could not support this.

Vice Chairwoman Jordan noted she concurred with Commissioner Sosa that this item would eliminate homeowners' ability to build a third story on their home.

Chairwoman Edmonson asked Mr. Silva whether he wanted to amend or defer the item.

Mr. Silva clarified that the cities set their own requirements for heights. He noted he agreed with the proposal to defer the item.

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

1F6

121286 Ordinance Audrey M. Edmonson

ORDINANCE RELATING TO COMMUNITY COUNCILS; CLARIFYING PROCEDURES FOR APPOINTMENTS TO THE COMMUNITY COUNCILS; AMENDING SECTION 20-43 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

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

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

Vice Chairwoman Jordan opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Commissioner Sosa asked Deputy Mayor Jack Osterholt to provide the County Commission with a report on the total cost to administer Community Councils in Miami-Dade County.

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

1F7

121353 Ordinance

Audrey M. Edmonson,

Lynda Bell, Jean Monestime

ORDINANCE PERTAINING TO ZONING; AMENDING ARTICLE XXXIII(K) OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTIONS 33-284.82 THROUGH 33-284.92 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Regulatory and Economic Resources)

Withdrawn

Report: *See Agenda Item 1F7 Substitute, Legislative File No. 121804.*

1F7 SUB

121804 Ordinance

Audrey M. Edmonson,

Lynda Bell, Jean Monestime

ORDINANCE PERTAINING TO ZONING; AMENDING ARTICLE XXXIII(K) OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTIONS 33-284.82 THROUGH 33-284.92 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 121353] (Regulatory and Economic Resources)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Sosa

Vote: 5-0

Absent: Diaz

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

Vice Chairwoman Jordan opened the public hearing on the foregoing proposed 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.

Chairwoman Edmonson resumed the Chair.

2 COUNTY COMMISSION

2A

120980 Resolution**Bruno A. Barreiro***Amended*

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 6, 2012, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER SO THAT CIRCULATORS OF INITIATORY PETITIONS TO PASS OR REPEAL AN ORDINANCE OR AMEND THE CHARTER MAY, IN ADDITION TO THE COLLECTION OF PHYSICAL SIGNATURES, ALSO BE PERMITTED TO COLLECT SIGNATURES OF VOTERS ELECTRONICALLY IN ACCORDANCE WITH A PROCESS SET FORTH BY ORDINANCE OF THE BOARD

Report: *See Agenda Item 2A Amended; Legislative File No. 121936 for the amended version.*

2A Amended

121936 Resolution Bruno A. Barreiro

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD IN CONJUNCTION WITH A GENERAL ELECTION ON TUESDAY, NOVEMBER 4, 2014, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER SO THAT CIRCULATORS OF INITIATORY PETITIONS TO PASS OR REPEAL AN ORDINANCE OR AMEND THE CHARTER MAY, IN ADDITION TO THE COLLECTION OF PHYSICAL SIGNATURES, ALSO BE PERMITTED TO COLLECT SIGNATURES OF VOTERS ELECTRONICALLY IN ACCORDANCE WITH A PROCESS SET FORTH BY ORDINANCE OF THE BOARD (SEE ORIGINAL ITEM UNDER FILE NO. 120980)

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

Mover: Barreiro

Seconder: Jordan

Vote: 3-2

No: Jordan, Sosa

Absent: Diaz

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

Commissioner Barreiro said he had been told by the Elections Department staff that if the item was to be considered by the Committee and then by the full Board, they would not have sufficient time to present the question to the voters by November 6; therefore, he suggested that the date be removed and that the question be posed to the voters at the next general election.

Commissioner Sosa noted although she agreed with the idea of providing access to everyone to vote on petitions, she was weary of allowing circulators to collect signatures electronically in view of the County's negative experience with absentee ballots. She said that she would feel more confident voting in favor of this item if all of the necessary technology and standards were available to prevent any abuse of the system.

Commissioner Barreiro pointed out that he had been advised by the County Attorneys that according to the Charter it was not yet possible to have this system in place. He said the Attorneys had advised that the proposal must first be approved and included in the Charter; only then would it be possible to put the system in place with the necessary technology and standards. He also noted allowing circulators to collect signatures electronically would leave a clear trail of how people voted.

Assistant County Attorney Oren Rosenthal confirmed that the Charter currently required a notary signature on petition forms; therefore, currently, the collection of signatures could not be done electronically under the Charter. He advised, however, that this change in the Charter would allow the Board to subsequently create a process by which the County could have an electronic signature for an initiatory ordinance or a proposed Charter change by initiatory petition.

Commissioner Monestime expressed some concern regarding the cost of putting in place such a system. He inquired whether the Administration currently had the capability of using this system.

Mr. Jack Osterholt, Deputy Mayor, confirmed that electronic signatures were currently used by the Building Department.

Commissioner Jordan said that although she moved the item for discussion, she could not support it at present, because the notary signature provided more accountability. She noted given the problems that had occurred with absentee ballots, she was weary of people tampering with electronic signatures.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing proposed resolution, as amended to remove the date of the Countywide Special Election to state "the next general election" instead of "on Tuesday, November 6, 2012", for the submittal to the electors of Miami-Dade County of the ballot question outlined in this resolution.

2B

121689 Resolution

Bruno A. Barreiro

RESOLUTION APPROVING AGREEMENTS RELATED TO DISTRICT 5 GRANT FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 249 -- "PRESERVATION OF AFFORDABLE HOUSING UNITS AND EXPANSION OF HOME OWNERSHIP" TO CARRFOUR SUPPORTIVE HOUSING INC. IN AMOUNT OF \$276,179 FOR DEVELOPMENT OF VILLA AURORA AFFORDABLE HOUSING PROJECT; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND DELIVER SUCH AGREEMENTS ON BEHALF OF COUNTY

Forwarded to BCC with a favorable recommendation

Mover: Barreiro

Seconder: Sosa

Vote: 5-0

Absent: Diaz

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

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

2C

121538 Resolution **Barbara J. Jordan**

RESOLUTION CREATING TASK FORCE TO REVIEW PENDING INCORPORATION PROPOSALS AND TO MAKE RECOMMENDATIONS ON HOW THE COUNTY SHOULD PROCEED TO ADDRESS THE REMAINDER OF THE UNINCORPORATED COMMUNITIES

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Barreiro

Vote: 4-1

No: Sosa

Absent: Diaz

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

Commissioner Jordan said that she proposed this item to allow Board members to create a Comprehensive Plan on moving forward with the pending incorporation proposals and to look at the remaining unincorporated communities collectively.

Pursuant to Commissioner Barreiro's question, Commissioner Jordan confirmed that the applications would continue to be processed while the Task Force was meeting.

Commissioner Sosa pointed out that the ballot had a question relating to incorporations, and the Board needed to discuss what they wanted to do with regard to annexations as opposed to incorporations. She noted she believed it was premature to create a Task Force on these issues; therefore, she would not support the item at this point.

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

2D

121564 Resolution

Rebeca Sosa

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO CONDUCT AN EDUCATIONAL CAMPAIGN TO INFORM THE PUBLIC ABOUT MIAMI-DADE COUNTY'S CURRENT REGULATIONS RELATED TO LITTER, GRASS CLIPPINGS AND YARD TRASH

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Edmonson

Vote: 5-0

Absent: Diaz

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

In response to Commissioner Jordan's question, Mr. Chris Rose, Assistant Director, Public Works and Waste Management Department, clarified that no additional fiscal impacts were associated with the reminders that were suggested to be mailed out, as outlined in this proposed resolution. He said that the reminders would be included in the on-going educational program on this issue.

Commissioner Sosa further explained that many Miami-Dade County residents did not know that when they cut their grass they could not leave it in the middle of the road or just anywhere, because as a result of their actions the County had an additional expense to clean clogged drains during the rainy season. She said that this item was proposed to inform the public about what to do when they cut their grass, and it would save revenues because the drains would be clean.

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

2E

121703 Resolution

Rebeca Sosa,
Sally A. Heyman

RESOLUTION SUPPORTING THE CENTRAL
EVERGLADES PLANNING PROJECT FOR THE
RESTORATION OF THE CENTRAL EVERGLADES

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

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

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

3 DEPARTMENTS

3A

121581 Resolution

Lynda Bell

RESOLUTION REQUESTING THE FLORIDA
DEPARTMENT OF TRANSPORTATION TO CONVEY AT
NO COST TO THE COUNTY A SURPLUS PROPERTY
ALONG SW 92 AVENUE AND SW 144 STREET, ALSO
KNOWN AS PARCEL 104 (PART) IN MIAMI-DADE
COUNTY FOR PUBLIC PURPOSES AND AUTHORIZING
THE CHAIRMAN OF THE BOARD OF COUNTY
COMMISSIONERS TO EXECUTE THE ACCEPTANCE OF
SAID CONVEYANCE ON BEHALF OF MIAMI-DADE
COUNTY (Public Works & Waste Management)

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

Report: *Hearing no objection, the Committee considered
Agenda Items 3A, 3B and 3C simultaneously.*

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

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

3B

121585 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$96,146.84 TO LEYRAM CONSTRUCTION, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED RAMPS AND CONNECTORS (PROJECT MCC 7040 PLAN – CICC 7040-0/07, REQUEST FOR PRICE QUOTATION NO. 20120045) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Barreiro

Seconder: Sosa

Vote: 5-0

Absent: Diaz

Report: *See Agenda Item 3A, Legislative File No. 121581 for the report.*

3C

121647 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ALONG SW 184 STREET FROM SW 170 AVENUE TO 200 FEET EAST OF SW 154 PLACE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Barreiro

Seconder: Sosa

Vote: 5-0

Absent: Diaz

Report: *See Agenda Item 3A, Legislative File No. 121581 for the report.*

3D

121589 Resolution Sally A. Heyman

RESOLUTION WAIVING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM'S ADMINISTRATIVE RULES FOR PURPOSE OF DISBURSING BOND FUNDS IN THE AMOUNT OF \$1,980,900.25 AS LOCAL GOVERNMENT MATCH TO U.S. ARMY CORPS OF ENGINEERS RELATING TO BBC GOB PROJECT NO. 52 - "BEACH EROSION MITIGATION AND RENOURISHMENT PROJECT"; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE FOREGOING (Regulatory and Economic Resources)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Monestime

Vote: 5-0

Absent: Diaz

Report: *Hearing no objection, the Committee considered Agenda Items 3D and 3E simultaneously.*

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

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

3E

121644 Resolution Sally A. Heyman

RESOLUTION RATIFYING THE MAYOR'S EXECUTION OF AN AGREEMENT BETWEEN THE FLORIDA INTERNATIONAL UNIVERSITY (FIU) BOARD OF TRUSTEES AND MIAMI-DADE COUNTY TO CONDUCT MANGROVE WETLANDS RESTORATION AT THE FIU BISCAVNE BAY CAMPUS THROUGH MIAMI-DADE COUNTY'S BISCAVNE BAY RESTORATION AND ENHANCEMENT PROGRAM IN AN AMOUNT UP TO \$900,000; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Regulatory and Economic Resources)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Monestime

Vote: 5-0

Absent: Diaz

Report: *See Agenda Item 3D, Legislative File No. 121589 for the report.*

3F

121669 Resolution Rebeca Sosa

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION TO 537 MAJORCA AVENUE, CORAL GABLES, FLORIDA PURSUANT TO SECTION 196.1997, AND 196.1998 FLORIDA STATUTE AND SECTION 16A-18, MIAMI-DADE COUNTY CODE (Regulatory and Economic Resources)

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

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

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

3G

121648 Resolution Barbara J. Jordan

RESOLUTION AUTHORIZING THE EXECUTION OF AN EIGHTEEN FOOT WIDE NON-EXCLUSIVE TEMPORARY GRANT OF EASEMENT TO WILLIAMS ISLAND VENTURE, LLC FOR INGRESS THERETO AND EGRESS THEREFROM ON PROPERTY LOCATED AT 19400 NORTHEAST 10 AVENUE, MIAMI, FLORIDA 33179 (Water & Sewer Department)

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

Report: *Assistant County Attorney Geri Bonzon-Keenan 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.

3H

121751 Resolution Audrey M. Edmonson

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE'S TO EXECUTE THE UNITED STATES DEPARTMENT OF ENERGY'S BETTER BUILDINGS CHALLENGE COMMUNITY PARTNERSHIP AGREEMENT AND AMENDMENTS THERETO; EXERCISE TERMINATION PROVISIONS AND ALL OTHER RIGHTS PROVIDED THEREIN; AND APPLY FOR, RECEIVE, AND EXPEND GRANT FUNDS THAT MAY BECOME AVAILABLE AS PART OF THIS AGREEMENT (Regulatory and Economic Resources)

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

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

Chairwoman Edmonson relinquished the Chair.

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

Chairwoman Edmonson resumed the Chair.

3I

121759 Resolution Xavier L. Suarez

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION TO 313 SARTO AVENUE, CORAL GABLES, FLORIDA PURSUANT TO SECTION 196.1997, AND 196.1998 FLORIDA STATUTE AND SECTION 16A-18, MIAMI-DADE COUNTY CODE (Regulatory and Economic Resources)

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

Report: *Assistant County Attorney Geri Bonzon-Keenan 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

121743 Resolution

RESOLUTION APPROVING EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI TO PROVIDE THE COUNTY WITH FUNDING IN AN AMOUNT UP TO \$600,000 FOR THE CONSTRUCTION OF ROAD IMPROVEMENTS ALONG SW 17 AVENUE, FROM US-1 TO FLAGLER STREET; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works & Waste Management)

Amended

Report: *See Agenda Item 3J Amended Legislative File No. 121846 for the amended version.*

3J Amended

121846 Resolution

RESOLUTION APPROVING EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI TO PROVIDE THE COUNTY WITH FUNDING IN AN AMOUNT UP TO \$600,000 FOR THE CONSTRUCTION OF ROAD IMPROVEMENTS ALONG SW 17 AVENUE, FROM US-1 TO FLAGLER STREET; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS [PLEASE SEE ORIGINAL ITEM UNDER FILE NO. 121743] (Public Works & Waste Management)

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

Mover: Barreiro

Seconded: Monestime

Vote: 5-0

Absent: Diaz

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

Assistant County Attorney Bonzon-Keenan informed Committee members that an amendment had been proposed for this item, and advised that the following phrase should be added at the end of the title: "... and authorizing use of Charter County Transportation Surtax Funds."

In response to Commissioner Barreiro's request for a waiver to consider this item at the next County Commission meeting, Chairwoman Edmonson asked Deputy Mayor Jack Osterholt to prepare the appropriate memorandum asking the Board of County Commissioner's Chairman Joe A. Martinez to waive the Board's rules and procedures to allow this proposed resolution to be heard at the September 18, 2012 meeting.

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

6 REPORT

7 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 4:24 P.M.*