



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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PSASC
Agenda Item No. 6(A)

TO: Honorable Chairwoman Sally A. Heyman
and Members, Public Safety and Animal Services
Committee

DATE: August 28, 2013

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 Public Safety and Animal Services Committee:

June 12, 2013

CA/msy
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Public Safety & Animal Services Committee

Sally A. Heyman (4) Chair; Esteban L. Bovo, Jr. (13) Vice Chair; Commissioners
Bruno A. Barreiro (5), and Audrey M. Edmonson (3)

Wednesday, June 12, 2013

9:30 AM

COMMISSION CHAMBERS

Members Present: Esteban L. Bovo, Jr., Audrey M. Edmonson, Sally A. Heyman.

Members Absent: Bruno A. Barreiro.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Mary Smith-York, Commission Reporter
(305) 375-1598*

1A INVOCATION AS PROVIDED IN RULE 5.05 (G)

Report: *The Public Safety and Animal Services Committee
convened in a moment of silence at 9:42 a.m.,
followed by the Pledge of Allegiance.*

1B ROLL CALL

Report: *In addition to the members of the Committee, the following staff members were present: Deputy Mayor Alina Hudak; Assistant County Attorney Alex Bokor; and Deputy Clerks Cynthia White and Mary Smith-York.*

*Board of County Commissioners (BCC)
Chairwoman Sosa and Commissioners Bell, Diaz, and Moss were also present.*

Assistant County Attorney Alex Bokor advised that the only change to today's (6/12) agenda was the addition of Agenda Item 3B, as requested by BCC Chairwoman Sosa in her memorandum entitled, "Requested Changes to the Public Safety & Animal Services Committee Agenda."

It was moved by Commissioner Edmonson that today's (6/12) agenda be approved with the requested changes noted by Assistant County Attorney Bokor. This motion was seconded by Commissioner Bovo, and upon being put to a vote, passed by a vote of 3-0; (Commissioner Barreiro was absent).

1C PLEDGE OF ALLEGIANCE

1D SPECIAL PRESENTATIONS (SCHEDULED TO BEGIN AT 9:00 AM)

1D1

131141 Service Awards

PRESENTATION OF SERVICE AWARDS TO THE FOLLOWING EMPLOYEES:

Presented

MATTIE R. NICHOLS - CORRECTIONS - 35 YEARS
LEONA A. MACKEY - LAW LIBRARY - 35 YEARS

1D2

131130 Special Presentation

Sally A. Heyman

SPECIAL PRESENTATION BY MADAM RENITA
HOLMES OF WAAIVE ASCERTIVE REGARDING THE
'INNER CITY VIOLENCE AND CRIME'

Presented

1E **DISCUSSION ITEMS**

1E1

131182 Discussion Item

Jose "Pepe" Diaz,

Sally A. Heyman

ANIMAL SERVICES DEPARTMENT REPORT OF
RECOMMENDATIONS FOR ATTAINING A NO KILL
SHELTER

Presented

Report: *Chairwoman Heyman provided a brief overview of the purpose of the foregoing item, which was a follow-up to discussion held at the June 4, 2013 BCC meeting regarding Agenda Item 9A1 (Resolution accepting the Animal Services Department (ASD) Report of Recommendations for attaining a No Kill shelter). She stated that, although this was not a public hearing item, all of the groups that were principally involved were notified of today's discussion, including the Animal Services Department and County Administration; State and Local Veterinarian Associations; the Humane Society; the Association for Prevention of Cruelty to Animals (ASPCA); Animal Rescue Groups; and participants of "No Kill Nation" and the "Pet Trust." Chairwoman Heyman announced that Assistant County Attorney Dennis Kerbel would read into the record the proposed changes to the language in Item 9A1. She explained that no vote would be conducted on this item today; rather the documented recommendations would be forwarded to the full Board for approval.*

Assistant County Attorney Alex Bokor read the foregoing discussion item into record.

Chairwoman Heyman noted at the end of this discussion, the dialogue and consensus would be compiled by the County Attorney's Office and made public record by the County Clerk. She recognized the stakeholders present today (6/12) and commended ASD Director Alex Munoz for his efforts in making the department a professional unit. She noted the kill ratio had significantly decreased, and adoption levels had significantly increased, thanks to the work of many County departments. Chairwoman Heyman distributed copies of Item 9A1 and asked Assistant County Attorney Kerbel to read into the record the proposed changes. She stated that the stakeholder representatives would be allowed time to express their concerns regarding the changes, which were made in response to concerns already presented.

Assistant County Attorney Kerbel noted the

following amendments were proposed by

Chairwoman Heyman:

* Pages 10 & 11:

- to change "voter approval of a straw ballot," to "voter support of nonbinding straw ballot," wherever this language appears;

* Page 11:

- to delete the language "...supported by the Pet's Trust Miami and designated for improved animal services are complimentary..." from paragraph 1, last sentence, and wherever this language appears;

* Page 12:

- to replace the language "...dedicated millage..." with "...additional dedicated property tax millage..." in paragraph 2, line 6;

- to replace the language "...the new..." with the language "...additional..." in paragraph 3, last sentence;

- to insert the language "...the existing veterinary practices, rescue groups, and other..." between "of" and "community" in the last paragraph, 2nd line and the language "...placement, adoption, and re-location..." between the words "ensure" and "opportunities" in the last line;

* Page 17:

- to delete line 12;

* Page 19:

- to delete the first two sentences in paragraph one and insert the language "...A successful feline TNR/TNG program shall include the support of transportation and trapping activities in addition to the utilization of clinics and facilities performing high-volume targeted feline spay and neuter surgeries...;" to replace the language "...the sterilization clinics..." with "...Animal Services Department..." in line 10; and to insert the language "...Miami-Dade County's 167 private veterinary clinics and private hospitals and licensed South Florida and..." before the words "...Miami-Dade veterinarians..." in line 14;

* Page 20:

- to insert the language "...non-binding straw ballot..." before the word "ballot" in paragraph 1, line 3 and to replace the language "...Pet's Trust..." with the language "...nonbinding straw ballot..." in paragraph 5, line 2;

* Page 21:

- to insert the word "additional" before each occurrence of the word "funding," and to delete the words "other agencies" and insert the language "...all agencies and service providers..." in sentence #2 at the bottom of the page;

* Page 22:

- to insert the language "...or payment chit..." after the word "vouchers" and to insert the word "local" before the word "Private" in sentence #3; and to delete the language in recommendation #8 and replace it with "...Provide surgery vouchers or payment chits for existing mobile animal clinics to expand low cost or no cost spay and neuter services..."

* Page 23:

- to delete the first sentence of paragraph 2;

* Page 24:

- to add an additional recommendation : "...6. Work with local, private veterinary clinics and hospitals, including the ASPCA for the surrender of large animals..." and

* Page 25:

- to add at the end of the last paragraph the language, "...ASD will work closely with local veterinary associations to ensure that all stakeholders had meaningful participation on the Advisory Board.

Chairwoman Heyman reiterated her earlier remarks, noting these were recommendations for the Mayor's consideration regarding the proposed "No Kill Shelter." She then opened the floor to hear the concerns of the stakeholders and the following individuals appeared in support:

- 1) Ms. Laurie Hoffman, Director of Development & Communication at the Humane Society of Greater Miami Adopt-A-Pet, 16101 W. Dixie Highway, appeared in support and asked that the Humane Society be allowed to appoint a member to the proposed Advisory Board;
- 2) Ms. Jeanette Jordan, 15476 NW 77 Court, South Florida Society for Prevention of Cruelty to Animals (SPCA), appeared in support;
- 3) Ms. Megan Clouser, Chair/CEO, Cat Network, Inc., P.O. Box 347228, Miami, FL, appeared and spoke in support;
- 4) Ms. Carol Caridad, President, Paws 4 You Rescue, 8480 SW 146 Street, appeared in support;
- 5) Ms. Rita Schwartz, Friends Forever Rescue, 7100 NW 33 Street, appeared in support;
- 6) Ms. Debra Day, No Kill Nation, 2342 NE 29 Street, Broward County, appeared in support;
- 7) Senator Miguel Diaz de la Portilla, 200 S. Biscayne Boulevard, South Florida Veterinary Medical Association (SFVMA) appeared in support;
- 8) Dr. Anjanette Cabeza, member SFVMA Board of Directors, 9400 NW 58 Street, Doral, appeared and introduced Dr. Maria Oliviera, President of SFVMA; and former SFVMA presidents: Dr. Rick

Diaz, Dr. Marta Lista, and Dr. Anderson; and Mr. Phil Hinkle, Executive Director, Florida Veterinary Medical Association (FVMA), present in support of the ordinance as amended. She provided statistical and technical information regarding the services needed and those provided to promote the health and control the population of domestic animals in the County;

Chairwoman Heyman asked Dr. Cabeza to submit copies of her presentation to the Clerk for distribution to members of the Commission members and associated entities, as well as for public record.

9) Mr. Michael Rosenberg, Pets' Trust Miami, Inc. Director, 13030 N Colusa Club Drive, Miami, appeared in support;

10) Ms. Dahlia Canes, 6448 W. 11 Lane, Founder/ Director, Miami Coalition Against Breed Specific Legislation, appeared and spoke in opposition to the ban on Pit Bulls in Miami-Dade and asked that it be removed; and

Chairwoman Heyman stated that the breed specific ban was an issue, which the proposed Advisory Board should revisit for possible changes. She noted although issues relating to kennels and pet stores were not included in the subject recommendations, Ms. Bloom would be allowed to present her concerns.

11) Lorrie Bloom, attorney and animal welfare advocate, Pinecrest, appeared and spoke in opposition to the proposed changes to the recommendation regarding high volume clinics. She noted the number of surgeries necessary to accommodate the large animal population in the County required the participation of local veterinarians. She asked that the language pertaining to the clinics remain in the resolution.

Chairwoman Heyman noted several Commission members also served on other state and federal governmental entities, which provided an advantage to communicate with their counterparts in an effort to expedite this plan. She quoted from a Miami-Herald article in which an individual estimated it would take five years before any result of this program would be seen. Chairwoman Heyman indicated that the plan would provide direct services, and would not be delayed in the permit and building processes, which would generate results immediately.

Mr. Alex Munoz, Animal Services Department Director, presented a PowerPoint presentation and expressed his appreciation to all the representatives of rescue groups and associated partners present in support of this item. He thanked the Miami-Dade County Public School Board for including this information in its curriculum. He noted he would present the full presentation at the Board of County Commission meeting and highlighted the following points:

- Current save rates for dogs (79-80 percent) and cats (increased from 25-66 percent in 1 ½ years);
- Increased animal lives saved;
- Reducing shelter intakes;
- Providing the public with surrender, prevention & responsible pet ownership resources; and
- Improved care, adoption, and rescue.

Mr. Munoz noted the proposed plan would improve the level of staffing at the ASD Shelter as well as allow the department to work closely with the community. In conclusion, Mr. Munoz aired a video created by ASD to encourage people to adopt and love a pet.

Chairwoman Heyman noted her dog was adopted and suggested the possibility of including the issue of inoculation in the budget under the voucher and payment section.

Commissioner Bovo noted he believed that the efforts made by all interested parties were encouraging. With respect to Mr. Munoz' reference to a vacant operating table in his report, Commissioner Bovo said he wanted to ensure that the money was being spent judiciously and that a sunset provision was in place once the goal was achieved.

In response to Commissioner Bovo's question as to how much more could be achieved with an additional operating table and how much this would cost, Mr. Munoz noted surgeries were performed seven (7) days a week at the ASD. He indicated that the mobile unit, located at the shelter for public service, operated less than seven days and had two tables. Mr. Munoz stated that there was no room for another table and pointed out that both of the existing tables were not always staffed, adding that he had drafted plans for staffing that table.

Commissioner Bovo expressed his interest in seeing the draft plans as they progressed and stated that he supported moving forward with this

initiative if it included a sunset provision that would be triggered once the goal was achieved.

Commissioner Edmonson expressed concern that residents were willing to increase taxes to help the animals but not to help the people in this community; however, she said that she would support this item moving forward.

Chairwoman Heyman stated that she was urged to support a non-binding straw vote that did not mention "No Kill" or "Pet Trust", noting this process would result in recommendations to the Mayor to grant as a line item in the County budget additional funds to reach the No Kill goal. In response to Commissioner Bovo's concern, Chairwoman Heyman mentioned other tax increase initiatives that were monitored year-to-year; however, she said that as a sponsor of the present item, she requested this tax increase for two years. She noted the item's language targeted the spay/neuter clinics and created an advisory task force with members from all entities associated with this objective. Chairwoman Heyman stated that she would not support a tax increase for bricks and mortar projects when there were so many organizations and specialists already in existence that could be funded directly for education, care, services and spay/neuter surgeries.

County Commission Chairwoman Sosa expressed appreciation to Committee members for providing this forum for stakeholders and interested persons to be a part of this initiative. She noted after revisiting the ballot question, she was able to answer questions received from constituents concerning the language regarding a tax increase. Chairwoman Sosa commended Mr. Munoz on his accomplishments as director of the Animal Services Department. She asked Commissioner Diaz to establish benchmarks as this initiative progressed to document the achievements and improve the outcome. She announced that she would be working with the County Attorneys on a resolution urging responsible pet ownership. Chairwoman Sosa expressed her support for the foregoing proposed item.

Chairwoman Heyman read, into the record, the language: "... increasing the Countywide General Fund millage by 0.1079 mils to fund improved animal services programs in the County..." as reflected in the resolution (Item 9A1; 6/5/2013

BCC Meeting, Page 5, 2nd WHEREAS clause), pointing out that no reference to a specific person, organization, cause, or group was made. She emphasized that this was a non-binding straw ballot question that would place a line item in the County's budget, for which she requested a two-year sunset.

Commissioner Diaz expressed his appreciation to Chairwoman Heyman and Committee members, County Commission Chairwoman Sosa, commissioners, staff, and stakeholders for their support and attendance. He noted this initiative was motivated by passion for animals. He commended Mr. Munoz and his assistant Kathy for successfully carrying out this plan. Commissioner Diaz addressed the concerns raised regarding the non-binding straw vote and recognized Ms. Marta Flores (phonetic) and others for their continued support in promoting this effort to make it happen. Commissioner Diaz stated that this initiative was to make the ASD shelter the biggest "No Kill" shelter in the United States. He acknowledged that some of the issues important to the community had not yet been addressed, including the Pit Bull issue. He noted this initiative was only for a period of time to accomplish a goal and would not be an unending tax increase; however, it might be extended and made part of the budget until the goal was achieved. Commissioner Diaz noted he concurred that benchmarks were very important and he would bring forward legislation that would be helpful for all concerned with respect to the animals. He stated that the revised recommendations would be presented to the full Board for approval on Tuesday, June 18, 2013.

Chairwoman Heyman reminded everyone that this item was coming back before the Board as a deferred item and would not be a public hearing item. She recognized Commissioner Bell who was present and an animal lover and contributing advocate of this initiative.

1F PUBLIC HEARINGS

1F1

130920 Ordinance Sally A. Heyman

ORDINANCE AMENDING SECTION 2-1311 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO ADD A SUNSET PROVISION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Bovo, Jr.

Second: Heyman

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alex Bokor read the foregoing proposed ordinance item into record.*

Chairwoman Heyman opened the public hearing and called for individuals wishing to be heard. The following individuals appeared:

1) Ret. Fire Chief Carl Noel, Vice Chair of Dial-a-Life Program, appeared before the Committee and recommended that the program be terminated. He noted the program was created, by former BCC Chairman Joe Martinez, to help protect vulnerable citizens by providing them with donated cell phones for use in an emergency. He explained that the program had existed for approximately 12 years and was now competing with four (4) federally funded programs that provided phones equipped with free minutes and messaging. Mr. Noel stated that this had greatly reduced the number of requests the Dial-a-Life Program received and as such, recommended its termination.

2) Fire Chief Dave Downey, Miami-Dade Fire Rescue, noted the Dial-a-Life Program was outdated and better options were currently available to citizens. He stated that only six (6) requests for phones had been received within the last two years and reiterated the recommendation to terminate this program.

Chairwoman Heyman closed the public hearing after no other person appeared wishing to speak.

Chairwoman Heyman noted the cell phone receptacle remained in the lobby of the Stephen P. Clark Center and asked Deputy Mayor Alina Hudak to request the Building Manager to redirect the contributions to victims of Domestic Violence or to another worthy cause.

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

2 COUNTY COMMISSION

2A

131108 Resolution **Juan C. Zapata**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO INCLUDE PROVISION IN PROFESSIONAL SERVICE AGREEMENTS AND CONSTRUCTION CONTRACTS FOR MAJOR INFRASTRUCTURE PROJECTS AND CAPITAL IMPROVEMENTS PROHIBITING CONSULTANTS AND CONTRACTORS FROM ASSIGNING CERTAIN PERSONS TO WORK ON SUBJECT AGREEMENTS AND CONTRACTS FOR LIMITED PERIOD FOLLOWING CESSATION OF COUNTY SERVICE OR EMPLOYMENT

Deferred to no date certain

Mover: Edmonson

Seconder: Heyman

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alex Bokor read the foregoing resolution into record.*

It was moved by Commissioner Bovo that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation. This motion was seconded by Commissioner Edmonson, for discussion.

Chairwoman Heyman noted some concerns were raised as to why this item was being considered by this Committee, since it pertained to construction, and since the Code of Ethics already contained similar provisions. She asked that this item be deferred so the Commission on Ethics and Public Trust Director could address those concerns.

Commissioner Edmonson expressed concern with this proposed Professional Service Agreement (PSA) being scheduled to sunset in two (2) years when the projects would be undertaken over a period of approximately 15 years.

It was moved by Commissioner Edmonson that the foregoing proposed resolution be deferred to no date certain. This motion was seconded by Chairwoman Heyman, followed by discussion.

Responding to Chairwoman Heyman's invitation to provide feedback, Deputy Mayor Hudak declined to comment since this was a commissioner-sponsored item. She confirmed that the Code of Ethics placed restrictions on what County officials were allowed to do after they left County service. She stated that it would be important to find out from the Commission on Ethics and Public Trust Director how these provisions were monitored. She noted this proposed language would be required to be included in County contracts, and she had not

discussed this proposal with the sponsor.

Commissioner Bovo pointed out that because of the magnitude of the impending water and sewer construction, it was necessary to err on the side of caution in the contractual language. However, in view of the absence of the sponsoring commissioner, he would support the motion to defer.

Chairwoman Heyman reminded the County Administration that staff needed to be present to address concerns related to items before the Commission that pertained to their respective departments.

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

3 DEPARTMENTS

3A

131090 Resolution

RESOLUTION APPROVING TERMS OF AND AUTHORIZING EXECUTION BY THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE OF A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND GOLDEN SANDS ALLAPATTAH CORPORATION, A FLORIDA CORPORATION, FOR PREMISES LOCATED AT 1313 N.W. 36 STREET, THIRD AND SIXTH FLOORS, MIAMI, TO BE UTILIZED BY THE STATE ATTORNEY'S OFFICE AS ADMINISTRATIVE OFFICES AND RECORD STORAGE, WITH A TOTAL FISCAL IMPACT TO THE COUNTY ESTIMATED TO BE \$2,720,413.00 FOR THE INITIAL FOUR-YEAR TERM OF THE LEASE AND THE ADDITIONAL THREE TWO-YEAR RENEWAL OPTION PERIODS AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN
(Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Bovo, Jr.

Second: Edmonson

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alex Bokor read the foregoing proposed resolution into record.*

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

3B

131213 Resolution

Sally A. Heyman,

Lynda Bell

RESOLUTION AUTHORIZING EXECUTION OF MEMORANDA OF UNDERSTANDING AND AGREEMENTS BETWEEN IMMIGRATION AND CUSTOMS ENFORCEMENT OF THE U.S. DEPARTMENT OF HOMELAND SECURITY AND MIAMI-DADE COUNTY THROUGH THE MIAMI-DADE POLICE DEPARTMENT; RELATING TO REIMBURSEMENT OF EXPENSES INCURRED BY MIAMI-DADE COUNTY DURING JOINT OPERATIONS AND TASK FORCES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ACTION TO EXECUTE AMENDMENTS, MODIFICATIONS, RENEWALS, AND EXTENSIONS, TO EXERCISE THE CANCELLATION PROVISIONS AND TERMINATION CLAUSES CONTAINED THEREIN (Miami-Dade Police Department)

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

Mover: Bovo, Jr.

Seconder: Edmonson

Vote: 3-0

Absent: Barreiro

Report: *Assistant County Attorney Alex Bokor read the foregoing proposed resolution into record.*

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

Chairwoman Heyman asked Deputy Mayor Hudak to prepare the appropriate memorandum requesting BCC Chairwoman Sosa to waive the Board's Rules and Procedure to allow the foregoing proposed resolution to be heard at the Board of County Commission meeting scheduled for Tuesday, June 18, 2013.

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

131142 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE
MAY 15, 2013 PUBLIC SAFETY AND ANIMAL
SERVICES COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Bovo, Jr.
Seconder: Edmonson
Vote: 3-0
Absent: Barreiro

7 REPORTS

7A

131183 Report

Sally A. Heyman

ORAL UPDATE OF GUN-BUY PROGRAM BY MIAMI-
DADE POLICE DEPARTMENT

Report Received
Mover: Bovo, Jr.
Seconder: Edmonson
Vote: 3-0
Absent: Barreiro

Report: *Miami-Dade Police Department (MDPD) Director J. D. Patterson announced that the department's scheduled Gun Buy Back events would take place on July 27, 2013, 10:00 a.m. to 2:00 p.m., at two locations: the North Dade Justice Center (15555 Biscayne Boulevard) and Goulds Park (11350 SW 216 Street). He explained that this was an effort that allowed citizens to turn in firearms in exchange for gift certificates or monetary rewards.*

Chairwoman Heyman asked Deputy Mayor Alina Hudak to prepare an appropriate memorandum asking BCC Chairwoman Sosa to waive the Board's rules and procedures to allow the foregoing proposed resolution to be heard at June 18, 2013 County Commission meeting. She further noted citizens would not be questioned during this event and special provisions were available to individuals unable to attend by calling the MDPD Intracoastal Office, 15555 Biscayne Boulevard, 305-940-9980. Hearing no further questions or comments, the Committee members proceeded to vote to accept the report.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting was adjourned at 11:41 a.m.*

