



MEMORANDUM
Harvey Ruvin
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ICIC
Agenda Item No. 6A

TO: Honorable Chairman Juan C. Zapata
and Members, Infrastructure and Capital Improvements
Committee

DATE: July 8, 2014

FROM: Christopher Agrippa
Director, 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 Capital Improvements Committee:

June 10, 2014

CA/fr
Attachment



CLERK'S SUMMARY OF Meeting Minutes

Infrastructure & Capital Improvements Committee

Juan C. Zapata (11) Chair; Sally A. Heyman (4) Vice Chair; Commissioners Bruno A. Barreiro (5), Dennis C. Moss (9), and Xavier L. Suarez (7)

Tuesday, June 10, 2014

2:00 PM

Commission Chambers

Members Present: Dennis C. Moss, Xavier L. Suarez, Juan C. Zapata.

Members Absent: Bruno A. Barreiro, Sally A. Heyman.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Flora Real, Commission Reporter, (305) 375-1294*

1A INVOCATION AS PROVIDED IN RULE 5.05 (H)

Report: *Chairman Zapata invoked a moment of silence, followed by the Pledge of Allegiance, which was led by Commissioner Moss.*

1B ROLL CALL

Report: *In addition to the members of the Committee, the following staff members were also present: Deputy Mayor Alina Hudak; Assistant County Attorneys Sarah Davis and Monica Maldonado; and Deputy Clerks Jovel Shaw, Flora Real, Mary Smith-York, and Rene Smith.*

Chairman Zapata called the meeting to order at 2:25 p.m.

Assistant County Attorney Sarah Davis advised Agenda Item 1G1 was requested to be deferred.

It was moved by Commissioner Moss that the Infrastructure & Capital Improvements Committee adopt the agenda as set to include the deferral of Agenda Item 1G1. This motion was seconded by Chairman Zapata; and upon being put to a vote, the motion passed by a vote of 3-0 (Commissioner Barreiro and Vice Chair Heyman were absent).

1C PLEDGE OF ALLEGIANCE

**1D REASONABLE OPPORTUNITY FOR THE
PUBLIC TO BE HEARD AS PROVIDED IN
RULE 6.06**

**1E SPECIAL PRESENTATION(S)
(SCHEDULED TO BEGIN AT 1:30 PM)**

1E1

141233 Service Awards

Rebeca Sosa

PRESENTATION OF SERVICE AWARDS TO THE
FOLLOWING EMPLOYEES:

Presented

MARJORIE G. JOLLY - WASD - 30 YEARS
THOMAS W. KENWORTHY, JR. - WASD - 30 YEARS
LINDELL THOMPSON - WASD - 30 YEARS

1F DISCUSSION ITEM(S)

1F1

141226 Discussion Item **Juan C. Zapata**
 DISCUSSION ITEM REGARDING BULKY WASTE *Presented*
 PICKUP

Report: *Chairman Zapata advised he had asked for this discussion item to be placed on the agenda after reviewing his county commission district 311 reports because he noticed about twenty five percent (25%) of the calls were concerning bulky waste pickups. He mentioned he had addressed with County staff the feasibility of educating constituents about the online resources to schedule bulky pickups in order to make it more convenient and efficient for the department and constituents.*

Chairman Zapata asked Deputy Mayor to address at the next scheduled meeting of this Committee how the public could be informed on how to utilize technology and online resources to schedule bulky pickups, and how the members of the Board could assist in the process of informing their constituents about the process.

Deputy Mayor Alina Hudak advised County staff welcomed the opportunity to share the requested information with this Committee and would make a presentation to share their percentages in terms of the number and type of requests received from the public, would address any concerns about the services, and the content of promotional materials. She briefly reviewed the amount of requests received and the venue through which those requests were received, and she advised that the next few weeks would be utilized to discuss opportunities to promote the County's technology and how to best promote opportunities through the County's website.

Discussion ensued between Chairman Zapata and Deputy Mayor Hudak regarding the opportunities to increase the public's awareness about the technology available and online resources instead of utilizing the services of 311.

Chairman Zapata asked that the presentation also include an explanation on the main causes of the public's complaints and how the County administration intended to address the causes of the complaints.

Commissioner Moss commended the Public Works

and Waste Management Department for their recycling advertisements and successful messages.

Deputy Mayor Hudak advised the advertising campaign was initiated because residents were not placing in the recycling bins the appropriate materials, and it was also used to promote 311 and the County's website. She noted that, as a result of that promotion, the County experienced an increase in the level of use of the online services.

Chairman Zapata suggested to Deputy Mayor Hudak that the County administration should consider the opportunity of using the various events and venues offered by county commissioners to reinforce their messages.

1F2

141259 Discussion Item

Juan C. Zapata

DISCUSSION ITEM REGARDING THE STATUS OF THE
NEW HIALEAH WATER PLANT*Presented*

Report: *Chairman Zapata expressed his concerns and disappointment about having to find out from out of state individuals about the Water and Sewer Department's problems with the new Hialeah Water Treatment Plant instead of being apprised by the County administration, and he advised that he had pointed out to the Deputy Mayor that he believed all of the members of this Committee had an important task and responsibility. He also expressed his desire to be informed as soon as possible of any future problems. He noted that he wished to provide the Water and Sewer Department the opportunity to discuss, explain the status, and how this issue was being addressed.*

Deputy Mayor Alina Hudak agreed with the Chair's comments, noting she had expressed the same concerns to the Water and Sewer Department. She advised that the department was asked to prepare a written report to be presented before the full Board, but an oral report would be presented at today's meeting (06/10).

Mr. Ralph Terrero, Assistant Director – Wastewater, Miami-Dade Water and Sewer Department, appeared before the Committee to provide an oral report on the status of the construction of the plant. He advised that he had been initially assigned to the City of Hialeah Water Treatment Plant, noting the Hialeah Water Treatment Plant was the County's plant. He advised that the plant was still in the testing stage and would not be in production for the next two months. He also advised the department was working with the State of Florida Health Department to ensure water quality. He stated that, based on his experience, the department would experience complaints once this new water processing system was placed in service due to the variation in taste; but the department would keep this Committee informed on the status of the plant in the future.

Pursuant to Chairman Zapata's inquiry, Assistant Director Terrero advised that the plant should have been operational last October; but it would probably be operating by October 2014.

Pursuant to Chairman Zapata's question regarding what were the main issues and what was the problem with the water source being generated at this time, Assistant Director Terrero advised the chemical constituency of the plant, balancing of the process, and mandatory regulations constituted the problems because this was the County's first reverse osmosis water treatment plant with the exception of the plant located in the City of North Miami Beach.

Pursuant to Chairman Zapata's inquiries, Mr. Terrero responded that the County had entered into a fifty percent (50%) joint participation agreement with the City of Hialeah to build the Hialeah Water Treatment Plant; and the cost of the phase currently under construction was approximately \$120 million. He advised this plant was built as a result of the City of Hialeah's request for an additional annexation; and at that time, the County was utilizing all of its water from the Biscayne Aquifer. He noted the permit issued by the South Florida Water Management District (SFWMD) required the County to use the alternative water supply; and the alternative water supply with the most economical cost was Florida ground water, which was highly contaminated. Therefore, the County had to use the membranes method of filtering the water.

Pursuant to Chairman Zapata's inquiry regarding what were the causes that delayed the implementation and the plant not operating properly, Mr. Terrero advised the department had to follow the established process and fine tune it, which required ensuring the system operated properly and met all of the water quality standards.

Following a brief discussion between Chairman Zapata and Mr. Terrero regarding the contractor's performance and failure to meet the water quality standards, Mr. Terrero advised the contractor had not completed the plant yet; but the County would pursue liquidated damages compensation from the contractor for failure to deliver the project on time.

In response to Commissioner Suarez's inquiries, Mr. Terrero explained that this plant would draw source water from the Upper Floridian Aquifer, which was like a sub-aquifer and about 800 feet deep; and it would provide a water quality like bottle water. He noted the users were hooked up to the same waste water system, and it was the

plant that draws water from the sub-aquifer for the County. He advised this type of technology was being used all over the world, and there was one already established in the City of North Miami Beach with the same capacity as the plant being built for the City of Hialeah.

Pursuant to Commissioner Suarez's questions, Assistant County Attorney Sarah Davis responded that the committee could request a written report outlining the contractor's performance.

Chairman Zapata asked the County administration to prepare a written analysis outlining the causes of the delays in the completion of the plant to enable the County to execute future procurement processes adequately and appropriately in order to deliver future projects on time, on budget, and functional.

There being no further comments or objections, the Committee proceeded to take a vote.

1G PUBLIC HEARING

1G1

141081 Ordinance

Esteban L. Bovo, Jr.,

Barbara J. Jordan, Jean Monestime

ORDINANCE CREATING SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY; DELEGATING TO THE COUNTY MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO ADVERTISE, AWARD, AMEND AND NEGOTIATE CONTRACTS FOR GOODS AND SERVICES, CONSTRUCTION AND PROFESSIONAL SERVICES FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT, TO EXTEND CONTRACT DURATION, TO EXECUTE CHANGE ORDERS AND TO SETTLE CLAIMS WITHOUT NEED FOR PRIOR BOARD APPROVAL; PROVIDING FOR RATIFICATION OF ALL ACTIONS ON A QUARTERLY BASIS; PROVIDING SEVERABILITY, PRIORITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to next committee meeting

Mover: Moss

Seconder: Zapata

Vote: 3-0

Absent: Heyman, Barreiro

Report: *This proposed ordinance was deferred with the motion to set the agenda as requested.*

2 COUNTY COMMISSION

2A

141229 Resolution **Esteban L. Bovo, Jr.**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (BBC GOB) PROGRAM PROJECT NOS. 332 – “HIALEAH HIGH SCHOOL PERFORMING ARTS CENTER” TO REDUCE ALLOCATION BY \$927,714.00 FOR A TOTAL FUNDING ALLOCATION OF \$7,872,286.00 AND 302 – “HIALEAH – RECONSTRUCT MILANDER AUDITORIUM” TO INCREASE ALLOCATION BY \$927,714.00 FOR A TOTAL FUNDING ALLOCATION OF \$7,273,714.00, BOTH IN APPENDIX A TO RESOLUTION NO. R-919-04, AFTER A PUBLIC HEARING

Forwarded to BCC with a favorable recommendation

Mover: Suarez

Seconder: Moss

Vote: 3-0

Absent: Barreiro, Heyman

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

Chairman Zapata opened the public hearing. Upon there being no comments or objections, Chairman Zapata closed the public hearing; and the Committee proceeded to take a vote.

2B

141157 Resolution **Barbara J. Jordan**

RESOLUTION REQUESTING THE COUNTY MAYOR OR MAYOR’S DESIGNEE TO INVESTIGATE AND IF APPROPRIATE PREPARE A REPORT REGARDING THE FEASIBILITY AND COST OF UPGRADING THE STREET LIGHTING SYSTEMS SERVING THE NORTH COUNTY STREET LIGHTING IMPROVEMENT SPECIAL TAXING DISTRICT

Forwarded to BCC with a favorable recommendation

Mover: Suarez

Seconder: Moss

Vote: 3-0

Absent: Heyman, Barreiro

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

Chairman Zapata opened the public. Upon there being no comments or objections, Chairman Zapata closed the public hearing; and the Committee proceeded to take a vote.

3 DEPARTMENT

3A

141216 Resolution Audrey M. Edmonson

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH F.S. 125.38, FOR THE NOMINAL SUM OF ONE DOLLAR (\$1.00), IN, OVER, UNDER, UPON AND THROUGH A PORTION OF COUNTY OWNED PROPERTY FOR THE PURPOSE OF MODIFYING AND MAINTAINING A SIGNAL MAST-ARM AT THE CROSSWALK ON SR 944/NW 54 STREET WEST OF NW 23 AVENUE, ALSO KNOWN AS PARCEL 801, NOT NEEDED FOR COUNTY PURPOSES; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Suarez

Seconder: Moss

Vote: 3-0

Absent: Heyman, Barreiro

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

There being no comments or objections, the Committee proceeded to take a vote.

3B

141126 Resolution **Juan C. Zapata**

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH F.S. 125.38, FOR NO MONETARY CONSIDERATION, IN, OVER, UNDER, UPON AND THROUGH A PORTION OF COUNTY OWNED PROPERTY FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING CURB INLETS AND A FRENCH DRAIN ALONG THE DESCRIBED LAND ON SR 985/SW 107 AVENUE AND THE INTERSECTION OF SW 20 STREET, ALSO KNOWN AS PARCEL 800, NOT NEEDED FOR COUNTY PURPOSES; 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: Zapata
Seconder: Moss
Vote: 3-0
Absent: Barreiro, Heyman

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

Chairman Zapata relinquished the chair to Commissioner Suarez.

There being no comments or objections, the Committee proceeded to take a vote.

Upon conclusion of the vote, Chairman Zapata resumed chairing the meeting.

3C

141217 Resolution

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF MIAMI FOR THE CONSTRUCTION OF THE OVERTOWN GREENWAY AT NW 11TH TERRACE PROJECT, B-30624; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE EXECUTION OF SAME (Miami-Dade Transit)

Forwarded to BCC with a favorable recommendation
Mover: Moss
Seconder: Suarez
Vote: 3-0
Absent: Heyman, Barreiro

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

There being no comments or objections, the Committee proceeded to take a vote.

3D

141173 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$935,069.89 TO RG UNDERGROUND ENGINEERING, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED DRAINAGE IMPROVEMENT PROJECT – MULTIPLE SITES (PROJECT MCC 7040 PLAN – CICC 7040-0/07, REQUEST FOR PRICE QUOTATION NO. 20130282) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works & Waste Management)

Amended

Report: *SEE REPORT FOR RELATED AGENDA ITEM 3D AMENDED, LEGISLATIVE FILE NUMBER 141497.*

3D AMENDED

141497 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$935,069.89 TO RG UNDERGROUND ENGINEERING, INC. FOR THE PEOPLE'S TRANSPORTATION PLAN PROJECT ENTITLED DRAINAGE IMPROVEMENT PROJECT – MULTIPLE SITES (PROJECT MCC 7040 PLAN – CICC 7040-0/07, REQUEST FOR PRICE QUOTATION NO. 20130282) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS AND GENERAL OBLIGATION BOND FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 141173] (Public Works & Waste Management)

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

Mover: Moss

Seconder: Suarez

Vote: 3-0

Absent: Barreiro, Heyman

Report: *Assistant County Attorney Sarah Davis read into the record the title of the foregoing proposed resolution.*

It was moved by Commissioner Moss that the Infrastructure & Capital Improvements Committee forward the foregoing resolution to the Board of County Commissioners with a favorable recommendation. This motion was seconded by Commissioner Suarez; and upon being put to a vote, the motion passed by a vote of 2-1 (Chairman Zapata voted no). (Commissioner Barreiro and Vice Chair Heyman were absent).

At a later time during the meeting, it was moved by Commissioner Suarez that the Infrastructure & Capital Improvements Committee reconsider this resolution. This motion was seconded by Chairman Zapata; and upon being put to a vote, the motion passed by a vote of 3-0 (Commissioner Barreiro and Vice Chair Heyman were absent).

Assistant County Attorney Davis advised the foregoing proposed resolution should be amended to include reference to the General Obligations Bonds (GOB).

Commissioner Suarez asked Chairman Zapata to explain his rationale for objecting to the proposed resolution.

Chairman Zapata advised that the proposed multiple sites drainage projects were funded by the People's Transportation Plan (PTP), and he felt that the subject projects were not in the spirit of what the voters had approved.

Commissioner Suarez noted his vote should be reflected as a no vote.

Chairman Zapata suggested that Commissioner Suarez should wait to indicate his vote.

Commissioner Moss clarified that the proposed projects were included in the PTP as part of the capital projects and intended to be funded from those funds, and the funds were not being used to fund operations such as the purchasing of goods and services. He further clarified that the major focus of past objections for the use of PTP funds was not to use these funds for operational purposes, and the proposed projects had not been added to the PTP nor had resources been reallocated to fund them. He noted that the question to be asked was what would happen to these drainage projects if not approved.

Discussion ensued among the members of the Committee, Deputy Mayor Alina Hudak, and Mr. Antonio Cotarelo regarding the language contained in Exhibit 1 of the adopting ordinance, which allowed for drainage work on roads right-of-ways.

Deputy Mayor Hudak clarified that the fiscal impact would be approximately \$935,069 as reflected in the Mayor's cover memorandum of this proposed resolution, and it would be funded from the Charter County Transportation Sales Surtax Bond Sale Proceeds and General Obligation Bonds.

Chairman Zapata advised he did not object to the use of the GOB funds, but he was objecting to the use of the PTP funds for the proposed projects even though he understood Commissioner Moss's reasoning and did not necessarily disagree. He stated that the voters were told that these funds would be used for new enhancements and improvements of new construction and not necessarily maintenance of existing infrastructure. Therefore, the intent of the use of those funds was to enhance and maintain the enhancements of our transportation system; and he did not wish to fund existing infrastructure.

Mr. Antonio Cotarelo, representing the Public Works and Waste Management Department (PWWMD), advised he would meet with Chairman Zapata to review the adopting ordinance regarding the use of PTP funds for drainage projects.

In response to Chairman Zapata's question regarding the rationale for not fully funding the proposed drainage projects with GOB funds, Mr. Cotarelo advised that the funds being utilized to fund the proposed projects were part of the remaining PTP discretionary funds allocated in the past to County Commission District 13; and the proposed projects had been selected and approved by Commissioner Bovo with the use of PTP funds. He noted County Commission District 9 also had drainage projects included in the proposed resolution, but he believed Commissioner Moss's projects were funded with GOB funds.

Discussion ensued among the members of this Committee and Mr. Cotarelo regarding the language of the original adopting ordinance.

Pursuant to Commissioner Suarez's question, Mr. Cotarelo reiterated the original adopting ordinance included language for drainage work because a flooded road would create a safety issue and impair traffic.

Pursuant to Commissioner Suarez's question regarding whether the adoption of the original ordinance was relating to a local option approved by referendum, Assistant County Attorney Bruce Libhaber advised that in 2002 the Board adopted an ordinance to impose the Optional Sales Tax and also adopted the PTP with a list of projects. He noted the effectiveness of the Optional Sales Tax implementation was conditioned upon voter approval, which was approved in November 2002.

In connection with Commissioner Suarez's questions regarding the language of the approved ordinance and the use of PTP funds, Assistant County Attorney Libhaber advised the language included neighborhood improvements and projects; and it explicitly mentioned drainage work on roadways.

Mr. Cotarelo advised every roadway must have a storm drainage component to drain that road.

Chairman Zapata stated he understood their position, but he believed the voters would not have voted for the ordinance; and the voters had voted for the principle that the transportation system be enhanced. He stated that his main objection to the use of PTP funds was that it had been used to maintain the system.

Commissioner Suarez asked the Deputy Mayor along with the Public Works and Waste Management Director to flag and inform him of PTP drainage projects within his county commission district because he had sensitive areas within the district.

Commissioner Suarez asked that the County Attorney and Deputy Mayor prepare a memorandum regarding the estimated revenues that would be generated through the implementation of an optional sales tax to be used for mass transportation.

Upon conclusion of the foregoing discussion, the Committee proceeded to take a vote on the foregoing proposed resolution as amended.

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

140723 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE MARCH 11, 2014 INFRASTRUCTURE AND CAPITAL IMPROVEMENTS COMMITTEE (Clerk of the Board)

Approved
Mover: Moss
Seconder: Zapata
Vote: 3-0
Absent: Barreiro, Heyman

7 REPORT(S)

7A

141213 Report

MONTHLY STATUS REPORT ON MIAMI-DADE WATER AND SEWER DEPARTMENT'S INFRASTRUCTURE PROJECTS (Mayor)

Report Received
Mover: Moss
Seconder: Zapata
Vote: 3-0
Absent: Barreiro, Heyman

8 ADJOURNMENT

Report: *There being no further business to come before the Infrastructure & Capital Improvements Committee, the meeting was adjourned at 2:53 p.m.*