



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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EDPC
Agenda Item No. 6C

TO: Honorable Chair Lynda Bell
and Members, Economic Development and
PortMiami Committee

DATE: August 28, 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 Economic Development and PortMiami Committee:

June 12, 2014

CA/as
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Economic Development & Port Miami Committee

Lynda Bell (8) Chair; Javier D. Souto (10) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Barbara J. Jordan (1), and Juan C. Zapata (11)

Thursday, June 12, 2014

2:00 PM

Commission Chambers

Members Present: Lynda Bell, Jose "Pepe" Diaz, Juan C. Zapata.

Members Absent: Barbara J. Jordan.

Members Late: None.

Members Excused: Javier D. Souto.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Alicia Stephenson, Commission Reporter
(305) 375- 1475*

1A INVOCATION AS PROVIDED IN RULE 5.05 (H)

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

1B ROLL CALL

Report: *In addition to the Committee members, the following staff members were present: Deputy Mayor Jack Osterholt; Assistant County Attorneys Jess McCarty, David Hope, and Cynthia Johnson-Stacks; and Deputy Clerks Jovel Shaw and Alicia Stephenson.*

Assistant County Attorney Jess McCarty noted in addition to the items listed in Chairwoman Sosa's memorandum entitled, "Requested Changes to the Economic Development & Port Miami Committee Agenda," agenda items 1G2 SUBSTITUTE 2, 1G4 SUBSTITUTE 2, and 3E were withdrawn.

It was moved by Commissioner Zapata that the agenda be approved with the changes noted by the Assistant County Attorney. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed 3-0 (Commissioners Jordan and Souto were absent).

1E2

141372 Special Presentation**Lynda Bell**

POWERPOINT PRESENTATION BY MR. GREG BUSH,
URBAN ENVIRONMENT LEAGUE, REGARDING
PARCEL B

Presented

Report: *Mr. Gregory Bush, 6261 Coral Lake Drive, Director of the Institute for Public History at the University of Miami and Vice President of the Urban Environment League (UEL), appeared before the Committee and made a PowerPoint Presentation. Mr. Bush noted the UEL supported activating the Florida East Coast railway boat slip in the area, completing a baywalk in the area, and turning the area into a compelling waterfront. Mr. Bush noted the Economic Development and Port of Miami Committee faced a choice of placing either a Cuban Exile History Museum or a well-designed public park on the 2.7 acre Parcel B site. He noted the UEL supported a Cuban Exile History Museum, but not on Parcel B, and suggested that such a museum be placed in the Freedom Tower or in Little Havana, which he called the heart of the Cuban-American community. He said the parcel was promised to be a park, and substantial public input should go into making it into one. Mr. Bush noted demand for parks for recreation was increasing downtown. He reviewed the history of and struggle for waterfront parks/public spaces on and near Parcel B. Mr. Bush noted in UEL discussions with the Miami Heat, the Heat was very inclined to using Parcel B as a park. He said the Heat indicated they could contribute to that endeavor financially.*

1F DISCUSSION ITEM(S)**1G PUBLIC HEARING**

1G1

140905 Ordinance

Esteban L. Bovo, Jr.,

Lynda Bell, Audrey M. Edmonson

ORDINANCE AMENDING ORDINANCE 99-37 RELATING TO STRAW BALLOTS IN MIAMI-DADE COUNTY BY LIMITING STRAW BALLOTS REGARDING AD VALOREM MILLAGE RATES TO FUND PARTICULAR SERVICES UNLESS APPROVED BY SUPERMAJORITY OF BOARD MEMBERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Bell

Vote: 3-0

Absent: Jordan, Souto

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

Chairwoman Bell opened the public hearing and called for persons wishing to be heard on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

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

1G2

140285 Ordinance

Audrey M. Edmonson

ORDINANCE PERTAINING TO COMMUNITY BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REINSTATE BIWEEKLY REVIEW COMMITTEE MEETINGS, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

Withdrawn

Report: *See Agenda Item 1G2 Substitute.*

1G2 SUB

141035 Ordinance **Audrey M. Edmonson** *Amended*
ORDINANCE PERTAINING TO COMMUNITY BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 140285]

Report: *See Agenda Item 1G2 Substitute Amended, Legislative File No. 141452 for the amended version.*

1G2 SUBSTITUTE AMENDED

141452 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO COMMUNITY BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 141035)

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

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

Chairwoman Bell opened the public hearing on the foregoing proposed ordinance and the following individuals appeared in opposition:

1.Ms. Deborah Swain, 2025 SW 32 Avenue, Milian, Swain, and Associates, asked that text regarding the inclusion of a net worth limitation for business owners be stricken from the proposed ordinance.

2.Mr. Arsenio Milian, 2025 SW 32 Avenue, Milian, Swain, and Associates, noted his firm was very concerned about the limit on net revenue that was going to be imposed as a condition for continuing as a Community Business Enterprise (CBE). He said the firm considered it to be discriminatory and unfair to employees who would be affected. He suggested that text on page three be stopped after the listing of exemptions.

3.Mr. Franklin Torrealba, 8425 NW 68 Street, noted because the stock market fluctuated, net worth was volatile and could disqualify business owners from small business programs. He asked that the net worth criteria be removed. He expressed concern that when a business was jointly owned and an owner died, the remaining owner could become disqualified as a CBE because his/her income doubled.

4.Mr. Juan Crespi, 227 NE 26 Terrace, expressed concern that as a CBE it was impossible to land a project as a prime contractor, limiting CBE's to being sub-contractors to larger firms or to CBE set-asides, which were few. He said if the CBE's were put out of the CBE program because

of their net worth or the value of their primary residence, they would go out of business.

Chairwoman Bell closed the public hearing after no one else appeared in connection with this ordinance.

Commissioner Edmonson noted it had been 10 years since the County's small business programs were updated. She said her proposal removed Individual Retirement Accounts (IRA's) and 401k's from net worth; and increased the net worth to \$1.5 million, because the value of residences was included in the calculations. She noted she thought it was important to revamp the programs to ensure that they continued to serve their intent and were consistent, considering that the economy had changed and a large number of County projects would be arising. Commissioner Edmonson said she personally spoke with members of the industry and she listened to their suggestions, hence the number of substitutes on the agenda. She noted they were supportive of reinstating a bi-weekly review committee due to the impact on County staff. Commissioner Edmonson noted four industry meetings were held, and indicated that the legislation was reviewed by the County's Community Small Business Enterprise (CSBE) Board. She noted that the previous week, she had a Sunshine meeting with Commissioner Jordan and decided to withdraw the small business enterprise item in order to return with a tiered approach based on gross receipts. She said she expected the resulting proposed legislation to be presented for first reading soon; thus only proposals regarding the CBE and the Community Small Business Enterprise (CSBE) programs were before the Committee today (6/12). Commissioner Edmonson noted the intent of the proposed changes was to ensure that only truly qualified firms were certified and benefited from the County's small business programs. She expressed appreciation to the County Attorney's Office and the Internal Services Department Small Business Division for the work they had put into creating the items.

Commissioner Diaz noted Commissioner Edmonson would not discriminate against anyone based on age or anything else. He referred to language in the ordinance regarding funds invested in individual retirement accounts, 401ks, pensions, or other official retirement accounts as it related to the net worth of business owners and the certification of their businesses as CBE's.

He indicated that this language was located on handwritten page 7, in the first paragraph, between "official retirement account" and "Representations," and said he thought it was discriminatory. He proposed an amendment that the language be stricken.

Assistant County Attorney David Hope noted the language Commissioner Diaz was referring to specifically tracked the language of the federal government, and reflected how the federal government looked at and excluded the investments mentioned.

Commissioner Diaz noted the federal language related to one federal program, not to the County's multiple programs.

Mr. Hope noted that was correct. He said staff tried to ensure that all of the County's federal programs were consistent. He said one program included net worth criteria; therefore, staff included that criteria in the rest of the programs. He indicated that during staff's analysis, in collaboration with representatives of the workplace, the representatives asked how staff was going to address the investments; and in response, the department found that the federal government exempted retirement accounts which were still growing and inaccessible by their holders.

Commissioner Diaz noted the proposed language targeted people of a certain age. He expressed concern that it related to only one federal program. He said no one should dictate to what age a person should work and no one should be penalized for having a little money.

At Commissioner Edmonson's request, Mr. Gary Hartfield, Director, Internal Services Department Small Business Development Division (SBD), appeared before the Committee. He noted SBD acquired the language being referred to from the Internal Revenue Service.

Commissioner Diaz noted he knew that, reiterating his concerns with the language.

Commissioner Edmonson noted she accepted the amendment proposed by Commissioner Diaz.

Commissioner Zapata indicated that he agreed with the intent of the proposed ordinance and with the amendment proposed by Commissioner Diaz.

He noted one speaker referred to homesteaded property, and said he could see how someone who had lived in their home for a long time could be penalized because of market forces. He noted he was wondered if there was a way to compromise. In response to Commissioner Zapata's question regarding by how much the net worth had been increased, Mr. Hartfield noted in the language for the original CSBE program the amount was \$750,000, and the proposed legislation would increase it to \$1.5 million.

Commissioner Zapata asked if that would grow over time. He indicated that a business owner could become disqualified over time, as he knew of properties that had doubled or tripled in value within five years. He also indicated that if someone inherited a property and then moved into it, that could affect their business; and that concerned him.

Commissioner Edmonson noted the net worth could be left at \$1.5 million for the time being, because of the current property values. She asked if it could be based on a formula instead; and noted if not, the dollar amount should remain in the language, since a dollar amount had always been there.

In response to Chairwoman Bell's comment that maybe an escalator could be developed to address the issues of net worth and value of residences, Commissioner Edmonson noted an amendment could be made to the proposed ordinance later. Commissioner Zapata noted Baby Boomers were retiring and would start passing away, resulting in a huge amount of monetary and property inheritance that would significantly impact small business programs and other issues ten years from the present. He indicated that he would like Mr. Hartfield to look into developing a mechanism that would allow the net worth to increase over time based on County real estate metrics and on other external circumstances.

Commissioner Edmonson noted for the record that businesses had been in the small business programs for many years, the original intent was for businesses to graduate from the programs, and the intent needed to be adhered to.

Commissioner Zapata noted he agreed with Commissioner Edmonson that once businesses grew, they should leave the programs; but his concern was that factors external to a person's business, such as their net worth, may impact their qualification for the programs. He noted his intent was to ensure that if net worth issues started becoming a problem, they be revisited. He said if a better solution than the one he asked Mr.

Hartfield to look into was found in the meantime, he would love to hear it.

Commissioner Edmonson noted Commissioner Diaz' amendment would remove text requiring business owners to certify that their official retirement accounts were legitimate and to provide information about them. She said that the language needed to be included.

Commissioner Diaz noted he did not object to keeping that language.

In response to Chairwoman Bell's inquiry regarding why the County needed business owners to certify that their accounts were legitimate if the value of the accounts would not be included in the net worth calculation, Assistant County Attorney Hope noted IRA's, 401k's, and pension funds were easy to track, but the County may be unable to obtain the normal confirmation that "other official retirement accounts" were legitimate; therefore, the department needed the language to require the owner to certify that they were legitimate. He indicated that the language was also needed so that if the owner provided improper information, the County was covered, and could take the proper action in response.

Mr. Hope advised that Commissioner Diaz' amendment to handwritten page 7 also had to be made on handwritten page 6.

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

It was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the Board of County Commissioners with a favorable recommendation with committee amendment(s) to:

- a. On handwritten pages 6 and 7, place a period after "official retirement account" on the fourth line, and delete the ensuing language reading, "that are unavailable to the owner until retirement age without significant penalty. In order to properly assess whether such retirement account invested funds may be excluded from an owner's personal net worth, said"; and
- b. Insert "The" before "owner".

So that the paragraph, starting from the fourth line, read, "... official retirement account. The owner MUST provide..."

This motion was seconded by Commissioner Zapata and upon being put to a vote, passed 3-0 (Commissioners Jordan and Souto were absent).

1G2 SUB SUPPL

141363 Supplement

FISCAL IMPACT STATEMENT TO ORDINANCE AMENDING 2.10.4.01 OF MIAMI-DADE COUNTY CODE PERTAINING TO THE COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM

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

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

1G2 SUB #2

141374 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO COMMUNITY BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NOS 140285, 141035)

Withdrawn

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

1G3

140286 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA FOR WHOLESALERS AND MANUFACTURERS, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REINSTATE BIWEEKLY REVIEW COMMITTEE MEETINGS, INCLUDE TEMPORARY AND PART-TIME EMPLOYEES AND INDEPENDENT CONTRACTORS FOR CERTIFICATION PURPOSES, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

Withdrawn

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

Report: See Agenda Item 1G3 Substitute.

1G3 SUB

141036 Ordinance Audrey M. Edmonson

ORDINANCE PERTAINING TO SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA FOR WHOLESALERS AND MANUFACTURERS, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, INCLUDE TEMPORARY AND PART-TIME EMPLOYEES AND INDEPENDENT CONTRACTORS FOR CERTIFICATION PURPOSES, REQUIRE QUARTERLY REPORTING OF CONTRACTS TO CERTIFIED FIRMS BY PUBLIC HEALTH TRUST, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO.140286)

Withdrawn
Mover: Diaz
Secunder: Zapata
Vote: 3-0
Absent: Jordan, Souto

1G4

140287 Ordinance Audrey M. Edmonson

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, REINSTATE BIWEEKLY REVIEW COMMITTEE MEETINGS, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

Withdrawn

Report: See Agenda Item 1G4 Substitute.

1G4 SUB

141037 Ordinance

Audrey M. Edmonson

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 140287) *Amended*

Report: *See Agenda Item 1G4 Substitute Amended, Legislative File No. 141458 for the amended version.*

1G4 SUBSTITUTE AMENDED

141458 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, PROVIDE VIRTUAL OFFICE DEFINITION, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 141037)

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

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

Report: *It was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the Board of County Commissioners with a favorable recommendation with committee amendment(s) to:*

a. On handwritten pages 6, in the third paragraph, place a period after "official retirement account" and delete the ensuing language reading, "that are unavailable to the owner until retirement age without significant penalty. In order to properly assess whether such retirement account invested funds may be excluded from an owner's personal net worth, said"; and

b. Insert "The" before "owner".

so that the new language reads, "... official retirement account. The owner MUST provide..."

This motion was seconded by Commissioner Zapata and upon being put to a vote, passed 3-0 (Commissioners Jordan and Souto were absent).

1G4 SUB SUPPL

141365 Supplement

FISCAL IMPACT STATEMENT TO ORDINANCE
AMENDING 10-33.02 OF MIAMI-DADE COUNTY CODE
PERTAINING TO THE COMMUNITY SMALL BUSINESS
ENTERPRISE PROGRAM

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

Mover: Diaz

Seconded: Zapata

Vote: 3-0

Absent: Jordan, Souto

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

*Chairwoman Bell opened the public hearing and
called for persons wishing to be heard on the
foregoing proposed ordinance. She closed the
public hearing after no one appeared wishing to
speak.*

*Assistant County Attorney Cynthia Johnson-Stacks
read the following amendment into the record:*

*a. On handwritten page 4, in Section 1, in the
proposed Rule 4.01(u), replace the first sentence
with the following sentence:*

*“Upon completion of any report prepared
pursuant to a motion or other action of a
committee of the Board of County Commissioners,
such report shall be placed on an agenda for
review by the requesting committee and the Board
of County Commissioners, notwithstanding any
statement to the contrary in the motion or other
action of the committee.”; and*

*b. On handwritten page 5, in Section 2, in the
proposed Rule 5.06, letter (j), amend the first four
lines to read:*

*“Upon completion of any report prepared
pursuant to a resolution, motion, or other action
of the Board of County Commissioners, such
report shall be placed on an agenda of the Board
of County Commissioners for review...”*

*It was moved by Commissioner Diaz that the
foregoing proposed ordinance be forwarded to the
Board of County Commissioners with a favorable
recommendation with committee amendment(s).
This motion was seconded by Chairwoman Bell
and upon being put to a vote, passed by a vote of
3-0 (Commissioners Jordan and Souto were
absent).*

1G4 SUB #2

141375 Ordinance**Audrey M. Edmonson**

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO CREATE GRADUATION CRITERIA BASED ON PERSONAL NET WORTH, REQUIRE ONE YEAR DOING BUSINESS IN MIAMI-DADE COUNTY PRIOR TO CERTIFICATION, ALLOW APPLICATION FOR RECERTIFICATION AFTER SUBMITTAL OF REQUIRED DOCUMENTS, AND CONTRIBUTION TO ECONOMIC DEVELOPMENT AND WELL-BEING OF MIAMI-DADE COUNTY; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 140287 AND 141037]

*Withdrawn**Mover: Diaz**Seconder: Zapata**Vote: 3-0**Absent: Jordan, Souto*

Report: *See Agenda Item 1G4 Substitute.*

1G5

140805 Ordinance**Dennis C. Moss,****Sally A. Heyman**

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO REQUIRE THAT REPORTS PREPARED AT THE REQUEST OF THE BOARD OF COUNTY COMMISSIONERS BE PRESENTED TO THE BOARD AND REPORTS PREPARED AT THE REQUEST OF A COMMITTEE OF THE BOARD BE PROVIDED TO SUCH COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Report: *See Agenda Item 1G5 Substitute.*

1G5 SUB

140864 Ordinance

Dennis C. Moss,

Sally A. Heyman

Amended

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO REQUIRE THAT REPORTS PREPARED AT THE REQUEST OF THE BOARD OF COUNTY COMMISSIONERS BE PRESENTED TO THE BOARD AND REPORTS PREPARED AT THE REQUEST OF A COMMITTEE OF THE BOARD BE PROVIDED TO SUCH COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 140805)

Report: *See Agenda Item 1G5 Substitute Amended, Legislative File No. 141471 for the amended version.*

1G5 SUB AMENDED

141471 Ordinance**Dennis C. Moss,****Sally A. Heyman**

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO REQUIRE THAT REPORTS PREPARED AT THE REQUEST OF THE BOARD OF COUNTY COMMISSIONERS BE PRESENTED TO THE BOARD AND REPORTS PREPARED AT THE REQUEST OF A COMMITTEE OF THE BOARD BE PROVIDED TO SUCH COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 140805 AND 140864]

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

Mover: Diaz

Seconder: Bell

Vote: 3-0

Absent: Jordan, Souto

Report: *It was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the Board of County Commissioners with a favorable recommendation with committee amendment(s) to:*

a. On handwritten page 4, in Section 1, in the proposed Rule 4.01(u), replace the first sentence with the following sentence:

“Upon completion of any report prepared pursuant to a motion or other action of a committee of the Board of County Commissioners, such report shall be placed on an agenda for review by the requesting committee and the Board of County Commissioners, notwithstanding any statement to the contrary in the motion or other action of the committee.”; and

b. On handwritten page 5, in Section 2, in the proposed Rule 5.0letter (j), amend the first four lines to read:

Upon completion of any report prepared pursuant to a resolution, motion, or other action of the Board of County Commissioners, such report shall be placed on an agenda of the Board of County Commissioners for review...

This motion was seconded by Chairwoman Bell and upon being put to a vote, passed 3-0 (Commissioners Jordan and Souto were absent).

2 COUNTY COMMISSION

2A

141028 Resolution**Esteban L. Bovo, Jr.,****Jose "Pepe" Diaz, Juan C. Zapata**

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE WITH CUBAN EXILE HISTORY MUSEUM, INC. REGARDING POSSIBLE DEVELOPMENT OF A CUBAN EXILE HISTORY MUSEUM ON PARCEL B OF FEC PROPERTY IN CONSULTATION WITH THE OPERATOR OF THE AMERICAN AIRLINES ARENA, SUBJECT TO SUBSEQUENT BOARD CONSIDERATION AND APPROVAL

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

Chairwoman Bell opened the public hearing on the foregoing proposed ordinance and the following individuals appeared in opposition:

1.Mr. David Polinsky, 1040 Biscayne Boulevard, #3202, President of the Ten Museum Park Condominium Association and member of the Downtown Neighborhood Alliance, indicated that his organizations supported the activation of Parcel B as an area on which to exercise, recreate, and enjoy the water; not as a museum. He noted they supported Agenda Item 2A.

2.Ms. Candace O'Brien, 1040 Biscayne Boulevard, #3306, asked that Parcel B be kept open, as more thriving parks were needed in the downtown area. She noted Little Havana and other places were fantastic options for the Cuban Exile History Museum.

3.Mr. Peter Ehrlich, Jr. 770 NE 69 Street, noted he was joined today (6/12) by people from other groups active in trying to prevent the sports stadium on Museum Park and the Florida East Coast (FEC) slip. He said the City of Miami ranked last or second to last in parks space per capita compared to other cities, and he indicated that they would not like to have a museum on Parcel B.

4.Mr. Ken Jett, 8320 E. Dixie Highway, President of Miami Neighborhoods United and of Shore Crest Homeowners Association, noted these organizations were opposed to Agenda Item 2A, because they wanted Parcel B to be open green space available to the public. He said they supported Agenda Items 2B and 2C and would help find another location for the Cuban Exile History Museum.

5.Ms. Dalia Lagoa, 900 Biscayne Blvd.,

Downtown Neighborhood Alliance, noted it seemed parks and public green spaces were under attack. She noted that in 1997, Parcel B was contractually given to the public. She said the Cuban Exile Museum and other construction projects should be placed on sites suitable and zoned for them.

6. Graciela Solares, 60 SW 30th Road, noted she was opposed to a museum or any other structure on Parcel B or any other public waterfront site. She said the Miami-Dade County Home Rule Charter, Section 7.01, provided that no structure larger than 1500 square feet should impair the public's access to and view of the water. She pointed out that the community was a melting pot and asked how diverse groups would respond to converting a public parkland into a museum devoted only to Cuban-Americans.

The following individual appeared in support: Mr. Nicolas Gutierrez, Jr., 1401 Brickell Ave., Suite 420, Vice President and member of the Board of Directors of the Cuban Exile History Museum, Inc., a 501©(3) non-profit organization, explained the mission and vision of the museum. He expressed concern with people suggesting that the museum be placed in Little Havana or elsewhere.

Chairwoman Bell closed the public hearing after no one else appeared in connection with this ordinance.

Referring to a speaker's comment about lack of park space in the County, Commissioner Diaz noted the County had the third largest park system in the country. He said that another speaker stated that a museum celebrating the legacy of a certain group within the community did not belong beside the water; and he asked who did.

Commissioner Diaz noted he was supportive of green areas. He said other major cities had buildings and attractions along the water and not necessarily expansive areas for walking, running, etc. He noted he was offended by comments that the Cuban Exile History Museum should be placed in Little Havana or elsewhere. He said he did not want it to be said that any group within the community was better than the other, noting he had not seen a number of people come out to oppose museums before. Commissioner Diaz said the museum was to be inclusive and the proposed resolution simply requested a study on an idea that had been discussed for a very long time. He noted he would support the foregoing proposed resolution because the County Commission had been supportive of every other group within the

community.

Commissioner Zapata noted he shared most of points made by Commissioner Diaz. He said it was interesting that two museums were built on the waterfront with virtually no objection; but a great deal of controversy arose when a sports facility was proposed. He noted some people had a personal bias toward sports and others had one toward the arts, and both sports and the arts had a right to a waterfront location. Commissioner Zapata pointed out that the failed Beckham soccer stadium proposal could have vitalized the area if approved, and the area needed greater connectivity. He noted he was baffled by the fact that for years Parcel B was used as a VIP parking area for the Miami Heat games with no complaints to the County Commission, but as soon as the foregoing resolution was proposed, there was opposition to the museum. Commissioner Zapata noted the waterfront belonged to everyone in the County, the Cuban exile story was a Miami story, and it was worthy to be told on Parcel B. He asked to be added to this item as a co-sponsor.

Commissioner Diaz also asked to be added as a co-sponsor.

Chairwoman Bell noted beautiful parkland was needed and Parcel B was supposed to be a park. She noted the 1996/1997 contract with American Airlines provided that it would be developed into a park. However, she said she shared her colleagues' concerns that the Perez Art Museum and other museums had not received any opposition, but the foregoing proposed museum did.

In response to Chairwoman Bell's question regarding whether the foregoing proposed museum and a park could co-exist on Parcel B, Mr. Jack Osterholt, Deputy Mayor, noted the proposal called for the museum to occupy one-third of the three-acre parcel.

Chairwoman Bell suggested that both Agenda Item 2A – to study use of Parcel B as a museum, and Agenda Item 2B – to study use of the parcel as a park, be passed today (6/12). She said this would allow re-negotiations to occur and a feasible proposal to be submitted. She added that she wanted to hear from her other colleagues at the full County Commission meeting.

In response to Chairwoman Bell's question

regarding whether a ground-breaking for a Cuban exile museum was held in the Coral Way area on a lot near the Opera House Guild eight to ten years ago, Ms. Deborah Margol, Deputy Director, Department of Cultural Affairs, confirmed that a ground-breaking was held for that facility, which was a General Obligation Bond project. She noted a non-profit organization was operating it as a showcase for Cuban art and history, and it was an effort separate from the Cuban Exile History Museum initiative.

Commissioner Edmonson pointed out that Agenda Items 2B and 2C existed long before Agenda Item 2A was put forth, and the plans to develop a park on Parcel B dated back to the 1990s. She noted she did not want this issue to become racial, and said she understood Commissioner Diaz' offense at the suggestion to locate the museum in Little Havana; however, that view did not represent the rest of the community's views. Commissioner Edmonson said she believed that the museum should be located downtown in an area with substantial foot-traffic, but Parcel B was originally supposed to be a park. She suggested that discussions be held with the American Airlines Arena (AAA) for the arena to keep its promise to make the parcel an open space and part of a continuous baywalk. She asked for Agenda Items 2A, 2B, and 2C to be forwarded to the full County Commission to allow the issue to be discussed and ironed out. She said if one-third of Parcel B was developed as a museum and one-third was allocated for the AAA's use, all of the green space would disappear. She indicated that she wanted to keep it as open space in part because it had to be shared with the AAA. Commissioner Edmonson noted if a building was placed on the property, there would be no baywalk, because the building would block the view of the waterfront from the AAA.

In response to Commissioner Diaz' question regarding whether a park area existed in the area located at the rear of the two museums built on the waterfront, Mr. Osterholt noted the area was a staging area for construction and he did not know what the area would look like once construction was completed.

Commissioner Diaz noted he supported the filling of the FEC slip to allow a bayview/baywalk along the entire bay that would extend to the Intracoastal. He inquired whether the two museums respected that arrangement. He said

yachts were proposed for the area, but that would be dangerous. Commissioners Diaz noted he concurred that both a park and a museum could exist on Parcel B.

Commissioners Diaz and Zapata said they agreed that the three items should be forwarded to the full County Commission for discussion, with all present members of the Committee agreeing to a favorable recommendation on all of the items. Hearing no further discussion, the Committee proceeded to vote on the foregoing proposed resolution, as presented.

2B

140932 Resolution Audrey M. Edmonson

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO CONDUCT FEASIBILITY STUDY ANALYZING DEVELOPMENT OF PARCEL B OF FLORIDA EAST COAST PROPERTY FOR PUBLIC OPEN SPACE PURPOSES; TO PREPARE A REPORT RELATED TO SUCH PROPOSED DEVELOPMENT AFTER RECEIPT OF PUBLIC INPUT THROUGH A CHARRETTE PROCESS AND CONSULTATION WITH THE OPERATOR OF THE AMERICAN AIRLINES ARENA; AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO ORGANIZE A CHARRETTE FOR SUCH PROPOSED DEVELOPMENT AND INCLUDE RECOMMENDATIONS IN REPORT TO THE BOARD

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Secunder: Zapata

Vote: 3-0

Absent: Souto, Jordan

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record. Chairwoman Bell opened the public hearing on the foregoing proposed ordinance and the following individuals appeared:*

1.Mr. Maurice Ferre, 3900 Poinciana Avenue, noted the City of Miami did a quick-take of the parcel from the Florida East Coast (FEC) in order to increase the park. He said that a contract was negotiated regarding making Parcel B a park, which was important because green space on the water front was lacking. He noted he supported filling the FEC slip.

2.Mr. Nicolas Gutierrez, Jr., 1401 Brickell Ave., Suite 420, noted as currently envisioned the Cuban Exile History Museum (CEHM) would take up only one third of the acreage, would not block any view except for the less desirable view of the Port of Miami, and included an open public plaza compatible with the baywalk, as well as underground parking for events.

3.Candace O'Brien, 1040 Biscayne Boulevard, #3306, asked why discuss a structure that would cause division. She advocated for a park on Parcel B, noting parks were inclusive.

4.Ms. Dalia Lagoa, 900 Biscayne Blvd., Downtown Neighborhood Alliance, pointed out that Downtown Miami residents had concerns regarding Parcel B for some time, but did not know how to address them. She said various uses were discussed, but none were implemented. She noted the park-advocating groups were not involved now because the CEHM was proposed on Parcel B; on the contrary, they highly respected the Cuban-American community.

5.Ms. Lisbeth Bustin, 12750 Red Road,

expressed concern that Parcel B was a public park, yet had a fence around it, and asked that the Committee act today (6/12) in aid of removing the fence and allowing people to use it as a park.

NOTE: Committee members noted the fence was put up by the City of Miami and was under its purview.

6.Mr. Ken Jett, 8320 E. Dixie Highway, President of Miami Neighborhoods United and of Shore Crest Homeowners Association, noted these organizations had created resolutions to keep Parcel B as an open green space with no structures. He noted he was unsure whether the statement that people had not come out to speak on Parcel B's use was correct. He said he became offended when the race card was played; he did not think the waterfront was the right location for the CEHC; and he would like the Committee to respect the promise made in 1996 for a park.

7.Mr. Luis Herrera, 1181 SW 22 Terrace, noted he supported Mr. Maurice Ferre's comments.

8.Mr. Peter Ehrlich, Jr. 770 NE 69 Street, noted in response to Commissioner Diaz' comments during consideration of Agenda Item 2A, that many people fought the two museums already in Bicentennial Park because they wanted green space sustained, and later were unaware that the museums would be placed in Bicentennial Park because legislation did not state that clearly. He said that activists were told that the Miami Heat and the County were responsible for the fence around Parcel B and were requesting removal of the fence.

Chairwoman Bell closed the public hearing after no one else appeared in connection with this resolution.

Commissioner Diaz congratulated Mr. Erlich and all speakers for sharing their thoughts. He noted the two museums were approved without him seeing or hearing opposition, which was why he spoke the way he spoke. He said the Committee members were moving all three items forward out of respect for all of the speakers and all of their colleagues. He indicated that he wanted to receive all of the data relating to the development of Parcel B and what was promised to the residents. He noted the Commission needed to work with the entities involved and consider different solutions.

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

2C

141029 Resolution Audrey M. Edmonson

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO CONDUCT A STUDY TO LOCATE ALTERNATIVES SITES FOR A CUBAN EXILE HISTORY MUSEUM IN MIAMI-DADE COUNTY IN CONSULTATION WITH REPRESENTATIVES FROM CUBAN EXILE HISTORY MUSEUM, INC. AND PRESENT A REPORT OF THOSE FINDINGS TO THE BOARD WITHIN NINETY (90) DAYS

Forwarded to BCC with a favorable recommendation as corrected

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record. Assistant County Attorney Jess McCarty corrected a scrivener's error as follows: In the title of the proposed resolution, "Alternatives" should read "Alternative Sites."*

Hearing no further discussion, the Committee proceeded to vote on the foregoing proposed resolution, as corrected.

2D

141009 Resolution Barbara J. Jordan,

Lynda Bell, Audrey M. Edmonson, Jean Monestime
RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO ESTABLISH AN ADVERTISEMENT CAMPAIGN UTILIZING EXISTING COUNTY CONTRACTS TO INFORM ELIGIBLE SMALL BUSINESSES AND ENCOURAGE THEM TO BECOME CERTIFIED FOR VARIOUS SMALL BUSINESS DEVELOPMENT PROGRAMS

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

In response to Chairwoman Bell's inquiry regarding whether the foregoing proposed resolution would have a fiscal impact, Mr. Gary Hartfield, Director, Internal Services Department Small Business Development Division (SBD), noted it would not.

Chairwoman Bell asked to be added to this item as a co-sponsor.

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

2E

141046 Resolution**Barbara J. Jordan,****Lynda Bell, Audrey M. Edmonson**

RESOLUTION AUTHORIZING COUNTY MAYOR OR
MAYOR'S DESIGNEE TO EXECUTE INTER-LOCAL
AGREEMENT BETWEEN MIAMI-DADE COUNTY,
MIAMI-DADE PUBLIC SCHOOLS, AND MIAMI DADE
COLLEGE TO SHARE SMALL BUSINESS VENDOR
INFORMATION

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

*Chairwoman Bell asked to be added to this item as
a co-sponsor.*

*Commissioner Diaz asked the Internal Services
Department Small Business Development Division
Director to ensure that Miami-Dade Public
Schools and Miami-Dade College utilized the
same process the County used to choose vendors.*

*Hearing no further discussion, the Committee
proceeded to vote on the foregoing proposed
resolution, as presented.*

2F

140879 Resolution**Dennis C. Moss**

RESOLUTION DIRECTING MAYOR OR MAYOR'S
DESIGNEE TO DEVELOP A PLAN WITHIN SIXTY DAYS
FOR MIAMI-DADE COUNTY TO NOTIFY THE PUBLIC
OF RESOLUTIONS AND ORDINANCES PASSED OR
ADOPTED BY THE BOARD OF COUNTY
COMMISSIONERS

Withdrawn

Report: *See Agenda Item 2F Substitute.*

2F SUB

141371 Resolution**Dennis C. Moss**

RESOLUTION DIRECTING MAYOR OR MAYOR'S DESIGNEE TO DEVELOP A PLAN WITHIN SIXTY DAYS FOR MIAMI-DADE COUNTY TO NOTIFY THE PUBLIC OF RESOLUTIONS AND ORDINANCES PASSED OR ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS (SEE ORIGINAL ITEM UNDER FILE NO. 140879)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

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

Commissioner Zapata asked whether this resolution would have a fiscal impact, and if so, how much it would amount to.

In response to Chairwoman Bell's question regarding whether any fiscal impact would be submitted along with the plan called for by the resolution, Deputy Mayor Jack Osterholt indicated that was correct.

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

2G

140931 Resolution**Rebeca Sosa**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO PREPARE A COMPREHENSIVE REPORT ON THE ENTERPRISE ZONE PROGRAM IN MIAMI-DADE COUNTY AND ITS EFFECTS ON THE LOCAL ECONOMY

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Bell

Vote: 3-0

Absent: Jordan, Souto

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

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

2H

141153 Resolution **Xavier L. Suarez**

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS WAIVING TERM LIMITS FOR CONSTRUCTION TRADES QUALIFYING BOARD MEMBER BARRY JORDAN AND APPOINTING FOR ANOTHER TERM BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT

Forwarded to BCC with a favorable recommendation
Mover: Zapata
Seconder: Bell
Vote: 2-1
No: Diaz
Absent: Jordan, Souto

Report: *Hearing no objection, the Committee considered Agenda Items 2H and 2I simultaneously.*

Assistant County Attorney Jess McCarty read the foregoing proposed resolutions into the record.

Commissioner Diaz noted he would vote "No" on these resolutions because even though he did not believe in term limits, since they were in place, he did not believe they should continuously be waived. He noted his position had nothing to do with any particular individual.

Hearing no further discussion, the Committee proceeded to vote on the foregoing proposed resolutions, as presented.

2I

141154 Resolution **Xavier L. Suarez**

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS WAIVING TERM LIMITS FOR CONSTRUCTION TRADES QUALIFYING BOARD MEMBER JAMES ROSE AND APPOINTING FOR ANOTHER TERM BY A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS PRESENT

Forwarded to BCC with a favorable recommendation
Mover: Zapata
Seconder: Bell
Vote: 2-1
No: Diaz
Absent: Jordan, Souto

Report: *See report under Agenda Item 2H (Legislative File No. 141153)*

2J

141158 Resolution

Juan C. Zapata

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EMPLOY APPRAISER TO APPRAISE PARCEL B OF THE FEC PROPERTY, WHICH PARCEL IS LOCATED BEHIND THE AMERICAN AIRLINES ARENA, TO ASSESS ITS FAIR MARKET RENTAL VALUE AND TO PREPARE AND SUBMIT TO THE BOARD FOR ITS APPROVAL A RECOMMENDED FEE SCHEDULE FOR USE OF PARCEL B BASED ON THE RESULTS OF SUCH APPRAISAL; AND ESTABLISHING BOARD POLICY TO FUND CAPITAL IMPROVEMENTS AT COUNTY PARKS WITH FEE REVENUES REMAINING AFTER PAYMENT OF COSTS ASSOCIATED WITH THE OPERATION AND MAINTENANCE OF PARCEL B

Forwarded to BCC with a favorable recommendation

Mover: Zapata

Seconder: Diaz

Vote: 3-0

Absent: Souto, Jordan

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

Commissioner Zapata noted Parcel B had been the focal point of this meeting. He pointed out that it was a valuable County asset, and it was necessary for the County Commission to have a better understanding of its fair market value, regardless of how it would be used in the future.

2K

141253 Resolution**Juan C. Zapata**

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO NOTICE AND HOLD ONE OR MORE SUNSHINE MEETINGS TO DISCUSS PENDING NEGOTIATIONS REGARDING AGREEMENTS BETWEEN THE COUNTY AND A PROFESSIONAL SPORTS FRANCHISE OR THE PROPOSED DEVELOPMENT, IMPROVEMENT, OPERATION, MANAGEMENT OR FINANCING OF A PROFESSIONAL SPORTS FACILITY PRIOR TO PLACEMENT OF ITEM APPROVING NECESSARY AGREEMENTS ON AN AGENDA FOR COMMISSION COMMITTEE OR COMMISSION CONSIDERATION

Forwarded to BCC with a favorable recommendation

Mover: Zapata

Seconder: Diaz

Vote: 3-0

Absent: Jordan, Souto

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record. Commissioner Zapata noted his intent was for the County Commission to be apprised on the progression of negotiations and have the opportunity to provide input before final agreements were made; as opposed to the County Administration reaching an agreement with the professional sports franchise and the Commission receiving the facts later. He said this proposal may be applicable to other issues.*

Chairwoman Bell expressed concern that this proposal would expose the County's strategy in the public arena during negotiations. She noted the residents decided to have a County's Strong Mayor form of government, and this gave the Mayor the right to negotiate. She said that she understood Commissioner Zapata's intent and she would support the resolution.

Commissioner Zapata acknowledged that Chairwoman Bell made a good point, and noted he would not want to put the Administration at a disadvantage. He said he envisioned the meetings to discuss pending negotiations as a forum for commissioners to share their concerns with the Administration to allow the Administration to incorporate them. He indicated that without these meetings, one-on-one conversations could occur, but then commissioners would lose the benefit of hearing each other's input. He noted it was not his intent to tell the Administration how to negotiate.

Hearing no further discussion, the Committee proceeded to vote on the foregoing proposed resolutions, as presented.

3 DEPARTMENT

3A

140927 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS IN THE AGGREGATE AMOUNT OF \$20,000,000 WITH AMERICAN GUARD SERVICES, LLC; ALLIEDBARTON SECURITY SERVICES, LLC; G4S SECURE SOLUTIONS (USA) INC.; MCROBERTS PROTECTIVE AGENCY, INC.; FEICK SECURITY SERVICE, INC.; 50 STATE SECURITY SERVICE, INC.; NAVARRO GROUP LTD., INC.; AND KENT SECURITY SERVICES, INC. TO ESTABLISH A POOL OF CONTRACTS TO OBTAIN SECURITY GUARD AND SCREENING SERVICES FOR VARIOUS CRUISE LINES AT PORTMIAMI ON AN AS NEEDED BASIS, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NOS.: RFQ883A; RFQ883B; RFQ883C; RFQ883D; RFQ883E; RFQ883F; RFQ883G; AND RFQ883H (Internal Services)

Amended

Report: See Agenda Item 3A Amended, Legislative File No. 141451 for the amended version.

3A AMENDED

141451 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS IN THE AGGREGATE AMOUNT OF \$20,000,000.00 WITH AMERICAN GUARD SERVICES, LLC; ALLIEDBARTON SECURITY SERVICES, LLC; G4S SECURE SOLUTIONS (USA) INC.; MCROBERTS PROTECTIVE AGENCY, INC.; FEICK SECURITY SERVICE, INC.; 50 STATE SECURITY SERVICE, INC.; NAVARRO GROUP LTD., INC.; AND KENT SECURITY SERVICES, INC. TO ESTABLISH A POOL OF CONTRACTS TO OBTAIN SECURITY GUARD AND SCREENING SERVICES FOR VARIOUS CRUISE LINES AT PORTMIAMI ON AN AS NEEDED BASIS, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN EXCEPT FOR EXTENSIONS AND MODIFICATIONS TO THE CONTRACT WHICH REQUIRE BOARD ACTION CONTRACT NOS.: RFQ883A; RFQ883B; RFQ883C; RFQ883D; RFQ883E; RFQ883F; RFQ883G; AND RFQ883H [SEE ORIGINAL ITEM UNDER FILE NO. 140927] (Internal Services)

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

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

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

Commissioner Diaz referred to language in the proposed resolution providing that the County Administration could change contracts approved by the County Commission, without the Commission's approval of those changes. He noted he was against this language being included in the proposed resolution.

Upon clarifying that Commissioner Diaz was referring to the extension language, Ms. Miriam Singer, Assistant Director, Internal Services Department (ISD), explained that the contract included in the resolution was a revenue contract for the County. She said the Administration would not change any of the terms and conditions of the contract if the contract was extended.

Commissioner Diaz indicated that he was taking the same approach to all contracts that included this language, because he did not believe that items voted on by the Commission should be changed without the commissioners' knowledge. He said he would support the resolution as long as it was amended to provide that any changes to it

would be submitted to the Board of County Commissioners for approval.

In response to Commissioner Diaz' request for confirmation that no changes to the contract would take place, Ms. Singer noted ISD did not anticipate any changes to the contract.

In response to Chairwoman Bell's inquiry concerning whether Commissioner Diaz' proposed amendment to the resolution was agreeable to Mr. Juan Kuryla, Seaport Director Designee, Mr. Kuryla indicated that it was.

In response to Chairwoman Bell's concern that Commissioner Diaz' amendment could delay execution of the resolution, Mr. Kuryla indicated that it would not.

Commissioner Zapata noted for the record his concern about the Port of Miami's bond rating. He said for many years, the County's self-supporting departments had spent their revenue and then taken out bonds to make investments. He stated that operational costs had not been limited to enable funds to be available for capital improvement and other services. He asked Mr. Kuryla to be very sensitive to that, and he implored him to focus on reducing operational costs for the Port. He noted he believed that the Port of Miami's future was very bright, but all self-supporting departments needed to try to create operational efficiencies.

Mr. Kuryla said although the Port had a good idea of what its revenues would be, there still a marginal percentage of revenues that could or could not be realized, depending on the decisions of the cruise lines. He stated that the Port was very sensitive to its operational expenses. Mr. Kuryla indicated that the Port had eliminated approximately \$1 million in vacancies, thereby reducing its operational expenses. He noted the Port was proposing a reduction in promotional funds of between \$800,000 and \$1 million for the following year.

Chairwoman Bell asked Mr. Kuryla to explain how a slight downgrade in the Port's bond rating did not affect the cost of the bonds, which was due to an influx of on-line projects and to some new revenues not being taken into account.

Mr. Kuryla explained that Fitch, a bond rating agency, maintained its prior rating of the Port; the

agency, Moody, downgraded the Port's rating from an A3 to a Baa1; and the latter agency noted it would consider restoring its rating of the Port if the Port kept its operational expenses down. He added that whenever an entity's rating was downgraded, that entity paid an additional cost either in its bonds, or in the letter of credit backing its bonds.

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the Board of County Commissioners with a favorable recommendation with committee amendment(s) to include language stating that if any changes were proposed to the contract, those changes would be submitted to the Board of County Commissioners for consideration. This motion was seconded by Commissioner Zapata and upon being put to a vote, passed by a vote of 3-0 (Commissioners Jordan and Souto were absent).

3B

141205 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ATKINS NORTH AMERICA, INC. FOR MARINE INFRASTRUCTURE ENGINEERING SERVICES IN THE AMOUNT OF \$3,300,000.00, CONTRACT NO. E13-SEA-03; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS THEREIN (Port of Miami)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

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

Hearing no discussion, the Committee proceeded to vote on the foregoing proposed resolution, as presented.

3C

141207 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND RODRIGUEZ AND QUIROGA ARCHITECTS CHARTERED FOR PORTMIAMI PORTWIDE WAYFINDING IN THE AMOUNT OF \$650,000.00, CONTRACT NO. A13-SEA-01; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS THEREIN (Port of Miami)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

Hearing no discussion, the Committee proceeded to vote on the foregoing proposed resolution, as presented.

3D

141208 Resolution

RESOLUTION APPROVING CONTRACT AWARD TO THE LOWEST BIDDER, JVA ENGINEERING CONTRACTOR, INC. FOR SEABOARD MARINE CARGO TERMINAL REDEVELOPMENT PHASE II (4 OF 5), CONTRACT NO. 2008-032.04, IN THE AMOUNT OF \$6,196,835.57, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS THEREIN (Port of Miami)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Souto, Jordan

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

Hearing no discussion, the Committee proceeded to vote on the foregoing proposed resolution, as presented.

3E

141270 Resolution

RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THREE TEQUESTA POINT CONDOMINIUM ASSOCIATION, INC., IN THE AMOUNT OF \$1,200.00 PER MONTH, FOR FOUR YEARS WITH FOUR ONE YEAR OPTIONS TO RENEW, FOR A TOTAL AUTHORITY OF \$115,200.00 OVER EIGHT YEARS, PLUS POSSIBLY THE COST FOR ELECTRICITY, FOR THE PURPOSES OF INSTALLING AND MAINTAINING HOMELAND SECURITY SURVEILLANCE EQUIPMENT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS AND ALL OTHER RIGHTS CONFERRED THEREIN (Port of Miami)

Withdrawn

Mover: Diaz

Seconder: Zapata

Vote: 3-0

Absent: Jordan, Souto

3F

141258 Resolution**Esteban L. Bovo, Jr.**

RESOLUTION APPROVING THE RE-APPOINTMENT OF STUART BLUMBERG, WILLIAM PERRY, III, AND T. GENE PRESCOTT AND THE APPOINTMENT OF MICKEY STEINBERG, A TOTAL OF FOUR (4) MEMBERS TO THE TOURIST DEVELOPMENT COUNCIL INCLUDING WAIVING TERM LIMITS WHERE APPLICABLE BY A 2/3 VOTE (Department of Cultural Affairs)

Forwarded to BCC with a favorable recommendation

Mover: Zapata

Seconder: Bell

Vote: 2-1

No: Diaz

Absent: Souto, Jordan

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

Pursuant to Commissioner Diaz' question as to whether the first two people named on the list of proposed re-appointees in the resolution were the only ones whose terms would be extended, Chairwoman Bell noted that was correct.

Commissioner Diaz requested that this proposed resolution be bifurcated to allow the Committee to vote on items 1) and 2), representing the first two re-appointments, separately from the other two re-appointments.

The foregoing proposed resolution was bifurcated to vote separately on enumerated items 1 and 2 under the NOW, THEREFORE clause on handwritten page 5, and on items 3 and 4.

It was moved by Commissioner Zapata that enumerated items 1 and 2 under the NOW, THEREFORE clause on handwritten page 5 be approved. This motion was seconded by Chair Bell and upon being put to a vote, passed by a vote of 2-1 (Commissioner Diaz voted "No"; Commissioners Jordan and Souto were absent).

It was moved by Commissioner Zapata that enumerated items 3 and 4 under the NOW, THEREFORE clause on handwritten page 5 be approved. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed 3-0 (Commissioners Jordan and Souto were absent).

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

7 REPORT(S)

7A

141254 Report

SEAPORT DEPARTMENT QUARTERLY REPORT OF
JOINT PARTICIPATION AGREEMENTS BETWEEN
JANUARY 1, 2014 AND MARCH 31, 2014 (Mayor)

Report Received

Mover: Diaz

Secunder: Zapata

Vote: 3-0

Absent: Jordan, Souto

Report: *The Committee voted on the foregoing report, as presented.*

8 ADJOURNMENT

Report: *Hearing no further business to come before the Committee, the Committee adjourned the meeting at 4:31 PM.*