



MEMORANDUM
Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
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LUDC
Agenda Item No. 6(A)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Land Use and Development
Committee

DATE: January 15, 2015

FROM: Christopher Agrippa, Director
Clerk of the Board Division

SUBJECT: Approval of Commission
Committee Minutes

A handwritten signature in black ink, appearing to be "Chris Agrippa".

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Land Use and Development Committee:

November 13, 2014

Attachment
CA/jm



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

CLERK'S SUMMARY OF

Meeting Minutes

Land Use & Development Committee

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

Thursday, November 13, 2014

9:30 AM

COMMISSION CHAMBERS

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

Members Absent: Lynda Bell, Jose "Pepe" Diaz.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

MINUTES PREPARED BY:

Report: *Judy Marsh, Commission Reporter*
(305) 375-1967

1A INVOCATION AS PROVIDED IN RULE 5.05
(H)

1B **ROLL CALL**

Report: *Vice Chairman Suarez said he was informed that Chairman Diaz would not be present at today's (11/13) Committee meeting, and indicated that Commissioner Bell would also not be present. He noted he was informed that Commissioners Edmonson and Jordan were either in the building or arriving. Vice Chairman Suarez advised that he would be presiding as Acting Chairman; however, he had to leave at 10:00 a.m. to attend the City of Miami's announcement regarding the International Boat Show being hosted at the Miami Marine Stadium. He requested Deputy Mayor Jack Osterholt to advise him of any items that must be resolved today.*

Assistant County Attorney Abbie Schwaderer-Raurell noted Item 3A may involve a time constraint to ensure this item was passed before the end of the year.

The following staff members were present: Deputy Mayor Jack Osterholt; Assistant County Attorneys Dennis Kerbel and Abbie Schwaderer-Raurell; and Deputy Clerk Judy Marsh.

Vice Chairman Suarez called the meeting to order at 9:36 a.m.

Assistant County Attorney Dennis Kerbel advised that there were no changes to today's (11/13) agenda.

It was moved by Commissioner Edmonson that the November 13, 2014 Land Use and Development Committee Agenda be approved. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 3-0, (Commissioner Bell and Chairman Diaz were absent).

1C **PLEDGE OF ALLEGIANCE**

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

Report: *Vice Chairman Suarez called for individuals who would like to speak on any non-public hearing items on today's (11/13) agenda.*

1E **SPECIAL PRESENTATIONS**

1F **DISCUSSION ITEMS**

1G **PUBLIC HEARINGS**

1G1

142100 Ordinance

Lynda Bell

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-279.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING AGRICULTURAL USES ALLOWED IN CERTAIN AREAS; ALLOWING SALE OF ANIMAL FEED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Report: *(See Agenda Item 1G1 Substitute; Legislative File No. 142425)*

1G1 SUB.

142425 Ordinance

Lynda Bell

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-279.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING AGRICULTURAL USES ALLOWED IN CERTAIN AREAS; ALLOWING SALE OF ANIMAL FEED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 142100]

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Seconder: Jordan
Vote: 3-0
Absent: Diaz, Bell

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed ordinance into the record.*

Vice Chairman Suarez opened the public hearing and called for persons wishing to appear before the Committee in connection with this proposed ordinance.

The following individuals appeared before the Committee in support of the foregoing proposed ordinance:

~ Mr. Nivardo Beaton, 19865 SW 136 Street
~ Mr. Carlos Aguilera, 15621 SW 209 Avenue
~ Mr. Wilson Escobar, 13055 SW 202 Avenue
~ Mr. Jose Porras, 14555 SW 202 Avenue

Ms. Ibel Aguilera, 15621 SW 209 Avenue, who was in support, was not present.

Vice Chairman Suarez closed the public hearing after no one else appeared wishing to speak.

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

1G2

142099 Ordinance

Xavier L. Suarez

ORDINANCE PERTAINING TO ZONING; AMENDING DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT REGULATIONS; MODIFYING HABITABLE SPACE REQUIREMENTS FOR CERTAIN PARCELS CONTAINING PARKING GARAGES; AMENDING SECTION 33-284.62 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Bell, Diaz

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed ordinance into the record.*

Vice Chairman Suarez opened the public hearing and called for persons wishing to appear before the Committee in connection with this proposed ordinance. He closed the public hearing after no one appeared wishing to speak.

Deputy Mayor Jack Osterholt noted the Administration strongly supported this proposed ordinance.

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

1G3

142112 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO ROAD IMPACT FEES; AMENDING SECTIONS 33E-8, 33E-9 AND 33E-12; ADDING LAND USE CATEGORIES TO THE ROAD IMPACT FEE SCHEDULE; AMENDING THE TABLE OF PRESENT DAY COST MULTIPLIERS TO FISCAL YEAR INCREMENTS; AUTHORIZING THE PUBLIC WORKS AND WASTE MANAGEMENT DIRECTOR TO UTILIZE THE INSTITUTE OF TRANSPORTATION ENGINEERS TRIP GENERATION MANUAL UNDER CERTAIN CONDITIONS; AUTHORIZING APPROVAL OF INDEPENDENT FEE COMPUTATION STUDY METHODOLOGY BY THE DIRECTOR; ELIMINATING REQUIREMENT OF A JOINT COUNTY/ MUNICIPAL COMMITTEE AND PROVIDING THAT THE DIRECTOR SHALL SOLICIT AND CONSIDER RECOMMENDATIONS FROM MUNICIPALITIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Public Works & Waste Management)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Second: Jordan

Vote: 3-0

Absent: Bell, Diaz

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed ordinance into the record.*

Mr. Brian Adler, Bilzin Sumberg Baena Price and Axelrod, 1450 Brickell Avenue, Suite 2300, appeared before the Committee on behalf of the Florida Atlantic Builder's Association, in support of the foregoing ordinance. He thanked staff and Chairman Diaz for sponsoring this proposed ordinance. Mr. Adler said he had several meetings with members of the development community, and with County staff.

Ms. Truly Burton, Builders Association of South Florida, 111 NW 183rd Street, Suite 111, Miami Gardens, appeared before the Committee in support of the foregoing ordinance. She expressed appreciation to the County Administration and staff for this proposal. Ms. Burton asked the Committee to encourage staff to bring forth these housekeeping issues. She noted the Code was a living document and many changes had occurred in the construction industry within the past five to six years. She noted staff's prudence had made a lot of difference and this should be continued.

Commissioner Jordan said that she initially voted against this proposal on first reading as she was confused about the third party analysis; however, she determined the department was not bound by that analysis.

In response to staff's request, Vice Chairman Suarez requested that an appropriate memorandum be prepared asking Board of County Commission Chairwoman Rebeca Sosa to waive the Board's Rules of Procedure to allow this proposed resolution to be heard at the December 2, 2014 Board meeting.

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

2 COUNTY COMMISSION

2A

142322 Resolution

Bruno A. Barreiro,

Audrey M. Edmonson

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO PREPARE A REPORT AND PLAN FOR THE DEVELOPMENT, USE, AND MAINTENANCE OF COUNTY-OWNED PROPERTY IN THE DOWNTOWN MIAMI AREA *Amended*

Report: *(See Agenda Item 2A Amended; Legislative File No. 142524)*

2A Amended

142524 Resolution

Bruno A. Barreiro,

Audrey M. Edmonson

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO PREPARE A REPORT AND PLAN FOR THE DEVELOPMENT, USE, AND MAINTENANCE OF COUNTY-OWNED PROPERTY IN THE DOWNTOWN MIAMI AREA [SEE ORIGINAL ITEM UNDER FILE NO. 142322]

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

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Diaz, Bell

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed resolution into the record.*

Commissioner Edmonson requested that she be shown as a cosponsor to the foregoing resolution. She requested this resolution be amended to include the Downtown Development Authority in the plan for the development, use, and maintenance of County-owned property in the Downtown Miami area.

Hearing no further comments or questions, the Committee members proceeded to vote on the foregoing resolution, with Committee amendments to direct the Mayor to consult with the City of Miami and the Downtown Development Authority (DDA) before preparing a report and plan for the development, use, and maintenance of County-owned property in the Downtown Miami area.

2B

142352 Resolution

Lynda Bell

RESOLUTION DECLARING THE 15TH DAY OF MAY BEGINNING ON MAY 15TH, 2015 AND EACH MAY 15TH THEREAFTER AS FARMER'S DAY IN MIAMI-DADE COUNTY

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Bell, Diaz

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed resolution into the record.*

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

3 DEPARTMENTS

3A

142356 Resolution

Lynda Bell,

Dennis C. Moss, Xavier L. Suarez
 RESOLUTION AUTHORIZING THE ACCEPTANCE OF
 TEN (10) ENVIRONMENTALLY ENDANGERED LANDS
 COVENANTS IN MIAMI-DADE COUNTY, FLORIDA
 (Regulatory and Economic Resources)

Amended

Report: *(See Agenda Item 3A Amended; Legislative File No. 142545)*

3A Amended

142545 Resolution

Lynda Bell,

Dennis C. Moss, Xavier L. Suarez
 RESOLUTION AUTHORIZING THE ACCEPTANCE OF
 NINE (9) ENVIRONMENTALLY ENDANGERED LANDS
 COVENANTS IN MIAMI-DADE COUNTY, FLORIDA
 [SEE ORIGINAL ITEM UNDER FILE NO. 142356]
 (Regulatory and Economic Resources)

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

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Diaz, Bell

Report: *Assistant County Attorney Abbie Schwaderer-Raurell noted staff was requesting that the foregoing proposed resolution be amended to delete the proffered covenant for acceptance for Carlos A. Diaz, 16351 SW 184 Street; and to remove the references to that covenant from the memorandum and resolution.*

Hearing no further comments or questions, the Committee members proceeded to vote on the foregoing resolution, with Committee amendments to delete the proffered covenant for acceptance for Carlos A. Diaz, 16351 SW 184 Street; and to remove the references to that covenant from the memorandum and resolution.

Following consideration of the foregoing item, Commissioner Jordan introduced Mr. Derrick Alcime, whom she noted was interning today in her office. She noted Mr. Alcime was a participant in the 5000 Role Models of Excellence Project; and a senior at the William H. Turner Technical Arts High School.

3B

142053 Resolution Sen. Javier D. Souto

RESOLUTION AUTHORIZING THE CONVEYANCE OF A PERMANENT EASEMENT TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH SECTION 125.38 OF THE FLORIDA STATUTES, FOR THE NOMINAL SUM OF ONE DOLLAR THROUGH A PORTION OF COUNTY OWNED PROPERTY FOR A PROJECT ON STATE ROAD NO. 94/KENDALL DRIVE AND THE INTERSECTION OF SW 127TH AVENUE TO WIDEN THE RIGHT TURN LANE TO ENHANCE VEHICLE CAPACITY WITHIN THE AREA; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE SAID EASEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Bell, Diaz

Report: *Assistant County Attorney Dennis Kerbel read the foregoing proposed resolution into the record.*

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

4 COUNTY MAYOR**5 COUNTY ATTORNEY****6 CLERK OF THE BOARD**

6A

142398 Report

APPROVAL OF CLERKS MEETING MINUTES FOR THE OCTOBER 16, 2014 LAND USE AND DEVELOPMENT COMMITTEE MEETING (Clerk of the Board)

Approved

Mover: Edmonson

Seconder: Jordan

Vote: 3-0

Absent: Bell, Diaz

Report: *Assistant County Attorney Dennis Kerbel read the foregoing report into the record.*

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

7 **REPORTS**

8 **ADJOURNMENT**

Report: *There being no further business to come before the Committee, the meeting adjourned at 9:50 a.m.*