

**MIAMI-DADE COUNTY  
FINAL OFFICIAL MINUTES  
Governmental Operations and Environment  
Committee (GOEC)**

**Board of County Commissioners**

Stephen P. Clark Government Center  
Commission Chambers  
111 N.W. First Street  
Miami, Florida 33128

June 12, 2007  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division

Jill Thornton, Commission Reporter  
(305) 375-2505





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

**FINAL OFFICIAL**  
**Meeting Minutes**  
**Governmental Operations and Environment**  
**Committee**

Natacha Seijas (13) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Audrey M. Edmonson (3), Carlos A. Gimenez (7), Joe A. Martinez (11), and Dorrin D. Rolle (2)

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**Tuesday, June 12, 2007**

**9:30 AM**

**COMMISSION CHAMBERS**

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**Members Present:** Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Joe A. Martinez, Natacha Seijas.

**Members Absent:** Dorrin Rolle.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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**1 MINUTES PREPARED BY:**

**Report:** *Jill Thornton, Commission Reporter*  
*(305) 375-2505*

**1A INVOCATION**

**1B PLEDGE OF ALLEGIANCE**

**1C**      **ROLL CALL**

**Report:** *The following staff members were present: Assistant County Manager Roger Carlton, Assistant County Attorneys Joni Armstrong-Coffey and David Murray; and Deputy Clerks Doris Dickens and Jill Thornton.*

*Assistant County Attorney Joni Armstrong-Coffey advised that in addition to the changes listed in the County Manager's Memorandum entitled "Requested Changes to the Governmental Operations and Environment Committee Agenda," Commissioner Sorenson requested that Agenda Item 3F be withdrawn; that Agenda Items 3H and 3I be deferred; and that Agenda Item 7B be deferred, as requested by the County Manager.*

*Chairwoman Seijas asked Assistant County Manager Roger Carlton to convey to Commissioner Sorenson that resolutions relating to Agenda Items 3H and 3I had already been forwarded to the next BCC meeting, in case she was not aware of that.*

*It was moved by Commissioner Diaz that the County Manager's memorandum entitled "Requested Changes to the Governmental Operations and Environment Committee Agenda," dated June 12, 2007, be approved with the additional changes noted by Assistant County Attorney Armstrong-Coffey. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 5-0. (Commissioner Rolle was absent)*

**1D**      **CHAIRPERSON**

1D1

## 071928 Report

## REMARKS FROM CHAIRPERSON SEIJAS

**Report:** *Chairwoman Seijas called the meeting to order at 9:55 a.m. and provided opening remarks. She expressed her appreciation to Senator Bill Nelson for supporting the County's request for a water transmission pipeline and for sponsoring \$6 million of the Water Bill that passed in the Senate. She noted the County was in the process of working with Eric Olafson, Federal Coordinator, Intergovernmental Affairs, and the staff in Washington D.C. to ensure this Bill was not defeated.*

*Chairwoman Seijas noted an article in the Home and Design Section of The Miami Herald (Sunday issue) provided some valuable and interesting information by the Water and Sewer Department on how to conserve water. She encouraged all her colleagues to read this article.*

*Chairwoman Seijas asked that Assistant County Attorney Joni Armstrong-Coffey prepare resolutions expressing support of House Bill 2447 that creates the Energy and Environment Block Grants Program, modeled after the Community Development Block Grants Program. She noted if this bill was sustained, this County could be entitled to an estimated \$17 million every year for its Environmentally Endangered Lands (EEL) Program.*

*Chairwoman Seijas reminded the County Manager and the County Attorney that the final agreement for joining the Chicago Climate Exchange should be completed and placed on the June 26th GOEC agenda for review. She noted although she supported the County Attorney's concerns regarding this agreement, the County had an opportunity to be ahead of the game by becoming a member of the Exchange and she was hopeful that this agreement would be finalized by June 26, 2007.*

**2 DEPARTMENT(S)**

2A

**071649 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE CONTRACT NUMBER GC678 WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE STORAGE TANK SYSTEM COMPLIANCE VERIFICATION PROGRAM IN MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENTS TO THIS AGREEMENT AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2B

**071701 Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF A COUNTY DISCLAIMER FOR THE RELEASE OF THE NORTH 25 FEET OF UNNEEDED CANAL MAINTENANCE EASEMENT, WITHIN LOT 3, BLOCK 30, OF SUNSET HARBOR SECTION V, A SUBDIVISION IN SECTION 26, TOWNSHIP 54 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 135, AT PAGE 39 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2C

**071704 Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE HOMESTEAD AIR RESERVE BASE PROVIDING FOR PAYMENT TO MIAMI-DADE COUNTY OF AN ENVIRONMENTAL POLLUTION PREVENTION CONTRIBUTION FOR STORMWATER TREATMENT AND DISPOSAL (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2C

2D

**071706 Resolution**

RESOLUTION AUTHORIZING NEGOTIATION OF AND DELEGATING AUTHORITY TO EXECUTE AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE U.S. DEPARTMENT OF THE ARMY RELATING TO THE MIAMI RIVER DREDGING PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2E

**071732 Bid Awards**

CONTRACT AWARD RECOMMENDATION FOR THE VIRGINIA KEY WETLANDS RESTORATION PROJECT - PROJECT NO. VKRP-06; CONTRACT NO. VKRP-06-01 (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed bid award was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing bid award, as presented.*

2F

## 071767 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF THE STATE "COUNTY CERTIFICATION FORM" FOR PARTICIPATION IN THE STATE FUNDING FORMULA TO FUND AND NEGOTIATE THE PURCHASE OF OPTICAL SCAN AND BALLOT ON DEMAND EQUIPMENT TO REPLACE TOUCHSCREEN VOTING EQUIPMENT (Elections Department)

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

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *Hearing no objection, the Committee considered the following related agenda items simultaneously.*

*The foregoing proposed resolution and related report (Agenda Item 7A) were read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Diaz questioned the balance owed by the County on the existing touch screen voting machines and the cost the County would incur to purchase new equipment based on the State's mandate requiring new equipment.*

*Responding to Commissioner Diaz' question, Mr. Lester Sola, Supervisor of Elections, noted the County owed a balance of approximately \$15 million on the revenue bond (loan) issued in 2002 to pay for the existing equipment. He further noted that based on a budget analysis, the total cost of the new system if purchased today would be approximately \$12 million, of which the State would provide \$5 million and the County would be responsible for approximately \$7.5 million, which included everything related.*

*Commissioner Diaz expressed concern that the State was again mandating the County to purchase equipment that would leave the County with a total debt of approximately \$23 million.*

*Mr. Sola noted existing State legislation required all counties to turn over Touch Screen voting machines to the State of Florida when they accept the \$5 million in State funding to purchase new machines. Mr. Sola noted the County would continue to use some Touch Screen voting machines at every site to accommodate the ADA community, but the balance of the equipment would be turned over to the State. He further noted the State has the option to sell or dispose of this equipment, but if sold, the Bill provides that the proceeds go to respective counties to help pay*

*off the loan.*

*Commissioner Diaz questioned the original cost of the touch screen equipment and market price of this equipment today.*

*Mr. Sola noted the cost of the touch screen equipment when purchased in January 2002, was \$24.5 million, and it was determined at the time the Bill was approved, that this equipment had diminished considerably in value. He noted staff believed that it would be more cost effective in the long run to conduct elections with the new system, which would pay for itself, and that it would be in the County's best interest to enter into the agreement rather than forfeit the \$5 million. Mr. Sola recommended the County enter into an agreement with the State to purchase the new equipment.*

*Commissioner Diaz noted the bottom line was that the County could not profit from the sell of this equipment for an amount significantly higher than the \$5 million offered by the State, and would benefit more from turning the equipment over to the State.*

*Commissioner Gimenez spoke in support of the new Optical Scanning voting machines, which provided a verifiable paper trail and a true recount; unlike the existing system, which was extremely labor intensive. He questioned how much money the County would save by utilizing the new system.*

*Mr. Sola stated staff believed the savings would be up to \$2 million in cost for Presidential elections and about \$800 thousand for Gubernatorial Elections, which basically covered the cost of labor needed to operate the Touch Screen voting machines.*

*Commissioner Gimenez noted he did not see any significant value in keeping the touch screen machines because they were labor intensive, inefficient and difficult to maintain, particularly in terms of reprogramming this for runoff elections.*

*Commissioner Diaz concurred with Commissioner Gimenez' statements regarding a more efficient process but expressed concern that the County would be left with a \$24 million deficit, which he felt would never be recovered. He said he would have been more inclined to support this agreement if the State provided additional funding toward the*

repayment of the loan.

Mr. Sola noted pursuant to a report in his office, the State of Florida held a balance of approximately \$67 million allocated by the Federal Government for election equipment, after allocating \$28 million to 15 counties for new systems. He noted his office recommended the County lobby the State during the next legislative session for additional funding. Mr. Sola pointed out that the State's decision to mandate the optical scanners was based on the public's perception of paperless ballots; however, no one has been able to show that an election had been altered since the Touch Screen voting machines were implemented. He noted the effective date was July 1, 2008.

Commissioner Gimenez recommended the new system be implemented as quickly as possible to take advantage of the savings opportunity versus the cost to run an election with the existing equipment.

Chairwoman Seijas commented that the County had not experienced a single problem since it implemented the touch screen voting equipment. She noted she supported efficient equipment; however, she was concerned that individuals (leaders) who lobbied so hard for the touch screen equipment were not present today to support this Committee's decision or to support the proposal to lobby for additional State funding to help resolve the deficit. She noted for the record, that during that era, members of the County Commission and the County Administration were pressured to implement the Touch Screen voting machines. Chairwoman Seijas commended Mr. Sola and members of the County Manager's Office for the progress made in the voting process considering the obstacles.

Hearing no further comments or discussion, the Committee proceeded to vote on the foregoing resolution and related report, as presented.

(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed resolution to be heard at the June 26, 2007 County Commission meeting.)

2G

## 071294 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$106,180.99 IN CONTRACT FUNDS FOR RESURFACING (PUBLIC WORKS DEPARTMENT) CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040422) (Public Works Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Gimenez questioned whether it was true that an audit revealed that H&J Asphalt, Inc., repeatedly violated the County's contract.*

*Ms. Miriam Singer, Director, Procurement Management Department, confirmed that H&J Asphalt, Inc. was found to be in violation a number of times for non-compliance with the Community Small Business Enterprise (CSBE) participation goals, as well as the living wages. She noted to date, this firm had compensated for all of the violations relating to living wages and the Department was requiring that H&J makeup any deficit(s) in CSBE goals by doubling the amount of participation goals for three of the four projects found in violation.*

*Responding to Commissioner Gimenez' question regarding whether these violations were committed on different occasions, Ms. Singer noted they were committed on separate occasions for different projects.*

*Ms. Singer noted since she became involved with the Department of Business Development-small business affairs, she had identified quite a record for certain firms who had a history of violations that merited appropriate action. She noted the Code provided penalties for up to three offenses and recommended the firm be debarred for a fourth offense. She also noted the Code required a firm to double the percentage of CSBE participation goals on a future projects to make up any deficits in this area. Ms. Singer stated staff took compliance very seriously and had begun*

identifying violations to assess appropriate actions consistent with the Code, while also affording the firms a fair due process.

Commissioner Gimenez questioned why this firm was not debarred pursuant to the Code, as opposed to being permitted to make up the goals after twelve violations.

Ms. Singer explained that of the ten projects awarded to H&J, four had unmet CSBE goals; two were satisfied and four remained open for evaluation. After reviewing the Code and consulting with attorneys, enforcement could only be done on three of the four contracts in violation, Ms. Singer noted, because it was determined that a firm could not be held accountable once a project was completed. She noted the previous practice was to wait until the end of the project to assess whether the goals were met, but staff now made that assessment immediately before the final payment to allow for enforcement.

In response to Commissioner Gimenez' question regarding how many violations were related to living wages, Ms. Singer noted H&J Asphalt was found to be in violation of living wages on twelve occasions, which totaled \$5,803 in value, but this firm has since paid those wages to the underpaid employees. She noted she could not account for what occurred in the past, but staff would enforce the sanctions required by the Code and would hold the firms accountable for violations going forward. Ms. Singer confirmed that the penalty fine would be in addition to that paid to the employees.

Responding to Commissioner Edmonson's question of whether any payment had been issued for these change orders, Ms Esther Calas, Director, Public Works Department, advised that payment had not been made. She noted these were retroactive change orders where work was already performed, and staff needed to get the County Commission's approval to use the Contingency Allowance.

Commissioner Diaz questioned what would happen if the Committee deferred payment on these contracts today.

Ms. Singer noted it was staff's professional recommendation that these change orders be approved, since Mr. Lorenzo, principle of H&J Asphalt, made a commitment to double the amount

*for unmet CSBE goals, which was permissible pursuant to the Code and would also benefit the Small Business Community.*

*Expounding on Ms. Singer's comments, Ms. Calas explained that the change orders were a result of a liquid asphalt shortage following the 2005 Hurricanes, and the Department entered into an incentive agreement with these contractors to pay an additional \$20 per ton for costs exceeding the monthly quota to acquire the liquid asphalt. She noted this was actually a savings to the department because bids were coming in at \$120 per ton following the Hurricane and the original cost was \$48 per ton. She noted the work was now completed and staff was seeking approval to use the contingency fund to pay for these change orders.*

*Following a discussion pertaining to the County Commission's authority to penalize the County Administration when the penalties spelled out in the Code were not enforced, Assistant County Attorney Armstrong-Coffey noted the County Commission had many options at their disposal, including imposing penalties in the form of policies.*

*In response to Commissioner Diaz' comments regarding the Charter, Assistant County Attorney Armstrong-Coffey noted the Citizen's Bill of Rights did have certain teeth that were self-effectuating pertaining to a loss of position and other related issues.*

*Chairwoman Seijas noted all this came about as a result of the Inspector General's audit and a certain person, now retired, who did things improperly. She asked whether the Committee Chair had the right to subpoena parties to appear before this Committee for questioning.*

*Assistant County Attorney Armstrong-Coffey advised that the County Commission Chairman could issue a subpoena, at the request of any Commissioner.*

*Chairwoman Seijas noted she was uncomfortable with these contracts but expressed concern that the Small Businesses (SB) would not get paid. She stated she wanted to ensure H&J Asphalt was not awarded additional contracts until this was settled and asked whether any of the monies collected for the fines would be given to the SBs.*

Ms. Singer noted the double makeup was only for the CSBE goal deficit and the firm would be required, as a condition of any future award, to make up that deficit in a double value to SBs on the new projects. She noted monies would not be collected to be given to the SB's that were underutilized.

Chairwoman Seijas noted it did not make sense for a CSBE firm to benefit from the makeup of an underutilized goal, who had nothing to do with it.

Ms. Singer noted the issue was not that CSBE firms were underpaid but that the CSBE goal was underutilized. She also noted a subcontractor could not be paid for work not performed and the department had privity with the prime contractor. She stated she hoped to strengthen the legislation affecting the SB's as staff continued to review it.

Responding to Chairwoman Seijas's question as to whether any SB's were not paid, Ms. Singer noted the Public Works project manager advised her there were some suppliers who were not paid, but would be paid upon the approval of these closeout change orders.

Assistant County Manager Roger Carlton noted staff recognized that the situation before the Committee today was not a good one, and they needed to do a better job. He noted, however, that changes had occurred in this program and Ms. Singer's efforts in monitoring this had been extensive. Mr. Carlton noted these contracts had been around for awhile and needed to be closed out; that by closing out these contracts, the firm would be required to double the percentage of participation goals in their next contract.

Chairwoman Seijas noted she felt this firm should not be awarded another contract; but recommended these contracts be paid so that the suppliers could be paid.

Responding to Commissioner Edmonson's question regarding whether it was possible to withhold funds that were targeted for the CSBE firms, Ms. Singer explained the funds were part of the award structured and awarded to the prime contractor; and that a subcontractor could not be paid for work not performed.

Assistant County Attorney Hugo Benito explained further that a contractor could fail to comply in two ways, either for being under-contract or for

*underpayment. He noted that when a contractor under utilizes the CSBE established goals, it did not mean a subcontractor was not paid, just was not used. He also noted the Code already provided for the County to withhold funds from the prime contractor when they underpaid.*

*Commissioner Edmonson asked Assistant County Attorney Armstrong-Coffey to work with her staff to draft a proposal imposing penalties on prime contractors for unmet Small Business (SB) and Community Small Business Enterprise (CSBE) participation goals; including a method for paying subcontractors when prime contractors were found in violation.*

*Commissioner Diaz questioned whether the Commission had already established policy in terms of paying subcontractors before paying the prime contractor, during the renovations of the Miami International Airport North Terminal.*

*Assistant County Attorney Benitez noted the North Terminal development was a very detailed process that ensured settlement monies got paid first to subcontractors as a condition of settling the claim with the Prime. He noted this could be used as a guide on how to structure the CSBE contracts when drafting new policies.*

*Commissioner Martinez pointed out that this was not a situation where somebody was not paid but that enough work was not provided to the CSBEs, which the prime would be required to makeup. He suggested that the legislation be drafted to include as part of the contract, that the firm be required to sign agreements with the CSBE's to accomplish the goals.*

*Ms. Singer noted a provision was already in place for that, but the problem was that some firms, in some instances used another firm to complete the required CSBE goal percentage at fewer dollars after receiving an award, which was known as bid shopping.*

*In response to Chairwoman Seijas' question regarding whether an amount equal to the CSBE goal deficit's worth could be deducted from the contractor's final payment, Assistant County Attorney Benito noted staff could consider that method when drafting the legislation.*

*Chairwoman Seijas stated this was a very complicated process and she felt that each*

Governmental Operations and Environment Committee

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*Commissioner should take some time to sit with the Assistant County Manager or the Assistant County Attorney to review it.*

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

2G SUPPLEMENT

**071817 Supplement**

REPORT OF FINDINGS ON H&R PAVING, INC. AND H&J ASPHALT, INC. RELATED TO CONTRACT COMPLIANCE WITH COMMUNITY SMALL BUSINESS ENTERPRISE AND RESPONSIBLE WAGE AND BENEFIT CONTRACT REQUIREMENTS [SUPPLEMENT TO AGENDA ITEM NOS. 2(G), 2(I), & 2(J)]

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *See Report under Agenda Item 2G, Legislative File No. 071294.*

2H

**071295 Resolution**

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & R PAVING, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$102,277.01 IN CONTRACT FUNDS FOR RESURFACING PROJECT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040450) (Public Works Department)

*Withdrawn*

*Mover: Diaz*

*Seconder: Gimenez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed resolution was withdrawn, as requested by the County Manager.*

2I

**071297 Resolution**

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$102,129.71 IN CONTRACT FUNDS FOR RESURFACING IMPROVEMENT PROGRAM (ZONE 2) (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20030252) (Public Works Department)

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

**Report:** *See Report under Agenda Item 2G, Legislative File No. 071294.*

2J

**071298 Resolution**

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. ONE & FINAL TO THE CONTRACT WITH H & J ASPHALT, INC., RATIFYING THE PRODUCTION INCENTIVE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CONTRACTOR AND REALLOCATING TO THE CONTINGENCY ALLOWANCE \$97,464.59 IN CONTRACT FUNDS FOR RESURFACING (PUBLIC WORKS DEPARTMENT) CONTRACT (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 20040423) (Public Works Department)

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

**Report:** *See Report under Agenda Item 2G, Legislative File No. 071294.*

2K

**071654 Bid Awards**

CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$573,817.82 BETWEEN CARTER & BURGESS, INC. AND MIAMI-DADE COUNTY FOR THE PROJECT ENTITLED SW 157 AVENUE, FROM SW 42 STREET TO SW 8 STREET WITHIN COMMISSION DISTRICT 11 - PROJECT NO: E06-PW-07; CONTRACT NO: 20060241 (Public Works Department)

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

**Report:** *The foregoing proposed bid award was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing proposed bid award, as presented.*

2L

**071744 Bid Awards**

PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$8,314,420.12 BETWEEN COMMUNITY ASPHALT CORP. AND MIAMI-DADE COUNTY PROJECT ENTITLED ROADWAY IMPROVEMENTS ALONG NE 2 AVENUE, FROM NE 91 STREET TO NE 105 STREET, LOCATED WITHIN COMMISSION DISTRICT 3 - PROJECT NO: 20060439 (FORMERLY 20060110); CONTRACT NO: 20060439 [SEE AGENDA ITEM NO. 2R] (Public Works Department)

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

**Report:** *The foregoing proposed bid award was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing proposed bid award, as presented.*

2M

**071675 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE PARKER AVENUE, FROM HENDERSON STREET NORTHEASTERLY FOR APPROXIMATELY 175 FEET (ROAD CLOSING PETITION NO. P-841) (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2N

**071724 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE PARKER AVENUE, FROM HENDERSON STREET, SOUTHWESTERLY FOR APPROXIMATELY 175 FEET (ROAD CLOSING PETITION NO. P-840) (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2O

**071723 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE THE RIGHTS-OF-WAY FOR SW 73 COURT, BETWEEN SW 72 STREET AND SW 76 STREET; AND SW 75 STREET, FROM APPROXIMATELY 178 FEET EAST OF SW 74 AVENUE EAST FOR 614 FEET (ROAD CLOSING PETITION NO. P-824) (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2P

**071725 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A MIAMI-DADE COUNTY DISCLAIMER FOR A PORTION OF NW 71 AVENUE, AS SHOWN IN THE UNRECORDED PLAT OF PROSPERITY ACRES LOCATED AT THE NE ¼ OF SECTION 2, TOWNSHIP 54 SOUTH, RANGE 40 EAST (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2Q

**071726 Resolution**

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2R

**071729 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT IN THE AMOUNT OF \$1,500,000 BETWEEN MIAMI-DADE COUNTY AND MIAMI SHORES VILLAGE TO PROVIDE VILLAGE PARTICIPATION IN FUNDING THE CONSTRUCTION OF ENHANCED ROADWAY ELEMENTS ALONG NE 2 AVENUE FROM NE 91 STREET TO NE 105 STREET; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS THEREIN [SEE AGENDA ITEM NO. 2L] (Public Works Department)

*Amended*

**Report:** *(See Agenda Item 2R Amended; Legislative No. 071988 for the amended version).*

2R AMENDED

**071988 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT IN THE AMOUNT OF \$1,500,000 BETWEEN MIAMI-DADE COUNTY AND MIAMI SHORES VILLAGE TO PROVIDE VILLAGE PARTICIPATION IN FUNDING THE CONSTRUCTION OF ENHANCED ROADWAY ELEMENTS ALONG NE 2 AVENUE FROM NE 91 STREET TO NE 105 STREET; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071729] (Public Works Department)

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

*Mover: Edmonson*

*Seconded: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*The foregoing proposed resolution was forwarded to the County Commission with a favorable recommendation, with committee amendment(s) to delete handwritten pages 5 and 6.*

2S

**071731 Resolution**

RESOLUTION GRANTING PETITION TO CLOSE ALL ROADS FROM THE CENTER LINE OF SW 152 AVENUE WEST TO THE EAST RIGHT-OF-WAY LINE OF C-1W CANAL AND FROM SW 120 STREET TO SW 116 STREET, LYING WITHIN THE PLAT OF GREATER MIAMI ESTATES PART ONE, RECORDED IN PLAT BOOK 23, PAGE 43, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, THAT ABUT BLOCKS 48 TO 57, THE SOUTH ½ OF BLOCK 69, AND BLOCKS 70 TO 76, ALL INCLUSIVE (ROAD CLOSING PETITION NO. P-845) (Public Works Department)

*Forwarded to BCC without a recommendation*

*Mover: Martinez*

*Seconded: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Martinez noted his staff did not have the opportunity to examine the plat area to ensure that this road closing would not negatively impact another neighborhood. He requested this resolution be forwarded to the BCC without a recommendation.*

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

2T

**071576 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF NORTH MIAMI FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE CITY (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2U

**071577 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE TOWN OF SURFSIDE FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE TOWN (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2V

**071579 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH BAL HARBOUR VILLAGE FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE VILLAGE (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2W

**071580 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE TOWN OF BAY HARBOR ISLANDS FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE TOWN (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2X

**071581 Resolution**

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH INDIAN CREEK VILLAGE FOR PROVISION OF WATER SERVICE BY THE COUNTY TO THE VILLAGE (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2Y

**071647 Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR HIS DESIGNEE ACTION EXECUTING GRANT APPLICATION AND AGREEMENT IN THE AMOUNT OF \$520,000 AND ANY AMENDMENTS THERETO WITH THE ENTERPRISE FLORIDA, INC. AND TO RECEIVE AND EXPEND GRANT FUNDS FOR THE IMPROVEMENTS TO PUMP STATION NUMBER 545 AT HOMESTEAD AIR RESERVE BASE AND FURTHER AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR AND EXECUTE FUTURE SIMILAR GRANT APPLICATIONS, AGREEMENTS AND ANY AMENDMENTS THERETO WITH FLORIDA ENTERPRISE, INC. AND TO RECEIVE AND EXPEND SUCH GRANT FUNDS (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2Z

**071650 Resolution**

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY ("USGS") TO CONDUCT A MICROBIAL AND GEOCHEMICAL STUDY OF THE FLORIDAN AND BISCAYNE AQUIFERS IN MIAMI-DADE COUNTY (Water & Sewer Department)

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

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2AA

**071583 Bid Awards**

CONTRACT AWARD RECOMMENDATION TO METRO EQUIPMENT SERVICES FOR INSTALLATION OF 16-INCH DUCTILE IRON (D.I.) SANITARY SEWER IN NE 172 STREET FROM COLLINS AVENUE TO NORTH BAY ROAD, CONTRACT NO: S-783 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

**Report:** *The foregoing proposed bid award was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Martinez questioned whether the language: "It is the intent of the Department to obtain a complete functional, and satisfactory installation...which may be reasonably assumed as necessary to accomplish this end and shall be supplied whether or not they are specifically shown on the plans or stated in the specifications," included in the supporting memorandum, would be included in the contracts and be enforceable.*

*Assistant County Attorney David Murray noted the intent was to have a contractor bid a price for all the work but it could be reasonably interpreted in the contract specs and would be included in the contract, as well.*

*Hearing no further comments or discussion, the Committee proceeded to vote on the foregoing bid award, as presented.*

2BB

**071176 Bid Awards**

CONTRACT AWARD RECOMMENDATION TO H & R PAVING, INC. FOR ADJUSTING MANHOLE CASTINGS AND VALVE BOXES FOR A 24-MONTH PERIOD, CONTRACT NO. W-897, DIVISION 1 AND 2, PROJECT LOCATION: COUNTYWIDE (Water & Sewer Department)

*Withdrawn*  
*Mover: Diaz*  
*Seconder: Gimenez*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed bid award was withdrawn, as requested by the County Manager.*

2CC

**071711 Bid Advertisement**

REQUEST TO ADVERTISE FOR ALEXANDER ORR JR.  
WATER TREATMENT PLANT 96-INCH FILTER  
INTERCONNECTING PIPE. CONTRACT NO. W-895.  
PROJECT LOCATION: 6800 SW 87 AVENUE, MIAMI,  
FLORIDA [SEE AGENDA ITEM NO. 7E] (Water & Sewer  
Department)

*Forwarded to BCC with a favorable  
recommendation*

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*There being no objection, Agenda Items 2CC, 2DD, 2EE, 2FF, 2GG, 2HH and 7E were heard simultaneously.*

*In response to Commissioner Diaz' request for clarity regarding whether this was a request to advertise or a request to go out for bid, Mr. Joe Ruiz, Deputy Director, Water and Sewer Department, noted this was a request to advertise for bids.*

*Commissioner Diaz noted his concern was the funding source in which to pay for all of these projects, which were mandated. He questioned if the mandate included awarding the bid immediately or to delay the award pending the identification of funding.*

*Mr. Ruiz noted Agenda Item 2CC involved regular repair and replacement, which differed from the remaining projects. He further noted all of these projects were related to either the Consent Order due to changes in regulations or the 20-year Consumptive Use Permit that the County had been negotiating to get from the Water Management District.*

*Responding to Commissioner Diaz' question regarding whether all of these projects would be fully funded, Mr. Ruiz noted either the money was in the bank from revenue bonds already sold or bonds would need to be sold in the future to fund all of these projects, which would be brought before the BCC for approval.*

*Hearing no further comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

2DD

**071720 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, FILTER SYSTEM, - PROJECT NO: N/A; CONTRACT NO. S-805 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

*See Report under Agenda Item 2CC, Legislative File No.071711.*

2EE

**071713 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, TRANSFER PUMP STATION, - PROJECT NO: N/A; CONTRACT NO. S-806 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

*See Report under Agenda Item 2CC, Legislative File No.071711.*

2FF

**071715 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT  
WASTEWATER TREATMENT PLANT, HLD UPGRADE  
TO 285 MGD, YARD PIPING, - PROJECT NO: N/A;  
CONTRACT NO: S-813 [SEE AGENDA ITEM NO. 7E]  
(Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

*See Report under Agenda Item 2CC, Legislative File No.071711.*

2GG

**071717 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT  
WASTEWATER TREATMENT PLANT, HLD UPGRADE  
TO 285 MGD, OXYGENATION TRAIN NO. 7 - PROJECT  
NO: N/A; CONTRACT NO: S-816 [SEE AGENDA ITEM  
NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

*See Report under Agenda Item 2CC, Legislative File No.071711.*

2HH

**071718 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, TEMPORARY OFFICE FACILITIES, - PROJECT NO: N/A; CONTRACT NO. S-825 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

*See Report under Agenda Item 2CC, Legislative File No.071711.*

2II

**071719 Request to Advertise**

REQUEST TO ADVERTISE FOR SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, SITE PREPARATION, - PROJECT NO: N/A; CONTRACT NO. S-828 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

2JJ

**071709 Bid Advertisement**

REQUEST TO ADVERTISE FOR CONSTRUCTION ENGINEERING & INSPECTION SERVICES FOR THE SDWWTP HIGH LEVEL DISINFECTION FACILITY. PROJECT NO. E07-WASD-05. PROJECT LOCATION: 8950 SW 232 ST., GOULDS, FL 33170 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz  
 Seconder: Edmonson  
 Vote: 5-0  
 Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

2KK

**071708 Request to Advertise**

REQUEST TO ADVERTISE FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE SOUTH MIAMI HEIGHTS WATER TREATMENT PLANT - CONTRACT NO: E07-WASD-01, PROJECT LOCATION: 11800 SW 208 STREET [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz  
 Seconder: Edmonson  
 Vote: 5-0  
 Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

2LL

**071696 Bid Advertisement**

REQUEST TO ADVERTISE FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT WATER RECLAMATION FACILITY - CONTRACT NO. E07-WASD-02. PROJECT LOCATION: 8950 SW 232ND STREET, GOULDS, FL 33170 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Diaz*

*Seconder: Edmonson*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

2MM

**071693 Bid Advertisement**

REQUEST TO ADVERTISE FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT WATER RECLAMATION FACILITY - CONTRACT NO: E07-WASD-03 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

2NN

**071695 Bid Advertisement**

REQUEST TO ADVERTISE FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR NORTH DISTRICT WASTEWATER TREATMENT PLANT WATER RECLAMATION FACILITY, PROJECT NO. E07-WASD-04. LOCATION: 2575 N.E. 15 STREET, NORTH MIAMI, FL 33160 [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
**Mover: Edmonson**  
**Seconder: Martinez**  
**Vote: 5-0**  
**Absent: Rolle**

**Report:** *The foregoing proposed request to advertise was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the June 26, 2007 County Commission meeting)*

200

**071714 Bid Advertisement**

REQUEST TO ADVERTISE FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE 10 MILLION GALLONS PER DAY (MGD) REVERSE OSMOSIS NORTH MIAMI-DADE WATER TREATMENT PLANT. PROJECT NO. E07-WASD-06. [SEE AGENDA ITEM NO. 7E] (Water & Sewer Department)

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

**Report:** *Assistant County Manager Roger Carlton clarified for the record that this request to advertise was a backup to allow the County to construct its own plant in the event the joint Reverse Osmosis project with Hialeah did not occur.*

*Hearing no comments or discussion, the Committee proceeded to vote on the foregoing request to advertise, as presented.*

*(Note: Chairwoman Seijas asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed request to advertise to be heard at the July 24, 2007 County Commission meeting)*

2PP

**071268 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE STANDARD URBAN CENTER DISTRICT ("STANDARD REGULATIONS"), AMENDING SECTIONS 33-284.82 THROUGH 33-284.83, 33-284.85 THROUGH 33-284.86, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Gimenez*

*Vote: 4-0*

*Absent: Martinez, Rolle*

**Report:** *There being no objection, Agenda Items 2PP, 2QQ, 2RR, 2SS and 2TT were heard simultaneously.*

*The foregoing proposed ordinances were read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Chairwoman Seijas opened the public hearing and the following person(s) appeared in connection with the foregoing proposed ordinances:*

*1. Mr. Jeffrey Berkow, 200 S. Biscayne Boulevard, attorney representing Hillel Community Day School, appeared before the Committee in connection with Items 2PP and 2QQ and noted he expressed concerns at a previous meeting regarding the impact of the proposed regulations of the OJUS Urban Area District to Hillel; that the land use designation did not permit educational use in Hillel's expansion area and the open space and street plan provisions were inconsistent with Hillel's need for increased security. He noted since then, he worked with staff to address those concerns and could recommend approval of the foregoing ordinances. Mr. Berkow noted the only open issue was the need to close certain platted "B" streets at the appropriate time in the future, when they presented the ASPR plans that satisfied the revised regulations. He noted the Planning Director assured him that at the appropriate time, he would authorize the closing of these roadways.*

*2. Mr. Graham Penn, 200 S. Biscayne Boulevard, attorney representing several commercial property owners in Perrine, appeared before the Committee in connection with Item 2TT and noted they had significant concerns regarding the impact of the Perrine regulations on existing land uses. He noted after working with staff, the foregoing*

ordinances now addressed a lot of their concerns related to uses and they were able to make a deal with staff regarding the treatment of the existing, non-conforming structures/sites. Mr. Penn stated he understood the Planning Director was prepared to read into the record that the department would seek another ordinance to address this. He noted that assuming the amended ordinance was approved; they would no longer have any objections to the regulations.

Mr. Subrata Basu, Director, Planning and Zoning Department, noted staff had worked with Mr. Penn and the applicant regarding their concerns and had resolved most of them, except for the existing, non-conforming structures, which were resolved, but were outside the scope of the foregoing ordinances. He stated staff would come back with an amended ordinance and read into the record, the proposed amended language as it relates to the Perrine Community Urban Center (CUC) regulations.

Responding to Chairwoman Seijas's question as to whether the County Attorney had approved this amended language, Assistant County Attorney Armstrong-Coffey noted staff saw a draft of the language and the department recommended that a subsequent ordinance be presented, since this one was somewhat restricted.

3. Mr. Martin Lampkin, 10235 SW 172nd Street, appeared before the Committee and expressed his concern that property with 50% damage or vacant for six months would have to comply with the new code. He noted a petition was started with the corridor business owners, and many objected to the CUC's zoning ordinance because it would force some of them out of business.

Chairwoman Seijas advised Mr. Lampkin that a second reading would be held in July, which would afford another public hearing.

Assistant County Attorney Armstrong-Coffey advised that the process relating to the Urban Center (UC) ordinance was somewhat different, in that this process created the possibility of rezoning these districts and would have to go through the Zoning process as well.

4. Mr. Gil Pastoriza, 2525 Ponce De Leon Boulevard, attorney representing several property owners within the Charrette district, informed that they all supported the foregoing proposed

ordinances, as presented, as well as the amendment.

5. Mr. Alex Rey, 18001 Old Cutler Road, representing Quail Roost Trans Urban Development Project, appeared before the Committee in support of the foregoing ordinances. He noted he recalled this process began in 1995, and substantial notices were given to the community who met quite often, and the community overwhelmingly supported this ordinance.

6. Mr. Stan Pinder, 17700 S. Dixie Highway, Perrine, owner of Stan's Auto Blast and owner of several properties within the area, appeared before the committee and spoke in opposition to the foregoing ordinances. He noted his primary concern was that he was not made aware of the proposed regulations; that he had not received notice and he would like to see the attendance records for the charrette meeting(s) that were held.

Chairwoman Seijas encouraged Mr. Pinder to meet with the Assistant County Manager to address his concerns and to access any public records for verification of these hearings. She advised that these ordinances would go before the BCC for a second reading in July.

Hearing no further comments or discussion, the Committee proceeded to vote on the foregoing ordinances, as presented.

2QQ

**071263 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE OJUS COMMUNITY URBAN AREA DISTRICT (OJUS REGULATIONS), AMENDING SECTIONS 33-284.99.16, 33-284.99.18 THROUGH 33-284.99.19, AND DELETING SECTION 33-284.99.16, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation*  
**Mover: Diaz**  
**Seconder: Gimenez**  
**Vote: 4-0**  
**Absent: Rolle, Martinez**

**Report:** See Report under Agenda Item 2PP, Legislative File No. 071268.

2RR

**071264 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE GOULDS COMMUNITY URBAN CENTER DISTRICT ("GOULDS REGULATIONS"), AMENDING SECTIONS 33-284.94 THROUGH 33-284.95, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Second: Gimenez*

*Vote: 4-0*

*Absent: Martinez, Rolle*

**Report:** *See Report under Agenda Item 2PP, Legislative File No. 071268.*

2SS

**071271 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE NARANJA COMMUNITY URBAN CENTER DISTRICT (NARANJA REGULATIONS) AND THE PRINCETON COMMUNITY URBAN CENTER DISTRICT (PRINCETON REGULATIONS), AMENDING SECTIONS 33-284-69 THROUGH 33-284-70 AND 33-284.99.2, CODE OF MIAMI-DADE COUNTY, FLORIDA ('CODE'), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Second: Gimenez*

*Vote: 4-0*

*Absent: Martinez, Rolle*

**Report:** *See Report under Agenda Item 2PP, Legislative File No. 071268.*

2TT

**071272 Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE PERRINE COMMUNITY URBAN CENTER DISTRICT (PERRINE REGULATIONS), AMENDING SECTIONS 33-284.99.8 THROUGH 33-284.99.9, CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Second: Gimenez*

*Vote: 4-0*

*Absent: Martinez, Rolle*

**Report:** *See Report under Agenda Item 2PP, Legislative File No. 071268.*

2UU

**071837 Resolution**

RESOLUTION APPROVING EXECUTION OF AMENDMENT NUMBER ONE TO THE INTERIM CONSUMPTIVE USE AUTHORIZATION AND AGREEMENT BETWEEN SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND MIAMI-DADE COUNTY TO MODIFY THE SCHEDULE OF DELIVERABLES REQUIRED BY THE ORIGINAL AGREEMENT (Water & Sewer Department)

*Amended (pending receipt of Leg. File No. from CA)*

**Report:** *Commissioner Gimenez noted he would follow the Chair's lead on this matter but warned he would 3-day rule items in the future that were placed on the agenda at the last minute. He noted these were important issues that the Committee needed time to review and this was no way to conduct business.*

*Assistant County Attorney David Murray noted Paragraph 28 of the amendment to the agreement needed to be corrected to read as follows: "...this agreement will terminate 18 months from the date of its execution, or upon issuance of the consolidated Water Use Consumption Permit, whichever occurs first."*

*It was moved by Commissioner Gimenez that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation, with committee amendment(s) to correct Paragraph 28 of the amendment to the agreement to read as follows: "...The agreement will terminate 18 months from the date of its execution or upon issuance being consolidated with the Water Use Consumption Permit, whichever occurs first." This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed 5-0. (Commissioner Rolle was absent)*

*Hearing no further comments or discussion, the foregoing proposed resolution was forwarded to the County Commission with a favorable recommendation, with committee amendment(s), as stated by Assistant County Attorney David Murray.*

*(Note: Chairwomen Seijas asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed resolution to be heard at the July 24, 2007 County Commission meeting)*

2VV

**071843 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE A JOINT PROJECT AGREEMENT WITH THE CITY OF HIALEAH TO JOINTLY DESIGN, CONSTRUCT AND OPERATE A WATER TREATMENT PLANT, AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ALL TERMS OF THE AGREEMENT, AND WAIVING APPLICATION OF SECTION 2-11.15 OF THE MIAMI-DADE COUNTY CODE WITH RESPECT TO SUCH CONSTRUCTION (Water & Sewer Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Diaz*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *(Note: Chairwomen Seijas asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed resolution to be heard at the July 24, 2007 County Commission meeting)*

*See Report under Agenda Item 2UU; Legislative File No. 071837.*

2WWW

**071840 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT IN THE AMOUNT OF \$550,000 BETWEEN MIAMI-DADE COUNTY AND THE CITY OF NORTH MIAMI BEACH TO FUND THE REMOVAL OF THE EXISTING PEDESTRIAN BRIDGE AND THE DESIGN AND CONSTRUCTION OF A REPLACEMENT PEDESTRIAN BRIDGE AT APPROXIMATELY NE 13 AVENUE OVER THE SNAKE CREEK CANAL (C-9); AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

*Forwarded to the BCC by the BCC Chairperson with a favorable recommendation*  
**Mover: Gimenez**  
**Seconder: Edmonson**  
**Vote: 4-0**  
**Absent: Martinez, Rolle**

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Gimenez questioned why this resolution was added to the agenda at the last minute.*

*Mr. Leandro (Leo) Ona, Section Head, Plans Review and Design Section, Public Works Department, noted the City of North Miami Beach (NMB) wanted the bridge to be completed before the school year began and requested that this matter be expedited.*

*In response to Commissioner Gimenez' question regarding when the City of NMB made their request, Mr. Ona noted that request was made a few days ago but staff had to increase the amount in the Joint Participation Agreement (JPA), which took a few days to complete. Mr. Ona noted staff informed the City they would try to place it on the agenda as quickly as possible and apologized for adding it to the agenda at the last moment.*

*(Note: Chairwoman Seijas submitted a memorandum requesting that the County Commission's Chairman Bruno A. Barreiro waive the Committee's rules and allow the foregoing proposed resolution to be heard at the June 26, 2007 County Commission meeting)*

**3 COUNTY COMMISSION**

3A

**071124 Ordinance**

**Jose "Pepe" Diaz**

ORDINANCE RELATING TO ANNEXATIONS BY CITY OF FLORIDA CITY, THE CITY OF HIALEAH GARDENS, THE TOWN OF MEDLEY AND THE CITY OF NORTH MIAMI; ELIMINATING ORDINANCE PROVISIONS REQUIRING PAYMENT OF MITIGATION TO THE COUNTY; AMENDING MIAMI-DADE COUNTY ORDINANCE NOS. 03-157 AND 04-76; APPROVING AMENDMENTS TO INTERLOCAL AGREEMENTS BETWEEN THE COUNTY AND SUCH MUNICIPALITIES TO PROVIDE FOR ELIMINATION OF MITIGATION AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE SUCH AMENDMENTS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*Deferred to next committee meeting*

*Mover: Diaz*

*Seconder: Seijas*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Chairwoman Seijas opened the public hearing on the foregoing proposed ordinance and hearing no person wishing to speak, the public hearing was closed.*

*Commissioner Diaz requested the foregoing ordinance be deferred pending the outcome of a legal matter relating to this ordinance.*

*Hearing no further comments or discussion, the Committee proceeded to vote on the request for deferral.*

3A SUPPLEMENT

**071811 Report**

FISCAL IMPACT STATEMENT FOR ORDINANCE RELATING TO ANNEXATIONS BY CITY OF FLORIDA CITY, THE CITY OF HIALEAH GARDENS, THE TOWN OF MEDLEY AND THE CITY OF NORTH MIAMI; ELIMINATING ORDINANCE PROVISIONS REQUIRING PAYMENT OF MITIGATION TO THE COUNTY; AMENDING MIAMI-DADE COUNTY ORDINANCE NOS. 03-157 AND 04-76; APPROVING AMENDMENTS TO INTERLOCAL AGREEMENTS BETWEEN THE COUNTY AND SUCH MUNICIPALITIES TO PROVIDE FOR ELIMINATION OF MITIGATION

*Deferred to next committee meeting*

*Mover: Diaz*

*Seconder: Seijas*

*Vote: 5-0*

*Absent: Rolle*

3B

**071516 Ordinance**

**Bruno A. Barreiro**

ORDINANCE AMENDING CHAPTER 33, ARTICLE XXXVII OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO THE AIRPORT ZONING AREA FOR MIAMI INTERNATIONAL AIRPORT (WILCOX FIELD); CREATING AND AMENDING PROVISIONS RELATING TO ALLOWABLE HEIGHTS OF PERMANENT AND TEMPORARY STRUCTURES AND TREES, AND CERTAIN TEMPORARY EVENTS THAT MAY AFFECT AIR TRAVEL, ALLOWABLE LAND USES, PERMIT ISSUANCE AND REVIEW, AND ENFORCEMENT OF REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070870]

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Gimenez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Chairwoman Seijas opened the public hearing and the following person(s) appeared in connection with the foregoing proposed ordinance:*

*1. Mr. Brian May, 235 Catalonia Avenue, Coral Gables, representing Developer Levieu Boymelgren, appeared in support of the foregoing ordinance and noted that it provided a maximum height for buildings within the downtown area that could not be varied from, and would provide stability as well.*

*Hearing no one else wishing to speak, the public hearing was closed.*

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

3C

## 071350 Ordinance

Bruno A. Barreiro

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; AMENDING ORDINANCE NO. 07-61 OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING AREA WHERE MURAL SIGNS MAY BE PERMITTED; INCREASING NUMBER OF MURALS ALLOWED; MODIFYING MURAL SPACING REQUIREMENTS; PERMITTING MURAL SIGNS TO COVER WINDOWS UNDER SPECIFIED CIRCUMSTANCES; AMENDING SECTION 33-107 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), TO MODIFY SIGN MAINTENANCE NOTICE REQUIREMENTS; PROVIDING PENALTIES; AMENDING CHAPTER 8CC OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Second: Diaz*

*Vote: 3-2*

*No: Edmonson, Gimenez*

*Absent: Rolle*

**Report:** *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commission Chairman Barreiro explained that this ordinance addressed issues raised at the April 26, 2007 BCC meeting pertaining to the original ordinance that established the Downtown Core area and the Zoning regulations for murals. He noted since passage of the first ordinance, he worked diligently with the industry and the City of Miami to ensure that the boundary expansion conformed to the City's zoning district, and that it excluded the residential areas. He noted it also provided penalties for violations of the ordinance.*

*Responding to Commissioner Gimenez' question regarding whether the City of Miami supported this ordinance, Chairman Barreiro noted he believed the City was in support of this, but that he was unaware of any resolution passed by the City.*

*Commissioner Gimenez noted his concern was that the City had not expressed an interest in this ordinance prior to it coming before the County Commission.*

*Chairwoman Seijas opened the public hearing and the following person(s) appeared in connection with the foregoing proposed ordinance:*

*1. Mr. Charles J. Flowers, 1000 NW N. River Drive, appeared before the Committee and noted he became involved in the City of Miami's commercial mural industry in 2000. He noted that*

over these years, he witnessed many violations of the mural ordinance and was disturbed mostly by violators who did not reside in the area or pay taxes there. He also stated he did not see anything in this ordinance that protected the minority. Mr. Flowers commented that the wealthy brought their own installers into the City of Miami to earn funds, but did not live, vote or pay taxes there. He noted there were violators who received reprieves from the City and would continue to violate this ordinance. He stated he hoped this ordinance would include guidelines to prevent this and include a provision for a "black" wall.

Chairwoman Seijas advised Mr. Flowers that installation of the murals was not addressed by this County ordinance and was something the City of Miami would have to address.

2. Ms. Barbara Bisno, 1000 Venetian Way, President of the Venetian Causeway Neighborhood Alliance, appeared before the Committee in opposition to the foregoing ordinance. She expressed concern with the unlimited size of commercial signs that would block the eastern seaboard view without protection afforded to condominium residents. Ms. Bisno also expressed concern with the increased number of approved signs. She suggested that illuminated commercial signs be limited to no more than 25% or be restricted to Interstate 395 and not be permitted within the site of the Carnival Center for Performing Arts; that the fines be doubled with no cap; and that the permit be revoked if a violation occurred outside the designated zoning boundaries.

3. Mr. Orlando Toledo, Senior Director, Planning and Zoning, City of Miami, appeared before the Committee and noted an ordinance was forthcoming from the City of Miami sometime in July with the first reading before the City Commission at the end of the month.

In response to Commissioner Gimenez' inquiry regarding whether the City Commission was in favor of expanding the area, Mr. Toledo noted the City Commission was not in favor of expansion, but was waiting for the outcome of the County's ruling.

Commissioner Edmonson noted she could support the regulation of murals but she could not support the increased number of murals allowed.

Commission Chairman Barreiro noted the number of murals allowed would be increased from 30 to 45 and the area would be expanded under the foregoing ordinance. He noted the intent was not to mandate or micromanage the City of Miami, but to set parameters and allow the City to determine the actual boundaries within those parameters. He further noted the expanded boundaries to protect single-family residents did not include condominiums because they were self-empowered and could make a determination as to whether or not they wanted a mural on their buildings. Chairman Barreiro stated he believed the \$1,000 per day fine was a good deterrent, which applied to both the advertiser and the property owner. He also noted the City requested to implement their own ordinance but realized the County's sign ordinance would supersede it and came before the County to have the parameters set. He noted the City would have its own process and hearings to address public concerns.

Commissioner Diaz commended Commissioner Barreiro on this ordinance, which appeared to address the concerns raised at the last Committee meeting and placed a stricter penalty on individuals who placed murals outside the permitted zone.

Commissioner Gimenez commended Chairman Barreiro for increasing the penalties and questioned the maximum penalty for someone who violated the ordinance continually.

Assistant County Attorney Joni Armstrong-Coffey noted this ordinance states that a violation could be repeated up to 30 times per citation or \$30,000 (\$1000 per day for 30 days), and that a new citation could be issued thereafter.

Commissioner Gimenez expressed concern regarding the number of murals increasing to more than thirty. He noted he could not support the foregoing ordinance at this time.

Hearing no further comments or discussion, the Committee proceeded to vote on the foregoing ordinance.

3C SUPPLEMENT

071795 Report

FISCAL IMPACT STATEMENT TO ORDINANCE  
PERTAINING TO ZONING REGULATION OF SIGNS

*Forwarded to BCC with a favorable  
recommendation  
Mover: Martinez  
Seconder: Diaz  
Vote: 3-2  
No: Gimenez, Edmonson  
Absent: Rolle*

3D

071541 Resolution

Dennis C. Moss,  
Barbara J. Jordan

RESOLUTION AMENDING RESOLUTION R-159-07  
DIRECTING THE COUNTY MANAGER TO  
PROMINENTLY DISPLAY ALL CO-DESIGNATION  
ROAD SIGNS ON AVAILABLE TRAFFIC CONTROL  
LIGHT MAST ARMS TO ADD DISPLAYING CO-  
DESIGNATIONS ON STREET SIGNS

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

**Report:** *The foregoing proposed resolution was read into  
the record by Assistant County Attorney Joni  
Armstrong-Coffey.*

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

3E

071656 Resolution

Natacha Seijas,

Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A.  
Gimenez, Joe A. Martinez

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A STATEWIDE ELECTION, TO BE HELD ON \_\_\_\_\_, \_\_\_\_\_ FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE MIAMI-DADE COUNTY HOME RULE CHARTER SHALL BE AMENDED TO PROVIDE FOR TRANSFER OF THE DUTIES OF THE COUNTY PROPERTY APPRAISER FROM A PERSON APPOINTED AND SUPERVISED BY THE MAYOR TO A PERSON ELECTED AND SUBJECT TO RECALL BY THE VOTERS

*Referred due back no date certain**Mover: Seijas**Seconder: Martinez**Vote: 5-0**Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Chairwoman Seijas noted she sponsored this resolution but left the date open because she wanted the election to run with any election set on tax issues. She stated she would like to defer entering a date until October when the BCC would have confirmation on any tax reform election or have enough time to set this with the January 29th Presidential Preference Election.*

*Commissioner Diaz asked that this be examined comprehensively, as previously agreed to by this Committee, which included the positions of Tax Collector with the Supervisor of Elections, Property Appraiser and the Sheriff and that it be reviewed as a whole before the Charter Review Taskforce.*

*Commissioner Martinez spoke in support of this ordinance but felt it should go before the Charter Review Task Force along with the other ordinance.*

*Chairwoman Seijas stated she had no problems with referring this ordinance to the Charter Review Task Force, but would like it to remain a separate position.*

*In response to Commissioner Diaz' question regarding whether they were all once together, Ms. Cynthia Curry, Senior Advisor to the County Manager, noted what was said to the Charter Review was one resolution containing all*

positions, although in the beginning a separate resolution was drafted.

Commissioner Gimenez noted he believed the resolution sponsored by Commissioner Diaz had three or four different positions that were to be considered individually by the Charter Review Task Force for recommendations, and not necessarily as a whole. He stated he felt January 9th was a logical date to put this before the electors.

Chairwoman Seijas stated she had no problems with this ordinance going before the Charter Review Task Force along with the other ordinance and the Committee could make recommendations either jointly or separately, provided it was brought back before the BCC by October to allow the election date to be set for January 2008.

Commissioner Martinez asked that he be added as a co-sponsor to this ordinance.

Commissioner Diaz asked that all Committee members be added as a co-sponsor.

Hearing no further comments or discussion, the Committee referred the foregoing proposed resolution to the Charter Review Committee for review and recommendations.

3F

071712 Resolution

Katy Sorenson

RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP PLANS FOR CONSTRUCTION OF A WATER RECLAMATION FACILITY FOR IRRIGATION OF CRANDON GOLF COURSE AND OTHER COUNTY GOLF COURSES

*Withdrawn*  
*Mover: Diaz*  
*Second: Gimenez*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:**

*During consideration of the changes to today's agenda, the foregoing proposed resolution was withdrawn, as requested by Commissioner Sorenson.*

3G

071667 Resolution

Dennis C. Moss,

Bruno A. Barreiro, Audrey M. Edmonson, Sally A.  
Heyman, Rebeca Sosa, Sen. Javier D. Souto, Joe A.

Martinez, Dorrin D. Rolle

RESOLUTION CALLING SPECIAL ELECTION IN MIAMI-  
DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY,  
JANUARY 29, 2008 FOR THE PURPOSE OF  
SUBMITTING TO THE ELECTORS OF MIAMI-DADE  
COUNTY THE QUESTION OF WHETHER TO  
AUTHORIZE SLOT MACHINES IN MIAMI-DADE  
COUNTY AS PROVIDED IN ARTICLE X, SECTION 23 OF  
THE FLORIDA CONSTITUTION

*Forwarded to BCC with a favorable  
recommendation*

*Mover: Diaz*

*Secunder: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into  
the record by Assistant County Attorney Joni  
Armstrong-Coffey.*

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

3H

**071716 Resolution****Katy Sorenson**

RESOLUTION DIRECTING THE COUNTY MANAGER TO CREATE A SYSTEM FOR ALLOCATING WATER SUPPLY NEEDED TO SERVE NEW DEVELOPMENT AND DIRECTING THE MANAGER TO REVIEW THE ANTICIPATED WATER USES FOR VARIOUS RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT

*Deferred to no date certain**Mover: Diaz**Seconder: Gimenez**Vote: 5-0**Absent: Rolle*

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed resolution was deferred, as requested by Commissioner Sorenson.*

*Following statements by Chairwoman Seijas that although this resolution was deferred earlier she would allow public input from those present who wished to speak, Chairwoman Seijas opened the public hearing and the following person(s) appeared in connection with the foregoing proposed resolution:*

*1. Ms. Truly Burton, 15225 NW 77 Avenue, South Florida Builders Association (SFBA), noted this resolution related to a State law regarding water allocation. She noted the SFBA would work with the Water and Sewer Department staff to comply with the Water Management Bill, but had concerns that this resolution contained slightly different language than the Bill and was confusing. She noted if staff resolved that issue, they would be happy to work with them.*

*Hearing no one else wishing to speak, the public hearing was closed.*

31

**071672 Resolution**

**Katy Sorenson**

RESOLUTION DIRECTING THE COUNTY MANAGER TO REQUIRE THE USE OF GROUND TIRE RUBBER IN CERTAIN ASPHALT MIXES OF COUNTY ROAD MAINTENANCE AND ROAD CONSTRUCTION CONTRACTS; DIRECTING THE COUNTY MANAGER NOT TO RENEW OR EXTEND ANY CONTRACT FOR ROAD MAINTENANCE OR ROAD CONSTRUCTION THAT DOES NOT REQUIRE THE USE OF GROUND TIRE RUBBER IN CERTAIN ASPHALT MIXES; AND DIRECTING THE COUNTY MANAGER TO REPORT TO THE COMMISSION ON THE POTENTIAL FOR USING RECYCLED COUNTY WASTE TIRE RUBBER IN OTHER APPLICATIONS

*Deferred to no date certain*

*Mover: Diaz*

*Seconder: Gimenez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *During consideration of the changes to today's agenda, the foregoing proposed resolution was deferred, as requested by Commissioner Sorenson.*

3J

**071785 Resolution**

**Natacha Seijas**

RESOLUTION DECLARING THE ACQUISITION OF LAND REQUIRED FOR THE CONSTRUCTION OF A NEW FOUR-LANE ROAD ALONG NW 87 AVENUE, BETWEEN NW 154 STREET AND NW 162 STREET AND THE WIDENING OF THE EXISTING ROADWAY FROM TWO (2) LANES TO FOUR (4) LANES FROM NW 170 STREET TO NW 186 STREET TO BE A PUBLIC NECESSITY, AND TO EMPLOY APPRAISERS, EXPERT WITNESSES, OBTAIN REQUIRED ENVIRONMENTAL AUDITS, AND TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACQUIRE THE SUBJECT PROPERTY IN FEE SIMPLE BY DONATION, PURCHASE OR BY EMINENT DOMAIN PROCEEDINGS, INCLUDING A DECLARATION OF TAKING AS NECESSARY FOR AND ON BEHALF OF MIAMI-DADE COUNTY

*Forwarded to BCC with a favorable recommendation*

*Mover: Seijas*

*Seconded: Martinez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Chairwoman Seijas noted various property owners had requested that this resolution go forward one way or another. She noted the County could not afford to wait any longer and a resolution was already approved to begin construction on the north part of Miami Gardens Drive going south. She stated she hoped by the time the construction reached the NW 170th Street to 163rd Street area, this issue would be settled so that the entire NW 87th Avenue roadway could be completed, which would benefit both Districts 11 and 12.*

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

**4 COUNTY MANAGER**

4A

**071728 Resolution**

RESOLUTION ACCEPTING A MEMORANDUM OF AGREEMENT BETWEEN THE DOWNTOWN DEVELOPMENT AUTHORITY AND MIAMI-DADE COUNTY FOR EXPENDITURE OF \$170,000 FOR A LANDSCAPE IMPROVEMENT PROJECT ON FOUR (4) DOWNTOWN I-95 ON AND OFF RAMPS AT N.W. 3RD AVENUE, N.W. 3RD COURT, BISCAYNE BOULEVARD/S.E. 2 AVENUE, AND MIAMI AVENUE (County Manager)

*Withdrawn*

**Report:** *(See Agenda Item 4A Substitute, Legislative File No. 071852)*

4A SUB.

**071852 Resolution**

RESOLUTION ACCEPTING A MEMORANDUM OF AGREEMENT BETWEEN THE DOWNTOWN DEVELOPMENT AUTHORITY AND MIAMI-DADE COUNTY FOR EXPENDITURE OF \$170,000 FOR A LANDSCAPE IMPROVEMENT PROJECT ON FOUR (4) DOWNTOWN I-95 ON AND OFF RAMPS AT N.W. 3RD AVENUE, N.W. 3RD COURT, BISCAYNE BOULEVARD/S.E. 2 AVENUE, AND MIAMI AVENUE (County Manager)

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Gimenez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

4B

**071757 Resolution**

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTIONS, AS AUTHORIZED BY SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING AGREEMENTS FOR CONTINUING SERVICES UNDER THE COUNTY'S EQUITABLE DISTRIBUTION PROGRAM (County Manager)

*Forwarded to BCC with a favorable recommendation*

*Mover: Diaz*

*Seconder: Gimenez*

*Vote: 5-0*

*Absent: Rolle*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Diaz asked for clarity regarding the financial aspect of this resolution.*

*Mr. Roger Hernstadt, Director, Office of Capital Improvements (OCI), noted this was a pool of local, small Architect/Engineers (AE) who provided county services on behalf of the departments and the maximum service fee per job order was \$150,000.*

*In response to Commissioner Diaz's question regarding whether this was identical to the resolution that refined the pool, Mr. Hernstadt noted this was to ensure that the County Commission was aware of all the projects OCI was implementing through this process and to bring all of the service orders before the Board for ratification.*

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

4C

**071768 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO CONDUCT COUNTY BUSINESS DURING THE BOARD OF COUNTY COMMISSIONERS' SUMMER 2007 RECESS; THE AUTHORIZATION PERIOD WILL BEGIN AT THE ADJOURNMENT OF THE JULY 24, 2007 BOARD OF COUNTY COMMISSIONERS' MEETING AND CONCLUDE AUGUST 24, 2007; AND SUBSEQUENTLY ALL ITEMS WILL BE SUBMITTED TO THE BOARD FOR RATIFICATION AT THE OCTOBER 2, 2007 BOARD OF COUNTY COMMISSIONERS MEETING (County Manager)

*Deferred to no date certain*  
*Mover: Martinez*  
*Seconder: Gimenez*  
*Vote: 4-0*  
*Absent: Rolle, Edmonson*

**Report:** *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

*Commissioner Gimenez questioned whether this resolution meant they were delegating all authority to the County Manager.*

*Assistant County Attorney Armstrong-Coffey noted this was standard language from the last resolution delegating authority to the County Manager to conduct official County business during the County Commission's summer recess period.*

*Commissioner Gimenez noted the background material stated that all authority would be delegated and the County Manager's office promised to only use that authority a certain way. He noted he did not want to delegate all authority to the County Manager, except when there was a clear necessity or an emergency.*

*Commissioner Diaz echoed the same thought as Commissioner Gimenez. He noted they now had a different form of government and things had changed. He stated he did not want to tie the Manager's hands in an emergency, but believed the Manager already had the authority for an emergency. Commissioner Diaz stated he felt uncomfortable with the language in this resolution and with delegating total authority to the County Manager's office.*

*Chairwoman Seijas noted the language in the memorandum stated that authority be granted to maintain essential public health and safety issues pursuant to approved procedures and time critical issues such as approving grant applications.*

*Commissioner Martinez noted he was not supportive of this resolution as written.*

*Commissioner Gimenez noted the actual resolution was not clear and did not reflect what was written in the background material.*

*Chairwoman Seijas apologized for not reading the title of this resolution more carefully but noted she trusted in what was written in the memorandum without reading the title. She noted she would not support this resolution as written because the language was inappropriate and did not reflect what was written in the memorandum.*

*Chairwoman Seijas asked Assistant County Manager Carlton to prepare an appropriate resolution for consideration at the next Committee meeting that clearly stated the intent of this proposal in the title.*

*Assistant County Manager Roger Carlton noted there was no intent to do anything out of the ordinary and staff would bring back an appropriate resolution at the next Committee meeting with the language clarified.*

*Following discussion, the Committee proceeded to vote on a motion for deferral of the foregoing proposed resolution.*

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

6A

**071769 Report**

CLERK'S SUMMARY OF MINUTES FOR  
GOVERNMENTAL OPERATIONS AND ENVIRONMENT  
COMMITTEE MEETING RE: MAY 15, 2007 (Clerk of the  
Board)

*Approved*  
*Mover: Martinez*  
*Seconder: Diaz*  
*Vote: 4-0*  
*Absent: Edmonson, Rolle*

**7 REPORTS**

Governmental Operations and Environment Committee

FINAL OFFICIAL

Meeting Minutes

Tuesday, June 12, 2007

7A

**071694 Report**

ORAL REPORT RE: ELECTIONS EQUIPMENT UPDATE  
[SEE AGENDA ITEM NO. 2F] (County Manager)

*Report Received*  
*Mover: Gimenez*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:** *See Report under Agenda Item 2F, Legislative File No. 071767.*

7B

**071735 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2007 -  
BISCAYNE BAY SHORELINE DEVELOPMENT REVIEW  
COMMITTEE

*Deferred to no date certain*  
*Mover: Diaz*  
*Seconder: Gimenez*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:** *During consideration of the changes to today's agenda, the foregoing report was deferred, as requested by the County Manager.*

7C

**071742 Report**

2007 ANNUAL REPORT ON COMMUNITY  
DEVELOPMENT DISTRICTS (County Manager)

*Report Received*  
*Mover: Martinez*  
*Seconder: Diaz*  
*Vote: 4-0*  
*Absent: Edmonson, Rolle*

7D

**071772 Report**

"BUILDING BETTER COMMUNITIES BOND PROGRAM -  
QUARTERLY STATUS REPORT - SECOND QUARTER  
FY 2007(JANUARY TO MARCH 2007)" (County Manager)

*Report Received*  
*Mover: Martinez*  
*Seconder: Diaz*  
*Vote: 4-0*  
*Absent: Edmonson, Rolle*

Governmental Operations and Environment Committee

FINAL OFFICIAL

Meeting Minutes

Tuesday, June 12, 2007

7E

071833 Report

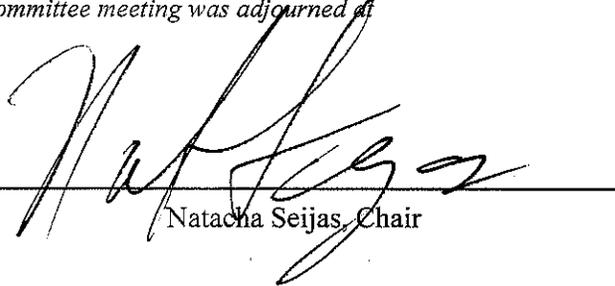
REPORT RE: SUMMARY OF "REQUEST TO ADVERTISE"  
AND "CONTRACT AWARDS" AGENDA ITEMS FOR THE  
MIAMI-DADE WATER AND SEWER DEPARTMENT  
[SEE AGENDA ITEM NOS. 2AA THRU 200] (County  
Manager)

*Report Received*  
*Mover: Gimenez*  
*Seconder: Edmonson*  
*Vote: 5-0*  
*Absent: Rolle*

**Report:** *See Report under Agenda Item 2CC, Legislative  
File No. 071711.*

8 ADJOURNMENT

**Report:** *There being no further business to come before  
this Board, the Governmental Operations and  
Environment Committee meeting was adjourned at  
12:36 p.m.*



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Natacha Seijas, Chair