



MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

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

Tuesday, July 10, 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



Members Present: Bruno Barreiro; Jose "Pepe" Diaz; Audrey M. Edmonson; Carlos A. Gimenez; Barbara J. Jordan; Joe A. Martinez; Dennis C. Moss; Dorrin Rolle; Natacha Seijas; Katy Sorenson; Rebeca Sosa; Javier D. Souto

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: Sally A. Heyman

1 MINUTES PREPARED BY:

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

1A MOMENT OF SILENCE

Report: *The Board convened in a moment of silent prayer, followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: County Manager George Burgess; Senior Advisor to the County Manager, Cynthia Curry; Assistant County Manager Roger Carlton; Acting County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams; Assistant County Attorney Craig Collier; and Deputy Clerks Kay Sullivan and Jill Thornton*

In addition to the changes listed in the County Manager's memorandum, Acting County Attorney Robert Cuevas requested that Agenda Item 14A1 be added to the pull list, as requested by Commissioner Sosa; that Item 8K1B be deferred, as requested by the County Manager; that Agenda Item 11A19 Substitute be added to the agenda; and that Commissioner Jordan's name be removed from the pull list on Items 8M1B and 8G1B.

Commissioner Edmonson asked that Agenda Item 8K1B be deferred back to Committee;

Commissioner Souto asked that Agenda 1D1 be deferred back to Committee; and

Commissioner Moss asked that a Discussion Item regarding a property tax lawsuit filed by the Mayor of City of Weston be added to the agenda.

It was moved by Commissioner Diaz that the County Manager's memorandum entitled "Changes for the November 28, 2006 BCC Meeting" be approved along with the additional changes noted by Acting County Attorney Cuevas and those requested by the Commissioners. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 12-0. (Abs: Heyman)

1D REPORTS OF OFFICIAL BOARDS

1D1

071163 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2007-
VIZCAYA MUSEUM AND GARDENS TRUST

Deferred to July 16, 2007

Report: *During consideration of the changes to the agenda, the foregoing report was deferred to the Recreational and Cultural Affairs Committee, as requested by Commissioner Souto.*

Commissioner Diaz indicated that a workshop on a sunset review of Advisory Boards was scheduled on July 23, 2007.

5/14/2007 *Report Received by the Recreation & Cultural Affairs Committee*

6/5/2007 *Deferred by the Board of County Commissioners*

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

071938 Proclamation Sen. Javier D. Souto

PRESENTATION OF A PROCLAMATION DECLARING THE
MONTH OF JULY AS "PARKS & RECREATION MONTH"

Presented

1E2

072058 Citizen's Presentation

Bruno A. Barreiro

PRESENTATION BY ROBERT MCAMMON, DIRECTOR OF HISTORICAL MUSEUM OF SOUTH FLORIDA, RE: WATER STORIES EXHIBIT

Presented

Report: *Mr. Robert McCammon, President/Chief Executive Officer, Historical Museum of Southern Florida (HMSF), advised that the Water Stories Exhibit would remain on display through January 20, 2008. He noted that two audio-video stations displayed shared stories of famous fishermen, boaters, refugees, marine biologists, meteorologists and others who lived in diverse aquatic environments of South Florida. Mr. McCammon further noted this exhibit served as forerunner to the Museum of Space exhibit to be developed on Watson Island.*

Mr. McCammon noted the State of Florida requested that the HMSF oversee the management of the Miami Circle. He also noted a working committee and a plan were established. Mr. McCammon noted that a status report for the Board's review on the short and long-term site- plans would be prepared by fall 2007.

Dr. Joanne Hyppolite, HMSF Community Research Curator/Folk Life Program Coordinator, spoke about the Haitian Community Arts Project, which documented community events in real-life to preserve history. She stated she created an exhibit based on interviews with community members on tradition bearers. Ms. Hyppolite noted two future projects regarding diverse communities to be exhibited at the Museum in 2008 - "Native American Art of the Pacific Coast" and 2009 - "The Black Crossroads –the African Diaspora in Miami," which tells the story of African migration and integration into the community.

Chairman Barreiro asked the Historical Museum of Southern Florida Director to meet with him to discuss the issue(s) involving the seawall near the Miami Circle in downtown Miami.

1E3

072059 Citizen's Presentation

Bruno A. Barreiro

PRESENTATION BY ANTONIO JORGE, PH.D.,
CHAIRPERSON OF THE SOCIAL ECONOMIC
DEVELOPMENT COUNCIL

Presented

Report: *Dr. Antonio Jorge introduced himself as Chairperson of the Social Economic Development Council (SEDC).*

Commissioner Souto noted the Board established the SEDC to address economic issues of Miami-Dade County on a PhD level. He noted this council consisted of distinguished professionals who served on this committee pro bono; and published a book of their findings. He suggested the County Manager examine the feasibility of obtaining additional sponsors to produce more copies of these books.

Dr. Jorge circulated the document created by the SEDC, entitled "Miami-Dade County Social Economic Development Council – An Overview of Mission and Action," a compilation of the County's economic performance and summary of the Council's mission and actions over the past five years. He noted the Council wished the Board to consider formulating a truly integrated and comprehensive economic development strategy plan that encompassed private and public sectors of Miami-Dade County.

Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management (OSBM), gave a PowerPoint presentation based on a report from the SEDC on contributing factors to the affordable housing gap. She noted that strategic recommendations were included to provide the Board with a framework and strategy in policy development. She also noted that OSBM worked with the SEDC to prepare this year's budget in light of the impending challenges facing the County.

Commissioner Sorenson noted the social and economic elements of the Comprehensive Development Master Plan (CDMP) were an important part of planning. She stated that this document validated shared knowledge and presented a call for action.

Commissioner Moss noted that the County needed to examine the real cost of housing and the cause of the affordable housing gap. Regarding the SEDC's strategic recommendations pertaining to job training, Commissioner Moss noted that job training resources for various entities were cut over the past several years. He noted the County needed to examine the removal of obstacles to business development and economically distressed communities by providing adequate infrastructure. Commissioner Moss noted that the State, the Federal government, and private sectors needed to collaborate in order to resolve affordable housing issues.

1E4

072060 Citizen's Presentation Barbara J. Jordan

PRESENTATION BY ABRAHAM THOMAS RE: THE ENTRY FOR A NEW STATE SONG **Presented**

Report: *Commissioner Jordan advised that the "Just Sing Florida" initiative was created by the State Legislature in an effort to replace the current Florida State Song. She noted the current song "Suwannee River" was historically offensive to the African American community. Commissioner Jordan introduced Mr. Abraham Thomas, who submitted a song for consideration.*

Mr. Thomas expressed appreciation to the County Commission for this opportunity and for their support.

An audio rendition of Mr. Thomas' song was played for the Commission and the congregation.

Commissioner Jordan invited those persons who approved of the song to make their feelings known to their State Representatives.

1E5

072082 Citizen's Presentation Barbara J. Jordan

PRESENTATION BY D.J. FABIEN, CHAIRMAN OF THE BLACK AFFAIRS ADVISORY BOARD RE: UPDATE ON THE ADVISORY BOARD **Presented**

Report: *Mr. Didier (D.J.) Fabien, Chairman, Black Affairs Advisory Board (BAAB), appeared before the Board and asked for their assistance to fill vacant BAAB positions. Mr. Fabien noted he also served as Chair of the Black Heritage Planning Committee, and lobbied with the Haitian coalition in Washington D.C. for immigration reform.*

Vice Chair Priscilla B. Dames, BAAB, introduced Mr. Robert Bozeman Jr., as an anti-violence ambassador.

Mr. Bozeman introduced himself as an armed robbery survivor, who received several gun shot wounds, and now he speaks to children regarding gun violence and the consequences of their choices.

Vice Chair Dames noted the BAAB scheduled Mr. Bozeman to speak at several events countywide, as part of the "Respect Life for the Living" Program. She noted a portion of the requested funds would cover his transportation costs and other expenses. She expressed appreciation to Commissioner Edmonson and the Board for their contributions and support of this program. She noted her staff was collaborating with the University of Miami to produce two significant documents: A Black World Guide, a listing of organizations within the community; and a document on the community's demographics.

Chairman Fabien expressed appreciation to the County Commissioners for their support and financial contributions.

1E6

072083 Citizen's Presentation Barbara J. Jordan

PRESENTATION BY BARRINGTON IRVING RE: HIS *Presented*
SUCCESSFUL FLIGHT

Report: *Commissioner Jordan introduced Mr. Barrington Irving as the first African American and youngest person to successfully fly solo around the world.*

Mr. Barrington Irving noted his goals were to set two world records and inspire the youth to pursue a career in Aviation. He noted his dream became a reality with the support of Mr. Bobby Alexander, Miami Executive Aviation President, the Miami-Dade Aviation Department, and the County Commissioners. He also noted that he completed his journey in 97 days, while facing challenges in unknown territories. Mr. Irving noted 94 million-plus students had been reached to date. He expressed appreciation to the County Commissioners for their support and financial contributions, and especially to Commissioner Jordan for believing in him to fulfill his dream.

Mr. Irving presented the County Commission with two flags he received while traveling around the world. He presented Commissioner Jordan with the American Flag he kept in his plane that served as "inspiration" during his flight.

Mr. Irving noted his next goal (phase II) would be to equip the students with the resources available to achieve their dreams in Aviation. He noted the Aviation Learning Center was booked for the remainder of this year, and they were exploring ways to expand future development of the Center. He introduced Mr. Bobby Alexander, Miami Executive Aviation, and expressed appreciation for his sponsorship.

Mr. Alexander expressed appreciation to the County Commission and the Miami Dade Aviation Department for giving him an opportunity in the field of Aviation and issuing his company a long-term lease at Opa-locka Airport in order to create a viable and compatible aviation company. In doing so, he noted he was able to pass on an opportunity to Mr. Irving. He also expressed appreciation to everyone in the community who supported Mr. Irving in his flight.

Commissioner Jordan noted when Barrington prepared to leave on this flight, he changed all of the spark plugs and presented them to the people who had supported him, and that she was proud to receive and display a spark plug because it symbolized to her children that she played a part in the making of this history. She expressed appreciation to Mr. Jose Abreu, Aviation Director, for all of his support and assistance in fulfilling Barrington's dream.

1F **MOTION TO SET THE AGENDA AND "PULL LIST"**1G **OFFICE OF COMMISSION AUDITOR**1H **OFFICE OF INTERGOVERNMENTAL AFFAIRS**1I **SPECIAL PRESENTATIONS**

2 **MAYORAL ISSUES****2A** **MAYORAL VETOES****2B** **MAYORAL REPORTS**

2B1

072057

Report

Mayor

MAYORAL APPOINTMENT RE: MDTA DIRECTOR

*Accepted**Mover: Rebeca Sosa**Seconder: Jose "Pepe" Diaz**Vote: 12- 0**Absent, OCB: Heyman*

Report: Mayor Carlos Alvarez announced the appointment of Mr. Harpal Kapoor as the new Miami-Dade Transit (MDT) Director. He expressed appreciation to the selection committee for choosing a suitable candidate.

Commissioner Seijas stated she hoped Mr. Kapoor would consider the identification of fuel alternatives and conservation methods to reduce carbon emissions as a priority.

Commissioner Souto suggested that Mr. Kapoor closely examine the Bus Shelter program in order to ensure clean, safe and illuminated bus shelters were provided. He also suggested that he promote mass transit in order to encourage ridership.

Chairman Barreiro recommended that Mr. Kapoor consider bio-diesel fuel as an alternative fuel.

The Board, by motion duly made, seconded and carried, ratified the appointment of Mr. Harpal Kapoor as the new Director of Miami Dade Transit.

2B2

072129

Report

Mayor

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

*Accepted**Mover: Jose "Pepe" Diaz**Seconder: Carlos A. Gimenez**Vote: 12- 0**Absent, OCB: Heyman***3** **CONSENT ITEMS****4** **ORDINANCES FOR FIRST READING**

4A

071940

Ordinance

Barbara J. Jordan

ORDINANCE ESTABLISHING CRITERIA AND PROCEDURE FOR THE USE OF PROCUREMENT METHODOLOGY IN THE PURCHASE OF GOODS AND SERVICES; AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AN EFFECTIVE DATE, AND A SUNSET PROVISION

*Adopted on first reading
Public Hearing: September 11,
2007*

*Mover: Jose "Pepe" Diaz
Seconder: Barbara J. Jordan
Vote: 9- 3
No: Sosa, Martinez, Diaz
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Budget and Finance Committee meeting on September 11, 2007 at 2:00 p.m.*

4B

071992

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BETHSABE STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

Withdrawn

Report: *(See Agenda Item 4B Substitute; Legislative File No. 072120.)*

4B SUBSTITUTE

072120

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BETHSABE STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: September 4,
2007*

*Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioner meeting on September 4, 2007 at 9:30 a.m.*

4C

072037 Ordinance Bruno A. Barreiro

ORDINANCE CREATING THE MIAMI-DADE COUNTY MANATEE PROTECTION PLAN REVIEW COMMITTEE; PROVIDING FOR PURPOSE, MEMBERSHIP, ORGANIZATION, JURISDICTION, FACILITIES AND STAFF SUPPORT; PROVIDING FOR INITIAL STAKEHOLDER MEETING; AUTHORIZING DISBURSEMENT OF FUNDS TO DERM FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO COMPILE DATA AND INFORMATION REQUIRED TO UPDATE MANATEE PROTECTION PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operations and Environment Committee meeting on September 11, 2007 at 9:30 a.m.*

7/2/2007 *Requires Municipal Notification by the Board of County Commissioners to the Governmental Operations and Environment Committee*

4D

072067 Ordinance Katy Sorenson

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-310 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING TIME TO SUBMIT RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operations and Environment Committee meeting on September 11, 2007 at 9:30 a.m.*

4E

072068 Ordinance Katy Sorenson

ORDINANCE PERTAINING TO PLANNING; AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING TIME TO SUBMIT RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operations and Environment Committee meeting on September 11, 2007 at 9:30 a.m.*

Note: A scrivener error was outlined in the County Manager's memorandum entitled "Changes for the July 10, 2007 BCC meeting" that noted the subject of the cover memorandum pertaining to the foregoing ordinance should read: "Ordinance pertaining to planning...", in lieu of zoning.

4F

071995 Ordinance

ORDINANCE GRANTING PETITION OF GREC HOMES IX, LLC, ("GREC HOMES" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING KEYS EDGE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: July 24, 2007
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioner meeting on July 24, 2007 at 9:30 a.m.*

5 PUBLIC HEARINGS (Scheduled for 9:30 a.m.)

5A

071601 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TAMIAMI COMMERCE PARK STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-85
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 11- 0
Absent: Diaz
Absent, OCB: Heyman*

6/5/2007 *Adopted on first reading by the Board of County Commissioners*

6/5/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5A1

071626 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS TAMIAMI COMMERCE PARK STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-774-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 11- 0
Absent: Diaz
Absent, OCB: Heyman*

5B

071602 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MELODY HOMES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-86
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

6/5/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

6/5/2007 Adopted on first reading by the Board of County Commissioners

5B1

071630 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLLS PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS MELODY HOMES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-775-07
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

5C

071603 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS KENDALL COMMONS MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-87
Mover: Joe A. Martinez
Seconder: Carlos A. Gimenez
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

6/5/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

6/5/2007 Adopted on first reading by the Board of County Commissioners

5C1

071631 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS KENDALL COMMONS MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-776-07
Mover: Joe A. Martinez
Seconder: Carlos A. Gimenez
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

5D

071606 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS WR INVESTMENTS STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-88
Mover: Dorrin D. Rolle
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

6/5/2007 *Adopted on first reading by the Board of County Commissioners*

6/5/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5D1

071627 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS WR INVESTMENTS STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-777-07
Mover: Dorrin D. Rolle
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

5E

071607 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS SOFIA ESTATES STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-89
Mover: Dennis C. Moss
Seconder: Joe A. Martinez
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

6/5/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

6/5/2007 *Adopted on first reading by the Board of County Commissioners*

5E1

071629 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS SOFIA ESTATES STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-778-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

5F

071614 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS FONTAINEBLEAU EAST AND FONTAINEBLEAU WEST MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-90
Mover: Sen. Javier D. Souto
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Diaz, Seijas
Absent, OCB: Heyman*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing ordinance into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed ordinance. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

6/5/2007 *Adopted on first reading by the Board of County Commissioners*

6/5/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5G

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)

Adopted
Resolution R-779-07
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 11-0
Absent: Diaz
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

6/12/2007 Forwarded to BCC without a recommendation from the Governmental Operations and Environment Committee

5H

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)

Adopted
Resolution R-780-07
Mover: Dennis C. Moss
Seconder: Dorrin D. Rolle
Vote: 10-0
Absent: Sorenson, Diaz
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

Commissioner Moss questioned whether the County would receive a fair market value on this particular property.

An unidentified Public Works Department employee noted the property's value was based on the appraisal by the Property Appraisals Office, and the County would receive fair value.

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

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

51

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)

*Adopted
Resolution R-781-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 10-0
Absent: Sorenson, Diaz
Absent, OCB: Heyman*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

6/12/2007 *Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee*

5J

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)

Deferred to July 24, 2007
Mover: Carlos A. Gimenez
Seconder: Natacha Seijas
Vote: 12- 0
Absent, OCB: Heyman

FINAL OFFICIAL

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution and the following person(s) appeared in connection with the foregoing resolution:

1. Mr. Miguel De Grandy, 7540 SW 75th Street, appeared as a resident and requested that this petition be deferred to allow the neighbors an opportunity to object.

Commissioner Seijas suggested this item be deferred back to the Governmental Operations and Environment Committee.

Commissioner Gimenez stated he was under the impression that these roads were already deeded and closed. He stated that he would not be opposed to the item being deferred back to Committee to give the neighbors an opportunity to speak.

Ms. Esther Calas, Director, Public Works, noted this application was approved through the Zoning process, and the roads would be deeded once the Board approved the road closing petition. Ms. Calas noted the fee could only be waived by the Board.

2. Mr. Brian Balack, attorney representing the petitioner, University of Baptist Church, noted all of the adjacent properties were tax exempt and had been for some time. He further noted that a site plan went through many legal proceedings, and that his client met with the neighbors and DERM to discuss the road closings. He stated this Commission required that the ingress/egress access be limited only to SW 72nd Avenue for the Church. Mr. Balack noted a plat would be presented before the County Commission within a few months; assuming this petition be approved today. He requested the foregoing petition be approved to proceed with the project and a waiver of the application fee.

Commissioner Gimenez questioned when this resolution would come back before the BCC for final approval should it be deferred to Committee.

Commissioner Seijas stated this item could be reviewed at the Governmental Operations and Environment Committee (GOEC) meeting scheduled for Wednesday (7/11), and then forwarded to the September 4th BCC meeting.

Commissioner Martinez noted that public hearings on proposed road closings were usually held before the BCC. He requested this item be deferred to the next BCC meeting.

Hearing no objection, the foregoing proposed resolution was deferred for consideration before the Board of County Commission meeting on July 24th 2007, at 9:30 a.m., as requested by Commissioner Martinez.

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

5K

071909 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF LUIS E. NAYA, D-22477, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 19 STREET AND SW 57 AVENUE) (Public Works Department)

*Adopted
Resolution R-782-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5L

071913 Resolution

RESOLUTION APPROVING THE PLAT OF VALENCIA POINTE, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 53 SOUTH, RANGE 41 EAST (NW 77 STREET AND NW 27 AVENUE) (Public Works Department)

*Adopted
Resolution R-783-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5M

071915 Resolution

RESOLUTION APPROVING THE PLAT OF BEACON LAKES PHASE 4, LOCATED IN THE NORTH 1/2 OF SECTION 36, TOWNSHIP 53 SOUTH, RANGE 39 EAST (NW 25 STREET AND NW 121 COURT) (Public Works Department)

Deferred to no date certain
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Commissioner Martinez expressed concern that information requested by the Commission Auditor from Administration would often be received after a BCC meeting.

Commissioner Barreiro asked the County Manager to ensure that the District Commissioner and the Commission Chair's Office were notified when staff requests to defer items on the agenda.

Hearing no further comments or discussion, the Board proceeded to vote on a motion to defer the foregoing resolution.

5N

071916 Resolution

RESOLUTION APPROVING THE PLAT OF BDG KENDALL 162, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 54 SOUTH, RANGE 39 EAST (SW 88 STREET AND SW 163 AVENUE) (Public Works Department)

Adopted
Resolution R-784-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

50

071917 Resolution

RESOLUTION APPROVING THE PLAT OF KENDALL COMMONS, LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 55 SOUTH, RANGE 39 EAST (SW 88 STREET AND SW 167 AVENUE) (Public Works Department)

*Adopted
Resolution R-785-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5P

071918 Resolution

RESOLUTION APPROVING THE PLAT OF BAILES COMMONS, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 56 SOUTH, RANGE 40 EAST (SW 228 STREET AND SW 115 AVENUE) (Public Works Department)

*Adopted
Resolution R-786-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5Q

071914 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF JEAN C. DIERICKX, D-22761, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 55 SOUTH, RANGE 40 EAST (SW 118 TERRACE AND SW 92 AVENUE) (Public Works Department)

*Adopted
Resolution R-787-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5R

071911 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF LILIANA ISAZA AND ANTONIO QUINTERO, D-22660, LOCATED IN THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 53 SOUTH, RANGE 41 EAST (NW 81 STREET AND NW 14 AVENUE) (Public Works Department)

*Adopted
Resolution R-788-07
Mover: Rebeca Sosa
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

5S

072014 Resolution

RESOLUTION APPROVING SETTLEMENT AGREEMENT WITH FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS REGARDING PENDING DISPUTE OVER CERTAIN AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP); AUTHORIZING COUNTY MAYOR OR DESIGNEE TO EXECUTE AGREEMENT (County Manager)

*Adopted
Resolution R-789-07
Mover: Natacha Seijas
Seconder: Dennis C. Moss
Vote: 11-0
Absent: Martinez
Absent, OCB: Heyman*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution and the following persons appeared in opposition:

1. *Ms. Michelle Cook, 25 NE 150th Street.*
2. *Ms. Virginia Veirs, 14550 NE 2nd Avenue.*
3. *Ms. Maura Ramos, 150 NE 146th Street.*
4. *Ms. June Ellis, 120 NE 146th Street.*
5. *Ms. Krimhild Hackman, 397 NE 152nd Street.*

Hearing no other persons in connection with the foregoing resolution, the public hearing was closed.

Chairman Barreiro asked the Assistant County Attorney to clarify speakers concerns in reference to the litigation/settlement issue.

Assistant County Attorney Dennis Kerbel clarified these changes were the substance of the Master Plan amendments that were approved by this Board at the March 2006 Comprehensive Development Master Plan (CDMP) hearing; which went through legal proceedings for a year on issues concerning water supply. He stated that the Water Management District gave a presentation on this year's CDMP amendment, which supported the water plans; and that the amendment was adopted into the master plan's capital improvement element. Mr. Kerbel noted that the Board today was provided an agreement by Department of Community Affairs stating that the water plans and other materials adopted in this year's CDMP amendment satisfied their objections to last year's CDMP amendment.

Commissioner Rolle expressed concern that staff usually indicated which district would be impacted. He stated that he was unaware that this item involved district #2.

Assistant County Attorney Kerbel noted since the Board approved the substance of this application, nothing was to be heard with regard to district #2. He stated that several districts' countywide would be affected.

Following a brief discussion, the Board proceeded to vote on the foregoing proposed resolution as presented.

5T

071895 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND ADDITIONAL FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS' BUREAU OF JUSTICE ASSISTANCE TO SUPPORT THE MIAMI-DADE POLICE DEPARTMENT; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND FUNDS AND EXECUTE SUCH CONTRACTS AND AMENDMENTS AS REQUIRED IF AWARDED (Miami-Dade Police Department)

*Adopted
Resolution R-790-07
Mover: Rebeca Sosa
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Martinez
Absent, OCB: Heyman*

Report: *First Assistant County Attorney Abigail Price-Williams read the foregoing resolution into the record.*

Chairman Barreiro opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

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

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

7 ORDINANCES SET FOR SECOND READING

7A

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

Amended

Report: *(See Agenda Item 7A Amended; Legislative File No. 072287 for the amended version)*

- 5/8/2007** *Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee*
- 5/8/2007** *Adopted on first reading by the Board of County Commissioners*
- 5/9/2007** *Municipalities notified of public hearing by the Board of County Commissioners to the Governmental Operations and Environment Committee*
- 6/12/2007** *Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee*

7A AMENDED

072287

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 [SEE ORIGINAL ITEM UNDER FILE NO. #071350]

*Adopted as amended**Ordinance 07-91**Mover: Bruno A. Barreiro**Seconder: Jose "Pepe" Diaz**Vote: 7- 5**No: Jordan, Edmonson, Sosa,**Gimenez, Sorenson**Absent, OCB: Heyman*

FINAL OFFICIAL

Report: Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Chairman Barreiro relinquished the chair to Vice-Chairwoman Jordan. He stated that his intent in sponsoring this ordinance was to address the issues raised at the April 26 BCC meeting pertaining to the original mural ordinance establishing the zoning regulations for murals in the downtown core area. Chairman Barreiro noted that he collaborated extensively with the City of Miami and the Mural Industry to ensure the proposed boundary expansion conformed to the City's zoning district; and that residential areas were excluded from the new boundary. He stated the foregoing ordinance only established the parameters, and served as a guide for the City's process to set the actual boundaries. Chairman Barreiro noted that the ordinance allowed for an increase of murals from 30 to 45; which could be lowered by the City, and that it provided for greater penalties for violations.

Commissioner Sorenson expressed concern regarding the expansion of boundaries, the increase in murals allowed, and the allowance of murals to be placed over windows. She stated that murals continued to proliferate in prohibited areas. Commissioner Sorenson questioned whether this ordinance would be enforced.

Chairman Barreiro noted enforcement was a vital portion of this ordinance, which provided greater penalties, and that he hoped it would deter illegal signs outside the zone.

Commissioner Gimenez noted he could not support this ordinance because of the proposed increase in number of murals allowed. He stated the City of Miami adopted a resolution in 2006 requesting the County to allow murals in a specified area; which corresponded to the original ordinance passed last month; however, the City did not request to expand the boundaries or the number of murals. Commissioner Gimenez suggested the original ordinance be allowed to work before expanding the boundaries.

Chairman Barreiro explained that the boundaries were expanded to include the Civic Center Hospital district and the Midtown area. He stated that these areas were urban, pedestrian, and highly commercialized with aesthetics and zoning uses that mirrored downtown-Miami. Chairman Barreiro further noted the \$1,000 per day penalty for violating the ordinance applied to both the advertising company and the owner of the property where the mural was posted.

Assistant County Attorney Craig Coller referred to handwritten page 9, section 4 of the foregoing ordinance stating that "continuing violations of the provisions of section 33-107 relating to murals shall be fixed at thirty (30) times the original penalty amount."

Following a discussion regarding whether the 30-day cap and a \$30,000 fine was a sufficient deterrent based on the amount of money generated by these murals, Commissioner Moss' questioned whether the foregoing ordinance could be amended to instruct the monitoring agency to file a civil injunction after the 30-day cap for compliance expired.

Acting County Attorney Cuevas stated he believed it would be within the scope of this ordinance to amend as suggested.

FINAL OFFICIAL

Commissioner Sosa proposed to amend Section 3.33-107 of the foregoing ordinance to delete the language "if known;" and to add a provision holding the Building owner responsible for providing the proper information of the person erecting the sign. She also proposed that the building owner collect a security deposit to be applied to any potential violation, as part of the penalty provision.

Commissioner Diaz expressed confidence that this ordinance would ensure that the penalties would be carried out on companies who erected illegal signs outside of the boundaries.

In response to Commissioner Sorenson's question regarding how many citations had been issued since the effective date of the last ordinance, Mr. Walthour noted that no citations had been issued since that date; however, prior to that time, 32 citations had been issued in the City of Miami for mural violations. Commissioner Sorenson agreed with Commissioner Gimenez that the first ordinance should be proven effective before expanding the boundaries.

Responding to Commissioner Jordan's question regarding the number of violations that had exceeded the 30-day time frame for compliance, Mr. Walthour noted all of them had.

County Attorney Cuevas clarified the 30-day time frame and the continuing violation provided notification of a violation and a certain time frame in which to comply. He stated that the violator had the right to challenge the citation; which halted the time period and the \$1,000 fine per day until the appeal was resolved. County Attorney Cuevas noted that Commissioner Moss' suggestion to direct the County Attorney's Office to proceed with a civil action at the end of the continuing violation timeframe would be an appropriate amendment.

Commissioner Jordan noted her primary concerns with this ordinance were the penalty timeframes, the ongoing proliferation of murals, and the increase in murals allowed.

Chairman Barreiro noted that he was open to the suggestions made by Commissioners Moss and Sosa.

Assistant County Coller clarified the purpose of the language "if known" was to ensure that the erector would be notified of a citation if his identity was known at the time of its issuance.

Upon conclusion of the discussion, the foregoing proposed ordinance was adopted as amended to provide that a violation shall be referred to the County Attorney's Office for appropriate enforcement action when the maximum penalty for a continuing violation relating to murals had accrued.

T

7B

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] *Amended*

Report: *(See Agenda Item 7B Amended; Legislative File No. 072315 for the amended version)*

5/15/2007 *Deferred to next committee meeting by the Governmental Operations and Environment Committee*

6/12/2007 *Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee*

7B AMENDED

072315 **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. #071516) *Adopted as amended
Ordinance 07-92
Mover: Natacha Seijas
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: Gimenez
Absent, OCB: Heyman*

Report: *Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Assistant County Attorney Jay Williams noted for the record the following scrivener's errors within the foregoing proposed ordinance that needed to be corrected: the reference to longitude "0" listed on typed page 14, (6)(a), should be corrected to read " 80" degrees; the word "is" on typed page 28, Section 15, first paragraph of section 33-349 of the Code, should be deleted; and the reference to FAA Advisory Circular 91.57, listed on typed page 33, (C)(d), should be corrected to read FAA Advisory Circular 91-57.

Hearing no further comments or discussion, the foregoing proposed ordinance was adopted as amended to correct the scrivener errors as noted by Assistant County Attorney Williams.

7C

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)

Adopted
Ordinance 07-93
Mover: Natacha Seijas
Second: Katy Sorenson
Vote: 11- 0
Absent: Gimenez
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

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

- 5/22/2007 Adopted on first reading by the Board of County Commissioners
- 5/22/2007 Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7D

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)

Adopted
Ordinance 07-94
Mover: Katy Sorenson
Second: Joe A. Martínez
Vote: 11- 0
Absent: Gimenez
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

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

- 5/22/2007 Adopted on first reading by the Board of County Commissioners
- 5/22/2007 Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7E

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)

Adopted
Ordinance 07-95
Mover: Dennis C. Moss
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: Gimenez
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

Commissioner Moss indicated he spoke with the Planning Director to alleviate some of the concerns regarding the Community Urban Center.

Hearing no further comments, the Board proceeded to vote on the foregoing ordinance as presented.

- 5/22/2007** Adopted on first reading by the Board of County Commissioners
- 5/22/2007** Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 6/12/2007** Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7F

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)

Adopted
Ordinance 07-96
Mover: Katy Sorenson
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Gimenez
Absent, OCB: Heyman

Report: *Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.*

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

- 5/22/2007** Adopted on first reading by the Board of County Commissioners
- 5/22/2007** Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 6/12/2007** Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7G

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)

Amended

Report: (See Agenda Item 7G Amended; Legislative File No. 072281 for the amended version)

- 5/22/2007** Adopted on first reading by the Board of County Commissioners
- 5/22/2007** Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 6/12/2007** Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7G AMENDED

072281 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 [SEE ORIGINAL ITEM UNDER FILE NO. 071272] (Department of Planning & Zoning)

*Adopted as amended
Ordinance 07-97
Mover: Dennis C. Moss
Seconder: Jose "Pepe" Diaz
Vote: 11-0
Absent: Gimenez
Absent, OCB: Heyman*

Report: Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Assistant County Attorney Dennis Kerbel noted a scrivener's error in one of the maps, which depicted a shaded area that should not be shaded.

Mr. Subrata Basu, Planning Department Director, clarified Mr. Kerbel's comments, noting the shaded portion of the map included a portion of the Cutler Bay area that needed to be removed.

Hearing no further comments or discussion, the foregoing proposed ordinance was adopted as amended to delete the shaded area that depicts a portion of Cutler Bay in one of the maps within the foregoing ordinance.

7H

071330

Ordinance

Barbara J. Jordan

ORDINANCE PERTAINING TO AFFORDABLE HOUSING PROGRAMS; AMENDING SECTION 17-103, PERTAINING TO ADMINISTRATION AND IMPLEMENTATION OF MIAMI-DADE COUNTY'S LOCAL HOUSING ASSISTANCE PROGRAM; AMENDING SECTION 17-105, PERTAINING TO LOCAL HOUSING PARTNERSHIP; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (County Manager)

Adopted

Ordinance 07-98

Mover: Barbara J. Jordan

Seconder: Bruno A. Barreiro

Vote: 9- 2

No: Rolle, Diaz

Absent: Gimenez

Absent, OCB: Heyman

FINAL OFFICIAL

Report: Acting County Attorney Robert Cuevas read the foregoing proposed ordinance into the record.

Commissioner Diaz stated he preferred to see Department Directors accept accountability rather than implementing additional levels of management.

Commissioner Jordan explained that this ordinance prevented other revenue resources from being compromised in the event that the US Department of Housing Urban Development (HUD) should gain control of the Housing Agency. She noted other programs with funding sources disassociated with HUD were moved to other County Departments. Commissioner Jordan noted this ordinance would move the construction component resources to OCED and allow the Housing Agency Director to focus on resolving pertinent issues.

Commissioner Martinez stated he felt that the Housing Agency Director should handle the housing programs.

Commissioner Sosa noted that she felt the Mayor's Office had the ability to make decisions and change the personnel structure; and that additional problems would arise if the County Commission deviated from that.

Responding to Commissioner Jordan's request that Mr. Citron explain the status of federal funding components of OCED, Mr. Citron noted that the program was handled on an informal basis. He explained that the Public Housing Department handled affordable housing developments for most jurisdictions; however, the OCED handled affordable housing as part of their work portfolio in the County. Mr. Citron noted that OCED recently gained control of affordable housing development resources.

In response to Vice Chair Jordan's question regarding the legalities of this issue, Acting County Attorney Cuevas noted this ordinance recognized ongoing functions, and was intended to prevent challenges in an abundance of caution.

Commissioner Edmonson asked whether the resources transferred from the Housing Agency to OCED would leave the Housing Agency short of staff.

Ms. Kris Warren, Director, Housing Agency, noted that the staff already transferred to continue the operations of the DLAB were also involved in this particular program. She stated that this transfer would not leave the Housing Agency short of staff.

Commissioner Diaz expressed concern that the Commission would be held responsible, not Administration, even though this program was already being administered this way.

Assistant County Attorney David Hope explained that upon initiation of this program, the Board retained the discretion to determine which County entities could administer this program.

Commissioner Moss noted the intent was to protect non-HUD resources should HUD takeover. He noted Mr. Citron stated that OCED usually supervised the development of affordable housing but the public housing component was operated by the Housing Agency.

Mr. Citron noted most jurisdictions applied for HOME funds and CDBG funds for affordable housing development, but the County's jurisdiction had additional resources (SURTAX and SHIP). He noted those additional resources would be moved under one heading to coordinate the use.

Commissioner Seijas noted difficult decisions needed to be made concerning housing issues despite the bad press. She asked if this would eliminate some employees at the Housing Agency.

Director Kris Warren affirmed that it would, and responded to Commissioner Martinez question that HUD would only have access to the federal funds specific to public housing if it took over the Housing Agency.

Mr. Citron explained the possibility that HUD could take over funds under the purview of the Housing Agency. He noted this ordinance would insulate the Local and State Housing funds.

Commissioner Sosa expressed concern that the Administration proceeded to implement this procedure. She asked whether the Mayor's Office had recommended that this ordinance be approved to protect the County's assets.

Assistant County Manager Alina Hudak affirmed that he did.

Commissioner Rolle questioned why these funds could not be moved to the Housing Finance Authority (HFA) as opposed to OCED.

Ms. Warren noted the HFA's expertise was home-ownership and bonds, while OCED's expertise was the development programs. She stated that the funds would be split based on which programs were underway and under the expertise of those directors. Ms. Warren also noted HFA specifically had the homeownership and rehabilitation fees under SURTAX. She noted DHA, OCED and HFA worked together harmoniously in those areas to move those programs forward to house more families.

5/8/2007 Adopted on first reading by the Board of County Commissioners

5/8/2007 Scheduled for a public hearing by the Board of County Commissioners before the Economic Development and Human Services Committee

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8 DEPARTMENTAL ITEMS

8A AVIATION DEPARTMENT

8A1A

071765 Resolution

RESOLUTION AUTHORIZING AND APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, THE EXCHANGE OF CERTAIN COUNTY REAL PROPERTY LOCATED AT STATE ROAD 836/LEJEUNE ROAD INTERCHANGE, MIAMI, FLORIDA, NOT NEEDED FOR COUNTY PURPOSES, FOR OTHER REAL PROPERTY OWNED BY FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), LOCATED AT STATE ROAD 836/LEJEUNE ROAD INTERCHANGE, MIAMI, FLORIDA; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO COMPLETE THE EXCHANGE AND TO EXECUTE AGREEMENT WITH FDOT AND MIAMI-DADE EXPRESSWAY AUTHORITY IN CONNECTION THEREWITH TO SUPPORT THE MIA PERIMETER ROAD IMPROVEMENTS PROJECT NO. K001G; APPROVING FEDERAL AVIATION ADMINISTRATION'S DEED OF RELEASE; AND RATIFYING ACTION OF THE COUNTY MANAGER IN PUBLISHING NOTICE OF EXCHANGE OF REAL PROPERTY (Aviation Department)

*Adopted
Resolution R-791-07
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Airport and Tourism Committee

8A1B

071873 Resolution

RESOLUTION AUTHORIZING EXECUTION OF SECOND AMENDMENT AND CONSENT TO ASSIGNMENT OF AGREEMENT FOR WASTE HAULING AND DISPOSAL AT COUNTY AIRPORTS BETWEEN BFI WASTE SYSTEMS OF NORTH AMERICA, INC. ("BFI") AND MIAMI-DADE COUNTY, WHEREBY BFI ASSIGNS ALL OF ITS RIGHTS AND OBLIGATIONS AS CONTRACTOR UNDER SUCH WASTE HAULING AGREEMENT TO WASTE SERVICES OF FLORIDA, INC., AND AUTHORIZES THE MAYOR OR HIS DESIGNEE TO EXECUTE SUCH SECOND AMENDMENT AND CONSENT TO ASSIGNMENT AND ALL OTHER DOCUMENTS TO EFFECTUATE SAME (Aviation Department)

*Adopted**Resolution R-792-07**Mover: Joe A. Martinez**Seconder: Audrey M. Edmonson**Vote: 11-0**Absent: Seijas**Absent, OCB: Heyman*

Report: *Mr. Jose Abreu, Director, Aviation Department, responded to the concerns of Commissioners Jordan and Martinez regarding whether staff had researched this company's principles and viability. He noted staff did not research the principles; but the company's financial statement indicated its growth and viability. Mr. Abreu also noted the company posted a \$100 million performance bond.*

Commissioner Jordan asked the Aviation Department Director to conduct a background check (in Google.com) on the principles of Waste Services of Florida, Inc and to provide at the July 12th County Commission meeting, a report on Waste Services of Florida's (WSFI) principles, financial and performance history, and whether this company had any pending litigation that the Board should be aware of.

Commissioner Rolle referred to Legislative File No. 010842, indicating a report from the Solid Waste Management (SWM) Director advising the Board that the County received a letter of intent from BFI Waste Systems North America to pay \$2.5 million owed to the County.

Assistant County Manager Roger Carlton stated he had no knowledge of BFI owing the County \$2.5 million.

Commissioner Rolle asked Assistant County Manager Roger Carlton to provide the County Commission with a report on whether BFI Waste Systems of North America, Inc (BFI) owed the County \$2.5 million and whether the company that assumed BFI also assumed that liability.

Commissioner Gimenez asked Assistant County Attorney Cynji Lee to provide the County Commission with a report regarding whether Waste Services of Florida, Inc had ever pursued litigation against its customers or the County.

Following further discussion and comments by Commissioner Barreiro that he was considering a proposal to require a background report on all vendors contracted by the County as a standard procurement procedure, the Board proceeded to vote on the foregoing proposed ordinance as presented.

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Airport and Tourism Committee

8A1C

071788 Resolution

RESOLUTION APPROVING THE NEW AIR SERVICE INCENTIVE PROGRAM ("ASIP2") AT MIAMI INTERNATIONAL AIRPORT TO PROVIDE AN INCENTIVE FOR INCREASED DOMESTIC AND INTERNATIONAL PASSENGER AND CARGO FLIGHTS AT THE AIRPORT; AUTHORIZING THE MAYOR OR DESIGNEE TO PLACE SUCH PROGRAM INTO EFFECT CONSISTENT WITH FEDERAL AVIATION ADMINISTRATION REGULATIONS; AND AUTHORIZING MAYOR OR DESIGNEE TO MODIFY OR ELIMINATE ASIP2 UPON A DETERMINATION THAT SUCH ACTION IS IN THE BEST INTEREST OF THE COUNTY (Aviation Department)

*Adopted
Resolution R-793-07
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Airport and Tourism Committee

8B COMMUNITY ACTION AGENCY

8B1A

071845 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE, PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE CODE, TO APPROVE CONTRACTS FOR THE MIAMI-DADE COUNTY COMMUNITY ACTION AGENCY HEAD START PROGRAM IN EXCESS OF \$1,000,000; AND ALLOWING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE AN OPTION TO RENEW WITHOUT PRIOR COMMISSION AUTHORIZATION (Community Action Agency)

Amended

Report: (See Agenda Item 8B1A Amended; Legislative File No. 072269 for the amended version)

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8B1A AMENDED

072269

Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE, PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE, TO APPROVE CONTRACTS FOR THE MIAMI-DADE COUNTY COMMUNITY ACTION AGENCY HEAD START PROGRAM IN EXCESS OF \$1,000,000 [SEE ORIGINAL ITEM UNDER FILE NO. 071845] (Community Action Agency)

Adopted as amended

Resolution R-794-07

Mover: Joe A. Martinez

Seconder: Carlos A. Gimenez

Vote: 10- 0

Absent: Rolle, Seijas

Absent, OCB: Heyman

Report: *Due to a conflict of interest, Commissioner Rolle refrained from voting on the foregoing resolution and absented himself from the chambers.*

Commissioner Gimenez questioned whether the Community Action Agency (CAA) checked the past performance records on all agencies recommended for award.

Ms. Julie Edwards, Interim Executive Director, CAA, noted that checking the agencies performance history was a determining factor when making recommendations for award in the RFP process.

Commissioner Martinez noted his primary concern was that the language in the memorandum allowed the County Mayor or his designee to exercise an option to renew without prior Commission authorization. He expressed concern that the Commission would not be apprised of the company's viability, and that companies would not provide the services they contracted for. He also noted his concerns were the same for Agenda Item 8B1B as well, and he would not support these resolutions unless that language was removed.

Commissioner Jordan stated her intent was to ensure the consistency of this process going forward. She suggested legislation be drafted to require all departments to come back before the Board annually for approval of contract renewals.

Commissioner Martinez noted he preferred all contacts to come back before the Board for approval with a performance report. He suggested that the subject clause be omitted in this particular ordinance.

Acting County Attorney Cuevas advised that the foregoing contract had a one-year term with two one-year options-to-renew. He stated that the mechanism to exercise these options required a 30-day notice. Acting County Attorney Cuevas noted the proposed change would require staff to come back before the Board for approval before issuing the letter for the automatic option-to-renew.

Commissioner Jordan attested that based on her prior experience as a CAA Contracts Officer, the process of preparing a report to come back before the Board for approval on annual contract renewals was cumbersome and could take several months.

Commissioner Sosa noted the process was the same regardless of who renewed the contracts. She asked whether it was possible for the Commission Chair to create a portion of the agenda listing all contracts seeking renewal. Commissioner Sosa also asked whether that list could come directly to the Board without Committee review.

County Attorney Cuevas advised that Commissioner Sosa's proposal required an amendment to the County Rules and Procedures Ordinance.

Following a discussion regarding designated slots and whether or not they could be transferred administratively to another agency if underutilized, Commissioner Gimenez noted he would be presenting a proposed ordinance for first reading at the next BCC meeting that would delineate all delegation of authority embedded within a contract.

In response to Commissioner Martinez' question regarding whether the agencies would guarantee their services for the next three years if the costs of the slots increased, Ms. Edwards noted that the agencies could guarantee their services at the current price; however, a possible increase in Head Start funding by the Federal Government would be disbursed equitably to the providers and the County to cover the increased costs of the slots.

Commissioner Martinez asked the Community Action Agency Director that in addition to the report provided to the County 30 days prior to the execution of the contracts, the Board be provided with a short report requesting permission to exercise the option to renew the contracts with the selected delegate agencies for Head Start services and indicate their performance status.

Ms. Edwards explained that in addition to the 30-day notification period, staff would need to prepare reports and review monitoring before coming before the BCC. She stated the intent of this ordinance was to ensure the continuity of these agreements for a three year period so staff would not be bogged down with all the contracts, but staff could comply with the requested amendments in light of the Board members concerns.

Commissioner Barreiro expressed concern with the ability to change the amount of allotted slots in years two and three, and that he wanted additional information on the underutilized slots transferred to another agency.

Ms. Edwards noted the Department works with agencies that underutilized slots to ensure they fill their vacancies within a reasonable timeframe. She stated that if the vacancies were not filled, or if the agency had deficiencies in their enrollment or vacancies, or failed to operate the program in its entirety, then the department would disburse the slots to another agency or the County itself would operate those slots.

Commissioner Diaz asked whether this process included a day to coordinate paperwork and answer all questions of participating agencies.

Ms. Edwards affirmed that responding to the concerns of participating agencies was a part of the process. She stated that in this particular process, three advertised workshops were conducted throughout the community, with all providers notified. Ms. Edwards noted that staff responded to the agencies' questions, and reviewed the RFP to clarify any concerns raised. In addition, she noted, a time frame was given to answer questions in writing and additional meetings were conducted to address a number of appeals.

Following further discussion, the foregoing proposed resolution was adopted as amended to require authorization from the Board to exercise renewal options on an annual basis, with instruction to staff that this process be consistent for all contracts.

8B1B

072072 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE, PURSUANT TO SECTION 2-9 OF THE MIAMI-DADE COUNTY CODE, TO EXECUTE THE INTERLOCAL AGREEMENT IN THE APPROXIMATE AMOUNT OF \$3,000,000.00 BETWEEN THE MIAMI-DADE COUNTY PUBLIC SCHOOLS AND THE MIAMI-DADE COMMUNITY ACTION AGENCY TO PROVIDE NUTRITION SERVICES TO THE HEAD START PROGRAM AND PARTICIPATING AFTERSCHOOL SNACK AND SUMMER MEALS PROGRAM SITES; AND ALLOWING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE AN OPTION TO RENEW WITHOUT PRIOR COMMISSION AUTHORIZATION

Amended

(Community Action Agency)

Report: *(See Agenda Item 8B1B Amended; Legislative File No. 072270 for the amended version)*

6/19/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

8B1B AMENDED

072270 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE, PURSUANT TO SECTION 2-9 OF THE MIAMI-DADE COUNTY CODE, TO EXECUTE THE INTERLOCAL AGREEMENT IN THE APPROXIMATE AMOUNT OF \$3,000,000.00 BETWEEN THE MIAMI-DADE COUNTY PUBLIC SCHOOLS AND THE MIAMI-DADE COMMUNITY ACTION AGENCY TO PROVIDE NUTRITION SERVICES TO THE HEAD START PROGRAM, AND PARTICIPATING AFTERSCHOOL SNACK AND SUMMER MEALS PROGRAM SITES [SEE ORIGINAL ITEM UNDER FILE NO. 072072] (Community Action Agency)

*Adopted as amended
Resolution R-795-07
Mover: Bruno A. Barreiro
Seconder: Jose "Pepe" Diaz
Vote: 10- 0
Absent: Rolle, Seijas
Absent, OCB: Heyman*

Report: *Due to a conflict of interest, Commissioner Rolle refrained from voting on the foregoing resolution and absented himself from the chambers.*

Commissioner Martinez noted his concerns were the same as in Item 8B1A, and requested this ordinance be amended in the same manner.

Hearing no objection, the foregoing proposed resolution was adopted as amended to require authorization from the Board to exercise renewal options on an annual basis, with instruction to staff that the process be consistent for all contracts.

8B1B SUPPLEMENT

072123 Supplement

SUPPLEMENTAL INFORMATION RE: MIAMI-DADE COUNTY PUBLIC SCHOOLS AND THE MIAMI-DADE COMMUNITY ACTION AGENCY TO PROVIDE NUTRITION SERVICES TO THE HEAD START PROGRAM

Accepted
Mover: Bruno A. Barreiro
Seconder: Jose "Pepe" Diaz
Vote: 10- 0
Absent: Rolle, Seijas
Absent, OCB: Heyman

8C **[No items were submitted for this section.]**8D **ENVIRONMENTAL RESOURCES MANAGEMENT**

8D1A

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)

Adopted
Resolution R-796-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1B

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)

Adopted
Resolution R-797-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1C

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)

*Adopted
Resolution R-798-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D1D

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)

*Adopted
Resolution R-799-07
Mover: Dorrin D. Rolle
Seconder: Barbara J. Jordan
Vote: 11- 0
Absent: Martinez
Absent, OCB: Heyman*

Report: *Commissioner Jordan noted a recent newscast informed that the Federal Government would be allocating an additional \$20 million for the Miami River Project.*

Mr. Carlos Espinosa, Director, DERM, explained that the newscast was announcing prior appropriations of monies.

In response to Commissioner Rolle's question regarding the previous pool of Haulers established by the County, Mr. Espinosa noted the Contractor was provided with the list of Haulers; however, this was a Federal contract listing five different categories for participation. He noted this contractor had utilized those firms in the pool in the past.

Commissioner Rolle questioned whether any State or Local dollars were included in this contract, and whether some consideration could be given to the Hauling pool to ensure some degree of participation from minority groups.

Mr. Espinosa noted 85% of the contract was federally funded; however, he ensured that he would speak with the contractor and encourage him to consider using some of the haulers from the pool.

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

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8D3A

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)

Approved
Mover: Dorrin D. Rolle
Seconder: Carlos A. Gimenez
Vote: 9- 0
Absent: Sorenson, Souto, Martinez
Absent, OCB: Heyman

Report: *Commissioner Jordan asked whether the Department of Business Development (DBD) reviewed the performance history of this company for the past five years.*

Ms. Penelope Townsley, Small Business Affairs, DBD, noted she did review the past performance of American Earth Movers (AEM) but found they had only one violation, which was a deficit in an established CSBE goal. She stated that AEM committed to make it up in the foregoing contract.

Commissioner Jordan asked the Department of Business Development-Small Business Affairs-Director to meet with her later to discuss what contributed to the unmet CSBE goal(s) established in the contract with American Earth Movers.

Commissioner Rolle asked the County Attorney(s) to assist him in drafting legislation providing for penalties and enforcement on companies that repeatedly violate the CSBE ordinance by underutilizing the established goals.

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8E **[No items were submitted for this section.]**

8F **GENERAL SERVICES ADMINISTRATION**

8F3A

071776 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR UPDATE OF THE EXISTING MASTER PLAN FOR THE EXPANSION OF THE COURTROOMS AND ADMINISTRATION FACILITIES - PROJECT NO: A05-GSA-06 GOB; CONTRACT NO: Z00019-A05-GSA-06 GOB 180-71616 (General Services Administration Department)

Approved
Mover: Barbara J. Jordan
Seconder: Dennis C. Moss
Vote: 10-0
Absent: Sorenson, Martinez
Absent, OCB: Heyman

Report: *Responding to Commissioner Gimenez' question whether the option to retain consultant services to assist the County in moving the projects forward at no additional cost was considered, Ms. Wendy Norris GSA noted the consultants would be available at no cost if questions arose on specific GOB projects.*

Hearing no further comments, the Board proceeded to vote on the foregoing proposed ordinance as presented.

Following the Board's approval of the foregoing ordinance, it was moved by Commissioner Moss that the ordinance be reconsidered for further discussion. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed 10-0. (Abs: Heyman, Seijas, Sorenson, Martinez and Souto)

Commissioner Jordan expressed concern that small businesses were unable to comply with the rigid requirements and specifications in this RFP, which did not grant them the opportunity to participate in this contract. She pointed out the intention of this contract was to expand an existing plan.

Mr. Rick Martinez, Director, Facilities for the Courts, spoke on behalf of Chief Judge Farina and noted the intent was to request a specific type of experience and specialty to find the proper planner for this project; and prevent architects from becoming Court planners.

Responding to Commissioner Jordan's question whether a portion of this work could be performed by small businesses, Ms. Norris noted this contract was only a small portion of the master plan and there would be ample opportunities for small business participation in this project. She further noted that the architect awarded this contract would not be allowed to participate in the future projects of this Facility.

Commissioner Jordan asked the General Services Administration Director to review the County's specifications and certification requirements for Small Business participation in the expansion of the Court Facilities Complex to determine whether it was too rigid or being done by design.

6/14/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Health and Public Safety Committee

8G

HOUSING AGENCY

8G1A

071970 Resolution

RESOLUTION APPROVING MIAMI-DADE HOUSING AGENCY'S (MDHA) ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP) FOR PUBLIC HOUSING AND SECTION 8 NEW CONSTRUCTION DEVELOPMENTS; APPROVING MDHA'S SECTION 8 ADMINISTRATIVE PLAN FOR ITS SECTION 8 PROGRAMS; AND AUTHORIZING THE DIRECTOR OF MDHA TO MODIFY AND APPROVE CHANGES TO THE ACOP AND ADMINISTRATIVE PLAN AS REQUIRED BY REGULATORY AMENDMENTS OR COURT RELATED CHANGES [SEE ORIGINAL ITEM UNDER FILE NO. 071806] (Miami-Dade Housing Agency)

Amended

Report: *(See Agenda Item 8G1A Amended; Legislative File No. 072226 for the amended version)*

6/19/2007 *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee*

8G1A AMENDED

072226

Resolution

RESOLUTION APPROVING MIAMI-DADE HOUSING AGENCY'S (MDHA) ADMISSION AND CONTINUED OCCUPANCY POLICY (ACOP) FOR PUBLIC HOUSING AND SECTION 8 NEW CONSTRUCTION DEVELOPMENTS; APPROVING MDHA'S SECTION 8 ADMINISTRATIVE PLAN FOR ITS SECTION 8 PROGRAMS; AND AUTHORIZING THE DIRECTOR OF MDHA TO MODIFY AND APPROVE CHANGES TO THE ACOP AND ADMINISTRATIVE PLAN AS REQUIRED BY REGULATORY AMENDMENTS OR COURT RELATED CHANGES [SEE ORIGINAL ITEM UNDER FILE NOS. 071806 AND 071970] (Miami-Dade Housing Agency)

Adopted as amended

Resolution R-800-07

Mover: Natacha Seijas

Seconder: Audrey M. Edmonson

Vote: 11- 0

Absent: Sorenson

Absent, OCB: Heyman

FINAL OFFICIAL

Report: *Commissioner Seijas questioned how funds were budgeted to the Administrative Fee Reserve Account, and why the County Commission was being asked to allow Miami-Dade Housing Agency the authority to access this particular account up to \$1 million when the account had no monies in it.*

Ms. Kris Warren, Director, Miami Dade Housing Agency (MDHA), noted that Federal Regulations required a fund be established if MDHA earned a profit on its program, in order to ensure that MDHA's policies aligned with the County's current procurement polices. She noted this account currently had no monies in it and has not for some time.

Responding to Commissioner Seijas' questions regarding what other accounts could be used to make purchases and whether funds could be transferred from another account to the Administrative Fee Reserve, Ms. Warren noted the MDHA made purchases through the Procurement Department and used subsidies allocated for its operations. She noted the Administrative Fee Reserve Account was specific to the Private Rental Programs and the monies could only be used for services of that program, and could not be transferred in from another account.

Following comments by Ms. Cynthia Curry, Senior Advisor to the County Manager, that she believed a dollar amount did not have to be specified, Assistant County Attorney Terrence Smith affirmed that the federal regulations only required that an Administrative Fee Reserve Account be established and did not mandate a specific dollar amount to be deposited into that particular account.

Responding to Commissioner Seijas' question concerning whether it was required that the County Commission give authority to the MDHA to access this account, Assistant County Attorney Smith noted it was not required as part of the regulations but MDHA's staff should come back before the Board for approval of the assessment.

In response to Commissioner Seijas' question whether the proposed \$1 million amount could be changed, Mr. Clarence Brown, Miami Dade Housing Agency, noted after a review by HUD, it was indicated that MDHA's policies were deficient in keeping with the procurement policies based on HUD's regulations. He stated that he was trying to correct that. Mr. Brown noted HUD's regulations stated that the Board set a threshold which authorized what the MDHA could access. He stated that he duplicated the County's procurement language when drafting the proposed change to the MDHA's policies.

Responding to Commissioner Seijas' question whether the \$1 million procurement policy had expired, First Assistant County Attorney Abigail Price-Williams noted she believed that policy was modified; however, based on HUD's regulation, the Board could set whatever amount they deemed appropriate.

Assistant County Attorney Smith clarified the amount did not have to be \$1 million but concurred with Mr. Brown's statement that HUD regulations required the BCC to establish the maximum amount that may be charged against the Administration Fee Reserve without specific approval.

Commissioner Seijas noted she would not support the \$1 million without the Agency first coming before the Board for approval; however, she would

support a lower amount. She stated she felt the Board needed more control over the operations of the Housing Agency.

Discussion ensued among Board members on what would be a reasonable amount to set.

Following discussion, the foregoing proposed resolution was adopted as amended to reduce the maximum amount of funds on which the Miami-Dade Housing Agency could charge an Administrative Reserve Fee without specific Board approval from \$1 million to \$100,000.

8G1B

071973 Resolution

RESOLUTION APPROVING MIAMI-DADE HOUSING AGENCY'S (MDHA) 2007-2008 PUBLIC HOUSING AGENCY (PHA) PLAN SUBJECT TO APPROVAL BY US HOUSING AND URBAN DEVELOPMENT (USHUD); AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO SUBMIT THE PLAN TO USHUD FOR FINAL APPROVAL [SEE ORIGINAL ITEM UNDER FILE NO. 071805] (Miami-Dade Housing Agency)

Amended

Report: (See Agenda Item 8G1B Amended; Legislative File No. 072219 for the amended version)

6/19/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

8G1B AMENDED

072219

Resolution

RESOLUTION APPROVING MIAMI-DADE HOUSING AGENCY'S (MDHA) 2007-2008 PUBLIC HOUSING AGENCY (PHA) PLAN SUBJECT TO APPROVAL BY US HOUSING AND URBAN DEVELOPMENT (USHUD); AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO SUBMIT THE PLAN TO USHUD FOR FINAL APPROVAL [SEE ORIGINAL ITEM UNDER FILE NOS. 071805 AND 071973] (Miami-Dade Housing Agency)

*Adopted as amended
Resolution R-801-07
Mover: **Dorrin D. Rolle**
Seconder: **Dennis C. Moss**
Vote: 7- 2
No: **Gimenez, Seijas**
Absent: **Sorenson, Souto,**
Martinez
Absent, OCB: **Heyman***

Report: *Commissioner Seijas express concern with language on page 18 of the PHA plan, which seemed to indicate Miami-Dade Housing Authority (MDHA) was not a troubled agency. She questioned whether or not the MDHA was at risk of being designated a troubled agency.*

Ms. Cynthia Curry, Senior Advisor to the County Manager, noted this was a concern addressed with the County Attorney and it was determined that MDHA was not officially at-risk.

Assistant County Attorney Terrence Smith explained the term "troubled Agency" was used by HUD when an agency scored less than 60% based on certain indicators. He stated that MDHA had not score less than 60% for a few years; therefore it was not designated by HUD as a troubled agency. He noted it was his opinion that changing the document to indicate that MDHA was at-risk of being a troubled agency would not be an accurate statement because HUD made that designation, not the County.

In response to Commissioner Seijas' question regarding MDHA's last score, Mr. Clarence Brown stated he believed that MDHA's last score rating was "87" in year 2004. He noted that MDHA received hurricane waivers, which indicated that the score would carry over to the next year. Mr. Brown noted that MDHA also maintained a score of 87 for their public housing program.

Commissioner Seijas questioned why page 19 of the foregoing plan reflected that the most recent board-approved operating budget for the Public Housing Program (PHP) was not submitted and why staffing constraints influenced the strategies of the Public Housing Agency.

Ms. Warren noted that only designated troubled housing agencies were required to submit a full budget. She noted standard performers and quasi-troubled performers would submit a request for their subsidy dollars.

Mr. Brown noted MDHA had challenges in the Private Rentals Program. He stated that MDHA required its staff to be re-trained and certified. Some of those who could not pass the certification either lost their jobs or were demoted, Mr. Brown noted. He stated that the Public Housing Program lost staff due to retirement and Family Medical Leave absences, as well.

In response to Commissioner Seijas' question regarding the current number of employees, Ms. Warren noted that there were 650 employees to date, of which 598 were Federal employees.

In response to Commissioner Seijas' question regarding whether vacancies were created in the Department as a result of those who did not pass certification and lost their jobs, Mr. Brown noted they were transferred to some other department in the Public Housing Agency, which created vacancies in the Private Rentals Program.

Ms. Warren noted the Agency was going through transformation and had a lot of training challenges due to a lack in skills and expertise in a number of programs. She stated that staff would like to modernize the programs by improving MDHA's customer service and maintaining their properties.

In response to Commissioner Seijas' question regarding whether the findings of the fiscal audit were resolved, Ms. Linda Valdez, OCED, noted that some financial issues relating to staffing and the quality of training of staffing were

being addressed in both the Public Housing and Section 8 programs.

Mr. Brown noted that when he first arrived at MDHA, he noticed many files were not purged for several years and documentation that was unmanageable. He noted staff had asked for a new filing system, including furniture and software to track those files.

Ms. Warren stated she would gladly meet with Commissioner Seijas to go over the details.

Responding to Chairman Barreiro's question whether consolidating all offices to one location was considered in order to alleviate operational concerns, Ms. Warren noted they had considered that option, and had a possible location. She stated they were working with GSA as well, but that project would be difficult to implement due to a tight budget.

Responding to Commissioner Seijas' questions regarding why the Commissioners were still receiving complaints from families whom were relocated out of the Scott/Carver housing projects, Ms. Warren explained that rebuilding the projects had begun and the families were relocated. She stated that she believed the concerns were more about families anxious to come back.

Responding to Commissioner Seijas' question whether it would be appropriate to amend the attached PHA plan to refer to the MDHA as an agency without an "appointed" governing board, Assistant County Attorney Smith noted that would be an appropriate amendment as long as it disclaimed its exemption from the grants that require a resident member on the board.

Chairman Barreiro suggested the two paragraphs listed on page 153 of the PHA plan be reversed in order to reflect the Board of Directors first and then the Governing body.

Commissioner Rolle commended the Housing Agency on a tremendous job at addressing the concerns of the Scott/Carver residents. He noted Sector 1 of this project was completed and looked beautiful, but the concerns regarding when the RFP would go out for bid and when the letters for bid qualifications would be sent for Sectors 2, 3, and 4 would be a continual concern until a contract was received from someone who had the capacity to build those sectors.

Following discussion, the Board adopted the foregoing proposed resolution as amended to revise page 153 of the PHA plan to reflect that the Miami-Dade Housing Agency was an agency without an "appointed" governing board, and to reverse the order of the two paragraphs contained on that same page.

8H
thru
8J

[No items were submitted for these sections.]

8K

OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

8K1A

072010 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO AMEND THE FY 2007 ACTION PLAN TO REFLECT THE REALLOCATION OF FY 1997, FY 1999, FY 2001, FY 2002, FY 2004, FY 2005, FY 2006 AND FY 2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF \$15,334,100.99 AS INDICATED IN EXHIBITS I, II, III, AND IV; AUTHORIZING THE COUNTY MANAGER TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071808] (Office of Community and Economic Development)

Amended

Report: (See Agenda Item 8K1A Amended; Legislative File No. 072323 for the amended version)

6/19/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

8K1A AMENDED

072323

Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO AMEND THE FY 2007 ACTION PLAN TO REFLECT THE REALLOCATION OF FY 1997, FY 1999, FY 2001, FY 2002, FY 2004, FY 2005, FY 2006 AND FY 2007 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF \$15,334,100.99 AS INDICATED IN EXHIBITS I, II, III, AND IV; AUTHORIZING THE COUNTY MANAGER TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER LEGISTAR NO. 071808, 072010] (Office of Community and Economic Development)

*Adopted as amended
Resolution R-802-07
Mover: Barbara J. Jordan
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Rolle, Moss
Absent, OCB: Heyman*

Report: *Due to a conflict of interest, Commissioner Rolle refrained from voting on the foregoing resolution and absented himself from the chambers.*

Mr. Jose Citron, Office of Community Economic Development (OCED), requested the foregoing proposed ordinance be amended to reflect the following additional allocations:

*From Commissioner District #1 Reserve Fund:
\$100,000 to the City of Opa-Locka Sherbondi Park Rehabilitation Phase II.
\$100,000 to the Segal Park Rehabilitation Phase I.*

*From Commission District #3 Reserve Fund:
\$40,000 to South Florida Puerto Rican Chamber of Commerce.
\$30,000 to Our Child Care d/b/a Our Little Ones.
\$25,000 to Neighbors and Neighbors Association.
\$10,000 to Contractors Resource Center.*

*From Commission District #5 Reserve Fund:
\$200,000 to the Villas Godoy Housing Project*

*From Perrine Citizen's Advisory Committee (CAC):
\$100,000 to Neighbors and Neighbors Association.*

Additionally, Mr. Citron clarified the \$1.5 million allocated to the Miami-Dade Housing Finance Authority would be used for the Deed Subsidy Program to ensure that projects already funded by HUD would be closed.

Hearing no objection, the Board adopted the foregoing proposed ordinance as amended to reflect additional allocations as stated by Mr. Citron.

8K1B

071838 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO AMEND THE FY 2007 ACTION PLAN TO REFLECT THE REALLOCATION OF FY 2005, AND FY 2006 HODAG AND FY 2002, FY 2004, FY 2005, FY 2006 AND FY 2007 HOME FUNDS, AS INDICATED IN EXHIBIT I; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Office of Community and Economic Development)

Deferred to July 18, 2007
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent, OCB: Heyman

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred back to the Economic Development and Health Services Committee, as requested by Commissioner Edmonson.*

Later in the meeting, Commissioner Jordan expressed concern with the timeframes for completing the portion of the project involving the City of Opa-locka, if this item was deferred back to Committee.

Chairman Barreiro asked that the Office of Community and Economic Development Director and Mayor Joseph Kelley, City of Opa-locka meet with him to discuss possible mechanisms for resolving conflicts and issues involving the HOME and HODAG Action Plan Program.

Commissioner Martinez noted that he was not opposed to sending this item back to Committee and that he would attend that meeting to represent projects within his district.

Commissioner Sosa noted she had received many complaints from her constituents regarding delayed projects. She asked that the County Attorney prepare a resolution requiring the HOME and HODAG Action Plan Funds report include the percentage of projects approved per Commission District.

Commissioner Moss reminded the Board members that the County received funding to serve the unincorporated areas and those cities without their own CDBG funds. He stated that the program's funding was allocated to those particular districts with eligible Neighborhood Revitalization Strategy Areas (NRSA), which should get priority. Commissioner Moss noted that not all thirteen districts have NRSA's. He stated that the City of Miami had its own CDBG funds, and the County should not be placed in a position where it supports the City of Miami programs to the detriment of Unincorporated Dade.

Commissioner Edmonson concurred with Commissioner Moss's comments and noted her reason for requesting a deferral had nothing to do with spreading the funds throughout the districts.

Commissioner Sosa clarified that she was referring to Unincorporated Dade, not the cities that had their own funding.

Hearing no further comments, the Board deferred the forgoing resolution back to the Economic Development and Health Services Committee.

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1C

071803 Resolution

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR THE PROPOSED FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2008 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM, STATE HOUSING INITIATIVES PARTNERSHIP (SHIP), DOCUMENTARY SURTAX PROGRAM AND THE EMERGENCY SHELTER GRANT TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET UPDATED NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS (Office of Community and Economic Development)

Amended

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1C AMENDED

071803 Resolution

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR THE PROPOSED FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2008 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM, STATE HOUSING INITIATIVES PARTNERSHIP (SHIP), DOCUMENTARY SURTAX PROGRAM AND THE EMERGENCY SHELTER GRANT TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET UPDATED NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS [SEE AMENDED ITEM UNDER FILE NO. 073129] (Office of Community and Economic Development)

Adopted as amended

Resolution R-803-07

Mover: Joe A. Martinez

Seconder: Audrey M. Edmonson

Vote: 10- 1

No: Souto

Absent: Sorenson

Absent, OCB: Heyman

FINAL OFFICIAL

Report: Commissioner Moss emphasized the foregoing proposed plan indicated that municipalities had their own monies. He questioned whether the allocation for public services listed under CDBG FY2008 Estimated Funding, handwritten page 22, was part of a plan to reinstate public services.

Mr. Jose Cintron, Director, Office of Community Economic Development (OCED), noted that within the body of the policy papers, public service provided by County Departments would be included in the 30% set aside used to administer the program. He stated he would like to continue using these funds to support public services carried out by County Departments since they cannot contract with the Alliance for Human Services (AHS).

In response to Commissioner Moss' comments regarding 15% for County Departments and non-profits, Mr. Cintron noted non-profits were currently being serviced with the AHS funds but County Departments that provided public services could not be serviced with those funds since they could not contract with the AHS.

Responding to Commissioner Moss' questions whether a previous issue regarding an over-expenditure in the public service category had been rectified and could the County resume public services in 2008, if the Board so desired, Mr. Cintron affirmed that the situation was corrected and they could resume public services in 2008.

Commissioner Martinez noted he supported all of the foregoing proposed resolution except staff recommendation #3, which authorized the OCED, as part of its loan policy, to extend a portion of the total construction loan as a pre-development loan to perform predevelopment activities, which would be collateralized by the developer's land. He noted in theory, this would accelerate projects but in reality, the projects never get developed.

Mr. Cintron explained that private owners who applied to use the County's fund for pre-development must pledge their land and could lose that land if the development was not completed.

Commissioner Martinez stated he felt it should be done in a manner such as construction draws. He reiterated his only concern was the County would be giving money in advance for a project completed, and the County had been burnt in the past.

Mr. Cintron read two specific comments relating to CASA and the Mortgage Assistance Program that were received during a 30-day comment period following the July 19th Public Hearing. He stated he would like to acknowledge and incorporate these comments into the proposed policy documents. He explained that although the CASA Task Force was not specifically referenced, many of its recommendations were buried within the body of the policy papers.

It was moved by Commissioner Moss that the foregoing proposed resolution be adopted as amended to incorporate a reference to the CASA Task Force into the proposed policy documents; and an amendment to the funding priorities giving priority to applicants of the Mortgage Assistance Program for housing projects currently funded by the County using federal funds. This motion was seconded by Commissioner Edmonson, and prior to the motion being carried by a vote, Commissioner Martinez requested a roll call vote.

FINAL OFFICIAL

Mr. Citron explained that the language in staff's recommendation #3 served as a level of protection from staff's perspective. He stated that he was prepared to remove that language if the policy makers felt it was a risk.

Upon Mr. Citron's comments, Commissioner Moss withdrew his motion and Commissioner Edmonson withdrew her second to the motion.

The Board adopted the foregoing proposed resolution as amended to delete staff recommendation #3, outlined in handwritten page 2 of the County Manager's Memorandum; and to incorporate into the proposed policy papers a reference to the CASA Task Force and an amendment to the funding priorities to give priority to applicants of the Mortgage Assistance Program for housing projects currently funded by the County using federal funds.

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1D

071460 Resolution

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO. 07-00252 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT #07-00252 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$16,800 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2008 THROUGH 2011, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT #07-00252 APPLICATION WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT #07-00252 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT #07-00252 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

Adopted
Resolution R-804-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

5/16/2007 Deferred by the Economic Development and Human Services Committee

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1E

071846 Resolution

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO. 06-00039 AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT #06-00039 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$205,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2008 THROUGH 2015, INCLUSIVE, OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT #06-00039 APPLICATION WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT #06-00039 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT #06-00039 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

Adopted
Resolution R-805-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8K1F

071847 Resolution

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO. 06-00039 AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CHAPTER 2, ARTICLE LXXXVI, AS MODIFIED BY ORDINANCE NO. 02-251; CONFIRMING THAT THE COMMITMENT OF INCENTIVE AWARDS FOR CONFIDENTIAL PROJECT NO. 06-00039 EXISTS; AND PROVIDING AN APPROPRIATION OF UP TO \$1,368,672 FROM GENERAL REVENUE FUNDS FOR FISCAL YEARS 2008 THROUGH 2015 WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 06-00039, UNDER FLORIDA STATUTE 196.1995, REDUCES ANY TARGETED JOBS INCENTIVE FUNDS AWARD TO CONFIDENTIAL PROJECT NO. 06-00039 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

Adopted
Resolution R-806-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

071558 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD FOR THE PROVISION OF DRIVER'S EDUCATION; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Office of Strategic Business Management)

*Adopted
Resolution R-807-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Health and Public Safety Committee

8M PARK AND RECREATION DEPARTMENT

8M1A

071670 Resolution

RESOLUTION AUTHORIZING WAIVER OF FORMAL COMPETITIVE BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B) OF THE CODE OF MIAMI-DADE COUNTY AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; APPROVING AN AGREEMENT WITH FAIRCHILD TROPICAL BOTANIC GARDEN, INC., IN AN AMOUNT NOT TO EXCEED \$777,575.00 FOR A BIOLOGICAL MONITORING PROGRAM FOR MIAMI-DADE COUNTY NATURAL AREA PRESERVES, AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SUCH AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Park & Recreation Department)

*Adopted
Resolution R-808-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/11/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Recreation & Cultural Affairs Committee

8M1B

071733 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TOWN OF CUTLER BAY FOR THE CONVEYANCE OF BEL AIRE, CUTLER RIDGE, FRANJO, LINCOLN CITY PARK #2, SAGA BAY, SAGA LAKE, WHISPERING PINES PARK, AND SAGA BAY HOMEOWNER ASSOCIATION PARCELS AND AUTHORIZING THE EXECUTION OF COUNTY DEEDS FOR THE SAME TO THE TOWN OF CUTLER BAY (Park & Recreation Department)

*Adopted
Resolution R-809-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/11/2007 Carried over Due to Lack of a Quorum by the Recreation & Cultural Affairs Committee

8M3A

071677 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR PARK TRAIL IMPROVEMENTS, PROJECT NO: E05-PARK-01; CONTRACT NO: 999999-05-002-1, PROJECT LOCATION: NORTH MIAMI-DADE GREENWAYS, SOUTH MIAMI-DADE GREENWAYS, LUDLAM/ FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY, BIKE PATHS ADJACENT TO SFWMD CANALS, AND GREENWAYS PARK TRAILHEADS [SEE ORIGINAL VERSION UNDER LEG. FILE NO. 070594] (Park & Recreation Department)

Deferred to July 16, 2007
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

Report: *The foregoing proposed Bid Award was deferred for consideration before the Recreation and Cultural Affairs Committee on July 16, 2007 at 2:00 p.m.*

3/12/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Recreation & Cultural Affairs Committee

6/26/2007 Deferred by the Board of County Commissioners

8M3B

071674 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR PARK TRAIL IMPROVEMENTS, PROJECT NO: E05-PARK-01, CONTRACT NO. 999999-05-002-2, PROJECT LOCATION: NORTH MIAMI-DADE GREENWAYS, SOUTH MIAMI-DADE GREENWAYS, LUDLAM/ FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY, BIKE PATHS ADJACENT TO SFWMD CANALS, AND GREENWAYS PARK TRAILHEADS [SEE ORIGINAL VERSION UNDER LEG. FILE NO. 070594] (Park & Recreation Department)

Deferred to July 16, 2007
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

Report: *The foregoing proposed Bid Award was deferred for consideration before the Recreation and Cultural Affairs Committee on July 16, 2007 at 2:00 p.m.*

3/12/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Recreation & Cultural Affairs Committee

6/26/2007 Deferred by the Board of County Commissioners

8M3C

071655 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR PARK TRAIL IMPROVEMENTS, PROJECT NO: E05-PARK-01; CONTRACT NO: 999999-05-002-3, PROJECT LOCATION: NORTH MIAMI-DADE GREENWAYS, SOUTH MIAMI-DADE GREENWAYS, LUDLAM/ FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY, BIKE PATHS ADJACENT TO SFWMD CANALS, AND GREENWAYS PARK TRAILHEADS [SEE ORIGINAL ITEM UNDER FILE NO. 070594] (Park & Recreation Department)

*Deferred to July 16, 2007
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

Report: *The foregoing proposed Bid Award was deferred for consideration before the Recreation and Cultural Affairs Committee on July 16, 2007 at 2:00 p.m.*

- 3/12/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Recreation & Cultural Affairs Committee*
- 6/26/2007 Deferred by the Board of County Commissioners*

8M3D

071738 Change Orders

RETROACTIVE CHANGE ORDER NO. 3 FOR IVES ESTATES PARK YOUTH BALLFIELD COMPEX, PROJECT NO. 123203-02-001, CONTRACT NO. 123203-02-001, PROJECT LOCATION: 20901 NE 16 AVENUE, MIAMI, FL. 33179 (Park & Recreation Department)

Carried over to July 12, 2007

- 6/11/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Recreation & Cultural Affairs Committee*

8N [No items were submitted for this section.]

80 PROCUREMENT MANAGEMENT DEPARTMENT

801A

071962 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH AVMED INC. D/B/A AVMED HEALTH PLAN(S) TO OBTAIN A SELF-FUNDED MEDICAL PROGRAM, AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN. CONTRACT NO. 559 (Procurement Management Department)

Adopted
Resolution R-810-07
Mover: Natacha Seijas
Seconder: Barbara J. Jordan
Vote: 11-1
No: Gimenez
Absent, OCB: Heyman

Report: *Commissioner Seijas commended the County Manager on negotiating this contract, and stated she felt that County employees deserved to receive the benefit. She asked whether all existing renewal contracts would be cancelled by awarding this contract.*

County Manager George Burgess noted that upon approval of this contract, the County would be awarding a contract to a sole provider of Health Insurance that offered a high and low HMO product and a Point of Service (POS) under one umbrella. He also noted the County would save approximately \$58 million to be re-invested into the plan and provide more affordable health care for dependants, without dipping into its self-insured Trust Funds. Mr. Burgess noted this was strictly a financial savings that would benefit everyone, by allowing budgetary flexibility to the County and savings to employees with no changes to the benefits; that the solicitation process was successful, with a focus on quality and no one protested this proposal. He further noted one vendor, who did not submit a proposal, asked to be included in this process.

Commissioner Seijas noted that she invited Vista Health Plan (VHP) representatives to discuss why they were not included in this contract.

Mr. Peter Joseph, Senior Vice President of Vista Health Plan, noted that VHP insured at least 6,000 County employees. He stated that he supplied a renewal proposal of their existing HMO similar to the JMH plan. Mr. Joseph noted that the proposal was very affordable and lower in price than the self-funded plan that the County hoped to operate under. He noted VHP could re-tier and offer value-added benefits in their plan, including a wellness program and an over-the-counter program. Mr. Joseph asked the Board to consider keeping Vista as an option.

Assistant County Attorney Bonzon advised that a vendor could not be added within the context of the existing process.

Commissioner Gimenez noted he understood that \$33 million of the savings would come from re-tiering no matter who the provider was. He stated that the real issues were provider disruption and the price of the Administrative Overhead (AO). Commissioner Gimenez asked what AVMED's AO price offer was, and whether other proposals were considered for AO costs.

Ms. Marsha Pasquale, Risk Management, noted the amount of savings from re-tiering varied depending on the cost of the program. She noted the recommended proposal included \$48 million for AO over three (3) years. Ms. Pasquale stated the AO price was not scored; however, the claims cost, a main component of the program's pricing, was considered in the evaluation.

County Manager Burgess explained that part of the evaluation criteria included scoring 10% for price. He noted that once the tiering was in place, the County would benefit in savings from being self-insured.

Commissioner Gimenez asked whether it was possible to have negotiated with Signa or the other insurance providers on AO pricing. He noted he felt pricing should have been competitive to save some dollars for the sake of the taxpayers.

County Manager Burgess noted the independent selection committee ranked AVMED as the top insurance provider based on the criteria ranking and

quality of the product. He noted the AO pricing was only 1.6% of the total cost for Health Insurance programs, and outlays were over \$3 million. Mr. Burgess explained this was not a price-driven evaluation, but a high quality product to save a significant amount of money per year to ensure that County departments did not have to make additional allocations from the General Fund to the Health Insurance Trust Fund. He stated that the evaluation points and criteria were based on the Board's direction to staff to ensure a quality product for the employees.

Commissioner Gimenez asked the County Attorney if it was feasible for the County Manager to enter into negotiations with other firms and come back with a recommendation that includes pricing.

Acting County Attorney Cuevas noted that it required the Board's rejection of the proposals before them. He stated that a bid waiver was also required, as well as the County Manager's recommendation and the Board's approval by a 2/3 vote in order to further negotiate.

Commissioner Gimenez questioned why the County Manager would not want that option to save more money.

County Manager Burgess noted they went through a specific RFP process with criteria based on the expectation and directions of the Board. He stated that they achieved savings for the employees, the taxpayers and preserved the quality of the product. County Manager Burgess noted he stood by the Selection Committees' recommendations, and believed they would achieve multiple benefits.

Commissioner Martinez asked whether the savings would be the same if Vista Health Plan was included based on their claim that they were less expensive than the current price.

Manager Burgess explained the benefits of self-insuring and having one risk pool, versus multiple providers.

Ms. Pasquale noted that Vista had the lowest enrollment of employees of all the health plans currently offered by the County. She noted the submitted proposals were premised on the RFP that stated there would only be one provider. Ms. Pasquale noted that the cost offered in the proposals was based on the RFP.

In response to Commissioner Martinez' question regarding United Health Care, Ms. Pasquale noted United Health Care's fee was approximate \$15 million over three (3) years (\$5 million per year). She stated that United Health Care's price was lower than AVMED. Ms. Pasquale noted that the recommendation was not price-driven, but based on quality issues and other factors.

Discussion ensued regarding employees concerns regarding current care under a specialist or provider that may not be covered by AVMED.

During the discussion, a motion was duly made, seconded and carried that tonight's meeting be extended for additional time to complete the agenda.

Ms. Pasquale noted AVMED's proposal included the use of the BEECH STREET provider network with a 99% match. She noted they also committed

FINAL OFFICIAL

they would ensure provisions of continuity for anyone undergoing care with a provider outside of the network to continue that relationship. Ms. Pasquale noted that there were no exclusions for pre-existing conditions or ongoing treatments, and AVMED ensured that they would continue to offer what was currently being offered.

Mr. Miguel De Grandy, attorney representing AVMED, appeared before the Board and noted for the record, that AVMED would continue the care of the provider currently being used.

In response to Commissioner Rolle's question whether all the services/benefits currently provided by vendors were included in this proposed plan, Ms. Pasquale noted their commitment to the Board, the employees and the Labor Unions was to ensure that all of the services currently offered would be covered under the AVMED program.

Commissioner Rolle questioned how many employees responded to the survey. He also asked why this proposal did not come to Committee.

Ms. Pasquale noted about 6,000 out of 28,000 employees responded; which met the 22% response rate for a statistically valid survey. She stated that they requested to go before the Board in an attempt to expedite the communication process and ensure all the details were worked out before the open enrollment process began this fall.

Commissioner Sosa commended everyone who worked on this contract. She stated that being self-insured was very positive and provided the continuity of services as well as taxpayer savings. Commissioner Sosa expressed concern regarding the possibility of employee dependants being uninsured and dependant on Jackson Memorial Hospital. She asked whether the cost of medication would be considered based on terms established in the language on tiers.

Ms. Pasquale noted they negotiated to maintain the same prescription drug co-payments that currently exist and customized the formulary to ensure the same prescriptions remained covered at the same tier that were currently provided.

Commissioner Sosa noted she supported the foregoing recommendation and respected the process but her only concern was that the Board was about to approve a health program for employees that would cost millions more. She asked whether the Board approved the language of the RFP, regarding points for cost of insurance.

Ms. Singer, Director, Procurement Department, noted points were assigned for price but each proposal took an exception to that and qualified their pricing based on the process set forth, and the results were a zero score.

Commissioner Sorenson noted the Board made several policy decisions when approving the RFP. She stated that they endorsed passing the savings on to the employees and decided price would not be the only criteria, but the important issue was to provide quality and the same physicians. Commissioner Sorenson commended the County Manager on his recommendation, and noted the process was very clean, without any pricing issues at the pre-bid conference. She invited those employees who wished to speak on this issue to be recognized.

Chairman Barreiro noted he would allow Commissioners to recognize a specific employee to speak, following this discussion.

Commissioner Diaz noted he was glad that the recommendation ensured the employees a quality plan and the dependant coverage costs would be reduced. He stated he understood that the State of Florida required any health organization under bid to take on anybody at enrollment time.

Chairman Barreiro noted he has supported having one provider and one pool since 1998, and noted that no physician would refuse to contract with a self-insured pool. He noted he felt this issue should be handled one step at a time by first getting into a single pool and then negotiating the fees. Chairman Barreiro stated that the County could renegotiate the Administrative Fee in the future in order to save more money.

It was moved by Commissioner Seijas that the Board approve the foregoing proposed recommendation. This motion was seconded by Commissioner Jordan for further discussion.

Commissioner Moss noted he supported the proposed recommendation and the impending savings that would be provided to the employees. He stated that his primary concern was that existing doctors be included in the plan, and savings be considered in the context of other budgetary concerns.

Chairman Barreiro opened the floor for anyone wishing to speak.

1. Mr. Leon Fuller, Representative, AFSCME Local 199, expressed concern that a current contract with the County would not expire until 2008. He stated that AFSCME believed the County should have entered into negotiations with the union, specifically with issues pertaining to re-tiering.

2. Mr. Zachery Joseph Fields, (address not provided), noted his involvement with 200 plus Labor Union negotiations. He stated that State Law required there be no pre-existing conditions when transferring from a fully-insured plan to self-insured plan. Mr. Fields expressed great concern regarding persons' rights being taken away.

3. Mr. Antonio Eiroa, President, Aviation Union, AFSCME 1542, spoke in support of the foregoing recommendation.

4. Mr. John Rivera, President, Dade County PBA, spoke in support of the foregoing recommendation.

Commissioner Sosa asked the County Attorney to clarify that the County agreed their only obligation regarding union contracts was to provide insurance coverage, and did not guarantee a specific company or coverage.

Assistant County Attorney Lee Kraftchick clarified the County could change the providers anytime they desired, provided the same benefits be provided.

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

801A SUPPLEMENT

072015 Supplement

SUPPLEMENT TO RECOMMENDATION FOR APPROVAL TO AWARD CONTRACT NO. 559 SELF-FUNDED MEDICAL PROGRAM

Accepted
Mover: Natacha Seijas
Seconder: Barbara J. Jordan
Vote: 11-1
No: Gimenez
Absent, OCB: Heyman

8P PUBLIC WORKS DEPARTMENT

8P1A

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)

Carried over to July 12, 2007

5/15/2007 Deferred to next committee meeting by the Governmental Operations and Environment Committee

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1A 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. 8P1A, 8P1B, & 8P1C

Carried over to July 12, 2007

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1B

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)

Carried over to July 12, 2007

5/15/2007 Deferred to next committee meeting by the Governmental Operations and Environment Committee

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1C

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)

Carried over to July 12, 2007

5/15/2007 Deferred to next committee meeting by the Governmental Operations and Environment Committee

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1D

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)

*Adopted
Resolution R-811-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1E

071726 Resolution

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

*Adopted
Resolution R-812-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P1F

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][SEE AGENDA ITEM NO. 8P3B] (Public Works Department)

*Adopted
Resolution R-813-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Governmental Operations and Environment Committee

8P3A

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)

*Approved
Mover: Dorrin D. Rolle
Seconder: Joe A. Martinez
Vote: 8-0
Absent: Edmonson, Sosa,
Sorenson, Souto
Absent, OCB: Heyman*

Report: Note: Pursuant to the County Manager's memorandum entitled "Changes for the July 10, 2007 BCC meeting, the following scrivener errors were noted: on handwritten page 1, the Project Sites Location should read "NE 105 St. to NE 91 Street"; On handwritten Page 2, Contract Period and Contingency Period should read "540 Calendar Days and 54 Calendar Days; On handwritten Page 4, under Background, the first sentence should read "On May 29, 2007, eight (8) engineering firms proffered bids for the referenced project. The lowest bidders price was 4% below the County's base estimate..."

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8P3B

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. 8P1F] (Public Works Department)

Approved
Mover: Dorrin D. Rolle
Seconder: Joe A. Martinez
Vote: 8- 0
Absent: Edmonson, Sosa,
Sorenson, Souto
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8Q [No items were submitted for this section.]

8R WATER AND SEWER DEPARTMENT

8R1A

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)

Adopted
Resolution R-814-07
Mover: Dorrin D. Rolle
Seconder: Joe A. Martinez
Vote: 8- 0
Absent: Edmonson, Sosa,
Sorenson, Souto
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1B

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)

Adopted
Resolution R-815-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1C

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)

*Adopted
Resolution R-816-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1D

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)

*Adopted
Resolution R-817-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1E

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)

*Adopted
Resolution R-818-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1F

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)

*Adopted
Resolution R-819-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R1G

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)

*Adopted
Resolution R-820-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R3A

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 (Water & Sewer Department)

Carried over to July 12, 2007

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

8R3B

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 (Water & Sewer Department)

Carried over to July 12, 2007

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

9 ADDITIONAL DEPARTMENTAL ITEMS

9A9A

071783 Resolution

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 FOR EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MIAMI DADE COLLEGE SCHOOL OF JUSTICE AND SAFETY ADMINISTRATION, TO PROVIDE CORRECTIONAL OFFICER TRAINING FOR THE MIAMI-DADE COUNTY CORRECTIONS AND REHABILITATION DEPARTMENT AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN (Corrections & Rehabilitation Department)

*Adopted
Resolution R-821-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Health and Public Safety Committee

9A17A

071779 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COLLEGE FOR USE OF FIRE COLLEGE TRAINING FACILITIES (Miami-Dade Fire and Rescue Department)

*Adopted
Resolution R-822-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Health and Public Safety Committee

9A17B

071780 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE MEMORANDUMS OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FIRE DEPARTMENT, CITY OF MIRAMAR POLICE DEPARTMENT AND PALM BEACH COUNTY FIRE RESCUE DEPARTMENT TO SHARE PERSONNEL IN THE EVENT OF A FEDERAL/STATE ACTIVATION (Miami-Dade Fire and Rescue Department)

*Adopted
Resolution R-823-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Health and Public Safety Committee

10**AUTHORITIES, BOARDS, COUNCILS AND TRUSTS**

10B1A

071692 Resolution

RESOLUTION AUTHORIZING THE APPROVAL OF TWENTY-EIGHT (28) GRANTS FROM THE DEPARTMENT OF CULTURAL AFFAIRS FY 2006-2007 COMMUNITY GRANTS PROGRAM – FOURTH QUARTER ACTING FOR ALL, INC.; ALGO NUEVO, INC.; ARTS AT ST. JOHNS, INC. A/F/A PROJECT COPERNICUS; ARTS AT ST. JOHNS, INC. A/F/A RHYTHMIC RAPTURE; BISCAYNE FOUNDATION, INC., THE; CARIBBEAN CULTURAL CONNECTIONS, INC.; CITY OF DORAL; CITY OF HOMESTEAD - PARKS AND RECREATION DEPARTMENT; CITY OF WEST MIAMI; CUBAN THEATER FOLKLORE HERITAGE, INC.; HAITIANS UNITED FOR PROGRESS, INC.; HISPANIC-AMERICAN LYRIC THEATRE A/F/A FOR GIRALDILLA GROUP, INC.; HISPANIC-AMERICAN LYRIC THEATRE A/F/A FOR LATIN AMERICAN CENTER OF NEW MUSIC; HISPANIC-AMERICAN LYRIC THEATRE, INC. A/F/A FOR EDITORIAL CUBANA; HISPANIC-AMERICAN LYRIC THEATRE, INC. A/F/A FOR MIAMI PIANO CIRCLE, INC.; HISPANIC-AMERICAN LYRIC THEATRE, INC. A/F/A FOR TEATRO FLAMENCO CARMEN RUBIO; INSTITUTO DE CULTURAL PERUANA, INC.; KEY BISCAYNE 4TH OF JULY PARADE COMMITTEE, INC.; LITTLE HAITI HOUSING ASSOCIATION, INC.; MIAMI BEACH CULTURAL ARTS ALLIANCE, INC.; MIAMI LIGHT PROJECT, INC. A/F/A FOR BETTY ROSADO'S "LIKE MINDS"; MIAMI SHORT FILM FESTIVAL; MIAMI-DADE COUNTY ASIAN AMERICAN ADVISORY BOARD; SOSYETE KOUKOUY, INC. A/F/A FOR HAITIAN AMERICAN YOUTH ORGANIZATION, INC.; TEMPLE ISRAEL OF GREATER MIAMI, INC.; UNCONSERVATORY, INC., THE A/F/A THE FIRE HAUS PROJECTS; UNIVERSAL HERITAGE INSTITUTE, INC.; UNIVERSAL HERITAGE INSTITUTE, INC. A/F/A FOR PAKISTANI AMERICAN CULTURAL SOCIETY, INC. AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Cultural Affairs Council)

*Adopted
Resolution R-824-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/11/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Recreation & Cultural Affairs Committee

11 COUNTY COMMISSION

11A RESOLUTIONS

FINAL OFFICIAL

11A1

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

*Adopted
Resolution R-825-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

11A2

071920 Resolution Dennis C. Moss

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO APPROVE THE EXTENSION OF TIME FOR MIAMI-DADE COUNTY TO ENFORCE ITS DEED REVERTER ON LAND TRANSFERRED FROM MIAMI-DADE COUNTY TO SOUTH MIAMI HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC., FOR DEVELOPMENT OF FORTY-FIVE (45) AFFORDABLE SINGLE FAMILY HOUSING UNITS; AND AUTHORIZING THE COUNTY MANAGER TO ACCEPT A QUIT CLAIM DEED FOR THE LAND PENDING MEETING THE EXTENSION OF TIME

*Adopted
Resolution R-826-07
Mover: Dennis C. Moss
Seconder: Dorrin D. Rolle
Vote: 7- 1
No: Martinez
Absent: Edmonson, Sosa, Sorenson, Souto
Absent, OCB: Heyman*

Report: *Commissioner Martinez expressed concern with extending the reverted clause on this land and allocating funds to South Miami Heights Community Development Corporation for a predevelopment loan to develop affordable housing when this company had done nothing since their first agreement in 1998.*

Commissioner Moss noted some of the funding provided to this Corporation was used for infrastructure to prepare the area for the project. He also noted he would have opposed this resolution had it not been for the fact that this organization had built a 16-unit affordable housing project named Pecks Landing in the same area; and that the deed included a reverter clause that would revert the land back to the County if they did not proceed with the development of this project. Commissioner Moss noted there were other issues that contributed to the delay of this project as well.

In response to Commissioner Martinez comments, Commissioner Moss pointed out that this would not be giving additional monies to the organization but would be extending the time to allow them to move forward with the project.

6/19/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

11A3

071936 Resolution Barbara J. Jordan

RESOLUTION DIRECTING COUNTY MANAGER TO IDENTIFY UNDEVELOPED AND DEVELOPED SITES AVAILABLE FOR ACQUISITION BY COUNTY FOR CONSTRUCTION AND/OR REHABILITATION OF AFFORDABLE RENTAL MULTI-FAMILY HOUSING UNITS TO BE OWNED BY THE COUNTY; DIRECTING COUNTY MANAGER TO IDENTIFY LEGALLY AVAILABLE FUNDS FOR RENTAL ASSISTANCE TO EXTREMELY LOW INCOME, VERY LOW INCOME AND LOW INCOME TENANTS; AND AUTHORIZING COUNTY MANAGER TO PREPARE REQUEST FOR PROPOSALS TO SOLICIT PROPOSALS FROM DEVELOPERS FOR CONSTRUCTION OR REHABILITATION OF SUCH MULTI-FAMILY UNITS [SEE ORIGINAL ITEM UNDER FILE NO. 071819]

Adopted
Resolution R-827-07
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

11A4

071935 Resolution Barbara J. Jordan

RESOLUTION AMENDING RESOLUTION NO. R-735-07 RELATED TO AFFORDABLE HOMEOWNERSHIP PROGRAM TO DIRECT COUNTY MANAGER TO IDENTIFY SITES AVAILABLE FOR PURCHASE BY COUNTY FOR DEVELOPMENT OF AFFORDABLE SINGLE FAMILY AND MULTI-FAMILY HOMES AND TO AUTHORIZE COUNTY MANAGER TO PREPARE REQUEST FOR PROPOSALS TO SOLICIT PROPOSALS FROM DEVELOPERS FOR CONSTRUCTION AND/OR RENOVATION OF SUCH HOMES [SEE ORIGINAL ITEM UNDER FILE NO. 071818]

Adopted
Resolution R-828-07
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development and Human Services Committee

11A5

071653 Resolution Dorrin D. Rolle,
Audrey M. Edmonson

RESOLUTION REQUESTING THE MAYOR TO DIRECT COUNTY DEPARTMENTS TO UTILIZE THE MIAMI TIMES NEWSPAPER TO ADEQUATELY NOTIFY THE COMMUNITY ABOUT GOVERNMENT MEETINGS, ACTIVITIES, LEGISLATION AND OPPORTUNITIES

Adopted
Resolution R-829-07
Mover: Carlos A. Gimenez
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Edmonson, Sorenson,
Souto
Absent, OCB: Heyman

Report: Note: Pursuant to the County Manager's memorandum entitled "Changes for the July 10, 2007 BCC meeting, a scrivener's error was noted in the subject of the cover memorandum pertaining to the foregoing resolution that should read: "Resolution relating to utilizing The Miami Times

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Airport and Tourism Committee

11A7 AMENDED

072242

Resolution

Dennis C. Moss,
Bruno A. Barreiro,
Audrey M. Edmonson,
Sally A. Heyman,
Joe A. Martinez,
Dorrin D. Rolle,
Rebeca Sosa,
Sen. Javier D. Souto

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 [SEE ORIGINAL ITEM UNDER FILE NO. 071667]

Adopted as amended
Resolution R-831-07
Mover: Dennis C. Moss
Secunder: Joe A. Martinez
Vote: 9-1
No: Sorenson
Absent: Edmonson, Gimenez
Absent, OCB: Heyman

Report: Assistant County Attorney David Hope read into the record the following amendments to the foregoing proposed resolution: to delete the language "in pari-mutual facility" from the title of the ballot question and replace it with the language "...limited to existing Horse and Dog Tracks and Jai Alai Frontons"; and delete the language "in pari-mutual facility" in the body of the ballot question and replace it with the language "...at existing Horse and Dog Tracks and Jai Alai Frontons...."

Commissioner Sorenson expressed opposition to this ordinance, in that gambling generally targets the poor. Commissioner Sorenson noted that Broward County had not met its projections concerning gambling machines, and suspected that Dade County probably would do the same. She stated that the County would be violating many of the recommendations made by the National Gambling Impact Committee. Commissioner Sorenson also noted that slot machines usually attracted locals, not visitors.

Commissioner Sorenson referred to an editorial in today's Miami Herald from a respected citizen who stated that slot machines seriously increased the livelihood of pathological gambling problems. She stated she felt this ordinance would not respond to any economic need nor benefit this community in anyway.

Commissioner Diaz concurred with Commissioner Sorenson's comments; however, he supported this ordinance because he felt that the additional revenue to the County outweighed the negatives.

Commissioner Moss questioned what the agreed percentages of revenues to be generated by slot machines would go to the County.

Assistant County Attorney Jess McCarty noted the State of Florida imposed a 50% tax on gambling to fund education statewide. He stated that the terms of the agreement were 30 years with a one time 30-year renewal that provided 1.5% of the revenues generated by slot machines would go to the County's General Fund.

Commissioner Seijas asked if the term "existing" in the language of the ballot question meant the facility had to be active. She noted that the County's Dog Track facility was not an active facility; however, the Hialeah Race Track was excluded from this contract.

Assistant County Attorney Hope advised that based on the statewide Constitutional Amendment, the Hialeah Race Track did not qualify. Lobbyist Ron Book clarified that the language in the Constitutional Amendment limited slot machines to those facilities with an active permit. He stated that Hialeah was excluded because its permit had lapsed. Mr. Book noted that pending legislature's approval of video lottery terminals (similar to slot machines), Hialeah would be included if its permit was renewed.

Commissioner Moss stated he wished Hialeah could have been included. He urged the County lobbyists to find a way to include Hialeah if this ordinance was approved. Despite its negative aspect, gambling was a universal occurrence, which the County was not seeing any benefits, Commissioner Moss noted. He stated the County's facilities and clientele were aging and he felt slot machines would help attract additional patrons and create additional opportunities for development and jobs.

11A11

071963

Resolution

Rebeca Sosa

RESOLUTION DIRECTING COUNTY MANAGER TO PROVIDE THE COUNTY COMMISSION WITH A "RED-FLAG REPORT" EVERY SIXTY DAYS REGARDING CONTRACTS, PROJECTS, PROGRAMS AND INITIATIVES FUNDED IN WHOLE OR IN PART BY THE COUNTY WHICH ARE AT RISK

Adopted

Resolution R-835-07

Mover: Jose "Pepe" Diaz

Seconder: Carlos A. Gimenez

Vote: 12- 0

Absent, OCB: Heyman

6/26/2007 4 Day Rule Invoked by the Board of County Commissioners

FINAL OFFICIAL

11A12

071663

Resolution

Sen. Javier D. Souto

RESOLUTION DIRECTING THE VIZCAYA MUSEUM AND GARDENS TRUST, A COUNTY ENTITY, TO RESCIND ITS RESOLUTION 079217 WHICH, WITHOUT PERMISSION OF THE BOARD OF COUNTY COMMISSIONERS, ENCOURAGED THE VIZCAYANS, INC. TO PROSECUTE A LAWSUIT AGAINST A ZONING DECISION OF THE CITY OF MIAMI AND AGREED TO ALLOW THE VIZCAYANS, INC. TO CREDIT ITS LITIGATION EXPENSES AGAINST MONEYS OWED TO THE TRUST

Adopted

Resolution R-836-07

Mover: Sen. Javier D. Souto

Second: Joe A. Martinez

Vote: 10- 2

No: Gimenez, Sorenson

Absent, OCB: Heyman

Report: *Commissioner Souto noted the foregoing resolution was a response to an action made by the Vizcaya Museum and Garden Trust. He noted the Board took a position with regards to the Trust, who violated their agreement with the County.*

Commissioner Gimenez noted at Committee level, there was no quorum, no public participation or discussion regarding the issues of Vizcayans. He expressed support of this resolution in terms of not allowing a credit towards funds that should be used for advancing improvements. He stated that the Vizcayans were a private entity and had the right to do what they wanted. Commissioner Gimenez suggested that the proper course would be to refer this resolution back to Committee for a public process to discuss this matter.

Commissioner Sorenson noted the Vizcayans were well-intended citizens' who cared about the Vizcaya facility; and this Board should come to terms without an adversarial situation. She supported referring this item back to committee for discussion.

Commissioner Martinez noted this resolution was an attempt to rescind their resolution and prevent them from doing this in the future. He questioned how they made a decision to use taxpayers' money to offset funds owed to them and asked how the Trust received funds.

Assistant County Manager Ian Yorty noted the Trust received funds through revenues generated by proprietary departments, as well as a portion of taxes to operate the Vizcaya Museum and Gardens. He noted the monies referred to in this resolution were provided to the Trust by the Vizcayans, and not necessarily part of the budgeted funds approved by this Board for the Museum. Assistant County Manager Yorty noted their resolution allowed for the Vizcayans to credit the private fundraising monies generated for the Trust to be used as a credit for litigation expenses.

In response to Commissioner Martinez question whether this action was consistent with the Vizcaya Board bylaws, Assistant County Attorney Tom Logue noted that was the Board's decision to make today. He stated this Trust was one of the more independent, empowered lower-leveled boards with the power to sue and be sued. Assistant County Attorney Logue noted it could be inferred that a County policy existed which lower leveled boards should not bring these types of law suits without the Board's approval. He also stated that a resolution was passed regarding this matter, which could be interpreted that the County would abide by the decisions of the Trust.

Commissioner Souto noted the Trust's actions might have been legal; but felt they were unethical in going against the County's policies.

Commissioner Seijas noted she could support this resolution; however, she felt the last sentence in the memorandum was too punitive and suggested Commissioner Souto consider removing that language.

Discussion ensued between Commissioner Edmonson and Assistant County Attorney Logue regarding whether a conflict of interest and a violation of the Sunshine Law existed for some Vizcayan Board of Director Members who also served on the Vizcaya Trust.

Commissioner Edmonson asked Assistant County Attorney Tom Logue to prepare legislation amending the existing Vizcaya Ordinance to address

FINAL OFFICIAL

conflicts of interest with members serving on both the Vizcayan, Inc Board of Directors and the Vizcaya Trust.

Commissioner Gimenez noted he recalled the Board's position was that they could go before the City as property owners to raise objections; but once the City took their position, than the Board had to abide by it.

In response to Commissioner Moss' question regarding what the City's position was and whether the Board should abide by it, Assistant County Attorney Logue noted the City approved the development, and the Board should abide by it. However, the Trust asked a private support group to bring a lawsuit, and then agreed to credit the litigation expenses against money owed to them by that group, he noted. Assistant County Attorney Logue noted that their action could be interpreted in many ways.

Acting County Attorney Cuevas noted that the Board instructed his office and staff to abide by the City's decision and to not take any action to challenge it.

Chairman Barreiro noted he felt the Board had no control over the actions of an independent body, however, to credit the litigation expense of an independent body to the Trust fund was wrong. He stated that getting the Trust involved is what made it an issue.

Commissioner Gimenez pointed out that Commissioners sit on various Boards, and the opinion of the Ethics Commission says there is no conflict. He noted this was Vizcayan money to be credited for litigation fees, and not the County's. He asked whether the County Attorney (CA) or the Trust was involved in this lawsuit.

Acting County Attorney Cuevas noted the CA was not involved. He stated that the Trust was not lending their name but urging another entity to go forward with this lawsuit. Acting County Attorney Cuevas noted that the Trust was giving a credit against monies owed them.

Commissioner Gimenez noted he believed the Vizcayan Board had the right to go forward with a law suit; but did not believe their legal fees should be credited against what they owed to the Trust. He stated he would not support this resolution because he felt this could be resolved without going back to committee. Commissioner Gimenez noted he would be willing to support all monies owed from the Vizcayans that are raised in this lawsuit to be used only for events and improvements on the property of the Vizcayan Museum and Gardens.

Commissioner Martinez questioned whether the Vizcayans would have any standing in this particular law suit had the Trust not empowered them to do so, since they were not the property owners.

Assistant County Attorney Logue noted it was a grey area, with argument for both sides, and needed a court ruling.

Commissioner Sorenson questioned asked how much money had the Vizcayans raised for the Trust over the years.

Mr. Joel Hoffman, Executive Director, Vizcayan Museum and Gardens, noted that the Vizcayans raised approximately \$1,347,000 in the last contract, exceeding their contractual agreement. He also noted their mission was to

raise funds for the preservation and support of Vizcaya Museum and Gardens.

Commissioner Sorenson noted they met their minimal contract requirement every year, and any overage was spent on Vizcaya issues. She noted this was a public asset, and the County should defend it. She requested that the individuals present who wished to speak on this matter, be allowed to if this item were not referred back to Committee for discussion.

Chairman Barreiro noted this was not a public hearing but he would allow a specific question be answered by a specific person.

Mr. Jeffery Reiner, Chairperson of the Vizcayan Trust, appeared before the Board and noted the Trust's intentions were not to go against the County. He stated that in this case, both national and local organizations were opposed to the construction of City buildings to be erected near Vizcaya; and there was concern regarding the impact and preservation of Vizcaya. Mr. Reiner noted that the Trust initially wanted a full discussion regarding the impact to Vizcaya, but then decided to concur with the Vizcayans Special Preservation Committees' recommendation to take steps to protect Vizcaya. He stated that the Trust agreed "in concept" that the Vizcayans would receive credit for litigation fees, subject to approval during the budgetary review, amendment and approval process.

Mr. Reiner noted the Vizcayans exceeded this year's contractual obligation and no monies went towards litigation. He noted the Trust was taking care of their fiduciary obligations as a policy entity to represent the City, County and what the Trust supports to be in the best interest of Miami-Dade County and Vizcaya. Mr. Reiner noted that he believed the Trust would support the Board amending this resolution to delete the Credit portion; but as a policy making entity, the Trust gave its opinion and was within its rights and consistent with other organizations regarding large buildings in close proximity to Vizcaya. He noted, however, that they would stand behind the Board's decision.

Mr. Jorge Lopez, 1889 S. Bayshore, Vizcayan Trust Member, noted a minority of the Trust members were non-Vizcayans. He stated there was a lengthy debate and five members voted against the subject resolution. Mr. Lopez noted a motion was taken to have the BCC offer further guidance, but that motion failed. He stated that he tendered his resignation because he felt the Trust took a position as a whole that was inconsistent with the BCC. Mr. Lopez expressed support for the proposed resolution but was willing to work with his colleagues on the Trust to improve Vizcaya. He stated when the original Trust was created, there were a limited number of Vizcayans for a purpose. Mr. Lopez noted that this foregoing resolution would not be before this Board today had the Vizcayans recused themselves from voting on the resolution.

Following Commissioner Moss' comments that he would like to see this matter be resolved by the Trust, Mr. Lopez noted that was possible and he would relate the concerns of the Commission members to the Trust.

In response to Commissioner Seijas' question whether any Building Better Communities-Government Obligation Bond (GOB) funds were allocated for Vizcaya, Assistant County Manager Yorty noted approximately \$50 million in GOB funds were allocated.

Commissioner Seijas noted her primary concern was the credit for the legal fees, which she felt did not seem appropriate for this highly respected group to engage themselves in. She noted she was in support of Commissioner Souto but also supported further discussion at Committee or to allow further negotiations.

Commissioner Sosa noted she would support Commissioner Souto's resolution unless this was negotiated with the Trust.

In response to Commissioner Diaz' question regarding the last vote by the Trust on their resolution, Mr. Jeffery noted the initial vote was 8-5; and the mover of the motion did not move to change the resolution. He stated he thought this could be resolved favorably, but noted the Trust members needed a 3-day notice to meet and discuss this issue.

Commissioner Diaz noted that he would like the Trust to respect the position of the Board, which created them. He stated he would support the Trust negotiating this issue on Thursday, July 12, before the Board of County Commissioners.

Mr. Lopez noted the Trust needed guidance on whether the issue was the Credit or the concurrence with the law suit, if this resolution was referred back to the Trust.

Commissioner Souto noted this was a matter of principle and respect for the BCC, who created the Trust. He noted the BCC took a position to respect the decision made by the City of Miami, and he would like to move forward with the foregoing resolution.

In response to Commissioner Seijas' question to Commissioner Souto whether he would consider eliminating the last sentence in his memorandum as an amendment; Commissioner Souto stated that he would not.

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

6/11/2007 Carried over Due to Lack of a Quorum by the Recreation & Cultural Affairs Committee

6/26/2007 4 Day Rule Invoked by the Board of County Commissioners

11A13

071664	Resolution	Joe A. Martinez
	RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE JUNE 30, 2007 AND JULY 1, 2007 CHILDREN'S TRUST 2007 FAMILY EXPO SPONSORED BY THE CHILDREN'S TRUST, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$5,152.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND	<p><i>Adopted</i> Resolution R-837-07 Mover: Joe A. Martinez Seconder: Barbara J. Jordan Vote: 9- 1 No: Seijas Absent: Sorenson, Souto Absent, OCB: Heyman</p>

6/14/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Health and Public Safety Committee

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11A14

071508 Resolution Sen. Javier D. Souto

RESOLUTION DIRECTING THE COUNTY MANAGER TO STUDY THE FEASIBILITY, ADVISABILITY, AND COSTS ASSOCIATED WITH ESTABLISHING A "CITIZENS ON PATROL PROGRAM"

Deferred to July 24, 2007
Mover: Natacha Seijas
Second: Barbara J. Jordan
Vote: 8-0
Absent: Edmonson, Sosa, Sorenson, Souto
Absent, OCB: Heyman

Report: *The foregoing proposed resolution was deferred for consideration before the July 24th Board of County Commission meeting, at that request of Commissioner Seijas.*

Chairman Barreiro asked Commissioner Seijas to put in writing the issues that needed to be discussed.

6/14/2007 *Forwarded to the BCC by the Chairperson due to lack of a quorum from the Health and Public Safety Committee*

11A15

071658 Resolution Audrey M. Edmonson

RESOLUTION DIRECTING THE COUNTY MANAGER TO PREPARE A PLAN FOR THE ENFORCEMENT OF CRIMINAL LAWS IN AND AROUND PUBLIC HOUSING PROPERTIES FOR THE BENEFIT OF PUBLIC HOUSING RESIDENTS AND THE PUBLIC

Adopted
Resolution R-838-07
Mover: Jose "Pepe" Diaz
Second: Carlos A. Gimenez
Vote: 12-0
Absent, OCB: Heyman

6/14/2007 *Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Health and Public Safety Committee*

6/19/2007 *Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee*

11A16

071680 Resolution
Dorin D. Rolle,
Sen. Javier D. Souto

RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP AND IMPLEMENT A PILOT TRANS FAT-FREE MENU ITEM DECAL PROGRAM

Adopted
Resolution R-839-07
Mover: Jose "Pepe" Diaz
Second: Carlos A. Gimenez
Vote: 12-0
Absent, OCB: Heyman

6/14/2007 *Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Health and Public Safety Committee*

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11A17

071590 Resolution Rebeca Sosa

RESOLUTION URGING MUNICIPAL POLICE DEPARTMENTS WITHIN MIAMI-DADE COUNTY DESIGNATE AT LEAST ONE SWORN OFFICER TO ACT AS A LIAISON WITH THE STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES TO COORDINATE INVESTIGATIONS REGARDING INCIDENTS OF ALLEGED ABUSE OF THE ELDERLY

*Adopted
Resolution R-840-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

6/14/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Health and Public Safety Committee

11A18

072042 Resolution Natacha Seijas

RESOLUTION APPROVING THE ALLOCATION OF FY 2006-2007 DISTRICT 13 OFFICE BUDGET FUNDS

*Adopted
Resolution R-841-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman*

11A19

072066 Resolution Bruno A. Barreiro, Audrey M. Edmonson

RESOLUTION APPROVING THE AMENDED AND RESTATED LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY, LESSOR, AND LESSEE, VILLA AURORA, INC., A FLORIDA-NOT-FOR PROFIT CORPORATION (A SINGLE ASSET AFFILIATE OF CARRFOUR SUPPORTIVE HOUSING, INC, A FLORIDA NOT-FOR-PROFIT CORPORATION) FOR THE PROVISION OF AFFORDABLE HOUSING, HOUSING FOR THE FORMERLY HOMELESS, AND SPACE FOR THE HISPANIC BRANCH OF THE MIAMI-DADE PUBLIC LIBRARY SYSTEM; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SUCH LEASE AGREEMENT WHICH MODIFIES PREVIOUSLY APPROVED LEASE AGREEMENTS PURSUANT TO COUNTY RESOLUTIONS R-395-05, R-1060-01 AND R-267-01 TO MAKE AMENDMENTS IN CONNECTION WITH THE REQUIREMENTS OF THE TAX CREDIT FINANCING WHICH IS PROVIDING FUNDING FOR PORTIONS OF THIS PROJECT, AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS, AMENDMENTS, ASSIGNMENTS, CERTIFICATIONS, SUB-SUBLEASES, AND EXTENSIONS CONTEMPLATED IN AND BY THE LEASE, AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN

Withdrawn

Report: (See Agenda Item 11A19 Substitute; Legislative File No. 072143)

11A19 SUBSTITUTE

072143

Resolution

Bruno A. Barreiro

RESOLUTION APPROVING THE AMENDED AND RESTATED LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY, LESSOR, AND LESSEE, VILLA AURORA, INC., A FLORIDA-NOT-FOR PROFIT CORPORATION (A SINGLE ASSET AFFILIATE OF CARRFOUR SUPPORTIVE HOUSING, INC, A FLORIDA NOT-FOR-PROFIT CORPORATION) FOR THE PROVISION OF AFFORDABLE HOUSING, HOUSING FOR THE FORMERLY HOMELESS, AND SPACE FOR THE HISPANIC BRANCH OF THE MIAMI-DADE PUBLIC LIBRARY SYSTEM; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SUCH LEASE AGREEMENT WHICH MODIFIES PREVIOUSLY APPROVED LEASE AGREEMENTS PURSUANT TO COUNTY RESOLUTIONS R-395-05, R-1060-01 AND R-267-01 TO MAKE AMENDMENTS IN CONNECTION WITH THE REQUIREMENTS OF THE TAX CREDIT FINANCING WHICH IS PROVIDING FUNDING FOR PORTIONS OF THIS PROJECT, AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS, AMENDMENTS, ASSIGNMENTS, CERTIFICATIONS, SUB-SUBLEASES, AND EXTENSIONS CONTEMPLATED IN AND BY THE LEASE, AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 072066]

*Adopted**Resolution R-842-07**Mover: Jose "Pepe" Diaz**Seconder: Carlos A. Gimenez**Vote: 12- 0**Absent, OCB: Heyman***11B ADDITIONAL BUDGET ALLOCATIONS****12 COUNTY MANAGER**

12A1

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)

*Adopted**Resolution R-843-07**Mover: Natacha Seijas**Seconder: Joe A. Martinez**Vote: 11- 0**Absent: Sorenson**Absent, OCB: Heyman*

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

12A2

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 [SEE ORIGINAL ITEM UNDER FILE NO. 071852] (County Manager)

Adopted
Resolution R-844-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/12/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

12A3

072030 Resolution

RESOLUTION RELATED TO NORTH TERMINAL DEVELOPMENT PROJECTS AT MIAMI INTERNATIONAL AIRPORT; APPROVING AGREEMENT FOR SETTLEMENT, RELEASE AND WAIVER OF CLAIMS BETWEEN MIAMI-DADE COUNTY, AMERICAN AIRLINES, INC., ADVANCED ROOFING, INC., AND TURNER CONSTRUCTION COMPANY AND AUSTIN COMMERCIAL, INC. AND ITS SURETIES FOR PROJECTS 737G, 741E, 745E, AND 745B; AND AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT AND EXERCISE ANY PROVISIONS CONTAINED THEREIN (County Manager, County Attorney)

Adopted
Resolution R-845-07
Mover: Dorrin D. Rolle
Seconder: Joe A. Martinez
Vote: 8- 0
Absent: Edmonson, Sosa, Sorenson, Souto
Absent, OCB: Heyman

12A4

071899 Resolution

RESOLUTION RELATING TO NORTH TERMINAL DEVELOPMENT PROJECTS AT MIAMI INTERNATIONAL AIRPORT; APPROVING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY, AMERICAN AIRLINES, INC., AND FISK ELECTRIC COMPANY IN CONNECTION WITH FISK'S WORK ON PROJECTS 737G, 739F AND 739C-3, AND MDAD-ITB 02-03; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY (County Manager, County Attorney)

Adopted
Resolution R-846-07
Mover: Carlos A. Gimenez
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Edmonson, Sorenson, Souto
Absent, OCB: Heyman

Report: *Commissioner Jordan commended staff for working on the settlement agreement between the County and FISK Electric Company. She asked that staff state for the record whether they resolved the issue concerning an additional \$500,000 included in the agreement.*

Unknown Speaker, representing FISK Electric Company, noted they resolved that issue with staff and agreed to an additional \$500,000 makeup in the DBD and CSBE established goals.

6/26/2007 Deferred by the Board of County Commissioners

12A5

072028 Resolution

RESOLUTION APPROVING AGREEMENT IN THE AMOUNT OF \$10,721,000 FOR SETTLEMENT OF FOUR LAWSUITS AMONG AND BETWEEN MIAMI-DADE COUNTY, TURNER CONSTRUCTION CO. AND AUSTIN COMMERCIAL, INC., D/B/A TURNER-AUSTIN AIRPORT TEAM, AMERICAN AIRLINES, INC., GRAY CONSTRUCTION & ASSOCIATES, INC., AND CENTENNIAL INSURANCE COMPANY, FEDERAL INSURANCE COMPANY, ZURICH AMERICAN INSURANCE COMPANY, TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, AND FIDELITY AND DEPOSIT COMPANY OF MARYLAND, RELATING TO WORK FOR NORTH TERMINAL DEVELOPMENT PROJECT NOS. 737C, 737G, 745E, AND 768A, AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO IMPLEMENT THE AGREEMENT, SUBJECT TO APPROVAL OF COUNTY ATTORNEY AS TO LEGAL SUFFICIENCY (County Manager, County Attorney)

Adopted
Resolution R-847-07
Mover: Joe A. Martinez
Second: Dorrin D. Rolle
Vote: 12- 0
Absent, OCB: Heyman

12B1

071742 Report

2007 ANNUAL REPORT ON COMMUNITY DEVELOPMENT DISTRICTS (County Manager)

Accepted
Mover: Dennis C. Moss
Second: Barbara J. Jordan
Vote: 8- 0
Absent: Edmonson, Sosa,
Sorenson, Souto
Absent, OCB: Heyman

6/12/2007 Report Received by the Governmental Operations and Environment Committee

12B2

071871 Report

OVERVIEW OF THE SOCIO-ECONOMIC CONDITION OF MIAMI-DADE COUNTY (County Manager)

Accepted
Mover: Jose "Pepe" Diaz
Second: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Forwarded to BCC from the Economic Development and Human Services Committee

12B3

071772 Report

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

Accepted
Mover: Jose "Pepe" Diaz
Second: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/12/2007 Report Received by the Governmental Operations and Environment Committee

12B3 SUPPLEMENT

072125 Supplement

SUPPLEMENTAL REPORT RE: ITEM 12B3 - "BUILDING BETTER COMMUNITIES BOND PROGRAM QUARTERLY STATUS REPORT - SECOND QUARTER FY 07 (JANUARY - MARCH 2007)"

Accepted

12B4

071943 Report

REPORT: AUTHORIZED NEGOTIATIONS AND SETTLEMENTS OF ENFORCEMENT ACTIONS ORF VIOLATIONS AGAINST MIAMI-DADE COUNTY RESULTING FROM THE OPERATION OF THE COUNTY'S WATER AND SEWER SYSTEM (County Manager)

Accepted
Mover: Dorrin D. Rolle
Seconder: Natacha Seijas
Vote: 10- 0
Absent: Sorenson, Souto
Absent, OCB: Heyman

12B5

071364 Report

TAXICAB STUDY FINAL REPORT (County Manager)

Accepted
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

5/16/2007 Deferred to next committee meeting by the Economic Development and Human Services Committee

6/19/2007 Report Received by the Economic Development and Human Services Committee

12B6

071809 Report

REPORT ON HOMEOWNERSHIP OPPORTUNITIES FOR VERY LOW, LOW, AND MODERATE INCOME FAMILIES PILOT PROGRAM (County Manager)

Accepted
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

6/19/2007 Report Received by the Economic Development and Human Services Committee

13

COUNTY ATTORNEY

13A1

071964 Resolution

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN CONNECTION WITH THE ACQUISITION OF A PERMANENT AERIAL EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT NEEDED FOR ROADWAY CONSTRUCTION FOR ROADWAY IMPROVEMENTS TO N.W. 97 AVENUE, FROM FONTAINEBLEAU BOULEVARD TO NORTH OF N.W. 14 STREET, IN MIAMI-DADE COUNTY, FLORIDA (County Attorney)

Carried over to July 12, 2007

Report: *Commissioners Martinez noted for the record that he could not support this item because of the discrepancies between the County's appraisal versus the owner's (CSX) appraisal, as outlined in handwritten page 5 of the foregoing proposed resolution, and stated he would vote No, when this item was considered.*

Commissioner Diaz and Sosa noted they would also vote No when this item was considered.

14**ITEMS SUBJECT TO 4-DAY RULE**

14A1

072069 Ordinance

ORDINANCE RELATING TO RULES AND REGULATIONS OF THE MIAMI-DADE AVIATION DEPARTMENT; AMENDING SECTIONS 25-4.1(F)(4) AND (5) OF THE MIAMI-DADE COUNTY CODE TO INCREASE THE MAXIMUM AMOUNT OF THE CUSTOMER FACILITY CHARGE THAT RENTAL CAR COMPANIES OPERATING AT MIAMI INTERNATIONAL AIRPORT MUST COLLECT FROM CUSTOMERS DURING THE PERIOD OF TIME THAT PRECEDES COMPLETION OF THE RENTAL CAR FACILITY, AND TO PROVIDE FOR AN INCREASE OR DECREASE IN THE CUSTOMER FACILITY CHARGE TO BE COLLECTED FOLLOWING COMPLETION OF THE RENTAL CAR FACILITY BASED ON THE LEVEL OF THE COUNTY'S PAYMENT OBLIGATIONS FOR DEBT SERVICE AND OPERATIONAL COSTS OF THE RENTAL CAR FACILITY; AUTHORIZING AVIATION DEPARTMENT TO AMEND THE APPLICABLE OPERATIONAL DIRECTIVE TO INCORPORATE SUCH CHANGES IN THE CUSTOMER FACILITY CHARGE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO 3E] (Aviation Department)

*Adopted on first reading
Public Hearing: July 19, 2007
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent, OCB: Heyman*

Report: *Responding to Commissioner Rolle's question whether this item needed to be adopted, Assistant County Manager Alina Hudak noted she believed the intent was that this item be heard at first reading, sent to Committee and then waived to the July 24th BCC meeting for consideration.*

Mr. Gary Donald, Florida Department of Transportation (FDOT), explained that FDOT's District Secretary presented the status of their negotiations regarding the Rental Car Facility before the Airport and Tourism Committee in March and that FDOT was in the process of requesting an additional \$100 million in funding to pay for the additional costs of this project. He noted it was critical that this item be adopted at first reading in order to go forward with executing the contract and receiving the additional funds by the end of July, or the project could be jeopardized.

Commissioner Diaz stated he felt that this item needed to move forward with first reading today and that any concerns could be addressed at the committee level.

Hearing no objection, the foregoing proposed ordinance was adopted on first reading and set for public hearing before the Airport and Tourism Committee meeting on July 19, 2007 at 9:30 a.m.

15 CLERK OF THE BOARD**15B REPORTS**

15B1

071993 Report

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JULY 10, 2007 (Clerk of the Board)

Accepted
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

15B2

071994 Report

RESOLUTION NO. R-2007-80 OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ENDORSING THE RECOMMENDATIONS CONTAINED IN THE FINAL REVIEW REPORT OF THE EDUCATIONAL FACILITIES IMPACT FEE ORDINANCE AND REQUESTING THAT MIAMI-DADE COUNTY IMMEDIATELY IMPLEMENT THE REVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES (Clerk of the Board)

Accepted
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent, OCB: Heyman

15C COUNTY ADVISORY BOARD APPOINTMENTS

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY RESERVE FUNDS

16 ITEMS SCHEDULED FOR THURSDAY

16A SPECIAL PRESENTATIONS (Scheduled for 8:00 a.m.)

16A1

071947 Service Awards Bruno A. Barreiro

SERVICE AWARDS CEREMONY FOR THE FOLLOWING EMPLOYEES:
 JUAN C. REVOREDO - AVIATION - 30 YEARS
 LORINE E. WYARTT - CONSUMER SERVICES-30 YEARS
 EDUARDO R. ASTIGARRAGA - CORRECTIONS - 30 YEARS
 JAMES D. BRANNOCK - CORRECTIONS - 30 YEARS
 RICHARD T. LAVOIE - MIAMI-DADE TRANSIT- 35 YEARS
 HERNAN GARCES - PUBLIC WORKS- 40 YEARS
 LEROY SUTTON - PUBLIC WORKS - 35 YEARS
 JOHN A. PEREZ - SEAPORT DEPT. - 30 YEARS

16A2

072055 Congratulatory Certificate Rebeca Sosa

PRESENTATION OF A CONGRATULATORY CERTIFICATE TO GEORGE T. BAKER AVIATION SCHOOL

16A3

072070 Proclamation Sen. Javier D. Souto

PRESENTATION OF A PROCLAMATION TO ALEX FERRER

16A4

072071 Proclamation Sen. Javier D. Souto

PRESENTATION OF A PROCLAMATION TO CHRIS FERRER

16B POLICY MATTERS FOR DISCUSSION BY THE BOARD

16B1

072177 Discussion Item Dennis C. Moss

DISCUSSION ITEM RE: LAWSUIT FROM WESTON MAYOR *Carried over to July 12, 2007*
REGARDING PROPERTY TAXES

16B2

072218 **Report**

NON-AGENDA ITEMS - JULY 10, 2007

Report: NON-AGENDA ITEMS - JULY 10, 2007

1. Commissioner Gimenez noted representatives from the John F. Kennedy Center for the Performing Arts in Washington D.C., had visited Miami-Dade County and provided their services on a pro bono basis to address financial problems relating to the County's Performing Arts Center (PAC). He publicly acknowledged the Kennedy Center's President, Mr. Michael Kaiser; the Vice President for Marketing, Mr. David Kitto and the Vice President for Finance, Ms. Lynn Pratt, for their assistance and indicated the meeting had been very productive. Commissioner Gimenez also noted he anticipated a long standing relationship and continued exchange of ideas and expertise.

2. It was moved by Commissioner Seijas that the Compensation Package for County Attorney Robert Cuevas presented in memorandum by Chairman Barreiro be approved as amended to increase the car allowance to \$800 per month, to make it consistent with the amount provided to prior County attorneys. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 8-0 (Abs: Heyman, Souto, Sorenson, Sosa and Edmonson)

3. Commissioner Diaz noted that he and Commissioners Moss, Rolle and Jordan had previously sponsored a resolution requesting a feasibility study on establishing a Public Warning System for severe weather or emergencies and that staff provide a report within 90 days. He noted he recently read in the newspaper that a pilot program was implemented by the County Manager involving a vendor operating under a one-year contract with a 5-year renewal option, which was implemented prior to the County Commission receiving the requested feasibility study.

Commissioner Diaz asked if contractual agreements on pilot programs could be implemented without the Board's support.

County Attorney Cuevas noted the Board of County Commissioners had to approve all contracts.

Assistant County Manager Alina Tejeda Hudak stated she would have to research this issue further but she believed the feasibility study and the pilot program were simultaneously implemented and there was a communication breakdown. She also noted she believed the contract was implemented within the last month, and that Mr. Ira Feuer, Mayor's Aide, was the leading staff member involved in the implementation of this pilot program.

Commissioner Diaz asked that Assistant County Manager Alina Tejeda Hudak provide the Board with the name of the vendor awarded the contract, and how the procurement process was followed, before the end of today's meeting.

Chairman Barreiro asked the County Attorney to provide a report to the County Commission indicating whether all pilot programs were required to come before the County Commission.

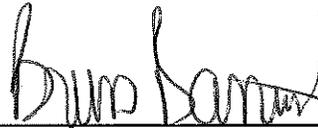
Later in the meeting, Miriam Singer, Director, Department of Procurement Management, explained the expedited pilot program process that was followed in connection with this project. She noted a competitive process was followed and UB Premium Services (phonetic) was awarded the contract. She noted the length of the pilot program was for the current hurricane

season, with assessments to be made by the commission auditor. She apologized to the Board regarding the department's unintentional oversight of the Board's resolution requesting a feasibility study on the same issue.

It was moved by Commissioner Diaz that all expedited purchases awarded without prior commission approval cease, except those sponsored by Commissioners, or brought to the Commission by resolution through the Chair, and that a resolution and ordinance to that effect be prepared. This motion was seconded by Commissioner Seijas, and upon being put to a vote, passed by a vote of 9- 0. (Commissioners Heyman, Souto, Sorenson and Sosa were absent)

16C ZONING AGENDA (Scheduled for 9:30 a. m.)

ADJOURNMENT



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk