



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 24, 2007
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Scott Rappleye, Commission Reporter, (305) 375-5108



FINAL OFFICIAL

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

Members Absent: None.

Members Late: None.

Members Excused: Joe A. Martinez

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Scott Rappleye, Commission Reporter, (305) 375-5108*

1A MOMENT OF SILENCE

Report: *Chairman Barreiro called the meeting to order at 10:03 a.m. The Commission convened in a moment of silence followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The Honorable Mayor Carlos Alvarez was present, as well as the following staff members: County Manager George Burgess, Assistant County Managers Alina Hudak, Roger Carlton, and Ysela Llori; Acting County Attorney Robert Cuevas, Assistant County Attorneys Abigail Price Williams, William Candela, Thomas Goldstein, Gerald Heffernan, Peter Tell, and Thomas Abbott; and Deputy Clerks Diane Collins, Jovel Shaw, and Mary Smith-York.*

1D REPORTS OF OFFICIAL BOARDS

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

FINAL OFFICIAL

1E1

072190 Citizen's Presentation Barbara J. Jordan

PRESENTATION BY LEROY JONES RE: MATHIS FAMILY *Presented*
ISSUES

FINAL OFFICIAL

Report: Commissioner Jordan explained the foregoing citizen's presentation would be a carryover of former District 1 Commissioner Betty Ferguson's work with the Mathis family. She pointed out that the County Commission directed the County Administration to work with the Mathis family seven years ago. She clarified that the Mathis family was one of 40 Dade Employment and Economic Development Corporation Inc. (DEEDCO) loan recipients, and the only recipient required to put up their land. Commissioner Jordan noted Mr. Mathis, the principle, passed away and the family was left with nothing. She pointed out that pursuant to the family defaulting on their loan, the County seized the property. She clarified that the County Attorney had advised the family had no legal recourse; and that the purpose of this presentation was to provide the family an opportunity to be heard.

Mr. Leroy Jones, Executive Director, Neighbors and Neighbors, noted he was involved in this issue since 1999. He pointed out DEEDCO made Mr. Mathis put up five vacant, water-front properties and a gas station property for a \$90,000 loan; and that the County's Property Appraiser's Office appraised the property at over \$150,000, at that time. He emphasized that Mr. Mathis was the only DEEDCO loan recipient required to put up property. Mr. Mathis paid off the first loan and applied for another loan to refurbish his building. Months later, the Department of Environmental Resources Management (DERM) found contaminants in the building, and Mr. Mathis did not have funds to clean the building, Mr. Jones noted. He pointed out that an environmental study was required before any government funding was used for any government project; that no environmental study was conducted on Mr. Mathis' property; that the County should have conducted an environmental study on the property before Mr. Mathis purchased it, which would have revealed any contamination before the loan was approved to purchase the property. Mr. Jones stated the County Attorney acknowledged the County was aware the property was contaminated before Mr. Mathis received the loan. He pointed out the County Commission instructed staff to work with the Mathis family on a recovery loan; and that Mr. Tony Crapp, Director, Office of Community and Economic Development, had proposed a recovery plan agreed to by the Mathis family. Mr. Jones noted Mr. Crapp was promoted to Assistant County Manager and Mr. Bryan Finnie was appointed Director of the Office of Community and Economic Development; and that Mr. Finnie prepared a recovery plan to return the property to the Mathis family. Mr. Jones pointed out that DEEDCO placed a moratorium on payments for Mr. Mathis until the contamination was cleaned up; that DEEDCO told Mr. Mathis they had approved him for \$350,000 to clean up the contamination; however, Mr. Mathis never saw the paperwork or the money. Mr. Jones noted DEEDCO told Mr. Mathis they would return the five vacant, water-front properties to Mr. Mathis; however, DEEDCO had sold those lots to developers in New York for \$10 per lot to provide infill housing.

Commissioner Jordan noted she met with the County Attorney several times to attempt to follow through with the County Commission's directive to restore land to the Mathis family. She pointed out that an Agenda Item was placed on the County Commission's agenda that would have reverted the land to the Mathis family; however, this item was withdrawn because it was ruled that no legal basis existed to return the land to the family, since the County won in Court.

Commissioner Jordan urged her colleagues to consider other ways to equalize the situation for the Mathis family.

Chairman Barreiro asked the County Attorney and the Administration to meet

with the Mathis family to discuss the issues raised at today's meeting (7/24) and to present recommendations on how the County should proceed on this matter.

Commissioner Sosa clarified her understanding was that Mr. Mathis received County loans in 1986, for \$90,000 and \$60,000, for a total amount of \$150,000; that Mr. Mathis used these funds to purchase and renovate a gas station; that Mr. Mathis secured these loans with land that he owned, valued at \$127,500; that Mr. Mathis did not make any payments from 1992 to 1999, which was a balance of \$243,267; and that the County foreclosed those parcels of land.

Commissioner Moss asked the County Manager to provide a progress report on featuring the Mom and Pop Small Business Grant Program on Miami-Dade Television.

1E2

072243 Citizen's Presentation Bruno A. Barreiro

PRESENTATION BY ASSOCIATE DIRECTOR MARLA CERVANTES OF THE AMERICAN CANCER SOCIETY IN REFERENCE TO REGIONAL RELAYS FOR LIFE *Presented*

Report: Ms. Marla Cervantes, Associate Director, American Cancer Society of Miami-Dade County, noted the American Cancer Society needed to raise funds to achieve its goal to eliminate cancer as a major health problem. She expressed appreciation to community leaders for assisting the American Cancer Society's Relays for Life fundraiser. She presented awards to Commissioners Diaz, Souto, and Jordan for their support of the Relays for Life fundraiser.

1F MOTION TO SET THE AGENDA AND "PULL LIST"

Report: County Attorney Cuevas advised that in addition to the County Manager's memorandum entitled, "Changes List for the July 24, 2007 Commission meeting," the following additional changes were requested: that a correction needed to be made to Agenda Item 8F1A Supplement #2; and that Agenda Item 8R1A Supplement #2 be added.

It was moved by Commissioner Diaz that the Commission approve the foregoing changes to the July 24, 2007 meeting Agenda with the changes listed in the County Manager's memorandum and the additional changes requested by the County Attorney. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed 12-0 (Commissioner Martinez was absent).

1G OFFICE OF COMMISSION AUDITOR

1H OFFICE OF INTERGOVERNMENTAL AFFAIRS

1I SPECIAL PRESENTATIONS

2 MAYORAL ISSUES

2A MAYORAL VETOES

2A1

072305 Mayoral Veto Mayor

THE MOTION BY COMMISSIONER DIAZ APPROVED AT THE JULY 10, 2007, BOARD OF COUNTY COMMISSIONERS MEETING, 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

Motion reconsidered

Report: *Commissioner Diaz presented a motion to reconsider his motion approved at the July 10, 2007, County Commission meeting 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 Moss, and upon being put to a vote, passed by a vote of 12-0, (Commissioner Martinez was absent).*

Commissioner Diaz explained that he had spoken with Ms. Miriam Singer, Director, Department of Procurement Management, regarding his motion that was under reconsideration; and that she clarified what would be the impact of his motion. He noted the Commission did not intend to stop the procurement process; however, they did need to be respected and provided the information they requested. He emphasized that the intent of his motion was to ensure the Commission received the information they requested.

Commissioner Sosa noted if a problem occurred with a County contract, then the County Administration was responsible, under the existing method. She pointed out that recent procurement reform made the County procurement process more effective. She commended Commissioner Moss for his service as Chairman of the Governmental Structure Task Force, where much of the procurement reform was reviewed.

Mayor Carlos Alvarez concurred with Commissioner Sosa's remarks concerning the reform of the procurement process. He apologized for any communication breakdown that led to Commissioner Diaz's motion. He pledged his commitment to continue reforming the procurement process to ensure that it worked.

It was moved by Commissioner Diaz that his motion made at the July 10, 2007, County Commission meeting be withdrawn. This motion was seconded by Commissioner Moss and upon being put to a vote, passed by a vote of 12-0, (Commissioner Martinez was absent).

2B MAYORAL REPORTS

2B1

072314 Report Mayor

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

Accepted

3 **CONSENT ITEMS**

3J1A

071958 **Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR HIS DESIGNEE'S ACTION IN APPLYING FOR UP TO \$200,000 IN GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, LAND AND WATER CONSERVATION FUND TO RENOVATE THE GWEN CHERRY PARK AQUATIC CENTER AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO ACCEPT, EXPEND FUNDS, AND EXECUTE CONTRACTS AND AMENDMENTS AS REQUIRED (Park & Recreation Department)

Adopted
Resolution R-853-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

3J1B

071959 **Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR HIS DESIGNEE'S ACTION IN APPLYING FOR UP TO \$150,000 IN GRANT FUNDS FROM THE HEALTH FOUNDATION OF SOUTH FLORIDA FOR CONSTRUCTION OF AN ADA ACCESSIBLE PLAYGROUND AT TAMIAMI PARK AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND FUNDS AND EXECUTE CONTRACTS AND AMENDMENTS AS REQUIRED (Park & Recreation Department)

Adopted
Resolution R-854-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

3J1C

071960 **Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR HIS DESIGNEE'S ACTION IN APPLYING FOR \$108,250 IN GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES TO INSTALL A CLIMATE CONTROL SYSTEM, RENOVATE HISTORIC BUILDINGS AND STABILIZE DAMAGED HISTORIC ARTS AND ARTIFACTS AT THE DEERING ESTATE AT CUTLER AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND FUNDS, AND EXECUTE GRANT AWARD AGREEMENTS AND AMENDMENTS AS REQUIRED (Park & Recreation Department)

Adopted
Resolution R-855-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

4 **ORDINANCES FOR FIRST READING**

4A

072011 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRACELAND ESTATES NORTH 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: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4B

072018 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAKS 112 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4C

072020 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TROPICAL VILLAS 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4D

072022 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BAILES VILLAGE 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: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4E

071948 Ordinance

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE PERRINE COMMUNITY URBAN CENTER DISTRICT ("PERRINE REGULATIONS"), AMENDING SECTION 33-284.99.13, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4F

072073 Ordinance Carlos A. Gimenez,
Rebeca Sosa

ORDINANCE AMENDING MANAGER'S RECOMMENDATION IN SECTION 2-8.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REQUIRE OPERATION, MAINTENANCE, AND REPLACEMENT COST ESTIMATES FOR CAPITAL IMPROVEMENT PROJECTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4G

072074 Ordinance Carlos A. Gimenez

ORDINANCE AMENDING MANAGER'S RECOMMENDATION IN SECTION 2-8.3 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO REQUIRE THE COUNTY MANAGER TO CLEARLY IDENTIFY ALL DELEGATIONS OF AUTHORITY IN RECOMMENDED CONTRACTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4H

072203 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CEDAR WEST 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4I

072212 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MENENDEZ TRACTS 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4J

072213 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS RESERVE AT DORAL WEST 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4K

072214 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS RESERVE AT DORAL EAST 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4L

072215 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS RANCHES ESTATES 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 on first reading
Public Hearing: September 4, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4M

072239

Ordinance

Bruno A. Barreiro

ORDINANCE AMENDING CHAPTER 25A-4 OF THE CODE OF MIAMI-DADE COUNTY TO EXEMPT THE PUBLIC HEALTH TRUST FROM COMPETITIVE BIDDING AND OTHER CODE CONTRACTUAL REQUIREMENTS WHEN (1) ACCEPTING GIFTS OF PERSONAL PROPERTY AND SERVICES IF SUCH GIFTS ARE IN KIND OR AT ACTUAL COST SUBSTANTIALLY BELOW COMPETITIVE PRICES AND (2) WHEN ACCEPTING GIFTS OF CONSTRUCTION PROJECTS FOR UP TO \$5 MILLION THAT ARE NOT IN KIND OR AT ACTUAL COST BELOW COMPETITIVE PRICES IF SUCH GIFTS ARE FROM A NOT FOR PROFIT ENTITY WHOSE PRIMARY PURPOSE IS TO SUPPORT THE ACTIVITIES OF THE PUBLIC HEALTH TRUST AND SUCH NOT FOR PROFIT AND DONOR(S) AGREE TO BE BOUND BY PUBLIC RECORDS LAWS; AUTHORIZING GIFTS OF SUCH CONSTRUCTION PROJECTS FOR TWO YEARS; AUTHORIZING THE TRUST TO IMPOSE RULES, CONDITIONS AND TERMS ON GIFTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 10, 2007
Mover: Sally A. Heyman
Seconder: Barbara J. Jordan
Vote: 10- 1
No: Seijas
Absent: Rolle, Martinez*

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Health and Public Safety Committee on September 10, 2007, at 9:30 a.m.*

4N

072247

Ordinance

Rebeca Sosa

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE COUNTY COMMISSION; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT OPTIONS TO RENEW CONTRACTS SHALL BE EXEMPT FROM COMMITTEE REVIEW; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

40

072246 Ordinance Rebeca Sosa

ORDINANCE AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY TO ALLOW FOR ONE-TIME VENDOR REGISTRATION APPLICATION AND REQUIRING VENDORS TO VERIFY ACCURACY OF INFORMATION IN THEIR REGISTRATION APPLICATION PRIOR TO THE AWARD OF A COUNTY CONTRACT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4P

072227 Ordinance

ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING ARTICLE I REGARDING THE POWERS AND DUTIES OF THE BOARD OF RULES AND APPEALS CLARIFYING THE AUTHORITY TO RE-INSTATE OR ADMINISTRATIVELY CLOSE SUSPENDED BUILDING PERMITS; PROVIDE UNIFORM PROCEDURES FOR RESOLVING PERMITS OBTAINED FRAUDULENTLY OR ISSUED ERRONEOUSLY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE OF MIAMI-DADE COUNTY, AND AN EFFECTIVE DATE (Building Code Compliance Department)

*Adopted on first reading
Public Hearing: September 11, 2007
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: Rolle, Martinez*

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

4Q

072266 Ordinance Katy Sorenson, Sally A. Heyman, Rebeca Sosa

ORDINANCE RELATING TO MIAMI-DADE COUNTY TRAFFIC CODE; AMENDING SECTIONS 30-292 AND 30-388.32 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROHIBIT STOPPING, STANDING OR PARKING A VEHICLE IN A PLACE WHERE THERE IS HANDICAPPED ACCESS; INCREASING FINE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: September 10, 2007
Mover: Katy Sorenson
Seconder: Sally A. Heyman
Vote: 9- 2
No: Edmonson, Seijas
Absent: Rolle, Martinez*

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Health and Public Safety Committee on September 10, 2007, at 9:30 a.m.*

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

5A

071874 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS DAV-MAR 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 07-99
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6/26/2007 *Adopted on first reading by the Board of County Commissioners*

6/26/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5A1

071888 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS DAV-MAR 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-856-07
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5B

071875 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CORAL TOWN PARK 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 07-100
Mover: Dennis C. Moss
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6/26/2007 Adopted on first reading by the Board of County Commissioners

6/26/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

5B1

071889 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CORAL TOWN PARK 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-857-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5C

071876 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BAYWINDS 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 07-101
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

- 6/26/2007** *Adopted on first reading by the Board of County Commissioners*
- 6/26/2007** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5D

071877 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CENTURY GARDENS AT TAMAMI 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 07-102
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

- 6/26/2007** *Adopted on first reading by the Board of County Commissioners*
- 6/26/2007** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5D1

071890 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CENTURY GARDENS AT TAMiami 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-858-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5E

071878 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS PALM ISLE AT DORAL 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 07-103
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6/26/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

6/26/2007 *Adopted on first reading by the Board of County Commissioners*

5E1

071891 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS PALM ISLE AT DORAL 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-859-07
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5F

071880 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS DENIS SUBDIVISION 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 07-104
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6/26/2007 *Adopted on first reading by the Board of County Commissioners*

6/26/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5F1

071892 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS DENIS SUBDIVISION 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-860-07
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5G

071881 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LAKESIDE COMMERCIAL 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 07-105
Mover: Dennis C. Moss
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6/26/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

6/26/2007 *Adopted on first reading by the Board of County Commissioners*

5G1

071893 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS LAKESIDE COMMERCIAL 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-861-07
Mover: Dennis C. Moss
Seconder: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5H

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
Ordinance 07-106
Mover: Dennis C. Moss
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

7/10/2007 *Adopted on first reading by the Board of County Commissioners*

7/10/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

51

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)

Adopted
Resolution R-862-07
Mover: Carlos A. Gimenez
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Sorenson, Moss, Martinez

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

The public hearing was opened and the following individuals appeared before the Commission and spoke in support of this proposed resolution:

1. Mr. Brian Bayline, attorney, 201 South Biscayne Boulevard, representing the University Baptist Church of Coral Gables, the applicant, appeared before the Board, and urged the Board's approval of the foregoing proposed resolution and a waiver of the road closing and processing fees in the approximate amount of \$118,557.30. He noted his client has volunteered to redirect and use the monies for improvements specifically for installation of water lines within the surrounding area of the neighborhood on the east side of the property. Mr. Bayline informed the Board as part of that his client would be required to come before the Board in a separate petition to request a small closure of a portion of what was SW 75 Street. He concluded by urging the Board to waive the application fee based upon the applicant being a tax-exempt organization, and the monies would be used for direct improvements in the public interest within the neighborhood along with other infrastructure improvement that the applicant plans to make to the property as part of the development.

2. Mr. Miguel De Grandy, 7540 SW 75 Street, appeared before the Board, and informed the Board that part of the \$118,000.00 would be use to relocate the fire hydrant located on the church property closer to the street once the road was closed, which would cost approximately \$50,000 to \$60,000. He also noted the remaining funds would be used for a future road closing petition for closure of the remaining portion of this road and other improvements in the subject area. Mr. De Grandy also commended the church for their willingness to resolve issues with the neighbors.

After no other persons appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no objection, the Board adopted the foregoing resolution as presented and granted a waiver of the road closing petition and processing fees, as requested by the applicant.

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

7/10/2007 Deferred by the Board of County Commissioners

51 SUPPLEMENT

072291 Supplement

SUPPLEMENTAL INFORMATION RE: ROAD CLOSING PETITION P-824 (Public Works Department)

Accepted

5J

072196 Resolution

RESOLUTION APPROVING THE PLAT OF SILVER PALM SOUTHWEST, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 56 SOUTH, RANGE 39 EAST (SW 240 STREET AND SW 117 AVENUE) (Public Works Department)

*Adopted
Resolution R-863-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5K

072199 Resolution

RESOLUTION APPROVING THE PLAT OF V. M. ESTATES, LOCATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 54 SOUTH, RANGE 39 EAST (SW 16 STREET AND SW 140 COURT) (Public Works Department)

*Adopted
Resolution R-864-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5L

072200 Resolution

RESOLUTION APPROVING THE PLAT OF SEASTONE HOMES, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 55 SOUTH, RANGE 40 EAST (SW 181 STREET AND SW 109 AVENUE) (Public Works Department)

*Adopted
Resolution R-865-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5M

072201 Resolution

RESOLUTION APPROVING THE PLAT OF EUROSUITES, LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 53 SOUTH, RANGE 40 EAST (NW 17 STREET AND NW 107 AVENUE) (Public Works Department)

*Adopted
Resolution R-866-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5N

072211 Resolution

RESOLUTION APPROVING THE PLAT OF LONDON SQUARE, LOCATED IN THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 55 SOUTH, RANGE 39 EAST (SW 120 STREET AND SW 137 AVENUE) (Public Works Department)

*Adopted
Resolution R-867-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5O

072197 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF 99 & 68, INC., D-22674, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 68 STREET & SW 99 AVENUE) (Public Works Department)

*Adopted
Resolution R-868-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5P

072198 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF SALLY BAUDIN AND RICHARD BAUDIN, D-22775, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 56 SOUTH, RANGE 38 EAST (SW 242 STREET AND SW 213 PLACE) (Public Works Department)

*Adopted
Resolution R-869-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson
Excused: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5Q

072210 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF MURO INVESTMENTS, INC., D-22783, LOCATED IN THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 55 SOUTH, RANGE 40 EAST (SW 173 TERRACE AND SW 102 AVENUE) (Public Works Department)

*Adopted
Resolution R-870-07
Mover: Sally A. Heyman
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: Sorenson, Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5R

072206 Resolution

RESOLUTION RELATING TO AN APPLICATION BY MIAMI YACHT & ENGINE WORKS, LLC, FOR MODIFICATION OF AN EXISTING CLASS I PERMIT TO AUTHORIZE EXPANSION OF A MARINE REPAIR FACILITY TO ALLOW MOORING OR STORAGE OF AN ADDITIONAL THIRTEEN (13) POWERBOATS AT 2100 N.W. NORTH RIVER DRIVE, MIAMI, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Amended

Report: *See Agenda Item 5R Amended, Legislative File No. 072273 for the amended version.*

5R AMENDED

072273 Resolution

RESOLUTION RELATING TO AN APPLICATION BY MIAMI YACHT & ENGINE WORKS, LLC, FOR MODIFICATION OF AN EXISTING CLASS I PERMIT TO AUTHORIZE EXPANSION OF A MARINE REPAIR FACILITY TO ALLOW MOORING OR STORAGE OF AN ADDITIONAL THIRTEEN (13) POWERBOATS AT 2100 N.W. NORTH RIVER DRIVE, MIAMI, MIAMI-DADE COUNTY, FLORIDA [SEE ORIGINAL ITEM UNDER FILE NO. 072206] (Department of Environmental Resources Management)

*Adopted as amended
Resolution R-871-07
Mover: Bruno A. Barreiro
Seconder: Jose "Pepe" Diaz
Vote: 10- 2
No: Heyman, Sorenson
Absent: Martinez*

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

Chairman Barreiro opened the public hearing and the following person(s) appeared before the Board:

Mr. Michael Moore, 3515 Anderson Road, appeared before the Board and spoke in support of this application.

After no other persons appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Chairman Barreiro relinquished the chair to Vice-Chairwoman Jordan.

Commissioner Barreiro noted the County Administration would commence a study on the issue of boat slips on Miami River in 2008; and that he did not concur with the Department of Environmental Resources Management (DERM) recommendation against this proposed resolution. He explained increased traffic at Miami Yacht & Engine Works resulted from these proposed up-land slips did not necessarily mean that it would adversely impact the environment and rare, threatened, and endangered species.

It was moved by Commissioner Barreiro that the foregoing proposed resolution be adopted. This motion was seconded by Commissioner Sosa.

Responding to Commissioner Heyman's concern regarding the DERM recommendation that the Board of County Commissioner's deny the requested modification of a Class I Permit to authorize expansion of a marine repair facility to allow mooring or storage of an additional thirteen (13) powerboats, Mr. Carlos Espinosa, Director, DERM, noted that the proposed project was inconsistent with Miami-Dade coastal protection provisions and did not adequately offset or mitigate for adverse environmental impacts associated with the proposed permit modification.

Commissioner Heyman questioned why DERM recommended denial for this proposed resolution; however, it did not recommend denial for the Merrill Stevens project in Agenda Item 12A6.

Mr. Espinosa explained mega yachts had a much smaller impact on manatees; that mega yachts did not navigate through small waterways; that they moved slower; and that they had trained crews. He clarified that smaller boats used local waterways; and that they had a higher probability of striking a manatee.

In response to Commissioner Diaz's inquiry concerning a study of the manatee population, Mr. Espinosa explained that the State of Florida downgraded the manatee one category, however, the State would not change the way it evaluated possible manatee impact. He noted that an ordinance was coming forward to update the County's Manatee Protection Plan.

Commissioner Diaz questioned whether the work performed on the boats would be on land or in the water.

Mr. Moore explained the work site was environmentally clean; and that the boats would be lifted out of the water, moved to their slots, and returned to the water following repairs.

Commissioner Sorenson expressed concern that this proposed resolution

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would set a precedent, if adopted. She pointed out that this proposed resolution was not consistent with the County's Manatee Protection Plan.

Following further discussion debating the issue of the Manatee Protection Plan, Commissioner Moss questioned whether the Manatee Protection Plan called for no additional boat slips within the subject area.

Mr. Espinosa explained the Plan would allow for the number of slips on the property that could be documented back to 1984; and that the Plan would allow slips from one property to be transferred to another property.

Commissioner Moss pointed out that the subject area was allowed 500 boat slips. He questioned whether the County Commission could exercise discretion to deviate from the 500 slip limit.

Assistant County Attorney Peter Tell advised the Manatee Protection Plan was an evaluation factor for the County Commission to consider whether or not to grant or deny a permit for modification; and that the Plan was not a law. He clarified that the Plan was a guideline; that the County Commission was not bound by the Plan; and that the Commission could exercise discretion.

Responding to Commissioner Moss' inquiry concerning the use of the boats in the requested slips, Mr. Moore explained this proposed resolution would not result in more boats on the water at high speeds. He pointed out that the boats would be mostly local vessels that needed repair; that they would navigate the Miami River at idle speed.

Commissioner Gimenez spoke in opposition to the argument that this proposed resolution would set a precedent and open a Pandora's Box. He pointed out that this proposed resolution did not request these boat slips for storage purposes.

Following further discussion between Commissioner Gimenez and Mr. Espinosa concerning the use of the boat slips, Commissioner Gimenez questioned whether this proposed resolution could be amended to condition that the requested boat slips in this proposed resolution be limited to repair only.

Pursuant to Assistant County Attorney Tell's advice advising that this proposed resolution could be amended as noted by Commissioner Gimenez, Commissioner Barreiro spoke in opposition to Commissioner Gimenez' amendment. He noted that Commissioner Gimenez' amendment would create two tiers of boat slips. He pointed out that the issue of repair and storage slips should be considered when the Manatee Protection Plan was reviewed.

Discussion ensued regarding the utilization of slips and Commissioner Gimenez' proposed amendment.

In response to Vice-Chairwoman Jordan's inquiry concerning how often the Manatee Protection Plan should be updated, Mr. Espinosa noted the State did not mandate a specific cycle for updating the Plan. He pointed out the County would update its plan now due to changes in land use along the Miami River; changes in the number of boats and people; and changes in other Manatee Protection factors that needed to be evaluated.

Commissioner Jordan spoke in support of the County establishing a formal

review process of the Manatee Protection Plan.

Responding to Commissioner Jordan's question regarding this proposed resolution needing additional approval to implement these requested boat slips, Mr. Espinosa noted the State of Florida and the United States Army Corps of Engineers would need to approve the additional boat slips.

Hearing no objection, the Board adopted the foregoing proposed resolution as amended to grant an expansion of an additional 13 powerboats on the upland portion of the subject property, with the condition that the expansion be limited to repair only.

5S

072207 Resolution

RESOLUTION RELATING TO AN APPLICATION BY PPF LINCOLN MEDLEY, LLC FOR A CLASS IV PERMIT TO IMPACT 38.88 ACRES OF WETLANDS FOR A COMMERCIAL PROJECT BETWEEN THE FLORIDA TURNPIKE AND NW 115 AVENUE AND SOUTH OF NW 138 STREET IN SECTION 30, TOWNSHIP 52 SOUTH, RANGE 40 EAST AND SECTION 25, TOWNSHIP 52 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Adopted
Resolution R-872-07
Mover: Jose "Pepe" Diaz
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent: Martinez

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5T

072208 Resolution

RESOLUTION RELATING TO AN APPLICATION BY TURNPIKE HOME, LLC, FOR A CLASS IV PERMIT TO IMPACT 16.00 ACRES OF WETLANDS TO CONSTRUCT SINGLE FAMILY HOMES NORTHWEST OF THE INTERSECTION OF SW 320TH STREET AND SW 157TH AVENUE IN SECTION 17, TOWNSHIP 57 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Adopted
Resolution R-873-07
Mover: Dennis C. Moss
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: Gimenez, Martinez

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5U

072209 Resolution

RESOLUTION RELATING TO AN APPLICATION BY ATLAS PROPERTY I, LLC AND CENTURY GRAND I, LLLP FOR A CLASS IV PERMIT TO IMPACT 251.93 ACRES OF WETLANDS TO CONSTRUCT A MIXED USE DEVELOPMENT AND APPROVE A RESTRICTIVE COVENANT TO PRESERVE AND ENHANCE 90.61 ACRES ON-SITE BETWEEN NW 107 AND THEORETICAL NW 97 AVENUES AND BETWEEN NW 90 AND THEORETICAL NW 74 STREETS IN SECTION 8, TOWNSHIP 53 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Adopted
Resolution R-874-07
Mover: Sally A. Heyman
Seconder: Bruno A. Barreiro
Vote: 12- 0
Absent: Martinez*

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

The public hearing was opened. After no one appeared in response to Chairman Barreiro's call for persons wishing to be heard the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS**7 ORDINANCES SET FOR SECOND READING**

FINAL OFFICIAL

7A

071196

Ordinance

**Dennis C. Moss,
Jose "Pepe" Diaz,
Carlos A. Gimenez,
Joe A. Martinez,
Dorrrin D. Rolle,
Rebeca Sosa,
Sen. Javier D. Souto,
Barbara J. Jordan,
Katy Sorenson,
Audrey M. Edmonson,
Sally A. Heyman**

ORDINANCE AMENDING CHAPTER 18, ARTICLE II,
SECTIONS 18-25 AND 18-30 OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA, RELATING TO THE MIAMI-DADE
COUNTY FIRE AND RESCUE SERVICE DISTRICT;
ELIMINATING MUNICIPAL OPTION TO OPT OUT OF
DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM
UNDER FILE NO. 071138]

Adopted
Ordinance 07-107
Mover: Dennis C. Moss
Seconder: Rebeca Sosa
Vote: 12-0
Absent: Martinez

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

Commissioner Moss commended the Fire Fighters present. He noted the intent of this proposed ordinance was to stop fragmentation of the fire rescue services provided to the community. He suggested the County meet with municipalities to discuss a communication system to provide better service to the community.

Commissioner Heyman pointed out that some municipalities thought this proposed ordinance undermined their authority. She noted the County was obligated to reach out to the community by providing fire rescue services; that the County Fire Rescue Department provided services that could not be duplicated. She spoke in support of ensuring that all County residents had the confidence of a seamless and top-quality fire rescue system.

Commissioners Edmonson, Jordan, and Sorenson asked that they be listed as co-sponsors.

Following comments by Commissioner Sosa in support of this proposed ordinance and Miami-Dade Fire Rescue, Commissioner Seijas pointed out that the Village of Pinecrest passed a resolution on July 10, 2007, to oppose the proposed elimination of a municipality's option to opt out of the County Fire and Rescue Service District. She noted that municipalities did not realize the consequences of starting their own fire and rescue department.

Commissioner Seijas expressed concern regarding the attitudes and actions of municipalities regarding incorporation and County services. She noted, for the record, that State Representative Juan-Carlos Planas committed to her that he would fight to protect the County's Home Rule status at the State of Florida Legislature.

Commissioner Sorenson noted the municipalities were concerned over the philosophical issue of Home Rule versus Regional Jurisdiction. She stated that the County Commission needed to ensure that all County citizens had the highest quality, the most consolidation, and the most seamless system possible for life safety issues. She spoke in support of more consolidated services in the future.

In response to Commissioner Sorenson's inquiry regarding the status of municipalities that exercised their option to opt out, in response to this proposal, Assistant County Attorney William Candela advised those municipalities would have to have exercised their option by April 2007, and that a municipal election was required, too.

Following further comments by Commissioner Sorenson noting the County needed an alliance that would ensure that fire stations were used efficiently, Commissioner Diaz pointed out the existing financial situation made the cost of administration and specialized units a factor that would leave municipalities lacking in service.

Commissioner Jordan asked the County Attorney's Office to prepare legislation under her sponsorship eliminating the municipal option to opt out of Miami-Dade County Police Service District. She noted, for the record, that she supported the Miami-Dade Fire Rescue and the Miami-Dade Police Department. She explained she thought the best service the County could provide was to ensure that other entities throughout the County received the full benefit of the County's experience, expertise, and training.

Commissioner Gimenez noted he did not want fire and rescue service in the County to become fragmented the way Broward County was fragmented; and that this proposed ordinance was necessary to prevent that fragmentation. He pointed out that this proposal provided an opportunity for joint communications, automatic aid, joint training with specialized units and hazardous materials (HAZMAT), joint EMS protocols, and instant command training to occur; and that these opportunities would decrease costs and increase services.

Commissioner Moss pointed out Miami-Dade Fire Rescue was identified in the February 2007, issue of "Fire Chief" magazine as one of three metro departments considered as the pinnacle of fire service. He asked Chairman Barreiro to allow him to appoint a subcommittee, including Commissioner Gimenez, to discuss providing better communication and cooperation between the County and the five other fire districts. Commissioner Moss emphasized that this proposed ordinance intended to provide second-to-none fire service to the County, and not to disrespect municipalities.

Hearing no other questions or comments, the Commission proceeded to vote.

- 4/23/2007 Requires Municipal Notification by the Board of County Commissioners to the Budget and Finance Committee
- 4/23/2007 Requires Municipal Notification by the Board of County Commissioners to the Health and Public Safety Committee
- 4/24/2007 Adopted on first reading by the Board of County Commissioners
- 5/4/2007 Municipalities notified of public hearing by the Board of County Commissioners to the Budget and Finance Committee
- 5/4/2007 Municipalities notified of public hearing by the Board of County Commissioners to the Health and Public Safety Committee
- 6/12/2007 Carried over Due to Lack of a Quorum by the Budget and Finance Committee
- 6/14/2007 Carried over Due to Lack of a Quorum by the Health and Public Safety Committee
- 7/11/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee
- 7/19/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health and Public Safety Committee

7B

072231	Ordinance	Natacha Seijas	
ORDINANCE CREATING SECTION 2-8.2.11 OF THE MIAMI-DADE COUNTY CODE; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO ADVERTISE AND RECOMMEND AWARD CONTRACTS FOR DESIGN AND CONSTRUCTION OF VARIOUS IMPROVEMENTS; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ALL CONTRACT TERMS, TO APPROVE EXTENSIONS OF CONTRACT TIME, WAIVE LIQUIDATED DAMAGES, NEGOTIATE AND SETTLE CLAIMS, AND APPROVE CHANGE ORDERS TO SUCH CONTRACTS; PROVIDING FOR APPROVAL OF SUCH CONTRACTS BY THE BOARD OF COUNTY COMMISSIONERS WITHOUT NEED FOR PRIOR COMMITTEE APPROVAL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071618]			Adopted Ordinance 07-108 Mover: Natacha Seijas Seconder: Jose "Pepe" Diaz Vote: 12- 0 Absent: Martinez

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

Commissioner Seijas explained the intent of this proposed ordinance.

Hearing no other questions or comments, the Commission proceeded to vote.

7/11/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Governmental Operations and Environment Committee

7C

071855	Ordinance	Sen. Javier D. Souto, Jose "Pepe" Diaz, Rebeca Sosa	
ORDINANCE CODIFYING THE COMMUNITY PERIODICAL ADVERTISING PROGRAM; PROVIDING QUALIFICATIONS, STANDARDS, DEFINITIONS, APPLICATIONS, PENALTIES AND OTHER MATTERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071470]			Deferred to October 2, 2007 Mover: Sen. Javier D. Souto Seconder: Sally A. Heyman Vote: 12- 0 Absent: Martinez

Report: *Hearing no objection, the Board deferred the foregoing proposed ordinance as requested by Commissioner Souto.*

6/14/2007 Carried over Due to Lack of a Quorum by the Airport and Tourism Committee

7/19/2007 Deferred to next committee meeting by the Airport and Tourism Committee

7D

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 (Aviation Department)

Withdrawn

Report: (See Agenda Item 7D Substitute; Legislative File No. 072267)

7/10/2007 Adopted on first reading by the Board of County Commissioners

7/19/2007 Withdrawn by the Airport and Tourism Committee

7D SUBSTITUTE

072267 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 ORIGINAL ITEM UNDER FILE NO. 072069] [SEE AGENDA ITEM NO. 8A1A] (Aviation Department)

Amended

Report: See Agenda Item 7D Substitute Amended, Legislative File No. 072356 for the amended version.

7/19/2007 Amended by the Airport and Tourism Committee

7D SUBSTITUTE AMENDED

072356 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 ORIGINAL ITEMS UNDER FILE NO. 072069 AND 072267] (Aviation Department)

*Adopted as amended
Ordinance 07-109
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Martinez*

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

It was moved by Commissioner Heyman that this proposed ordinance be adopted. This motion was seconded by Commissioner Gimenez.

Commissioner Edmonson spoke in opposition to increasing the Customer Facility Charge in order to pay for cost overruns.

It was moved by Commissioner Edmonson that this proposed ordinance be amended to share the cost of construction overruns 50/50 between car rental companies and airport customers. This motion was seconded by Commissioner Rolle, for discussion purposes.

Commissioner Seijas pointed out that several of the larger car rental companies were part of the same conglomerate.

Pursuant to Commissioner Seijas' request, Mr. Miguel Southwell, Business Development Director, Miami-Dade Aviation Department, clarified that Avis, Dollar, Thrifty, and Alamo were part of the same conglomerate.

Commissioner Diaz noted he had met with the large and small rental car industries to determine a happy medium on the issue in this proposed resolution. He pointed out that the language of this proposal was amended to avoid the County losing control concerning cost increases. He explained that the challenge presented by this proposal was to ensure the language of the loan did not reflect a problem of runaway fees. Commissioner Diaz pointed out that three of the top airports imposed the same rate for this proposed fee.

Pursuant to Commissioner Diaz's request, Assistant County Attorney Thomas Abbott read the following amendments to Section 25-4.1(f)(4) of the foregoing proposed ordinance into the record:

- (1) that the Customer Facility Charge would be not more than \$4.60 per day per car rental contract, and
- (2) to add a clause to Section 25-4.1(f) to read, "... provided; however, that any such periodic adjustment other than the 25 cents adjustment every five years shall be presented to the Board of County Commission for its review and approval, such adjustments to be approved if they are in accordance with the requirements of the Concession Agreement between the County and the participating car rental companies, the TIFIA Loan Agreement, and the determinations of anticipated debt service payments, operating and maintenance expenses of the Rental Car Facility (RCF), and all allocated expenses of the people mover system made there under..."

Following County Attorney Cuevas' remark that this information was written in the supplement to this agenda item, Commissioner Rolle asked the County Manager to improve the process of timely delivery of the agenda items and supplemental information being considered by the County Commission.

Commissioner Gimenez spoke in opposition to Commissioner Edmonson's proposed amendment. He suggested that, if Commissioner Edmonson's proposed amendment was adopted, the rental car companies would raise their prices to account for their 50 percent share of the cost overruns; and that the consumers would end up paying 100 percent of the cost overruns.

In response to Commissioner Sosa's question concerning the impact of

Commissioner Edmonson's proposed amendment, Commissioner Diaz explained that the County Commission would change the agreement that the rental car companies had approved and the County would not have an agreement to resolve this issue.

Discussion ensued between Commissioner Seijas and Mr. Southwell concerning the pay formula for each car rental company at Miami International Airport; the local companies that would occupy space at the new facility; and the comparison of this proposed fee to similar fees imposed at other airports nationwide.

Commissioner Seijas asked that the Miami Dade Aviation Department Director provide her with the rental space costs that will be paid by each rental car company operating at the Airport.

Commissioner Seijas pointed out that Commissioner Edmonson's proposed amendment would change the distribution of this proposed fee; and she questioned how a change in the distribution would violate the concession agreement.

Mr. Nick Seriani, 11494 NW 71 Street, Florida Department of Transportation Consultant, explained the rent component of the concession agreement was dictated by maintaining a coverage ratio; that the projected coverage ratio for the first three years of operations indicated \$14 million would be due; and that a 50/50 assessment on the Customer Facility Charges (CFC) revenue and the rent would conflict the current loan agreement.

County Attorney Cuevas clarified the County had existing agreements with rental car companies that provided the rental car companies would pay the CFC; that Commissioner Edmonson's motion was to negotiate a change to provide a distribution of the CFC; and that this motion could be accomplished through an agreed upon amendment to the concession agreement.

Chairman Barreiro clarified that Commissioner Edmonson's motion applied to Agenda Item 8A1A. (See Report under Agenda Item 8A1A Amended, Legislative File No. 072372.)

Hearing no other questions or comments, the Commission proceeded to vote on Agenda Item 7D Substitute, as amended by the Committee amendments indicated in Agenda Item 7D Supplement.

7/19/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Airport and Tourism Committee

7D SUPPLEMENT

072308 Supplement

SUPPLEMENTAL INFORMATION RE: ORDINANCE AMENDING RENTAL CAR CUSTOMER FACILITY CHARGE

Accepted

8 DEPARTMENTAL ITEMS

8A AVIATION DEPARTMENT

8A1A

072100 Resolution

Amended

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING THE CURRENT ESTIMATE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) OF THE COST OF THE PROPOSED RENTAL CAR FACILITY (RCF) IN THE AMOUNT OF \$370 MILLION; APPROVING COUNTY'S INCREASE IN ITS PARTICIPATION IN THE FEDERAL LOAN FOR THE CONSTRUCTION OF THE RCF FROM \$164 MILLION TO \$270 MILLION, WITH THE BALANCE OF THE \$370 MILLION ESTIMATED COST OF THE RCF TO BE PAID PRIMARILY THROUGH CUSTOMER FACILITY CHARGES ALREADY COLLECTED; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE FIRST AMENDMENT TO RENTAL CAR CONCESSION AGREEMENT AND FACILITY LEASE AGREEMENT FOR RENTAL CAR COMPANY OPERATIONS WITHIN THE RCF SO AS TO REFLECT SUCH INCREASED COST AND AMEND CERTAIN PROVISIONS THEREOF TO MEET THE REQUIREMENTS OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION AS A CONDITION TO INCREASING THE FEDERAL LOAN PROCEEDS TO FUND THE INCREASED COST OF THE RCF; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SUCH FIRST AMENDMENT UPON EXECUTION THEREOF BY THE PARTICIPATING RENTAL CAR COMPANIES, AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO PLACE THIS RESOLUTION INTO EFFECT [SEE AGENDA NO. 7D SUBSTITUTE] (Aviation Department)

Report: See Agenda Item 8A1A Amended, Legislative File No. 072372 for the amended version.

7/19/2007 Amended by the Airport and Tourism Committee

8A1A AMENDED

072372 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING THE CURRENT ESTIMATE OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) OF THE COST OF THE PROPOSED RENTAL CAR FACILITY (RCF) IN THE AMOUNT OF \$370 MILLION; APPROVING COUNTY'S INCREASE IN ITS PARTICIPATION IN THE FEDERAL LOAN FOR THE CONSTRUCTION OF THE RCF FROM \$164 MILLION TO \$270 MILLION, WITH THE BALANCE OF THE \$370 MILLION ESTIMATED COST OF THE RCF TO BE PAID PRIMARILY THROUGH CUSTOMER FACILITY CHARGES ALREADY COLLECTED; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE FIRST AMENDMENT TO RENTAL CAR CONCESSION AGREEMENT AND FACILITY LEASE AGREEMENT FOR RENTAL CAR COMPANY OPERATIONS WITHIN THE RCF SO AS TO REFLECT SUCH INCREASED COST AND AMEND CERTAIN PROVISIONS THEREOF TO MEET THE REQUIREMENTS OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION AS A CONDITION TO INCREASING THE FEDERAL LOAN PROCEEDS TO FUND THE INCREASED COST OF THE RCF AND TO REFLECT ANY SETTLEMENT OF THE SPACE ALLOCATION ISSUE THAT MAY BE AGREED UPON BY THE PARTIES; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SUCH FIRST AMENDMENT UPON EXECUTION THEREOF BY THE PARTICIPATING RENTAL CAR COMPANIES, AND TO EXECUTE ALL OTHER DOCUMENTS NECESSARY TO PLACE THIS RESOLUTION INTO EFFECT [SEE ORIGINAL ITEM UNDER FILE NO. 072100] (Aviation Department)

*Adopted as amended
Resolution R-910-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Martinez*

Report: During consideration of Agenda Item 7D Substitute, it was moved by Commissioner Edmonson that the Rental Car Concession agreement and facility lease agreement be amended to share the cost of construction overruns 50/50 between car rental companies and airport customers. This motion was seconded by Commissioner Rolle, for discussion purposes.

County Attorney Robert Cuevas advised that this proposed resolution addressed amendments to the rental car concession agreement and facility lease agreement.

Commissioner Gimenez stated an affirmative vote on the foregoing motion would kill the Miami Intermodal Center (MIC) project. He clarified that the rental car companies already signed this proposed agreement; that the rental car companies would have to agree to Commissioner Edmonson's proposed amendment; and that the MIC project would be dead if 10 percent of the companies refused to sign the amended agreement.

Chairman Barreiro noted the County needed to send a strong clear message to the large rental car companies concerning the issue of the allocation distribution.

Commissioner Diaz concurred with Commissioner Gimenez. He explained that the Airport and Tourism Committee and his individual discussions had sent a strong, clear message concerning the affordability of the smaller car companies having allocated space. He pointed out that the Miami-Dade Aviation Department (MDAD) Director developed a plan to provide the smaller rental car companies three feet more frontage space. Commissioner Diaz noted he did not see the Airport and Tourism Committee Amendment to provide the MDAD Director the discretion to negotiate; and he asked that that amendment be included.

In response to Commissioner Jordan's request for an explanation of the difference of the nine percent opportunity fee and the \$4.60 per day transaction charge, Mr. Miguel Southwell, Business Development Director, MDAD, clarified this proposed resolution sought to increase the Car Rental Facility Charge from \$3.25 to \$4.00 per transaction; and that after the Car Rental Facility was opened the Charge would increase up to a maximum fee of \$4.60.

Mr. Greg Owens, Executive Aviation Assistant, MDAD, explained the nine percent opportunity fee was an assessment charge applied to all car rental contracts; and the remittance of nine percent of the contract value to MDAD was for the opportunity to do business at the Airport.

Responding to Commissioner Jordan's inquiry concerning rental car companies paying rent after the construction was completed for the car rental facility, Mr. Southwell explained the County would impose rent on the rental car companies to pay for the financing of construction and the operating charge, if the total of the financing charge and the operating cost were not enough. He clarified that the rental car companies' rent would be directly related to the number of square feet they occupied.

Following further discussion, the Commission proceeded to vote on the motion to amend this proposed resolution to share the cost of construction overruns 50/50 between car rental companies and airport customers, and upon being put to a vote, the motion failed to carry by a vote of 3-9, (Commissioners Diaz, Gimenez, Heyman, Jordan, Moss, Rolle, Sorenson,

FINAL OFFICIAL

Sosa and Souto voted "No" (Commissioner Martinez was absent).

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended by the Airport and Tourism Committee to reflect the inclusion in the First Amendment of the possible settlement of the space allocation dispute, if such settlement occurred.

7/19/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Airport and Tourism Committee

8A1A SUPPLEMENT

072294 Supplement

SUPPLEMENTAL INFORMATION RE: RESOLUTION
APPROVING AMENDMENTS TO THE MIAMI INTERMODAL
CENTER RENTAL CAR FACILITY CONCESSION
AGREEMENT (County Attorney)

Accepted

8B **[No items were submitted for these sections.]**

thru
8D

8E **FINANCE DEPARTMENT**

8E1A

072078 Resolution

RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED \$400,000,000 MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM REVENUE REFUNDING BONDS, SERIES 2007, PURSUANT TO SECTION 209 OF ORDINANCE NO. 93-134, AS AMENDED AND SUPPLEMENTED, FOR REFUNDING ALL OR PORTION OF OUTSTANDING WATER AND SEWER SYSTEM REVENUE BONDS, SERIES 1997; PROVIDING CERTAIN DETAILS OF BONDS AND THEIR SALE; DELEGATING TO FINANCE DIRECTOR, WITHIN CERTAIN LIMITATIONS AND RESTRICTIONS, AUTHORITY TO FINALIZE TERMS AND OTHER PROVISIONS OF BONDS, THEIR SALE AND REFUNDING OF REFUNDED BONDS, TO DESIGNATE PAYING AGENT, REGISTRAR, ESCROW AGENT AND VERIFICATION AGENT, TO SECURE CREDIT FACILITIES AND RESERVE ACCOUNT CREDIT FACILITIES AND TO ASSOCIATE CERTAIN EXISTING HEDGE AGREEMENTS WITH BONDS; AUTHORIZING NEGOTIATED SALE AND AWARD OF BONDS TO UNDERWRITERS; PROVIDING FOR APPLICATION OF PROCEEDS AND OTHER FUNDS; PROVIDING FOR BOOK-ENTRY-ONLY SYSTEM; APPROVING FORMS OF AND AUTHORIZING EXECUTION AND DELIVERY OF BONDS, BOND PURCHASE AGREEMENT AND ESCROW DEPOSIT AGREEMENT; APPROVING FORM OF AND AUTHORIZING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT; CREATING SUBACCOUNTS FOR SERIES 2007 BONDS; PROVIDING FEDERAL TAX COVENANTS AND CONTINUING DISCLOSURE; AUTHORIZING COUNTY OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH ISSUANCE SALE, EXECUTION AND DELIVERY OF BONDS; AND PROVIDING FOR SEVERABILITY (Finance Department)

*Adopted
Resolution R-911-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

7/11/2007 Forwarded to BCC without a recommendation from the Budget and Finance Committee

8F GENERAL SERVICES ADMINISTRATION

8F1A

072091 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF THE CONTRACT FOR SALE AND PURCHASE IN LIEU OF CONDEMNATION FOR ACQUISITION OF THE MARTIN LUTHER KING BUILDING AT 2525 NW 62 STREET, MIAMI, FLORIDA LOCATED ON COUNTY OWNED PROPERTY FOR AN AMOUNT NOT TO EXCEED \$27,323,595.39; AND THE EXECUTION OF THE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BAC FUNDING CORPORATION FOR APPROXIMATELY 3,903 SQUARE FEET OF GROUND FLOOR AREA LOCATED IN THE MARTIN LUTHER KING BUILDING; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE ACQUISITION AND LEASE AUTHORIZED BY THE BOARD; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Forwarded to the BCC by the BCC Chairperson without recommendation from the Budget and Finance Committee

8F1A SUPPLEMENT

072090 Supplement

SUPPLEMENTAL INFORMATION RE: THE PURCHASE OF THE MLK OFFICE BUILDING

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Report Received by the Budget and Finance Committee

8F1A SUPPLEMENT #2

072302 Supplement

SUPPLEMENTAL INFORMATION NO. 2 RE: THE PURCHASE OF THE MLK OFFICE BUILDING

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

8F1B

072086 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 9300 N.W. 32 AVENUE MIAMI, WITH MT. ZION APOSTOLIC TEMPLE, A FLORIDA NOT-FOR-PROFIT CORPORATION FOR PREMISES TO BE UTILIZED BY COMMUNITY ACTION AGENCY, HEAD START PROGRAM; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8F1C

072130 Resolution

RESOLUTION REJECTING ALL BIDS RECEIVED IN RESPONSE TO PROJECT NO. W00817: MIAMI GARDENS NEIGHBORHOOD SERVICE CENTER (OPA LOCKA HEAD START FACILITY); WAIVING THE BID PROTEST PROCESS; AUTHORIZING THE WAIVER OF FORMAL COMPETITIVE BIDDING PURSUANT TO SECTION 4.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE AND AS PROVIDED FOR IN SECTION 255.20 OF THE FLORIDA STATE STATUTES BY A TWO-THIRD (2/3) VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT IN THE AMOUNT OF \$3,624,555.90, WITH CORELAND CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE MIAMI GARDENS NEIGHBORHOOD SERVICE CENTER, FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (General Services Administration Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

8G
thru
8J

[No items were submitted for these sections.]

8K

OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

8K1A

072182 Resolution

RESOLUTION AUTHORIZING THE EXTENSION OF THE REVERTER DATE OF THE PROPERTY KNOWN AS SAWYER'S WALK BEING DEVELOPED BY THE SOUTHEAST OVERTOWN PARK WEST (SEOPW) COMMUNITY REDEVELOPMENT AGENCY (CRA) AND CITY OF MIAMI AND THE ENTITY KNOWN AS CROSSWINDS AT POINCIANA, LLC (Office of Community and Economic Development)

Adopted

Resolution R-875-07

Mover: Audrey M. Edmonson

Seconder: Jose "Pepe" Diaz

Vote: 12- 0

Absent: Martinez

Report: Commissioner Edmonson noted she received a call from her Chief of Staff approximately 7:30 a.m. yesterday (7/23) inquiring whether she was listening to the radio. She immediately turned on her radio and after about 15 minutes, she heard her home address broadcast and media report inviting people to her home at 8:15 p.m. Later that afternoon, she received a call from Channel 6 requesting her comment/statement regarding this incident, which she provided via an interview from her District Office. Immediately after the interview with Channel 6, she returned to her home, but was unable to enter her development. She called El Portal Police Department and then called County Manager Burgess and Miami-Dade Police Department Director Robert Parker to assist the Village of El Portal Police Department, in order to enter her home. After she entered her home, the police blocked off the area most of the day.

Approximately 7:45 p.m., last night (7/23), a crowd gathered at the church located on the corner near her home, at 8:15 p.m. they marched to her home chanting loud enough to be heard three blocks away. The crowd accused her of accepting money, being a liar, and "anything that could be named." She removed her granddaughter from the home because she did not want her granddaughter subjected to this.

It was supposed to be a candlelight vigil and she had instructed both the Village of El Portal Police Department and Miami-Dade Police Department Director Robert Parker to allow the people to have the vigil without interference.

When it came to a vote or a recommendation of any member of the County Commission, it was inappropriate—she felt—to subject any commissioner's family and neighbors to that kind of attack, based on action taken on the dais. If any commissioner did not agree with or follow the timeline of a group, that group had no right to show up at that commissioners' home or broadcast their address all over the radio, which was exactly what happened in this case.

Commissioner Edmonson said she was angered by this incident, and that she refused to be bullied or intimidated by anyone who was trying to convince her to recommend something to this Commission. She noted it also hurt her when she felt certain commissioners might even be with them or might have influenced it—and she was not calling any names. The Village of El Portal Police Department and the Miami-Dade Police Department handled this incident at the expense of the taxpayers, Commissioner Edmonson pointed out. She noted if this was an attempt to make her change her mind, it was unsuccessful.

Commissioner Edmonson noted this was a controversial item involving the Overtown area, and issues involving Overtown were always controversial, but it was in her District. She explained her recommendation was what she felt was in the best interest of the Overtown area, and she felt that this Commission should not accept her family and neighbors being intimidated in this manner; nor should any commissioner or anyone else tolerate this. Commissioner Edmonson proceeded to read a statement into the record about the history of the Overtown Area and the intent of this proposed resolution.

Upon concluding her statement, Commissioner Edmonson noted the County Manager was requesting only a four month extension of the reverter date, not one year or five or ten years.

County Manager Burgess concurred.

Commissioner Edmonson stated, for the record, that Crosswinds, in its current configuration, was a disgrace. Fifty units, out of 1,050, set aside for Overtown a resident earning less than 40% of the area median income (AMI) was just not acceptable, the commissioner noted. She said she would support this request, but when it comes back to the Commission, there must be a substantial increase in the number of units set aside for Overtown residents earning less than 60% of the AMI. In addition, this project must provide real job opportunities for Overtown residents, the Small Business Enterprise Goal must be increased, and agreements made in prior years with the Long Shore men and the Lyric Theatre must be settled before she would consider supporting this project.

Commissioner Edmonson reiterated that she would not be bullied or intimidated by those who supported or opposed this development. In closing, she asked the County Manager to bring this proposed resolution back to this Commission when it met the affordable housing smell test or it would be DOA.

It was moved by Commissioner Edmonson that the Board adopt the foregoing proposed resolution. Commissioner Gimenez seconded this motion for discussion.

It should be noted that although Commissioner Gimenez is listed as the seconder, Commissioners Diaz and Moss also seconded this motion.

Commissioner Diaz said he would respect the wish of his colleague and seconded her motion. He inquired whether the County Manager through the Mayor proposed this settlement, and whether the County Manager felt this was the best way to settle this issue.

County Manager Burgess explained that this was a time extension allowing the Administration to work out those details as well as other issues.

Mayor Alvarez noted he and the Manager understood what Commissioner Edmonson had gone through, and would not bring to the Commission another request for extension.

Commissioner Gimenez said he also supported his colleague's recommendation and agreed that this should be the last extension. He said he would hope that no one on this dais had anything to do with what happened to Commissioner Edmonson.

Commissioner Sorenson noted she sympathized with Commissioner Edmonson because she felt that was a terrible thing to happen; that commissioners were public officials and people seeking to protest had access to public property and freedom of speech, which was the proper way to handle this. Additionally, Commissioner Sorenson pointed out that it might be ineffective to alienate the very people you are trying to convince. Having said that, Commissioner Sorenson noted she still had concerns regarding this project because the City of Miami had had it for a very long time. She noted her primary question to the County Manager was what he expected to change in five (5) months.

Mr. Jose Cintron, Director, Office of Community and Economic Development (OCED), added to the issues raised by Commissioner Edmonson in terms of targeting SBE goals and the income mix. In the final analysis, the terms of the process could be brought back to this Commission, and if not acceptable, this

project would be denied. Mr. Cintron said he would put forth his best efforts to make the income mix more acceptable to the residents of the community and certainly to those who represent the local community. Other entities were involved; including the developer, the Southeast Overtown/Park West (SEOPW) Community Redevelopment Agency (CRA) and the City of Miami, as well as the County, Mr. Cintron noted. He said if this Commission agreed that changes could be made, he would try to do that within the next five months, present the results of those efforts and, in the final analysis, it would be the decision of this Commission as to whether to accept it.

Mr. Cintron responded to questions from Commissioner Sorenson regarding the number of units to be set aside for low income residents. He explained that as proposed, the 50 units would be turned over to the SEOPW CRA to determine how they would be distributed; and that the original agreement did not contain a commitment for those 50 units to be low income. The original agreement between the CRA, the City and the developer provided for 160 units to be made available to families earning between 80 and 140 percent of the median--commonly known as workforce housing, with an option for the City to purchase 62 units for targeted zones. He noted the 160, the 62 and the 50 units combined was the universe with those minimal targeting requirements under the old agreement, and was the base from which staff would try to improve that mix.

Commissioner Sorenson noted she still had concerns about this deal, but considering the extension was limited to five months and considering what Commissioner Edmonson went through, she would support this proposal today.

Commissioner Moss noted he heard Commissioner Edmonson and commended her for holding her ground on the radio program this morning. He said he would support this item, would look to Commissioner Edmonson's leadership in directing this project, and that he would hope that some good things came out of this process.

Commissioner Jordan noted she also wished to commend Commissioner Edmonson for maintaining a strong and committed stance in this instance. She said Commissioner Edmonson's proposal to bring something back to the Overtown area was commendable. However, she asked that Commissioner Edmonson consider being more specific in terms of targets and instruct the Administration to come back with an acceptable range (25 or 30% of units within the 60% range) would help them bring back an acceptable proposal. Additionally, Commissioner Jordan suggested that rather than saying this proposal must pass the Smell Test for affordability when it comes back; include an acceptable range, in terms of affordability. She also suggested more specific language be used in terms of employment opportunities (whether job opportunities should be provided to residents of Overtown or companies that might have a listing that might be currently registered with the County). Commissioner Jordan pointed out that Commissioner Edmonson had an opportunity here to structure what happened with that development in Overtown and how it could best serve the community.

Following Commissioner Jordan's comments regarding the number of housing units, Mr. Cintron provided an overview of the original proposal.

Commissioner Seijas noted she agreed with Commissioner Gimenez' comment regarding commissioners' involvement and stated someone might have unwittingly encouraged that behavior. She commented that inappropriate

FINAL OFFICIAL

behavior in response to something said on the dais could not always be controlled. Commissioner Seijas recommended all commissioners be more aware of the statements they make during commission meetings to prevent this type of incident from happening. She noted she wanted to come to Commissioner Edmonson's home as a show of support but was advised by the County Attorney's Office that it was a violation of the Sunshine Law. Commissioner Seijas said she would support Commissioner Edmonson's item and follow her leadership on this issue.

Commissioner Sosa stated she was supporting the item and commended Commissioner Edmonson based on her display of professionalism during this incident. She sympathized with Commissioner Edmonson and noted this issue would allow her to move the project forward.

Commissioner Heyman noted this was an unfortunate position decision-makers encountered where emotions took precedence over logic and caused them to forget there was a legitimate place to launch a protest. She noted it was ironic that in a respectable setting within the parameters of regulations and rules and an opportunity to be professional, it seemed no one was speaking out to the District Commissioner or anyone else making decisions today. Commissioner Heyman noted she was excited this project was moving forward, and recalled the period when she served in the Police Department and the area labeled "Shantytown" in the City of Miami. She stated this project was long overdue and expressed her support of a four-month extension in partnership with the City of Miami, but noted the commission needed to be firm with this deadline and not allow further extensions. Commissioner Heyman further noted the need to determine whether it was a private/public or public/public partnership and to look into what could be done to bring similar situations forward. She expressed concern that the County provided a large amount in the budget for Community Outreach with different mediums and noted staff should remember who was inciteful versus respectful when engaging the public in such an issue when recommending allocations.

Commissioner Rolle noted his experience similar to Commissioner Edmonson in regard to the HOPE VI Project, and spoke in support of Commissioner Edmonson.

Commissioner Jordan noted the Commission should consider providing an exemption for payment of condo association fees by the occupants of the affordable housing units.

Following Commissioner Moss' caution against negative media reports and Commissioner Edmonson's clarification that the radio station announced her address on the air, Commissioner Diaz reiterated the radio station acted irresponsibly in creating that type of situation.

Chairman Barreiro recalled that five (5) years ago he proposed having the properties reverted and spoke in support of Commissioner Edmonson's efforts to have the Administration bring back a workable product.

In closing, Mr. Cintron clarified two points stated earlier: 1) the 50 units were designated strictly for individuals earning below 80% of the AMI, and 2) the four month extension was from August 1st to December 31st. He vowed that staff would work closely with Commissioner Edmonson as the County proceeded with the negotiations.

Commissioner Edmonson noted for the record her appreciation to the County

Manager, the Director and staff of the MDPD, and the Chief and staff of the Village of El Portal Police Department for their excellent response to the situation yesterday (7/23).

Hearing no further questions or comments, the Board by motion duly made, seconded and carried, adopted the foregoing proposed resolution as presented.

8K1B

072252 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 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. 071838] (Office of Community and Economic Development)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Amended by the Economic Development and Human Services Committee

8K1B SUPPLEMENT

072299 Supplement

SUPPLEMENTAL INFORMATION ON THE REPROGRAMMING OF HOME AND HODAG FUNDS

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

8L

OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

072128 Resolution

RESOLUTION APPROVING TERMS AND EXECUTION OF INTERLOCAL AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI, SOUTHEAST OVERTOWN/PARK WEST COMMUNITY REDEVELOPMENT AGENCY, THE OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCY (COLLECTIVELY "CRA'S"), AND THE CHILDREN'S TRUST FOR THE PURPOSE OF ESTABLISHING THE USE OF INCREMENTAL TAX REVENUES DERIVED FROM CHILDREN'S TRUST ONE HALF MILL AD VALOREM TAX LEVY AGAINST REAL PROPERTY LOCATED WITHIN JURISDICTION OF THE COMMUNITY REDEVELOPMENT AREAS (Office of Strategic Business Management)

*Adopted
Resolution R-876-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

Report: *Hearing no questions or comments, the County Commission proceeded to vote.*

7/18/2007 *Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee*

**8M
and
8N**

[No items were submitted for these sections.]

8O

PROCUREMENT MANAGEMENT DEPARTMENT

8O1A

071702 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH WOOLPERT, INC. TO OBTAIN ENTERPRISE ASSET MANAGEMENT SYSTEM (EAMS) IMPLEMENTATION SERVICES, 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. RFP 511 (Procurement Management Department)

*Adopted
Resolution R-877-07
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Martinez*

6/12/2007 *Carried over Due to Lack of a Quorum by the Budget and Finance Committee*

7/11/2007 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

801B

072235 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE COUNTY MAYOR TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER [SEE ORIGINAL ITEM UNDER FILE NO. 072039] (Procurement Management Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Budget and Finance Committee

801C

072237 Resolution

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, CONTRACT MODIFICATIONS, AWARD OF COMPETITELY BID CONTRACTS OF OTHER GOVERNMENTAL ENTITIES, AUTHORITY TO EXERCISE OPTION-TO-RENEW PERIODS AND RETROACTIVE APPROVAL FOR EXECUTION OF OPTION-TO-RENEW PERIODS FOR THE PURCHASE OF GOODS AND SERVICES [SEE ORIGINAL ITEM UNDER FILE NO. 072053] (Procurement Management Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Budget and Finance Committee

801D

072225 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES, COMMITTEE REVIEW AND BID PROTEST PROCEDURES FOR THE PURCHASE OF OPTICAL SCAN EQUIPMENT, AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO NEGOTIATE WITH VENDORS WHO ARE CERTIFIED BY THE STATE OF FLORIDA TO PROVIDE SUCH EQUIPMENT

Carried over to July 26, 2007

(Procurement Management Department)

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Governmental Operations and Environment Committee

8P

PUBLIC WORKS DEPARTMENT

8P1A

072032 Resolution

RESOLUTION RAISING THE ESTABLISHED AGGREGATE FUNDING FOR THE MISCELLANEOUS CONSTRUCTION CONTRACTS (MCC) MANAGED BY THE OFFICE OF CAPITAL IMPROVEMENTS (OCI) (CICC7040-0/07 AND CICC7360-0/08), FOR THE PURPOSE OF ALLOWING THE PUBLIC WORKS DEPARTMENT (PWD) TO UTILIZE MCC TO COMPLETE PWD CAPITAL CONSTRUCTION PROJECTS PREVIOUSLY APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AND CONTAINED IN MIAMI-DADE COUNTY'S MULTI-YEAR CAPITAL PLAN (Public Works Department)

Adopted
Resolution R-878-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

7/11/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Governmental Operations and Environment Committee

8P1B

072056 Resolution

RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT (PWD) TO TERMINATE FOR CONVENIENCE A CONTRACT WITH BUDGET CONSTRUCTION CO., INC., TITLED NW 87 AVENUE FROM NW 162 STREET TO NW 170 STREET (PWD PROJECT NO. 20060084), AND AUTHORIZING PWD TO NEGOTIATE AND SETTLE ANY CLAIMS RESULTING FROM THIS ACTION [SEE AGENDA ITEM NO. 12B1] (Public Works Department)

Adopted
Resolution R-879-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

7/11/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Governmental Operations and Environment Committee

8P3A

072048 Change Orders

CHANGE ORDER NO. 2 FOR PROACTIVE STREET LIGHT MAINTENANCE CONTRACT - ZONE A CONTRACT NO. 20050031 (Public Works Department)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

7/11/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Governmental Operations and Environment Committee

8P3B

072045 Change Orders

CHANGE ORDER NO. 2 FOR PROACTIVE STREET LIGHT MAINTENANCE CONTRACT - ZONE B CONTRACT NO. 20050048 (Public Works Department)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

7/11/2007 Forwarded to the BCC by the BCC Chairperson 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

071843 Resolution

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

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

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

8R1A SUPPLEMENT

072303 Supplement

REPORT RE: JOINT PARTICIPATION AGREEMENT FOR THE REVERSE OSMOSIS WATER TREATMENT PLANT WITH THE CITY OF HIALEAH AND CLARIFICATION OF CODE REQUIREMENT WAIVERS AS REQUESTED BY THE CITY OF HIALEAH

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

8R1B

072251 Resolution

RESOLUTION APPROVING EXECUTION OF AMENDMENT NUMBER ONE TO THE INTERIM CONSUMPTIVE USE AUTHORIZATION AND AGREEMENT BETWEEN SOUTH FLORIDA WATER MANAGEMENT DISTRICT AND MIAMI-DADE COUNTY TO MODIFY THE SCHEDULE OF DELIVERABLES REQUIRED BY THE ORIGINAL AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 071837] (Water & Sewer Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

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

8R1B SUPPLEMENT

072257 Supplement

SUPPLEMENTAL INFORMATION TO AMENDMENT
NUMBER ONE TO THE INTERIM CONSUMPTIVE USE
AUTHORIZATION AND AGREEMENT

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

8R1B SUPPLEMENT NO. 2

072317 Supplement

ADDITIONAL SUPPLEMENTAL INFORMATION RE:
AMENDMENT NUMBER ONE TO THE INTERIM
CONSUMPTIVE USE AUTHORIZATION AND AGREEMENT

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

8R3A

071714 Bid Advertisement

REQUEST TO ADVERTISE FOR DESIGN AND
CONSTRUCTION MANAGEMENT SERVICES FOR THE 10
MILLION GALLONS PER DAY (MGD OF FINISHED WATER)
REVERSE OSMOSIS NORTH MIAMI-DADE WATER
TREATMENT PLANT- PROJECT NO. E07-WASD-06;
CONTRACT NO: E07-WASD-06 (Water & Sewer Department)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

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

9 ADDITIONAL DEPARTMENTAL ITEMS

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

10J1A

072250 Miscellaneous

COUNTY COMMISSION APPOINTMENT TO MIAMI-DADE
EXPRESSWAY AUTHORITY VACANCY (Expressway
Authority)

Appointed

Report: Chairman Barreiro announced, by ballot vote, Mr. Gonzalo Sanabria who received eight (8) votes from the Commission was appointed to serve as a member of the Miami-Dade Expressway Authority.

11 COUNTY COMMISSION

11A RESOLUTIONS

11A1

063616 Resolution Sen. Javier D. Souto

RESOLUTION URGING THE U.S. POSTAL SERVICE TO PROVIDE POSTAL RECOGNITION FOR HORSE COUNTRY IN MIAMI-DADE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 063435]

*Adopted
Resolution R-880-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

12/13/2006 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Intergov., Recreation & Cultural Affairs Cmte.

1/25/2007 Deferred by the Board of County Commissioners

11A2

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"

Carried over to July 26, 2007

Report: *See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.*

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

7/10/2007 Deferred by the Board of County Commissioners

11A3

072189 Resolution Natacha Seijas

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

*Adopted
Resolution R-881-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

11A4

**072025 Resolution Bruno A. Barreiro,
Sally A. Heyman**

RESOLUTION DIRECTING THE COUNTY MANAGER TO OBTAIN AN INDEPENDENT ASSESSMENT STUDY AND REPORT CONCERNING BEACH EROSION CONTROL STRUCTURES IN MIAMI BEACH

*Adopted
Resolution R-882-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

7/11/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

11A5

072249

Resolution

Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY 2006-
2007 DISTRICT RESERVE FUNDS OF DISTRICT 11

Adopted

Resolution R-883-07

Mover: Jose "Pepe" Diaz

Seconder: Carlos A. Gimenez

Vote: 12- 0

Absent: Martinez

11 B ADDITIONAL BUDGET ALLOCATIONS

12 COUNTY MANAGER

12A1

071836 Resolution

RESOLUTION AUTHORIZING THE APPROVAL OF THIRTY-SEVEN (37) GRANTS FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM NOT-FOR-PROFIT COMMUNITY ORGANIZATION CAPITAL FUND – PROJECT NUMBER 223 TO TROPICAL AUDUBON SOCIETY, INC., DAILY BREAD FOOD BANK, GOLD COAST RAIL ROAD MUSEUM, SEMINOLE CULTURAL ART THEATRE, UPPER ROOM ASSEMBLY, INC., MIAMI HISPANIC BALLET THEATER, JEWISH MUSEUM OF FLORIDA, HABITAT FOR HUMANITY OF GREATER MIAMI, NANAY, INC., SPINAL CORD LIVING-ASSISTANCE DEVELOPMENT, BAY POINT SCHOOLS, COALITION OF FARM WORKER ORGANIZATION, INC., YWCA OF GREATER MIAMI DADE, INC., UNITED WAY OF MIAMI-DADE, WDNA - 88.9 FM COMMUNITY PUBLIC RADIO, CENTER FOR HAITIAN STUDIES, THE CHILDREN'S PSYCHIATRIC CENTER, ASSOCIATION FOR THE DEVELOPMENT OF THE EXCEPTIONAL, CARE RESOURCE, COMMUNITY SERVICES CENTER, INC., BAY OAKS HOME FOR THE AGING, INC., BAKEHOUSE ART COMPLEX, INC., SOUTH FLORIDA URBAN MINISTRY, CAMILLUS HOUSE, GALATA, INC., ASPIRA OF FLORIDA, MIAMI CHILDREN MUSEUM, AMERICAN RED CROSS, BOYS & GIRLS CLUB OF MIAMI, HOPE CENTER, INC., YMCA OF GREATER MIAMI, SUNRISE COMMUNITY, INC., THE ALTERNATIVE PROGRAMS, INC., CENTRO CAMPESINO FARM WORKER CENTER, INC., UNIDAD OF MIAMI BEACH, INC., WORLD LITERACY CRUSADE OF FLORIDA, AND CITIZENS FOR A BETTER SOUTH FLORIDA; APPROVING TERMS OF AND AUTHORIZING EXECUTION OF GRANT AGREEMENTS BY THE MAYOR OR HIS DESIGNEE; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (County Manager)

*Adopted
Resolution R-884-07
Mover: Dennis C. Moss
Seconder: Carlos A. Gimenez
Vote: 11- 0
Absent: Martinez, Seijas*

Report: *It was moved by Commissioner Diaz that this proposed resolution be adopted. This motion was seconded by Commissioner Gimenez.*

Commissioner Jordan pointed out a Request for Proposals (RFP) could be evaluated in different ways. She noted that the process used for the RFP in this proposed resolution did not allow the County to provide credible feedback to the applicants. She asked that, in the future, the County Manager notify the County Commission whenever the grant application evaluation process was changed, especially if no written criteria was provided; in an effort to apprise applicants of their strengths and weaknesses in the application process.

Hearing no other questions or comments, the Commission proceeded to vote.

7/11/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

12A2

072240 Resolution

RESOLUTION SETTING THE PROPOSED FY 2007-08
MILLAGE AND SPECIAL ASSESSMENT RATES AND
SETTING THE DATE, TIME AND LOCATION OF THE
PUBLIC BUDGET HEARINGS (County Manager)

Adopted

Resolution R-885-07

Mover: Carlos A. Gimenez

Seconder: Audrey M. Edmonson

Vote: 12- 0

Absent: Martinez

Report: *Commissioner Sosa asked the County Manager to identify a funding source similar to that identified for the Port Tunnel, to cover funding reductions in the proposed budget in order to ensure that non profit organizations, services and county employees were not adversely impacted.*

Pursuant to Commissioner Moss' request for an explanation of the proposed millage rates, County Manger Burgess noted that the proposed millage rates were set to the rollback levels prescribed by the Florida State Legislature. He clarified that the Countywide General Fund millage rate was the designated rollback level plus a further nine percent reduction; that the Library System millage rate was the designated rollback level plus a further nine percent reduction; that the Unincorporated Municipal Service Area (UMSA) millage rate was the rollback level plus an additional five percent reduction; that UMSA was treated similar to a city; that the Fire District millage rate was the designated rollback level plus a further three percent reduction; and that the Fire District was treated similar to independent fire districts.

County Manager Burgess pointed out the waste fee did not change. He explained that, at the September Budget Hearing, a 2/3 majority vote of the Commission would be required to set the millage rate to the designated rollback levels, without the additional percentage reductions; that a 3/4 majority vote of the Commission would be required to set the millage rate to the current millage rate; and that a referendum was required to set the millage rate above the current level.

Commissioner Diaz questioned where the citizens would see the foregoing tax cuts on their tax bill. He also asked for an explanation concerning Miami-Dade Public Schools' increased taxes.

Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, noted the Miami-Dade Public Schools' millage rate had decreased slightly to 0.0091, however, the taxes associated with the school system for a \$250,000 home would increase \$14.35, since the value of the property had increased. She explained that the total savings for a \$250,000 home in the County's four taxing districts would be \$377.98.

In response to Commissioner Heyman's inquiry concerning the Fire District millage rate, Mr. Glazer-Moon explained that a citizen with a \$250,000 home would pay \$76.47 less in taxes, regardless of where they lived in the Fire District.

County Manager Burgess clarified that the individual property owner's tax bill would be approximately 15.4 percent lower than the current year by paying \$76.47 less.

Responding to Commissioner Sorenson's inquiry regarding the impact at the Legislature of the County setting the millage rate for the Library System at the rollback rate plus an additional three percent reduction, County Manager Burgess emphasized that as long as the Commission had a 2/3 vote at the final budget hearing for Commissioner Sorenson's proposed Library System millage rate, then the County would be compliant to the Florida State Statute.

It was moved by Commissioner Sorenson that this proposed resolution be amended to set the Library System millage rate at the State defined rollback level plus an additional three percent reduction. This motion was seconded by Commissioner Jordan, for discussion purposes.

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Commissioner Seijas requested an explanation of the following sentence from the second paragraph in the Background section on handwritten page one (1) of this proposed resolution: "The maintenance of effort payment to the Public Health Trust will be held harmless by being removed from the calculation of rollback and then added back for purposes of setting the millage rate."

County Manager Burgess noted the Legislature, during its Special Session in June 2007, agreed to take the funds that the Public Health Trust would have received at the current millage rate, and pull those funds out of the calculated rollback, and then superimpose the maintenance of effort payment to Jackson Memorial Hospital.

Commissioner Seijas asked that Jackson Memorial Hospital review salaries in its pay plan for upper management even though it had been held harmless to the impact of the State mandated budget reductions. She expressed that upper management salaries at Jackson were excessive.

Following comments by Commissioner Sosa regarding clarification on Commissioner Sorenson's motion, Commissioner Souto asked the County Manager provide the members of the Board with the salaries for the Jackson Health System/Public Health Trust employees.

Commissioner Souto noted he had previously requested, but not yet received, a report that identified by county department, county employee salaries exceeding \$50,000.00.

Pursuant to Commissioner Sorenson's request concerning the impact of her proposed amendment on a citizen that owned a \$250,000 home, Ms. Glazer-Moon explained the total savings to the \$250,000 home from the current Library System millage rate to the proposed millage rate was \$20.50. She further clarified that the savings would be \$15.00, with the proposed amendment; and that the County would receive \$5.3 million more for the Library System.

Discussion ensued regarding the merits of Commissioner Sorenson's proposed amendment.

Chairman Barreiro suggested that the Commission amend the millage rate for the Countywide General Fund, rather than the Library System millage rate, to recapture the \$5.3 million for libraries.

Following further discussion regarding Commissioner Sorenson's motion to amend this proposed resolution to set the Library System millage rate at the State defined rollback level plus an additional three percent reduction, the Commission proceeded to vote, and upon being put to a vote, the motion to amend failed to carry 5-7 (Commissioners Edmonson, Gimenez, Rolle, Seijas, Sosa, Diaz, and Chairman Barreiro voted "no," Commissioner Martinez was absent).

Commissioner Diaz noted he supported the intent of Commissioner Sorenson's proposed amendment. He explained that he did not support the motion in anticipation of the public's disappointment with the reality of the tax cuts.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution, as presented.

12A3

072223 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO CONDUCT COUNTY BUSINESS DURING THE BOARD OF COUNTY COMMISSIONERS' SUMMER 2007 RECESS; THE AUTHORIZATION PERIOD WILL BEGIN AT THE ADJOURNMENT OF THE JULY 24, 2007 BOARD OF COUNTY COMMISSIONERS' MEETING AND CONCLUDE AUGUST 24, 2007; AND SUBSEQUENTLY ALL ITEMS WILL BE SUBMITTED TO THE BOARD FOR RATIFICATION AT THE OCTOBER 2, 2007 BOARD OF COUNTY COMMISSIONERS MEETING [SEE ORIGINAL ITEM UNDER FILE NO. 071768] (County Manager)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/11/2007 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Governmental Operations and Environment Committee

12A4

072118 Resolution

RESOLUTION APPROVING THE FORM OF THE CITY/COUNTY JOINT PARTICIPATION AGREEMENT AND THE US HUD AMENDED PLEDGE AGREEMENT REQUIRED FOR THE CITY OF MIAMI TO ASSUME 80 PERCENT OF THE PARROT JUNGLE US HUD SECTION 108 LOAN; APPROVE AMENDMENTS TO THE DEVELOPMENT AGREEMENT AMONG THE CITY, THE COUNTY AND PARROT JUNGLE AND GARDENS; AND MODIFY THE \$4.7 MILLION LOAN, AND AUTHORIZE THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ANY REQUIRED DOCUMENTS, AGREEMENTS, AND AMENDMENTS THAT MAY BE NECESSARY TO IMPLEMENT THE RECOMMENDED MODIFICATIONS [SEE SUBSTITUTE ITEM UNDER FILE NO. 072889] (County Manager)

*Adopted
Resolution R-886-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12-0
Absent: Martinez*

7/18/2007 Amended by the Economic Development and Human Services Committee

12A4 SUPPLEMENT

072298 Supplement

SUPPLEMENTAL INFORMATION ON CLARIFICATION OF PARROT JUNGLE JOINT PARTICIPATION AGREEMENT

Accepted

12A5

072248 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE A SETTLEMENT AGREEMENT IN THE AMOUNT OF \$12,000 BETWEEN MIAMI-DADE COUNTY AND SINHA, INC. IN CONNECTION WITH CONTRACT NO. S-775 FOR THE NORTH DISTRICT WASTEWATER TREATMENT PLANT REPLACEMENT OF PRE-TREATMENT BUILDING SLUICE GATES (County Manager, County Attorney)

Adopted
Resolution R-887-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

12A6

072245 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT FOR CONVEYANCE OF LAND WITH MERRILL STEVENS DRY DOCK CO., AND MERRILL STEVENS TRAINING INSTITUTE, INC., FOR THE MARINE REDEVELOPMENT PROJECT (County Manager)

Withdrawn

Report: See Agenda Item 12A6 Substitute No. 2, Legislative File No. 072304.

12A6 SUBSTITUTE

072288 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT FOR CONVEYANCE OF LAND WITH MERRILL STEVENS DRY DOCK CO., AND MERRILL STEVENS TRAINING INSTITUTE, INC., FOR THE MARINE REDEVELOPMENT PROJECT [SEE ORIGINAL ITEM UNDER FILE NO. 072245] (County Manager)

Withdrawn

Report: See Agenda Item 12A6 Substitute No. 2, Legislative File No. 072304.

12A6 SUBSTITUTE #2

072304 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT FOR CONVEYANCE OF LAND WITH MERRILL STEVENS DRY DOCK CO., AND MERRILL STEVENS TRAINING INSTITUTE, INC., FOR THE MARINE REDEVELOPMENT PROJECT [SEE ORIGINAL ITEM UNDER FILE NOS. 072245 & 072288] (County Manager)

Amended

Report: See Agenda Item 12A6 Substitute #2 Amended, Legislative File No. 072390 for the amended version.

12A6 SUBSTITUTE #2

072390 Resolution

RESOLUTION AUTHORIZING THE MAYOR OR HIS
DESIGNEE TO EXECUTE AN AGREEMENT FOR
CONVEYANCE OF LAND WITH MERRILL STEVENS DRY
DOCK CO., AND MERRILL STEVENS TRAINING INSTITUTE,
INC., FOR THE MARINE REDEVELOPMENT PROJECT [SEE
ORIGINAL ITEM UNDER FILE NOS. 072245, 072288 AND
072304] (County Manager)

*Adopted as amended
Resolution R-888-07
Mover: Bruno A. Barreiro
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Martinez*

Report: County Manager Burgess explained that this proposed resolution would convey land to Merrill Stevens to enable Merrill Stevens to expand its industry along the Miami River and to develop a training institute. He pointed out several impacts of this proposal, including the creation of approximately 350 jobs. He noted the most significant part of the agreement was Merrill Stevens had agreed to provide \$2.2 million, if the County would continue to retain the upland United States Department of Housing and Urban Development (HUD) property and develop it for affordable housing purposes. County Manager Burgess pointed out the training facilities would be located on the land east of the NW 12th Avenue Bridge and on the south side of the river (General Services Administration property), however, that land would be returned to the County as a site for elderly housing if no elderly housing was included in the potential housing development on the north side of the river in the Civic Center area; and that Merrill Stevens would still provide the training facility.

Commissioner Sosa questioned who would own the land.

County Manager Burgess clarified that the County would retain ownership of the HUD property and would control the density of the property; and that Merrill Stevens would provide green space and park type improvements to the HUD property.

Mr. Cliff Schulman, 1221 Brickell Avenue, Attorney representing Florida Holding Corporation (Merrill Stevens), spoke in support of his client. He called this proposal a win-win situation for everyone. He noted the Miami River would remain an industrial river and Merrill Stevens would be brought into the 21st Century by providing the ability to handle mega yachts. He pointed out the community would benefit by Merrill Stevens remaining on the river rather than the land being converted to another use. Mr. Schulman noted Merrill Stevens was attempting to attain the first "green" certification for a marine project; that Merrill Stevens would create a river walk on the north and south sides of the river; that Merrill Stevens would create a new marine patrol facility for the County and the City of Miami; and that Merrill Stevens would do all this in exchange for some slivers of land (2.2 acres total) to enable vessels to be docked before they went to dry dock. He emphasized that this project would bring \$200 million per year into the County's economy. Mr. Schulman pointed out that 2,100 marine industry jobs had gone to North Carolina, Georgia, and other parts of Florida.

In response to Commissioner Heyman's inquiry regarding the County's exposure if the other necessary third parties did not approve this proposal, Assistant County Attorney Thomas Goldstein advised that the County would retain possession of all the land; and that the deal would go away.

Responding to Commissioner Heyman's question regarding the County conducting due diligence for this proposal, Assistant County Manager Roger Carlton noted the County had conducted due diligence. He pointed out that the "Conditions Precedent" section of this proposal included provisions that had to be completed before the land was transferred.

Commissioner Heyman noted, for the record, this proposal was a public/private partnership that would provide value through tax revenues.

Pursuant to Commissioner Heyman's request, Mr. Schulman pointed out the estimated annual state and local taxes would be \$8.2 million.

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In response to Commissioner Sorenson's request for more details regarding the jobs this proposal would provide, Mr. Schulman explained that Merrill Stevens presently had 150 employees on the site; that 500 employees would be needed; and that Merrill Stevens would create its own job training program through a Merrill Stevens Training Institute. He noted these jobs would pay an average salary of \$48,000, which was \$18,000 above the County's average median salary.

Following Commissioner Sorenson's comments concerning the need for Merrill Stevens and the manatees to coexist, Mr. Carlos Espinosa, Director, Department of Environmental Resources Management, noted Merrill Stevens' project was incompatible with the manatee plan.

Commissioner Sorenson asked Mr. Espinosa to be vigilant in the permitting process for this project to ensure the Miami River remained conducive to maintaining the manatee population.

Responding to Commissioner Jordan's question regarding whether the County was turning land over to a for-profit group, County Manager Burgess clarified the County would lease the HUD property; and that the County would convey the General Services Administration (GSA) property pursuant to applicable laws. He emphasized that the conveyance of the GSA property was conditioned on an elderly housing project being included in the project on the north side of the river.

Assistant County Attorney Goldstein advised this proposed resolution would be the first project where the County directly conveyed land to a for-profit entity. He clarified that the Legislature said, through a 1995 Florida State Statute, that economic development was a purpose for which local government could convey land outright or by lease to a private, for-profit entity that the local government wished to keep in the community and to expand.

Commissioner Jordan noted this proposed resolution would set a precedent for the County to convey or lease public property to a for-profit entity. She expressed concern that this proposal would open the door for other companies to argue that they had economic benefit to stay in the County.

Assistant County Attorney Goldstein pointed out that this situation was extremely unique; that the site was unique, on which the private company already existed; that the private company was facing potential economic crisis that indicated they would have to leave the County if they could not expand; and that they could only expand on their existing location on the river. He advised that most entities would find it very difficult to approach the County and say they fit the number of particulars of this case, under the same Florida State Statute.

Responding to Commissioner Jordan's inquiry concerning the value of the sliver of land that would be conveyed, County Manager Burgess noted the value of the housing property after losing the waterfront was \$4.8 million; and that the value on the sliver of land was between \$1.9 and \$2.6 million; and that the County negotiated \$2.2 million. County Manager Burgess explained that this proposal was a way to maximize a piece of property that otherwise would not be developed to address housing needs.

Commissioner Jordan pointed out this proposed resolution had been bifurcated, and she questioned whether the housing component was still included in this proposal.

County Manager Burgess noted two projects were submitted to the County for consideration; that the "mega project" involved the development of affordable and workforce housing on the north side of the river in the Civic Center area and the Merrill Stevens project; and that the "mega project" had been separated into two separate and distinct development proposals, and this proposal was for the Merrill Stevens project.

Commissioner Jordan pointed out the original proposal had a connector of the Civic Center Housing Development that made it attractive for the public benefit. She questioned the community support and access from this proposal to provide this very valuable County land.

County Manger Burgess noted the public benefit would be the \$2.2 million lease payments for a sliver of land that would never be developed for affordable housing purposes; and that the County would use that revenue for affordable housing purposes.

Assistant County Manager Roger Carlton noted the appraised value of the land would come back to the County through millions of dollars of construction; through job creation and retention; through two locations reserved for Miami-Dade Police Department boats; through an historical motors exhibit coordinated with the Historic Society; and through opening the area to river walk. He pointed out the land value was less than the economic benefit.

In response to Commissioner Jordan's request for more information concerning the job creation and training aspect, Assistant County Manager Carlton pointed out, handwritten page 21, in Agenda Item 12A6 Substitute #2, detailed the job creation and training aspect. He asked that Merrill Stevens' representatives respond to Commissioner Jordan's request.

Mr. Douglas Pearlson, Director, Merrill Stevens Expansion Program, noted the Executive Director of Greater Miami Service Corps and Staff had met with Merrill Stevens and discussed the apprenticeship program for paid shipyard employees to attain the needed craftsmanship skills to operate and maintain yachts. He explained the Greater Miami Service Corps would benefit from Merrill Stevens using the outreach program to recruit employees from the Service Corps' groups.

Commissioner Jordan provided an explanation of the purpose and functions of the Greater Miami Service Corps. She asked that the Greater Miami Service Corps ensure that the population they serve be provided training in the required skill sets to be specialists in the boating community.

Mr. Pearlson pointed out that the Executive Director of the Greater Miami Service Corps would serve on the Merrill Stevens Training Institute Advisory Board. He clarified that the outreach program would expose individuals to available opportunities through the apprentice program; and that the apprentice program was used worldwide to train employees to maintain yachts.

Responding to Commissioner Jordan's question regarding the County setting a precedent with a private entity that was unique enough that other entities would not evaluate all available County land and present a unique opportunity to stay in the County that provided public benefit, Assistant County Attorney Goldstein noted the County Attorney's Office had discussed

all sides of this issue and, in the end, felt comfortable with the uniqueness of this situation and that this proposal could be accomplished through the 1995 Florida State Statute; and that any other company would be subject to the same process, and would only come before the Board if the County Attorney's Office was extremely comfortable that it fit the same State Statute.

County Manager Burgess pointed out that the County had the Targeted Jobs Incentive Fund (TJIF) used by the Beacon Council to supplement other incentives to attract business; and that Merrill Stevens was not pursuing any of those funds.

In response to Commissioner Jordan's request that this proposed resolution be amended to include a provision that the South Florida Community Workforce and Greater Miami Service Corps would be a feeder for the training and employment opportunities provided by Merrill Stevens, Mr. Schulman noted a provision was already in the proposed agreement that indicated Merrill Stevens would outreach to the Greater Miami Service Corps, South Florida Community Workforce, and Miami-Dade Public Schools; and that they had met to coordinate the program.

Commissioner Jordan expressed concern regarding the difference between a commitment to outreach and to integrate the recruitment and employment of young people of the Greater Miami Service Corps and the South Florida Community Workforce as part of the apprenticeship program.

Mr. Schulman concurred with Commissioner Jordan to use the language "integrate" versus "outreach."

Commissioner Sosa concurred with Commissioner Jordan regarding the need to outreach to entities that served those in need of jobs. Commissioner Sosa expressed concern regarding the Commission mandating Merrill Stevens to use one or two specific groups. She noted Merrill Stevens should outreach the same to all entities.

Mr. Schulman suggested this proposed resolution be amended to add the following language: "these entities, including, but not limited to these entities."

Notwithstanding Commissioner Sosa's concern, Commissioner Jordan asked that the foregoing resolution be amended to include a commitment by Merrill Stevens to integrate into its apprenticeship program, the recruitment and employment for individuals participating in the South Florida Community Workforce and Greater Miami Services Corporation.

In response to Commissioner Rolle's request for an explanation regarding how the outreach program would function to ensure this opportunity was provided to the inner-city, Mr. Pearlson noted that each organization would identify candidates with the characteristics and attitude that would serve them well if they had the opportunity to develop the skill set with Merrill Stevens; that those candidates would attend orientation; that following orientation, those individuals would be employees of the shipyard; and that they would work with Senior Craftsmen and other mentors in the shipyard.

Commissioner Souto asked that in regard to the marine vocational apprenticeship training program, the County Manager review a similar model that was successful in France approximately 15 years ago, that had recruited individuals who had problems with the law for its program.

Responding to Commissioner Moss' inquiry regarding the involvement of a not-for-profit entity, Mr. Schulman noted Merrill Stevens created the not-for-profit Merrill Stevens Training Institute to operate the training facility; and that it was controlled by Merrill Stevens Dry Dock. He clarified that Merrill Stevens Training Institute would not own or lease any of the land.

In response to Commissioner Moss' question regarding this proposal including workforce housing for employees of the Court system, Mr. Schulman explained the original proposal attempted to work with another developer and include a Civic Center Redevelopment Plan; that the developer for the Civic Center Redevelopment Plan had a different timeline than Merrill Stevens; that the Civic Center Redevelopment Plan had a series of challenges that slowed the process; and that Merrill Stevens needed to move forward to meet their goals. He noted the Civic Center project was still being analyzed, but could not proceed on the same timeline as the Merrill Stevens project.

Following Assistant County Manager Carlton's comments clarifying the challenges of the Civic Center Redevelopment Plan, Chairman Barreiro pointed out the scope of the Redevelopment Plan had grown; and that the growth had delayed the process.

Commissioner Moss questioned how Merrill Stevens would ensure that these job opportunities were provided to the target segment of the population.

Mr. Schulman noted the contract obligated Merrill Stevens to outreach to those community groups and integrate them into the workforce. He pointed out that Merrill Stevens could employ local candidates easier than reaching out to other areas; and that representatives from these community groups served on Merrill Stevens' Advisory Board.

Following further comments by Commissioner Moss regarding the employment of all segments of the population, Mr. Schulman suggested the County Manager or his designee to serve on the Merrill Stevens Training Institute, Inc. Advisory Board.

Commissioner Moss noted if the County Manager or his designee served on the Merrill Stevens Training Institute, Inc. Advisory Board, then that person needed to follow the integration process. He pointed out that contractors were ignoring the provisions of the Community Small Business Enterprise (CSBE) program. Commissioner Moss spoke in support of Mr. Schulman's proposed amendment to have the County Manager or his designee serve on the Advisory Board. He clarified that he would support this proposed resolution; however, he would not support future proposals that would make the precedent set by this proposal a regular practice.

Following comments by Commissioner Seijas regarding her meeting with Chief Judge Joseph Farina and the master plan for the Court System, Commissioner Gimenez questioned whether Merrill Stevens had contacted Miami-Dade Public Schools (MDPS) to create a program to develop well trained individuals in this industry.

Mr. Schulman noted Merrill Stevens had met with MDPS to create a feeder program; and that the contract contained a provision that Merrill Stevens meet with MDPS.

Following further discussion, Commissioner Souto questioned whether this

proposed resolution would interfere with the County's designation of the Civic Center Area as an urban center.

Chairman Barreiro explained that this proposed resolution would maintain the density in the Civic Center Area; that the County would retain the development rights; that the County retained the Floor Area Ratios (FARs); and that this proposal would not hurt the ability to fully build out the portions around these properties.

Assistant County Manager Carlton clarified that these slivers of land were approximately ½ mile from Jackson Memorial Hospital; that the project on the north side of the Miami River was a separate report and would need to address Commissioner Souto's concern; and that this proposed resolution should not have any impact on the growth in the Civic Center Area.

Responding to Commissioner Souto's inquiry regarding trucks and traffic impacts, Chairman Barreiro pointed out the bridge on NW 12th Avenue was being replaced and lanes were being added to the road.

It was moved by Commissioner Barreiro that the foregoing proposed resolution be amended to include a commitment by Merrill Stevens to integrate into its apprenticeship program, the recruitment and employment of individuals participating in the South Florida Community Workforce, the Greater Miami Services and outreach to the Miami-Dade County Public Schools; and to include the County Manager or his designee to serve on the Merrill Stevens Training Institute, Inc. Advisory Board. This motion was seconded by Vice-Chairwoman Jordan.

Commissioner Seijas noted, for the record, she wanted to ensure an even distribution of recruitment among the young African Americans and Hispanics.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution, as amended.

12A7

072268 Resolution

RESOLUTION APPROVING MASTER AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI AND FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING FUNDING OF PORT TUNNEL BETWEEN WATSON ISLAND AND DODGE ISLAND; AUTHORIZING MAYOR OR HIS DESIGNEE TO EXECUTE SUCH AGREEMENT; AND AUTHORIZING COUNTY MANAGER TO SOLICIT BIDS FOR LETTER OF CREDIT (County Manager)

Adopted
Resolution R-889-07
Mover: Dorrin D. Rolle
Seconder: Sally A. Heyman
Vote: 9- 3
No: Sosa, Souto, Seijas
Absent: Martinez

Report: County Manager Burgess provided background regarding the County's negotiations with the State of Florida to fund the Port Tunnel. He explained that the Port Tunnel would cost approximately \$1 billion; that the State would be responsible for operations and maintenance (O&M) of the project; that the County would contribute \$402.5 million; and that the agreement had been bifurcated to ensure the County was not guaranteeing or carrying the City of Miami's financial obligation. County Manager Burgess pointed out the vendors would hold their prices until August 2, 2007. He noted the commissioners needed to be aware of the funding sources, the various risks, and the County Administration's attempts to mitigate those risks. He referenced the funding sources detailed on handwritten page one (1) of this proposed resolution. County Manager Burgess emphasized the State would assume responsibility for cost overruns, unless the County was responsible for a delay, and that the State was providing the majority of the funding for the Port Tunnel project. He noted this proposal was an opportunity to maximize revenue sources other than port users to secure the tunnel.

County Manager Burgess noted this proposed resolution was an investment in the future and in efforts to reduce congestion, to sustain the Port of Miami, and to develop a pedestrian friendly urban core.

Assistant County Manager Ysela Llord noted three major issues from the County Manager's Memorandum of Understanding (MOU) were: to ensure the County and the City of Miami's obligations were distinct and separate; to ensure the County's financial obligation was capped; and to understand all risks associated with this proposal and mitigate them through the MOU. She pointed out the total project cost would be \$915 million; that the non-State portion was \$457 million; and that the County was responsible for \$402.5 million of the \$457 million. Assistant County Manager Llord clarified that the funding source for \$100 million of the County's contribution came from contingencies set aside for risks.

Assistant County Manager Llord noted the first risk in this proposed resolution was tolls. She emphasized that the tolls would pay for the contingency funds. She explained the method used to estimate tunnel traffic and to establish the toll prices involved the present amount of traffic and assumed no growth; and that the figures used were very conservative and based on the worst case scenario that all contingency funds were used. Assistant County Manager Llord pointed out the County would need to toll the bridge to the port in order to effectively toll the tunnel. She explained that the bridge was built using Federal funds, and the Federal Highway Administration would have to authorize any changes to the bridge tolls. She noted Florida was a Value Pricing Pilot State, and that this designation put the County in the position to receive toll approval.

Assistant County Manager Llord noted another risk was termination. She explained the Florida Department of Transportation (FDOT) would manage this proposal and would make any decision of termination. Therefore, the County wanted to understand how the financing would flow, in order to determine the point of maximum risk and exposure to ensure the County would not expose itself to a situation where drawdown on financing would impact the level of tolls, Assistant County Manager Llord explained. She noted the County analyzed this issue and felt comfortable that the point of maximum risk of construction would come earlier than any drawdown on income from predicted tolls. She pointed out that the land on Dodge Island (Port of Miami) would be safe for its current use, in the unlikely event that construction was terminated.

Assistant County Manager Llord noted infrastructure was another risk; and that every risk in the MOU was carefully analyzed to ensure that the risks were managed risks.

Commissioner Diaz expressed the Port Tunnel was a project the County must do. He pointed out that the County's financial exposure would be \$143 million. He asked the County Attorney to include language in this proposal to provide for incremental increases in material costs to not impact the County's capped \$402.5 million funding level.

Discussion ensued between Commissioner Diaz and Assistant County Manager Llord regarding the funding sources and the payment schedule for the proposed County contribution for this proposal.

Commissioner Diaz pointed out that the proposed toll fee was calculated using the value of the dollar in 2007. He noted the County would begin to collect tolls four years from now, and that the toll fee could be much higher at that time.

In response to Commissioner Diaz's questions and concerns regarding the estimated toll fee figures, Assistant County Manager Llord clarified that the proposed \$2-3 toll fee for cars and \$5-7 for trucks was calculated using the value of the dollar in the year the tunnel would open, and that the current traffic level was used to determine these toll figures.

Following further discussion regarding the proposed toll fees, Commissioner Diaz emphasized the need for the Port of Miami to be competitive and the impact that high tolls could have on the Port's competitiveness.

Commissioner Diaz asked the County Attorney's Office to ensure adherence to the \$402.5 million cap in county funding for the Port Tunnel, notwithstanding incremental material cost increases and hurricanes.

Commissioner Sosa expressed concern regarding FDOT apprising the County this proposed resolution was time sensitive.

Following further discussion regarding Commissioner Sosa's concern, she pointed out that the City of Miami would benefit the most from this proposal; and that the City needed to play an important role in this partnership. She noted that the City of Miami had expressed concern regarding land conveyance issues on Watson Island and the City's role in this proposal.

Commissioner Sosa spoke in opposition to this proposal being presented in a hurry to make the Commission act on an issue that would impact taxpayers for 35 years. She noted the County Commission could avoid many mistakes if it moved one step at a time. Commissioner Sosa stated this proposal was not an issue that could be solved through questions and answers and spoke in support of providing the City of Miami time to vote on this issue and to solve its issues with the land conveyance.

Responding to Commissioner Sosa's comments regarding the Commission delaying action on this proposed resolution to wait for the City of Miami to be ready, Chairman Barreiro pointed out the County was a partner with the State in this proposal, and that the State was in control of negotiations. He noted the County was responsible to provide its contribution, which should occur before the Summer Recess.

Commissioner Sosa emphasized that she was not opposed to the Port Tunnel project; however, she was opposed to the process to expedite approval of this proposal.

The public hearing was opened by Chairman Barreiro, and the following individuals appeared before the Commission and spoke in opposition to this proposed resolution:

1. Mr. Sylvester Lukis, Cruise Line Association, 836 Madrid Street, Coral Gables;
2. Mr. Nicholas Gutierrez, 1528 Palermo Avenue, Coral Gables;
3. Mr. John Fox, Vice-President of Government Relations, Royal Caribbean Cruises, 1092 NE 94th Street;
4. Mr. Dave Patlak, 221 Collins Ave, Miami Beach.

The following individuals appeared before the Commission to provide information regarding the facts and the law concerning Bouygues Travaux Publics' business dealings in Cuba:

1. Mr. Simon Ferro, Miami Access Tunnel (MAT) Representative, 1231 Brickell Avenue;
2. Mr. Ignacio Sanchez, 1200 19th Street NW, Washington D.C.

There being no other persons to appear before the Commission, Chairman Barreiro closed the public hearing.

Commissioner Moss questioned the types of jobs that would be created by the Port Tunnel Construction Project, the impact of these jobs, and the role of local companies and employees in those jobs.

Mr. John Martinez, State of Florida Department of Transportation District Secretary, noted he was speaking with an individual who specialized in Federal Government Grants to synchronize the work force on these types of contracts, and that he was looking at training the local workforce to be eligible to perform this type of work.

In response to Commissioner Moss' request for clarification concerning the County's risk if no toll fees were collected, Assistant County Manager Llort explained that the total financing package assumed a contribution by the Port of Miami and its users; and that the amount of the assumed contribution would have to be funded by another source if it was not realized.

Responding to Commissioner Moss' inquiry regarding the possibility to reduce the County's contribution if Federal funding was secured for this proposal, Assistant County Manager Llort noted if Federal funds were secured, then they would only be a small percentage of the total project cost; that the Federal funds would make the project subject to all Federal requirements; and that the added costs of those Federal requirements would outweigh the benefits.

Mr. Martinez concurred with Assistant County Manager Llort.

Following further discussion concerning the possibility of reducing the gas tax, Commissioner Moss asked County Manager Burgess to explore the eligibility of this proposed resolution to reduce the gas tax.

In response to Commissioner Moss' inquiry regarding the County's capped \$402.5 million contribution, Assistant County Attorney Gerald Heffernan

advised that this contribution level was capped except for changes made by the County, such as toll booths.

County Manager Burgess noted the toll booths would cost approximately \$4 million to install.

Following further discussion, Commissioner Moss asked the County Manager to provide more information on how local residents had an opportunity to participate in jobs relating to the construction, operation and maintenance of the Port Tunnel.

County Manager Burgess noted the County yielded 7.5 cents/dollar on the gas tax; and that the County could reduce the gas tax for this proposed resolution.

In response to Commissioner Edmonson's question concerning the impact of the City of Miami not committing its portion of the funding for this proposal, Assistant County Manager Llorca pointed out the County would not be liable for any cost increase attributed to a delay in signing the concessionaire agreement; and that FDOT would decide whether or not to go forward with signing the concessionaire agreement.

Mr. Martinez indicated that FDOT would not move forward with signing the concessionaire agreement if the City of Miami did not commit the \$55 million required in this proposed resolution.

Commissioner Edmonson questioned the County's liability in this proposed partnership with FDOT.

Assistant County Attorney Heffernan advised the County would be liable for some financial decisions; that the County had reserved the \$75 million for a Geotechnical & Relief Contingency Reserve and the \$25 million for an Additional Relief Even Reserve to cover events that would require an increase in the cost to the project.

Responding to Commissioner Gimenez's request for clarification concerning the \$114 million in State funds to be bonded by the County's non ad valorem revenues but payable from tolls and/or Port revenues, County Manager Burgess explained that these funds were transportation funds targeted to come back to the County in 2018 to 2042, and the County would bond those future revenues. He pointed out the language "payable from tolls and/or Port revenues" was a scrivener's error and was corrected in Agenda Item 12A7 Supplement.

In response to Commissioner Gimenez's inquiry regarding the need to access the Geotechnical & Relief Contingency Reserve, Mr. Martinez noted he was very confident in the Geotechnical Evaluation, however, the County would have to access an unknown amount of the \$75 million. He explained that this proposed resolution provided for the Concessionaire to cover the first \$10 million; that FDOT and the State would share the next \$150 million; that the Concessionaire would cover the next \$20 million; and that specific triggers, as well as tests and standards, were in place to allow access to the contingency reserve funds.

Responding to Commissioner Gimenez's further questions, Mr. Martinez clarified that the State's contribution was \$457 million; and that the State would pay \$9 million per year for O&M, which was 100 percent of the cost for O&M.

Following further comments by Commissioner Gimenez in support of this proposed resolution, Commissioner Heyman questioned what other entities were involved in this proposal.

Mr. Bill Johnson, Director, Seaport, noted the Port of Miami's seven cruise lines and three cargo partners would be involved. He pointed out that the Shipping lines were excited for a new means of access in and out of the Port.

Following further discussion, Commissioner Seijas noted she was uncomfortable with this proposed resolution. She requested clarification concerning when the County would have "equal risk" with FDOT.

Assistant County Manager Llort explained that the County was almost an equal financial partner in this proposed resolution; that the County would be liable for the financial contributions necessary to account for a series of natural disasters; and that the County would use the contingency reserves for those financial contributions.

Following further discussion between Commissioner Seijas and Assistant County Manager Llort, Commissioner Seijas spoke in opposition to increased tolls and to any user fees.

In response to Commissioner Seijas' inquiry concerning whether the impact of the County making available \$114 million in State funds starting in 2018 and ending in 2042, which were pledged for road improvements throughout the County (SCETS), would be that no State funding was available for road improvements elsewhere in the County during that time period, Assistant County Manager Llort noted FDOT had provided a schedule of SCETS funds, which indicated that a remainder of funds (2/3) would be available.

Mr. Martinez clarified that the \$114 million was being made available to the County as a result of refinancing the loan for the Miami Intermodal Center to allow that loan to be paid sooner.

Commissioner Seijas noted she expressed concern regarding the County's methods of acquiring the funds; the County's method for moving forward; the Metropolitan Planning Organization having to dedicate funds; and the potential for the County to have problems building out for the next 25 years.

Following comments by Commissioner Sorenson in support of this proposed resolution, Commissioner Jordan questioned the projected revenue through tolls from the bridge, with the Federal Government's approval to apply the tolls.

Assistant County Manager Llort explained that the analysis of the worst case scenario projected \$143.5 million in revenue through tolls.

Commissioner Jordan questioned the County's back up plan regarding the worst case scenario for revenue if the Federal Government did not approve of the County proposed collection of tolls.

Assistant County Manager Llort noted that another user fee structure would have to be used to supplement the \$143.5 million. She clarified that a cost sharing component of this proposal included a provision that five to 13 percent of the monies paid to the tunnel project would come from the Port and Industry activity.

Commissioner Jordan asked that the County Manager prepare a back up plan for how the County could accomplish the anticipated revenues from tolls, in the event that the Federal Government did not approve the new toll rates on the bridge.

Commissioner Souto pointed out that the public opposed this proposed resolution. He noted other financing methods existed that would not place the financial burden on the County. He expressed concern that this proposal would experience long-term problems similar to the Airport and the Performing Arts Center. Commissioner Souto stated the County could approach the Port of Miami issue in many other ways.

Following Chairman Barreiro's comments that he would not support any amendments or change orders to the County's financial contribution, Commissioner Diaz asked Mr. Fred Frost, Union Representative, to provide his position on this proposal.

Mr. Frost noted he thought the Port Tunnel would be an avenue to help create sustainable jobs and to build the middle class in the County. He explained that this proposed resolution included a legal, binding provision called best value; and that best value meant that local workers would be hired and paid a living wage with health insurance benefits. He stated that he understood that all Unions supported this proposal.

Commissioner Sosa noted truck drivers commented on a local radio station that the Port Tunnel was a good idea, but it would not solve the problem; and that the real problem was the delays inside the Port. She expressed concern regarding the Cruise Industry losing business to Fort Lauderdale through increased industry costs related to this proposal. Commissioner Sosa pointed out that the geotechnical surveys conducted on Watson Island were very difficult due to the crumbling nature of the weak strata; and that the sleeves had to be used to remove all the barring, which collapsed before being removed. She emphasized that the County Commission knew today (7/24) that the Port Tunnel site would have problems; and that this would result in using the contingency fund. Commissioner Sosa suggested that the State would come before the Commission and request more funds, notwithstanding the County's capped funding in this proposal. She emphasized that the State was already aware that a problem existed with the strata on the Port Tunnel site that would cost more money. She pointed out that the environmental impact of this proposal on Fisher Island was unknown.

Following further comments by Commissioner Souto in opposition to this proposed resolution, the Board proceeded to vote on the proposed resolution as presented.

Commissioner Rolle pointed out that Commissioner Gimenez and he had attended two or three workshops regarding the Port Tunnel. He asked the County Manager that in the future, the Board's committee process not be circumvented for important issues such as the Port Tunnel project.

Commissioner Rolle asked that the State of Florida Department of Transportation District Secretary meet with him to discuss how to advertise and recruit inner city residents for jobs created as a result of this project.

Commissioner Moss asked that the Florida State Department of Transportation provide a report on the job recruitment process that would be

followed for the Port Tunnel, in order to promote the hiring of local residents and businesses.

Commissioner Diaz asked the County Manager and the State of Florida Department of Transportation District Secretary to provide monthly progress reports to the Transit Committee on the Port Tunnel.

12A7 SUPPLEMENT

072292 Supplement

SUPPLEMENTAL INFORMATION RE: PORT OF MIAMI TUNNEL PROJECT TRI-PARTY MASTER AGREEMENT

Accepted

12A7 SUPPLEMENT#2

072316 Supplement

SUPPLEMENTAL INFORMATION RE: PORT OF MIAMI TUNNEL PROJECT TRI-PARTY MASTER AGREEMENT

Accepted

12B1

072054 Report

CONSTRUCTION SEQUENCING PLAN FOR NW 87 AVENUE FROM NW 154 STREET TO NW 186 STREET [SEE AGENDA ITEM NO. 8P1B] (County Manager)

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

7/11/2007 Accepted by the Governmental Operations and Environment Committee

12B2

072126 Report

TERMINATION OF MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND THE MIAMI-DADE EMPOWERMENT TRUST, INC. (County Manager)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Carried over Due to Lack of a Quorum by the Economic Development and Human Services Committee

13 COUNTY ATTORNEY

13A1

072204 Resolution

RESOLUTION AUTHORIZING CERTAIN SETTLEMENTS IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN CONNECTION WITH THE ACQUISITION OF LAND NEEDED FOR THE CONSTRUCTION OF S.W. 157TH AVENUE, SOUTH OF S.W. 120TH STREET FOR APPROXIMATELY ½ MILE; AND FOR THE CONSTRUCTION OF S.W. 136TH STREET, WEST OF 157TH AVENUE FOR APPROXIMATELY 2000 FEET IN MIAMI-DADE COUNTY, FLORIDA (County Attorney)

Adopted
Resolution R-890-07
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

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

14A1

072191 **Resolution** **Dorrin D. Rolle**

RESOLUTION DIRECTING THE COUNTY MANAGER TO REVIEW ALL CONTRACTS WITH DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND/OR COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) MEASURES AWARDED WITHIN THE LAST FIVE YEARS OR WHICH ARE STILL ACTIVE AND ASCERTAIN WHETHER SUCH DBE AND/OR CSBE MEASURES HAVE BEEN COMPLIED WITH ON SUCH CONTRACTS

Adopted
Resolution R-891-07
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/19/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Airport and Tourism Committee

14A2

072046 **Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FLORIDA TRANSPORTATION CARE, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 144C) (Consumer Services Department)

Adopted
Resolution R-892-07
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

14A3

072047 **Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FLORIDA TRANSPORTATION CARE, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 144B) (Consumer Services Department)

Adopted
Resolution R-893-07
Mover: Jose "Pepe" Diaz
Second: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

14A4

072051 **Resolution**

RESOLUTION APPROVING REQUEST TO INCREASE THE CITY OF HIALEAH FIRE RESCUE DEPARTMENT'S AUTHORIZED EMERGENCY MEDICAL SERVICES RATE SCHEDULE (Consumer Services Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

14A5

072062 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FLORIDA TRANSPORTATION CARE, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 144A) (Consumer Services Department)

Adopted
Resolution R-894-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

14A6

072064 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO FLORIDA TRANSPORTATION CARE, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 144D) (Consumer Services Department)

Adopted
Resolution R-895-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

14A7

071625 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$225,891.59 BETWEEN AGC ELECTRIC, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED TRAFFIC SIGNAL INSTALLATION AT SW 67 AVENUE AND SW 44 STREET, LOCATED WITHIN COMMISSION DISTRICT 7 (PROJECT – CICC 7360-0/08 RPQ NO. 20060346) (Public Works Department)

Adopted
Resolution R-896-07
Mover: Jose "Pepe" Diaz
Seconder: Bruno A. Barreiro
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A8

071691 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$173,208.93 BETWEEN UNDER POWER CORP. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED TRAFFIC SIGNAL INSTALLATION AT NW 87 AVENUE AND NW 41 STREET, LOCATED WITHIN COMMISSION DISTRICT 12 (PROJECT – CICC 7360-0/08 RPQ NO. 20070486) (Public Works Department)

Adopted
Resolution R-897-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A9

071774 Resolution

RESOLUTION AUTHORIZING THE ADDITIONAL APPROPRIATION OF \$6.5 MILLION INCLUDED UNDER THE CONTRACT AWARD RECOMMENDATION FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INSTALLATION AND IMPLEMENTATION OF A NEW ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) FOR MIAMI-DADE COUNTY (PROJECT NO. 20050189) (Public Works Department)

Adopted
Resolution R-898-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A10

072075 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$346,000.00 BETWEEN UNDER POWER CORP. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERNALLY ILLUMINATED STREET NAME SIGN INSTALLATION CONTRACT COUNTYWIDE (PROJECT - CICC 7360-0/08 RPQ NO. 20070586) (Public Works Department)

Adopted
Resolution R-899-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A11

071773 Resolution

RESOLUTION APPROVING SECURITY AREA DESIGNATIONS AS DOCUMENTED IN THE PORT OF MIAMI-DADE FACILITY SECURITY PLAN; AUTHORIZING THE SEAPORT DIRECTOR TO DESIGNATE SEAPORT SECURITY AREAS AND ACCESS REQUIREMENTS AND PROVIDE RELATED SECURITY ENFORCEMENT; AND TO MODIFY AND AMEND THE PORT OF MIAMI-DADE FACILITY SECURITY PLAN WITHIN THE AUTHORITY PRESCRIBED BY FEDERAL, STATE AND COUNTY LAW (Seaport Department)

Adopted
Resolution R-900-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A12

071789 Resolution

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 4-4 AND REPLACING IT WITH IMPLEMENTING ORDER 4-4: PORT OF MIAMI TERMINAL TARIFF NO. 010; AUTHORIZING COUNTY MANAGER OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (Seaport Department)

Adopted
Resolution R-901-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A13

071624 Resolution

RESOLUTION APPROVING AN EXCLUSIVE ELECTRIC UTILITY EASEMENT AT THE DADELAND SOUTH JOINT DEVELOPMENT LEASE SITE TO FLORIDA POWER & LIGHT (FPL) AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

*Adopted
Resolution R-902-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A14

071745 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND URS CORPORATION SOUTHERN IN THE AMOUNT OF \$3,555,083 FOR ADDITIONAL FINAL DESIGN SERVICES AND TO EXTEND THE CONTRACT TERM BY 1460 CALENDAR DAYS TO COVER THE REQUIRED TASKS (Miami-Dade Transit Agency)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A15

072147 Resolution

RESOLUTION TERMINATING NEGOTIATIONS WITH JUBILEE COMMUNITY DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF THE OKBEECHOBEE ROAD METRORAIL STATION (Miami-Dade Transit Agency)

*Adopted
Resolution R-903-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A15 SUPPLEMENT

072313 Supplement

SUPPLEMENTAL INFORMATION RE: THE TERMINATION OF NEGOTIATIONS WITH JUBILEE COMMUNITY DEVELOPMENT CORPORATION

Accepted

14A16

072034 Resolution **Dorrin D. Rolle,
Audrey M. Edmonson**

RESOLUTION DIRECTING THE COUNTY MANAGER TO REPORT ON THE STATUS OF COMPLIANCE WITH THE DISADVANTAGED BUSINESS ENTERPRISE (DBE) MEASURES ON CONTRACTS AWARDED WITHIN THE LAST THREE YEARS; AND DIRECTING THE COUNTY MANAGER TO REPORT ON COMPLIANCE WITH THE PROMPT PAYMENT PROVISIONS AS OUTLINED IN THE CODE OF MIAMI-DADE COUNTY AND THE SUBJECT CONTRACT

*Adopted
Resolution R-904-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14A17

072178 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT (OPF); APPROVING FIRST AMENDMENT TO THE DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MIAMI EXECUTIVE AVIATION (MEA) SO AS TO REMOVE SECTION 1.08 THEREFROM IN ITS ENTIRETY AND TO INCREASE THE MEA PREMISES BY 5,600 SQUARE FEET, MORE OR LESS, SO AS TO PERMIT MEA TO COMPLETE ITS PROPOSED CONSTRUCTION OF A STORAGE AND AIRCRAFT MAINTENANCE HANGAR; APPROVING FIRST AMENDMENT TO THE DEVELOPMENT LEASE AGREEMENT BETWEEN THE COUNTY AND AA ACQUISITIONS LLC (AA) SO AS TO REMOVE THEREFROM THE SAME 5,600 SQUARE FEET FROM THE AA LEASEHOLD PREMISES AND AMENDING ARTICLE 9.04(A) TO PROVIDE FOR BOTH CONSTRUCTION AND PERMANENT FINANCING OF ITS PROJECTS ON THE PREMISES; APPROVING AA'S ACQUISITION OF THE LEASEHOLD INTERESTS OF FIGHTERTOWN, INC., AT OPF AND APPROVING THE AMENDMENT OF SUCH LEASE BY PERMITTING FIXED BASE OPERATIONS ON THE LEASEHOLD SITE TO BE CONDUCTED BY AA AS SUCCESSOR TO FIGHTERTOWN; AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE SUCH FIRST AMENDMENTS AND ALL DOCUMENTS NECESSARY OR REASONABLY REQUIRED TO PLACE THE FOREGOING INTO EFFECT (Aviation Department)

Carried over to July 26, 2007.

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/19/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Airport and Tourism Committee

14A17 SUPPLEMENT

072296 Supplement

SUPPLEMENTAL INFORMATION TO FIRST AMENDMENTS TO DEVELOPMENT LEASES BETWEEN MIAMI-DADE COUNTY AND MEA AND AA ACQUISITIONS, LLC.

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

14A18

071968 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A PLANNING FUNDING AGREEMENT BETWEEN NEXTEL OPERATIONS, INC. (NEXTEL) AND MIAMI-DADE COUNTY, WHICH SETS THE OBLIGATIONS OF THE PARTIES CONCERNING THE PLANNING ACTIVITIES NECESSARY TO RECONFIGURE THE COUNTY'S 800 MHZ RADIO EQUIPMENT PURSUANT TO FEDERAL COMMUNICATION COMMISSION ORDERS; WAIVING FORMAL BID PROCEDURES DUE TO THE MANDATES OF THE FEDERAL COMMUNICATIONS COMMISSION ORDER (Enterprise Technology Services Department)

Adopted
Resolution R-905-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez

7/19/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health and Public Safety Committee

14A19

072293 Resolution

RESOLUTION RETROACTIVELY AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE CHANGE ORDERS TO THE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND C. G. CHASE CONSTRUCTION MANAGEMENT, INC., ("CHASE") FOR THE CONSTRUCTION OF CRUISE TERMINALS D & E ("PROJECT"), IN AN AMOUNT NOT TO EXCEED \$1,992,181 FROM AVAILABLE, UNSPENT PROJECT FUNDS INITIALLY ALLOCATED FOR OTHER PROJECT NEEDS, TO COMPLETE THE PROJECT AND RECEIVE A CERTIFICATE OF OCCUPANCY; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071792] (Seaport Department)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

7/18/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit Committee

14A19 SUPPLEMENT

072309 Supplement

SUPPLEMENTAL REPORT RE: AGREEMENT BETWEEN MIAMI-DADE COUNTY AND C. G. CHASE CONSTRUCTION MANAGEMENT, INC., ("CHASE") FOR THE CONSTRUCTION OF CRUISE TERMINALS D & E ("PROJECT")

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

14A20

072311 Resolution

RESOLUTION AUTHORIZING COUNTY MAYOR OR DESIGNEE TO ADVERTISE FOR BIDS AND TO AWARD A CONTRACT FOR MAINTENANCE OF E-SATELLITE TRANSIT SHUTTLE AT MIAMI INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$15 MILLION DOLLARS TO LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, SUBJECT TO RATIFICATION BY BOARD; TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

*Adopted
Resolution R-906-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/19/2007 Forwarded to BCC without a recommendation from the Airport and Tourism Committee

14A21

072312 Resolution

RESOLUTION AUTHORIZING INTERIM AGREEMENT FOR MAINTENANCE OF SATELLITE TRANSIT SHUTTLE AT MIAMI INTERNATIONAL AIRPORT TO BOMBARDIER TRANSPORTATION (HOLDINGS) USA INC. FOR A MAXIMUM CONTRACT AMOUNT OF \$2,526,972.17 MILLION FOR A SIX MONTH PERIOD; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN; WAIVING COMPETITIVE BID REQUIREMENTS AND BID PROTEST PROCEDURES (Aviation Department)

*Adopted
Resolution R-907-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/19/2007 Forwarded to BCC without a recommendation from the Airport and Tourism Committee

14A22

072295 Resolution Sen. Javier D. Souto

RESOLUTION EXPRESSING SYMPATHY TO THE RELATIVES AND FRIENDS OF THE VICTIMS OF FLIGHT 3054 WHICH CRASHED IN SAO PAULO, BRAZIL AND OFFERING ASSISTANCE AND SUPPORT

*Adopted
Resolution R-908-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

14A23

072050 Resolution Sally A. Heyman

RESOLUTION DIRECTING THE COUNTY MANAGER TO STUDY THE FEASIBILITY AND ADVISABILITY OF INCREASING THE USE OF MOTORCYCLES BY THE MIAMI-DADE COUNTY POLICE DEPARTMENT

*Adopted
Resolution R-909-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/19/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health and Public Safety Committee

14B1

071752 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR SW 200TH STREET PARK & RIDE FACILITY - REBID PROJECT NO: NFP001; CONTRACT NO: NFP001-TR06-CT1 (Miami-Dade Transit Agency)

*Approved
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/18/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14B2

071956 Change Orders

CHANGE ORDER NO. 1 AND FINAL FOR JOHN E. PRESTON WATER TREATMENT PLANT SOFTENERS NO. 7 AND NO. 8 DISINFECTANT/DISINFECTION BY-PRODUCTS CONTRACT NO.: W-665B. PROJECT LOCATION: 1100 WEST 2ND AVENUE CITY OF HIALEAH, FL. CONTRACTOR: UNITED ENGINEERING CORP. (Water & Sewer Department)

*Approved
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: Souto, Martinez*

7/11/2007 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Governmental Operations and Environment Committee

15 CLERK OF THE BOARD

15B REPORTS

15B1

072183 Report

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JULY 24, 2007 (Clerk of the Board)

*Accepted
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez*

15B2

072184 Report

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD
 FEBRUARY 22, 2007 (ZONING MEETING)
 APRIL 30, 2007 (SPECIAL MEETING AT 1:30 PM)
 APRIL 30, 2007 (SPECIAL MEETING AT 1:35 PM)
 MAY 18, 2007 (PROPERTY TAX REFORM MEETING)
 MAY 22, 2007 (COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) CARRYOVER) (Clerk of the Board)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

15B3

072185 Report

APPROVAL OF MIAMI-DADE PROPERTY APPRAISER CUT-OUT SUMMARY SHEETS (Clerk of the Board)

Approved
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Martinez

15B4

072186 Report

RESOLUTION NO. R-2007-27 OF THE VILLAGE OF PINECREST, FLORIDA, NOTIFYING MIAMI-DADE COUNTY OF THE VILLAGE'S INTENT TO OPT OUT OF THE MIAMI-DADE FIRE RESCUE SERVICE DISTRICT; PROVIDING FOR AN EFFECTIVE DATE (Clerk of the Board)

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

15C COUNTY ADVISORY BOARD APPOINTMENTS**15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT**

15D1

072187 Report

BALLOT APPOINTMENT TO THE INDEPENDENT REVIEW PANEL (Clerk of the Board)

Carried over to July 26, 2007

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

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

072142 Service Awards Bruno A. BarreiroSERVICE AWARDS CEREMONY FOR THE FOLLOWING EMPLOYEES: *Carried over to July 26, 2007*

ARMA L. MATHIS - CAA - 30 YEARS
JANIS M. WOODEN - DERM - 35 YEARS
HOWARD LESTER JR. - MDHA - 35 YEARS
RUDOLPH J. ROUNDTREE - MDHA - 35 YEARS
DONNA L. SMITH - LIBRARY - 30 YEARS
JAMES D. JONES - MDT - 30 YEARS
LUIS AGUIAR - WASD - 30 YEARS
JOSE M. GAZTELU - WASD - 30 YEARS
FELIX HERRERA - WASD - 35 YEARS

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16A2

072171 Certificate of Appreciation Sen. Javier D. SoutoPRESENTATION OF CERTIFICATES OF APPRECIATION FOR FIRST HURRICANE AWARENESS FAIR TO: *Carried over to July 26, 2007*

1. MAJOR GRACE O'DONNELL, MDPD
2. LIEUTENANT ADOLFO ROIZ, MDPD
3. OFFICER MARY ANN STAHL, MDPD
4. SERGEANT RAUL GONZALEZ, MDPD
5. JOE CHAO, TEAM METRO
6. ROBERTO VALLEJO, TEAM METRO

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16A3

072172 Proclamation Dennis C. MossPRESENTATION OF A PROCLAMATION DECLARING "HERBERT HOOVER MARINA CLEAN MARINA DESIGNATION DAY" *Carried over to July 26, 2007*

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16A4

072264 Proclamation Sally A. HeymanSPECIAL PRESENTATION FOR A PROCLAMATION RECOGNIZING, HONORING AND THANKING THE STAFF, VOLUNTEERS AND THE BOARD OF TRUSTEES OF FAIRCHILD GARDENS FOR THE CHIHULY EVENT *Carried over to July 26, 2007*

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16A5

072306 Proclamation Sally A. Heyman

PRESENTATION OF A PROCLAMATION DECLARING FAIRCHILD TROPICAL BOTANIC GARDEN DAY *Carried over to July 26, 2007*

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16A6

072307 Resolution of Sympathy Bruno A. Barreiro

PRESENTATION OF A RESOLUTION OF SYMPATHY TO THE FAMILY OF THE LATE ADAN A. JIMENO *Carried over to July 26, 2007*

Report: See the Thursday, July 26, 2007, Board meeting minutes, Legistar Meeting Key No. 2339.

16B POLICY MATTERS FOR DISCUSSION BY THE BOARD

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

16E COMPREHENSIVE DEVELOPMENT MASTER PLAN [Scheduled for 9:30 a.m.]

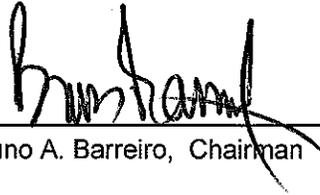
080445 Report

NON AGENDA ITEMS *Presented*

Report: It was moved by Commissioner Jordan that the meeting be extended to conclude discussion on Agenda Items 7D Substitute and 8A1A. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed unanimously.

19 ADJOURNMENT

FINAL OFFICIAL



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk