



**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, September 4, 2007  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division



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

Members Absent: None.

Members Late: None.

Members Excused: Sally A. Heyman

Members Absent County Business: None.

**1 MINIUTES PREPARED BY:**

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

**1A MOMENT OF SILENCE**

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

**1B PLEDGE OF ALLEGIANCE**

**1C ROLL CALL**

Report: The following staff members were present: County Manager George Burgess; Assistant to the County Manager Cynthia Curry; Assistant County Manager Alina Hudak; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams; Assistant County Attorneys Joni Armstrong-Coffey, Craig Coller, Cynthia Johnson-Stacks, Mandana Dashtaki and Shannon Summerset; and Deputy Clerks Kay Sullivan and Jill Thornton.

**1D REPORTS OF OFFICIAL BOARDS**

**1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)**

1E1

072439 Citizen's Presentation Bruno A. Barreiro

CITIZEN'S PRESENTATION BY BARBARA M. KUBILUS, EXECUTIVE DIRECTOR, OF COMMUNITY SMILES DENTAL CLINIC Presented

1E2

**072522 Citizen's Presentation Bruno A. Barreiro**

PRESENTATION BY DEBBIE CURTIN, HONORARY CHAIRWOMAN RE: AMERICAN CANCER SOCIETY'S MAKING STRIDES AGAINST CANCER WALK EVENT *Presented*

**Report:** *Mr. Debbie Curtin, Honorary Co-Chairwoman for American Cancer Society's-Making Strides Against Breast Cancer Walk (MSABCW) event, and a breast cancer survivor, appeared before the Board in support of the MSABCW. She noted Breast Cancer was the most common form of cancer diagnosed among women in Florida, and that nearly 2,700 would die from this disease this year. She also noted that Florida ranked third in the nation for total number of new breast cancer cases and deaths, and Miami-Dade County ranked highest in the State. Ms. Curtin announced this year's MSABCW would take place on Saturday, October 6, 2007, at Bayfront Park, to raise awareness about breast cancer. She expressed appreciation to the County Commissioners for their past support, and requested the Board take the lead once again as the presenting sponsor by committing \$15,000 in Discretionary Funds for this year's event.*

*The following members of the Board allocated funds from their District Office/Discretionary Reserve Funds to the American Cancer Society - Making Strides Against Cancer Walk:*

- *Commissioner Sosa increased her prior allocation of \$1,000 to \$5,000 from fiscal year (FY) 2006/07 District #6 Discretionary Reserve Fund.*
- *Commissioner Seijas allocated \$5,000 from FY2006/07 District #13 Office Fund, in honor of Officer Margarita Chacon, who recently passed away from cancer.*
- *Commissioner Jordan allocated \$5,000 from FY2007/08 District #1 Discretionary Reserve Fund.*
- *Commissioner Moss allocated \$5,000 from FY2007/08 District #9 Discretionary Reserve Fund.*
- *Commissioner Edmonson allocated \$5,000 from FY2007/08 District #3 Discretionary Reserve Fund.*
- *Commissioner Diaz allocated \$5,000 from FY2006/07 District #12 Discretionary Reserve Fund, in honor of his staff member Olga Fulgueira, who was fighting breast cancer.*
- *Commissioner Sorenson allocated \$5,000 from FY2007/08 District #8 Discretionary Reserve Fund.*
- *Commissioner Souto allocated \$15,000 from FY2007/08 District #10 Discretionary Reserve Fund.*
- *Commissioner Gimenez allocated \$5,000 from FY2007/08 District #7 Discretionary Reserve Fund.*
- *Commissioner Rolle allocated \$6,000 from FY2006/07 District #2 Discretionary Reserve Fund. (See agenda item 11B1)*
- *Chairman Barreiro allocated \$5,000 from FY2006/07 District #5 Discretionary Reserve Fund. (See agenda item 11B4)*
- *Commissioner Martinez allocated \$5,000 from FY2006/07 District #11 Discretionary Reserve Fund. (See agenda item 11A34)*

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

**Report:** County Attorney Robert Cuevas requested in addition to the changes listed in the County Manager's memorandum, that Agenda Items 5R and 14B1 be added to the agenda. He advised of scrivener's errors existing in Agenda Item 7B and 8E1C that needed to be corrected on the record when the items were called.

Commissioner Jordan released Agenda Items 8M3A and 8A1E; Commissioner Sosa released Agenda Items 8M3A and 10B1A; Commissioner Sorensen requested Agenda Item 11A14 be added to today's Pull List for discussion; Commissioner Edmonson released 8J1A and asked that the public hearing for Agenda Item 4L be waived to the Economic Development and human Services Committee meeting on September 12th; Commissioner Diaz released Agenda Items 8A1B, 8A1C, 8A1D, 8A1E, 8A1G and 8A1I. Commissioner Martinez requested the public hearing for Item 4J be waived to an earlier date. Commissioner Gimenez noted he had a conflict of interest and would refrain from voting on Agenda Item 8F1A; Commissioners Sosa and Moss asked to be added as co-sponsors to Agenda Item 11A23; Commissioner Seijas requested that Items 7E and 8F1C be deferred; and Commissioner Rolle requested that Item 11A20 be deferred.

It was moved by Commissioner Diaz that today's agenda be approved with the changes in the County Manager's memorandum entitled "Changes for the September 04, 2007 BCC Meeting," along with the additional changes noted by County Attorney Cuevas and those requested by the Commissioners. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 12-0. (Commissioner Heyman was absent)

**1G**      **OFFICE OF COMMISSION AUDITOR****1H**      **OFFICE OF INTERGOVERNMENTAL AFFAIRS****1I**      **SPECIAL PRESENTATIONS**

111

**072521**      **Special Presentation****Dennis C. Moss**

A SPECIAL PRESENTATION TO JOSE NISHIJIMA FOR  
RESCUING A WOMAN FROM HER CAR IN A CANAL NEAR  
THE FLORIDA TURNPIKE

**Presented**

**Report:** Commissioner Moss presented a certificate of commendation to Mr. Jose Nishijima in recognition of his heroic efforts in rescuing a woman from a vehicle sinking in a county canal.

Fire Chief Herminio Lorenzo commended Mr. Nishijima for his courageous act in executing this rescue.

Through a court interpreter, Commissioner Souto commended Mr. Nishijima for representing the Peruvian community with his rescue.

**2**      **MAYORAL ISSUES**

2A **MAYORAL VETOES**

2B **MAYORAL REPORTS**

2B1

072604

Report

Mayor

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

*Approved*

*Mover: Jose "Pepe" Diaz*

*Seconder: Joe A. Martinez*

*Vote: 12- 0*

*Excused: Heyman*

3 **CONSENT ITEMS**

3J1A

072392

Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO APPLY FOR UP TO \$200,000 IN GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, FLORIDA RECREATION DEVELOPMENT AND ASSISTANCE PROGRAM FOR IMPROVEMENTS AT HOMESTEAD BAYFRONT ATOLL POOL AND FURTHER AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO RECEIVE AND EXPEND FUNDS, AND EXECUTE CONTRACTS AND AMENDMENTS AS REQUIRED

*Adopted*

*Resolution R-925-07*

*Mover: Jose "Pepe" Diaz*

*Seconder: Joe A. Martinez*

*Vote: 12- 0*

*Excused: Heyman*

(Park & Recreation Department)

*Report: A scrivener's error was noted in the County Manager's memorandum entitled "Changes for the September 04, 2007 BCC meeting, which corrected the language in handwritten page 3, second paragraph of the foregoing resolution to read as follows: NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Mayor or his designee to apply for up to \$200,000 in grant funds from the Florida Department of Environmental Protection, Florida Recreation Development and Assistance Program for improvements at Homestead Bayfront Atoll Pool; and further authorizes the County Mayor or his designee to execute such contracts and amendments as are required by this governmental body following approval by the County Attorney's Office; to receive and expend all monies for the purposes described in the funding request; file and execute any necessary amendments to the agreement for and on behalf of Miami-Dade County, Florida.*

*The Board adopted the foregoing proposed resolution with the change noted in the County Manager's memorandum.*

4 **ORDINANCES FOR FIRST READING**

4A

072117

Ordinance

Natacha Seijas,  
 Jose "Pepe" Diaz,  
 Audrey M. Edmonson,  
 Sally A. Heyman,  
 Katy Sorenson,  
 Carlos A. Gimenez

ORDINANCE REPEALING SECTION 2-11.17 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO RESIDENCY REQUIREMENTS FOR MIAMI-DADE COUNTY EMPLOYEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading*  
*Public Hearing: October 9, 2007*  
*Mover: Natacha Seijas*  
*Seconder: Audrey M. Edmonson*  
*Vote: 9-3*  
*No: Barreiro, Sosa, Moss*  
*Excused: Heyman*

**Report:** *Commissioner Edmonson asked to be added as a co-sponsor to the foregoing proposed ordinance.*

*The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Budget and Finance Committee meeting on October 09, 2007 at 2:00 p.m.*

4B

072348

Ordinance

Bruno A. Barreiro

ORDINANCE AMENDING SECTION 2-11.14.1 OF THE CODE OF MIAMI-DADE COUNTY TO AMEND THE PURPOSE OF THE FILM AND ENTERTAINMENT ADVISORY BOARD TO INCLUDE SUPPORTING THE ADVANCEMENT OF THE FILM AND ENTERTAINMENT INDUSTRY AND TO AMEND ITS POWERS TO INCLUDE SOLICITING SPONSORS FOR FILM AND ENTERTAINMENT INDUSTRY NETWORKING EVENTS IN MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading*  
*Public Hearing: October 10, 2007*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12-0*  
*Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Economic Development and Human Services Committee meeting on October 10, 2007 at 9:30 a.m.*

4C

072422

Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS HAMMOCK PLAZA 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: October 2, 2007*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12-0*  
*Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4D

**072418 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS WEST WINDS 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: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4E

**072419 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS SION 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: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4F

**072416 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS KARYNA 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 on first reading  
Public Hearing: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4G

**072410 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS PAN AMERICAN WEST 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 on first reading  
Public Hearing: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4H

**072424 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS COCO PALM 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: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*

4I

**072421 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS ESTATES AT THE GROVE 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: October 2, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Board of County Commissioners meeting on October 02, 2007 at 9:30 a.m.*



4J

072417

Ordinance

Joe A. Martinez,  
Sen. Javier D. Souto

ORDINANCE RELATED TO BUDGETING; AMENDING SECTION 2-1796; REMOVING AUTHORITY FOR THE MANAGER TO MAKE CERTAIN INTRADEPARTMENTAL BUDGET AMENDMENTS WITHOUT PRIOR BOARD APPROVAL; PROHIBITING TRANSFERS OF FUNDS FROM ONE DEPARTMENT TO ANOTHER DEPARTMENT WITHOUT PRIOR BOARD APPROVAL; PROHIBITING TRANSFERS OF FUNDS TO A NEWLY-CREATED DEPARTMENT WITHOUT PRIOR BOARD APPROVAL; PROVIDING SEVERABILITY; INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: October 9, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12-0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Budget and Finance Committee meeting on October 09, 2007 at 2:00 p.m.*

4K

072478

Ordinance

Audrey M. Edmonson

ORDINANCE RELATING TO THE SAFETY OF CRANES AND OTHER HOISTING EQUIPMENT; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR MANUFACTURE AND INSTALLATION; PROVIDING FOR EDUCATION AND CERTIFICATION OF OPERATORS; ESTABLISHING STANDARDS FOR HURRICANE PREPAREDNESS; PROVIDING FOR ENFORCEMENT; CREATING CHAPTER 8E OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: November 13,  
2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12-0  
Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operation and Environment Committee meeting on November 13, 2007 at 9:30 a.m.*

*A scrivener's error was noted in the County Manager's memorandum entitled "Changes for the September 04, 2007 BCC meeting, which corrected the foregoing ordinance to indicate on handwritten page 2 that the following line items should be checked off:*

- (1) 6 weeks required between first reading and public hearing, and*
- (2) 4 weeks notification to municipal officials required prior to public hearing.*

4L

**072467**                      **Ordinance**                      **Economic Development and  
Human Services Committee**

ORDINANCE AMENDING ARTICLE XLVII OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO METRO-MIAMI ACTION PLAN TRUST, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: September 12,  
2007*

*Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0*

*Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Economic Development and Human Services Committee meeting on September 12, 2007 at 9:30 a.m.*

4M

**072399**                      **Ordinance**

ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; PROVIDING FOR THE LEISURE CITY COMMUNITY URBAN CENTER DISTRICT; CREATING SECTIONS 33-284.99.32 THROUGH 33-284.99.38 OF THE CODE OF MIAMI-DADE COUNTY (CODE); AMENDING SECTIONS 33-284.85 AND 33-284.86 OF THE CODE, THE STANDARD URBAN CENTER DISTRICT REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading  
Public Hearing: October 12, 2007*

*Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0*

*Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operation and Environment Committee meeting on October 12, 2007 at 9:30 a.m.*

4N

**072513**                      **Ordinance**                      **Bruno A. Barreiro**

ORDINANCE RELATING TO OFFICE OF INSPECTOR GENERAL; AMENDING SECTION 2-1076(J) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CLARIFY THAT CURRENT INSPECTOR GENERAL HAS BEEN DULY APPOINTED AND HAS COMPLIED WITH THE REQUIREMENTS OF SECTION 2-1076; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

*Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0*

*Excused: Heyman*

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

40

**072484 Ordinance**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTIONS 33-1, 33-13, 33-255, AND 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING DEFINITION OF DOG KENNEL; PERMITTING DOG KENNELS IN BU-3 AND IU-1 DISTRICTS SUBJECT TO CONDITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Withdrawn*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

4P

**072441 Ordinance**

ORDINANCE PERTAINING TO FIXED-GUIDEWAY RAPID TRANSIT SYSTEM DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO RAPID TRANSIT ZONE PERMITTED USES; AMENDING SECTION 33C-4 PERTAINING TO RAPID TRANSIT DEVELOPMENTAL IMPACT ZONE; CREATING SECTION 33C-8 PERTAINING TO RAPID TRANSIT ZONE DISTRICT REGULATIONS FOR NON-METRO RAIL DEVELOPMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading*  
*Public Hearing: November 13, 2007*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**Report:** *The foregoing proposed ordinance was adopted on first reading and set for public hearing before the Governmental Operation and Environment Committee meeting on November 13, 2007 at 9:30 a.m.*

5

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

5A

**072120 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS BETHSABE STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071992] (Public Works Department)

*Adopted*  
*Ordinance 07-110*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

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

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

5A1

**072008 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS BETHSABE 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-926-07*  
*Mover: Joe A. Martinez*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11-0*  
*Absent: Seijas*  
*Excused: Heyman*

5B

**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*  
*Ordinance 07-111*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11-0*  
*Absent: Seijas*  
*Excused: Heyman*

*7/24/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

*7/24/2007 Adopted on first reading by the Board of County Commissioners*

5B1

**072108 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS GRACELAND ESTATES NORTH 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-927-07*  
*Mover: Joe A. Martinez*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11-0*  
*Absent: Seijas*  
*Excused: Heyman*

5C

**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*  
*Ordinance 07-112*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11-0*  
*Absent: Seijas*  
*Excused: Heyman*

*7/24/2007 Adopted on first reading by the Board of County Commissioners*

*7/24/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5D

**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*  
*Ordinance 07-113*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

*7/24/2007* Adopted on first reading by the Board of County Commissioners

*7/24/2007* Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

5E

**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*  
*Ordinance 07-114*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

*7/24/2007* Adopted on first reading by the Board of County Commissioners

*7/24/2007* Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

5E1

**072109 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS BAILES VILLAGE 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-928-07*  
*Mover: Joe A. Martinez*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

5F

**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*  
*Ordinance 07-115*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

*7/24/2007* Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

*7/24/2007* Adopted on first reading by the Board of County Commissioners

FINAL OFFICIAL

5F1

**072272 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CEDAR WEST 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-929-07  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

5G

**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  
Ordinance 07-116  
Mover: Dorrin D. Rolle  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

*7/24/2007 Adopted on first reading by the Board of County Commissioners*

*7/24/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5G1

**072274 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS MENENDEZ TRACTS 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-930-07  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

5H

**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  
Ordinance 07-117  
Mover: Dorrin D. Rolle  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

*7/24/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

*7/24/2007 Adopted on first reading by the Board of County Commissioners*

5H1

**072276 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS RESERVE AT DORAL WEST 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-931-07  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

5I

**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  
Ordinance 07-118  
Mover: Dorrin D. Rolle  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

*7/24/2007 Adopted on first reading by the Board of County Commissioners*

*7/24/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5I1

**072275 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS RESERVE AT DORAL EAST 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-932-07  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Seijas  
Excused: Heyman*

5J

**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*  
*Ordinance 07-119*  
*Mover: Dorrin D. Rolle*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

**7/24/2007** *Adopted on first reading by the Board of County Commissioners*

**7/24/2007** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5J1

**072277 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLLS PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS RANCHES ESTATES 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-933-07*  
*Mover: Joe A. Martinez*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11- 0*  
*Absent: Seijas*  
*Excused: Heyman*

5K

**072373 Resolution**

RESOLUTION APPROVING THE PLAT OF WEST GOULDS POINTE, LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 56 SOUTH, RANGE 39 EAST (SW 220 STREET AND SW 122 AVENUE) (Public Works Department)

*Adopted*  
*Resolution R-934-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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

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



5L

**072374 Resolution**

RESOLUTION APPROVING THE PLAT OF SUPERIOR SUBDIVISION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 54 SOUTH, RANGE 39 EAST (SW 34 STREET AND SW 137 AVENUE) (Public Works Department)

*Adopted  
Resolution R-935-07  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

5M

**072375 Resolution**

RESOLUTION APPROVING THE PLAT OF EVERGLADES WEST, LOCATED IN THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 54 SOUTH, RANGE 39 EAST (SW 26 STREET AND SW 148 AVENUE) (Public Works Department)

*Adopted  
Resolution R-936-07  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

5P

**072376 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF MSV DOLPHIN INVESTMENTS, LLC, D-22746, LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 53 SOUTH, RANGE 40 EAST (NW 17 STREET AND NW 112 AVENUE) (Public Works Department)

*Adopted*  
*Resolution R-939-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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

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

5Q

**072377 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF 6645 PROPERTIES, LLC, D-22777, LOCATED IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 54 SOUTH, RANGE 41 EAST (SUNSET DRIVE AND SW 47 AVENUE) (Public Works Department)

*Adopted*  
*Resolution R-940-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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

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

5R

**072378 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF D. MICHAEL BITZ AND THE ESTATE OF JEAN C. SEIPP, D-21722, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 66 STREET AND SW 83 AVENUE) (Public Works Department)

*Deferred to no date certain*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

5S

**072380 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF ASPIRA OF FLORIDA, INC., D-22789, LOCATED IN THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 52 SOUTH, RANGE 42 EAST (NE 135 ST. & MEMORIAL HIGHWAY) (Public Works Department)

*Adopted  
Resolution R-942-07  
Mover: Jose "Pepe" Diaz  
Second: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

5T

**072381 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF GEORGE QUINTAIROS AND ILEANA R. PEREZ-QUINTAIROS, D-22545, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 68 TERRACE AND SW 79 AVENUE) (Public Works Department)

*Adopted  
Resolution R-943-07  
Mover: Jose "Pepe" Diaz  
Second: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

5U

**072382 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF VICKIE BRIGHT, D-21019, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST (NW 43 STREET AND NW 23 AVENUE) (Public Works Department)

*Adopted  
Resolution R-944-07  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

**6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS**

**7 ORDINANCES SET FOR SECOND READING**

7A

071165

Ordinance

Governmental Operations  
and Environment Committee

ORDINANCE RELATING TO INCORPORATIONS  
SUSPENDING CONSIDERATION OF PROPOSED  
INCORPORATIONS UNTIL RECEIPT AND CONSIDERATION  
OF THE COUNTY MANAGER'S REPORT UNDERTAKEN  
PURSUANT TO THIS ORDINANCE; DIRECTING THE  
COUNTY MANAGER TO PROVIDE A REPORT TO THE  
BOARD REGARDING EFFORTS TO MAXIMIZE  
ANNEXATIONS AND UPDATED FINANCIAL  
INFORMATION RELATED TO THE NORTH CENTRAL DADE  
MUNICIPAL ADVISORY COMMITTEE STUDY  
AREA; PROVIDING SEVERABILITY, EXCLUSION FROM  
THE CODE, AND AN EFFECTIVE DATE

*Adopted*

*Ordinance 07-120*

*Mover: Natacha Seijas*

*Seconder: Jose "Pepe" Diaz*

*Vote: 12- 0*

*Excused: Heyman*

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

It was moved by Commissioner Seijas that the foregoing proposed ordinance be adopted. This motion was seconded by Commissioner Diaz for discussion.

Commissioner Gimenez asked whether this ordinance included a deadline for completing the report, noting he would like it to come back within 90 days.

Commissioner Seijas questioned the feasibility of imposing a 90-day deadline for the report.

Commissioner Sorenson noted many of her constituents wanted to move forward and did not support the continuation of the moratorium. She also noted that under the County's Home Rule Charter, people were still permitted the right to petition with a 24% signature requirement. She spoke in support of this ordinance and noted she was hopeful that the report would be completed and submitted for review by December.

Commissioner Martinez noted that pursuant to the Charter, this Board was the only body that reserved the right to approve or deny corporations. He suggested the Clerk of the Board be instructed to remind the Board when the 90-day period ended.

Commissioner Diaz noted he wanted to bring some areas within his district before the Committee as soon as possible.

Ms. Jennifer Glazer-Moon, Director, OSBM, responded to Commissioner Rolle's concerns regarding the financial status report he previously requested, involving the North Central Incorporation. She noted the representatives of the North Central MAC had difficulty getting a quorum in order to provide service level information for this area.

Commissioner Rolle asked the Office of Strategic Business management Director to provide him with the status report he previously requested on the financial status of the North Central Incorporation process.

Commissioner Jordan noted the County Commission requested an independent auditor be retained to study whether or not the proposal to create a new municipality was financially feasible, and to avoid false accusations that the County skewed the information.

Commissioner Rolle noted the issue of granting communities the ability to request independent audits when pursuing incorporation was discussed during the workshop.

Ms. Glazer-Moon noted the County paid for an independent audit, but the Finance Department wanted representatives of the areas to identify the service levels they preferred in order to balance the budget. She explained that it would be difficult for the North Central City to generate enough revenues to sustain the level of services provided by the County.

County Manager George Burgess noted staff could meet with Commissioner Rolle to explain the expenses and how the costs in the UMSA were prorated for that area, assuming the level of services provided by the County was desirable.

FINAL OFFICIAL

Commissioner Gimenez spoke in support of this ordinance and reiterated his desire to have the report completed and available for review within 90 days.

- 4/16/2007 Requires Municipal Notification by the Board of County Commissioners to the Governmental Operations and Environment Committee
- 5/8/2007 Municipalities notified of public hearing by the Board of County Commissioners to the Governmental Operations and Environment Committee
- 5/8/2007 Adopted on first reading by the Board of County Commissioners
- 5/8/2007 Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee
- 7/11/2007 Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

7B

071168 Ordinance Barbara J. Jordan

ORDINANCE CREATING THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE; SETTING FORTH MEMBERSHIP REQUIREMENTS, APPOINTMENT, REMOVAL AND TENURE, OF MEMBERS, SPECIFYING ORGANIZATION AND POWERS, AND DUTIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE (SEE AGENDA ITEM NO. 12B5) *Amended*

**Report:** (See Agenda Item 7B Amended; Legislative File No. 072786 for the amended version)

- 5/8/2007 Adopted on first reading by the Board of County Commissioners
- 5/8/2007 Scheduled for a public hearing by the Board of County Commissioners before the Economic Development and Human Services Committee
- 7/18/2007 Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee

**FINAL OFFICIAL**

7B AMENDED

**072786**

**Ordinance**

**Barbara J. Jordan**

ORDINANCE CREATING THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE; SETTING FORTH MEMBERSHIP REQUIREMENTS, APPOINTMENT, REMOVAL AND TENURE, OF MEMBERS, SPECIFYING ORGANIZATION AND POWERS, AND DUTIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071168]

*Adopted as amended  
Ordinance 07-121  
Mover: Barbara J. Jordan  
Seconder: Katy Sorenson  
Vote: 10- 0  
Absent: Sosa, Souto  
Excused: Heyman*



FINAL OFFICIAL

**Report:** During consideration of the changes to today's agenda, County Attorney Cuevas noted a scrivener's error outlined in the County Manager's Memorandum of Changes pertaining to this ordinance that needed to be corrected to reference the Conflict of Interest Code as Section 2-11.1

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

It was moved by Commissioner Jordan that the foregoing proposed ordinance be adopted as presented. This motion was seconded by Commissioner Sorenson for discussion.

Chairman Barreiro noted a miscommunication occurred among various housing boards regarding mortgages and policy issues, and that a mechanism was needed to coordinate or consolidate all housing boards.

Commissioners Sorenson and Commissioner Diaz concurred that a mechanism was needed for better communication between Housing Boards.

Commissioner Jordan explained that the County Commission initially established the Community Affordable Housing Strategies Alliance (CASHA) as a Task Force by resolution, and deliberately seated representatives of organizations to participate on this Task Force. She noted the Task Force expedited the process in less than a year and brought back some solid, comprehensive recommendations for housing. She also noted the foregoing ordinance would create the CASHA, which would comprise of the same members approved by the Commission for the Task Force. She stated she would like the membership to remain as is.

Commissioner Diaz asked that the list of proposed membership of the CASHA be amended to include a representative from the Latin Chamber of Commerce (CAMACOL).

In response to Commissioner Moss's request that a representative from the migrant community be included on the membership of the CASHA, Commissioner Sorenson recommended a member of the Coalition of Florida Farmers Organization (COFFO) be appointed.

Commissioner Jordan stated she would accept Commissioners Diaz' and Moss' proposed amendments.

In response to Commissioner Souto's suggestion that the County Commission appoint a representative to the CASHA, Commissioner Jordan recommended the Chair of the Economic Development and Health Committee or her designee be appointed as the Commission's representative.

For the record, Senior Advisor to the County Manager, Cynthia Curry, advised that the first ordinance contained a recommended list of organizations which was ratified by the Board. This list, she noted, was subsequently amended to include additional organizations; however, the list contained within the foregoing proposed ordinance did not include those additional organizations.

Commissioner Jordan asked that staff reconcile the composition list of members for the Community Affordable Housing Strategies Alliance to include those organizations that were excluded, and provide it later in today's

meeting.

Later in the meeting, Assistant County Attorney Shannon Summerset clarified that the following four categories were inadvertently omitted from this ordinance: the Builder's Association of South Florida (BASF), Hialeah Chamber of Commerce (HCOC), the Latin Builder's Association (LBA), and the South Florida Hispanic Chamber (SFHC). She noted representatives from these organizations were members of the existing Task Force and should have been included in this ordinance.

Commissioner Jordan asked if it was necessary to include a representative from CAMACOL since the South Florida Hispanic Chamber (SFHC) was already included.

Commissioner Seijas noted she was unaware of the SFHC or that it provided any countywide representation. She suggested SFCH be removed and replaced with CAMACOL.

Commissioner Jordan accepted Commissioner Seijas' proposed amendment.

Assistant County Attorney Summerset advised that the following four agencies listed on handwritten page 5 were without local representation and should be removed from the list: the State of Florida Housing Finance Corporation, the Mortgage Bankers Association, the Public Lands Trust, and Freddy Mac. She clarified that this ordinance was amended to add a representative from the following agencies to the CASHA membership: the Builders Association of South Florida, the Hialeah Chambers of Commerce, the Latin Builder's Association, the CAMACOL, the COFFO, and the Chairperson of the EDSHC or any future committee with jurisdiction over housing or his/her designate, and one local (Miami-Dade County resident) actively engaged in the housing industry, which would bring the total membership to 38, versus the existing 39 member task force.

Assistant County Attorney Summerset also advised that the staggered terms listed on page 7, paragraph F, should be changed to 18 members for a two-year term and 18 members for a one-year term to correspond with the new membership of 38; and that language should be added under section 17-150 to state the current Chairperson of the CASHA Task Force established by resolution shall be the initial Chairperson of the CASHA.

Commissioner Jordan expressed concern that CASHA was established by the Commission and she did not want members to feel intimidated by a Commission appointed representative. She respectfully requested the Board approve all amendments read by Assistant County Attorney Summerset, except appointments by the Commission and the County Mayor, which would reduce the membership to 36.

Commissioners Edmonson and Sorenson noted they concurred with Commissioner Jordan.

Commissioner Diaz proposed that a sunset provision be included in this ordinance.

Commissioner Jordan accepted a 3-year sunset provision as an amendment and moved for a quorum requirement of 19 members.

Following discussion, Assistant County Attorney Summerset clarified the amendments she previously noted, would not include the appointment of representatives by the EDHS Chair or his/her designee and the Mayor.

Commissioner Jordan noted she agreed to remove the Mayor's representative only because of the debate regarding the appointment of a representative by the County Commission. She added that the CASHA's function was to look at housing in its entirety, including determining the best use of County-owned land. She explained that the Mayor's appointment was originally included in the ordinance because the Mayor established a Land Use Committee that was separate and apart from CASHA, and she felt that removing the Mayor's representative may cause some conflict in the roles of the two committees.

Commissioner Diaz pointed out that an Assistant County Manager would be participating in these meetings as a non-voting representative of the Mayor.

Chairman Barreiro noted it was the Mayor's executive duty to staff the committee and to provide administrative oversight.

Following discussion among the Board members regarding the proposed quorum requirement, Commissioner Jordan agreed to amend the ordinance to establish an 11 member quorum requirement.

The foregoing proposed ordinance was adopted as amended to delete the representatives from the State of Florida Housing Finance Corporation, the Mortgage Bankers Association, the Public Lands Trust, Freddy Mac, and the Mayor's Office; and to add representatives from The Builders Association of South Florida; the Hialeah Chambers of Commerce; the Latin Builders Association; Latin Chamber of Commerce (CAMACOL); the Coalition of Florida Farmers Organization (COFFO); the Chairperson of the Economic Development, Health and Safety or any future committee with jurisdiction over Housing or his/her designee; and one representative from the local community who was actively engaged in the Housing Industry. The Board further amended the proposed ordinance to provide that eighteen (18) of the original members shall serve for a term of two (2) years; that the current Chairperson of the CAHSA, established by resolution be the initial Chairperson of the CAHSA, established by this ordinance; that a quorum of 11 members be required; and that a three (3)-year sunset provision be included.

7C

072389

Ordinance

Audrey M. Edmonson,  
Barbara J. Jordan*Amended*

ORDINANCE AMENDING SECTION 17-106 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE AFFORDABLE HOUSING ADVISORY BOARD (AHAB) TO CODIFY THE RECENT AMENDMENTS TO FLORIDA STATUTE SECTION 420.9076, INCLUDING THE ADDITION OF TWO AHAB COMMITTEE MEMBERS AND REQUIRING AHAB TO REVIEW, AMONG OTHER THINGS, THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR MODERATE-INCOME PERSONS AND FORMULATING RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS ACCORDINGLY; ELIMINATING THE REQUIREMENT THAT CERTAIN MEMBERS HAVE EXPERIENCE IN OR BE CONNECTED TO AFFORDABLE HOUSING WHEN, DUE TO A CONFLICT OF INTEREST OR OTHER REASONABLE FACTOR, THE BOARD IS UNABLE TO APPOINT SUCH A MEMBER; RESTRICTING AHAB MEMBERSHIP TO THOSE QUALIFIED PERSONS WHO DO NOT OWN A FINANCIAL INTEREST IN, ARE NOT EMPLOYED BY OR SERVE AS AN OFFICER OF ANY ENTITY THAT RECEIVES OR APPLIES FOR FUNDING FROM MIAMI-DADE COUNTY THROUGH THE AHAB; ADOPTING IN ITS ENTIRETY THE PROVISIONS OF FLORIDA STATUTE SECTION 420.9076 OF THE STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM, AS AMENDED OR AS MAY BE AMENDED OR RENUMBERED FROM TIME-TO-TIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071925] [SEE AGENDA ITEM NO. 11A32]

**Report:** (See Agenda Item 7C Amended; Legislative File No. 072747 for the amended version)

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

## 7C AMENDED

072747

Ordinance

Audrey M. Edmonson,  
Barbara J. Jordan

ORDINANCE AMENDING SECTION 17-106 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE AFFORDABLE HOUSING ADVISORY BOARD (AHAB) TO CODIFY THE RECENT AMENDMENTS TO FLORIDA STATUTE SECTION 420.9076, INCLUDING THE ADDITION OF TWO AHAB COMMITTEE MEMBERS AND REQUIRING AHAB TO REVIEW, AMONG OTHER THINGS, THE RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING FOR MODERATE-INCOME PERSONS AND FORMULATING RECOMMENDATIONS TO THE BOARD OF COUNTY COMMISSIONERS ACCORDINGLY; ELIMINATING THE REQUIREMENT THAT CERTAIN MEMBERS HAVE EXPERIENCE IN OR BE CONNECTED TO AFFORDABLE HOUSING WHEN, DUE TO A CONFLICT OF INTEREST OR OTHER REASONABLE FACTOR, THE BOARD IS UNABLE TO APPOINT SUCH A MEMBER; RESTRICTING AHAB MEMBERSHIP TO THOSE QUALIFIED PERSONS WHO DO NOT OWN A FINANCIAL INTEREST IN, ARE NOT EMPLOYED BY OR SERVE AS AN OFFICER OF ANY ENTITY THAT RECEIVES OR APPLIES FOR FUNDING FROM MIAMI-DADE COUNTY THROUGH THE AHAB; ADOPTING IN ITS ENTIRETY THE PROVISIONS OF FLORIDA STATUTE SECTION 420.9076 OF THE STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM, AS AMENDED OR AS MAY BE AMENDED OR RENUMBERED FROM TIME-TO-TIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 071925 AND 072389] [SEE AGENDA ITEM NO. 11A32]

*Adopted as amended*  
*Ordinance 07-122*  
*Mover: Audrey M. Edmonson*  
*Seconder: Katy Sorenson*  
*Vote: 8- 1*  
*No: Barreiro*  
*Absent: Sosa, Martinez, Seijas*  
*Excused: Heyman*

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

Assistant County Attorney Cynthia Johnson-Stacks requested the foregoing proposed resolution be amended to include the following language at the end of Subsection (e) paragraph: "All efforts shall be made to appoint persons who are engaged in or connected with affordable housing, and only when such an appointment cannot be made, will the Board appoint a citizen without regard to experience in affordable housing;" and that the last sentence in subsection (g) paragraph should be deleted and replaced with the following language: "At a minimum, the Affordable Housing Advisory Board shall submit to the Board of County Commissioners a report that includes recommendations on, and tri-annually, thereafter evaluates the implementations of affordable housing incentives in the following areas."

Commissioner Gimenez expressed concern that discrepancies existed within this ordinance pertaining to the number of members on the Affordable Housing Advisory Board (AHAB).

Assistant County Attorney Johnson-Stacks noted 15 members were to be appointed by the Board, one by the Overall Tenant Advisory Council (OTAC), and one by the Mayor. She noted the list in this ordinance did not reflect all appointed members, but rather contained asterisks for those appointments that were unchanged.

For clarity, Commissioner Gimenez asked the County Attorney's Office to ensure that future ordinances listing appointments to the Affordable Housing Advisory Board include all appointments even if no changes were made, rather than using asterisks to indicate no change.

In response to Chairman Barreiro's question as to whether the County Commission would continue making direct appointments, Assistant County Attorney Johnson-Stacks noted Agenda Item 11A32 was a companion resolution that provided the process for the Board to make appointments from applications.

Chairman Barreiro noted the difficulty in getting quorums or people to participate on these boards. He also noted his lack of confidence in this process.

Hearing no further comments or discussion, the Board adopted the foregoing proposed ordinance as amended, as stated by Assistant County Attorney Johnson-Stacks.

7D

**071206 Ordinance Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 2-48 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO PUBLICATION ON THE COUNTY'S WEBSITE OF THE NAMES AND QUALIFICATIONS OF ALL PERSONS NEWLY HIRED OR PROMOTED BY THE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070903]

*Withdrawn*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

- 4/24/2007** *Adopted on first reading by the Board of County Commissioners*  
**5/15/2007** *Deferred to next committee meeting by the Budget and Finance Committee*  
**6/12/2007** *Carried over Due to Lack of a Quorum by the Budget and Finance Committee*  
**7/11/2007** *Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee*

7E

**071501 Ordinance**

ORDINANCE RELATING TO VEHICLES FOR HIRE; AMENDING SECTIONS 31-76 AND 31-85 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, WHICH PROHIBIT COMPENSATION FOR THE RIGHT TO PICK UP PASSENGERS; AMENDING SECTION 31-100 (J) TO REQUIRE POSTING OF A NOTICE REGARDING CHAUFFEUR AGREEMENTS AND IMPOSING PENALTIES; INCREASING PENALTIES FOR VIOLATIONS OF SECTIONS 31-76(A), 31-76(B), 31-82(J)(12), 31-85(J)(1), 31-85(J)(2), 31-100(J) AND 31-303(I)(4); AMENDING CHAPTER 8CC-10 RELATING TO CIVIL PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Consumer Services Department)

*Deferred to no date certain*  
*Mover: Natacha Seijas*  
*Seconder: Katy Sorenson*  
*Vote: 12- 0*  
*Excused: Heyman*

**Report:** *During consideration of the changes to the agenda, the foregoing proposed ordinance was deferred, as requested by Commissioner Seijas.*

- 6/5/2007** *Adopted on first reading by the Board of County Commissioners*  
**6/5/2007** *Scheduled for a public hearing by the Board of County Commissioners before the Economic Development and Human Services Committee*  
**7/18/2007** *Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee*

7F

071736

Ordinance

Rebeca Sosa

ORDINANCE RELATING TO RESIDENCY REQUIREMENTS FOR COMMUNITY COUNCIL CANDIDATES AND APPOINTEES; AMENDING SECTION 20-43 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE *Amended*

**Report:** (See Agenda Item 7F Amended; Legislative File No. 072712 for the amended version)

6/26/2007 Scheduled for a public hearing by the Board of County Commissioners before the Governmental Operations and Environment Committee

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

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



5N

**072383 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF LUIS ORTEGON, D-22193, LOCATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 9 TERRACE AND PALMETTO EXPRESSWAY) (Public Works Department)

*Adopted  
Resolution R-937-07  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

5O

**072385 Resolution**

RESOLUTION APPROVING THE PLAT OF MLS ESTATES, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 54 SOUTH, RANGE 40 EAST (SW 36 STREET AND SW 110 AVENUE) (Public Works Department)

*Adopted  
Resolution R-938-07  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Excused: Heyman*

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

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

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

## 7F AMENDED

072712

Ordinance

Rebeca Sosa

ORDINANCE RELATING TO RESIDENCY REQUIREMENTS FOR COMMUNITY COUNCIL CANDIDATES AND APPOINTEES; AMENDING SECTION 20-43 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 071736]

*Adopted as amended  
Ordinance 07-123  
Mover: Rebeca Sosa  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

*It was moved by Commissioner Sosa that the foregoing proposed ordinance be adopted. This motion was seconded by Commissioner Sorenson for discussion.*

*Commissioner Seijas expressed concern that the residential requirement that appointees to Community Councils must have resided in the subject area for one year before qualifying, was higher than the six month residential requirement for County Commissioners.*

*Commissioner Sosa pointed out that Commissioners were also required to be a resident in the County for three years, and the Community Council had no local residency requirement. She noted the intent in creating Community Councils was to ensure that members were from an area they would be making decisions about. She noted this ordinance included only one year because it was difficult to find people to participate.*

*Commissioner Seijas stated she could support this ordinance if the residential requirement for Community Councils was the same as the residential requirement for County Commissioners, which was residing three years in the County and six months in the subject area before qualifying.*

*Commissioner Sosa accepted Commissioner Seijas' proposed amendment. She noted she had received complaints from residents that decisions were being made by Community Councils with non-resident members, unfamiliar with the area.*

*Assistant County Attorney Joni Armstrong-Coffey clarified that the amendment would apply to both appointed and elected members.*

*Commissioner Jordan concurred with the amendment, and noted her research on community councils found them to be costly, but beneficial to social services. She noted three years would make it more palatable, although she felt the line-item needed further review.*

*Hearing no objection, the foregoing proposed ordinance was adopted as amended to reflect that the residential requirement for members appointed and elected to Community Councils be six months within the district for which they are qualifying for and three years within the County.*

## 8

**DEPARTMENTAL ITEMS**

**8A      AVIATION DEPARTMENT**

8A1A

**072080 Resolution**

RESOLUTION REGARDING MIA MOVER AUTOMATED PEOPLE MOVER ("APM") SYSTEM, PROJECT NO. RFP-MDAD-04-04/J104A AT MIAMI INTERNATIONAL AIRPORT, REJECTING ALL PROPOSALS, WAIVING COMPETITIVE BIDDING, AUTHORIZING NEGOTIATIONS WITH PARSONS ODEBRECHT, JOINT VENTURE, WITH BOMBARDIER-PCL, LLC AND WITH SLATTERY SKANSKA, INC., AND DIRECTING MAYOR OR DESIGNEE TO RECOMMEND A CONTRACT WITH ONE OF THEM TO THIS BOARD (Aviation Department)

*Adopted*

*Resolution R-945-07*

*Mover: Jose "Pepe" Diaz*

*Seconder: Carlos A. Gimenez*

*Vote: 11- 0*

*Absent: Sosa*

*Excused: Heyman*

FINAL OFFICIAL

**Report:** *Commissioner Gimenez spoke in support of this resolution and commended staff on what he believed to be the right process for the best price and services.*

*Commissioner Diaz noted he thought the instruction of the Transit Committee was to have the companies make their presentation publicly, but that staff would negotiate with each company separately to ensure they stood on their own merit. He asked for clarity on this process.*

*Assistant County Manager Ysela Llori noted the attached 8A1A Supplement explained that process, which was to ensure that all three proposers were still participating and to evaluate them simultaneously.*

*Mr. John Cospes, Capital Improvement Projects (CIP) Director, Aviation Department, noted the proposed project consisted of a station built at the Miami International Airport between two parking garages, with walkways connecting to the North and South terminals, and other minor scope of work. He noted the three proposers had not been evaluated at the same level; and that Parsons Odebrecht Joint Venture (POJV) had disclosed everything, including prices. He noted staff planned to evaluate the technical proposals and then open the price proposals, but first needed to confirm that all three proposers were still participating. The next step, he noted, was the selection committee must evaluate the must-haves such as a good faith guarantee to continue; updated certificates/licenses and team modification to ensure compliance and identify any issues before the proposers provided the technical and pricing updates to their proposals. Then the proposers would be asked to make presentations before the selection committee with updated proposals and staff would begin the negotiations simultaneously with everyone in the room.*

*Commissioner Diaz noted he agreed with everything except the simultaneous evaluations. He noted parameters needed to be set in order to prevent one company from simulating another company's proposal.*

*Mr. Cospes noted the negotiations were open to the public and all negotiations held with POJV were public and attended by the other firms. He noted the idea was to put them on the spot at the same time and not allow time to pass so that one firm could not benefit from another's presentation.*

*Commissioner Diaz noted his intent was to expedite this process, but he did not want a firm to protest later because the competition was looking over its shoulder.*

*Commissioner Seijas stated she understood this was a sunshine meeting so anyone could attend the others negotiations.*

*Mr. Jose Abreu, Director, Aviation Department, noted the Department received protests all the time, but staff was looking for a performance-based proposal to determine the best value. Regarding sunshine, he noted each firm was permitted to attend every meeting anyway, and all firms might as well be addressed at the same meeting.*

*In response to Commissioner Diaz' question if price negotiations were opened to the public, Assistant County Attorney Hugo Benitez clarified that the negotiations were structured, and not necessarily simultaneously. He noted staff said that they would send out a requirements document and meet*

with the vendors to establish a process for structured negotiations that would provide a fair evaluation of every proposal. He noted every meeting was a public meeting and subject to the public records law, so they could choose to participate in each other's presentations at each meeting.

Commissioner Martinez expressed concern with prices being adjusted after the price proposals were opened. He questioned which airports used self-propelled and/or cable systems.

Mr. Cosper noted self-propelled systems were used in a number of airports around the country, including Miami and Tampa; and that cable-systems were used in Cincinnati, and had been in operation for some time.

Commissioner Martinez asked Mr. John Cosper, Aviation Department, CIP, to provide the Committee members with a comparison report, as soon as possible, identifying airports nationwide that used self-propelled or cable systems and to include as part of this report the systems performance, durability, speed and the purchase and maintenance costs.

County Manager Burgess noted the supplement to the foregoing resolution provided a list of places where these systems were being used, and staff could expand that information to provide that information quickly.

Commissioner Rolle asked for clarity regarding why the CSBE goal was 11.54 % for phase 1, but only 1.52 % for phase 2 with two 5-year extensions.

Ms. Penny Townsley, Director, Department of Business Development-Small Business Affairs, noted the 1.5% and the 11.54% were the CBE and the CSBE goals respectively and were combined goals that applied to phase I only. She noted phase 2 had not been analyzed yet to determine a goal.

Commissioner Rolle asked Department of Business Development – Small Business Affairs Director to provide him with a report identifying the CSBE goals for phase 2 of this project immediately after the goals were established.

Commissioner Moss spoke in support of this item, but stated he would like the comments that pertained to performance to be better defined in future contracts.

Commissioner Diaz noted he would like the negotiation portion of this process to be reviewed by staff and structured in a way that minimized delay.

Commissioner Seijas noted her concerns were similar to that of Commissioner Diaz. She suggested the proposals be presented closer together in time' like one right after the other, to prevent the proposers from changing their proposals based on another.

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

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

## 8A1A SUPPLEMENT

**072488 Supplement**

SUPPLEMENTAL INFORMATION REGARDING THE RECOMMENDATION TO REJECT ALL PROPOSALS AND FOLLOW REVISED PROCESS FOR MIA AUTOMATED PEOPLE MOVER (APM) SYSTEM

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

## 8A1B

**072097 Resolution**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING COUNTY MANAGER'S EXECUTION PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE MIAMI-DADE COUNTY CODE, OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 2 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UNDER WHICH FDOT'S FUNDING FOR THE NEW SOUTH TERMINAL PROJECT WILL BE INCREASED BY \$4,002,878 FOR FINANCIAL PROJECT NUMBER 25402919401 (Aviation Department)

*Adopted*  
*Resolution R-946-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

## 8A1C

**072101 Resolution**

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; RATIFYING COUNTY MANAGER'S EXECUTION PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE MIAMI-DADE COUNTY CODE, OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 1 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UNDER WHICH FDOT'S FUNDING WILL BE INCREASED BY \$619,420 FOR FINANCIAL PROJECT NUMBER 42155319401 (Aviation Department)

*Adopted*  
*Resolution R-947-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8A1D

**072105 Resolution**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING COUNTY MANAGER'S EXECUTION PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE MIAMI-DADE COUNTY CODE, OF THE THIRD SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UNDER WHICH FDOT'S FUNDING FOR THE AIRPORT OPERATIONS CONTROL CENTER PROJECT WILL BE REDUCED BY \$1,555,000 FOR FINANCIAL PROJECT NUMBER 41254119401 (Aviation Department)

*Adopted  
Resolution R-948-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8A1E

**072106 Resolution**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AMENDMENT ONE TO LIMITED REIMBURSEMENT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) IN THE AMOUNT OF \$2,048,465 TO BE PAID TO THE FAA IN REIMBURSEMENT OF FAA'S CONSTRUCTION AND OTHER WORK ASSOCIATED WITH THE RELOCATION OF NAVIGATIONAL EQUIPMENT NECESSITATED BY THE EXPECTED COMPLETION OF THE SOUTH TERMINAL AREA AND THE CONCOURSE J PROJECT IN 2007; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO INCREASE THE AMOUNT OF SUCH REIMBURSEMENT TO THE EXTENT FUNDS THEREFOR ARE AVAILABLE IN THE CONCOURSE J PROJECT ACCOUNT (Aviation Department)

*Adopted  
Resolution R-949-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8A1E SUPPLEMENT

**072394 Supplement**

SUPPLEMENTAL INFORMATION REGARDING AMENDMENT ONE TO THE LIMITED REIMBURSABLE AGREEMENT TO SUPPORT THE RELOCATION OF NAVAIDS FOR RUNWAY 27

*Accepted  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*



8A1F

**072111 Resolution**

RESOLUTION AWARDING AIRPORT NETWORK MEDIA PROGRAMMING SERVICES AGREEMENT AT MIAMI INTERNATIONAL AIRPORT, RFP NO. MDAD 04-06 TO AC HOLDINGS INC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT AND ANY RENEWAL, TERMINATION, OR CANCELLATION PROVISIONS CONTAINED THEREIN (Aviation Department)

*Adopted  
Resolution R-950-07  
Mover: Jose "Pepe" Diaz  
Seconder: Natacha Seijas  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** *Commissioner Souto questioned how the County could advertise the Performing Arts Center (PAC) at the Airport.*

*Mr. Miguel Southwell, Assistant Director, Miami-Dade Aviation Department, noted his staff engaged in conversations with the PAC Director and his staff a month ago to collaborate on a recommendation pertaining to the CNN contract. He noted the Aviation Department had six (6) minutes of every hour to advertise or promote community projects and offered the PAC and other County facilities to use a portion of that time to publish their advertisements on the CNN channel.*

*Commissioner Diaz indicated that the Aviation staff had developed a plan to install television monitors at the airport that showcased various Miami-Dade County facilities to passengers of incoming flights.*

*Commissioner Seijas noted the CNN contract had been on the books for some time and she had yet to see CNN fail to fulfill their obligations. She noted CNN had been responsible, supportive and accommodating to the County, and she was proud to see them come to the County's airport.*

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

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

8A1G

**072114 Resolution**

RESOLUTION AUTHORIZING ADVERTISEMENT FOR COMPETITIVE BIDS FOR LEASING OF BUILDING 2082 AND RELATED LAND, AT MIAMI INTERNATIONAL AIRPORT, FOR NON-AVIATION USE; AUTHORIZING MAYOR TO AWARD TO HIGHEST BIDDER WITHOUT FURTHER BOARD CONSIDERATION AND TO EXECUTE ANY CANCELLATION OR RENEWAL PROVISIONS (Aviation Department)

*Adopted  
Resolution R-951-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8A1H

**072116 Resolution**

RESOLUTION APPROVING FOUR NON-EXCLUSIVE CONTRACTS FOR THE MIAMI-DADE AVIATION DEPARTMENT, AIRPORT SIGNAGE FABRICATION AND INSTALLATION, PROJECT NUMBER RFQ MDAD 05-01 TO ACOLITE CLAUDE UNITED SIGN CO., INC., BROADWAY NEON SIGN CORP., BARON SIGN MANUFACTURING AND ARCHITECTURAL GRAPHICS, INC., FOR A MAXIMUM CONTRACT AMOUNT OF \$23,057,500, WHICH INCLUDES \$57,500 FOR THE INSPECTOR GENERAL AUDIT ACCOUNT, WITH A TERM OF 4 YEARS WITH AN OPTION TO EXTEND FOR 2 ONE-YEAR TERMS, PROVIDED HOWEVER THAT THE TOTAL EXPENDITURE AMOUNT TO CONTRACTORS HEREIN WILL NOT EXCEED \$23,000,000 FOR ALL FOUR CONTRACTS IN THE AGGREGATE, AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE TERMINATION AND RENEWAL PROVISIONS CONTAINED THEREIN (Aviation Department)

*Amended*

**Report:** (See Agenda Item 8A1H Amended; Legislative File No. 080449 for the amended version)

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

8A1H AMENDED

**080449**

**Resolution**

RESOLUTION APPROVING FOUR NON-EXCLUSIVE CONTRACTS FOR THE MIAMI-DADE AVIATION DEPARTMENT, AIRPORT SIGNAGE FABRICATION AND INSTALLATION, PROJECT NUMBER RFQ MDAD 05-01 TO ACOLITE CLAUDE UNITED SIGN CO., INC., BROADWAY NEON SIGN CORP., BARON SIGN MANUFACTURING AND ARCHITECTURAL GRAPHICS, INC., FOR A MAXIMUM CONTRACT AMOUNT OF \$23,057,500, WHICH INCLUDES \$57,500 FOR THE INSPECTOR GENERAL AUDIT ACCOUNT, WITH A TERM OF 4 YEARS WITH AN OPTION TO EXTEND FOR 2 ONE-YEAR TERMS, PROVIDED HOWEVER THAT THE TOTAL EXPENDITURE AMOUNT TO CONTRACTORS HEREIN WILL NOT EXCEED \$23,000,000 FOR ALL FOUR CONTRACTS IN THE AGGREGATE, AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE SAME [SEE ORIGINAL ITEM [SEE ORIGINAL ITEM UNDER FILE NOS. 072116, 072789] (Aviation Department)

*Adopted as amended*

*Resolution R-952-07*

*Mover: Joe A. Martinez*

*Seconder: Carlos A. Gimenez*

*Vote: 11- 0*

*Absent: Sosa*

*Excused: Heyman*

**Report:** Commissioner Martinez noted this ordinance did not distinguish the distribution of the \$23 million contract to the four companies. He expressed concern with the County Manager's recommendation that the Board authorize the Mayor or his designee to execute the contracts and to exercise any cancellation, termination or renewal provisions contained therein. He noted he would not support this ordinance with that language.

Mr. Abreu noted the original amount of the project was \$50 million for a dynamic sign system, but after review by the Capital Improvement Projects (CIP) Director, it was determined that this was not feasible and magnetic signs were considered instead. He noted the intent was to list as many qualified providers as possible for a good competitive process; and that five providers participated but one was deemed not qualified due to its inability to produce the type of signs needed. He noted the \$23 million would cover all work orders and all qualified entities could bid on each work order.

Commissioner Martinez noted his concern was the recommendation that authorized the County Mayor or his designee to cancel any contract, especially a \$23 million contract with only four companies. He moved that this ordinance be amended to remove that language.

Mr. Abreu noted he would not object to an amendment to delete that language.

Commissioner Souto asked the Aviation Department Director to ensure that the signs on roadways leading to—and fronting the Miami International Airport were illuminated, well-maintained, and upgraded to “state-of-the-art” condition, in terms of the quality.

Mr. Abreu noted he had received criticism regarding staff's failure to preserve the airport's infrastructure. He stated he would ensure the electrical issue would be resolved and that the signs would be illuminated.

In response to Commissioner Rolle's question of how the 29% community workforce goal would be accomplished and monitored, Ms. Penny Townsley, Department of Business Development-Small Business Affairs Director, noted that once the contract was awarded, the recipients would be required to submit a plan prior to 25% completion of the project, describing how they would meet the community workforce goal. She advised that this process would be monitored by the Small Business Affairs Division and that the labor force must come from a targeted area within the community.

Commissioner Jordan questioned whether the reason that CSBE goals were not established, was no availability, and questioned whether staff would consider employing other small businesses to install the signs.

Ms. Townsley noted the Electrical trade was the trade to consider availability for this particular project but the scope of that work was highly specialized and integral to the manufacturing of the systems; and that no CSBE firms were available that could provide these services.

In response to Commissioner Jordan's questions regarding how the targeted area would be defined from where the community workforce would come from; and what remedies existed for non-compliance of the workforce goals, Ms. Townsley stated she could not provide the specific details of the targeted area at this time, but noted the Airport was located within the targeted area. Regarding non-compliance, Ms. Townsley noted monetary sanctions would be

imposed.

*In response to Commissioner Rolle's question as to whether the boundaries would be countywide, Ms. Townsley noted the workforce program was defined by targeted areas that were not countywide in nature. She noted she would provide the specific areas once the firms submitted their plans.*

*Following a discussion concerning safeguards in place to prevent sole sourcing of this contract, the Board adopted the foregoing proposed ordinance as amended to delete the recommendation in the County Manager's memorandum pertaining to the Board authorizing the Mayor or his designee to execute the contracts; and add language requiring the Administrative staff to apprise the Board before exercising any cancellation, termination and/or renewal provisions.*

## 8A1H SUPPLEMENT

**072366 Supplement**

SUPPLEMENTAL INFORMATION REGARDING AIRPORT  
SIGNAGE FABRICATION AND INSTALLATION CONTRACT  
MDAD NO. 05-01

*Accepted  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11-0  
Absent: Sosa  
Excused: Heyman*

## 8A1I

**072175 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF FIRST  
AMENDMENT TO BFC AIRPORT STORES, LLC LEASE AND  
CONCESSION AGREEMENT AT MIAMI INTERNATIONAL  
AIRPORT, MODIFYING USE OF PREMISES PROVISIONS TO  
PERMIT SALE OF LUGGAGE AND TRAVEL ACCESSORIES,  
AND WAIVING COMPETITIVE SELECTION  
REQUIREMENTS (Aviation Department)

*Adopted  
Resolution R-953-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12-0  
Excused: Heyman*

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

8A1J

**072396 Resolution**

RESOLUTION AWARDED LUGGAGE CART CONCESSION AGREEMENT AT MIAMI INTERNATIONAL AIRPORT, RFP NO. MDAD 08-05 TO SMARTE CARTE, INC.; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT AND ANY RENEWAL, TERMINATION, OR CANCELLATION PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071882] (Aviation Department)

*Adopted*

*Resolution R-954-07*

*Mover: Jose "Pepe" Diaz*

*Seconder: Dennis C. Moss*

*Vote: 10-0*

*Absent: Sosa, Seijas*

*Excused: Heyman*

**Report:** Commissioner Martinez expressed concern with continued underreporting of gross revenues in Guaranteed Maximum Price (GMP) contracts. He asked what mechanisms were in place, other than the Inspector General (IG), to guard against the occurrence of underreported revenues.

Mr. Abreu noted a mechanism was incorporated into this contract to track all transactions. He noted this issue was more prevalent with self-reporting permittees than those contractors dealing directly with the County. He noted the Professional Compliance Unit of the Aviation Department had requested assistance from the IG and Administrative Officer Kathy Jackson, Audit and Management Services Department (AMS), but emphasized the need for a formal process, especially in the area of permittees.

County Manager Burgess noted this contract required the service provider to submit an audited annual financial report 90 days prior to the end of the year to validate the revenues, and the County maintained the right to perform audits, as well.

Mr. Abreu noted the County needed a more formal system in place but stated the foregoing contract was different since every transaction would be recorded.

In response to Commissioner Moss' question whether it was standard practice for airports to provide free luggage cart service for international travelers, Mr. Abreu noted some airports charged and others did not. He explained that the Airlines Committee voted unanimously that Miami International Airport (MIA) should provide free luggage cart service to the International area. He noted the airlines agreed to not charge a fee and would subsidize the cost for the carts. He noted this issue would be revisited as potential revenue once the North Terminal opened. He also noted that no fee would be charged at the new terminal until the South Terminal was opened and a uniformed policy was in place for the entire airport.

Commissioner Sorenson noted that most European airports provided luggage cart service at no cost. She encouraged Board members to support providing free luggage cart service to international travelers at MIA for as long as possible.

In response to Commissioner Moss' question of when the South Terminal would be opened, Mr. Abreu noted the South Terminal technically would open on September 29, 2007, to serve Concourse H; however, a Temporary Certificate of Occupancy (TCO) was needed to completely open Concourse J.

Commissioner Moss asked the Aviation Department Director to make a presentation before the Board of County Commissioners regarding the status of the Miami International Airport – South Terminal Project.

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

**7/19/2007** Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Airport and Tourism Committee

8A1K

**072483 Resolution***Amended*

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CENTURION AIR CARGO, INC. (CENTURION), FOR THE CONSTRUCTION OF A CARGO WAREHOUSE FACILITY ON THE NORTHEAST CORNER OF MIAMI INTERNATIONAL AIRPORT; APPROVING CENTURION'S ASSIGNMENT OF THE AGREEMENT TO AERO MIAMI III, LLC (AERO MIAMI) IN ORDER FOR AERO MIAMI TO CONSTRUCT THE FACILITY AND LEASE THE COMPLETED FACILITY BACK TO CENTURION, WITH BOTH CENTURION AND AERO MIAMI BEING LIABLE TO THE COUNTY UNDER THE AGREEMENT AS LESSEES; APPROVING THE LESSEES' DEMOLITION OF EXISTING AIRPORT FACILITIES AND LESSEE'S USE OF EXISTING BUILDING 5A IN PHASE II IF LESSEES EXERCISE THEIR OPTION TO USE SUCH BUILDING; APPROVING LESSEES' CONSTRUCTION OF AN EXTENSION TO EXISTING TAXIWAY K WITH THE COSTS THEREOF TO BE REIMBURSED TO THE LESSEES BY THE AVIATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$6.4 MILLION EXCEPT FOR UNKNOWN ENVIRONMENTAL CONDITIONS; APPROVING THE SALE OF BUILDINGS 890 AND 891 TO THE LESSEES FOR THE LESSEES' USE DURING THE LEASEHOLD PERIOD FOR THE SUM OF \$6.4 MILLION, SUCH PURCHASE PRICE PROCEEDS TO BE USED AS AN OFFSET TO THE COUNTY'S OBLIGATION TO REIMBURSE LESSEES FOR THEIR CONSTRUCTION OF THE TAXIWAY K EXTENSION; AUTHORIZING MAYOR OR HIS DESIGNEE TO EXECUTE SUCH AGREEMENT AND ALL DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND TO EXERCISE THE TERMINATION PROVISIONS THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 072173] (Aviation Department)

**Report:** *(See Agenda Item 8A1K Amended; Legislative File No. 072672 for the amended version)*

**7/19/2007** Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Airport and Tourism Committee



## 8A1K AMENDED

072672

## Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CENTURION AIR CARGO, INC. (CENTURION), FOR THE CONSTRUCTION OF A CARGO WAREHOUSE FACILITY ON THE NORTHEAST CORNER OF MIAMI INTERNATIONAL AIRPORT; APPROVING CENTURION'S ASSIGNMENT OF THE AGREEMENT TO AERO MIAMI III, LLC (AERO MIAMI) IN ORDER FOR AERO MIAMI TO CONSTRUCT THE FACILITY AND LEASE THE COMPLETED FACILITY BACK TO CENTURION, WITH BOTH CENTURION AND AERO MIAMI BEING LIABLE TO THE COUNTY UNDER THE AGREEMENT AS LESSEES; APPROVING THE LESSEES' DEMOLITION OF EXISTING AIRPORT FACILITIES AND LESSEE'S USE OF EXISTING BUILDING 5A IN PHASE II IF LESSEES EXERCISE THEIR OPTION TO USE SUCH BUILDING; APPROVING LESSEES' CONSTRUCTION OF AN EXTENSION TO EXISTING TAXIWAY K WITH THE COSTS THEREOF TO BE REIMBURSED TO THE LESSEES BY THE AVIATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$6.4 MILLION EXCEPT FOR UNKNOWN ENVIRONMENTAL CONDITIONS; APPROVING THE SALE OF BUILDINGS 890 AND 891 TO THE LESSEES FOR THE LESSEES' USE DURING THE LEASEHOLD PERIOD FOR THE SUM OF \$6.4 MILLION, SUCH PURCHASE PRICE PROCEEDS TO BE USED AS AN OFFSET TO THE COUNTY'S OBLIGATION TO REIMBURSE LESSEES FOR THEIR CONSTRUCTION OF THE TAXIWAY K EXTENSION; AUTHORIZING MAYOR OR HIS DESIGNEE TO EXECUTE SUCH AGREEMENT AND ALL DOCUMENTS REQUIRED IN CONNECTION THEREWITH AND TO EXERCISE THE TERMINATION PROVISIONS THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 072483] (Aviation Department)

*Adopted as amended  
Resolution R-955-07  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

*Report: Assistant County Manager Ysela Llord noted this ordinance needed to be amended to delete the language "and other" in the 10th line from the bottom of handwritten page 6. She pointed out the words "and other" could mean other charges not related to the lease.*

*Hearing no objection, it was moved by Commissioner Diaz that the foregoing proposed ordinance be adopted as amended to delete the language "and other" in the 10th line from the bottom of handwritten page 6. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed 11-0 (Abs: Heyman and Sosa)*

*The amended version will be assigned Resolution No. R-955-07.*

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

**8C**      **CONSUMER SERVICES DEPARTMENT**

8C1A

072065

**Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO COMFORT WHEELCHAIR CAB, INC. D/B/A COMFORT WHEELCHAIR TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 145) (Consumer Services Department)

*Adopted*  
*Resolution R-956-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8D

**ENVIRONMENTAL RESOURCES MANAGEMENT**

8D1A

071967

**Resolution**

RESOLUTION AUTHORIZING THE APPLICATION FOR A SECTION 105 GRANT WITH THE ENVIRONMENTAL PROTECTION AGENCY AND THE SUBSEQUENT ACCEPTANCE AND EXPENDITURE OF GRANT FUNDS (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-957-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8D1B

071980

**Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR EVERGLADES WATERSHED WATER QUALITY SAMPLING IN MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-958-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

FINAL OFFICIAL

8D1C

**071981 Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN CO-PERMITTEES NAMED IN THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. FLS000003 AND MIAMI-DADE COUNTY PROVIDING FOR PERFORMANCE OF PROFESSIONAL SERVICES BY MIAMI-DADE COUNTY; ESTABLISHING RESPONSIBILITY FOR THE CONTROL OF POLLUTANT DISCHARGES AMONG ALL CO-PERMITTEES IN SHARED MUNICIPAL SEPARATE STORM SEWER SYSTEMS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-959-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8D1D

**071982 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.916 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND RAMIRO AND SANDRA ALFARO AS SELLERS; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE AGENDA ITEM NO. 8D1E SUPPLEMENT] (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-960-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8D1E

**072464 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND UNITED WAY OF MIAMI-DADE AS SELLER; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071984] (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-961-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

*7/11/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Governmental Operations and Environment Committee*

8D1E SUPPLEMENT

072137 Supplement

SUPPLEMENTAL INFORMATION FOR TWO (2) SOUTH DADE WETLANDS PURCHASES [SEE AGENDA ITEM NO. 8D1D]

Accepted  
Mover: Jose "Pepe" Diaz  
Second: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman

7/11/2007 Report Received by the Governmental Operations and Environment Committee

8D3A

071879 Request to Advertise

REQUEST TO ADVERTISE FOR CHAPMAN FIELD WETLANDS RESTORATION PROJECT - PROJECT NO: 200512457-R; CONTRACT NO: 200512457-R (Department of Environmental Resources Management)

Approved  
Mover: Jose "Pepe" Diaz  
Second: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman

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

8E FINANCE DEPARTMENT

8E1A

071688 Resolution

RESOLUTION AUTHORIZING RELEASE OF SURPLUS TAX DEED 04A-123 SALE PROCEEDS IN THE AMOUNT OF \$104,675.92 TO LIONEL REYES AND KATHERINE SAAVEDRA (Finance Department)

Adopted  
Resolution R-962-07  
Mover: Dennis C. Moss  
Second: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman

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

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

8E1B

071969 Resolution

RESOLUTION APPROVING EXTENSION OF 2007 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS (Finance Department)

Adopted  
Resolution R-963-07  
Mover: Natacha Seijas  
Second: Joe A. Martinez  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman

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

8E1C

**072041 Resolution**

RESOLUTION APPROVING IMPLEMENTING ORDER 4-83: RULES, REGULATIONS AND FEE SCHEDULE FOR BRANCH AUTO TAG AGENCIES AND FEES PAID BY AGENCIES TO THE COUNTY; AND RESCINDING ADMINISTRATIVE ORDER 4-83 (Finance Department)

*Adopted*  
*Resolution R-964-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**Report:** *Note: A scrivener's error outlined in the County Manager's memorandum entitled "Changes for the September 04, 2007 BCC meeting, pertaining to the foregoing resolution which needed to be corrected to reflect on handwritten page 14 of the foregoing resolution that any charges by Branch Auto Tag Agencies other than the above-listed fees are to be clearly marked on the original receipt.*

*During consideration of the changes to the agenda, County Attorney Cuevas noted an additional scrivener's error on handwritten page 6 that needed to be corrected to reflect the reference to the Home Rule Amendment and Charter as Section 1.01 in lieu of Section 4.02.*

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

**8F GENERAL SERVICES ADMINISTRATION**

8F1A

**071633 Resolution**

RESOLUTION DECLARING MIAMI-DADE COUNTY OWNED PROPERTY LOCATED AT 229 NE 24TH STREET SURPLUS; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE APPRAISAL OF SAID PROPERTY; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

*Adopted*  
*Resolution R-965-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Katy Sorenson*  
*Vote: 11- 0*  
*Absent, COI: Gimenez*  
*Excused: Heyman*

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

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

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

FINAL OFFICIAL

8F1B

**071671 Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$500,000, BETWEEN GORDON SUMMERS AND HELENE K. SUMMERS, AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 1.88-ACRES OF IMPROVED PROPERTY LOCATED AT 18400 SW 248 STREET FOR THE PURPOSE OF EXPANDING THE REDLAND FRUIT AND SPICE PARK; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-966-07  
Mover: Dorrin D. Rolle  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

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

*7/16/2007 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

8F1C

**071953 Resolution**

RESOLUTION DECLARING COUNTY-OWNED PROPERTY LOCATED AT EAST 25TH STREET AND EAST 7TH AVENUE HIALEAH SURPLUS; AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY TO AN ADJACENT PROPERTY OWNER PURSUANT TO FLORIDA STATUTE 125.35-3(2); AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

*Deferred to September 18, 2007  
Mover: Natacha Seijas  
Seconder: Audrey M. Edmonson  
Vote: 12- 0  
Excused: Heyman*

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

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

8F1D

**071986 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT JOSEPH H. DAVIS CENTER, ONE BOB HOPE ROAD, ROOM M-127, M-131 AND M-133, MIAMI, WITH THE UNIVERSITY OF MIAMI, SCHOOL OF MEDICINE, FOR PREMISES TO BE UTILIZED AS A STERILE AUTOPSY SUITE; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-967-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

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

8F1E

**071987 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AND ASSIGNMENT OF LEASE AGREEMENT AT 8600 N.W. 17 STREET, SECOND FLOOR, DORAL, WITH HEADLANDS REALTY CORPORATION, A MARYLAND CORPORATION, FOR PREMISES TO BE UTILIZED BY THE STATE OF FLORIDA, DEPARTMENT OF HEALTH, MIAMI-DADE COUNTY HEALTH UNIT FOR ITS ADMINISTRATIVE OFFICES; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Deferred to September 18, 2007  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

**Report:** *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred to the September 18, 2007 BCC meeting, as requested by the County Manager.*

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

8F1F

**072012 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR TWO PARKING SPACES AT THE SOUTHWEST CORNER OF N.W. 1 STREET AND N.W. 1 COURT, MIAMI, WITH THE UNITED STATES POSTAL SERVICE, FOR PREMISES TO BE UTILIZED TO OPERATE A POST OFFICE MOBILE SERVICE VAN AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-968-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8G  
and  
8H

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

8I

**MIAMI-DADE POLICE DEPARTMENT**

811A

**072127                      Resolution**

RESOLUTION APPROVING THE AGREEMENT BETWEEN GATEWAY ESTATES PARK CONDOMINIUM ASSOCIATION, INC. AND LAKES OF ACADIA HOMEOWNERS ASSOCIATION, INC. AND MIAMI-DADE COUNTY FOR ENFORCEMENT OF TRAFFIC LAWS ON PRIVATE ROADS; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (Miami-Dade Police Department)

*Adopted*  
*Resolution R-969-07*  
*Mover: Natacha Seijas*  
*Seconder: Joe A. Martínez*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*



FINAL OFFICIAL

**Report:** *Commissioner Seijas questioned whether the people asked for this proposal and if it involved commitments by and/or liabilities to the police department.*

*Ms. Karin Montejo, Division Chief, Miami-Dade Police Department, explained that this was a new operation for the Police Department. She noted a Florida statute was amended in 2006, allowing for private Homeowner Associations (HOA) to request police enforcement of traffic laws on their private roads, and no traffic enforcement or citations could be issued in a gated community prior to this ordinance. She pointed out that the Statue only allowed for enforcement of State and County laws. Regarding Commissioner Seijas' question concerning police ability to access gated communities, Chief Montejo affirmed that the police could and currently did access gated communities, in the event of an emergency.*

*Regarding liability, Mr. Bart Armstrong, Legal Advisor for the Police Department, noted an agreement between the Police Department and a community HOA would be drafted that provided the community with the option to request a routine traffic patrol of their area. Regarding Commissioner Seijas' concern whether this agreement would require homeowners to be notified, Mr. Armstrong noted that currently no requirement existed in the agreement requiring the police department to notify the homeowners; however, a clause could be added.*

*Commissioner Seijas stated she preferred a clause be added that required the HOA to send letters to all homeowners advising them of this operation.*

*In response to Commissioner Seijas' inquiry as to whether the County had sufficient police force to man this operation, Mr. Armstrong noted the contract was very specific and the police department would have the discretion to provide enforcement based on the availability of officers. He noted the HOA would also be required to hire off-duty officers, and the revenue would be retained from the traffic citations.*

*Chief Montejo noted calls for service would be treated as part of the department's routine patrol; and requests for direct patrol would be based on availability of police officers or could be performed by off-duty officers.*

*In response to Commissioner Martinez' comment that the police still enforced other criminal violations countywide, without barriers, Mr. Armstrong concurred that the police could enforce criminal laws anywhere, but this statute would authorize them to enforce traffic laws within a gated community.*

*Chief Montejo clarified this enforcement applied only to signs posted in the gated community by the County, and not those posted by the HOA.*

*Commissioner Jordan added that this would be limited only to those HOA's that invited police participation, rather than every HOA with County signs posted in their community.*

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

8J

**MIAMI-DADE TRANSIT AGENCY**

8J1A

**071622 Resolution**

RESOLUTION AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (SURTAX) FUNDS IN THE AMOUNT OF \$31,686.08 FOR EXPENSES RELATED TO THE ACCEPTANCE OF 454 FAREBOXES DONATED BY SPOKANE TRANSIT AUTHORITY (STA) AND LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY (LAMTA) (Miami-Dade Transit Agency)

*Adopted*  
*Resolution R-970-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8J1A SUPPLEMENT

**072608 Supplement**

SUPPLEMENTAL INFORMATIONAL RE: APPROVING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS FOR EXPENSES RELATED TO THE ACCEPTANCE OF 454 FAREBOXES

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

8J1B

**071727 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE RETROACTIVE INTERLOCAL AGREEMENT BETWEEN MIAMI - DADE COUNTY AND THE CITY OF HIALEAH FOR THE PROVISIONS OF PUBLIC TRANSPORTATION SERVICES (Miami-Dade Transit Agency)

*Adopted*  
*Resolution R-971-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

8J1C

**072077 Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT (MDT) TO SECURE INDEPENDENT, CERTIFIED (MAI, ASA) REAL PROPERTY APPRAISERS TO PERFORM REAL PROPERTY APPRAISALS ON AN AS-NEEDED BASIS, IN ACCORDANCE WITH ESTABLISHED COUNTY APPRAISER SELECTION PROCEDURES, IN AN AMOUNT NOT TO EXCEED A BLANKET AMOUNT OF \$100,000 (Miami-Dade Transit Agency)

*Adopted*  
*Resolution R-972-07*  
*Mover: Dorrin D. Rolle*  
*Seconder: Dennis C. Moss*  
*Vote: 10- 1*  
*No: Martinez*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *Commissioner Martinez spoke in opposition of using independent consultants when the County's Property Appraisal Office had qualified appraisers.*

*Mr. Harpal Kapoor, Director, Miami-Dade Transit, explained that it was customary to hire an independent appraiser for such specialized areas as corridors.*

*In response to Commissioner Sorenson's question regarding why the County's property appraisers were not qualified to do this work, Mr. Frank Talleda, Chief, Miami-Dade Transit, noted property valued over \$5 million had to be appraised by a Member of the Appraisal Institute (MAI). Additionally, he pointed out that impartiality and independence would lend credibility to an argument that the value was correct.*

*Assistant County Manager Ysela Llord advised it was an issue of checks and balances, and noted many funding partners were involved in the Transit Capital Expansion Program, and the review of the appraisal needed to be impartial.*

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

8J1D

**072156 Resolution**

RESOLUTION ADOPTING THE MIAMI-DADE TRANSIT (MDT) SUBMISSION OF THE ANNUAL UPDATE OF THE 2007 TRANSIT DEVELOPMENT PROGRAM (TDP) COVERING THE FIVE-YEAR PERIOD FROM 2008-2012 (Miami-Dade Transit Agency)

*Amended*

**Report:** *(See Agenda Item 8J1D Amended; Legislative File No. 072783 for the amended version)*

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

## 8J1D AMENDED

072783

## Resolution

RESOLUTION ADOPTING THE MIAMI-DADE TRANSIT (MDT) SUBMISSION OF THE ANNUAL UPDATE OF THE 2007 TRANSIT DEVELOPMENT PROGRAM (TDP) COVERING THE FIVE-YEAR PERIOD FROM 2008-2012 [SEE ORIGINAL ITEM UNDER FILE NO. 072156] (Miami-Dade Transit Agency)

*Adopted as amended  
Resolution R-973-07  
Mover: Dennis C. Moss  
Seconder: Natacha Seijas  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** *Commissioner Moss stated he wanted to defer this item until he had a better understanding of the impact on bus routes. He noted he had received complaints concerning some bus routes being adjusted.*

*Commissioner Seijas expressed concern that the Park-n-Ride lot included in the North Dade Charrette plan, was not included in this plan. She noted she was not informed of the proposed Park-n-Ride lot at Miami Lakes Drive/ NW 67th Avenue.*

*Assistant County Manager Ysela Llord acknowledged the concerns of the Commissioners and noted many bus routes were being adjusted to conform to the budget issues. She requested, however, that the Board not defer this item because this was a planning level document that fulfilled the State law requirement for Community Development Block Grant (CDBG) recipients, which needed to be received by Florida Department of Transportation (FDOT) this month. She noted staff could ensure, through the transmittal letter to FDOT, that FDOT understood this package would be subject to changes.*

*Commissioner Sorenson noted that during a meeting with Mr. Kapoor concerning bus routes in District 8, she was assured that she would be contacted if adjustments were needed. She recommended the Board go forward with Ms. Llord's suggestion.*

*Commissioner Seijas asked that the foregoing proposed resolution be amended to delete the language "the Miami Lakes Park-n-Ride" and insert the Park-n-Ride lot endorsed by the community Charrette planning process.*

*Commissioner Martinez asked the Transit Department Director to provide each County Commissioner with the report he previously requested regarding bus route standards and possible alternative routes for out-of-service buses.*

*Commissioner Rolle asked the Transit Department Director to provide a report apprising the County Commissioners of the results of the Department's customer survey pertaining to bus routes.*

*Commissioner Moss asked that a full presentation be provided for the Board's review on bus route standardization.*

*Hearing no objection, the foregoing proposed ordinance was adopted as amended to exclude the proposed Miami Lakes Park and Ride lot at Miami Lakes Drive/67th Avenue listed in the transit development plan and include the proposed Park and Ride lot proffered by the Northwest Dade Charrette.*

**FINAL OFFICIAL**

8J1E

**072079**

**Resolution**

RESOLUTION APPROVING THE USE OF SURTAX FUNDS FOR VARIOUS PURCHASE ORDERS ISSUED BY MIAMI-DADE TRANSIT (MDT) FOR CAPITAL IMPROVEMENTS, MAINTENANCE AND OPERATIONS IN SUPPORT OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) FOR THE MONTHS OF JANUARY, FEBRUARY AND MARCH 2007 (Miami-Dade Transit Agency)

*Adopted*

*Resolution R-974-07*

*Mover: Dorrin D. Rolle*

*Seconder: Joe A. Martinez*

*Vote: 11- 0*

*Absent: Sosa*

*Excused: Heyman*

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

8J1F

**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)

*Adopted*  
*Resolution R-975-07*  
*Mover: Katy Sorenson*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 8- 3*  
*No: Gimenez, Martinez, Seijas*  
*Absent: Sosa*  
*Excused: Heyman*

FINAL OFFICIAL

**Report:** Commissioner Gimenez expressed concern with services added to Transit Contracts that should have been part of the original contract. He noted the amount added would actually be \$4.6 million since \$1.1 million was taken from the contingency fund and moved into the contract amount. Commissioner Gimenez agreed with the portion taken from the contingency fund for work the County requested at the Airport that was outside the original scope. He noted he would no longer support increased contracts with change orders that involved consultant services.

In response to Commissioner Jordan's question regarding the costs and timeframes connected to the scope of work being performed, Mr. Kapoor, Miami-Dade Transit Director, noted the design and updates had to be done by URS Corporation before moving ahead with the compendium. He noted this was a supplemental change, and the work was done by URS.

Mr. Albert Hernandez, Deputy Director, Miami-Dade Transit Engineering Division, stated the time extension noted as 1,460 days was four years, and would extend the duration of the contract by six months beyond the end of construction. He noted the URS Cooperation needed to perform engineering services during construction that was not part of the original scope.

In response to Commissioner Jordan's question concerning the DBD goal, Mr. Hernandez noted the DBD goals remained at 20%, even with the supplemental change order, so that 20% of the added services/amounts would go to the DBD firms. He noted URS was currently at 27% utilization, and had exceeded those goals.

Mr. Hernandez noted the major item was the design by Florida Department of Transportation (FDOT) for the new bus plaza, which totaled \$1.2 million. He noted staff incorporated FDOT's design and was moving forward on a joint participation agreement (three-party agreement) for the total construction cost of \$15 million. Mr. Hernandez advised that one third would be paid by Surtax funds, one third by FDOT and one third by the Federal Transit Authority (FTA).

Regarding the re-alignment, Mr. Hernandez noted when the foregoing contract was executed with URS Corporation in March 2005, the airport station was north of 25th street. He stated that FTA requested the Transit Committee approve moving the station to the core of the Miami Intermodel Center (MIC), but this change was not included in the original scope of services. Regarding the study for a future extension of the metrorail, Mr. Hernandez noted the FTA analyzed the feasibility of constructing a "fork" in the road that routed a train directly from the northern corridor into the MIC and further west, but determined the expense of right-of-ways and engineering constraints in the area were too great.

Mr. Hernandez noted a study found it feasible to provide metrorail services directly into MIA, but it was determined that the Automated People Mover (APM) proposed by the County and Airport staff was the best solution. Mr. Hernandez noted the added costs for Final Design Management, the Administration Project, the Document Control, and the coordination efforts were necessary administrative and project management fees, and part of the design process.

Mr. Hernandez addressed Commissioner Gimenez' question of whether the County could expect more costs to be added to this contract, and stated that

approximately \$8 million more would be added. However, he pointed out these figures were budgeted in the \$523 million shown in the pro forma, and were required (post-design) engineering services during construction, separate from the day-to-day construction engineering and inspection services.

In response to Commissioner Gimenez' question regarding why the extension was not part of a new contract, Mr. Hernandez noted this resolution would ensure the contract did not expire in April 2008.

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

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

7/24/2007 Carried over by the Board of County Commissioners

7/26/2007 4 Day Rule Invoked by the Board of County Commissioners

8J3A

**072163 Professional Service Agreement**

AMENDMENT TO A PROFESSIONAL SERVICE AGREEMENT TO PROVIDE CONSTRUCTION, ENGINEERING AND INSPECTION SERVICES; PROJECT NO.: TA00-BW2; CONTRACT NO.: TA00-BW2 (Miami-Dade Transit Agency)

*Approved*  
*Mover: Rebeca Sosa*  
*Seconder: Dennis C. Moss*  
*Vote: 11-1*  
*No: Martinez*  
*Excused: Heyman*

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

8J3B

**072162 Bid Awards**

CONTRACT AWARD RECOMMENDATION FOR OIL WATER SEPARATORS AT NINETEEN (19) METROMOVER STATIONS - PROJECT NO: UFP013 (PTP); CONTRACT NO: UFP013-TR06-CT1 (Miami-Dade Transit Agency)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12-0*  
*Excused: Heyman*

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

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

**8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT**



8L1A

**071598                      Resolution**

RESOLUTION RELATING TO THE DISTRIBUTION OF ELECTRICAL FRANCHISE FEES; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE ADDENDUMS TO THE SECOND INTERLOCAL AGREEMENTS BETWEEN THE COUNTY AND THE CITY OF AVENTURA, THE CITY OF SUNNY ISLES BEACH AND THE VILLAGE OF PINECREST; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE INTERLOCAL AGREEMENTS WITH THE VILLAGE OF KEY BISCAYNE THE TOWN OF MIAMI LAKES, VILLAGE OF PALMETTO BAY, CITY OF DORAL, CITY OF MIAMI GARDENS, AND TOWN OF CUTLER BAY (Office of Strategic Business Management)

*Adopted*  
*Resolution R-976-07*  
*Mover: Barbara J. Jordan*  
*Seconder: Carlos A. Gimenez*  
*Vote: 9- 1*  
*No: Seijas*  
*Absent: Sosa, Martinez*  
*Excused: Heyman*

**Report:** Commissioner Seijas noted this resolution involved a major change to the franchise fee. She expressed concern that certain cities who renegotiated the franchise fee would receive more money, while the County continued receiving the same amount listed in the 30-year agreement entered into with Florida Power & Light (FPL) in 1990. She noted the new formulas had created a compensation rate per cities, which happen to have power generated facilities within their boundaries, and had changed the way the pie was divided. She felt this needed further review and that she wanted to review all supporting materials and consequences for those cities not included.

Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, clarified that FPL paid the County more each year because the fee was based on the gross receipts adjusted by countywide taxes paid. She noted this item was negotiated with the cities and a compromise to repay over a period of years, a portion of the payments that the cities felt they lost because they were not properly notified of the new distribution method. Prior to this, Ms. Glazer-Moon noted that UMSA absorbed all of the adjustments deducted before FPL made their payment to the County, and cities were not taking any reductions. She noted the County went back and reviewed the way the franchise fees were being distributed and realized that if full incorporation ever occurred, UMSA would be contributing to the cities, so the County changed the formula.

Ms. Glazer-Moon explained this item would place a distribution methodology in the agreement regarding franchise fee payments. She noted the County had received agreements executed by the Cities of Aventura, Pine Crest, and Sunny Isles Beach; and this resolution requested the authority to execute the same agreement with the Cities of Key Biscayne, Miami Lakes, Palmetto Bay, Doral, Miami Gardens, and Cutler Bay.

Ms. Glazer-Moon responded to Commissioner Seijas' question regarding the location of a power generating facility within the boundaries of Miami Lakes. She noted this item dealt with real or personal property such as power lines and FPL easements within these cities. Ms. Glazer-Moon also noted that based on the calculation in the original formula, UMSA would bear more of the reduction because it contained the Turkey Point Power Plant, and the deductions for countywide taxes that FPL paid on their property was only taken to the unincorporated area. She noted the new calculation prorated the deductions for power plants and countywide taxes across the board to all cities, which would benefit UMSA.

County Manager Burgess added that as incorporations occurred, those cities would be entitled to a share of the franchise fee paid to the County for UMCA. He explained the way the 30-year franchise agreement with FPL was structured. He noted taxes paid by FPL were prorated across UMSA and newly incorporated cities, but the disparity occurred regarding how the County handled the power plants, particularly the Cutler Plant at Palmetto Bay. He noted the County attempted to negotiate a compromise with the cities that provided more to UMSA, and were now prorating the taxes on the power plants across all jurisdictions. The amount of franchise fees did not change but the distribution among the cities did.

In response to Commissioner Seijas' comment that nine cities were missing from the attached memorandum, Ms. Glazer-Moon noted the intention was to execute an agreement with the cities that the Board had already approved. She noted that subsequent to the last Committee meeting, the County received

**FINAL OFFICIAL**

executed agreements matching the amounts and methodology negotiated from all remaining cities except the City of Doral.

Responding to Commissioner Barreiro's question when the 30-year franchise agreement would expire, Ms. Glazer-Moon noted the franchise agreement was adopted in 1989 by referendum and would expire in 2019. Chairman Barreiro asked the County Attorney to provide him with a report on the process for Franchise Agreements, whether or not they are put out to bid.

Following further discussion, it was moved by Commissioner Seijas that this resolution be deferred. This motion failed due to lack of a second, and the Board proceeded to vote on a motion to adopt the foregoing proposed resolution as presented.

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

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

**8M PARK AND RECREATION DEPARTMENT**

8M3A

**071737 Change Orders**

RETROACTIVE CHANGE ORDER NO: ONE (1) AND FINAL FOR GOULDS PARK WINGS ADDITION PHASE II  
CONTRACT NO: 601806-02-003, PROJECT LOCATION: 21805 SW 114 AVENUE, MIAMI, FL (Park & Recreation Department)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

7/16/2007 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

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

**8O PROCUREMENT MANAGEMENT DEPARTMENT**

8O1A

**072241 Resolution**

RESOLUTION RATIFYING THE COUNTY MANAGER'S AWARD OF CONTRACTS UNDER FULL AND OPEN COMPETITION FOR THE PURCHASE OF GOODS AND SERVICES VALUED IN EXCESS OF \$100,000 AND UP TO \$1,000,000 EXECUTED DURING THE PERIOD OF JANUARY 1, 2007 THROUGH MARCH 31, 2007 [SEE ORIGINAL ITEM UNDER FILE NO. 071703] (Procurement Management Department)

*Adopted*  
*Resolution R-977-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

7/11/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee

**8P PUBLIC WORKS DEPARTMENT**

**FINAL OFFICIAL**

8P1A

**072121 Resolution**

RESOLUTION APPROVING A COUNTY INCENTIVE GRANT PROGRAM AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$3,000,000 TO FUND THE PROCUREMENT AND INSTALLATION OF HARDWARE TO SUPPORT COUNTYWIDE DEPLOYMENT OF THE ADVANCED TRAFFIC MANAGEMENT SYSTEM FOR 620 TRAFFIC SIGNALIZATIONS ON MAJOR STATE HIGHWAYS WITHIN MIAMI-DADE COUNTY AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE SAID AGREEMENT (Public Works Department)

*Adopted  
Resolution R-978-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8P1A SUPPLEMENT

**072609 Supplement**

SUPPLEMENTAL INFORMATION RE: ACCEPTANCE OF A COUNTEROFFER FROM FLORIDA POWER & LIGHT COMPANY

*Accepted  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

8P1B

**072076 Resolution**

RESOLUTION AUTHORIZING TO ACCEPT A COUNTEROFFER FROM FLORIDA POWER & LIGHT COMPANY, FOR THE ACQUISITION OF THE PROPERTIES LOCATED AT SW 127 AVENUE, BETWEEN SW 120 STREET AND SW 88 STREET (KENDALL DRIVE) (Public Works Department)

*Adopted  
Resolution R-979-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

8P1C

**072009 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A TRI-PARTY AGREEMENT AMONG MIAMI-DADE COUNTY, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, AND CSX TRANSPORTATION, INC. FOR THE INSTALLATION OF RAILROAD CROSSING PROTECTIVE DEVICES AT NW NORTH RIVER DRIVE, IN THE VICINITY OF NW 38 AVENUE (Public Works Department)

*Adopted  
Resolution R-980-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

**8Q SEAPORT DEPARTMENT**

8Q1A

**071790 Resolution**

RESOLUTION APPROVING AMENDMENT NO. 1 TO AGREEMENT FOR NON-EXCLUSIVE PROFESSIONAL SERVICES – PROJECT NO. E03-SEA-01, AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN (Seaport Department)

*Adopted  
Resolution R-981-07  
Mover: Natacha Seijas  
Second: Dorrin D. Rolle  
Vote: 10- 0  
Absent: Sosa, Martinez  
Excused: Heyman*

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

8Q1B

**072146 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN ASSIGNMENT AND ASSUMPTION OF VEHICLE INSPECTION AGREEMENT BETWEEN PANTHEON PROPERTIES SOUTH, LLC, FTZ WORLD SERVICES, LLC AND MIAMI-DADE COUNTY; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN (Seaport Department)

*Adopted  
Resolution R-982-07  
Mover: Natacha Seijas  
Second: Dorrin D. Rolle  
Vote: 10- 0  
Absent: Sosa, Martinez  
Excused: Heyman*

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

8Q1C

**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)

*Adopted*  
*Resolution R-983-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Dennis C. Moss*  
*Vote: 8-0*  
*Absent: Sosa, Gimenez,*  
*Martinez, Seijas*  
*Excused: Heyman*

**Report:** Mr. Bill Johnson, Port of Miami Director, responded to Commissioner Jordan's question regarding the use of the State's Sunshine Loan. He noted a significant portion of the State's Sunshine funding would be used to complete Cruise terminals D&E to be occupied by the Carnival Cruise Line Corporation. Mr. Johnson clarified for the record that today's item would reallocate existing funds, authorized by this Board in 2005, to complete terminals D&E, which were approved in the budget.

In response to Commissioner Jordan's questions regarding the use of State Sunshine Loan Funds for construction purposes only and why these funds were being identified to be used as settlement fees, Mr. Johnson assured that these funds were not being used for a settlement, but rather were identified for capital projects. He noted those items involving construction settlements that needed additional funding, would come before this Board in the fall. He noted the Board approved a \$2.44 million settlement with the HASKL Corporation in the early part of this year, which had not yet been paid.

Commissioner Jordan noted that according to the summary sheet included in this item, the projection exceeded the Sunshine Loan fund by \$2.4 million, which was slated to go towards the settlements, and was included in the \$9.4 million requested.

Mr. Johnson explained the \$9.4 million originally approved by the Board in 2005 was for Cruise terminals D&E. He added that they would be seeking approval for additional funding to pay for the HASKL settlement, as well as the Tetra Tech and the Oleta River settlements.

In response to Commissioner Jordan's question of whether \$55 million of the \$75 million 2005 State Sunshine Loan was already expended, Ms. Miriam Abreu, Port of Miami Finance Controller, noted \$14 million of the loan remained after making payments for terminal projects and improvements.

Assistant County Attorney Jess McCarty responded to Commissioner Jordan's request for clarification on the restrictions that pertain to the use of Sunshine Loan funds for settlements. He noted these funds were generally used for capital construction, but since these settlements were related to capital projects, this use was appropriate from a legal standpoint.

In response to Commissioner Rolle's concern that the summary format presented today differed from the one presented at Committee level, Assistant County Manager Ysela Llort noted this item was identical to the item presented at Committee except that staff was asked to clearly show this was a retroactive item, which was the difference.

Mr. Johnson expounded that this item highlighted the amendment made at the July 18th Transit Committee meeting, to correctly state the funding source in the fiscal impact section and to seek retroactive approval for portions of the work listed in exhibit A.

In response to Commissioner Rolle's question as to whether Tetra Tech had been paid, Mr. Johnson stated they had not been paid. He noted the \$9.4 million for this project would come from the previously authorized 2005 State Sunshine Loan proceeds authorized by the Board; and that a totally different item requesting funds to pay the settlements, would be brought back in the fall.

Hearing no further discussion, the Board proceeded to vote on the foregoing

**FINAL OFFICIAL**

*proposed resolution as presented.*

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

**7/24/2007** Carried over by the Board of County Commissioners

**7/26/2007** 4 Day Rule Invoked by the Board of County Commissioners

**8Q1C 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")

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconded: Dennis C. Moss*  
*Vote: 8- 0*  
*Absent: Sosa, Gimenez,*  
*Martinez, Seijas*  
*Excused: Heyman*

**7/24/2007** Carried over by the Board of County Commissioners

**7/26/2007** 4 Day Rule Invoked by the Board of County Commissioners

**8R WATER AND SEWER DEPARTMENT**

**8R1A**

**072021 Resolution**

RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF KEY BISCAIYNE PROVIDING FOR THE INSTALLATION OF WASTEWATER AND WATER FACILITY IMPROVEMENTS AND WATER RECLAMATION FACILITIES (Water & Sewer Department)

*Adopted*  
*Resolution R-984-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconded: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

**8R1B**

**072024 Resolution**

RESOLUTION APPROVING AND ADOPTING THE WASTEWATER FACILITIES PLAN FOR THE PURPOSE OF OBTAINING STATE REVOLVING LOAN FUNDING (SRF) FOR THE CONSTRUCTION OF MIAMI-DADE WATER AND SEWER DEPARTMENT WATER POLLUTION CONTROL FACILITIES; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO SUBMIT PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Water & Sewer Department)

*Adopted*  
*Resolution R-985-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconded: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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



8R3A

**072151 Bid Awards**

CONTRACT AWARD RECOMMENDATION FOR SOUTH MIAMI HEIGHTS MAINTENANCE FACILITY BETWEEN WOLFBERG ALVAREZ & PARTNERS, INC AND MIAMI-DADE COUNTY- PROJECT NO: A06-WASD-01; CONTRACT NO: A06-WASD-01 (Water & Sewer Department)

*Approved*  
*Mover: Dennis C. Moss*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 10- 0*  
*Absent: Sosa, Martinez*  
*Excused: Heyman*

**Report:** *Commissioner Moss noted as part of the process for constructing the Cultural Arts Village near the South Dade Government Center, some businesses desired to relocate in order to ensure the Village was completed. He noted he engaged in previous discussions with General Services Administration (GSA) to ensure the property discussed was that purchased by the County near the Cultural Arts Village for the relocation of those facilities.*

*Hearing no further comments of questions, the Board proceeded to vote on the foregoing proposed Bid Award as presented.*

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

**9 ADDITIONAL DEPARTMENTAL ITEMS**

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

10B1A

**072087 Resolution**

RESOLUTION AUTHORIZING THE FUNDING OF SIXTEEN (16) GRANTS FROM THE FY2006-2007 FOURTH QUARTER TOURIST DEVELOPMENT ROOM TAX PLAN AND SURTAX CATEGORY TO PROMOTE MIAMI-DADE COUNTY TOURISM WITH: CARIBBEAN CULTURAL CONNECTIONS, INC.; CITY OF HOMESTEAD PARKS AND RECREATION DEPARTMENT; CITY OF MIAMI BEACH, DEPARTMENT OF TOURISM AND CULTURAL DEVELOPMENT; CITY OF MIAMI, GENERAL SERVICES ADMINISTRATION/OFFICE OF PROTOCOL; CORAL GABLES CONGREGATIONAL CHURCH, INC.; JAMAICA AWARENESS, INC.; MIAMI BACH SOCIETY, INC.; MIAMI CLASSICAL GUITAR SOCIETY, INC., THE; MIAMI HISPANIC BALLET CORPORATION; MIAMI LIGHT PROJECT, INC.; MIAMI NORTHWEST EXPRESS TRACK AND FIELD CLUB, INC.; MIAMI-DADE SPORTS COMMISSION, INC.; MUSEUM OF SCIENCE, INC.; TEATRO AVANTE, INC.; UNIVERSAL HERITAGE INSTITUTE, INC., F/A PAKISTAN AMERICAN CULTURAL SOCIETY; UNIVERSITY OF MIAMI SCHOOL OF MUSIC AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE GRANT AGREEMENTS FOLLOWING COUNTY ATTORNEY APPROVAL OF FORM AND LEGAL SUFFICIENCY AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Cultural Affairs Council)

*Adopted  
Resolution R-986-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

**11 COUNTY COMMISSION**

**11A RESOLUTIONS**

11A1

**071400 Resolution Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JUNE 8, 2007 GROUNDBREAKING CEREMONY SPONSORED BY CUBAN MUSEUM, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,725.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

*Adopted  
Resolution R-987-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

*7/16/2007 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

FINAL OFFICIAL

11A2

**071595**                      **Resolution**                      **Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 5, 2007 WILLIE BROWN SR. MEMORIAL CONCERT SPONSORED BY BROWN & RIOS, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$716.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Adopted  
Resolution R-988-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

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

**7/16/2007**    *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

11A3

**071900**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE COUNTY CORRECTIONS AND REHABILITATION DEPARTMENT FOR THE MAY 4, 2007 "SAFETY AND CAREER DAY" SPONSORED BY THE BILLY RAVEN FOUNDATION, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$7,850.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Adopted  
Resolution R-989-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

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

11A4

**071907**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE DEPARTMENT OF SOLID WASTE MANAGEMENT FOR THE MAY 18-19, 2007 RELAY FOR LIFE OF NORTHWEST DADE SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,338.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

*Adopted  
Resolution R-990-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martínez  
Vote: 12- 0  
Excused: Heyman*

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

FINAL OFFICIAL

11A5

**072026**                      **Resolution**                      **Katy Sorenson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE JULY 4, 2007 CELEBRATION AT BLACKPOINT PARK AND MARINA SPONSORED BY THE PERRINE BASEBALL AND SOFTBALL ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$13,700.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-991-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A6

**072220**                      **Resolution**                      **Audrey M. Edmonson,**  
**Sally A. Heyman,**  
**Barbara J. Jordan,**  
**Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE JULY 4, 2007 ANNUAL INDEPENDENCE DAY CELEBRATION SPONSORED BY THE CITY OF NORTH MIAMI, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$517.00 TO BE FUNDED FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-992-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A7

**071934 Resolution Sen. Javier D. Souto**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE JULY 21-22, 2007 XVI COLOMBIAN INDEPENDENCE FESTIVAL SPONSORED BY READ2SUCCEED, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$62,560.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

*Adopted  
Resolution R-993-07  
Mover: Sen. Javier D. Souto  
Seconder: Carlos A. Gimenez  
Vote: 9- 1  
No: Seijas  
Absent: Rolle, Sosa  
Excused: Heyman*

**Report:** *Ms. Glazer-Moon, OSBM, responded to Commissioner Seijas' questions regarding the amount of funding allocated and the amount to be carried over into the new budget. She noted \$52,000 would come from the Countywide In-kind Reserve Fund, and \$10,560 would come from the Fire Rescue In-kind Reserve Fund, but she did not know how much would be carried over, and would need to provide that information later.*

*Commissioner Seijas expressed concern with the amount of In-Kind Reserve funds being used for community events. She asked the Offices of Strategic Business Management Director to provide a report reflecting the breakdown of the applicants and their requested amount for funding from the Fire Rescue In-Kind Reserve Fund.*

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

11A8

**071766 Resolution Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE MAY 27, 2007 BEACH OUTING FIELD TRIP SPONSORED BY SOUTHEASTERN CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTIST, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,650.00 TO BE FUNDED FROM THE DISTRICT 2 IN-KIND RESERVE FUND

*Adopted  
Resolution R-994-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

FINAL OFFICIAL

11A9

**072131**                      **Resolution**                      **Bruno A. Barreiro,**  
**Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JULY 21-24, 2007 2007 NCLR ANNUAL CONFERENCE AND LATINO EXPO USA SPONSORED BY THE NATIONAL COUNCIL OF LA RAZA, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$31,376.10 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-995-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A10

**072132**                      **Resolution**                      **Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JUNE 18-24, 2007 DRUG EDUCATION FOR YOUTH (DEFY) CAMP SPONSORED BY THE MIAMI/MIAMI-DADE WEED & SEED, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,840.40 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-996-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A11

**072324**                      **Resolution**                      **Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE TRANSIT AGENCY FOR THE JUNE 8-10, 2007 IT'S YOUR LIFE YOUTH CAMP SPONSORED BY EDUCATE TOMORROW CORPORATION, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$368.50 TO BE FUNDED FROM THE DISTRICT 4 IN-KIND RESERVE FUND [SEE ORIGINAL ITEM UNDER FILE NO. 071679]

*Adopted*  
*Resolution R-997-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A12

**071983**                      **Resolution**                      **Joe A. Martinez**

RESOLUTION DIRECTING THE COUNTY MANAGER TO CREATE A PROGRAM FOR CORPORATE SPONSORSHIP AND UNDERWRITING OF COUNTY PARKS

*Adopted*  
*Resolution R-998-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

*7/16/2007 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*



11A14

072049

Resolution

Bruno A. Barreiro,  
 Joe A. Martinez,  
 Rebeca Sosa,  
 Natacha Seijas,  
 Jose "Pepe" Diaz,  
 Carlos A. Gimenez,  
 Barbara J. Jordan,  
 Audrey M. Edmonson,  
 Dorrin D. Rolle

RESOLUTION DIRECTING COUNTY MANAGER TO  
 PREPARE A CONCEPTUAL STUDY ANALYZING  
 DEVELOPMENT OF BAY OF PIGS MUSEUM AND LIBRARY  
 AT PARCEL B OF FEC PROPERTY

*Adopted*  
*Resolution R-1000-07*  
*Mover: Audrey M. Edmonson*  
*Seconder: Bruno A. Barreiro*  
*Vote: 11- 0*  
*Absent, COI: Souto*  
*Excused: Heyman*

**Report:** *Commissioner Souto noted he had a conflict of Interest of this proposed resolution and left the chambers.*

*Commissioner Sorenson requested this study include consideration of park land or other available sites for this project, and that this project be affiliated with the Historical Museum of South Florida.*

*Commissioner Barreiro spoke in support Commission Sorenson's proposal that this project be affiliated with the Historical Museum of South Florida. He suggested the study include recommendations for parking amenities and a pedestrian-friendly design.*

*Commissioner Martinez requested the study include consideration of parking architecture compatible with the Museum Park.*

*Commissioners Diaz, Seijas, Sosa, Edmonson, Jordan, Gimenez and Rolle asked to be added as co-sponsors to the foregoing resolution.*

*Commissioners Diaz and Seijas spoke in support of enhanced architecture and parking design.*

*Commissioner Moss spoke in support of the study.*

*Commissioner Gimenez recognized members of the Bay of Pigs Invasion Brigade and subsequent prisoners who were present at today's meeting including his cousin, Mr. Humberto Martinez; and his father, Mr. Gimenez.*

*Chairman Barreiro asked those present who were part of the Bay of Pigs Invasion, to stand and be recognized.*

**7/16/2007** Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee



FINAL OFFICIAL

11A15

072167 Resolution Sen. Javier D. Souto

RESOLUTION DIRECTING COUNTY MANAGER TO INSTALL POSTERS PROMOTING CARNIVAL CENTER FOR PERFORMING ARTS AND PERFORMANCES HELD AT CENTER IN AREAS ACCESSIBLE TO VISITORS AND TOURISTS AT MIAMI INTERNATIONAL AIRPORT AND PORT OF MIAMI CRUISE SHIP TERMINALS Amended

Report: (See Agenda Item 11A15 Amended; Legislative File No. 072898 for the amended version)

7/16/2007 Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee

11A15 AMENDED

072898 Resolution Sen. Javier D. Souto

RESOLUTION REQUESTING PERFORMING ARTS CENTER TRUST TO PROMOTE AND/OR INSTALL POSTERS PROMOTING CARNIVAL CENTER FOR PERFORMING ARTS AND PERFORMANCES HELD AT CENTER IN AREAS ACCESSIBLE TO VISITORS AND TOURISTS AT MIAMI INTERNATIONAL AIRPORT AND PORT OF MIAMI CRUISE SHIP TERMINALS, IF PERFORMING ARTS CENTER TRUST DEEMS SUCH PROMOTION AND/OR INSTALLATION IS ADVISABLE [SEE ORIGINAL VERSION UNDER FILE NO. 072167] Adopted as amended Resolution R-1001-07 Mover: Sen. Javier D. Souto Seconder: Jose "Pepe" Diaz Vote: 11-0 Absent: Sosa Excused: Heyman

Report: Commissioner Seijas noted she felt that since the Performing Arts Center (PAC) had hired a Marketing Director, the installation of posters for promoting the PAC should fall under the budget and jurisdiction of the PAC, rather than the County. She suggested this item be withdrawn.

Mr. Michael Harding, Performing Arts Center (PAC) CEO/Director, advised that Andrew Goldberg was the PAC Marketing Director. He stated that Mr. Goldberg's focus was on marketing ticket sales directly as opposed to promoting brand or institution awareness. Mr. Harding noted, however, that based on earlier discussions in today's meeting, the PAC was offered advertisement spots by the Aviation Department in its contract with the Cable News Network (CNN) at no cost, which was a terrific solution and marketing opportunity.

Chairman Barreiro suggested this resolution be amended to allow the PAC Marketing Director an opportunity to install posters at the Miami International Airport or the Seaport for the marketing campaign, if necessary.

Hearing no other questions or comments, the Board proceeded to vote on this resolution as amended, as requested by Chairman Barreiro to add language to permit the Marketing Manager/Team for the Performing Arts Center (PAC) to install posters at the Miami International Airport or the Miami Seaport during the campaign to promote the PAC, rather than directing the County Manager to install posters.

11A16

**072168**                      **Resolution**                      **Sen. Javier D. Souto**

RESOLUTION DIRECTING COUNTY MANAGER TO                      *Amended*  
DEVELOP A PLAN TO REDUCE DISTANCE BETWEEN  
LITTER RECEPTACLES IN COUNTY PARKS TO A  
MAXIMUM OF 100 FEET

**Report:** (See Agenda Item 11A16 Amended; Legislative File No. 072897 for  
the amended version)

**7/16/2007**      Forwarded to BCC without a recommendation from the Recreation & Cultural Affairs  
Committee

**FINAL OFFICIAL**

11A16 AMENDED

**072897**

**Resolution**

**Sen. Javier D. Souto**

RESOLUTION DIRECTING COUNTY MANAGER TO DEVELOP A PLAN WHICH INCORPORATES THE STANDARDS METHOD AND 100 FOOT CRITERIA TO REDUCE DISTANCE BETWEEN LITTER RECEPTACLES IN COUNTY PARKS [SEE ORIGINAL ITEM UNDER FILE NO. 072168]

*Adopted as amended  
Resolution R-1002-07  
Mover: Sen. Javier D. Souto  
Seconder: Dennis C. Moss  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** *Commissioner Martinez inquired as to whether recycling bins could be placed in County Parks near concession stands.*

*Mr. Jack Hardy, Parks and Recreation Department Director, noted a committee within the Planning and Zoning Department (DP&Z) had initiated discussion, and requested a feasibility study on recycling.*

*Commissioner Martinez suggested they try to sell the idea by proceeding to place recycling bins near concession stands in lieu of a study. He noted he and staff from District 11 could deliver the bins to the parks.*

*Commissioner Jordan suggested a pilot program be implemented to determine the feasibility before expanding the program.*

*Assistant County Manager Alex Munoz noted staff would review it based on a pilot project, but the concern was the cost to pickup. In response to Commissioner Edmonson's comments regarding a feasibility report requested at Committee on recycling at County Parks, Assistant County Manager Munoz noted that report provided a plan and a cost analysis, but required placing more cans than what Commissioner Souto had proposed.*

*Mr. Hardy noted the cost to implement this by Park standards was \$72,000; however, the cost would be significantly lower if the two programs were integrated. He further noted that County parks had enough recycling cans to meet the request of this resolution, which would work well in the passive and picnic areas.*

*In response to Commissioner Seijas' questions concerning a lack of trash cans placed at the Matheson Hammock and Homestead Bayfront Atoll pools, Mr. Hardy noted the number of trash reciprocals were sufficient for these areas, except by Park standards. He noted the Matheson Hammock and Homestead Bayfront Park atoll pools were small, two-acre bodies of water, and reciprocals were placed seventy-five feet apart; and Park staff recommended more reciprocals distributed in areas of intense usage.*

*Chairman Barreiro suggested trash reciprocals that compact the contents be considered, in order to get more usage.*

*Commissioner Souto asked that this resolution be amended to exclude natural areas and preserved lands, as suggested by Mr. Hardy.*

*In response to Commissioner Jordan's concerns regarding a pilot program not implemented in order to receive a cost analysis, Mr. Munoz advised this concerned trash reciprocals only and not recycling, and he would be providing a report on recycling to the Recreation and Cultural Affairs Committee (RCAC).*

*Hearing no objection, the foregoing proposed resolution was adopted as amended to exclude Natural Areas and Preserved Lands.*

11A16 SUPPLEMENT

**072510 Supplement**

SUPPLEMENTAL REPORT TO RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP A PLAN TO REDUCE DISTANCE BETWEEN LITTER RECEPTACLES IN COUNTY PARKS TO A MAXIMUM OF 100 FEET

*Accepted*  
*Mover: Sen. Javier D. Souto*  
*Seconder: Dennis C. Moss*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

11A17

**072244 Resolution**                      **Sen. Javier D. Souto,**  
**Joe A. Martinez,**  
**Audrey M. Edmonson,**  
**Carlos A. Gimenez**

RESOLUTION REQUESTING COUNTY MANAGER TO PREPARE A REPORT ANALYZING FEASIBILITY OF CONSOLIDATING COUNTY DEPARTMENTS AND ADMINISTRATIVE FUNCTIONS IN ORDER TO REDUCE ADMINISTRATIVE COSTS OF COUNTY GOVERNMENT [SEE ORIGINAL ITEM UNDER FILE NO. 072035]

*Amended*

**Report:** *(See Agenda Item 11A17 Amended; Legislative File No. 072913 for the amended version)*

**7/11/2007**    *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee*

FINAL OFFICIAL

11A17 AMENDED

072913

Resolution

Sen. Javier D. Souto,  
Audrey M. Edmonson,  
Carlos A. Gimenez,  
Joe A. Martinez

RESOLUTION REQUESTING COUNTY MANAGER TO PREPARE A REPORT ANALYZING FEASIBILITY OF CONSOLIDATING COUNTY DEPARTMENTS AND ADMINISTRATIVE FUNCTIONS IN ORDER TO REDUCE ADMINISTRATIVE COSTS OF COUNTY GOVERNMENT [SEE ORIGINAL ITEM UNDER FILE NOS. 072035 AND 072244]

*Adopted as amended  
Resolution R-1003-07  
Mover: Sen. Javier D. Souto  
Seconder: Joe A. Martinez  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** *Commissioner Sorenson offered a friendly amendment that the report include a review of the history of departments already consolidated.*

*Commissioner Martinez noted he co-sponsored this item because he had attempted, for many years, to get recruiting departments to consolidate, especially the Police, Corrections and Fire Departments, which the Board did not want to combine.*

*Commissioner Gimenez asked that he be added as a co-sponsor to this item.*

*County Manager Burgess noted staff needed more time to compile all materials from 1987 through 2007 in order to comply with this resolution. He requested the required time for completing the report be extended to November.*

*Hearing no objection, the foregoing proposed resolution was adopted as amended to include in the analysis report, all departments consolidated in the past; and that the report be provided by the end of November 2007.*

11A18

072326

Resolution

Joe A. Martinez,  
Dorrin D. Rolle

RESOLUTION DIRECTING COUNTY MANAGER TO COMPLETE A FEASIBILITY STUDY REGARDING THE COUNTY EMPLOYMENT OF ENGINEERS IN LIEU OF THE RETENTION OF OUTSIDE ENGINEERING CONSULTANTS [SEE ORIGINAL ITEM UNDER FILE NO. 072061]

*Adopted  
Resolution R-1004-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

**7/11/2007** *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget and Finance Committee*

FINAL OFFICIAL

11A19

**072153**                    **Resolution**                    **Dorrin D. Rolle**

RESOLUTION URGING THE MAYOR TO UTILIZE MURALS AND SIMILAR SIGNAGE WITHIN THE TERMINAL BUILDINGS AT THE PORT OF MIAMI

*Adopted  
Resolution R-1005-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

11A20

**071186**                    **Resolution**                    **Audrey M. Edmonson,  
Dorrin D. Rolle**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DESIGNATE NW 7TH AVENUE FROM NW 35TH STREET TO 79TH STREET AS DR. BARBARA CAREY-SHULER AVENUE

*Deferred to no date certain  
Mover: Dorrin D. Rolle  
Seconder: Carlos A. Gimenez  
Vote: 12- 0  
Excused: Heyman*

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

*5/15/2007 Deferred by the Budget and Finance Committee*

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

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

11A21

**072044**                    **Resolution**                    **Bruno A. Barreiro,  
Rebeca Sosa,  
Sen. Javier D. Souto**

RESOLUTION URGING FLORIDA LEGISLATURE TO DESIGNATE WEST FLAGLER STREET FROM 13 AVENUE TO 14 AVENUE AS FATHER EMILIO VALLINA AVENUE

*Adopted  
Resolution R-1006-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

FINAL OFFICIAL

11A22

**072052**                      **Resolution**                      **Sen. Javier D. Souto,**  
**Rebeca Sosa,**  
**Dorrrin D. Rolle**

RESOLUTION COMMENDING THE GOVERNOR, MEMBERS OF THE FLORIDA LEGISLATURE, THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE MIAMI-DADE EXPRESSWAY AUTHORITY FOR PROVIDING FOR THE INSTALLATION OF GUARDRAILS ALONG BODIES OF WATER AND IN ROADWAY MEDIANS IN MIAMI-DADE COUNTY, FLORIDA

*Adopted*  
*Resolution R-1007-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

11A23

**071623**                      **Resolution**                      **Audrey M. Edmonson,**  
**Katy Sorenson,**  
**Dorrrin D. Rolle,**  
**Sen. Javier D. Souto,**  
**Barbara J. Jordan,**  
**Carlos A. Gimenez,**  
**Dennis C. Moss,**  
**Rebeca Sosa**

RESOLUTION URGING THE CITY OF MIAMI AND MIAMI SHORES VILLAGE TO PASS RESOLUTIONS SUPPORTING THE DESIGNATION OF BISCAYNE BOULEVARD FROM N.E. 54TH STREET TO N.E. 95TH STREET AS "M. ATHALIE RANGE BOULEVARD"

*Adopted*  
*Resolution R-1008-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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

11A24

**071659**                      **Resolution**                      **Katy Sorenson**

RESOLUTION URGING THE U.S. CONGRESS TO ENACT H.R. 1459 / S. 543, THE "PRESERVING PATIENT ACCESS TO INPATIENT REHABILITATION HOSPITALS ACT"

*Adopted*  
*Resolution R-1009-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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



FINAL OFFICIAL

11A25

071669

Resolution

Dennis C. Moss,  
Barbara J. Jordan,  
Katy Sorenson

RESOLUTION URGING THE U.S. CONGRESS AND/OR THE  
U.S. COMMISSIONER OF SOCIAL SECURITY TO OPEN A  
SOCIAL SECURITY ADMINISTRATION OFFICE IN OR  
NEAR FLORIDA CITY OR HOMESTEAD

*Adopted*  
*Resolution R-1010-07*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12-0*  
*Excused: Heyman*

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

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

11A26

071690

Resolution

Dennis C. Moss,  
 Rebeca Sosa,  
 Audrey M. Edmonson,  
 Barbara J. Jordan,  
 Dorrin D. Rolle

RESOLUTION URGING THE FEDERAL GOVERNMENT TO  
 ADOPT A PLAN TO REBUILD HAITI SIMILAR TO THE  
 MARSHALL PLAN

*Adopted*  
*Resolution R-1011-07*  
*Mover: Dennis C. Moss*  
*Seconder: Audrey M. Edmonson*  
*Vote: 10- 1*  
*No: Seijas*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *Commissioner Seijas noted she supported any efforts to assist the Caribbean Islands, especially Haiti, but would not support the use of the verbiage "the Marshall Plan" in this resolution.*

*Commissioner Moss explained his intent for using the term "Marshall Plan" in this resolution. He noted as a result of Haiti's immigration policies, many Haitians flee to the United States for political and/or economic reasons. He further explained the intent of this resolution was to convey a plan that urged Congress to assist in rebuilding Haiti and to create economic opportunities in Haiti that do not exist today.*

*Commissioner Martinez stated he supported providing assistance to rebuild Haiti, but he felt the issue with the term "Marshall Plan" had to do with its past implications.*

*Responding to Commissioner Seijas' request for further explanation, Commissioner Moss explained the term "Marshall Plan" had been widely used as a metaphor to refer to the rebuilding of economies following World War II. He noted the intent of this resolution, basically, was to assist Haiti in rebuilding its economy, with a long-term goal to prevent people from risking their lives at sea to flee to the United States seeking economic opportunities. Commissioner Moss noted the County needed to support Haiti in rebuilding its infrastructure and creating economic opportunities there. He further noted he would not accept the proffered amendment to delete the reference to the Marshall Plan, but would proffer the foregoing resolution as drafted.*

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

**6/12/2007** Carried over Due to Lack of a Quorum by the Budget and Finance Committee  
**7/11/2007** Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

FINAL OFFICIAL

11A27

**072023 Resolution Bruno A. Barreiro**

RESOLUTION URGING THE U.S. ARMY CORPS OF ENGINEERS TO ALLOW THE USE OF NON-DOMESTIC SAND FOR BEACH RENOURISHMENT; AND URGING THE U.S. CONGRESS TO APPROPRIATE FUNDS FOR BEACH RENOURISHMENT PROJECTS IN MIAMI-DADE COUNTY [SEE AGENDA ITEM NO. 12B3]

*Adopted  
Resolution R-1012-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

11A28

**071666 Resolution Audrey M. Edmonson**

RESOLUTION DECLARING ONE 1997 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO BELAFONTE TACOLCY CENTER, INC.

*Adopted  
Resolution R-1013-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

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

11A29

**071497 Resolution Joe A. Martinez**

RESOLUTION DECLARING ONE 1999 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO FAMILY LIFE CENTER, INC.

*Adopted  
Resolution R-1014-07  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Excused: Heyman*

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

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



11A32

072388

Resolution

Audrey M. Edmonson,  
Barbara J. Jordan

RESOLUTION VACATING COMMISSION APPOINTMENTS OF CURRENT AFFORDABLE HOUSING ADVISORY BOARD MEMBERS, IMPLEMENTING A NEW APPLICATION AND APPOINTMENT PROCESS WHEREBY THE ENTIRE BOARD OF COUNTY COMMISSIONERS IS CHARGED WITH APPOINTING NEW MEMBERS TO THE AHAB BOARD BY A BALLOT VOTE, FOLLOWING SUBMISSION OF NOMINATIONS BY INDIVIDUAL COMMISSIONERS [SEE ORIGINAL ITEM UNDER FILE NO. 071496] [SEE AGENDA ITEM NO. 7C]

*Amended*

**Report:** (See Agenda Item 8A1H Amended; Legislative File No. 072789 for the amended version)

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

FINAL OFFICIAL

11A32 AMENDED

072746

Resolution

Audrey M. Edmonson,  
Barbara J. Jordan

RESOLUTION VACATING COMMISSION APPOINTMENTS OF CURRENT AFFORDABLE HOUSING ADVISORY BOARD MEMBERS, IMPLEMENTING A NEW APPLICATION PROCESS WHEREBY INDIVIDUALS FROM THE COMMUNITY MAY SUBMIT APPLICATIONS FOR THE BOARD'S CONSIDERATION [SEE ORIGINAL ITEM UNDER FILE NOS. 071496 AND 072388] [SEE AGENDA ITEM NO. 7C]

*Adopted as amended  
Resolution R-1017-07  
Mover: Audrey M. Edmonson  
Seconder: Jose "Pepe" Diaz  
Vote: 11- 0  
Absent: Martinez  
Excused: Heyman*

**Report:** Assistant County Attorney Cynthia Johnson-Stacks responded to Commissioner Gimenez' question regarding the current method of appointments. She noted that each Commissioner appoints a member under the current process, but this resolution called for each commissioner to make a recommendation and the Board, as a whole, would approve a ballot.

Commissioner Edmonson noted the intent of this resolution would allow interested community members to participate in the process by submitting their names and/or resumes.

Chairman Barreiro stated he felt the Commissioners should recommend the appointment.

In response to Commissioner Moss' question regarding the process, Assistant County Attorney Johnson-Stacks noted this resolution did not specify the process, but that staff would develop an application process. She noted the names of all interested individuals, as well as those recommended by Commissioners, would be submitted to the Commission in ballot form for consideration.

Commissioner Jordan noted multiple applications could become cumbersome and result in a large ballot. She suggested limiting the number of applications per district or having each commissioner make an appointment.

Commissioner Moss suggested the County develop an application process for people to participate by district and allow the respective district commissioner to review those applications and submit the name desired as his/her appointee, for approval by the full Board.

Commissioner Edmonson accepted Commissioner Moss' recommendation as an amendment.

Assistant County Attorney Johnson-Stacks advised that based on the amendment, the number of appointments made by the County Commission would be reduced to 13, but the total members would be 15, including appointments by the Mayor and the Overall Tenant Advisory Council (OTAC).

In response to Commissioner Edmonson's comments that the State Statute required the County Commission to make 15 appointments, Assistant County Attorney Johnson-Stacks explained that 13 appointments would be acceptable.

In response to Commissioner Edmonson's question regarding two other members mandated by the State Statute, Assistant County Attorney Mandana Dashtaki noted pursuant to Section 10 of the previous ordinance, the BCC could appoint a representative from the construction industry and/or a local community development corporation, such as an attorney, architect or professional engineer. Ms. Dashtaki advised those appointments were not statutorily required and could be eliminated, reducing the number of Commission-appointed members to 13.

Hearing no further discussion or comments, the foregoing proposed resolution was adopted as amended to provide that appointments made by individual commissioners be submitted through an application process.

11A33

**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"

*Adopted  
Resolution R-1018-07  
Mover: Sen. Javier D. Souto  
Seconder: Jose "Pepe" Diaz  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** *Commissioner Seijas pointed out that the County currently had a volunteer policing program. She stated she preferred to see a feasibility study and cost analysis of the foregoing proposed program.*

*Ms. Karin Montejo, Division Chief, Miami-Dade Police Department, noted MDPD currently had a citizen's auxiliary program and a volunteer patrol program.*

*Commissioner Seijas questioned the number of volunteers needed for this program, since the County already had a number of volunteers, as well as a reserve.*

*Chief Montejo requested she be allowed to provide those numbers later. She noted that normally, each policing district was assigned a group of volunteers.*

*Commissioner Souto indicated that of the larger counties within the State of Florida, Miami-Dade County was the only county without a citizen's patrol program. He explained the foregoing resolution was only to request a feasibility study be conducted based on citizen's patrol programs of other counties, with the intent to assist the police department, and not impact any existing policing programs. He noted many respectable senior citizens patrolled areas as eyes and ears of the community, to report incidents to the police.*

*Commissioner Martinez noted the County currently funds a police reserve and full academy. He expressed concern with the intent of this resolution, and the problems that would result from shared radio air frequencies if citizens were to be given radios.*

*Commissioner Gimenez stated he believed the City of Miami already utilized this program, with volunteers who were not auxiliary police; not issued weapons and had no arresting powers, but had some training and served as additional eyes and ears in the community to report suspicious activities. Additionally, he noted, they currently used cell phones, in lieu of radios.*

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

**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

**7/24/2007** Carried over by the Board of County Commissioners

**7/26/2007** Deferred by the Board of County Commissioners



11A34

**072365**                      **Resolution**                      **Joe A. Martinez**  
RESOLUTION APPROVING THE ALLOCATION OF FY 2006-2007 DISTRICT RESERVE FUNDS OF DISTRICT 11                      *Amended*

**Report:** (See Agenda Item 11A34 Amended; Legislative File No. 072756 for the amended version)

11A34 AMENDED

**072756**                      **Resolution**                      **Joe A. Martinez**  
RESOLUTION APPROVING THE ALLOCATION OF FY 2006-2007 DISTRICT RESERVE FUNDS OF DISTRICT 11 [SEE ORIGINAL ITEM NO. 072365]                      *Adopted as amended  
Resolution R-941-07  
Mover: Joe A. Martinez  
Seconder: Barbara J. Jordan  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** The foregoing proposed resolution be adopted as amended to include the following additional allocations from Commissioner District #11 Fund:

- \$5,000 allocated to the West Kendall Business Association.
- \$5,000 to the American Cancer Society's - Making Strides against Cancer Walk.
- \$500 to Arroz con Mango (Liga Contra Cancer)

**11 B**      **ADDITIONAL BUDGET ALLOCATIONS**

**11C**      **REPORTS**

11B1

**072653**                      **Report**  
ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 2)                      *Approved  
Mover: Joe A. Martinez  
Seconder: Sen. Javier D. Souto  
Vote: 11- 0  
Absent: Sosa  
Excused: Heyman*

**Report:** The following funding allocations were made from fiscal year (FY) 2006/07 District 2 Discretionary Reserve funds as requested by Commissioner Rolle.

- \$6,000 to American Cancer Society for Breast Cancer Research Making Strides Against Cancer
- \$2,625 to American Best Corp. (\$2,625.00 to complete an emergency check in the amount of \$5,625.00 paid on August 8, 2007, for the Book Bag-Give-A-Way)

11B2

**072654 Report**

REIMBURSEMENT FROM (FY) 2006/07 COMMUNITY-BASED ORGANIZATION (DISTRICT 4)

*Approved*  
*Mover: Joe A. Martinez*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *The following funding allocation was reimbursed from District 4 Community Based Organization Funds as requested by Commissioner Heyman.*

*\$5,838.50 from District 4 Fire Prevention Fund TFFRPREVENT for the Fire Alarm Project*

11B3

**072655 Report**

REIMBURSEMENT FROM (FY) 2006/07 COMMUNITY-BASED ORGANIZATION OFFICE FUNDS (DISTRICT 4)

*Approved*  
*Mover: Joe A. Martinez*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *The following funding allocations were reimbursed from District 4 Community Based Organization – Office Funds as requested by Commissioner Heyman*

*\$1,000 from International Women's Forum*  
*\$500 from American Cancer Society*  
*\$250 from Miami Dade Shmira*  
*\$250 from Miami Bridge Youth Family Services*  
*\$25 from NE 10th Avenue Association*  
*\$100 from Optimist Club of Ives Estates*  
*\$100 from American Heart Association*

11B4

**072656 Report**

ALLOCATION OF (FY) 2006/07 OFFICE FUNDS (DISTRICT 5)

*Approved*  
*Mover: Joe A. Martinez*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *The following funding allocations were made from fiscal year (FY) 2006/07 District 5 Office Funds as requested by Chairman Barreiro.*

*\$1,000 to Human Services Coalition*

*\$2,000 to Miami-Dade County Asian American Advisory Board of County Commissioners*

*\$5,000 to Community Smiles Dental Clinic*

*\$5,000 to American Cancer Society for the Making Strides Against Breast Cancer Walk*

11B5

**072657 Report**

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 7)

*Approved*  
*Mover: Joe A. Martinez*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *The following funding allocation was made from fiscal year (FY) 2006/07 District 7 Discretionary Reserve Funds as requested by Commissioner Gimenez.*

*\$2,500 to The Asian American Advisory Board for their 10th Anniversary Gala*

11B6

**072658 Report**

ALLOCATION OF (FY) 2006/07 OFFICE FUNDS (DISTRICT 9)

*Approved*  
*Mover: Joe A. Martinez*  
*Seconder: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *For the record, Commissioner Moss asked that \$2,284.00 be transferred from his Office Budget (FY) 2006-07 to his District Discretionary Budget (FY) 2006-07*

11B7

**072659 Report**

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 10)

*Approved*  
*Mover: Joe A. Martinez*  
*Second: Sen. Javier D. Souto*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *For the record, Commissioner Souto rescinded \$6,500.00 in District 10 Discretionary Reserve Allocations, which he intends to re-allocate after October 1, 2007.*

**12 COUNTY MANAGER**

12A1

**072085 Resolution**

RESOLUTION ESTABLISHING THE MIAMI-DADE COUNTY  
PURCHASE OF DEVELOPMENT RIGHTS PROGRAM (County  
Manager)

*Deferred to September 18, 2007*  
*Mover: Jose "Pepe" Diaz*  
*Second: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**Report:** *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred to the September 18, 2007 BCC meeting, as requested by the County Manager.*

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

12B1

**072084 Report**

GREENWAYS AND TRAILS IN COMMISSION DISTRICT 2  
(County Manager)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Second: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**7/16/2007** *Accepted by the Recreation & Cultural Affairs Committee*

12B2

**072088 Report**

FEASIBILITY OF ERECTING A MINI PARK BETWEEN NW  
107-105 STREETS ALONG NW 17 AVENUE (County Manager)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Second: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**7/16/2007** *Accepted by the Recreation & Cultural Affairs Committee*

12B3

**072444 Report**

REPORT ON THE USE OF NON-DOMESTIC SAND SOURCES FOR BEACH NOURISHMENT [SEE AGENDA ITEM NO. 11A27] (County Manager)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

12B4

**072157 Report**

REPORT ON EMPLOYER ASSISTED HOUSING PILOT PROGRAM FOR COUNTY EMPLOYEES (County Manager)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

*7/18/2007 Report Received by the Economic Development and Human Services Committee*

12B5

**071841 Report**

COUNTY MANAGER'S REPORT REGARDING CREATION OF THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE (SEE AGENDA ITEM NO. 7B) (County Manager)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

**13 COUNTY ATTORNEY**

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

14B1

**072585 Report**REPORT REGARDING ELECTIONS DEPARTMENT NEW  
CLERK CERTIFICATION PROGRAM (County Manager)

*Accepted*  
*Mover: Dennis C. Moss*  
*Seconder: Audrey M. Edmonson*  
*Vote: 11- 0*  
*Absent: Sosa*  
*Excused: Heyman*

**Report:** *Commissioner Moss noted he requested the foregoing report be provided because he had received calls of concern from the community regarding the new election process. He asked the Supervisor of Elections to explain the election procedures.*

*Mr. Lestor Sola, Supervisor of Elections, explained that as a result of observing past elections, and a 30% failure rate of poll workers who were administered a high standard test, the Elections Department developed a program to ensure the Clerk and the Assistant Clerk understood fully, the laws and procedures of elections as required by Statute. He noted those people who failed the test could still be involved in the election process, but would not make administrative decisions that could impact votes. Mr. Sola explained that this process was implemented to ensure the peoples' opportunities and rights to vote were protected and to ensure competent workers were in charge at the polls.*

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

15B1

**072453 Report**PROPOSED PUBLIC HEARING DATES FOR ORDINANCES  
SUBMITTED FOR FIRST READING ON SEPTEMBER 4, 2007  
(TO BE DELIVERED AT A LATER DATE) (Clerk of the Board)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B2

**072454 Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD  
FEBRUARY 20, 2007 (REGULAR BCC MEETING)  
MARCH 22, 2007 (SPECIAL MEETING HELD AT 11:30 AM)  
MARCH 22, 2007 (BCC CARRYOVER MEETING)  
MARCH 22, 2007 (ZONING MEETING)  
MARCH 28, 2007 (REGULAR BCC MEETING AND COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) MEETING)  
MAY 22, 2007 (REGULAR BCC MEETING)  
JUNE 25, 2007 (JOINT BCC/PUBLIC HEALTH TRUST MEETING)  
JULY 12, 2007 (COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) MEETING)  
JULY 26, 2007 (COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) MEETING) (Clerk of the Board)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B3

**072455 Report**

CERTIFICATE OF COUNTY CANVASSING BOARD FOR SABAL PALM ROVING PATROL SECURITY GUARD SPECIAL TAXING DISTRICT ELECTION HELD ON AUGUST 7, 2007 (Clerk of the Board)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B4

**072457 Report**

RESOLUTION 2007-29 OF THE VILLAGE OF PINECREST, FLORIDA, OPPOSING A MIAMI-DADE COUNTY ORDINANCE SUSPENDING A PORTION OF LOCAL GAS TAXES FOR A PERIOD OF THREE MONTHS; PROVIDING FOR AN EFFECTIVE DATE. (Clerk of the Board)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B5

**072458 Report**

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

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B6

**072459 Report**

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

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

15B7

**072460 Report**

ERRORS, INSOLVENCIES, DOUBLE ASSESSMENTS, AND DISCOUNTS FOR THE 2005 TAX ROLLS (Clerk of the Board)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**15C COUNTY ADVISORY BOARD APPOINTMENTS**

15C1

**072461 Nomination**

APPOINTMENT OF MARIO E. ESPINEIRA, JR., TO THE BOARD OF RULES AND APPEALS (Clerk of the Board)

*Appointed*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

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

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

15E1

**072472 Report**

MAYOR'S ALLOCATION FROM (FY) 2006/07 DISCRETIONARY RESERVE FUNDS (Clerk of the Board)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 12- 0*  
*Excused: Heyman*

**16 ITEMS SCHEDULED FOR THURSDAY**

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



16A1

**072360**                      **Service Awards**                      **Bruno A. Barreiro**

SERVICE AWARDS CEREMONY FOR THE FOLLOWING  
EMPLOYEES:

FARA DIAZ - CIRCUIT AND COUNTY COURTS - 30 YEARS  
NETTIE L. STURGIS - CAA - 30 YEARS  
FERNANDO L. BESTARD - DERM - 35 YEARS  
PATRICIA A. BARRY - MIAMI-DADE TRANSIT- 35 YEARS  
CURTIS O. MANGHAM - P&R - 35 YEARS  
FELIX HERRERA WASD - 35 YEARS  
ALFREIDA LOVE - WASD - 35 YEARS  
MICHAEL F. SUCHOGORSKI - WASD - 30 YEARS  
LT. RAUL CHAVEZ - FIRE AND RESCUE - 35 YEARS

**Report:** *SERVICE AWARDS CEREMONY CONDUCTED FOR THE  
FOLLOWING EMPLOYEES: FARA DIAZ, COC - 30 YEARS; NETTIE L.  
STURGIS, CAA-30 YEARS; RAUL A. CHAVEZ, MDFR-35 YEARS;  
MICHAEL F. SUCHOGORSKI, WASD-30 YEARS; FERNANDO L.  
BESTARD, DERM-35 YEARS; PATRICIA A. BARRY, MDT-35 YEARS;  
CURTIS O. MANGHAM, PRD-35 YEARS; FELIX HERRERA, WASD-35  
YEARS; ALFREIDA LOVE, WASD-35 YEARS*

16A2

**072386**                      **Certificate of**                      **Rebeca Sosa**  
**Appreciation**

PRESENTATION OF A CERTIFICATE OF APPRECIATION TO  
THE "BREEZE THRU HURRICANE SEASON" AWARENESS  
FAIR

16A3

**072361**                      **Certificate of**                      **Katy Sorenson**  
**Appreciation**

PRESENTATION OF A CERTIFICATE OF APPRECIATION TO  
CHARLES GRANT

16A4

072508

**Certificate of  
Appreciation**

**Carlos A. Gimenez**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO  
SOUTH MIAMI COMMUNITY CENTER:

1. JEAN TOUSAINT
2. MARIA MEDINA
3. DANA HARDEN
4. VALERIE HARRIS
5. GEORGE LINDSAY
6. NIYIRIS MELENDEZ
7. NELLY ARAUZ
8. MICHELLE CANTAVE, RN
9. MUNIRA MWIDAU, RN
10. JORGE ALONSO, RN

**Report:** *CERTIFICATE OF APPRECIATION PRESENTATION FOR  
SERVICE RENDERED: DANA HARDEN, VALERIE HARRIS, MARIA  
MEDINA, JEAN TOUSAINT, MICHELLE CANTAVE, RN; NELLY ARAUZ,  
GEORGE LINDSAY, NIYIRIS MELENDEZ, MUNIRA MWIDAU, RN;  
JORGE ALONSO, RN*

16B

**POLICY MATTERS FOR DISCUSSION BY THE BOARD**

16B1

072520 Discussion Item Bruno A. Barreiro

DISCUSSION OF PORT TUNNEL PROJECT *Presented*

**Report:** *Commissioner Martinez noted he placed this discussion item on today's agenda because he was not present when the original vote was taken on the Port Tunnel Project, and he wanted to voice his concerns for the record concerning this matter. He stated he felt this project was a great idea, but the timing was not right. Commissioner Martinez expressed concern that the City of Miami voted not to contribute to the port tunnel project, and that the Port of Miami employees would have to pay tolls, which he would not support.*

*Commissioner Diaz noted this was a significant project that would benefit the community and provide future growth opportunities. He noted the Port of Miami needed to stay competitive to prevent people from going elsewhere. He expressed disappointment with the City of Miami for not providing financial support to this project. Commissioner Diaz asked Assistant County Manager Hudak to identify strategies to ensure that the City of Miami contributed in efforts to fund the Port Tunnel Project and those future resolutions involving the Port of Miami Tunnel Project included language stating that employees working at the Port of Miami would be excluded from paying the tunnel fee.*

*In response to Commissioner Rolle's request for an update on the City of Miami's proposal, County Manager George Burgess noted the District Secretary of State met with City Officials, whose intent was to go before the City Commission on September 27, 2007, in hopes of getting this approved. He noted the contractor agreed to uphold the pricing until the month of September.*

*Commissioner Gimenez noted this project involved the State, the County, and the City; and that he felt the City should participate as well.*

*Commissioner Souto noted he voted against this project when the vote was taken because he felt the timing was wrong, and that neither the City nor the County had the funds to go forward with it.*

**16C ZONING AGENDA (Scheduled for 9:30 a. m.)****16D METROPOLITAN PLANNING ORGANIZATION AGENDA (Scheduled for 2:00 p.m.)****19 ADJOURNMENT**

**Report:** *There being no further business to come before the Board, the meeting adjourned at 6:56 p.m.*

  
\_\_\_\_\_  
Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK

  
\_\_\_\_\_  
By: Kay Sullivan, Deputy Clerk