



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Health and Public Safety Committee (HPSC)**

Board of County Commissioners

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

October 11, 2007
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Karen Leonard, Commission Reporter
(305) 375-1296





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

FINAL OFFICIAL Meeting Minutes Health and Public Safety Committee

Dennis C. Moss (9) Chair; Rebeca Sosa (6) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Carlos A. Gimenez (7), Sally A. Heyman (4), and Javier D. Souto (10)

Thursday, October 11, 2007

2:00 PM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Dennis C. Moss, Rebeca Sosa, Javier D. Souto.

Members Absent: None.

Members Late: None.

Members Excused: Sally A. Heyman.

Members Absent County Business: None.

1A INVOCATION

Report: *Karen Leonard, Commission Reporter. (305)375-1296*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Manager Alina Hudak; Assistant County Attorney Valda Clark Christian; and Deputy Clerks Judy Marsh and Karen Leonard.*

Chairman Moss called the meeting to order at 2:07 p.m. He noted that reports would be heard pending the attainment of a quorum.

2 COUNTY COMMISSION

2A

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 [SEE AGENDA ITEM NO. 13B1]

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Souto

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Christian read the foregoing proposed ordinance into the record. She noted that this item was advertised as a public hearing with no other changes, but on the final agenda.*

Chairman Moss opened the public hearing for this ordinance.

Ms. Simone Labador a Police Benevolence Association (PBA) representative, appeared before the Committee and a formal written objection to this item to the Clerk of the Board Hearing no further questions or comments, Chairman Moss announced that the public hearing was closed.

Commissioner Sosa requested the County Attorney's Office to provide a report of all the issues concerning the proposed ordinance to this Committee prior to the Board's consideration of this item.

Commissioner Diaz asked that information be distributed and included in the Agenda package to assist the Committee members on the direction of this item before it is forwarded to the Board of County Commissioners.

Chairman Moss noted that the PBA's written objection would be reviewed by the County Attorney's Office.

Hearing no further questions or comments the Committee proceeded to vote

2B

072515 Resolution **Joe A. Martinez,**
Jose "Pepe" Diaz, Rebeca Sosa, Dorrin D. Rolle, Audrey
M. Edmonson

RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP AND IMPLEMENT AN EDUCATIONAL CAMPAIGN TO PROMOTE AWARENESS IN MIAMI-DADE COUNTY RELATING TO PREVENTING DEATH AND INJURY TO CHILDREN RESULTING FROM VEHICLE BACKOVER INCIDENTS [SEE AGENDA ITEM NO. 11A10]

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Moss
Vote: 5-0
Absent: Heyman

2C

072847 Resolution **Joe A. Martinez,**

Jose "Pepe" Diaz, Rebeca Sosa, Dorrin D. Rolle
 RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE JUNE 3, 2007 ANNUAL TELETHON SPONSORED BY LIGA CONTRA EL CANCER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,662.00 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

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Moss
Vote: 5-0
Absent: Heyman

2D

071784 Resolution **Katy Sorenson,**
Sally A. Heyman

RESOLUTION APPROVING THE MEMBER COUNTY AGREEMENT, IN THE FORM ATTACHED AS EXHIBIT C TO THE MANAGED PHARMACY BENEFIT SERVICES AGREEMENT BY AND BETWEEN THE NATIONAL ASSOCIATION OF COUNTIES (NACO) AND CAREMARKPCS HEALTH, L.P., FOR MIAMI-DADE COUNTY'S PARTICIPATION IN NACO'S DISCOUNT PRESCRIPTION DRUG PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE MEMBER COUNTY AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

Withdrawn

Report: *See Agenda Item 2D Substitute; Legislative File No. 072996.*

2D SUBSTITUTE

072996 Resolution**Katy Sorenson,**

Audrey M. Edmonson, Sally A. Heyman
RESOLUTION APPROVING THE MEMBER COUNTY AGREEMENT, IN THE FORM ATTACHED AS EXHIBIT C TO THE MANAGED PHARMACY BENEFIT SERVICES AGREEMENT BY AND BETWEEN THE NATIONAL ASSOCIATION OF COUNTIES (NACO) AND CAREMARKPCS HEALTH, L.P., FOR MIAMI-DADE COUNTY'S PARTICIPATION IN NACO'S DISCOUNT PRESCRIPTION DRUG PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE MEMBER COUNTY AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 071784]

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Second: Gimenez

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Christian read the foregoing proposed resolution into the record. Commissioner Sosa expressed concern regarding the potential to violate the County's procurement process and the establishment of a sole source.*

Assistant County Attorney Eugene Shy noted that this item was presented to and approved by the Department of Procurement Management (DPM).

In response to Commissioner Gimenez' question regarding the responsibilities and risks to the County pertaining to this proposed resolution, Mr. Shy noted that the County determined the eligibility requirements and distribution method of pharmacy benefit service cards. He stated that the County was not liable to pay fees, but participants were required to pay a fee to participating pharmacies.

Commissioner Sosa expressed concern regarding the Administration's response. She referred to Section 2.2 and 3.1 of this resolution stating the County could be subject to lawsuits.

Assistant County Attorney Shy noted that he felt the County would not be exposed to any additional lawsuits.

Commissioner Diaz requested that the Administration submit a detailed report for the Committee's review on the foregoing proposed resolution outlining the responsibilities, risks and impact on the County to be received before this item went before the Board of County Commission.

Hearing no further questions or comments the
Committee proceeded to vote.

2E

072239 Ordinance

Bruno A. Barreiro

Withdrawn

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

Report: *See Agenda Item 2E Substitute; Legislative File
No. 073002.*

2E SUBSTITUTE

073002 Ordinance**Bruno A. Barreiro**

ORDINANCE AMENDING CHAPTER 25A-4 OF THE CODE OF MIAMI-DADE COUNTY TO EXEMPT THE PUBLIC HEALTH TRUST FROM MIAMI-DADE COUNTY COMPETITIVE BIDDING AND OTHER CODE CONTRACTUAL REQUIREMENTS WHEN (1) ACCEPTING GIFTS OF PERSONAL PROPERTY AND SERVICES IF SUCH GIFTS ARE IN KIND AND (2) ACCEPTING GIFTS OF CONSTRUCTION PROJECTS THAT ARE NOT IN KIND FOR UP TO \$5 MILLION THAT ARE FULLY FUNDED BY A NOT FOR PROFIT ENTITY WHOSE PRIMARY PURPOSE IS TO SUPPORT THE ACTIVITIES OF THE PUBLIC HEALTH TRUST, PROVIDED SUCH NOT FOR PROFIT AND ITS CONTRACTORS AGREE TO BE BOUND BY PUBLIC RECORDS LAWS; LIMITING TO TWO YEARS TRUST AUTHORITY TO ACCEPT GIFTS OF SUCH CONSTRUCTION PROJECTS; AUTHORIZING THE TRUST TO IMPOSE RULES, CONDITIONS AND TERMS ON GIFTS, INCLUDING MANDATING COMPLIANCE WITH STATE LAW REQUIRING COMPETITIVE BIDDING PROCEDURES FOR CONSTRUCTION PROJECTS AND ASSURANCE THAT DONATIONS OF SPECIFIC CONSTRUCTION PROJECTS MEET ALL LAWFUL REQUIREMENTS AND TRUST STANDARDS OF RESPONSIBILITY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072239]

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Secunder: Souto

Vote: 5-0

Absent: Heyman

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

Responding to Commissioner Diaz' question regarding the \$5 million cap on donations, Assistant County Attorney Jack Hartog noted that the amount of donations was not capped and went towards a construction project.

Mr. Jose Cancela, representing the Public Health Trust (PHT) Foundation noted that he felt Commissioner Barreiro created the \$5 million cap to ensure that negotiations were transparent and occurred within a two-year period.

Commissioner Sosa asked that a Public Health Trust (PHT) Foundation representative collaborate with the PHT Executive Director, the Commission on Ethics and Public Trust (COE) Director, and the County Administration to create procedures to ensure that vendors who placed donations to the PHT Foundation were not simultaneously negotiating contracts with Jackson

Memorial Hospital (JMH).

Commissioner Gimenez requested that Mr. Jose Cancela, a PHT Foundation representative, provide a semi-annual report for the next two years regarding the procedures for vendors who placed donations to JMH.

Mr. Cancela expressed his appreciation to Commissioner Sosa for her work in Tallahassee on behalf of the JMH.

Hearing no further questions or comments the Committee proceeded to vote.

2F

072865 Resolution **Rebeca Sosa,**
Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman,
Dennis C. Moss

RESOLUTION DECLARING THE MONTH OF OCTOBER
BEGINNING IN OCTOBER 2007 AND EACH YEAR
THEREAFTER AS BREAST CANCER AWARENESS
MONTH

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

Mover: Sosa

Secunder: Diaz

Vote: 5-0

Absent: Heyman

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

Commissioner Sosa asked staff to prepare the appropriate memorandum requesting that the Chairman Moss waive the Committee's rules and allow the foregoing proposed resolution to be heard at the October 16, 2007 County Commission meeting.

Commissioner Diaz requested to be listed as a co-sponsor for the foregoing proposed resolution as well as Agenda Item 2B and 2C.

Hearing no further questions or comments the Committee proceeded to vote.

2G

072887 Resolution

Dorrin D. Rolle

RESOLUTION REQUESTING THAT THE COUNTY
MANAGER INVESTIGATE AND CONSIDER
MECHANISMS TO PROVIDE SAFETY AT AND AROUND
THE PORTIONS OF THE LAKE AND ADJACENT
PROPERTY OWNED BY MIAMI-DADE COUNTY AND
LOCATED WEST OF 12TH AVENUE BETWEEN NW
95TH AND 99TH STREETS

Amended

Report: *See Report Under Agenda Item 2G Amended,
Legislative File No. 073062*

2G AMENDED

073062 Resolution**Dorrin D. Rolle**

RESOLUTION DIRECTING THE COUNTY MANAGER TO INVESTIGATE AND ERECT MECHANISMS TO PROVIDE SAFETY AT AND AROUND THE PORTIONS OF THE LAKE AND ADJACENT PROPERTY OWNED BY MIAMI-DADE COUNTY AND LOCATED WEST OF 12TH AVENUE BETWEEN NW 95TH AND 99TH STREETS [SEE ORIGINAL ITEM UNDER FILE NO. 072887] [SEE AGENDA ITEM NO. 13B2]

Forwarded to BCC without recommendation as amended

Mover: Sosa

Seconded: Diaz

Vote: 5-0

Absent: Heyman

Report: *the proposed resolution sponsored by Commissioner Rolle.*

Hearing no further questions or comments, the Committee proceeded to vote and the item was opened for discussion.

Commissioner Sosa stated that the County could not perform fencing on private property. She expressed her support the intention of this amended resolution, but felt that the owners should be mandated to pay and complete the fencing on their private property.

Chairman Moss noted that Commissioner Rolle requested that this item deferred. He noted it was important for this item to move forward, but would grant Commissioner Rolle's request due to the controversy surrounding this item.

Responding to Commissioner Diaz' question whether this proposed resolution was a result of past issues in the area, Assistant County Attorney Christian noted that it was and the amended language included that the County Manager would investigate safety measures pertaining to fences and signs for County owned property that surrounded the lake.

Commissioner Sosa expressed concern that additional requests would be the result once safety measures were provided for private property owners.

It was moved by Commissioner Sosa to move this item without a recommendation as amended. This motion was seconded by Commissioner Sosa and was opened for discussion.

Following further discussion, Commissioner Sosa withdrew her motion to defer the item and noted that additional information was needed in order to

comply with Commissioner Rolle's request.

Commissioner Gimenez asked that the County Administration provide a diagram of the surrounding lakes and properties along with information identifying County-owned property as well as other ownership.

Hearing no further question and comments, the committee proceeded to vote.

3 DEPARTMENT(S)

3A

072809 Ordinance

ORDINANCE PERTAINING TO ANIMALS; DELETING AND REPLACING SECTIONS 5-1 THROUGH 5-16 AND 5-18 THROUGH 5-25 IN THEIR ENTIRETY; AMENDING SECTIONS 8CC-8 AND 8CC-10 OF THE CODE; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 072490] [SEE ITEM NO. 3B] (Animal Services)

Deferred to no date certain

Mover: Sosa

Seconder: Gimenez

Vote: 5-0

Absent: Heyman

Report: *Hearing no objection, the Committee heard Agenda Items 3A and 3B simultaneously.*

Chairman Moss asked that an open public hearing follow the Director of Animal Services' presentation.

Ms. Sara Pizano, Department of Animal Services (AS) Director, noted that this ordinance intended to amend discrepancies in Chapters 5 and 33 and to add an anti-chaining law for dogs.

Chairman Moss announced that the public hearing was open.

Ms. Marjorie Glickman, residing at 13740 SW 78 Court, appeared before the Committee and spoke in support of the proposed ordinance and tethering ban.

Mr. Dallas Hayes, residing at 18505 NW 197 Avenue, appeared before the Committee and spoke in opposition of Chapter 5.

The following members of the public appeared before the Committee and spoke in opposition of the foregoing proposed ordinance:

*Ms. Mercedes Royce, 235 NW 59 Street.
Mr. Aubrey Reynolds, 1418 Collins Avenue.
Ms. Pamela Gray, 19100 SW 304 Street, Miami Florida.*

The following members of the public appeared before the Committee and continued to read into the record the proposed amendments:

*Mr. Thomas Kennedy, 2972 Shipping Avenue.
Ms. Sharon McCoy, 2917 Shipping Avenue.*

Mr. Keith Stahl, 1717 North Bayshore Drive,

appeared before the Committee and spoke in opposition of this proposed ordinance.

Ms. Dahlia Cane, 7370 East Cypress Court, Miami, appeared before the Committee and noted that she volunteered with the Miami-Dade Animal Services (AS) and participated in the Committee that reviewed Chapter 5. She stated that she was a part of the team that presented on the Breeds Specific Legislation (BSL) on October 2, 2007, which was deemed unconstitutional in many national quarters and was prohibited in Florida Statute. Ms. Cane stated that Section 5.17.6 (B) in Chapter 5 banning pit bulls in the County needed additional work.

Ms. Jacqueline Johnston, 1205 NE 12 Street, appeared before the Committee and spoke in opposition of the proposed ordinance.

The following members of the public appeared before the Committee and spoke in opposition of the foregoing proposed ordinance:

Mr. Joseph Moreweiser, 309 SW 2nd Avenue.
Mr. Doug Munoz, 1011 East Bay Harbor Drive.
Mr. Danny Cresky, 454 SE 11 Terrace.
Ms. Tessie Canehole (phonetic), 3415 SW 8 Street.

Hearing no further questions or comments, Chairman Moss announced the public hearing was closed.

Commissioner Diaz noted that he understood both sides argument on this proposed ordinance, but laws had to be implemented to protect people from neglected and abused animals. He stated that the intent was to find a balance to opposing parties. Commissioner Diaz noted that further understanding was necessary and guidelines/rules could be created based on input from the public and AS staff.

It was moved by Commissioner Diaz that Agenda Items 3A and 3B be deferred to no date certain. This motion was seconded by Commissioner Gimenez for discussion.

Commissioner Sosa noted that she sent the State Legislation a resolution urging them to increase the fines as punishment for training fight dogs. She commended Ms. Pizano for the review of Chapter 5 and noted that there was a possibility for collaboration between all parties involved.

Commissioner Souto asked that the Administration research police records identifying victims who were attacked by dogs throughout Miami-Dade County and invite them to attend the November 2007 public hearing for this proposed ordinance.

Commissioner Gimenez expressed sympathy towards the public and noted that the dogs were a reflection of their owners.

Commissioner Sosa clarified that the motion was to defer Agenda Items 3A and 3B. She asked that the items be separated and that Chapter 5 be reviewed. She also noted that this Committee needed to address increasing the number of dogs allowed in residential areas.

Commissioner Gimenez referred to the five (5)-page memorandum submitted by Ms. Pamela Gray and questioned whether Ms. Pizano was aware of these issues.

Ms. Pizano noted that staff responded to issues over a year ago and met with several entities throughout the community. She stated that Ms. Gray had provided a draft of the memorandum.

Chairman Moss asked that the Department of Animal Services Director Sara Pizano meet with opponents of the proposed ordinance before this committee considered it.

Commissioner Sosa questioned whether this ordinance applied to municipal governments.

Assistant County Attorney Dennis Kerbel noted that it only applied to the zoning component of the County.

Commissioner Diaz asked that the Administration provide a report on the ordinances' impact on other municipalities zoning.

Discussion ensued among the committee members regarding the impact of this ordinance on municipalities zoning codes.

Assistant County Attorney Kerbel noted that the existing Chapter 5 permitted additional municipal

regulations followed by local municipal zoning regulations.

Commissioner Diaz noted that he wanted to ensure that the municipalities were advised of any changes.

Hearing no further questions or comments the committee proceeded to vote.

3B

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 [SEE AGENDA ITEM NO. 7A] (Department of Planning & Zoning)

Deferred to no date certain

Mover: Sosa

Secunder: Gimenez

Vote: 5-0

Absent: Heyman

3C

072835 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 7875 N.W. 12 STREET, SUITE 200, MIAMI, FL, WITH ADLER OFFICE ASSOCIATES, LTD., A FLORIDA LIMITED PARTNERSHIP, BY ADLER OFFICE ASSOCIATES, INC. A FLORIDA CORPORATION ITS GENERAL PARTNER, FOR PREMISES UTILIZED BY THE MIAMI-DADE POLICE DEPARTMENT FOR ADMINISTRATIVE OFFICES; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Secunder: Diaz

Vote: 5-0

Absent: Heyman

3D

072859 Resolution

RESOLUTION APPROVING THE ALLOCATION OF BUILDING BETTER COMMUNITIES BOND PROGRAM'S PRIMARY HEALTHCARE FACILITIES FUNDS NOT TO EXCEED \$5 MILLION FOR COMMUNITY HEALTH OF SOUTH FLORIDA, INC. (Office of Countywide Healthcare Planning)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Secunder: Diaz

Vote: 5-0

Absent: Heyman

3E

072893 Resolution

RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, RECEIVE, DISBURSE AND EXPEND FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR COMPREHENSIVE HEALTH AND SOCIAL SERVICES FOR LOW INCOME PEOPLE LIVING WITH HIV/AIDS; APPROVAL TO RECEIVE AND EXPEND ADDITIONAL FUNDS WHICH BECOME AVAILABLE; AUTHORIZING CONTRACTS THEREOF (Office of Strategic Business Management)

Amended

Report: *SEE AGENDA ITEM 3E SUSTITUTE AMENDED, LEGISLATIVE FILE #073131 FOR AMENDED VERSION*

3E SUBSTITUTE

073131 Resolution

RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, RECEIVE, DISBURSE AND EXPEND FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR COMPREHENSIVE HEALTH AND SOCIAL SERVICES FOR LOW INCOME PEOPLE LIVING WITH HIV/AIDS; APPROVAL TO RECEIVE AND EXPEND ADDITIONAL FUNDS WHICH BECOME AVAILABLE; AUTHORIZING CONTRACTS THEREOF (SEE ORIGINAL ITEM UNDER FILE NO. 072893) (Office of Strategic Business Management)

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

Mover: Sosa

Secunder: Diaz

Vote: 5-0

Absent: Heyman

Report: *Assistant County Attorney Christian read into the record the foregoing proposed ordinance and the amendments. She noted that this proposed resolution would be retroactive once this Committee moved the item forward to the Board of County Commission.*

Hearing no further question and comments, the committee proceeded to vote.

3F

072901 Change Orders

CHANGE ORDER NO. 1 AND FINAL BETWEEN LEMARTEC ENGINEERING & CONSTRUCTION CORPORATION AND MIAMI-DADE COUNTY FOR PORT OF MIAMI FIRE RESCUE STATION NO. 39 - PROJECT NO: DB03-FIRE-02; CONTRACT NO: MDFRD-DB-08 (Miami-Dade Fire and Rescue Department)

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

Report: *Assistant County Attorney Christian read into the record the foregoing Change Orders.*

Hearing no further question and comments, the committee proceeded to vote.

Commissioner Souto expressed concern regarding the danger posed to bike riders without reflective lights at night. He requested that Administration prepare and present for the Committee's review a report on the crime incidents and County statistics for each district.

Chairman Moss advised Commissioner Souto to provide a written resolution and meet with the County Administration.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

072875 Report

CLERK'S SUMMARY OF MINUTES FOR SEPTEMBER 17, 2007 HEALTH PUBLIC SAFETY COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Heyman*

7 REPORTS

7A

072587 Report

DIAL-A-LIFE ADVISORY AND OVERSIGHT BOARD
SEMI-ANNUAL STATUS REPORT AND DIAL-A-LIFE
PROGRAM SURPLUS CELLULAR TELEPHONES
REPORT (County Manager)

Report Received

7B

072616 Report

ORAL REPORT RE: CONTINUATION ON INMATE SUICIDES REPORT FROM HPSC MEETING ON JULY 19, 2007 (County Manager)

Report Received

Report: *Assistant County Attorney Valda Clark Christian read the foregoing Agenda Item 7B into the record.*

Mr. Tim Ryan, Miami-Dade Corrections and Rehabilitations (MDCR) Director, noted that pursuant to the Committee's request, he would provide information regarding inmate death and healthcare at MDCR. He stated that the County Attorney's Office advised him that pending litigation restricted him from providing detailed information; however, he would reaffirm any information that was made public. Mr. Ryan noted that since January 2007 approximately 85,000 people (72,000 men and 13,000 women) were received by MDCR. He stated the possibility that 115,000 people would be processed by December 2007.

Mr. Ryan stated that MDCR was the largest local operations in the State of Florida. He noted that the Corrections Health Services, (CHS) a component of Jackson Memorial Hospital (JMH,) informed MDCR that the inmate population was stricken with physical and mental illnesses and approximately 9,000 pills were distributed to the inmates daily. Mr. Ryan noted that he extended an invitation to Dr. Katherine Malano, CHS Medical Director, to discuss health services at the next committee meeting.

Mr. Ryan noted that the County spent thousands to provide medical treatment to inmates held in custody for a short timeframe. He noted the potential of death was based on the number of inmates that were ill and receive daily medication.

Mr. Ryan noted that a recent newspaper article claimed that 117 deaths occurred in the jail, but reality was lost in the perception of the facts. He stated that the article accounted MDCR operations from January 2000 to June 30, 2007 when 826,666 persons were processed with a percentage rate of .01%. Mr. Ryan noted the inmate's cause of deaths were as follows: (70) were natural causes; (24) HIV Aids; (25) suicide; (3) alcohol and drug addiction; (2) homicide; and

(13) had unknown causes of death. He stated that thorough investigations by Miami Dade Police Department (MDPD), the Medical Examiner, MDCR, and a medical provider did not reveal any purposeful actions to jeopardize the inmate's health.

Mr. Ryan noted that nine deaths occurred at the time of his report on July 19, 2007, and on average 16 deaths occurred annually. He noted that four additional inmates died while in custody at the MDCR and provided the background and investigation details concerning the deaths of Mr. Christopher Walls, Mr. Luis Cairo (phonetic) Mr. Victor Walcott, (phonetic), and Mr. Leon Johnson.

Mr. Ryan noted that MDRC took the necessary steps to prevent future adversities at MDCR. He noted that 5,000+ referrals were made to the mental health staff concerning potential suicidal cases. He stated that MDCR's intent was to ensure that the inmates left the premises in better health.

Chairman Moss noted that he asked for this report because the County needed to understand the issues and policies in order to assist the MDRC when addressing media publications.

Commissioner Sosa asked the Miami-Dade Department of Corrections and Rehabilitations (MDCR) Director to provide a report reflecting the average daily cost for inmates, in addition to those with mental health issues that received medical treatment in the correctional system on a yearly basis.

7C

072617 Report

ORAL REPORT RE: INMATE MEDICAL CARE

Deferred to next committee meeting

Report: Assistant County Attorney Valda Clark Christian read the foregoing Agenda Item 7C into the record.

Chairman Moss noted that a portion of the oral report regarding inmate medical care would be deferred to the next committee meeting.

7D

072618 Report

ORAL REPORT RE: COUNTY FIRE FEES (County Manager)

Deferred to next committee meeting

7E

072643 Report

REPORT RE: COSTS OF INSTALLING FIRE WELLS OUTSIDE THEIN THE URBAN DEVELOPMENT BOUNDARY (UDB) (County Manager)

Report Received

Report: *Chairman Moss asked that the County Administration identify other alternative costs for installing fire wells outside the Urban Developments Boundary (UDB)*

8 ADJOURNMENT

Report: *There being no further business to come before the Health and Public Safety, the meeting was adjourned at 4:07 p.m.*

Dennis C. Moss, Chair