



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, December 18, 2007
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Mary Smith-York, Commission Reporter (305) 375-1598



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

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: Mary Smith-York, Commission Reporter (305) 375-1598

1A MOMENT OF SILENCE

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Special Item No. 1

073712 Resolution

RESOLUTION APPROVING INTERLOCAL AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI, OMNI COMMUNITY REDEVELOPMENT AGENCY AND SOUTHEAST OVERTOWN PARK WEST COMMUNITY REDEVELOPMENT AGENCY WITH RESPECT TO EXPANSION AND EXTENSION OF TERM OF SUCH OMNI AND SOUTHEAST OVERTOWN/ PARK WEST DISTRICTS IN ORDER TO FUND CERTAIN CAPITAL PROJECTS, INCLUDING NEW MARLINS BASEBALL STADIUM, PORT TUNNEL AND MUSEUM PARK; APPROVING FIRST AMENDMENT TO THE OMNI CRA INTERLOCAL AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI AND OMNI COMMUNITY REDEVELOPMENT AGENCY; AND AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE AND DELIVER SAID INTERLOCAL AGREEMENTS (County Manager)

Amended

Report: (SEE SPECIAL AGENDA ITEM NO. 1 Amended; Legislative File No. 073749.)

Special Item No. 1 Amended

073749 Resolution

RESOLUTION APPROVING INTERLOCAL AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI, OMNI COMMUNITY REDEVELOPMENT AGENCY AND SOUTHEAST OVERTOWN PARK WEST COMMUNITY REDEVELOPMENT AGENCY WITH RESPECT TO EXPANSION AND EXTENSION OF TERM OF SUCH OMNI AND SOUTHEAST OVERTOWN/ PARK WEST DISTRICTS IN ORDER TO FUND CERTAIN CAPITAL PROJECTS, INCLUDING NEW MARLINS BASEBALL STADIUM, PORT TUNNEL AND MUSEUM PARK; APPROVING FIRST AMENDMENT TO THE OMNI CRA INTERLOCAL AGREEMENT AMONG MIAMI-DADE COUNTY, CITY OF MIAMI AND OMNI COMMUNITY REDEVELOPMENT AGENCY; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE AND DELIVER SAID INTERLOCAL AGREEMENTS; AND DIRECTING MAYOR AND COUNTY MANAGER TO INCLUDE CERTAIN PROPOSED APPROPRIATIONS IN PROPOSED BUDGETS PREPARED FOR EACH FISCAL YEAR COMMENCING FISCAL YEAR 2017 AND ENDING FISCAL YEAR 2030 [SEE ORIGINAL ITEM UNDER FILE NO. 073712] (County Manager)

*Adopted as amended
Resolution R-1372-07
Mover: Jose "Pepe" Diaz
Seconder: Bruno A. Barreiro
Vote: 9- 4
No: Sosa, Souto, Martinez, Seijas*

Report: *Honorable Carlos Alvarez, Mayor, Miami-Dade County, noted the foregoing proposed resolution was a “roadmap” describing how Miami-Dade County and the City of Miami would work together on several projects. He stated the voters approved these projects in 2004 with the passage of the General Obligation Bond (GOB) program. Mayor Alvarez advised each individual project would be brought back for public hearings and approval by this Board. Emphasizing the importance of citizen involvement and transparency, Mayor Alvarez urged the County Commission Chairman to schedule public workshops before the project agreements came back to this Board to be adopted. He pointed out that along with the Baseball Stadium, this Interlocal Agreement included the Port of Miami Tunnel, debt relief for the Carnival Performing Arts Center (PAC), funding for Museum Park, and affordable housing. Mayor Alvarez recommended the County Commission adopt the foregoing proposed resolution approving the Interlocal Agreement between the County, the City of Miami, the Southeast Overtown Park West (SEOPW) Community Redevelopment Agency (CRA), and the Omni CRA, as well as approving the First Amendment to the Omni CRA Interlocal Agreement, which would authorize the Mayor or designee to execute both agreements.*

Mayor Alvarez spoke in support of the \$50 million GOB fund allocation for the Stadium that would fund the gap due to the State’s denial of funding and project cost escalation. He pointed out Miami-Dade County would fund the stadium through the Tourist and Convention Development Taxes on Transient Rentals (bed taxes). He explained that while bed taxes could be used to fund the stadium, State law prohibited using them for basic government services (i.e. education or crime prevention). Mayor Alvarez advised that approval of this proposed interlocal agreement would also provide for the following:

- Expansion of the Omni CRA boundary to include Watson Island and Bicentennial Park, and a time extension from 2027 to 2030;*
- Expansion of the SEOPW CRA boundary and a time extension from 2017 to 2030;*
- Increased tax increment revenues from the Omni CRA to repay the County bonds and loans for the PAC;*
- Annual installments made by the Omni CRA to the City of Miami, that would cover the City’s \$50 million contribution to the Port Tunnel;*
- Appropriation by the Omni CRA to the City of Miami to fund \$68 million for capital improvements to Museum Park, and \$2 million to the Park’s capital expenditure fund; and*
- Retention of the City’s 20 percent share of Tourist Development Taxes (TDT) by the County, of which \$88 million would be applied towards the Florida Marlins Baseball Stadium.*

Mayor Alvarez noted once the City of Miami’s Street Car Project was approved by the State and the Metropolitan Planning Organization (MPO), the County would contribute \$20 million to the project, beginning in 2017. Advising that the County agreed to place an item on the agenda of the first County Commission meeting in January 2008, that considered the extension or re-conveyance of the Crosswinds property, Mayor Alvarez stated he did not support the extension or the re-conveyance of the Crosswinds property. He specified that if a binding baseball stadium agreement was not established, the funding from the Omni CRA for the PAC bonds and loans, as well as any City of Miami funding for the Marlins Stadium in this agreement, would be void. Mayor Alvarez explained the decreased construction period from 34 to 29 months increased the cost to the ballpark project approximately \$20 million. He added that although the team’s contribution was reduced from \$192 to \$155 million, the team would secure funding directly through private

financing or a combination of private financing and cash.

Assistant County Attorney Geri Bonzon-Keenan requested the foregoing proposed resolution be amended to correct the following scrivener's errors in the Interlocal Agreement:

- on handwritten page 12, Line 7: replace the word "paragraph" with the words "the First Amendment"; and*
- on handwritten page 12, Line 12: replace "2007" with "2027."*

Ms. Bonzon-Keenan further noted the following amendments were requested by Mayor Alvarez:

- on handwritten page 15, Section 11, Line 2: delete the words "though not expressly prohibited." and*
- on handwritten page 14, Section E be amended to read as follows: "The City, the County, and the SEOPW CRA agree that commencing fiscal year 2017 and ending fiscal year 2030, the amount of TIF (Tax Increment Financing) revenues collected from the projects listed in Exhibit C, budgeted annually for expenditure by the SEOPW CRA from the SEOPW CRA Trust Fund, shall not exceed 50% of increment Revenues collected from such projects in such fiscal year and deposited in the SEOPW CRA Trust Fund for such year. The City, the County, and the SEOPW CRA agree that the SEOPW CRA shall return the balance of the increment Revenues (45%) collected from the projects listed in Exhibit C for such year to each taxing authority which paid the increment in the proportion that the amount of the payment of such taxing authority bears to the total amount paid into the Trust Fund by all the taxing authorities for that year. It is the primary intent of the City and the County that SEOPW CRA Tax Increment Revenues, on deposit in the SEOPW CRA Trust Fund, will be allocated by the SEOPW CRA towards the development of affordable housing and related infrastructure in the SEOPW CRA District, in accordance with the approved SEOPW CRA Redevelopment Plan."*

Assistant County Manager Ian Yorty advised the amendments requested by Mayor Alvarez were necessary to mirror the version approved by the City of Miami on December 13, 2007, and to ensure more CRA revenues were retained within the Southeast Overtown District.

Honorable Manny Diaz, Mayor, City of Miami, appeared before the Board and advised that Miami Commission Chair Joe Sanchez and Commissioner Marc Sarnoff were in attendance, but were unable to stay due to prior obligations. He advised that the foregoing proposed resolution provided an opportunity for the County and the City to fund the priorities in this proposed resolution. Mayor Diaz advised that these priorities encompassed 25,000 jobs and billions of dollars in economic impact; they were investments that would give the City, County, region, and citizens the ability to grow and compete. He reiterated Mayor Alvarez' point, that each individual project would be subject to future public hearings by the CRAs, the County Commission, and the City Commission. Mayor Diaz summarized the proposed agreement, noting it would provide to the community the following benefits:

- 1. The expansion and three-year extension of the Omni CRA to 2030 would increase TIF revenues by \$1.8 billion over the life of the CRA;*
- 2. The agreement would provide needed resources for long-term investments into projects, such as the PAC, the Street Car, the Port Tunnel, the Museum Park, and the Marlins Baseball Stadium at the Orange Bowl;*

3. The expansion and extension of the SEOPW CRA would generate an additional \$653 million for Overtown; without the extension, the City committed to invest \$30 million (40% of current TIF revenues) into Overtown in the form of affordable/workforce housing, which would leverage an additional \$300 million in affordable/workforce housing projects for Overtown;

4. If proceeds generated from the 40% TIF revenues invested in the SEOPW CRA were also invested, Overtown would receive an additional \$262 million for more affordable/workforce housing, which could be leveraged to produce over \$2 billion for affordable/workforce housing projects for Overtown;

5. Over \$200 million could be invested for infrastructure improvements to streets and sidewalks;

6. Nearly \$100 million could be used for job creation and retention and could bring skills to the workforce; and

7. \$73 million could be used for parks.

Mayor Diaz advised that the Overtown community was the cornerstone of the proposed interlocal agreement.

City Manager, Pete Hernandez, City of Miami, appeared before the Board and noted the foregoing proposed interlocal agreement established the framework for the vision of Miami over the next forty years. He summarized how each project would benefit the City and emphasized the importance of completing the Marlins stadium process. He requested the County Commission support the foregoing proposed resolution.

Chairman Barreiro opened the meeting for public input and the following individuals appeared:

1. Captain. John Jacobson, member Biscayne Bay Pilots Association and Harbor Pilot in the Port of Miami, appeared in support of the Port Tunnel project. After commenting on how the Port of Miami was losing business to Port Everglades due to limited accessibility, he stated the Port Tunnel was the solution. He advised that the Port of Miami was approved for a 50-foot dredging project that Port Everglades had been denied. Captain Jacobson noted once this dredging project was completed, allowing large ships to bring cargo to the Port, the Tunnel would be crucial to the trucks having access to move those containers off the seaport.

Commissioner Souto referenced a radio program held yesterday (12/17), which aired calls from truckers complaining of being delayed once they were inside the Port, and asked if trucks not being delayed inside the Tunnel could be guaranteed.

2. Mr. Larry Wilker (phonetic), representing the PAC on behalf of Representative Ricky Arriola, appeared before the Board in support of the foregoing initiative. Mr. Wilker commented that the proposed agreement would be extremely helpful to the PAC in its efforts to reach out to the community. He provided a brief overview of the activities being offered at the PAC to encourage the community's involvement and participation, to benefit the Museum project, and to increase pedestrian traffic in the downtown area.

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3. Mr. Dave Patlak (phonetic), 221 Collins Avenue, appeared before the Board in opposition. He referenced a report published on the Florida Department of Transportation's (FDOT) Port of Miami website at www.portofmiamitunnel.com, and asked that the Board not include Watson Island in the Port Tunnel and SEOPW CRA and save the causeways.
4. Ms. Terry Coble, 601 N.E. 56 Street, Miami, representing the Miami Coalition for the Homeless, appeared before the Board and expressed concern that redirecting CRA funds would eliminate affordable housing for the residents of Overtown.. She asked that the Board include affordable housing in this proposal.
5. Ms. Erica Brigham, 735 2nd Street, Miami Beach, appeared before the Board in opposition to the Port Tunnel.
6. Mr. Alan Rigerman, 17910 NW 88 Avenue, appeared before the Board and requested more information be obtained before making a decision.
7. Mr. Peter England, Director Government Relations, Camillus House, 336 N.W. 5 Street, appeared before the Board in support.
8. Ms. Carina Delgado (phonetic), 2501 Brickell Avenue, representing Jump for Justice and Coalition for Public Good for Public Monies, appeared before the Board and asked that the labor unions, minority contractors, and residents be allowed to participate in the negotiation process for the foregoing proposal.
9. Mr. Fred Frost, President, AFL-CIO, 7910 NW 25 Street, Miami, appeared before the Board and spoke in support of hiring local contractors and workers to build the stadium.
10. Mr. Miguel Aregon, 10974 SW 25 Terrace, representing laborers and construction workers, appeared and spoke in support of hiring local labor for the construction of the Orange Bowl project.
11. Mr. Stephen Hagen, Chair, Parks & Public Space Committee, Miami Neighborhoods United Coalition, 725 NE 73 Street, Miami, appeared and spoke in opposition to the Museum Park. He requested the public be given an opportunity to provide input on funding issues regarding the park currently named Bicentennial Park. Mr. Hagen asked for clarification of the \$2 million capital expenditure fund and where the \$68 million dollars for landscaping was going.
12. Mr. Miguel Fuentes, Political Director, Florida Regional Council of Carpenters, 295 W. 79th Place, Hialeah, appeared in support of this proposal contingent upon local labor being used in the construction.
13. Mr. Charles Elsessor, 3000 Biscayne Boulevard, attorney representing Florida Legal Services, appeared in opposition to the extension of the SEOPW CRA.
14. Mr. Elvis Cruz, 631 NE 57 Street, Miami, appeared in opposition.
15. Mr. Gabriel Lopez Bernal, 520 Gerona Avenue, Coral Gables, appeared in support.
16. Ms. Karen Cartwright, 1770 NW 5 Avenue, Miami, appeared in support.

17. Mr. Charles Cutler, 706 NW 4 Avenue, CEO, Veterans Employment Transitions Service, appeared in support.

18. Mr. Gus Gil, 7300 SW 93 Avenue, Miami, representing the Latin Builders Association (LBA), appeared in support.

19. Mr. Kelsey Dorsette, 201 NW 7 Street, Miami, appeared in support.

20. Mr. Luis Herrera, 1181 SW 22 Terrace, Miami, appeared in opposition.

21. Mr. Phillip Baker, Center for Public Policy, appeared in support.

Upon conclusion of the foregoing, the Board proceeded with their deliberations.

Commissioner Edmonson commended County Mayor Alvarez, City of Miami Mayor Diaz, County Manager Burgess, City Manager Hernandez, and their respective staff for their hard work invested in this proposed, multi-billion dollar agreement. She noted it would be a disgrace to approve this agreement without any projects allocated for the removal of slum and blight in the Black community. Commissioner Edmonson commented that Commission members had just received a handout entitled "Large Scale Development Report," and stated she felt the County should have participated in the development of this report. She expressed concern that the Board was being asked to approve an agreement that was not equitable in providing a fair share of projects that benefited the community. Commissioner Edmonson pointed out that this agreement would take more than half a billion dollars from Overtown, one of the poorest Black neighborhoods in the County. She expressed her support for the projects in this agreement, but noted she was opposed to and would fight to prevent the taking of more than half a billion dollars from Overtown. Commissioner Edmonson said as part of the construction plan for the Overtown Metrorail Station, the County and the City of Miami took the Crosswinds lots from Black occupants through eminent domain. She stated the Crosswinds lots should not be included in this agreement and expressed concern that the approval of this agreement was dependent upon the inclusion of the Crosswinds development. She noted in July 2007, the County extended for four-months the Crosswinds reverter. Commissioner Edmonson pointed out the promises made by the President of Crosswinds in a written document, were not fulfilled. Commissioner Edmonson commented that she was informed two weeks ago that the City did not have funding for 62 units in the Crosswinds development. She stated she could not support this item unless the City honored its Crosswinds reverter agreement with the County.

It was moved by Commissioner Edmonson that the foregoing proposed resolution be amended to include the following amendments, as read into the record by Assistant County Attorney Bonzon-Keenan:

- That the Global Interlocal Agreement be amended to delete Section 8 "Extension of Reverter" from handwritten page 15; and
- That the resolution include:

1) a direction to the County Mayor or his designee to enforce the reverter on the property described in Exhibit D;

2) a direction to the County Mayor and the County Manager to include in the proposed budgets for each fiscal year commencing 2017 and ending 2030 proposed appropriations from the general fund in an aggregate amount equal to \$175 million of the SEOPW CRA Incremental Revenues returned to the County under revised Section 5(e) of the Global Interlocal Agreement for the

projects listed in Exhibit E for the removal of slum and blight in Overtown and surrounding neighborhoods:

EXHIBIT E

1. \$75 million for the development of affordable rental and homeownership projects in Overtown, including \$8 million for the Alonzo Mourning Project;
2. \$50 million for affordable rental housing/mixed use development at the MLK Transit Village;
3. \$5 million for the revitalization of the MLK Business Center;
4. \$10 million for a Children's Learning Center at Moore Park;
5. \$10 million for the Children's Zone Project;
6. \$5 million for the Haitian Community Center;
7. \$5 million for the Mama Hattie's House Project;
8. \$5 million for the Caleb Center renovations; and
9. \$10 million for an African American Museum.

This motion was seconded by Commissioner Seijas for discussion.

County Attorney Cuevas clarified that the item, as presented, contained the County Mayor's amendments as read into the record earlier.

Commissioner Seijas noted on July 24, 2007, she voted against the resolution to fund the Port Tunnel project, and expressed opposition to the MPO's October 4, 2007, pledge, by a vote of 11-3, of \$114 million from local road improvement funds. She noted the First Amendment to the Omni CRA Interlocal Agreement that made funds available for the PAC's debt was approved by the Economic Development and Human Services Committee on December 12, 2007, and it was not before the Board as a stand alone item; she questioned if it had been withdrawn.

In response to Commissioner Heyman's question as to whether the City of Miami Commission pledged to back the MPO's payment with the State of Florida's shared revenues, City Manager Pete Hernandez stated that legislation was prepared in advance of the global agreement, and that language was included in the item, which the City approved, subject to the County Commission's approval of the global agreement.

Commissioner Seijas explained she was not prepared to support every item contained in the global agreement, however, she supported Commissioner Edmonson's proposed amendment.

Commissioner Martinez expressed concern that he was not properly briefed concerning this proposed resolution. He noted he could not support this proposed resolution because he did not know its consequences.

Responding to Commissioner Martinez' question concerning the impact of no Finding of Necessity (FON) existing to expand the OMNI CRA, Assistant County Manager Ian Yorty noted the Port Tunnel and Museum Park would not receive CRA funds.

Discussion ensued between Commissioner Martinez and Assistant County Manager Yorty concerning the County Administration's short notice when apprising the County Commission of progress in the projects in this proposed resolution.

In response to Commissioner Martinez's comments concerning The Parrot Jungle project being deleted from this proposal, Assistant County Manager

Yorty explained the County determined that the deleted provision was not legally permissible.

Commissioner Sosa expressed concern regarding a Special County Commission Meeting being called to consider this proposed resolution as opposed to placing it on the regular Agenda where the four day rule could be invoked. She noted the County Administration never briefed her concerning this proposed resolution. She expressed concern regarding the County Manager's absence after he had participated in all the negotiations, and regarding this proposed resolution not following the Committee process. Commissioner Sosa noted she would not vote in favor of this proposed resolution as a global agreement since she opposed the Port Tunnel project.

Commissioner Rolle spoke in support of the Port Tunnel project, the Crosswinds development, the PAC proposal, and the Marlins Stadium. He noted he would examine the proposed amendments before making his decision.

Chairman Barreiro noted this proposed resolution was a starting point for the projects in this proposal; this proposed resolution would provide clear instruction to the County Administration and send a message to the City of Miami that the County Commission was in general agreement with the concepts in this proposal.

Following further comments by Chairman Barreiro concerning the infeasibility of commissioners being briefed on every issue and emphasizing each project would come back to the Commission separately, Commissioner Jordan emphasized local labor entities needed to provide input in the Marlins Stadium negotiations and be considered for some of the work. She suggested that Commissioner Edmonson consider the Overtown Business District as the economic developmental arm for Overtown. Commissioner Jordan questioned how the Master Plan for Overtown Development would use the projected \$600 million of increased revenue from the expansion of the SEOPW CRA, and pointed out that mixed income housing helped the economic development aspect of affordable housing. She expressed concern regarding the use of \$20 million from the SEOPW CRA for the proposed Street Car project.

Responding to Commissioner Sorenson's inquiry concerning the time sensitivity of the Port Tunnel project in this proposed resolution, City Manager Hernandez explained the State of Florida provided a December 31, 2007, deadline for the City of Miami to provide its portion of the funding for the Port Tunnel project. He clarified the \$20 million proposed to fund the Street Car project would be from funds the SEOPW CRA would remit to the County and the City of Miami. He pointed out that the Street Car project still required additional approval from the State of Florida and the Metropolitan Planning Organization, as well as an environmental impact statement and incorporation into the long range transportation plan.

Following City Manager Hernandez's explanation that the intent of handwritten page 15, No. 8, "Extension of Reverter," was to provide the City of Miami the opportunity to place an item concerning that issue on a County Commission Agenda, Commissioner Sorenson requested clarification concerning the County Administration's plans to revert the properties described in Exhibit "D."

Mayor Alvarez explained the County would file the paperwork on December 31, 2007, to revert the properties described in Exhibit "D" to the County. He pointed out that the City of Miami could place an item concerning this issue

on the County Commission Agenda at anytime. Mayor Alvarez noted he would veto any legislation that would extend the reverter date or re-convey the property.

Following comments by Commissioner Sorenson in support of this proposed resolution and comments by Commissioner Souto in opposition to this proposed resolution, Commissioner Diaz emphasized that the County's geographical location made tourism and trade the County's top industries. He provided further comments to stress the importance of the projects in this proposed resolution on the economic future of the County and its ability to compete locally and internationally. Commissioner Diaz noted this proposed resolution needed to be adopted by all the parties involved.

Commissioner Moss noted his support would be based on reviewing the Interlocal agreement. He indicated if the County was participating in these mega projects the County must ensure something to the Overtown residents. He noted the discussion in the Committee and that Commissioner Edmonson, Chair of the Economic Development and Human Services Committee, requested dedication of funds, in writing, for the projects located in Overtown. He stated Crosswinds should be a separate issue and discussed in depth in order to reach an agreement on how to move forward. In addition, he supported the other projects with the caveat that the County must do something for the Overtown residents in a written agreement; therefore, it could be enforced, if necessary. He stated the relationship between the County and the City of Miami was a promising opportunity to work together in a more congenial way to create great things for this community.

Commissioner Moss pointed out the Homestead Baseball Stadium and the utilization of this stadium for spring training by the Florida Marlins was still pending an agreement. He referred to a Sunshine meeting with Commissioner Martinez concerning the Miami-Dade Big League Baseball program and expressed his desire for County Mayor Carlos Alvarez to work with the City of Homestead to upgrade the stadium.

Commissioner Heyman noted she supported these proposed projects for the betterment of Miami-Dade County as a whole. She noted Assistant County Attorney Geri Bonzon-Keenan would read two proposed amendments into the record to solidify the County's liability and obligations.

Assistant County Attorney Geri Bonzon-Keenan stated the first amendment would be to amend Special Item No. 1. as follows:

-on handwritten page 15, to add Section 12, to read as follows: The parties hereby agree that the County shall not be liable for any of the City or the CRAs obligations under this agreement."

-on handwritten page 15, at the end of Section 10, subsection 4, to add the following language: "(5) the team shall be responsible for all costs of planning, designing, acquiring, constructing and equipping the baseball stadium that exceeded the baseball stadium project budget that excluded incremental cost to the baseball stadium that may result from delays caused by the City and/or the County as set forth in the baseball stadium agreement."

Commissioner Heyman spoke in support of public/public and public/private agreements. She stated if it was the Florida Marlins intent to assume responsibilities for the baseball stadium, then they also assumed the liability that went with it, with the exception of costs caused by the County. She concluded her comments by stating that she shared Commissioner

Edmonson's concerns.

Commissioner Gimenez expressed concern with tax increment financing and the impact of the results of the January 29, 2008, referendum concerning the property tax on funding for these projects.

Mr. Pete Hernandez, City of Miami Manager, appeared before the Board, and informed the Board members the projections made by the City were very conservative. These projections took into account the impact of a positive vote on January 29th. It did not include the potential impact of new initiatives now being discussed. In addition, the projections were based only on authorized and existing projects, as well as projects under construction. He indicated the evaluation that the City was using allowed for a four percent increase per year. Mr. Hernandez stated after the PAC, the Port Tunnel, and the Museum Park expenditures, the OMNI CRA still had other projects to complete.

Responding to Commissioner Gimenez' inquiry concerning the Port Tunnel and how much State funding was allocated for this project, Mr. Pego, District Director, Transportation Operations, stated a lot of the funding was split between the County and the State using programmatic funds, and indicated over \$400 million of State funds were committed for this project. He noted FDOT was providing funding in the amount of \$17 to \$18 million for operation and maintenance for 30 years. In addition, he indicated at the end of the concession agreement FDOT had the option on whether to renew the agreement or take-over the operation and maintenance.

Discussion ensued between Commissioner Gimenez and Mr. Pego regarding the terms of the agreement with the awarded contract for the Port Tunnel, the Board's approval of the Port Tunnel, the \$50 million pledge by the City of Miami, the concessionaire agreement to extend the prices, and the FDOT support of the Port Tunnel project.

Commissioner Gimenez discussed Bicentennial Park and the charrette he attended regarding this park. He commended the City of Miami Mayor for providing \$68 million of CRA funding for a park and noted that the County would be investing \$275 million in order to put the museum there, and attract people to Bicentennial Park.

Commissioner Gimenez noted he had a concern with the baseball stadium agreement regarding the team contribution, the increase in the price for the project, and the equity if the County was a contributing partner with the Florida Marlins on this stadium. He pointed out the public investment needed to be returned to the public and could be invested into the stadium or to fund other identified projects.

Commissioner Gimenez questioned the change made to the SEOPW CRA and what was committed for public housing.

Responding to Commissioner Gimenez' inquiry, Assistant County Attorney Geri Bonzon-Keenan noted the last sentence of Section 5(e), which was changed, specifically stated it was the primary intent of the City and the County that SEOPW CRA funds deposited in the SEOPW CRA Trust Fund, would be used by the SEOPW CRA to fund, among other things, affordable housing. In addition, once the CRA Redevelopment Plan came back to the Board for approval the Board could ensure that the affordable housing component was included in the plan because only projects that were in the plan could be funded with SEOPW CRA proceeds.

Responding to Commissioner Gimenez' inquiry regarding the \$20 million allocated for the Street Car Project, Mr. Ian Yorty, Special Assistant to the County Manager, noted the \$20 million would be funding not spent by the CRA that was remaining in the CRA Trust Fund at the end of each fiscal year. Those remaining unspent funds would be returned to the respective taxing authorities between the City and the County. Therefore, the \$20 million applied toward the Street Car project would be from Countywide revenues.

Commissioner Gimenez questioned whether the PAC, the Port Tunnel, the museum and Bicentennial Park, and all major projects would be funded from the OMNI CRA Trust Fund.

Responding to Commissioner Gimenez' inquiry, Mr. Yorty agreed those projects would be funded from the OMNI CRA.

Commissioner Gimenez discussed the cost overruns for the baseball stadium and the need to have safeguards to address any cost overruns being borne by the team, and questioned if the team accepted those safeguards.

Mr. Yorty stated the team had accepted those safeguards and provided a brief overview of the provision contained in the baseball stadium agreement.

Responding to Commissioner Gimenez' question as to whether the Port Tunnel would return to this Board for final approval, Mr. Yorty stated the Finding of Necessity and the amendment to the CRA Redevelopment Plan would come back to the Board.

A brief discussion ensued between Commissioner Gimenez and Mr. Yorty regarding the CRA and the City of Miami approval of the Redevelopment Plan amendment prior to the County approval.

Commissioner Gimenez spoke in support of the foregoing proposed resolution.

It was moved by Commissioner Diaz that the Board approve the foregoing proposed resolution as amended by Assistant County Attorney Bonzon-Keenan. This motion was seconded by Commissioner Gimenez.

Commissioner Diaz noted Section 10 (iv), under the proposed agreement entitled, Condition Subsequent, should be amended to add language to state that the County Commission shall define reasonable in negotiating the Baseball Stadium Agreement.

Chairman Barreiro announced the following Board members proposed three amendments: Commissioners Edmonson, Heyman and Diaz. He asked for a separate vote on each amendment with a final vote taken on the entire item.

Commissioner Seijas asked if Commissioner Edmonson's proposed amendment would be a substantial change to the foregoing proposed resolution.

Mr. Yorty indicated the amendments regarding the deletion of Section 8 "Extension of Reverter" would be a substantial change.

Assistant County Attorney Bonzon-Keenan noted language dealing with Parrot Jungle and the funding for Parrot Jungle via the City's Section 108 Loan was approved by the City, however, it was deleted because the CAO

found it was not legally sufficient; she deferred to the City Attorney's Office to determine whether that change was substantial as well as the amendment offered by Commissioner Edmonson regarding the deletion of handwritten page 15, Section 8 of the proposed Interlocal agreement.

Commissioner Seijas expressed her support of the baseball stadium and the amendment offered by Commissioner Edmonson

In response to Commissioner Seijas' inquiry concerning the impact of the County Commission's action on Special Item No. 1 on Agenda Item 11A9 from the December 18, 2007, Regular Board of County Commissioners meeting, County Attorney Cuevas advised the County Commission would have other options regarding Agenda Item 11A9 after acting on Special Item No. 1.

Responding to Commissioner Martinez's question concerning the approval process of this proposed resolution if the County Commission made substantial amendments, County Attorney Cuevas advised the City of Miami Commission would have to approve those amendments.

Commissioner Martinez suggested the County Commission carry over discussion on this proposed resolution to December 20, 2007.

Commissioner Sosa proposed the County Commission vote on each project in this proposed resolution separately; otherwise, the Commission should act on Agenda Item 11A9 before acting on Special Item No. 1.

Mayor Alvarez emphasized that the intent of the proposed resolution was to initiate negotiations for the projects in this proposal, except for the Omni CRA amendment. He stressed that each project would come back before the County Commission for discussion and would be a part of the annual budget process. He pointed out that this proposed resolution had no guarantees besides the City of Miami and the County initiating negotiations. Mayor Alvarez noted the County would risk withdrawal by the Florida Department of Transportation (FDOT) of the \$900 million it had earmarked for projects in this proposal, if the County Commission did not approve this proposed resolution.

Commissioner Diaz noted he would withdraw his proposed amendment in order to avoid problems that could cause the City of Miami not to adopt this proposed resolution.

It was moved by Commissioner Diaz that this proposed resolution be adopted as presented. This motion was seconded by Commissioner Sorenson.

Commissioner Edmonson expressed concern regarding the potential for her proposed amendments on the extension of the reverter to cause a motion to adopt this proposed resolution as amended to fail.

In response to Commissioner Edmonson's comments concerning the original language of this proposed resolution on handwritten page 15, No. 8 "Extension of Reverter," Mr. Hernandez explained, on December 13, 2007, the City of Miami passed the Mayor's Use Special Project for Crosswinds, and the City of Miami was asking the County Commission to approve the Crosswinds development.

Commissioner Edmonson emphasized her position that the properties described in Exhibit "D" revert back to the County on December 31, 2007.

Mayor Alvarez pointed out he did not agree with handwritten page 15, No. 8 "Extension of Reverter," however, the City of Miami had the opportunity to bring back the issue of the reverter at any time.

Responding to Commissioner Edmonson's questions concerning the City of Miami's ability to bring back the issue of the reverter, Assistant County Attorney Bonzon-Keenan clarified the County could reconvey the land to the City of Miami as long as it was vacant and the County made no findings; subsequently the City of Miami would submit an application for the reconveyance.

County Attorney Cuevas clarified the County had a procedure to review requests for County properties, which included a review by the Planning Advisory Board and an Administrative Order that vetted the property through the County departments to ensure they did not have use for the land.

Following comments by Commissioner Edmonson concerning the funding and development of the projects listed in Exhibit E, Commissioner Diaz questioned whether this proposed resolution as amended by Commissioner Edmonson would need to be approved by the City of Miami.

Commissioner Heyman noted she would withdraw her proposed amendment in order to avoid problems that could cause the City of Miami not to adopt this proposed resolution.

Assistant County Attorney Bonzon-Keenan advised Commissioner Edmonson's motion was a direction to the County Mayor and the County Manager to include in the proposed budgets for each fiscal year, commencing 2017 and ending 2030, proposed appropriations from the SEOPW CRA Increment Revenues returned to the County.

County Attorney Cuevas pointed out the issue of Parrot Jungle was not in this proposed resolution, and the City of Miami passed an agreement that included Parrot Jungle.

In response to Commissioner Diaz's inquiry, Mr. Hernandez indicated the City of Miami did not consider the Parrot Jungle issue substantial.

Commissioner Edmonson asked the County Attorney to read her proposed amendment without the language concerning the projects in Exhibit E. She noted that the properties described in Exhibit "D" would still revert back to the County on December 31, 2007.

Assistant County Attorney Bonzon-Keenan noted that the deeds would be filed by the County on the next business day following December 31, 2007, which would be January 2, 2008.

Ms. Bonzon-Keenan clarified that Commissioner Edmonson's motion would be amended as follows: section 8 of the global agreement would be deleted, and the direction to the Mayor or his designee to enforce the reverter and prepare the RFP would be amended to only give direction to the Mayor or his designee to enforce the reverter. This direction, noted Ms. Bonzon-Keenan, was to be added to the resolution.

In response to Commissioner Edmonson's questions regarding whether the City could be prevented from coming back in January to propose an extension, Mr. Cuevas noted that the agreement proposed today would allow

the City to come back. He added that the Board did not have to place the issue on the Commission agenda if it did not so desire. He noted this item would come back to the Board pursuant to paragraph 8 in the Global Interlocal Agreement.

In response to Commissioner Edmonson's question as to whether the Board currently had to put in writing that it would automatically place the item on its agenda in January 2008, Ms. Bonzon-Keenan noted that the agreement proposed today included a provision that at the first meeting in January 2008, an item would be placed on the agenda for consideration by this Board regarding reconveyance.

In response to Commissioner Edmonson's question as to whether the converter would be extended or reconveyed, Ms. Bonzon-Keenan noted that because the deeds would be filed on January 2, 2008, reconveyance would occur.

Commissioner Edmonson noted she was requesting that her colleagues vote "No." in January on reconveying the three parcels back to the City. She added that the County should place development on the property to accelerate economic development.

It was moved by Commissioner Diaz that today's meeting be extended. This motion was seconded by Chairman Barreiro and upon being put to a vote, passed by a unanimous vote of those members present.

Pointing out that the Omni and Overtown CRAs were in blighted areas, Commissioner Edmonson noted she was asking her colleagues to assist her in retaining funds within these communities. She added that the County Commission should initiate efforts to bring economic development back to Overtown, which could be accomplished with the three parcels.

Commissioner Edmonson noted that she would like for Exhibit E to remain as she had proposed it.

Commissioner Rolle noted he agreed with the categories which were included in the amendment, but that without an indication of what the funding would be used for, he could not agree with the amounts included in the amendment.

Commissioner Gimenez noted he would yield to the wisdom of the District commissioner, Commissioner Edmonson, on this issue. Concerning the second portion of Commissioner Edmonson's amendment, as he understood it, the funds involved were County funds which would come back to the County in 2017. He noted that Commissioner Edmonson could draft a resolution stating that in the year 2017, the \$175 million coming back to the County would be allocated. He noted this would start a public process during which the Board could study the relevant projects. He noted that he supported the public process.

In response to Commissioner Gimenez's question as to whether the second provision for the County Mayor to include appropriations in the proposed budgets would be included in the agreement, Ms. Bonzon-Keenan noted that it would not be included in the agreement, but would be included in the resolution.

County Attorney Cuevas clarified that Commissioner Edmonson was retaining in the resolution the prospective direction from 2017 forward that the budget

which the Manager proposed to the Board would include the expenditures in an aggregate amount equal to \$175 million for the projects listed in Exhibit E for the removal of slum and blight in Overtown and surrounding neighborhoods.

Commissioner Moss noted that if an agreement regarding this issue was not in writing and approved, it would not be implemented. He further noted he was concerned regarding the process being used regarding this issue. Commissioner Moss also noted that if resources were being generated from the Overtown CRA, something should be returned to the people in a tangible form, as opposed to in the form of promises.

In response to Commissioner Gimenez's questions as to whether Commissioner Edmonson was proposing to amend the Global Interlocal Agreement and whether the amendment would be a substantive change, County Attorney Cuevas noted Commissioner Edmonson was proposing to amend the resolution, which was part of Special Item No. 1, not the agreement. He explained that the proposed amendment to the resolution would not change the agreement; that it would add a third provision to the resolution, instructing the County Manager, prospectively, to appropriate in out year budgets.

Commissioner Gimenez noted that as he understood it, the funds belonged to the County, and the County could use the funds at its discretion. Commissioner Gimenez added that he was simply trying to ensure that changes made by the County did not result in any repetitiveness in the processes.

County Attorney Cuevas noted he concurred with Commissioner Gimenez's understanding.

Commissioner Jordan noted her concern with waiting until 2017 to include appropriations in the proposed budgets for projects in Overtown. Commissioner Jordan further noted that she agreed that the need existed to insure that the money targeted for Overtown remained in Overtown.

Commissioner Martinez asked whether by amending this resolution, Commissioner Edmonson was providing direction to the prospective County Mayor and County Manager, and whether they had to follow the direction being given.

County Attorney Cuevas noted that the prospective County Mayor and County Manager had to follow the direction being given. He added that the direction was a policy direction by the Board, prospectively, for the Manager to include funding in his proposed budget to the Board.

Commissioner Martinez noted the proposed budget would come back to the Commission for approval.

County Attorney Cuevas noted that with regard to Commissioner Edmonson's amendment, the process regarding including appropriations in the proposed budgets for projects in Overtown involved the placement of the County's share of CRA monies which had not been expended, in the County's general fund. Commissioner Martinez noted his concern with this process.

Assistant County Attorney Bonzon-Keenan noted that the monies that would come back to the County would be deemed non ad-valorem tax revenues to be

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deposited into the County's general fund and to be appropriated by the Commission as part of its normal budgetary process subject to the policy direction in Commissioner Edmonson's amendment.

Chairman Barreiro noted that the Board would now proceed to vote on Commissioner Edmonson's amendment.

The Commission proceeded to vote on Commissioner Edmonson's amendment, which upon being put to a vote, passed by a vote of 12-1 (Commissioner Souto voted no).

Assistant County Attorney Bonzon-Keenan noted that Commissioner Diaz had previously requested an amendment to add to the interlocal agreement on handwritten page 15, section 10., subsection (iv), after the last sentence, that the finding of reasonableness would be made by the Board of County Commissioners.

In response to Commissioner Diaz's question as to whether this would be substantial, Ms. Bonzon-Keenan noted that she would have to defer to the City.

Commissioner Diaz requested that his proposed amendment be withdrawn.

The Board proceeded to vote on Special Item No. 1 as amended to reflect amendments offered by the County Mayor and Commissioner Edmonson.

Hearing no further questions or concerns, the Special Meeting was adjourned at 6:59 p.m.

Special Item No. 2

073068

Resolution

Bruno A. Barreiro

RESOLUTION APPROVING DELETION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 50 -"RENOVATE THE ORANGE BOWL" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 AND APPROVING ADDITION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 50A-"MARLINS BALLPARK" TO APPENDIX A TO RESOLUTION NO. R-913-04 AFTER A PUBLIC HEARING [SEE AGENDA ITEM NOS. 11A9 AND 11A9 SUPPLEMENT]

Adopted

Resolution R-1371-07

Mover: Bruno A. Barreiro

Seconder: Rebeca Sosa

Vote: 11- 2

No: Sorenson, Souto

Report: County Attorney Robert Cuevas read the foregoing proposed resolution (Special Item No. 2) into the record.

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation.

Commissioner Sosa questioned why this meeting was listed as a special meeting when the Board already met today (12/18) and whether this bypassed the four-day rule.

In response to Commissioner Sosa, County Attorney Cuevas referenced the provision in the Board's Rules of Procedure which allowed for a special meeting to be called. He advised this required seven signatures and items to be considered were not subject to the four-day rule. Mr. Cuevas noted Special Item No. 2 was also listed on the Board's Regular Agenda and would not be subject to the four-day rule. He stated the public hearing notice was properly advertised in newspapers of major circulation.

Commissioner Sosa requested a copy of the public hearing advertisement and the date it was advertised.

The following persons appeared before the Board in connection with the foregoing proposed resolution.

Mr. Elvis Cruz, 631 NE 57 Street, appeared in opposition to the foregoing proposed resolution. He stated the electors voted to renovate the existing Orange Bowl; not to build a new facility and he urged the Board not to utilize tax dollars to fund professional sports stadiums. Mr. Cruz distributed two articles which indicated 80% of voters in the State of Florida did not approve of using public funds to build professional sports stadiums.

Ms. Alyce Wright, representing Jobs for Justice, appeared before the Board. She acknowledged the presence of members of the Public Good for Public Money Coalition, area residents surrounding the Orange Bowl Stadium, minority contractors and developers who worked in Miami-Dade County and labor unions. Ms. Wright expressed concern regarding the expenditure of public funds for the proposed Stadium and requested negotiations with the City of Miami relating to the Stadium be honored. She introduced Mr. Sam Gilmore, an officer in the Allied Minority Contractors Network of South Florida. Ms. Wright distributed to commissioners the results of a cost benefit analysis study, commissioned with Florida International University, which indicated the outcome of building a Stadium using local residents and using local businesses and ensuring these requirements were enforceable.

Mr. Sam Gilmore, 3171 NW 57 Street, representing Allied Minority Contractors, appeared before the Board. He noted the group met with the agency, developer or local community entity and requested more participation with minority contractors and with the local group that was involved. Mr. Gilmore requested the Board to allow the group to negotiate with the entities to increase local participation by minority contractors. He noted it was his understanding from the Office of Business Development that prior to preparing a disparity study, a recount had to be conducted which would take at least two years and an additional year and a half to develop a study.

Ms. Amelia Vazquez (phonetic), via an interpreter, commented on the need for jobs in the community. She noted many people in the building industry were making minimum wages and urged the Board to ensure promises of jobs

would be kept.

Ms. Rosa Argentina Dulce (phonetic), via an interpreter, requested the Board's assistance in allowing the community to participate in construction jobs.

Mr. Bill Riley, Business Manager, International Brotherhood of Electrical Workers, requested the Board's assurance that the Responsible Wage Ordinance (90-143) would be included in the project.

Mr. Fred Frost, President, South Florida AFL-CIO, appeared before the Board. He stated the AFL-CIO represented middle class employees and public funds must be used for public good and have a public purpose. Mr. Frost noted the unprecedented growth in this community over the last few years; however, the middle class was smaller today than it was 20 years ago. He stated the Board now had an opportunity to change the lives of the middle class in Miami-Dade County using public taxpayers dollars.

Chairman Barreiro relinquished the chair to Vice-Chairwoman Jordan.

Mr. Alan Riggerman, Palm Springs North, appeared before the Board. He urged the Board to be a prudent manager of public funds and noted the proposed project would address the entire Miami. Mr. Riggerman urged the Board not to vote on the proposed resolution today. He noted he spoke with Mr. Jose Abreu who supported the proposed Port Tunnel; and Ms. Truly Burton who felt some middle class and affordable housing must be included.

Mr. Charles Cutler, 706 NW 4th Avenue, appeared in support of the foregoing proposed resolution. He asked that residents of Liberty City and Overtown be involved in any coalition that was established to conduct negotiations regarding the proposed project.

Mr. Miguel Aregon, representing Laborers International of America, appeared before the Board. He noted most of the members were from local municipalities and were trained in the community. Mr. Aregon requested an opportunity for the members to work in the demolition and rebuilding of the proposed Stadium.

Mr. Samuel Alexandre, 5500 North Miami Avenue, appeared before the Board. He expressed concern regarding the lack of jobs in the community.

Mr. Nicholas Mytilio concurred with Mr. Alexandre's comments.

Mr. Hank Klein, 1 Grove Isle Drive, Chairman, Greater Miami Chamber of Commerce, appeared in support of the foregoing proposed resolution. He noted his organization represented 6,000 individuals and over 3,000 businesses located in Miami. Mr. Klein urged the Board to vote in support of the proposed resolution, noting this was a legacy-creating project that would create jobs and infrastructure.

Mr. Erin Davidson, Vice-President, Traffic Sports; and President, Miami Football Club (MFC), appeared in support of the City and County initiative to allocate land and partial funding for a soccer stadium on the Orange Bowl site. He noted Traffic Sports had organized and/or commercialized many important global soccer events and many soccer events and matches in South Florida. Mr. Davidson stated a soccer stadium on the Orange Bowl site would provide players and fans in South Florida with a true soccer home and

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ensure that the legacy of the Orange Bowl as a sports and soccer mecca would be extended to future generations. He noted Traffic Sports and MFC were prepared to work with City and County officials to move this plan forward to facilitate the growth of soccer in a meaningful way in South Florida.

Ms. Abigail Vladeck, Policy Director, Human Services Coalition, appeared before the Board. She encouraged commissioners to reflect on best practices in community development and community redevelopment. Ms. Vladeck emphasized the need to create well-paying jobs, job placement opportunities and job training opportunities that prepared people to enter these jobs. She also encouraged the City of Miami's CRA to dedicate a portion of its funds to affordable housing and job training programs. Ms. Vladeck referenced the report Mr. Frost discussed earlier regarding the self sufficiency center in Florida and indicated she would provide copies of this report to commissioners later today.

Mr. Luis Herrera, 1181 SW 22 Terrace, Miami, appeared in support of the stadium but expressed concern with using tax payers' money to build it.

Mr. Steve Hagen, 725 NE 73 Street, Miami, Chair, Parks and Public Space Committee, Miami Neighborhoods United, appeared in opposition.

Mr. Peter England, Director Government Relations, Camillus House, 336 N.W. 5 Street, appeared before the Board in support.

There being no other persons to appear in connection with this matter, the public hearing was closed.

Chairman Barreiro relinquished the Chair to Vice Chairwoman Jordan.

It was moved by Chairman Barreiro that the foregoing proposed resolution be adopted as presented. This motion was seconded by Commissioner Sosa for discussion.

Commissioner Sosa clarified the foregoing resolution was for the sole purpose of allocating General Obligation Bond (GOB) funds for the Marlins Stadium.

Chairman Barreiro affirmed Commissioner Gimenez' inquiry as to whether the Building Better Communities Citizens' Advisory Committee's (the "CAC") process was followed and whether the CAC recommended the \$50 million GOB funds be reallocated to the Marlins Stadium.

In response to Commissioner Gimenez' inquiry of the Mayor's position regarding this item, Miami-Dade County Mayor Carlos Alvarez advised he was in favor of the foregoing resolution. Mayor Alvarez further noted he would address Commissioner Heyman's concern regarding County ordinances in his opening statement for Special Item No. 1.

In response to Commissioner Moss' inquiry regarding the process leading up to the reallocation of GOB funds, Assistant County Attorney Bonzon-Keenan confirmed proper procedure was followed.

Commissioner Moss expressed his desire to ensure employment opportunities for local residents were included in all major projects approved in Miami-Dade County.

In response to Commissioner Souto's concern regarding policy governing the use of public funds, Assistant County Attorney Bonzon-Keenan advised that the Supreme Court determined a sports stadium was a public purpose. She further noted that the resolution authorizing the issuance of bonds, which was approved by the voters, also provided a process for modification to the initial project list. Ms. Bonzon-Keenan explained public monies were used to finance the Miami Arena, the Homestead Motor Sports Complex, and the American Airlines Arena.

In response to Commissioner Sorenson's question regarding how this resolution was related to the Marlins Stadium, Assistant County Attorney Bonzon-Keenan stated the reallocation of the \$50 million GOB funds in this item would be one of the funding sources for the approximately \$525 million anticipated project cost for the Marlins Stadium. She provided the following funding sources with the amounts for the Marlins Stadium project, as reflected in the Global Agreement:

- 1) Miami-Dade County (County): \$60 million from the Convention Development Tax (CDT); \$149 million from the Professional Sports Tax (PST); \$50 million from the Building Better Communities GOB program funds; and \$88 million in bond proceeds from the 20% Tourist Development Tax (TDT) designated for the City of Miami;*
- 2) The City of Miami (City): \$10 million from the Convention Development Tax (CDT); and \$13 million from Miami Sports and Exhibition Authority Reserves (MSEA); and*
- 3) The Florida Marlins (Team): \$155 million.*

Commissioner Sorenson noted she was not supportive of spending public funds for sports stadiums and emphasized that the owners possessed a large amount of money and paid the players such high salaries. She asked if the Marlins had signed this agreement already, to which Assistant County Attorney Bonzon-Keenan replied no.

Following her comments clarifying that the foregoing proposed resolution was for the sole purpose of reallocating GOB funds to renovate the Orange Bowl, Commissioner Sosa expressed support for this item.

In response to Commissioner Martinez' inquiry of what other purposes the \$50 million GOB funds could be used for, Assistant County Attorney Bonzon-Keenan advised the funds could be used for any authorized purpose that fit within the question approved by the voters.

Commissioner Edmonson referenced Project 318, the revitalization of the Martin Luther King Business Center (MLK), in District 3, for which voters approved GOB funds in the amount of \$5 million. She stated Project 318 was placed in the GOB infrastructure category; however, the County Attorney advised that this particular project should have been placed in the Outreach Facilities category. Commissioner Edmonson pointed out that she would support this item, and requested her colleagues to support her with the same effort they used in reallocating GOB funds to resolve the Orange Bowl Marlins Baseball Stadium issue. Commissioner Edmonson asked the County Attorney to prepare an item to be placed on the agenda, under her sponsorship, to place Project 318: Revitalization of the MLK Business Center, into the correct GOB funding category. She also asked that a mechanism be created under her sponsorship to ensure local participation in this stadium project.

Commissioner Seijas commented this item should have remained Agenda Item 5J on the agenda for the Regular BCC meeting. She noted she had written

down the following funding amounts as stated by the County Manager during the December 11, 2007 Government in the Sunshine Meeting: \$155 million from the Team; \$139 million PST from the County; \$60 million from the County CDT; \$60 million from the City CDT; \$48 million from TDT; \$50 million from the GOB; \$13 million from the City MSEA. She stated this was said to total \$525 million, and was unsure whether this matched the County Attorney's total. Commissioner Seijas expressed concern regarding Special Item No. 1 not being a public hearing item.

Chairman Barreiro responded to Commissioner Seijas' concern and noted that although Special Item No. 1 was not a public hearing item, he would allow those persons who had completed speaker cards to speak on the issue. He further noted each project contained in the global agreement would also be brought back before the Board individually as public hearing items.

In response to Commissioner Rolle's inquiry regarding the process for the allocation of GOB funds, Assistant County Attorney Bonzon-Keenan advised that the County Mayor and the County Manager's Office made the decision that before presenting items to this Board relating to GOB funding, they would present the items before the Citizens' Advisory Committee to determine whether they recommended the item favorably. Regarding Commissioner Rolle's question of how to expedite the construction of the Police Substation in District 2, Ms. Bonzon-Keenan advised the process would be to direct the County Attorney's Office to prepare a resolution requesting acceleration of the project or other policy direct decision. She further noted that resolution, under the Commissioner's sponsorship, would be presented to the CAC for recommendation, prior to being presented before the appropriate Commission Committee, followed by presentation before this Board for final approval.

Mayor Alvarez advised Commissioner Rolle that staff was in the process of identifying the \$5 million necessary to move the project.

Commissioner Rolle expressed concern with the lack of creativity when GOB funds needed to be identified in order to complete or expedite inner city projects and reiterated his request for clarification on the process.

In response to Commissioner Souto's request, Assistant County Attorney Bonzon-Keenan restated the sources and amounts of the proposed funding contributions for the Marlins Stadium.

In response to Commissioner Souto's concern that this resolution was not presented before the Recreation and Cultural Affairs Committee, County Attorney Cuevas advised that the Airport and Tourism Committee had jurisdiction over the Marlins' issues. He further stated items were also assigned to respective committees by the Commission Chair.

Commissioner Jordan stated for the record that based on the ballot question, the \$50 million was specifically targeted for the renovation of the Orange Bowl stadium. She noted that with the University of Miami moving out, no renovations would be made to the Orange Bowl; hence, this item would redirect those dollars for a sports facility. Commissioner Jordan commented that she wished to ensure that projects that were in the pipeline would not be impacted by this project in any way.

Chairman Barreiro stated that he believed the monies targeted for the Orange Bowl's renovation should continue to be targeted for a sports facility at that location. He noted the Orange Bowl would be a publicly-owned facility that

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would be privately managed. Chairman Barreiro stated the project would remain within the constraints of the question and pointed out that it had gone before the CAC.

It was moved by Chairman Barreiro that the foregoing proposed resolution be adopted by the Board. This motion was seconded by Commissioner Sosa, and upon the question being called, Commissioner Sorenson voted no.

In response to Commissioner Souto's request for confirmation that Special Item No. 2 was not related to Special Item No. 1, Assistant County Attorney Bonzon-Keenan advised this item (Special Item No. 2) was a stand alone item.

Commissioner Martinez advised that this item was not a stand alone because in contained part of the financing that was included in the global package. He further noted if this item failed, \$50 million would be missing from the global package.

Assistant County Attorney Bonzon-Keenan advised that if this item failed to move forward, those funds could be reallocated using the same process as that for funding the Orange Bowl.

Discussion ensued among Board members regarding whether the voting process had been completed earlier. Commissioner Souto advised that he had not voted since he required additional information regarding the foregoing resolution.

In response to Commissioner Souto's inquiry as to who owned the Orange Bowl, Chairman Barreiro stated the City of Miami was the current owner; however, if the new facility was constructed, the County would own the footprint of that facility.

Assistant County Attorney Bonzon-Keenan added that if this project moved forward, the footprint (land) where the stadium was located, and the stadium would be owned by the County. She noted the City would contribute the land to the County at no cost. In response to Commissioner Souto's question regarding Special Item No. 1, Ms. Bonzon-Keenan advised that that GOB was not a part of the global agreement.

County Attorney Cuevas advised that items being considered during this Special Meeting were Special Item No. 1 regarding the Global Agreement between the City of Miami, the Redevelopment Agencies, and the County; and Special Item No. 2 regarding reprogramming of the \$50 million GOB funds. He stated that separate and apart from that, Item 11A9 regarding the Baseball Stadium Agreement, being considered on today's Regular agenda, which was related to the \$50 million GOB funds. Mr. Cuevas explained that legally these were each separate steps being taken, in a practical sense, they all had some interrelationship regarding the stadium.

In response to Commissioner Diaz' request for clarification as to whether the voting process had been completed earlier, Mr. Harvey Ruvin, Clerk of Courts, advised that upon the Chairwoman's request for anyone wishing to vote "no," only one vote was recorded, for a total of 12-1. Mr. Ruvin advised that since then a request was made to change a vote and that under the rules, a request to change a vote could be made prior to the call of the next item. He deferred to the Chair regarding the vote, and noted he would now record the vote as 11-2.

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Vice Chairwoman Jordan accepted the final vote on the foregoing resolution to be 11-2, as recorded by the Clerk. There being no further questions or comment regarding this matter, the Board proceeded to the next item on today's agenda.

10/30/2007 Forwarded to BCC without a recommendation from the Airport and Tourism Committee

ADJOURNMENT

Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK

By:

 Kay Sullivan, Deputy Clerk