



**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

January 17, 2008
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





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, January 17, 2008

2:00 PM

COMMISSION CHAMBERS

Members Present: Carlos A. Gimenez, Sally A. Heyman, Dennis C. Moss, Rebeca Sosa.

Members Absent: Jose "Pepe" Diaz.

Members Late: None.

Members Excused: None.

Members Absent County Business: Javier D. Souto

1 MINUTES PREPARED BY:

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

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Alina Hudak, Assistant
County Attorney Gerald Sanchez, and Deputy
Clerks Doris Dickens and Mary Smith-York.*

*Assistant County Attorney Sanchez asked that
agenda item 2B be deferred to the next committee
meeting (2/14), as requested by Commissioner
Jordan.*

*It was moved by Commissioner Heyman that
today's agenda be accepted with the changes
requested by Assistant County Attorney Sanchez.
This motion was seconded by Commissioner Sosa,
and upon being put to a vote, passed unanimously
by those members present.*

2 COUNTY COMMISSION

2A

073228 Resolution Sen. Javier D. Souto

RESOLUTION DIRECTING CLERK OF THE BOARD TO
PROVIDE A QUESTIONNAIRE TO EACH CANDIDATE
FOR MEMBERSHIP ON COUNTY BOARDS
REQUESTING CERTAIN INFORMATION REGARDING
ANY CONFLICT OF INTEREST OR POTENTIAL
CONFLICT OF INTEREST WHICH MAY ARISE FROM
SERVICE ON THE COUNTY BOARD TO WHICH SHE OR
HE MAY BE APPOINTED AND TO PROVIDE
CANDIDATE'S RESPONSE TO THE BOARD PRIOR TO
ANY APPOINTMENT

Amended

Report: (SEE AGENDA ITEM 2A AMENDED;
LEGISLATIVE FILE NO. 080219.)

2A AMENDED

080219 Resolution

Sen. Javier D. Souto

RESOLUTION DIRECTING CLERK OF THE BOARD TO PROVIDE A QUESTIONNAIRE TO EACH CANDIDATE FOR MEMBERSHIP ON COUNTY BOARDS REQUESTING CERTAIN INFORMATION REGARDING ANY CONFLICT OF INTEREST OR POTENTIAL CONFLICT OF INTEREST WHICH MAY ARISE FROM SERVICE ON THE COUNTY BOARD TO WHICH SHE OR HE MAY BE APPOINTED AND TO PROVIDE CANDIDATE'S RESPONSE TO THE BOARD PRIOR TO ANY APPOINTMENT [SEE ORIGINAL ITEM UNDER FILE NO. 073228]

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

Mover: Heyman

Seconder: Sosa

Vote: 4-0

Absent: Souto, Diaz

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

Commissioner Sosa asked that the foregoing proposed resolution be amended to clarify that the Ethics Commission would prepare the questionnaire and provide it to the Clerk's Office.

Mr. Robert Meyers, Executive Director, Commission on Ethics & Public Trust (COE), noted he supported the amendment. Responding to Commissioner Gimenez' concern with several conflict of interests, Mr. Meyers advised he preferred the COE be allowed to offer the Committee its findings and recommendations as to whether the candidate was suitable to serve on a County Board.

Hearing no further questions or concerns, the Committee proceeded to vote.

The foregoing proposed resolution was forwarded to the BCC with committee amendments to insert the language "...prepared by the Ethics Commission..." in Section 2.

2B

080104 Resolution

Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MANAGER TO STUDY THE FEASIBILITY AND ADVISABILITY OF REPOSITIONING COMPUTERS AND PRINTERS LOCATED WITHIN MIAMI-DADE COUNTY POLICE PATROL VEHICLES TO ALLOW A SECOND OFFICER TO SIT IN THE FRONT RIGHT PASSENGER SEAT

*Deferred to February 14, 2008**Mover: Heyman**Secunder: Sosu**Vote: 4-0**Absent: Souto, Diaz*

Report: *During consideration of today's (1/17) agenda, Assistant County Attorney asked that agenda item 2B be deferred to the next committee meeting (2/14), as requested by Commissioner Jordan.*

3 DEPARTMENTS

3A

073205 Ordinance

ORDINANCE RELATING TO FIRE PREVENTION AND SAFETY; AMENDING ARTICLE III OF CHAPTER 14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SOUTH FLORIDA FIRE PREVENTION CODE; CREATING SECTION 14-66 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO INSTALLATION, OPERATION, MAINTENANCE, TESTING AND SUPERVISION OF FIRE ALARM SYSTEMS; CREATING SECTION 14-67 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO INSTALLATION, OPERATION, MAINTENANCE, TESTING, AND SUPERVISION OF SPRINKLER SYSTEMS, FIRE PUMPS, AND OTHER FIRE EXTINGUISHING SYSTEMS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Miami-Dade Fire and Rescue Department)

Withdrawn

Report: *(SEE AGENDA ITEM 3A SUB; LEGISLATIVE FILE NO. 080101)*

3A SUB

080101 Ordinance

ORDINANCE RELATING TO FIRE PREVENTION AND SAFETY; AMENDING ARTICLE III OF CHAPTER 14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SOUTH FLORIDA FIRE PREVENTION CODE; CREATING SECTION 14-66 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO INSTALLATION, OPERATION, MAINTENANCE, TESTING AND SUPERVISION OF FIRE ALARM SYSTEMS; CREATING SECTION 14-67 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO INSTALLATION, OPERATION, MAINTENANCE, TESTING, AND SUPERVISION OF SPRINKLER SYSTEMS, FIRE PUMPS, AND OTHER FIRE EXTINGUISHING SYSTEMS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 073205] (Miami-Dade Fire and Rescue Department)

Deferred to February 14, 2008

Mover: Gimenez

Seconder: Heyman

Vote: 4-0

Absent: Diaz, Souto

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

Chairman Moss opened the public hearing, and there being no person to appear, the public hearing was closed.

Commissioner Sosa expressed concern that this ordinance lacked language to prevent alarm maintenance costs from escalating. Commissioner Sosa asked the County Manager, the County Attorney, and the Fire Chief to perform a cost analysis and to develop appropriate language, for committee review, providing for a cost controlling mechanism to cap costs to business owners. Commissioner Moss noted he understood the provisions of this proposal to include a maintenance agreement that applied maintenance charges when a service was rendered, rather than on a monthly basis. He requested clarification as to whether business owners would have a choice of entering into a contract with monthly charges or a maintenance agreement that charged for services only when they were provided.

Fire Chief Herminio Lorenzo, Miami-Dade Fire Rescue, concurred that businesses and commercial entities required, by law, to have an alarm and/or sprinkler system, had two options for establishing a maintenance service agreement. He noted the issue surfaced because business owners failed to repair alarm/sprinkler systems when they malfunctioned; opting to pay for Fire Watch

service instead, which lasted indefinitely. He further noted Florida Statutes currently required all new buildings to comply with the same fire alarms/sprinkler systems requirements as proposed for existing buildings in this ordinance, without the caveat allowing for payment at time of service. Chief Lorenzo explained the two (2) options included in the proposed changes to Chapter 14 as follows:

- 1) Extended Warranty option – a specific amount paid upfront would cover any maintenance service required during the contract period;
- 2) Service Agreement option – a specific alarm maintenance contractor would be paid, at a pre-established rate and cost for parts, only when service was provided for system malfunction.

Chief Herminio advised the proposed ordinance would provide for an 18-month implementation process, with the option for an 18-month extension at the owner's request. He stated he felt this was a good change to the County Code and recommended approval of this ordinance.

Commissioner Gimenez noted he supported this ordinance but was opposed to including price controls. He explained that competition in the marketplace would dictate the price, since several companies provided this service.

Commissioner Heyman expressed concern that tenants would bear the sole responsibility of complying with this ordinance, and that provider companies would be required to purchase occupational licenses from the County and the State.

Commissioner Sosa asked that an amendment also be made to handwritten page 12, Section 14-66, Subsection (4) (a), deleting all occurrences of the language "five hundred forty-five (545) days" and inserting the language "three (3) years."

Commissioner Heyman asked Chief Lorenzo to provide a report detailing whether a fee would be charged for the fire and sprinkler system service contract. She asked that this report also identify the location and nature of the problem for the approximately 6,000 false alarm calls.

Commissioner Gimenez asked Chief Lorenzo to research and develop a sampling of companies with current contracts to service alarm and sprinkler systems in the County, and to report

back the different payment terms on those contracts.

It was moved by Commissioner Gimenez that the foregoing proposed ordinance be forwarded without a recommendation to the County Commission with committee amendment(s). This motion was seconded by Commissioner Sosa for discussion.

Commissioner Heyman stated she was opposed to forwarding this ordinance to the County Commission without a recommendation and noted she would be supportive once she received the requested information.

Commissioner Gimenez withdrew his motion, and moved to defer the foregoing proposed ordinance to the next committee meeting. He asked that the Administrative staff be directed to bring back the requested information at that time.

Chairman Moss asked Chief Lorenzo to meet individually with each commissioner requesting information prior to presentation before the full committee.

Hearing no further questions or comments, the Committee proceeded to vote on the motion to defer the forgoing proposed ordinance.

3B

073683 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 30318-30320 OLD DIXIE HIGHWAY, HOMESTEAD, FL, WITH HART PROPERTIES I, LTD., A FLORIDA LIMITED PARTNERSHIP, BY NOBLE PROPERTIES, INC., A FLORIDA CORPORATION ITS GENERAL PARTNER FOR PREMISES UTILIZED BY THE MIAMI-DADE POLICE DEPARTMENT FOR A SUBSTATION; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Forwarded with a favorable recommendation
Mover: Heyman
Seconder: Sosa
Vote: 4-0
Absent: Souto, Diaz

Report: Assistant County Attorney Gerald Sanchez read the foregoing proposed resolution into the record.

Hearing no questions or concerns, the committee proceeded to vote on the foregoing proposed resolution as presented.

3C

080063 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN AMERICAN RED CROSS OF GREATER MIAMI AND THE KEYS AND MIAMI-DADE COUNTY TO PROVIDE ASSISTANCE IN ORGANIZING AND STAGING THE 2008 HURRICANE PREPAREDNESS EXPO AND EXPOS IN SUCCEEDING YEARS IN AN AMOUNT NOT TO EXCEED \$45,000 AND AUTHORIZING THE COUNTY MAYOR TO EXERCISE ANY NEEDED AMENDMENTS OR EXTENSIONS PROVIDED IN THE AGREEMENT (Dept. of Emergency Management & Homeland Security)

Forwarded with a favorable recommendation

Mover: Heyman

Secunder: Sosa

Vote: 4-0

Absent: Souto, Diaz

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

Hearing no questions or concerns, the committee proceeded to vote on the foregoing proposed resolution as presented.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

080047 Report

CLERK'S SUMMARY OF MINUTES FOR NOVEMBER 28, 2007 HEALTH AND PUBLIC SAFETY COMMITTEE MEETING (Clerk of the Board)

Approved

Mover: Sosa

Secunder: Heyman

Vote: 4-0

Absent: Souto, Diaz

7 REPORTS

7A

073762 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2008 -
DADE-MIAMI CRIMINAL JUSTICE COUNCIL

Report Received

Report: *Assistant County Attorney Gerald Sanchez read the foregoing proposed report into the record.*

Hearing no questions or concerns, the committee proceeded to vote on the foregoing proposed resolution as presented.

7B

080069 Report

REPORT RE: EDUCATION CAMPAIGN TO PREVENT
VEHICLE BACKOVER INJURY OR DEATH TO
CHILDREN (County Manager)

Report Received

Report: *Assistant County Attorney Gerald Sanchez read the foregoing proposed report into the record.*

Hearing no questions or concerns, the committee proceeded to vote on the foregoing proposed resolution as presented.

7C

080070 Report

REPORT RE: INDEPENDENT STUDY ON THE EFFECTS
OF TASER ON HUMANS (County Manager)

Report Received

Report: *Assistant County Attorney Gerald Sanchez read the foregoing report into the record.*

Assistant County Manager Alina Hudak introduced Mr. Jim Cronin (phonetic), Dr. Geoff Alpert, and Dr. Gary Vilke to present the foregoing report. She provided a historical overview of the timeframe of the events following the initial request to study the effects of taser guns on human beings, sponsored by Commissioner Moss.

Chairman Moss commended Miami-Dade Police Department (MDPD) Director Robert "Bobby" Parker, and staff, for diligently working on the "Stefford Henry" (phonetic) case and bringing it to conclusion with an arrest.

Mr. Parker thanked Commissioner Moss for the recognition, and attributed the successful arrest to the efforts of MDPD's investigating detectives; the Federal Department of Alcohol, Tobacco, & Firearms/Explosives (ATF), and the New York Police Department.

Mr. Jim Cronin, Senior Research Associate, Police Executive Research Forum, Washington, D.C., appeared before the Committee and presented a Power Point presentation illustrating the effects of tasers on humans.

Dr. Geoff Alpert, Ph. D., University of South Carolina, appeared before the Committee and presented a survey of newspaper articles regarding the use of tasers, and reported the basis of those articles.

Dr. Gary Vilke, MD, Board Certified Emergency Physician, State of California, appeared before the Committee and noted he was involved with "sudden death in custody" research over the past twelve years, which recently had focused on the taser. He presented the health effects of the tasers to the muscles, skin, skeletal system, brain and central nervous system, as well as the psychological effects.

Dr. Bruce Simon, Director, Miami-Dade County

Health and Public Safety Committee

Meeting Minutes

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Medical Examiner (ME), noted he opposed the use of taser and provided a brief overview of the findings of a study on tasers conducted by the ME.

Chairman Moss asked Assistant County Manager Alina Hudak to meet with him to discuss plans for inviting today's speakers (Dr. Bruce Hyma, Chief Parker, and Chief Lorenz) to attend a follow-up workshop.

7D

080127 Report

ORAL REPORT RE: THE INCREASE IN PARKING FEES
AT JMH (County Manager)

Report Received

Report: Ms. Jeanette Nunez, Vice President, Government Relations, Jackson Health System, appeared before the Committee on behalf of JMH President Marvin O'Quinn. She presented a brief overview of the increased parking rates. Ms. Nunez advised that disabled persons were not charged parking fees and pointed out that the majority of patients paid only one additional dollar (\$1) over the previous amount. She provided a detailed explanation as to why parking rates were increased.

Commissioner Gimenez asked JMH Director O'Quinn to prepare a report detailing how the parking structure works, the differences between the old and new parking structures, and what protections were in place for the most needy population, and to bring it back to this committee.

Chairman Moss asked that the Director provide him with a written report address all the concerns raised by commissioners regarding this presentation today.

8 ADJOURNMENT

Report: There being no further business to come before the Health and Public Safety Committee, the meeting was adjourned at 4:18 p.m.



Dennis C. Moss, Chair