



**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, February 19, 2008  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division

Jill Thornton, Commission Reporter  
(305) 375-2505



**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.

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**Members Absent County Business:** None.

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**1**      **MINUTES PREPARED BY:**

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

**1A**      **MOMENT OF SILENCE**

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

**1B**      **PLEDGE OF ALLEGIANCE**

**1C**      **ROLL CALL**

**Report:** *The following staff members were present: County Manager George Burgess; Assistant County Managers Susanne Torriente, Alex Munoz and Ysela Llori; County Attorney Cuevas, County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams; Assistant County Attorneys Joni Armstrong-Coffey, and Deputy Clerks Kay Sullivan and Jill Thornton.*

**1D**      **REPORTS OF OFFICIAL BOARDS**

1D1

**080370**

**Report**

CHARTER REVIEW TASK FORCE FINAL REPORT -  
JANUARY 29, 2008

*Presented*

**Report:** Mr. Victor Diaz, Chairman, Charter Review Task Force (CRTF), presented the CRTF's final report and recommendations. He noted the CRTF submitted its final report to the County Commission on January 29, 2008, which contained eighteen (18) proposed ballot questions and recommendations. He noted the recommendations were not necessarily comprehensive or complete, but were significant in moving this County towards a more representative, transparent, and efficient government. Mr. Diaz indicated, although the CRTF recognized its role as purely advisory to the County Commission, it held an open public process throughout the Charter review, with over 9,000 County residents participating. He indicated this community strongly desired to see reform and improvement in County government, and noted the opportunity existed for the County to engage in meaningful reform. Chairman Diaz highlighted the following CRTF recommendations:

*Recommendation 4 – recommended the terms and conditions of the Office of County Commission be changed to a full-time position, responsible for administering a \$7.3 billion budget affecting over two million residents; and recommended fair salary, based on the State Statute Formula, with term limits, and a restriction on outside employment;*

*Recommendation 5 – recommended an independent task force be appointed to study, prepare and submit a comprehensive plan for countywide municipal incorporation by 2009, subject to change by a 2/3s vote of the Commission, and that it be placed before the voters by 2010;*

*Recommendation 8 – recommended that the current process used for charter review become the process for appointment of future charter review task forces, with the ability to engage in meaningful, ongoing reform of county government; and that future charter review task forces be given the right to place questions directly on the ballot, based on a super majority vote of the task force;*

*Recommendations 9, 10, 11, 12, 13 and 18 - these recommendations provide for the rules that allow citizens to petition local government for reform to be set only by the people of Miami-Dade County, and that some of the current rules in the Code be placed into the Charter.*

*Mr. Diaz explained that based on these recommendations the rules pertaining to the regulation or limitation of citizens' rights to petition for charter or citizen initiative reform in the future would be placed before the voters, and only the voters would be allowed to regulate or limit their power to ask for reform.*

*Regarding recommendation 5, Mr. Diaz noted a proliferation of municipalities and incorporation movements had occurred since the Charter was originally drafted. He noted this recommendation would allow the County Commission to focus its energy on regional issues like transportation, economic development, public housing, and safety.*

*Recommendation 16 - pertaining to the movement of the Urban Development Boundary (UDB) line. Mr. Diaz noted the CRTF recommended the requirement for moving the UDB line on a project by project basis be increased to require a ¾ vote of the County Commission to avoid piecemeal movement. He noted the CRTF recognized the current UDB line might not necessarily be drawn in a holistic, intelligent and comprehensive fashion, and*

felt it should be reviewed by an independent body every five years to make recommendations for changes, subject to Board approval and placed before the voters to allow citizens the right to participate in the process.

Chairman Diaz expressed gratitude to CRTF members for engaging in this process and recognized the following members who were present: Mr. Richard Kuper, Mr. Jorge Luis Lopez, and Commissioner Gimenez. He also expressed appreciation to the following staff members for their assistance to the CRTF: Mayor Alvarez and his staff, County Manager George Burgess, Assistant County Manager Susanne Torriente, Assistant to the County Manager Maggie Fernandez; Office of Strategic Business Management Director Jennifer Glazer-Moon and her Assistant Vivian Duyos; and County Attorneys Cynthia Johnson-Stacks, Joni Armstrong-Coffey, Willie Ferre and Monica Rizo.

Chairman Diaz expressed gratitude to the Board of County Commissioners for allowing this community the opportunity to engage in a meaningful and thoughtful process to discuss how to improve county government. Chairman Diaz asked the Board to engage in the Charter review process and answer the sentiment for Charter reform for a more representative, transparent, efficient and responsive county government.

Commissioners Diaz and Sorenson expressed appreciation to Chairman Diaz for his extraordinary leadership in this process, and to all CRTF members for their oversight and consideration of some very complex issues.

Commissioner Gimenez expressed appreciation to each Commissioner for their appointments to the CRTF; and renewed his commitment to the CRTF that he would put forth these recommendations.

Commissioner Seijas expressed gratitude to Chairman Diaz for his leadership, but expressed disappointment with the CRTF's failure to clarify the Charter as it pertained to the balance of powers between the Board of County Commissioners and the Strong Mayor; and failure to address other important charges and issues.

Commissioner Sosa expressed appreciation to Chairman Diaz and CRTF members for their dedicated time. She noted the difficulty of analyzing government actions for the betterment of this community. She asked those CRTF members present today to come forward and be recognized.

Commissioner Heyman expressed appreciation to Chairman Diaz and all CRTF members for the time they sacrificed to participate in the charter review process. She stated she read all of the CRTF recommendations and her staff attended all of the meetings. She noted she hoped the CRTF members would stay engaged in this process as the Board deliberated. Commissioner Heyman indicated her only concern was the time frame for moving these recommendations forward; and receive community input and place them timely on a scheduled election ballot.

Commissioner Moss expressed appreciation to Chairman Diaz and all CRTF members. He noted that he purposely stayed out of this process and relied on his appointee, and that he would give full consideration to every recommendation.

Commissioner Edmonson commended Chairman Diaz and the CRTF for their

time and effort given to this process. She noted she also chose to stay out of this process and relied on her appointee to represent the community to the best of his ability. She stated that she considered the CRTF members a group of very intelligent people who worked hard for this community and served it well.

Commissioner Souto commended Chairman Diaz and the Task Force for doing an excellent job. He noted he had the pleasure of serving as a member of the CRTF until Mr. Jorge Lopez was appointed in his place.

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

1E1

080412      Citizen's Presentation      Bruno A. Barreiro

PRESENTATION BY TERESA DESCILO, EXECUTIVE DIRECTOR OF VICTIM SERVICES RE: THE TRAUMA RESOLUTION CENTER *Presented*

**Report:** Ms. Teresa Descilo, Executive Director, Victim Services of Miami, provided an overview of the Victim Services-Trauma Resolution Center (TRC). She noted this agency had seen major accomplishments in the mental health care of victims since it was established, and was commended by the Substance Abuse and Mental Health Services as a model in delivering services for trauma impact relief. Ms. Descilo noted the TRC served several victims of traumatic or violent events and addressed a wide array of mental and substance abuse related trauma. She stated this program was an extremely economical model that merited national attention and its' services were critical. She further noted the TRC had been plagued with funding problems and funding sources no longer existed, and that its admission would close in ten (10) days if sufficient funding was not provided. Ms. Descilo requested the County Commission continue its support of the TRC services.

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1E2

**080413      Citizen's Presentation**

**Carlos A. Gimenez,  
Jose "Pepe" Diaz,  
Audrey M. Edmonson,  
Joe A. Martinez,  
Dennis C. Moss,  
Dorrian D. Rolle,  
Rebeca Sosa,  
Sen. Javier D. Souto**

PRESENTATION BY CHRISTINE MORIN, DIRECTOR OF  
CITY YEAR IN MIAMI AREA

*Presented*

**Report:** Commissioner Gimenez introduced Ms. Christine Morin as Director of City Year of Miami.

*Ms. Christine Morin, Director, City Year in Miami Area, expressed appreciation to the County Commission, and especially to Commissioner Gimenez for providing this opportunity to share the City Year program in hopes of bringing it to Miami-Dade County schools and communities. She introduced Ms. Jeanne Hernandez as Comcast representative and founding member of City Year to make a presentation.*

*Ms. Jeanne Hernandez, Comcast Representative, Community and Governmental Affairs Director, appeared before the Board and noted Comcast was a founding member and national partner of City Year, and had a long-standing tradition of investing back into the local communities it served through community programs and partnerships. She further noted Comcast recognized the vibrancy of a community was essential to its success and committed to work proactively with communities, using resources to enhance communities and develop leadership of young core members. Ms. Hernandez asked all City Year members between the ages of 17 and 24, present in the audience, to stand and be recognized. She also asked the County Commission to embrace the City Year program along with Comcast. Ms. Hernandez noted it was the hope of Comcast that City Year would raise about \$1 million in federal dollars annually, to provide Miami-Dade County's young citizens with many opportunities.*

*Following a short video presentation on City Year, Ms. Hernandez expressed appreciation to the County Commissioners for their time and effort in making Miami-Dade County a better place. She asked for their support in helping City Year become a nationwide model program.*

*Mr. Aaron Gouges, representing City Year, appeared before the Board and shared his experiences and achievements while participating in the City Year program.*

*Ms. Annie Stamps, City Year in Miami startup team member, appeared before the Board and noted, upon graduating from high school and researching many organizations, she was accepted to serve in City Year in Rhode Island. Ms. Stamps stated she jumped at the chance to come back to Miami and serve her community and was proud to be part of the City Year in Miami efforts to inspire young people to serve along with her in Miami-Dade-County.*

*Commissioner Gimenez acknowledged City Year as a great, volunteer-based program. He noted City Year was requesting the County Commission to sponsor a letter of support for a federal grant application and free transit passes for the 80 plus volunteers serving in Miami. Commissioner Gimenez stated he would sponsor an item that reflected both requests.*

*Commissioner Jordan pointed out that Greater Miami Service Corp was created based on the City Year model, and she was familiar with the City Year organization. She shared her experience with City Year recruits in New York in 1990, and indicated that City Year was a fine-tuned organization, supported by New York City, with a \$10 million budget at that time. Commissioner Jordan advised that the County already provided free bus passes to the Greater Miami Service Corp students, and she would support providing free transit passes to City Year volunteers as well. She welcomed City Year to Miami, and spoke in support of Commissioner Gimenez'*

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*recommendations, adding she did not want to lose site of the County's existing local organization-Greater Miami Service Corp.*

*Commissioners Edmonson, Martinez, Rolle, Diaz, Moss, Souto and Sosa asked to be added as co-sponsors to the forthcoming item sponsored by Commissioner Gimenez that would provide City Year of Miami with a letter of support and free transit passes.*

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

**Report:** County Attorney Robert Cuevas requested, in addition to the changes listed in the County Manager's Memorandum of Changes, that Agenda Item 11A1 be deferred as requested by Commissioner Diaz; that Agenda Item 11A9 be deferred as requested by Commissioner Souto; and that Agenda Item 12B4 be withdrawn as requested by the County Manager. Additionally, he noted Commissioner Seijas requested her name be removed from the Pull List for agenda item 11A3, which was listed in error; Commissioner Gimenez requested his name be added to the Pull List for Agenda Items 8M3A, 8M3B, and 12B1; and Commissioner Heyman requested that she be added as a co-sponsor to Agenda Items 11A1, 11A2 and that her name be added to the Pull List for Agenda item 8M3A.

Commissioner Martinez requested Agenda Item 12B4 remain on the Pull List and that his name be added to the Pull List for that item.

Chairman Barreiro noted, if there were no objections, Agenda Items 14A1, 14A2 and 14B1 would be released from the Pull List.

Commissioners Moss and Rolle requested Agenda Item 14B1 remain on the Pull List.

Commissioner Rolle released Agenda Item 14A1 from the Pull List, and asked that the Office of Strategic Business Management Director provide him with a map indicating how the CRA would impact the four districts referenced in this item.

Chairman Barreiro announced that Agenda Items 12B4, 14B1 and 14A2 would remain on the pull list, and Agenda Item 14A1 would be released.

Following County Attorney Cuevas' comments that Agenda Item 15D1 needed to be decided by ballot, and not by motion, Chairman Barreiro stated he would announce the result of the ballot vote once all the Clerk received all of the ballots.

County Attorney Cuevas announced the agenda items to be considered in today's meeting were those items listed in the printed final agenda, along with the additions noted in the County Managers' Memorandum, and those requested by the Commissioners. He noted the Board would approve all items in a single vote by setting the agenda, except ordinances for first reading, public hearings, ordinances for second reading, Agenda Items 16B1, 16B2, 16B3 and the following Pull List items: Agenda Items 8M1A (time certain), 8M3A, 8M3B, 11A8, 11A11, 11A12, 12A2, 12B1, 12B2, 12B3, 12B4, 14A2, 14B1 and 15D1.

It was moved by Commissioner Diaz that today's agenda be approved with the changes listed in the County Manager's Memorandum entitled "Changes for the February 19, 2008 BCC Meeting," along with the additional changes noted by County Attorney Cuevas and those requested by the Commissioners. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 13-0.

**1G      OFFICE OF COMMISSION AUDITOR**

**1H**      **OFFICE OF INTERGOVERNMENTAL AFFAIRS****1I**      **SPECIAL PRESENTATIONS**

111

**080440**      **Special Presentation**      **Dennis C. Moss**

GALATA INC, PRESENTATION REGARDING GALATA &      *Presented*  
2007 NATIONAL LEADERSHIP CONFERENCE OF HAITIAN  
MAYORS

**Report:** *A representative of Galata, Inc provided a brief overview of the 2007 National Leadership Conference of Haitian Mayors project. He noted Galata was a multicultural service corporation, and the purpose of this project was to bring Haitian representatives to Miami and provide them with leadership development, education and information on Disaster Relief. He further noted Haiti now held seats in the World Conference of Black Mayors and the World Conference of Mayors, which were held in Haiti last November. He expressed appreciation to County Commissioners for their support of this organization, and presented Commissioner Moss with a certificate of appreciation recognizing his generous support.*

*Commissioner Moss noted he accepted this award on behalf of the entire Board of County Commissioners, and commended Galata, Inc for their work in Miami-Dade County.*

**2**      **MAYORAL ISSUES****2A**      **MAYORAL VETOES****2B**      **MAYORAL REPORTS**

2B1

**080467**      **Report**

APPROVAL OF DEPARTMENTAL AGENDA ITEMS (Mayor)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

**3**      **CONSENT ITEMS****4**      **ORDINANCES FOR FIRST READING**

4A

**080296 Ordinance**

ORDINANCE GRANTING PETITION OF SOUTH KENDALL COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT" OR "PETITIONER") TO EXPAND THE BOUNDARIES OF THE DISTRICT ESTABLISHED BY ORDINANCE NO. 04-107; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading  
Public Hearing: March 4, 2008  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 12- 0  
Absent: Seijas*

**Report:** *The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Board of County Commissioners on March 4, 2008 at 9:30 a.m.*

4B

**080271 Ordinance**

ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF HOMESTEAD, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 6.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE, UTILITY TAX AND CIGARETTE TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING THAT THE ORDINANCE WILL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF CERTAIN EVENTS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (County Commission)

*Adopted on first reading  
Public Hearing: April 15, 2008  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 12- 0  
Absent: Seijas*

**Report:** *The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Governmental Operations and Environmental Committee on April 15, 2008 at 9:30 a.m.*

**2/11/2008** Requires Municipal Notification by the Board of County Commissioners to the Governmental Operations and Environment Committee

4C

**080389 Ordinance Sen. Javier D. Souto**

ORDINANCE REQUIRING PERSONS SELLING BICYCLES AT RETAIL NOT TO SELL A BICYCLE UNLESS THE BUYER ALSO PURCHASES BICYCLE LIGHTS AND REFLECTORS; PROVIDING EXCEPTIONS; AMENDING CHAPTER 8CC TO PROVIDE ENFORCEMENT UNDER THAT PROVISION; PROVIDING PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: March 12, 2008  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 12- 0  
Absent: Seijas*

**Report:** *The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Economic Development and Human Services Committee on March 12, 2008 at 9:30 a.m.*

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4D

080392 Ordinance Joe A. Martinez

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE COUNTY COMMISSION; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT ANY ITEM ON THE COMMISSION AGENDA THAT HAS BEEN AMENDED IN COMMITTEE SHALL SO INDICATE ON THE COVER MEMORANDUM AND INCLUDE A BRIEF DESCRIPTION OF THE AMENDMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: March 11, 2008
Mover: Joe A. Martinez
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Seijas

Report: The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Budget and Finance Committee on March 11, 2008 at 2:00 p.m.

4E

080406 Ordinance Bruno A. Barreiro, Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Katy Sorenson

ORDINANCE CREATING ARTICLE IX OF CHAPTER 11A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING HEALTH INSURANCE ELIGIBILITY AND OTHER BENEFITS TO THE DOMESTIC PARTNERS OF MIAMI DADE COUNTY EMPLOYEES; PROVIDING FOR THE REGISTRATION OF DOMESTIC PARTNERSHIPS; ESTABLISHING DOMESTIC PARTNER RIGHTS OF VISITATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: March 12, 2008
Mover: Katy Sorenson
Seconder: Sally A. Heyman
Vote: 8- 4
No: Rolle, Souto, Martinez, Diaz
Absent: Seijas

Report: The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Economic Development and Human Services Committee on March 12, 2008 at 9:30 a.m.

4F

080410 Ordinance Bruno A. Barreiro, Barbara J. Jordan

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE COUNTY COMMISSION; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, REGARDING THE COMMISSION AGENDA, AUTHORITY TO SPONSOR AGENDA ITEMS AND THE DISPOSITION OF REPORTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: March 11, 2008
Mover: Carlos A. Gimenez
Seconder: Sally A. Heyman
Vote: 11- 1
No: Sorenson
Absent: Seijas

Report: The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Budget and Finance Committee on March 11, 2008 at 2:00 p.m.

4G

**080442                      Ordinance                      Rebeca Sosa**

ORDINANCE AMENDING SECTION 2-8.1.6 OF THE CODE OF MIAMI-DADE COUNTY TO REMOVE THE SUNSET PROVISION THAT LIMITS THE TERM OF THE EXPEDITED PURCHASING PROGRAM; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Procurement Management Department)

*Adopted on first reading  
Public Hearing: March 11, 2008  
Mover: Katy Sorenson  
Seconder: Sally A. Heyman  
Vote: 8- 4  
No: Gimenez, Souto, Martinez, Diaz  
Absent: Seijas*

**Report:** *The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Budget and Finance Committee on March 11, 2008 at 2:00 p.m.*

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

5A

**080166                      Ordinance**

ORDINANCE GRANTING PETITION OF MARSOL ONE, L.L.C., ("PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING CRESTVIEW WEST COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

*Deferred to March 18, 2008  
Mover: Jose "Pepe" Diaz  
Seconder: Sally A. Heyman  
Vote: 13- 0*

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

**2/5/2008**      *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

**2/5/2008**      *Adopted on first reading by the Board of County Commissioners*

5B

**080205 Resolution**

RESOLUTION AUTHORIZING THE INSTALLATION OF A NEW ENTRANCE SIGN FOR THE COUNTRY CLUB OF MIAMI GOLF COURSE, LOCATED AT 6801 NW 186TH STREET (MIAMI GARDENS DRIVE), IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY (General Services Administration Department)

*Adopted  
Resolution R-163-08  
Mover: Natacha Seijas  
Seconder: Sally A. Heyman  
Vote: 8- 0  
Absent: Barreiro, Sorenson,  
Moss, Souto, Martinez*

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

*Vice Chairwoman Jordan opened the public hearing, and seeing no one wishing to speak on this matter, the public hearing was closed.*

*Commissioner Seijas expressed appreciation to Miami-Dade Parks and Recreation Department staff for an outstanding job done in renovating the Miami Golf Course Country Club.*

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

5C

**080247 Resolution**

RESOLUTION APPROVING THE PLAT OF ARBOR ESTATES, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 57 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 294 STREET, ON THE EAST BY SW 167 AVENUE, ON THE SOUTH BY SW 296 STREET, AND ON THE WEST BY SW 169 AVENUE) (Public Works Department)

*Adopted  
Resolution R-164-08  
Mover: Dorrin D. Rolle  
Seconder: Jose "Pepe" Diaz  
Vote: 9- 0  
Absent: Sorenson, Moss, Souto,  
Martinez*

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

*Chairman Barreiro opened the public hearing, and seeing no one wishing to speak on this matter, the public hearing was closed.*

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

5D

**080248 Resolution**

RESOLUTION APPROVING THE PLAT OF WEST WINDS ESTATES, LOCATED IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 54 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY SW 15 STREET, ON THE EAST BY SW 145 AVENUE, ON THE SOUTH BY SW 16 STREET, AND ON THE WEST BY SW 147 AVENUE) (Public Works Department)

*Adopted  
Resolution R-165-08  
Mover: Dorrin D. Rolle  
Seconder: Jose "Pepe" Diaz  
Vote: 9- 0  
Absent: Sorenson, Moss, Souto,  
Martinez*

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

*Chairman Barreiro opened the public hearing, and seeing no one wishing to speak on this matter, the public hearing was closed.*

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

5E

**080250 Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF HOMESTEAD REAL ESTATE INVESTMENTS, LLC, D-22887, LOCATED IN THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 55 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY SW 174 TERRACE, ON THE EAST BY APPROXIMATELY SW 102 AVENUE, ON THE SOUTH BY SW 175 STREET, AND ON THE WEST BY APPROXIMATELY SW 103 AVENUE) (Public Works Department)

*Adopted  
Resolution R-166-08  
Mover: Dorrin D. Rolle  
Seconder: Jose "Pepe" Diaz  
Vote: 9- 0  
Absent: Sorenson, Moss, Souto,  
Martinez*

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

*Chairman Barreiro opened the public hearing, and seeing no one wishing to speak on this matter, the public hearing was closed.*

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

5F

**080414 Resolution**

RESOLUTION PERTAINING TO TEMPORARY MORATORIUM FOR PROPERTIES BEING UTILIZED AS MOBILE HOME PARKS IN UNINCORPORATED MIAMI-DADE COUNTY; DETERMINING WHETHER OR NOT THE MORATORIUM SHOULD BE TERMINATED; DIRECTING THE IMPLEMENTATION OF THE STRATEGIES RECOMMENDED IN THE MOBILE HOME PARK REPORT DATED FEBRUARY 19, 2008 AS ORDERED BY RESOLUTION R-1161-07 TO MITIGATE THE IMPACT OF REDEVELOPMENT ON PROPERTIES IN THE STUDY AREA DESCRIBED IN RESOLUTION R-1161-07 (Clerk of the Board)

*Amended*

**Report:** *(See Agenda Item 5F Amended; Legislative File No. 080595 for the amended version)*

5F AMENDED

**080595                      Resolution**

RESOLUTION PERTAINING TO TEMPORARY MORATORIUM FOR PROPERTIES BEING UTILIZED AS MOBILE HOME PARKS IN UNINCORPORATED MIAMI-DADE COUNTY; DETERMINING WHETHER OR NOT THE MORATORIUM SHOULD BE TERMINATED; DIRECTING THE IMPLEMENTATION OF THE STRATEGIES RECOMMENDED IN THE MOBILE HOME PARK REPORT DATED FEBRUARY 19, 2008 AS ORDERED BY RESOLUTION R-1161-07 TO MITIGATE THE IMPACT OF REDEVELOPMENT ON PROPERTIES IN THE STUDY AREA DESCRIBED IN RESOLUTION R-1161-07 [SEE ORIGINAL ITEM UNDER FILE NO. 080414] (Clerk of the Board)

*Adopted as amended  
Resolution R-167-08  
Mover: Barbara J. Jordan  
Seconder: Jose "Pepe" Diaz  
Vote: 8-0  
Absent: Edmonson, Barreiro,  
Sosa, Sorenson, Souto*

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

*Chairman Barreiro opened the public hearing on this proposed resolution and the following persons appeared to express their concerns:*

*Mr. Michael Larkin, 200 S. Biscayne Blvd, representing Liberty Investments, Inc (mobile home park owner), spoke in support of staff's proposed recommendations, and spoke in opposition to extending the current building moratorium. He committed to be involved in this process as staff formulated new zoning regulations to mitigate the impact.*

*Ms. Alyce Gowdy-Wright, Campaign Director, South Florida Jobs with Justice, 1671 NW 16th Terrace, noted residents representing approximately twenty-seven mobile home parks were present inside and outside of chambers. She stated that some of the residents were covered by the moratorium the Commission passed last fall; that they all supported extending the moratorium, and that they supported some of staff's recommendations. She stated the residents felt that terminating the moratorium would displace low-income families. She asked the Board to explore the legalities of extending it.*

*Ms. Gowdy-Wright asked the Board to give special consideration to staff's recommendations requiring property owners to provide an exit plan for residents displaced by the closure of mobile home parks and alternative recommendation to construct truly affordable housing units. Finally, she asked that South Florida Jobs with Justice be allowed to partner with the Commission at the State Legislation Session in Tallahassee on these issues.*

*The following persons appeared to express their concerns regarding closure of mobile home parks and displacement of residents:*

*Mr. Robert Echegoyen, resident of Park Trail Mobile Home Park, 12779 SW 8th Terrace;*

*Mr. Eudely Ruiz, Acting President, Palm Trailer Park Home Owners Association, 12000 NE 16th Avenue, #B-230;*

*Mr. Marcos Feldman, 533 NW 32nd Street #3;*

*Mr. Richard Kroll, resident of Dixie Mobile Trailer Court, 19640 W. Dixie Highway;*

*Ms. Myriam Rhodes, resident of University Lakes Trailer Park, 1111 SW 131 place;*

*Ms. Regla Gonzalez, resident of Little Abner Trailer Park, 11160 NW 3rd Terrace;*

*Ms. Erminia Nacer (phonetic), 2260 NW 27th Avenue;*

*Ms. Yvonne Hislop, 7600 NW 27th Avenue;*

*Ms. Caridad De La Rosa, representing J Bar J Trailer Ranch, 2980 NW 79th Street;*

*Ms. Yvrose Merizier, resident of Trinidad Trailer Park, 8050 NW Miami Court;*

*Ms. Maylen (phonetic) Velasquez, 7980 NW 79 Street, Lot 420;*

*Mr. Victor Navarro, resident of trailer park at SW 10th Avenue;*

*Several residents from various trailer parks stood to be recognized and signify their support of extending the building moratorium.*

FINAL OFFICIAL

The public hearing continued and the following persons appeared to express their concerns:

Ms. Arolyn Earp, resident of Redlands Mobile Home Park, 17360 SW 232 Street;  
Ms. Carol Feiler, resident of Royal Country Mobile Home Park, 5303 NW 202 Terrace;  
Mr. Paul Carrathers, resident of Silver Palm Mobil Home Park, 17350 SW 232nd Street;  
Ms. Janet Tremaine (phonetic), resident of Royal Country Mobile Home Park;  
Ms. Margaret Johnson, manager of Redlands Mobile Home Park, 7360 SW 232nd Street;  
Mr. Pedro Angel Hernandez, resident of Palm Trailer Park, 12000 NE 16th Avenue;  
Mr. Gustavo Gonzalez, resident of Redlands Mobile Home Park, 17360 SW 232nd St;  
Ms. Miriam Rodriguez, resident of Royal Country Trailer Park, 19936 NW 51 Court;  
Ms. Virginia Smith, resident of Redlands Mobile Home Park;  
Ms. Antonise Dorsin (phonetic), resident of Trinidad Trailer Park, 8050 NW Miami Ct; .  
Ms. Marie Carmelle Nicoles, 8202 NW Miami Court,  
Mr. Vladimir Ramos, resident of University Lakes Trailer Park, 12800 SW 14th Street;  
Mr. Romero E. Rodriguez, resident of Dixie Mobile Park, 19640 W. Dixie Highway 31. Mr. Ramon Hernandez, no address provided, spoke thru a Spanish interpreter;  
Mr. Roger Castro, resident of Sunnyland Trailer Park, 8202 NW Miami Court;  
Ms. Diane Rochette, resident of Palm Trailer Park, 12000 NE 16th Avenue;  
Ms. Irma Ros Perez, 935 SW 44th Avenue;  
Ms. Natasha Edward, 8050 NW 79th Street;  
Ms. Edith Romero, 825 SW 44th Avenue, Lot #106;  
Ms. Lucia Morales, resident of Palm Trailer Park, 12000 NE 16th Avenue;  
Ms. Andrea Cabridge (phonetic), resident of Palm Trailer Park, 12000 NE 16th Avenue;  
Mr. Jose Valdez-Verona, resident of Royal Country Trailer Park, 25521 NW 202nd Terrace;  
Mr. Miguel Roche, resident of Blue Belle Trailer Park, NW 43 Street;  
Ms. Aniele Charles, resident of Trinidad Trailer Court, 8050 NW Miami Court;  
Ms. Consuelo Norris, no address provided;  
Ms. Eva Valedio, resident of Trinidad Trailer Court, 8050 NW Miami Court;  
Ms. Jacqueline Edward, resident of Trinidad Trailer Court, 8050 NW Miami Court;  
Mr. Julio Torres, resident of Blue Belle Trailer Park, 3586 NW 41st Street;  
and  
Ms. Jacques Saint Ville, resident of Trinidad Trailer Court, 8050 NW Miami Court.

Ms. Gowdy-Wright re-appeared and expressed appreciation to the Board for hearing these residents. She stated she hoped the Board would agree with the residents that closing mobile home parks could not be conceived and the moratorium was necessary to ensure enough time to adopt and successfully implement staff's recommendations.

FINAL OFFICIAL

*Ms. Truly Burton, Representing the Builders Association, 15225 NW 77th Avenue, Miami Lakes, appeared before the Board and noted her organization supported the concept of staff's five main recommendations, but opposed any moratorium. She noted her organization was not asked to participate in past focus group hearings on this issue, and asked that they be invited to participate in future discussions.*

*Mr. Jeff Bercow, 200 S. Biscayne Blvd, Suite 850, spoke in support of terminating the moratorium because no proposed zoning changes were before the Board to extend it, as required by the County Code. He committed to continue working with staff on recommendations to reduce the impact.*

*City Commissioner Reinaldo Trujillo, City of North Bay Village, and member of the League of Cities and the Affordable Housing Committee, noted the Commission was obligated to assist in finding a solution to the affordable housing crisis in Miami.*

*Seeing no one else wishing to speak, the public hearing was closed.*

*Commissioner Diaz noted mobile homes were the truly affordable housing units in the County, but unfortunately, the County was governed by State and Federal laws concerning private-owned mobile home parks. He expressed appreciation to Ms. Alyce Gowdy-Wright for working on this issue. Regarding the moratorium, he noted he was advised that the moratorium could not be extended legally; however, the Commission was willing to work with the appropriate parties to find humane solutions or ways to change the laws without crossing the boundary between government and private owners. He stated he felt many of staff's recommendations could assist, but staff needed to go a step further.*

*Commissioner Diaz suggested one possible solution would be for the County to identify funding to purchase and operate the trailer parks. He acknowledged this was a difficult issue with no easy solutions, but lawyers were working diligently with planners to find solutions, even though the Supreme Court had voted against some of them. He stated the only action the Commission could take was to accept staff's proposed recommendations and then lobby in Washington for better laws.*

*In response to Commissioner Sosa's inquiry whether the County Commission could declare a moratorium on developing the trailer parks, Assistant County Attorney Joni Armstrong-Coffey advised the only reason to continue the building moratorium would be to allow for the property to be re-zoned; however, staff's recommendations did not include a recommendation to re-zone mobile home parks.*

*Commissioner Sosa questioned whether trailer parks could be re-zoned and parceled to give the residents first rights to purchase their lots and keep their homes, and whether the county government could find grants for the residents to acquire the property. She noted the County would spend less to acquire the property than to build infrastructure for affordable housing.*

*Assistant County Attorney Armstrong-Coffey noted the relief suggested by Commissioner Sosa would require a modification to the State laws and a legislative change to allow local government to impose the first right of refusal.*

FINAL OFFICIAL

Commissioner Sosa concurred that a modification for first rights would require a legislative change, but suggested staff explore the feasibility of allowing property owners to parcel their land and sell it to the residents living there, which was a zoning matter.

Assistant County Attorney Armstrong-Coffey advised that the State Legislature had expressly pre-empted all regulation of the landlord/tenant relationship, and local government had no authority, even in connection with zoning.

Commissioner Sosa asked Assistant County Attorney Armstrong-Coffey to prepare appropriate legislation urging the State Legislature to preserve mobile homes.

Commissioner Heyman expressed concern with the process of state and federal legislative restrictions on subsidies to relocate displaced residents. She noted local government was the most accessible body with the least ability to provide solutions for displaced mobile home residents now living on low income or retirement. She also expressed concern that the moratorium order had no language preventing eviction, which remained at the hands of the property owner, and that the State had not revisited the archaic compensation formula that provided only \$1,300 for relocation. She expressed further concern with mobile home park property owners not investing monies to improve their property, while residents were cited with code violations and had accrued fines for non-compliance when they did not own the land.

Assistant County Manager Alex Munoz noted staff's report mentioned an amnesty program on handwritten page 26 of the report. He noted Team Metro was required to respond when called by someone reporting a violation, however, this department really worked with mobile home park residents and owners to correct the code violations.

Commissioner Heyman asked if County staff could step in between amnesty and code compliance to provide a solution that did not burden the residents.

Assistant County Manager Munoz stated he would explore better solutions.

Commissioner Heyman spoke in support of safe, sound alternative housing that could be implemented quickly, and asked that this be made a priority. She spoke in opposition to re-constructing trailer parks. She noted Palm Trailer Park in District 4 was set to close in March 2008, and asked if the County government had any authority to stop the evictions.

Assistant County Attorney Armstrong-Coffey noted the State Legislature governed the landlord/tenant relationship, and nothing could be done through the land use moratorium process to stop evictions.

Commissioner Sorenson noted the County was precluded by law to do anything immediately on the moratorium issue; however, staff proposed some short-term and long-term solutions that addressed affordable housing to retain their homes. She asked if these recommendations would be put forth in separate resolutions or ordinances.

Assistant County Manager Munoz noted some of the recommendations warranted legislation that would come back as resolutions or ordinances

requiring Board approval, and some of the recommendations could be implemented immediately.

Commissioner Sorenson asked that the County Administration expedite preparing the appropriate legislation to implement staff's recommendations quickly.

Commissioner Jordan clarified adopting the proposed resolution was not a blanket action for all mobile home parks in the County; but this resolution was limited to a couple of parks being considered for purchase by a private developer. She asked Assistant County Attorney Armstrong-Coffey to clarify the statement regarding the moratorium that could not be extended because no recommendation was before the Board to re-zone the properties.

Assistant County Attorney Armstrong-Coffey noted the purpose of this public hearing was for the Board to determine if a reason to rezone the property existed after considering everything presented, including staff recommendations. She noted rezoning was the only reason to continue the moratorium, but she did not believe enough evidence had been presented for the property to be re-zoned.

Commissioner Jordan asked if the moratorium could be extended if staff recommended that the Board consider re-zoning the existing mobile home parks.

Following a discussion between Commissioner Jordan and Assistant County Attorney Armstrong-Coffey regarding whether the Board could issue an order to continue the moratorium, Commissioner Jordan stated she felt that staff did not respond to the original direction adequately, and she would move that staff be directed to explore re-zoning existing mobile home parks because she understood part of staff's recommendation was that mobile home parks be considered for special taxing in order to encourage home ownership.

Commissioner Diaz stated he would second the motion at the appropriate time.

Discussion ensued between Board members and staff pertaining to whether a state-of-emergency constituted a reason for rezoning mobile home parks, and whether other mechanisms available to stall evictions.

Commissioners Martinez and Moss supported Commissioner Jordan's motion.

Commissioner Moss asked Assistant County Attorney Armstrong-Coffey to provide a legal opinion on the feasibility of the local government taking or condemning property for the purpose of preserving affordable housing.

Commissioner Diaz noted he understood that property purchased with public monies could not be resold, but could be managed or recreated. He suggested State officials be invited to attend a town hall meeting with residents to hear their concerns.

Following further discussion, the Board adopted the foregoing proposed resolution as amended to extend the moratorium for ninety (90) days to explore the rezoning of existing mobile home parks; and directed staff to move forward on those recommendations contained within the County

*Manager's report that could be implemented immediately. The Board asked staff to explore the feasibility of the County purchasing one or more mobile home parks to retain affordable housing, and to coordinate the scheduling of a town hall meeting with state government officials.*

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

**7      ORDINANCES SET FOR SECOND READING**

**8      DEPARTMENTAL ITEMS**

**8A      [No items were submitted for these sections.]**  
 thru  
**8E**

**8F      GENERAL SERVICES ADMINISTRATION**

8F1A

**073672              Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 172 WEST FLAGLER STREET, SUITE 200 MIAMI, WITH JACK THOMAS INC., AS AGENTS FOR FLAGLER BUILDING LLLP, A FLORIDA LIMITED LIABILITY CORPORATION AND LIMITED PARTNERSHIP FOR PREMISES TO BE UTILIZED BY MIAMI-DADE COUNTY FINANCE DEPARTMENT, CREDIT AND COLLECTION SECTION; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
 Resolution R-168-08  
 Mover: Jose "Pepe" Diaz  
 Seconder: Sally A. Heyman  
 Vote: 13- 0*

**1/28/2008**      Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

8F1B

**073699              Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR TWO BUILDINGS NUMBERED 26 AND 27, LOCATED AT 20600 N.W. 47TH, AVENUE, MIAMI, WITH THE ASSOCIATION FOR RETARDED CITIZENS, SOUTH FLORIDA, INC., FOR THE BUILDINGS TO BE UTILIZED FOR A DAY TRAINING PROGRAM AND FOR ANCILLARY OFFICE AND STORAGE SPACE AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
 Resolution R-169-08  
 Mover: Jose "Pepe" Diaz  
 Seconder: Sally A. Heyman  
 Vote: 13- 0*

**1/28/2008**      Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

8F1C

**073700 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR A BUILDING (BUILDING 7 – INCLUSIVE OF BUILDING 7A, 7B, AND 7C) LOCATED AT 20600 N.W. 47TH AVENUE, MIAMI, WITH THE SANDOR WIENER SCHOOL OF OPPORTUNITY, INC., FOR THE BUILDING TO BE UTILIZED FOR A CHARTER SCHOOL AND FOR ANCILLARY OFFICE AND STORAGE SPACE; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-170-08  
Mover: Jose "Pepe" Diaz  
Seconder: Sally A. Heyman  
Vote: 13- 0*

*1/28/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee*

8G  
thru  
8L

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

**8M PARK AND RECREATION DEPARTMENT**

8M1A

**073729 Resolution**

RESOLUTION APPROVING THE MIAMI-DADE COUNTY PARK AND OPEN SPACE SYSTEM MASTER PLAN; ENDORSING THE PLAN'S PRINCIPLES, GOALS AND VISION; AND DIRECTING THE MAYOR OR HIS DESIGNEE TO DEVELOP AN IMPLEMENTATION STRATEGY AND ACTION NO LATER THAN TWELVE MONTHS AFTER THE ADOPTION OF THIS RESOLUTION (Park & Recreation Department)

*Amended*

**Report:** (See Agenda Item 8M1A Amended; Legislative File No. 080529 for the amended version)

*2/11/2008 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Recreation & Cultural Affairs Committee*

**FINAL OFFICIAL**

8M1A AMENDED

**080529                      Resolution**

RESOLUTION APPROVING THE MIAMI-DADE COUNTY PARK AND OPEN SPACE SYSTEM MASTER PLAN; ENDORSING THE PLAN'S PRINCIPLES, GOALS AND VISION; AND DIRECTING THE MAYOR OR HIS DESIGNEE TO DEVELOP AN IMPLEMENTATION STRATEGY AND ACTION NO LATER THAN TWELVE MONTHS AFTER THE ADOPTION OF THIS RESOLUTION [SEE ORIGINAL ITEM UNDER FILE NO. 073729] (Park & Recreation Department)

*Adopted as amended*

*Resolution R-171-08*

*Mover: Jose "Pepe" Diaz*

*Seconder: Dorrin D. Rolle*

*Vote: 11- 0*

*Absent: Sorenson, Martinez*

**Report:** Mr. Jack Kardys, Director, Park and Recreation Department (P&RD), presented an overview of the Park and Open Space System Master Plan. He noted the County's parks operation was the fifth largest in the nation and would be elevated to the state of other park systems seen around the country by this plan. He further noted the County now faced several various challenges with population growth, traffic congestion and a lack of open space compared to 1969 when more open space and opportunities existed and the County last addressed the open space master plan. Mr. Kardys noted the P&RD began the process of designing a new master plan in 2006 by procuring one of the top consulting firms in the business, followed by the Great Parks Summit 2006, a series of public meetings and workshops and thousands of professional staff hours to develop this document. He stated this was a non-traditional plan that required fifty years to fully implement, and envisioned a new interconnected framework to accommodate growth and a more sustainable community.

Mr. Kardys noted the open space system master plan consisted of proposed parks, public spaces, natural cultural areas, greenways, blueways, walkways and streets. Additionally, the plan included guideline principles to ensure a beautiful, seamless system that encouraged revitalization of neighborhoods and opportunities for citizens to engage in recreation. Other goals, he noted, included schools in the open space plan, existing streets transformed into tree-lined boulevards, transit provided to and from parks, and private partnerships. Mr. Kardys asked the Board to approve this plan and endorse its principles, goals and vision. He also asked that staff be allowed one year to develop an implementation strategy and action plan that would incorporate this plan into the County's Strategic Master Plan and other department policies, and to communicate it to all appropriate federal, state, and local agencies and municipalities.

In response to Vice Chairwoman Jordan's question whether the foregoing plan had a budgetary impact on the County's Master Plan, Mr. Kardys noted he felt this next year would flush out some of the challenges to ensure this plan's feasibility within the tax base they had to work with.

Commissioner Diaz asked for clarification on whether the recommendation "to create the western greenway to enforce the Urban Development Boundary (UDB)," listed on handwritten page 63, would impact the future movement of the UDB line. He noted he concurred with green areas provided in the future construction of parks, but expressed concern with setting policy on a controversial issue that would become another barrier to moving the UDB line.

Mr. Jack Kardys noted a more accurate description of the western greenway was listed on handwritten page 53, which clarified most of the greenway was state-owned land and located way west of the UDB line. He suggested the language on handwritten page 62 be stricken from the column of recommendations.

Following discussion, the Board adopted the foregoing proposed resolution as amended to delete the following language: "Create a Western Greenway to Re-enforce the UDB Boundary" from the list of recommendations on handwritten page 63, under the heading "Recommendations and Policy Initiatives."

**FINAL OFFICIAL**

8M3A

**073788            Bid Awards**

CONTRACT AWARD RECOMMENDATION FOR  
HAULOVER MARINA DOCKMASTER COMPLEX, PROJECT  
NO: 222302-03-003 GOB; CONTRACT NO: 222302-03-003;  
PROJECT LOCATION: 10800 COLLINS AVENUE, MIAMI,  
FLORIDA (Park & Recreation Department)

*Approved*  
*Mover: Dorrin D. Rolle*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 12- 0*  
*Absent: Sorenson*

FINAL OFFICIAL

**Report:** Vice Chairwoman Jordan asked for an explanation as to why the \$3.9 million in change orders represented 52% of the total award, and whether the contract was underbid.

Ms. Penney Townsley, Director, Department Small Business Development, noted there was some confusion in interpreting the work history report. She noted the change orders represented less than 1% of the total awards to the five referenced projects in that five year period. She further explained that the \$3.9 million in change orders were related to other projects awarded between 2001 and 2005, and the error was a matter of interpretation. She assured she would work with the Commission Auditor to ensure the accuracy of information provided in future reports.

Commissioner Jordan pointed out the Commission Auditor did not submit this report, and anyone might interpret this information the same way.

Ms. Townsley explained that during the five-year time period, \$7.5 million in contracts and \$3.9 million in change orders were approved by this Board; however, the change orders reflected other time periods, as well.

Commissioner Seijas expressed concern that the change orders reflected the project contract number only. She asked that they be clarified to identify the contractor's name as well.

In response to Commissioner Gimenez' request for an explanation of the two projects with large change orders, Mr. Jack Kardys, Director, Park and Recreation Department, noted the 2001 change order involved converting regular turf to artificial turf because the Kendall Soccer Park was on top of a well field; and the 2002 change order involved a facility taken back from an operator at the Country Club of Miami that needed to be re-grassed. He noted the bulk of the change orders were a result of these two issues.

Commissioner Heyman noted marinas and boat slips were desperately needed throughout the County. She expressed appreciation to Director Jack Kardys for moving this project forward and for providing the explanation on the change orders. She expressed concern with procurement committees putting forth unrealistic bid specifications (specs) to qualify for a project, knowing the lowest bidder would be recommended and resulting in projects with large change orders that seem to be the norm instead of the exception.

Assistant County Manager Alex Munoz noted the low bid process was governed by State laws, and spec packages were put together by professionals, not committees.

Mr. Kardys noted his department was seriously committed to reviewing every change order by instituting work performance measures for capital projects and implementing a tracking system to review them at the director's level on a monthly basis. He noted projects would be watched more closely to ensure that only essential changes be made, if not included in the original specs.

In response to Commissioner Heyman's question regarding performance bond guarantees, Assistant County Manager Munoz affirmed the Administration was enforcing performance bonds.

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

FINAL OFFICIAL

2/11/2008 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Recreation & Cultural Affairs Committee

8M3B

080444 Bid Awards

CONTRACT AWARD RECOMMENDATION FOR KENDALL SOCCER PARK PHASE II & IIA - ARTIFICIAL TURF SOCCER FIELDS, RESTROOM BUILDING, LIGHTED PARKING LOT & WALKWAYS - PROJECT NO: 493501-02-001 GOB; CONTRACT NO. 493501-02-001-1 [SEE ORIGINAL ITEM UNDER FILE NO. 073744] (Park & Recreation Department)

Approved
Mover: Sen. Javier D. Souto
Second: Jose "Pepe" Diaz
Vote: 12- 0
Absent: Sorenson

Report: Commissioner Seijas noted she had the same concerns with this item as with the previous item, Agenda Item 8M3A.

Commissioner Gimenez asked for an explanation as to why the funding source, listed on handwritten page 2, reflected the transfer of Building Better Communities General Obligation Bond (GOB) program funds from the Water and Sewer Department (WASD).

Mr. Jorge Navarrete, Chief, Project Scheduling and Compliance, Office of Capital Improvements, noted an error on handwritten page 2 reflecting \$1.49 million coming from GOB funds that should reflect funds coming from the Capital Outlay Reserve Fund (CORF), not GOB as shown. He noted those funds were transferred in 2003, and WASD made that contribution because the park was built over the well fields.

In response to Commissioner Gimenez' question whether this was an appropriate use of the CORF, County Manager Burgess noted yes, money was budgeted in the Capital Outlay Reserve for parks to connect to water and septic systems.

In response to Commissioner Gimenez question whether the monies were actually transferred directly from WASD to Parks, Ms. Jennifer Glazer-Moon, Director, Office of Strategic Business Management, clarified the monies were not transferred directly from WASD, but transferred to the CORF to fund Parks.

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

2/11/2008 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Recreation & Cultural Affairs Committee

8N
thru
8Q

[No items were submitted for these sections.]

8R

WATER AND SEWER DEPARTMENT

8R1A

**080376 Resolution**

RESOLUTION APPROVING CONTRACT NO. W-847R (A) IN THE AMOUNT OF \$5,830,800.00 TO GLOBETEC CONSTRUCTION, LLC FOR THE CONSTRUCTION OF TWO (2) RAW WATER ULTRAVIOLET LIGHT DISINFECTION SYSTEMS FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S EXISTING AQUIFER STORAGE AND RECOVERY WELLS LOCATED AT THE WEST AND SOUTHWEST WELLFIELDS (Water & Sewer Department)

*Adopted  
Resolution R-172-08  
Mover: Jose "Pepe" Diaz  
Second: Sally A. Heyman  
Vote: 13- 0*

**9 ADDITIONAL DEPARTMENTAL ITEMS**

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

**11 COUNTY COMMISSION**

11A1

**080294 Resolution**

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

RESOLUTION APPROVING FUNDING IN THE AMOUNT OF \$1,000,000 FOR PURPOSES OF CONSTRUCTION OF A COMFORT HOME ON THE GROUNDS OF THE VETERAN'S ADMINISTRATION MEDICAL CENTER AND DIRECTING THE MAYOR OR HIS DESIGNEE TO IDENTIFY AND INCLUDE CERTAIN PROPOSED APPROPRIATION IN THE PROPOSED BUDGET PREPARED FOR FISCAL YEAR 2008-2009 [SEE ORIGINAL ITEM UNDER FILE NO. 080043]

*Deferred to no date certain  
Mover: Jose "Pepe" Diaz  
Second: Sally A. Heyman  
Vote: 13- 0*

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

**1/28/2008** Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee



11A5

**072881                      Resolution                      Sen. Javier D. Souto**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE SEPTEMBER 8, 2007 AMERICAN HEART WALK SPONSORED BY THE AMERICAN HEART ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$13,909.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-176-08*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

*1/28/2008      Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee*

11A6

**080064                      Resolution                      Carlos A. Gimenez**

RESOLUTION RESCINDING THE DONATION OF ONE 1995 FORD PICKUP TO FARM SHARE, INC., AND AUTHORIZING THE DONATION OF A 2001 DODGE PICKUP TO FARM SHARE, INC.

*Adopted*  
*Resolution R-177-08*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

*1/28/2008      Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee*

11A7

**080066                      Resolution                      Sally A. Heyman**

RESOLUTION DECLARING TWO CARGO VANS SURPLUS AND AUTHORIZING THEIR DONATION TO THE HUMANE SOCIETY OF GREATER MIAMI, DADE COUNTY SOCIETY FOR PREVENTION OF CRUELTY TO ANIMALS AND ADOPT-A-PET, INC.

*Adopted*  
*Resolution R-178-08*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

*1/28/2008      Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee*

11A8

073621

Resolution

Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO CREATE A VOICEMAIL SYSTEM AT THE 311 CALL CENTER TO ALLOW CITIZENS TO LEAVE MESSAGES WHEN THEY ARE PUT ON HOLD OR WHEN THE CALL CENTER IS CLOSED

*Adopted*  
*Resolution R-179-08*  
*Mover: Dennis C. Moss*  
*Seconder: Barbara J. Jordan*  
*Vote: 12- 0*  
*Absent: Sorenson*

**Report:** *Commissioner Jordan questioned whether the 311 Call Center currently utilized a voice mail system.*

*Ms. Judy Zito, 311 Call Center Director, noted the Call Center operations currently utilized a voice mail system after hours, but this resolution would allow customers the option to leave a voice message during working hours and receive a callback instead of holding the line. She noted the goal was to answer calls within sixty seconds, which was difficult to achieve during peak hours when call volumes were high.*

*Commissioner Jordan noted the initial objective was to have the Call Center operate 24/7, but budget constraints were making that goal difficult to achieve. She stated she felt the budgetary constraints made the need for a 24/7 operation at the Call Center more critical, and the County should seriously explore ways for the Call Center to respond to people's need of services as expeditiously as possible.*

*County Manager Burgess noted the County would be facing many challenges with the budget constraints. He noted the goal was always to have the 311 Call Center be a 24/7 operation to handle non-emergency calls, while 911 handled pure emergencies.*

*Commissioner Moss stated he felt the system should also provide an option to allow callers to leave a voice message expressing their concerns that could be addressed without them receiving a call back.*

*In response to Commissioner Gimenez' question concerning the 311 Call Center hours of operation, Ms. Zito noted the Call Center was opened from 6:00 am to 10:00 pm, M-F and 8 am to 8 pm on weekends, excluding holidays.*

*Commissioner Gimenez asked the 311 Call Center Director to provide a report reflecting the call volume activity and a log of average calls per hour to determine when most people called the 311 Call Center.*

*Following Chairman Barreiro's comments that he hoped 311 services would be expanded to include taxi cab services, Ms. Zito affirmed a process was in place to include taxi cab services pursuant to an adopted resolution, and the stickers reflecting phone numbers on cabs were being changed to reflect the 311 number as cabs were being brought in for maintenance.*

**1/18/2008** Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee

**2/5/2008** Deferred by the Board of County Commissioners

## 11A8 SUPPLEMENT

080468

Supplement

SUPPLEMENTAL INFORMATION RE: THE COUNTY  
MAYOR OR HIS DESIGNEE TO CREATE A VOICEMAIL  
SYSTEM AT THE 311 CALL CENTER

*Presented*

## 11A9

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]

*Deferred to no date certain*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

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

**1/17/2008** *Forwarded to BCC with a favorable recommendation with committee amendment(s) from  
the Health and Public Safety Committee*

**2/5/2008** *Deferred by the Board of County Commissioners*

## 11A10

080042

Resolution

Dennis C. Moss

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
AMEND THE COMMUNITY REDEVELOPMENT ACT TO  
MODIFY THE CRITERIA FOR THE CREATION OF A  
COMMUNITY REDEVELOPMENT AGENCY TO INCLUDE  
LAND PREVIOUSLY USED AS A MILITARY FACILITY

*Adopted*  
*Resolution R-180-08*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

**1/28/2008** *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the  
Budget and Finance Committee*

**2/5/2008** *Deferred by the Board of County Commissioners*

FINAL OFFICIAL

11A11

080255

Resolution

Dennis C. Moss,  
Joe A. Martinez,  
Jose "Pepe" Diaz

RESOLUTION AMENDING RESOLUTION NO. R-741-07 TO  
RESCIND PRIOR DIRECTION TO COUNTY MAYOR  
RELATED TO HOMESTEAD BASEBALL COMPLEX AND  
FLORIDA MARLINS; AND REQUESTING COUNTY MAYOR  
OR HIS DESIGNEE TO CONSULT WITH CITY OF  
HOMESTEAD, FLORIDA MARLINS, LP, AND MAJOR  
LEAGUE BASEBALL TO STUDY FEASIBILITY OF  
RENOVATING HOMESTEAD BASEBALL COMPLEX, AS  
NECESSARY, FOR USE BY MIAMI-DADE BIG LEAGUE  
BASEBALL, INC. AND A MAJOR LEAGUE BASEBALL  
SPRING TRAINING TEAM OR A MINOR LEAGUE  
BASEBALL TEAM

*Amended*

**Report:** (See Agenda Item 11A11 Amended; Legislative File No. 080822 for  
the amended version)

2/5/2008    Deferred by the Board of County Commissioners

FINAL OFFICIAL

11A11 AMENDED

080822

Resolution

Dennis C. Moss,  
Jose "Pepe" Diaz,  
Joe A. Martinez

RESOLUTION AMENDING RESOLUTION NO. R-741-07 TO RESCIND PRIOR DIRECTION TO COUNTY MAYOR RELATED TO HOMESTEAD BASEBALL COMPLEX AND FLORIDA MARLINS; AND REQUESTING COUNTY MAYOR OR HIS DESIGNEE TO CONSULT WITH CITY OF HOMESTEAD, FLORIDA MARLINS, LP, AND MAJOR LEAGUE BASEBALL TO STUDY FEASIBILITY OF RENOVATING HOMESTEAD BASEBALL COMPLEX, AS NECESSARY, FOR USE BY MIAMI-DADE BIG LEAGUE BASEBALL, INC. AND A MAJOR LEAGUE BASEBALL SPRING TRAINING TEAM OR A MINOR LEAGUE BASEBALL TEAM [SEE ORIGINAL ITEM UNDER FILE NO. 080255]

*Adopted as amended  
Resolution R-181-08  
Mover: Dennis C. Moss  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Absent: Sorenson*

**Report:** *Commissioner Martinez asked to be added as a co-sponsor to this resolution.*

*Commissioner Moss clarified this resolution differed from the initial resolution, which focused on the Florida Marlins. He noted this would bring in Miami-Dade Big League Baseball semi-pro teams and any other minor or spring training teams available, which were additional reasons to renovate the Homestead Baseball Complex.*

*Commissioner Martinez suggested a sunshine meeting be scheduled as soon as possible to discuss using Convention Development Tax (CDT) funds to pay for the renovations. He stated he felt the County had a great opportunity to encompass players countywide with Major League Baseball.*

*Commissioner Diaz asked to be added as a co-sponsor to this resolution. He advised the Sports Commission was exploring all resources to support this project.*

*Following Commissioner Martinez' suggestion for amendments to include a timeline and a cost appraisal of the renovations in this study, the Board adopted the foregoing proposed resolution as amended to require that the feasibility study report be submitted within 120 days and that the County Appraiser's Office be involved in this process.*

11A12

080436

Resolution

Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11

*Amended*

**Report:** *(See Agenda Item 11A12 Amended; Legislative File No. 080486 for the amended version)*

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11A12 AMENDED

080486

Resolution

Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11 [SEE ORIGINAL ITEM UNDER FILE NO. 080436]

Adopted as amended  
Resolution R-182-08  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 12- 0  
Absent: Sorenson

Report: The foregoing proposed resolution was adopted as amended to add the following allocation:

Corpus Christi Catholic Church for the \$10,000.  
Iglesia Museo Peru' project

11 B ADDITIONAL BUDGET ALLOCATIONS

11C REPORTS

12 COUNTY MANAGER

12A1

080065

Resolution

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE GENERAL SERVICES ADMINISTRATION, AND THE GOVERNMENT INFORMATION CENTER FOR THE JANUARY 1-31, 2008 "A JOURNEY THROUGH TIME" EXHIBITION SPONSORED BY GALATA INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,103.00 TO BE FUNDED FROM THE MAYOR'S IN-KIND RESERVE FUND (County Manager)

Adopted  
Resolution R-183-08  
Mover: Jose "Pepe" Diaz  
Seconder: Sally A. Heyman  
Vote: 13- 0

1/28/2008 Forwarded to BCC with a favorable recommendation from the Budget and Finance Committee

**FINAL OFFICIAL**

12A2

**080087 Resolution**

RESOLUTION APPROVING AMENDMENT TO THE INTERLOCAL AGREEMENT WITH MONROE COUNTY CREATING THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD FOR REGION 23 OF THE STATE OF FLORIDA; AUTHORIZING MAYOR OF MIAMI-DADE COUNTY TO EXECUTE AMENDMENT (County Manager)

*Adopted  
Resolution R-184-08  
Mover: Dennis C. Moss  
Seconded: Dorrin D. Rolle  
Vote: 11- 0  
Absent: Sosa, Sorenson*

**Report:** *Commissioner Moss asked Assistant County Manager Susanne Torriente to prepare a report on how the South Florida Workforce would provide more opportunities for grassroots organizations to participate in this process in the future, and that this report be forwarded to the Economic Development and Human Services Committee.*

**1/16/2008** *Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee*

12B1

**080079**                      **Report**

YEAR-END PORTFOLIO PERFORMANCE REPORT FOR  
FISCAL YEAR 2006-07 (County Manager)

*Accepted*  
*Mover: Dennis C. Moss*  
*Seconder: Bruno A. Barreiro*  
*Vote: 12- 0*  
*Absent: Sorenson*

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**Report:** *There being no objection, Agenda Items 12B1, 12B2 and 12B3 were heard simultaneously.*

*Commissioner Edmonson asked that this item be clarified.*

*Ms. Rachael Baum, Finance Director, noted this was an annual report on the County's investments, holdings and return on investments. She noted the County's cash-on-hand was invested in securities, commercial papers, time deposits and US Federal treasuries. She explained the first part of report listed the types of investments and where they were placed; and the second part of the report indicated the County's assets, treasury funds, bond funds and the rate of return on county investments, which was 5.24 % overall.*

*In response to Commissioner Gimenez' question regarding the difference between an adjusted book value versus a market value, Ms. Baum noted an investment was usually bought at a discount with the earned interest adjusted monthly, but the market value was the value paid for an investment on a particular day, and not necessarily the book value.*

*Commissioner Gimenez asked the Finance Director, Ms. Baum, to provide a report reflecting a breakdown of the \$3.7 million Cash on Hand balances at year end (09/30/2007) for the Operating and Capital accounts of the General Fund, UMSA, Miami-Dade Fire Rescue Fund and the Proprietary Departments.*

*Commissioner Moss asked the Finance Director, Ms. Baum and her staff, to meet with him to discuss the prompt payment annual report, and clarify the late payment fees.*

*Chairman Barreiro noted he disagreed with the amount of late fees paid, and felt the issue was much worse than stated, and noted he would like to see the real numbers. He further noted he felt the real issue pertained to the re-submittal of bills by small disadvantaged companies. He stated the County needed to be more diligent concerning this process and the number of bills submitted; and future quarterly reports needed to reflect the actual number of bills re-submitted.*

*Ms. Baum noted she could provide a chart reflecting how the payments were made.*

*Commissioner Seijas expressed concern with discrepancies and a lack of information provided in the Commissioner Auditor's report. She stated she found it completely unacceptable that the Commission Auditor, the producer of this report, or his representative were not present today to answer the Board's questions. She asked about the downgrade of Merrill Lynch's credit ratings.*

*Ms. Baum noted she reported the ratings of the swap counter parties (entities that contract with the County) and noted Merrill Lynch was downgraded to a single "A" category. She noted, however, the County received a partial termination and \$9.1 million on that swap in 2006, and the only option available was a one-day option (June 15, 2008) where Merrill Lynch could totally terminate its relationship with the County with no further liabilities to either party or it could continue. She stated there was no downside to Merrill Lynch terminating its relationship because the County had received its monies upfront, but she felt Merrill Lynch would terminate its relationship because*

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the market was not in its favor. Ms. Baum clarified errors in the Commission Auditor's report, noting a swap was compared with an investment, but a swap was a contract for debt management, not an investment; and noted an inaccurate statement about another swap not reported, but that swap began in July 2007 and would not be included in this report.

In response to Commissioner Gimenez' request for a status report on the monetary impact of bond insurers being downgraded, Ms. Baum noted those issues were ongoing nationwide and were difficult to quantify. She further noted that staff was working on a report to advise the Board of the results of market downgrades and how to deal with the issues. She explained the County was previously in a variable rate mode and received good interest rates, but would have to issue fixed rate bonds or other transactions. She noted this would have some impact, but doing nothing was not an option.

In response to Commissioner Gimenez' question regarding existing investments insured by entities being downgraded, Ms. Baum noted only the option rate products were being affected, but the impact was minimal in relation to the total products, and once fixed rate bonds were issued, the County would be fine. She advised she would be presenting the Board with a report on options the County needed to consider.

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

1/28/2008 Report Received by the Budget and Finance Committee

12B2

080078 Report

PROMPT PAYMENT ANNUAL REPORT FOR FISCAL YEAR 2007 (County Manager)

Accepted  
Mover: Dennis C. Moss  
Seconder: Bruno A. Barreiro  
Vote: 12- 0  
Absent: Sorenson

Report: See Agenda Item 12B1: Legislative File No. 080079 for the report.

1/28/2008 Report Received by the Budget and Finance Committee

12B3

080076 Report

ANNUAL REPORT ON SWAP TRANSACTIONS FOR FISCAL YEAR 2006-07 (County Manager)

Accepted  
Mover: Dennis C. Moss  
Seconder: Bruno A. Barreiro  
Vote: 12- 0  
Absent: Sorenson

Report: See Agenda Item 12B1: Legislative File No. 080079 for the report.

1/28/2008 Report Received by the Budget and Finance Committee

12B4

**080402**                      **Report**

REPORT REGARDING RECOMMENDATION TO AWARD  
CURBSIDE RECYCLING PROGRAM - COLLECTION AND  
CARTS COMPONENTS (County Manager)

*Carried over to February 21,  
2008*

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**Report:** County Manager George Burgess noted the foregoing report contained his recommendation to award the curbside recycling program, and it contained the result of the Board's direction to staff to explore the feasibility of dividing the County into three geographical zones for curbside recycling. He noted the report also described two ways in which to calculate the contract awards. County Manager Burgess noted, should the Board approve the three-zone alternative, he strongly recommended the zones be contiguous for the provider awarded two zones. He further explained that no action items were before the Board today because staff needed direction on how to award the three-zone alternative. He noted staff would come back with a recommended contract for the Board's approval.

In response to Chairman Barreiro's question whether the Board could take action on the foregoing report by instructing the County Manager to negotiate and execute a contract, Assistant County Attorney Hugo Benitez affirmed the Board could give the Manager direction to negotiate and execute a contract, but could not award the contiguous or non-contiguous zone options because the contracts had not yet been negotiated.

Commissioner Edmonson stated she believed the Board already gave the Manager direction to negotiate a contract. She expressed concern with the difference in price for the contiguous option versus the non-contiguous option, and with the County Manager's memorandum stating the three-zoned alternative would be better operationally, yet he could not recommend it.

County Manager Burgess explained he strongly maintained his recommendation that the Board accept the one-zone option; however, staff proceeded with the direction given by the Board to explore the three-zone alternative and provided the numbers that were before the Board today. He noted if the Board preferred the contiguous zones and gave direction, he believed staff could negotiate and enter into a contract, regardless of his recommendation.

It was moved by Commissioner Edmonson that the Board direct the County Manager to enter into negotiations with World Waste and Waste Services for Curbside Recycling Collection services for the three-zone option with contiguous zones, and to negotiate with Puryear, Inc. for the recycling carts. This motion was seconded by Commissioner Martinez for discussion.

Commissioner Gimenez offered an amendment to approve the three-zone option with the contiguous zones for World Waste and Waste Services, provided that World Waste reduces its price by \$844.62. He asked if the bid for the Carts recommended by the County Manager last October was lower than the most recent bid.

County Manager Burgess noted the recommendation he submitted last October was for the lowest bid, if the fully-loaded carts were purchased. He noted Puryear, Inc provided the lowest bid for a stripped down version of carts in the second Invitation to Bid (ITB), which was less than Toter's original bid in October, but Toter had a stripped down version that was the lowest bid of all cost options.

Commissioner Gimenez stated he would be consistent in supporting the lowest bidder by supporting an award to Toter for the recycling carts, which was not part of the motion on the floor.

Commissioner Edmonson noted her motion remained the same as she stated.

County Attorney Robert Cuevas noted the Board's rules provided that the Commission not take action on items presented in the form of a report. He asked for clarification as to whether Commissioner Edmonson's motion was to direct the Manager to prepare an action item that would accomplish what was being discussed.

Commissioner Edmonson clarified her motion was to direct the County Manager to go forward with negotiations with the companies she mentioned and to execute a contract.

In response to Chairman Barreiro' question whether the Board could direct staff to negotiate and execute the contract without staff having to come back before the Board for approval, County Attorney Cuevas advised the County Manager could undertake the negotiations and bring back a contract for approval, but the Board acting on a report would be problematic.

Commissioner Edmonson questioned the statement in the County Manager's Memorandum regarding the need to reject the original recommendation.

County Attorney Cuevas reiterated his concern that this was not an action item, and the Board would act on a report.

Commissioner Edmonson restated her motion as follows: that the bid originally recommended by the County Manager be rejected and that he be directed to negotiate with World Waste and Waste Services for the contiguous zones option and come back to the Board with the contract for approval, as well as a contract for approval to award the recycling carts to Puryear, Inc.

Vice Chairwoman Jordan read into the record, the minutes of a prior Board of County Commissioner meeting, where a motion was moved by Commissioner Martinez directing the Manager to submit a recommendation for Board approval of the award of the countywide curbside recycling collection services, with parameters to have zones and a recommendation by the Board to negotiate the best price. She expressed concern that the minutes reflected something different than what was presented in this report. She questioned why the County Manager still strongly recommended a company that clearly cost more and did not support the County's local preference. She asked if this item could be deferred to Thursday, February 21, 2008, for staff to come back with an action item.

County Attorney Cuevas advised this item could be deferred until Thursday as a carryover item, provided it was properly placed on the agenda and today's meeting was recessed rather than adjourned.

Commissioner Edmonson accepted Commissioner Jordan's suggestion as a friendly amendment.

Commissioner Martinez noted he admired the County Manager for standing by his strong convictions, but was surprised to see he did not follow the will of the Board. He noted he recalled the motion he made and that this item should have been an action item.

County Manager Burgess explained his reason for requesting a withdrawal. He noted he expected two action items to be placed on today's (2/19) agenda

along with the report, but staff desired clear direction on the three-zone option because different parameters could occur. He stated he would do whatever the Board directed him to do.

Commissioner Rolle noted he had no problem with staff bringing back an action item on Thursday provided this matter did not extend beyond Thursday. He questioned whether the Board could waive its rules.

County Attorney Cuevas advised that no rule of procedure adopted by this Board could be suspended except by a 2/3 majority vote of the Commission members present.

Commissioner Heyman expressed concern with the cost analysis presented in October, and a direction to the County Manager to explore more zones and come back with another analysis in November. She asked if the numbers in the cost analysis presented in November were correct, which reflected less costs than those presented in October's analysis.

Assistant County Manager Susanne Torriente clarified the numbers from September to October changed, but the numbers remained the same from October to November.

In response to Commissioner Heyman's question as to what the lowest bid for the carts were, based on all the reports presented to date, County Manager Burgess noted Toter was the lowest of all bids for the stripped down version of carts.

Commissioner Heyman asked for clarity on Commissioner Edmonson's motion.

Assistant County Manager Torriente explained that Commissioner Edmonson moved a motion to award the carts to Puryear, Inc. as the result of the latest competitive pricing. She noted, however, that if all options were considered, Toter was the lowest bidder in the original ITB for the stripped down version of the carts, which was the County Manager's recommendation.

In response to Commissioner Gimenez' questions whether negotiations were held pursuant to the Board's direction to the County Administration on November 8, 2007, and why the process took so long, Assistant County Manager Torriente noted the Procurement Management Department entered into the competitive pricing immediately following that meeting. She also noted the Department had to address an issue of collusion regarding the pricing of the carts.

Ms. Miriam Singer, Director, Procurement Management Department, clarified no negotiations occurred, but just a request for price from the five firms on November 27, 2007. She explained that during the ITB for the carts, a letter was sent by one of the competing bidders that raised a presumption of collusion, and responsibility meetings had to be held to address that issue. She also noted this issue of collusion was resolved on January 14, 2008.

In response to Commissioner Gimenez' question regarding the monthly cost-savings by going forward with this contract, Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management, noted the savings per month would be approximately \$174,000 based on the three-zone option recommendation.

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Commissioner Gimenez asked if the foregoing report could be bifurcated to vote on the award for the curbside recycling collections services separately from the award for the recycling carts. He noted he would only support the lowest bid for the carts.

Commissioner Diaz spoke in support of Commissioner Edmonson's motion for the curbside recycling collection award, but requested clarification on the award for the carts. He also noted the Board asked that the carts include barcodes.

Ms. Singer noted the stripped down version was a plain cart that did not include barcodes. She explained the four pricing options under the second ITB were as follows: 1) a plain cart 2) a cart with a bar code 3) a cart with special instructions; and 4) a cart with a bar code and special instructions. Ms. Singer explained that because of the 5% Small Business Enterprise (SBE) factor, Puryear, Inc. was the lowest bidder.

Assistant County Manager Torriente clarified, as a result of the Board's direction, the lowest bidder in the second ITB was Puryear, Inc, but that price was somewhat higher than the lowest bidder in the first ITB, which was Toter.

In response to Commissioner Diaz' question regarding which company had the lowest bid on the carts with all the options, Assistant County Manager Torriente noted based on the Board's direction to staff on November 8, 2007, the lowest bidder was Puryear, Inc., but the issue was that all bids in the first ITB were not rejected, and remained valid.

Commissioner Edmonson noted she recalled the Board instructing the County Manager to reject all bids on November 8, 2007 and begin the process again. She stated she interpreted the lowest bidder as Puryear, Inc; the second lowest bidder as Auto Environmental Systems, and the third as Toter.

Ms. Singer noted Auto Environmental Systems was sourcing the lowest bidder, and was also a participant in the ITB. She advised that the Commission did not reject all bids.

In response to Commissioner Diaz' question whether the Board directed the County Manager to reject all bids in order to proceed with negotiations, County Attorney Cuevas explained that a motion regarding the recycling collection services was made at the October 16, 2007 BCC meeting, but the Chair declined to take a vote. He noted the original item submitted to the Board was a waiver of the competitive bidding and the bid protest process, and the item presented on the November 8, 2007 BCC Meeting Agenda was only a report. Mr. Cuevas noted he reiterated this process at the November 8, 2007 BCC meeting, but clarified that staff would come back with a bid waiver procedure, as directed by the Board. He noted the Board instructed the County Administration to negotiate, which required an item to come back before the Board for approval. Regarding the carts, he noted he tried to have the Board move to reject all bids, but no vote was taken, so the original bid remained open.

Assistant County Manager Torriente explained the lowest bid in the second ITB was Puryear, Inc for the carts, but the bid in the first ITB was not rejected, therefore Toter remained the lowest bidder. She also explained that

the Board asked staff to issue an ITB on the carts and do a competitive pricing on the recycling collection services, and according to the meeting minutes, several motions failed. She noted the reason no resolutions were presented on today's agenda was that options still remained open. She noted, as pointed out, the first ITB gave a better price on the carts.

Commissioner Edmonson stated she would respect the will of the Board, however, she asked why Toter chose not to honor their original bid, but bid higher at a subsequent process, which she interpreted as collusion.

Commissioner Moss asked why Toter did not remain with their bid in the first ITB if they felt strongly about it and were given the chance to bid in the second ITB. He noted Attachment B clearly showed that Puryear, Inc was the lowest bidder under every category when the 5% SBE local preference was applied.

Ms. Singer explained that after applying the local preference factor for evaluation purposes, Puryear, Inc. was the lowest bidder, but when considering the actual price to be paid, Puryear, Inc. was higher.

Commissioner Moss pointed out the purpose of the County's SBE program was to give local, small businesses preference, even if the cost was a little more.

Chairman Barreiro stated he supported the portion of the motion that awarded the recycling collection services to World Waste and Waste Services with contiguous zones and to come back with contracts on Thursday. He stated he preferred the fully-loaded carts, for which Puryear, Inc was the lowest bid in the second ITB. He noted he supported the fully-loaded carts because they promoted and improved the recycling program and for tracking purposes. He shared a photo he took of a cart owned by Miami-Dade County that was being used by a municipality.

Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management (DWSM) explained staff's intention for requesting the fully-loaded carts, and noted a long-term program was in process for including bar codes and graphics on the carts.

Responding to Commissioner Martinez' questions regarding the size and number of recycling carts that DWSM projected to purchase, and whether the company in the current contract had provided the recycling bins, Ms. Woods-Richardson noted the Department planned to purchase 360,000, 65-gallon carts, and noted the carts purchased in the original contract were given to property owners at the contractor's expense. She explained that in the latest solicitation process, the recycling carts were to be provided by the companies, but staff found it less expensive for the County to purchase the carts rather than get them through the contractor.

Responding to Commissioner Martinez' question whether Auto Environmental Systems (Auto) was connected with Puryear, Inc, and whether Auto was a local, SBE company, Ms. Singer noted Auto was supplying Puryear, Inc. with the carts, and Auto was a competitive bidder, not an SBE company.

In response to Commissioner Martinez' question why the ITB showed Auto as the lowest bidder, if Toter was supposedly cheaper, Assistant County

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Manager Torriente pointed out that Commissioner Martinez was looking at the tally sheet for the second ITB, not the first ITB. Commissioner Martinez suggested the Board proceed with voting separately on the carts, so as not to further delay the awards. He noted the County was incurring costs for every month this contract was delayed.

Commissioner Gimenez noted he was opposed to the concept of carts with barcodes for inventory purposes unless barcode readers were installed on the trucks and the DSWM decided to charge by the pound. He pointed out that barcode stickers could be placed on carts at a later date. Commissioner Gimenez stated his desire to proceed with bifurcating this item to vote separately on the contract for recycling carts, for which Toter remained the lowest bidder.

County Attorney Cuevas expressed concern with proceeding with the foregoing motion for the stripped-down cart version if the prior bids in the first ITB were not rejected and the bid bond remained valid. He advised he wanted the Board to understand that if the October 2007 bid was still valid on its face, he was concerned with awarding to Puryear, Inc because another bid existed for the same product at a lower price.

Ms. Singer noted that no bid bond was required. She advised that staff confirmed Toter would honor their price submitted in the first ITB.

Commissioner Edmonson agreed to bifurcate and vote on the award for the curbside recycling collection services separately from the award for the carts.

It was moved by Commissioner Edmonson that the foregoing proposed report be bifurcated in order to move forward with the Curbside Recycling Collection Services. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Souto, Sosa and Sorenson were absent).

Following extensive discussion in connection with the Recycling Carts, it was moved by Commissioner Martinez that this issue be carried over to the Thursday, February 21, 2008 BCC Meeting for further discussion. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed 10-0 (Commissioners Sorenson, Sosa and Seijas were absent).

Commissioner Martinez asked Assistant County Manager Susanne Torriente to provide the Board members with all information pertaining to the October 2007 ITB for the Recycling Carts, prior to Thursday's (02/21) BCC meeting.

Ms. Torriente clarified she would bring back all information pertaining to both ITBs for the award of the recycling carts, and staff would proceed with negotiations and bring back contracts for the curbside recycling collection services on Thursday.

Following Ms. Singer's comments that the bid protest process would need to be waived in order to bring back both contracts, Assistant County Attorney Cuevas advised that a waiver of the bid protest process would be a part of the items to be presented on Thursday.

**13**      **COUNTY ATTORNEY**

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

14A1

**080365**              **Resolution**

RESOLUTION APPROVING THE BUDGET FOR FISCAL  
YEAR 2007-08 FOR THE NORTH MIAMI COMMUNITY  
REDEVELOPMENT AGENCY (Office of Strategic Business  
Management)

*Adopted*  
*Resolution R-185-08*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

**2/13/2008**      *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the  
Economic Development and Human Services Committee*

14A2

**080447                      Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA) FOR FINANCING OF THE COMMUTER RAIL PROJECT IN THE AMOUNT OF \$7,036,950; AND AUTHORIZING THE COUNTY MAYOR TO EXPEND FUNDS AS SPECIFIED IN THE INTERLOCAL AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 080353] (Miami-Dade Transit Agency)

*Adopted*  
*Resolution R-186-08*  
*Mover: Dorrin D. Rolle*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 8- 0*  
*Absent: Sosa, Gimenez,*  
*Sorenson, Souto, Martinez*

**Report:** Commissioner Seijas asked for an explanation regarding why costs were anticipated to increase if ridership had increased by 31%, and revenues were subsidized.

Mr. Joseph Giulietti, Executive Director, South Florida Regional Transportation Authority (SFRTA), 800 NW 33rd Street, Pompano Beach, Florida, explained the SFRTA Board decided not to raise the Tri-Rail fares while implementing the double tracking until such time the SFRTA took over the dispatch and maintenance. He noted in order to meet its federal obligation, the SFRTA needed to run a minimum of 48 trains per day. Mr. Giulietti noted although the ridership had increased tremendously, the cost had increased as well, and this agency contracts everything out related to the costs. He noted the approximate 3% increase in costs was the CPI cost for all contracts.

Responding to Commissioner Seijas' question why the revenues seemed to be 100% subsidized, Mr. Giulietti explained that each county served by the SFRTA, in the Tri-County area, provided \$4.3 million in funding for SFRTA operations, which was matched by State funding. He noted funds pulled in for operations, for the fare box and from the federal government subsidy make up the total revenue. He further noted the \$7 million Revenue noted in the agreement included \$2.6 million in gas-tax funds that the County allocated towards the capital programs, which was placed in a separate account to be used for matching state/federal dollars to purchase rolling stock, and not used for operations. He also noted some of the monies from the State were used for the New River Bridge project.

Commissioner Seijas questioned the status of the double tracking at the Hialeah station into Miami International Airport (MIA).

Mr. Giulietti noted the double tracking project at Hialeah was completed, but did not continue into the airport. He explained the SFRTA felt they could commit to a twenty minute service without the need to double track into MIA as a result of a discussion, held at that time, that only one firm (a scrap firm) used the draw bridge at that site. He noted the SFRTA was recently informed that the Federal Department of Transportation (FDOT) did not buy out that firm and the County might see another marina there in the future, which would require seeking state and federal funding to upgrade or double track that bridge.

Commissioner Seijas stated she was uncomfortable with approving this item, but realized commitments had been made. She asked that the SFRTA inform the County Commission before it proceeded with a future project to double track into the airport.

Mr. Giulietti advised the double tracking project was completed, and was never envisioned or designed to continue into the airport. Regarding the Miami Intermodal Center (MIC), he noted the SFRTA was involved in a program, along with the State and the County, where its air rights would be used to allow the MIC to come over the existing tracks, and the existing platform area could be expanded out to three platforms to operate from should there be a future extension out to the west.

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

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*Board of County Commissioners*

*Meeting Minutes*

*Tuesday, February 19, 2008*

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**2/13/2008** Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Transit Committee

14B1

**080371**                      **Report**

STATUS OF ITEMS IN US HUD/COUNTY WORKPLAN  
(County Manager)

*Presented*

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**Report:** Commissioner Moss noted this report was previously presented at the Economic Development and Health Safety Committee, but he wanted to ensure some discussion with the full Board and allow opportunities for questions, since this issue involved the Housing Urban Development (HUD) and the entire County Commission.

Mr. Lavoy, Housing Urban Development (HUD) Oversight Administrator, provided an overview of the settlement agreement between HUD and the Miami Dade Housing Agency (MDHA). He noted tasks to be completed were as follows:

Tasks to be completed by the County:

- conducting a workshop for an annual planning process;
- approval/adoption of the budget,
- developing agency cooperative agreements; and
- providing the funding statements for the re-audit.

Tasks to be completed by the Board of County Commissioners (BCC):

- transferring programs back to the County.

Tasks to be completed by HUD:

- reviewing the progress at the nine month and one year interval.

Tasks to be completed by the Oversight Administrator:

- working with the County on implementing the Public Housing (PHA) plan;
- providing oversight of the Sub-grantee component; and
- monitoring the budget process.

Regarding tasks to be completed by the BCC, Mr. Lavoy noted all liabilities had been identified, investigations were discussed and the legal framework was under review. Regarding tasks to be completed by HUD, he noted he would be reporting back to Mr. Jackson, Secretary of HUD, who would do an independent verification. Regarding tasks to be completed by the Oversight Administrator, he noted the FY2007/08 budget was submitted and the FY2008/09 would be submitted when completed in April 2008.

In Response to Commissioner Moss' question whether this process was on schedule, Mr. Lavoy noted this process was on schedule except for issues involving Public Housing- Section 8, and he could not say when those issues would be resolved.

Mr. Lavoy noted that several of the Finding and Judgments remained open; that none had been brought to adjudication, and the exact amount in liabilities had not been identified. He advised that HUD was looking to upgrade the agency cooperative agreements as necessary, and a resident survey would be completed by June 2008.

Mr. Lavoy noted the Real Estate Assessment Center would conduct a survey on a portion of the County's public housing residential population as to their satisfaction with public housing and the services provided. He noted the results of this survey would be provided to the BCC. In conclusion, Mr. Lavoy noted his commitment to further identify training requirements and provide as much assistance as possible while in Miami, to bring out the skill sets of the MDHA staff, management and supervision.

Commissioner Martinez referenced Sections 2B and 2B1 pertaining to MDHA

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staffing, on page 7 of this report and questioned whether the recent removal of some Administrators from MDHA was at the request of the Oversight Administrator.

Mr. Lavoy noted that was a result of a discussion held between him and the County Administration regarding two individuals, and the remaining actions were done by the County Administration.

Discussion ensued between Commissioner Rolle, Mr. Lavoy and the County Manager regarding the progress of Scott Carver-Hope VI Project, and the number of units to be built in Sectors II, III and IV.

Commissioner Rolle expressed concern with the proposal of 150 to 175 units, when the County Mayor previously discussed building 800 units.

County Manager George Burgess noted local dollars were approved in the budget and designated for the Hope VI project. He noted the quoted 800 figure was for a larger geographic area, including the Scott Carver project, and the County was still committed to providing those units in the greater Scott Carver/Liberty City area, utilizing other funding sources apart from the federal funding specifically designated for the Scott- Carver Hope VI project.

Mr. Lavoy clarified he was speaking of units in terms of increments, and he knew no reason why the 800 units could not be provided in the greater area.

In response to Commissioner Rolle's question regarding the building costs per unit, Mr. Lavoy noted building/infrastructure costs were currently \$120 to \$150 per square foot, which equated to approximately \$80,000 to \$100,000 per unit. Commissioner Rolle welcomed an opportunity to meet with Mr. Lavoy to discuss his concerns regarding an area expanded in District 3 to accommodate 800 units.

In response to Commissioner Rolle's question whether bonds issued by the County for approximately \$17 million was included in the \$42 million, Assistant County Attorney Cynthia Curry stated it was not.

In response to Commissioner Rolle's question whether Mr. Lavoy had an opportunity to attend some of the monthly public meetings with Hope VI residents, Mr. Lavoy advised that the public meetings were scheduled the third Thursday of every month, and he planned to attend them all.

Commissioner Edmonson recognized one member from the Miami Workers Center.

Ms. Iecia Hudson, Representative/Organizer, Miami Workers Center (MWC) and Lower Income Families Fighting Together (LIFFT) in the Liberty City area, appeared before the Board and noted her organizations understood the BCC had no authority over US HUD Section 8 Public Housing, but wanted to acknowledge that HUD's plans were failing the residents, particularly around the Scott Carver-Hope VI Project; and that HUD's plans were not comprehensive, but piecemeal and did not guarantee more than 150 units. She noted under the previous Miami-Dade Housing Authority, an RFQ for the Hope VI project was sent to HUD with a goal set at 450 units, but HUD ignored that RFQ, ignored the community process and ignored an additional \$15 million in County bond monies set aside for the Hope VI redevelopment that could be used to leverage more dollars to build beyond the 150 units.

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*She stated the MWC and LIFFT wanted to clarify that they were committed to continue fighting to ensure that the HOPE VI redevelopment efforts would maximize the land use model they influenced through the RFQ process; which was environmentally and economically sustainable, with more jobs for local residents and followed the community level process.*

*Commissioner Moss noted he expressed concern with the Hope VI project at the committee meeting, and he hoped HUD was working with the County Manager/Mayor in an effort to develop the 800 units that the County committed to build in the defined area, which included the Hope VI project. He stated he found it ironic that HUD would need to come back and ask the County for additional financial support when the County was castigated by HUD for using some of its own resources to provide housing to keep people off the street. Commissioner Moss pointed out today's meeting revealed trailer park residents who might be future clients of HUD in need of housing. He noted the County Commission was trying to be very responsible in meeting the housing needs.*

*Mr. Lavoy noted everyone agreed that the need for affordable housing was real and nobody was challenging the County's commitment to take care of those in need of housing. He noted he felt the issue was the source of funding and whether surtax funds could be used for that purpose. In response to Chairman Barreiro's question regarding what percentage of the Section 8 vouchers allocated to the County, were being utilized, Mr. Lavoy noted there was enough money to issue 14,000 vouchers and about 12,600 vouchers were being utilized. He indicated, with the changes being made by HUD, he expected that number to exceed 14,000 by this summer.*

*Chairman Barreiro asked if a mechanism existed to accommodate residents of closed mobile home parks in the voucher system, given the waiting lists.*

*Mr. Lavoy noted the current waiting list had to be expunged this year and MDHA would have to create a new list. He noted a true roulette method would be used to work through the list and provide everyone with an equal chance. He also noted due to the large elderly population in this community, the turnover of public housing units was less than 15%, and housing units did not come available that often. He suggested the best way to help those residents of closed trailer parks, was to provide Section 8 Vouchers or some type of affordable housing.*

*Chairman Barreiro pointed out the elderly were having a difficult time in filling out the scan-tron applications.*

*Commissioner Jordan clarified the reason the County made a loan was due to the lack of federal funding and the County having to use their own resources to upgrade or maintain the public housing units and make them accessible. She noted the County was not criticized for the purpose of using the funding source but whether the use of that source was legal. She also noted the County went to any length to keep people off the street.*

*Commissioner Jordan expressed concern with the process of sending letters to several landlords inquiring whether they had been under/over paid, and expressed concern that this would create a slippery slope. She also expressed concern with losing time to address this issue in this manner, when it could be resolved through the review and recertification process.*

Mr. Lavoy noted this was HUD's approach to resolve the issues between the landlords and HUD because of poor data and record keeping.

Commissioner Diaz questioned whether it was possible for the federal government to consider providing a more permanent-type structure as temporary housing for the residents of closed mobile home parks.

Mr. Lavoy noted he did not have an immediate answer, but advised there were certain mechanisms to address situations as the closing of mobile home parks. He stated he believed a more practical solution would be to issue more vouchers if the money was expanded, but he would explore other options.

Commissioner Edmonson questioned how the landlords, who responded to HUD's letter, came to the conclusion that they were under/over paid and questioned whether some type of formula was provided to make that determination.

Mr. Lavoy noted a determination was made based on the history and performance of monthly payments. He advised that no one would be reimbursed or docked prior to HUD verifying the amounts, but the intent was to improve the relationships between HUD and the landlords.

Commissioner Edmonson stated it might have been better for HUD to confirm the amounts before publicizing the responses. She concurred with Commissioner Moss' statement regarding HUD asking for additional funds after criticizing the County for spending its own resources on housing issues.

Commissioner Moss asked Mr. Lavoy to provide each County Commissioner with the name and phone number of a contact person from HUD's Section 8 Public Housing Section to refer clients to for assistance.

2/13/2008 Report Received by the Economic Development and Human Services Committee

**15 CLERK OF THE BOARD**

**15B REPORTS**

15B1

**080404 Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES  
SUBMITTED FOR FIRST READING ON FEBRUARY 19, 2008  
(Clerk of the Board)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Second: Sally A. Heyman*  
*Vote: 13- 0*

15B2

**080405 Report**

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

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Second: Sally A. Heyman*  
*Vote: 13- 0*

**15C COUNTY ADVISORY BOARD APPOINTMENTS**

15C1

**080407 Report**

APPOINTMENT OF REINALDO L. AZAN TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL OF MIAMI-DADE COUNTY (Clerk of the Board)

*Appointed*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

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

15D1

**080443 Nomination**

BALLOT APPOINTMENTS TO FILL TWO VACANCIES ON THE MIAMI-DADE EXPRESSWAY AUTHORITY (TO BE DELIVERED AT A LATER DATE) (Clerk of the Board)

*Appointed*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Sally A. Heyman*  
*Vote: 13- 0*

**Report:** *Chairman Barreiro announced, by ballot vote, Mr. Felix M. Lasarte and Mr. Luis V. Martinez were appointed to serve as members of the Miami Dade Expressway Authority.*

**15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS****16 ITEMS SCHEDULED FOR THURSDAY****16A SPECIAL PRESENTATIONS (Scheduled for 8:00 a.m.)**

16A1

**080411 Service Awards Bruno A. Barreiro**

PRESENTATION OF SERVICE AWARDS:

*Carried over to February 21, 2008*

WINTIFORD E. SMITH - ANIMAL SERVICES - 30 YEARS  
 VIVIAN ROBLES - AVIATION - 30 YEARS  
 STEVEN A. CARTER - C & R - 30 YEARS  
 MARCIA MELENDEZ - DERM - 30 YEARS  
 CAROLINE V. DRIVER - ELECTIONS - 30 YEARS  
 PABLO LOPEZ - MDT - 30 YEARS  
 MIGUEL A. LUGO - PWD - 30 YEARS  
 JIMMY J. MC GEE - SWMD - 40 YEARS  
 CELESTIN FLORVIL - WASD - 35 YEARS  
 MARIO V. LOBATO - WASD - 30 YEARS

**Report:** *(See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).*

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16A2

080416 Certificate of Appreciation Bruno A. Barreiro

CERTIFICATES OF APPRECIATION FOR THE FEBRUARY 2007 DRIVE Carried over to February 21, 2008

Report: (See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).

16A3

080417 Special Presentation Bruno A. Barreiro

SPECIAL PRESENTATION TO MR. SUBRATA BASU BY THE AMERICAN PLANNING ASSOCIATION GOLD COAST CHAPTER Carried over to February 21, 2008

Report: (See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).

16A4

080433 Congratulatory Certificate Audrey M. Edmonson

CONGRATULATORY CERTIFICATES TO BRANDON WASHINGTON, JUDAH LINDER, TYRONE WILLIAMS AND DONTA REID Carried over to February 21, 2008

Report: (See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).

16A5

080456 Certificate of Appreciation Barbara J. Jordan

CERTIFICATES OF APPRECIATION FOR THE MIAMI NORLAND SENIOR HIGH SCHOOL SENIOR 500 ROLE MODELS: Carried over to February 21, 2008

- 1) DWAYNE CLARKE
2) PETER DESOUZA

Report: (See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).

16A6

080457 Certificate of Appreciation Barbara J. Jordan

CERTIFICATES OF APPRECIATION FOR THE MIAMI-DADE FIRE RESCUE Carried over to February 21, 2008

Report: (See the Thursday, February 21, 2008, County Commission meeting minutes, Legistar Meeting Key No. 2460).

16B

POLICY MATTERS FOR DISCUSSION BY THE BOARD



**082414            Report**

NON-AGENDA REPORTS

**Report:****1. MIAMI-DADE FIRE AND RESCUE EXPEDITION**

*Mr. Robert Palestrant, Division Operations Chief, Miami-Dade Fire Rescue (MDFR), announced, on behalf of Chief Herminio Lorenzo, Director, MDFR, that the Miami-Dade Fire and Rescue Expedition would be held on March 8, 2008, and a schedule of events was included in the packet distributed to each Commissioner.*

**2. SENATE BILL 1512**

*Assistant County Manager Ysela Llort addressed Senate Bill 1512 introduced by Senator Geller, pertaining to transportation/transit authorities and a \$2 rental surcharge. She noted although the Board voted to support the \$2 rental surcharge, she clarified this Senate Bill would not add an additional \$2 but would supplant the use of the current \$2, which would have the impact of reducing the County's scheduled dollars for projects in the five year work program, and projects would need to be rolled back. Ms. Llort noted the Florida Department of Transportation (FDOT) prepared a list of projects, subject to discussions with the Metropolitan Planning Organization (MPO), but this list was substantial and would be greater going forward due to the impact on the twenty year plan.*

*Chairman Barreiro noted this was an issue because the South Florida Regional Transit Authority (SFRTA) was unaware that a current \$2 surcharge was being collected but tried to go after an additional \$2 surcharge last year, and that action was vetoed. He further noted an issue came up this year where the \$2 surcharge collected was put into a State pool as District dedicated funds for projects statewide. He noted that fund was supposed to sunset this year, but was extended and the funds were to be allocated to the districts beginning this year.*

*Commissioner Barreiro noted he requested through the SFRTA, information from the State showing those funds were collected because he had not seen a spike in revenues coming into the County's MPO or FDOT. He expressed concern that if the State had collected and allocated monies for district projects, than Miami-Dade County was being shortchanged. He stated he disagreed with the information provided that projects would not come to fruition, and felt the Board needed to make a policy decision on whether or not to go after the existing \$2, as the Palm Beach and Broward County MPOs had done.*

*Mr. Giulietti, Executive Director, SFRTA noted the SFRTA joined in the Orlando Bill, which was vetoed last year by the Governor because he felt it was an unfair tax on the tourists. At that time, he noted no one was aware the \$2 surcharge was being collected until this year when it was due to sunset and the monies would be returned to the districts where they were collected. He noted the SFRTA Board decided it would either request an additional \$2 or go after the existing \$2 monies, but the Chair determined that if we got the money, 20% of it would go to tourism and \$20 million would be returned back to the State. He noted the SFRTA now had a list of projects that would be pulled away from the tri-counties MPO that would have an effective change of \$339 million in projects, because SFRTA would only get \$100 million and another \$100 million would be returned back to the State.*

Mr. Giulietti noted other issues included the State's accounting systems not reflecting revenues projected off the I-95 project; SIS funds designated for the Tri-County District shifting to other areas, and the Secretary of Transportation advising the SFRTA that it had until October 2008 to come up with the funding to take over the dispatching and maintenance of the Tri-Rail. Mr. Giulietti noted the SFRTA was in an awkward position because it was at the bare minimum to meet the federal requirement to run 48 trains per day and relied on FDOT's dedicated funding, which would be cut if the tri-counties experienced cuts.

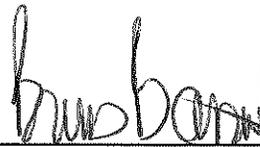
Commissioner Moss stated he believed the County should conduct an analysis to determine whether this money was flowing into projects or whether the County would lose money if it followed the leadership of the SFRTA. He noted the County would be competing for the same pot of money and could be stuck with paying for projects such as the double tracking. He noted should the analysis reveal real projects were being funded, he expected the SFRTA to change its position and the County to aggressively oppose any erosion of this funding for projects.

Chairman Barreiro stated the SFRTA would do its best to get that information, but it was not easy since the State was holding the numbers. He expressed concern with another issue regarding the State negotiating with CSX Railroad Company to buy the Orlando track for the community rail and the SFRTA given a timeframe in which to take control of the dispatching and maintenance. He noted the SFRTA had received mixed messages regarding the time frame and was forced to make conclusive decisions as a result of unclear issues.

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## ADJOURNMENT

**Report:** Today's meeting recessed at 6:49 p.m. to be continued on Thursday, February 21, 2008 at 9:30 a.m., in the Commission Chambers, for consideration of the agenda items carried over. (See the minutes of February 21, 2008 BCC Meeting, Legislative Meeting Key #2460.)



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk