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, April 22, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Judy Marsh, Commission Reporter, (305) 375-1967

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Judy Marsh, Commission Reporter, (305) 375-1967*

1A MOMENT OF SILENCE

1B PLEDGE OF ALLEGIANCE

Report: *The County Commission observed a Moment of Silence, followed by the Pledge of Allegiance.*

1C ROLL CALL

Report: *Chairman Barreiro called the meeting to order at 10:01 a.m.*

The following staff members were present: County Manager George Burgess, Assistant County Managers Alex Munoz and Ysela Llort, Senior Advisor to the County Manager Cynthia Curry, Special Assistant to the County Manager Irene Taylor-Wooten; Budget Director Jennifer Glazer-Moon; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams, Assistant County Attorneys Geri Bonzon-Keenan, Hugo Benitez, Bruce Libhaber; and Deputy Clerks Diane Collins and Judy Marsh.

1D REPORTS OF OFFICIAL BOARDS

1D1

080696 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2008 - CONSTRUCTION TRADES QUALIFYING BOARD - DIVISION "B" (County Manager)

Presented
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

3/11/2008 *Report Received by the Governmental Operations and Environment Committee*

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

081197 Citizen's Presentation Bruno A. Barreiro

MANNY GOMEZ RE: JACKSON MEMORIAL REHABILITATION CENTER — ***Presented***

Report: *Mr. Manny Gomez appeared before the County Commission and noted the intent of his presentation was to help patients at Jackson Memorial Hospital. He expressed concern regarding the conditions of and the service at the rehabilitation building. Mr. Gomez asked the County Commission and the County Administration to assist him in advocating improvements at the Jackson Memorial Hospital rehabilitation building and clinic.*

1E2

081198 Citizen's Presentation Bruno A. Barreiro

MANUEL BLANCO RE: CHAPTER 11A AND THE EQUAL OPPORTUNITY BOARD — ***Presented***

Report: *Mr. Manuel Blanco, 7915 Camino Real #302, appeared before the County Commission. He noted he had represented his mother for two years in her complaint filed with the Equal Opportunity Board (EOB) regarding enforcement of Chapter 11A of the County Code, with respect to parking accessibility for the disabled and retaliation. Mr. Blanco explained the EOB was not serving the purpose it was created to provide and had not ruled on the motion he filed in November 2007. Mr. Blanco explained the EOB denied his request for a rehearing regarding retaliation, notwithstanding the six counts of perjury he presented against the respondent who provided an audio taped testimony.*

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

Report: *County Attorney Robert Cuevas advised that in addition to the County Manager's memorandum entitled, "Changes for the April 22, 2008 BCC meeting," the following additional change was requested: that Agenda Item 15B1 be amended to schedule the public hearing date for Agenda Item 4D to June 12, 2008, before the Airport and Tourism Committee. He noted Commissioner Sosa requested Agenda Items 10C1A and 12B1 be released, and requested to be added as pulling Item 12A1; and Commissioner Rolle requested to be listed as a co-sponsor to Item 11A5. Mr. Cuevas further noted that Agenda Item 14A3 which was initially placed on the Pull List would be heard as an item for First Reading.*

It was moved by Commissioner Sosa that the County Commission approve the foregoing changes to the April 22, 2008 meeting Agenda with the changes listed in the County Manager's memorandum and the additional changes requested by the County Attorney. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 10-0, (Commissioners Edmonson, Moss, and Souto were absent).

1G OFFICE OF COMMISSION AUDITOR

1H OFFICE OF INTERGOVERNMENTAL AFFAIRS

1I SPECIAL PRESENTATIONS

111

081203 **Special Presentation** **Bruno A. Barreiro**

CLIMATE CHANGE ADVISORY TASK FORCE INITIAL RECOMMENDATIONS BY HARVEY RUVIN

Accepted
Mover: Natacha Seijas
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Edmonson, Moss, Souto, Martinez

Report: *The Honorable Harvey Ruvin, Clerk of County and Circuit Courts, and Chairman, Climate Change Advisory Task Force, presented the Task Force's initial recommendations. He noted the County needed to be proactive to make the community more resilient to the impact of carbon emissions and he requested the County Commission accept the Task Force's report. Mr. Ruvin explained the Task Force planned to return before the Commission with specific plans to strategically implement the recommendations in the report. He noted the Task Force formed a Science Committee chaired by Dr. Hal Wanless, Chairman, University of Miami Geological Sciences Department; a Greenhouse Gas Reduction Committee; a Built Environment Adaptation Committee; a Natural Systems Adaptation Committee; an Economic, Social, and Health Adaptation Committee; and an Intergovernmental Affairs Adaptation Committee. Mr. Ruvin explained the Chair for each committee would present the committee's recommendations.*

Dr. Wanless discussed the impact of projected sea level rise on South Florida and the Science Committee's Initial Recommendations for the County:

1. to use the Science Committee's "Statement on Sea Level in the Coming Century" to guide future climate change mitigation and adaptation policy, and
2. to commission detailed maps for all of Miami-Dade County created from calibrated Light Detection and Ranging (LIDAR) surveys (or other elevation survey technology that employs best known practices) that would allow identification of which areas would become flooded in association with different sea levels and would provide a basis for assessing risk to the County's development and infrastructure.

Mr. Ruvin pointed out a LIDAR map had been done for all of Florida, and the County could complete recommendation number two fairly quickly.

Mr. Richard Pettigrew, Chairman, Greenhouse Gas Reduction Committee, emphasized the Greenhouse Gas Reduction Committee was beginning a process to identify ways to reduce greenhouse gases. He noted the Greenhouse Gas Reduction Committee focused on transportation issues as opposed to buildings. He commended the County for converting its vehicle fleet to hybrid vehicles. He explained the Committee's recommendations focused on the County encouraging other entities it regulated to use hybrid vehicles and biofuels. He noted the Committee recommended the following:

1. that the award of taxicab medallions include a requirement for all new medallions issued after January 1, 2008, be allocated to hybrid or other vehicles having a combined average fuel efficiency of 28 miles per gallon (MPG), as recommended by the Consumer Services Department;
2. that the County require that taxicabs being retired be replaced with new hybrid or other vehicles having a combined average fuel efficiency of 28 MPG or higher;
3. that all County diesel fleet vehicle and equipment (except standby equipment) use sustainably-sourced B20 biodiesel fuel;
4. that the County's fueling facilities be built, modified, upgraded, or designed and constructed to accommodate alternative ethanol fuels;
5. that the County's Procurement Management Department take necessary steps to improve pricing and access to sustainably-sourced alternative fuels and high efficiency vehicles for County operations through forming a joint committee or committees to pursue collective purchasing opportunities and to evaluate the costs and benefits of collective bids; and

6. that the County continue its efforts to reduce local emissions by converting to biodiesel and ethanol fuel sources, and to fleet vehicles that used biodiesel or ethanol fuel sources.

Ms. Elizabeth Plater-Zyberk, Chair, Built Environment Adaptation Committee, noted the built environment could be responsible for the combined effects of building related emissions and transportation emissions. She explained the Committee's recommendations focused on establishing a firm and integrative administrative foundation for future action. She noted the Committee recommended the following:

1. that all County agencies be required to assess climate change impacts on the agency's responsibilities and incorporate the assessed impacts and proposed solutions into the agency's 50 year master planning agenda;
2. that the County use its Home Rule Charter authority to establish minimum criteria and standards related to climate change for public investment for all municipalities in the County; and
3. that the County expand the mission of the Office of Sustainability to provide a centralized agency for climate change information, monitoring, analysis, and benchmarking that included the following activities:
a. establishing a base case of information at an identified current or recent past date to which all ensuing data might be compared;
b. assisting in integrating the activities of the various entities; and
c. monitoring the effects of climate change on Miami-Dade County through the evolving data base, and publish the results for use by elected leaders, public agencies, and the general public.

Ms. Plater-Zyberk emphasized everyone in the world could mitigate emissions, but each region needed to adapt individually.

Mr. Dan Kimball, Chair, Natural Systems Adaptation Committee, explained the Committee assessed the impacts of sea level rise, warmer temperatures, and less precipitation on the natural systems in the County. He noted the Committee's recommendations focused on measures that would allow natural systems to adapt to climate change. Mr. Kimball noted the following concepts for dealing with natural systems adaptation:
1. the need to restore the South Florida Ecosystem;
2. the need to retain and manage natural and open lands;
3. the need to protect the Biscayne Aquifer;
4. the importance of modeling and monitoring climate change and adaptive management;
5. the need to establish partnerships to monitor, restore, protect, and adapt to climate change.

Mr. Kimball pointed out the following Committee recommendations for the County:

1. To fully support the Comprehensive Everglades Restoration Plan and increase funding and resources for other regional and local habitat restoration and preservation efforts and initiatives;
2. To increase funding and resources for land acquisition and management programs, and investigate new and creative mechanisms to boost funding for other programs;
3. To acquire all undeveloped lands needed for restoration purposes and for mitigation and adaptation to climate change effects;
4. To develop a comprehensive planning and zoning policy to locate

infrastructure and development outside coastal or flood hazard prone areas using projections of sea level rise to identify those areas;
5. To continue to fund the County Agriculture Purchase of Development Rights Program beyond the current funding levels to maintain open lands for aquifer recharge, habitat, and buffers;
6. To provide incentives to study and develop best practices for agricultural management that contribute to carbon sequestration and reduce greenhouse gas emissions;
7. To protect the Biscayne Aquifer and limit the extent of saltwater intrusion into ground and surface water resources;
8. To expand the County's capability to manage protected lands;
9. To develop a "vital signs" monitoring program to track climate change indicators and their effects on natural systems; and
10. To establish partnerships to restore, protect, monitor, and adapt to climate change.

Mr. Dan Kipnis, Chair, Economic, Social, and Health Adaptation Committee, emphasized the worst action regarding climate change for the County would be no action. He spoke in opposition to the County expanding the Urban Development Boundary (UDB) and developing any agricultural land. Mr. Kipnis noted the following Committee recommendations for the County:
1. to restrict land uses in areas that would be at risk from sea level rise and associated impacts within the next 50 years;
2. to work with the Department of Health to address potential human infectious disease changes and increases that may accompany climate change;
3. to form an interdisciplinary, community-wide working group, including the media and institutions of higher education, that would focus on public education and information regarding climate change and adaptation; and
4. to collaborate with all agencies and entities involved in economic development and planning in order to develop a unified and comprehensive response to the challenges of climate change.

Ms. Isabel Carballo, Intergovernmental Affairs Adaptation Committee, noted the Committee focused on developing strategies that would support the County's climate related initiatives. She noted the Committee recommended the following:
1. that the County conduct a survey of the municipalities in the County to gauge their level of knowledge and engagement in climate change issues; to learn about their activities, and to begin to create an intergovernmental learning network that allowed information and strategies to be exchanged regarding adapting to and mitigating climate change issues;
2. that the County convene local and state agencies and water and sewer utilities around a discussion of climate change impacts on water quantity, quality, and availability and implications for infrastructure planning and investment;
3. that the County convene a broader group of local and state agencies around a discussion of their activities related to climate change;
4. that the County develop a website with up-to-date information about the work of the County Commission, the CCATF, and the municipalities with links to information and best practices related to climate change, adaptation and mitigation efforts by individuals and organizations;
5. that the County work with the region's children's museums and foundations to create and fund educational exhibits on climate change, green technologies, and clean cities;
6. that the County identify and develop educational materials that could be incorporated into the public schools curriculum on climate change, the

environment, and sustainability.

Mr. Ruvin noted the Committees' recommendations would provide results that would bring the County close to the solutions to climate change. He clarified the County would not avoid all the impacts of climate change; however, the County would avoid cataclysmic projections by adapting to climate change.

In response to Commissioner Sorenson's request for his opinion on moving the UDB, Mr. Ruvin spoke in opposition to moving the UDB. He noted the County should be very careful regarding developing land in the path of sea level rise and limiting the County's agricultural flexibility. He suggested the County use its agricultural land to produce biofuels.

Commissioner Diaz expressed appreciation to Mr. Ruvin for his leadership on environmental issues. He spoke in support of the County finding a balance between environmentalism and urbanism. He pointed out the County experienced devastating results from over emphasizing environmentalism.

Commissioner Heyman expressed concern regarding saltwater intrusion into the Biscayne Aquifer and coast line erosion. She noted the County Administration should consider and include the CCATF recommendations in the County budget.

Following comments by Commissioner Souto regarding his efforts to protect the environment and the County providing mass transit service, Commissioner Sosa noted the County Administration needed to analyze each CCATF recommendation and determine the cost and other impacts for the County to implement the recommendations.

Commissioner Seijas noted the County Manager should provide an update on the directives made at the April 15, 2008, Governmental Operations and Environment (GOE) Committee meeting regarding the CCATF report and recommendations at the May 13, 2008, GOE Committee meeting. She noted the County did not use land elevation to determine the UDB, and spoke in opposition to the idea that the UDB was the best guide for dealing with sea level rise.

Commissioner Jordan requested the CCATF provide a report outlining the next steps and the financial impact of the CCATF recommendations.

Mr. Ruvin explained Ordinance 06-113 creating the CCATF contained a five-year sunset provision on the life of the CCATF. He noted the CCATF planned to reconvene and look at the whole range of issues. Mr. Ruvin clarified many climate change topics had not yet been approached. He noted the CCATF would also work on implementing the recommendations.

In response to Commissioner Sorenson's inquiry regarding the timeline and the resources needed for the recommended LIDAR maps, Mr. Ruvin noted LIDAR maps of the State of Florida were available.

Dr. Wanless noted the County needed to ensure the instruments used for the LIDAR maps of Florida was properly calibrated to provide accurate elevations.

Commissioner Sorenson noted the County Commission should not make any land use decisions before it had the information from the LIDAR maps.

Dr. Wanless explained the County had to maintain fresh water flow in the area west of the coastal ridge to save the County's fresh water groundwater resources. He clarified the County would have to elevate the water levels in the Everglades to maintain a fresh water head, which would be a challenge to any development in the west part of the County.

Hearing no other questions or comments, the Commission proceeded to vote.

2 MAYORAL ISSUES

2A MAYORAL VETOES

2B MAYORAL REPORTS

2B1

081234 **Report**

APPROVAL OF DEPARTMENTAL AGENDA ITEMS (Mayor)

Accepted
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

3 CONSENT ITEMS

3D1A

080877 **Resolution**

RESOLUTION RATIFYING THE MAYOR OR HIS DESIGNEE'S ACTION IN APPLYING FOR STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUNDS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO RECEIVE, EXPEND, AND EXECUTE SUCH CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING (MOU), AND AMENDMENTS, AFTER APPROVAL BY THE COUNTY ATTORNEY; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXPEND ANY AND ALL MONIES RECEIVED, AND TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO THE APPLICATION; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (General Services Administration Department)

Adopted
Resolution R-423-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4 ORDINANCES FOR FIRST READING

4A

080960 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CHRISTIAN COVE MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

Adopted on first reading
Public Hearing: May 20, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Board of County Commissioners on May 20, 2008, at 9:30 a.m.*

4B

080959 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS REDLANDS COVE ESTATES STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

Adopted on first reading
Public Hearing: May 20, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Board of County Commissioners on May 20, 2008, at 9:30 a.m.*

4C

081033 **Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GRAND BAY AT DORAL MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

Adopted on first reading
Public Hearing: May 20, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Board of County Commissioners on May 20, 2008, at 9:30 a.m.*

4D

080974 **Ordinance** **Jose "Pepe" Diaz**

ORDINANCE RELATING TO THE NORTH TERMINAL DEVELOPMENT AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING COUNTY MAYOR AND THE AIRPORT DIRECTOR TO EXECUTE CHANGE ORDERS, EXTEND CONTRACT TIME, WAIVE LIQUIDATED DAMAGES, AND MODIFY CONTRACT TERMS FOR CONTRACTS RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT WITHOUT THE NEED FOR PRIOR COMMISSION APPROVAL; ESTABLISHING CONDITIONS FOR EXERCISE OF DELEGATED AUTHORITY; WAIVING COMMITTEE REVIEW OF NEW NORTH TERMINAL CONTRACTS AUTHORIZING TIME EXTENSIONS BEFORE AND AFTER EXPIRATION OF CONTRACT TIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 12, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *Hearing no objection, the foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Airport and Tourism Committee on June 12, 2008, at 9:30 a.m., as requested during consideration of changes to today's agenda.*

4E

080958 **Ordinance**

ORDINANCE RELATING TO CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ENTITLED "PARK AND RECREATION DEPARTMENT RULES AND REGULATIONS"; AMENDING SECTION 26-1, RULE 33 FOR THE PURPOSE OF AUTHORIZING THE PARK AND RECREATION DEPARTMENT DIRECTOR TO PERMIT THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT ADULT ATHLETIC EVENTS HELD IN COUNTY PARKS AND RECREATIONAL FACILITIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Park & Recreation Department)

Adopted on first reading
Public Hearing: May 12, 2008
Mover: Sen. Javier D. Souto
Seconder: Barbara J. Jordan
Vote: 9- 1
No: Gimenez
Absent: Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Recreation and Cultural Affairs Committee on May 12, 2008, at 2:00 p.m.*

4F

080984 **Ordinance**

ORDINANCE AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE COMMUNITY BUSINESS ENTERPRISE PROGRAM FOR ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, AND SURVEYING AND MAPPING PROFESSIONAL SERVICES (CBE-A/E); CONSOLIDATING THE SCHEDULE OF PARTICIPATION AND LETTER OF INTENT; REPLACING BOTH WITH A LETTER OF AGREEMENT, ALLOWING PROPOSERS TO CURE DEFECTS ON THE LETTER OF AGREEMENT WITHIN FORTY-EIGHT HOURS OF NOTIFICATION, INCREASING THE SIZE LIMITS FOR SECOND TIER CBE-A/E'S IN THE CASE OF ARCHITECTURAL, ENGINEERING, AND SURVEYING AND MAPPING SERVICES, AND SUBSTITUTING THE DEPARTMENT OF SMALL BUSINESS DEVELOPMENT (SBD) FOR THE DEPARTMENT OF BUSINESS DEVELOPMENT (DBD); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Business Development)

Adopted on first reading
Public Hearing: May 13, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Budget and Finance Committee on May 13, 2008, at 2:00 p.m.*

4G

081152 **Ordinance** **Dennis C. Moss**

ORDINANCE RELATING TO RULES OF PROCEDURE OF BOARD OF COUNTY COMMISSIONERS; AMENDING RULES OF PROCEDURE TO PROVIDE FOR PRIME SPONSORSHIP AND CO-SPONSORSHIP OF RESOLUTIONS AND ORDINANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: May 13, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Governmental Operations and Environment Committee on May 13, 2008, at 9:30 a.m.*

4H

081142 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE PERTAINING TO ZONING; CREATING SECTION 33-124.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO AUTOMOBILE AND TRUCK PARKING IN CERTAIN RESIDENTIAL AREAS; AMENDING SECTION 8CC-10 PERTAINING TO CIVIL PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: May 13, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Governmental Operations and Environment Committee on May 13, 2008, at 9:30 a.m.*

4I

081143 **Ordinance**

ORDINANCE APPROVING AND ADOPTING SUPPLEMENTAL BUDGETS FOR VARIOUS COUNTY DEPARTMENTS AND FUNDS; RATIFYING AND APPROVING ADMINISTRATIVE/IMPLEMENTING ORDERS AND OTHER BOARD ACTIONS WHICH SET CHARGES; AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS; APPROPRIATING GRANT FUNDS; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Office of Strategic Business Management)

Adopted on first reading
Public Hearing: May 20, 2008
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Edmonson, Moss, Martinez, Seijas

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Board of County Commissioners on May 20, 2008, at 9:30 a.m.*

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

5A

080277 **Resolution** **Barbara J. Jordan**

RESOLUTION CODESIGNATING NW 22ND AVENUE BETWEEN NW 156TH STREET AND NW 158TH STREET AS MINISTER VICTOR LEVELL, SR. BOULEVARD; URGING THE CITY OF MIAMI GARDENS TO DO THE SAME

Withdrawn

Report: *During consideration of changes to today's agenda, the foregoing proposed resolution was withdrawn.*

4/8/2008 *Deferred by the Board of County Commissioners*

5B

080985 **Resolution**

RESOLUTION AUTHORIZING THE ERECTION, CONSTRUCTION, AND OPERATION OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT TEMPORARY AQUIFER RECHARGE PILOT PLANT, LOCATED AT 15420 SW 120TH AVENUE, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

Adopted
Resolution R-424-08
Mover: Dennis C. Moss
Seconder: Joe A. Martinez
Vote: 13- 0

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

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

Ms. Susan Blake, 11363 SW 165 Terrace, appeared before the County Commission in opposition to the foregoing proposed resolution. She asked the Commission to deny this proposal.

There being no other persons to appear before the Commission, the public hearing was closed.

Responding to Commissioner Moss' request that he address the safety concerns raised by Ms. Blake, Mr. John Renfrow, Director, Water and Sewer Department, noted the temporary aquifer recharge pilot plant would use high level disinfection and the best technology available. He clarified the temporary aquifer recharge pilot plant would not be a sewage treatment plant, and it should not contaminate water or land.

Commissioner Sorenson questioned the status of the "There's No Place like Home" project that intended to use the vacant Coast Guard housing on the property in this proposed resolution.

Special Assistant to the County Manager Irene Taylor-Wooten noted the County was updating the cost to renovate the housing on this property. She further noted the United States Army contacted the County regarding an immediate, emergency need for housing and the Army would lease the property from the County and pay to renovate the property.

Hearing no other questions or comments, the Commission proceeded to vote.

5C

080917 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF SILVER PALMS ACRES FAMILY HOMES, INC., D-22110, LOCATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 56 SOUTH, RANGE 38 EAST (BOUNDED ON THE NORTH BY SW 220 STREET, ON THE EAST BY APPROXIMATELY SW 186 AVENUE, ON THE SOUTH BY SW 222 STREET, AND ON THE WEST BY SW 187 AVENUE) (Public Works Department)

Adopted
Resolution R-425-08
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

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

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation, and there being no persons to appear before the Commission, the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5D

080918 **Resolution**

RESOLUTION APPROVING THE PLAT OF LARGAESPADA HOMES, LOCATED IN THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 53 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 47 STREET, ON THE EAST BY APPROXIMATELY NW 25 AVENUE, ON THE SOUTH BY NW 46 STREET, AND ON THE WEST BY APPROXIMATELY NW 27 AVENUE) (Public Works Department)

Adopted
Resolution R-426-08
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

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

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation, and there being no persons to appear before the Commission, the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5E

080919 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF MIAMI-DADE COUNTY PARKS (SOUTHRIDGE PARK), D-22745, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 56 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY SW 194 STREET, ON THE EAST BY SW 112 AVENUE, ON THE SOUTH BY SW 196 STREET, AND ON THE WEST BY APPROXIMATELY SW 113 AVENUE) (Public Works Department)

Adopted
Resolution R-427-08
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

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

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation, and there being no persons to appear before the Commission, the public hearing was closed.

Hearing no other questions or comments, the Commission proceeded to vote.

5F

080920 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF MIAMI-DADE COUNTY PARKS (CHUCK PEZOLDT PARK), D-22744, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 55 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY SW 164 STREET, ON THE EAST BY APPROXIMATELY SW 153 PLACE, ON THE SOUTH BY SW 168 STREET, AND ON THE WEST BY SW 157 AVENUE) (Public Works Department)

Adopted
Resolution R-428-08
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

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

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation, and there being no persons to appear before the Commission, the public hearing was closed.

Hearing no questions or comments, the Commission proceeded to vote.

5G

080921 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF MONARCH, LLC, D-22751, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 54 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY SW 38 STREET, ON THE EAST BY APPROXIMATELY SW 84 AVENUE, ON THE SOUTH BY SW 40 STREET, AND ON THE WEST BY APPROXIMATELY SW 85 AVENUE) (Public Works Department)

Adopted
Resolution R-429-08
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 13- 0

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

Chairman Barreiro announced that the foregoing proposed resolution was open for public participation, and there being no persons to appear before the Commission, the public hearing was closed.

Hearing no questions or comments, the Commission proceeded to vote.

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

7 ORDINANCES SET FOR SECOND READING

8 DEPARTMENTAL ITEMS

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

8E FINANCE DEPARTMENT

8E1A

081232 **Resolution**

RESOLUTION AMENDING RESOLUTION NO. R-319-08 TO INCLUDE CERTAIN TRANSIT PROJECTS AMONG CAPITAL PROJECTS AUTHORIZED TO BE FUNDED FROM NOT TO EXCEED $300,000,000 MIAMI-DADE COUNTY, FLORIDA TRANSIT SYSTEM SALES SURTAX REVENUE BONDS, SERIES 2008 (Finance Department)

Deferred to May 6, 2008
Mover: Jose "Pepe" Diaz
Seconder: Dorrin D. Rolle
Vote: 13- 0

Report: *County Manager Burgess requested the foregoing proposed resolution be deferred to May 6, 2008.*

Chairman Barreiro asked County Manager Burgess to meet with each commissioner to discuss this proposed resolution before it was forwarded for consideration by the County Commission.

8F thru 8K [No items were submitted for these sections.]

8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

081144 **Resolution**

RESOLUTION AUTHORIZING THE APPROVAL AND AWARD OF FY 2007-08 COMMUNITY-BASED ORGANIZATION ROUND 2 AND ROUND 3 DISTRICT RESPONSIVE GRANTS FUNDED THROUGH THE REALLOCATION OF PREVIOUSLY IDENTIFIED FUNDING (Office of Strategic Business Management)

Amended

Report: *(See Agenda Item 8L1A Amended, Legislative File No. 090028)*

8L1A Amended

090028 **Resolution**

RESOLUTION AUTHORIZING THE APPROVAL AND AWARD OF FY 2007-08 COMMUNITY-BASED ORGANIZATION ROUND 2 AND ROUND 3 DISTRICT RESPONSIVE GRANTS FUNDED THROUGH THE REALLOCATION OF PREVIOUSLY IDENTIFIED FUNDING [SEE ORIGINAL ITEM UNDER FILE NO. 081144] (Office of Strategic Business Management)

Adopted as amended
Resolution R-430-08
Mover: Natacha Seijas
Seconder: Joe A. Martinez
Vote: 13- 0

Report: *It was moved by Commissioner Seijas that the foregoing proposed resolution be adopted as amended, as recommended by Budget Director Jennifer Glazer-Moon, to remove the allocations to the Catholic Charities of the Archdiocese of Miami, Inc. – Sagrada Family Center, and the Catholic Charities of the Archdiocese of Miami, Inc. – South Dade Child Care Center from the "FY 2007-08 Corrected Allocations," which meant that these allocations were not being rescinded at this time; and adjusting the amount of the "Unallocated CBO funding," to $72,409.00. This motion was seconded by Commissioner Martinez.*

There being no objection, the County Commission further amended this proposed resolution to allocate $25,000 to the Action Community Center from the "Unallocated CBO funding," as requested by Chairman Barriero.

Upon being put to a vote, the foregoing motion passed by a vote of 13-0.

8M and 8N [No items were submitted for these sections.]

8O PROCUREMENT MANAGEMENT DEPARTMENT

8O1A

081070 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR TO EXERCISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR'S OR HIS DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

Adopted
Resolution R-431-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

8O1B

081071 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR'S OR HIS DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

Amended

Report: *(See Agenda Item 8O1B Amended)*

8O1B Amended

082315 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR'S OR HIS DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES [SEE ORIGINAL ITEM UNDER FILE NO. 081071] (Procurement Management Department)

Adopted as amended
Resolution R-432-08
Mover: Natacha Seijas
Seconder: Joe A. Martinez
Vote: 13- 0

Report: *Commissioner Seijas noted the foregoing proposed resolution would renew nine contracts that were initially awarded under the expedited process for contracts under $1 million. She questioned why the contracts initially followed the expedited process when they would exceed $1 million when they were renewed.*

Discussion ensued between Commissioner Seijas and Mr. Amos Roundtree, Procurement Competition Advocate, Department of Procurement Management, regarding the County Administration seeking approval to renew the contracts in this proposed resolution before the County Administration knew whether the contracts should be renewed.

Commissioner Seijas noted this proposed resolution was not properly before the County Commission.

Following discussion between Commissioner Gimenez and Mr. Roundtree regarding the County Commission authorizing the County Administration to exercise options-to-renew on County contracts, Commissioner Jordan noted options-to-renew County contracts should not increase the contract amount in order to protect the integrity of the County Manager's $1 million spending authority, and an increase to the contract amount circumvented the process for Commission approval.

Budget Director Jennifer Glazer-Moon clarified the County Administration did not know whether the County would need to exercise all of the potential options-to-renew for the contracts in this proposed resolution; however, the County Administration did know the County needed to exercise the first option-to-renew in the nine contracts in this proposal. She suggested the Commission approve only the first option-to-renew in each contract.

Commissioner Jordan emphasized an option-to-renew should not increase the amount of the contract; it should impact only the time of the contract.

Chairman Barreiro suggested in the future, the Board establish a process to require contracts that would exceed $1 million if the options-to-renew were exercised to be brought to the County Commission for approval through the regular process, and not through the expedited process.

Commissioner Jordan asked County Attorney Cuevas to prepare appropriate language amending the Code to limit options-to-renew to one year and to require that any contract that exceed the $1 million limit be approved by the County Commission.

Budget Director Glazer-Moon noted, for the record, that County contracts awarded through the expedited process followed a competitive process.

Commissioner Moss suggested the Board weigh the costs versus benefits as it considered potential changes to the procurement process.

Commissioner Seijas noted she would support this proposed resolution if it limited the renewal of the nine contracts to one year.

Following discussion regarding Commissioner Seijas' comment to limit the renewal of the nine contracts to one year, Assistant County Attorney Hugo Benitez advised he understood that Commissioner Seijas' intent was for the County Commission to authorize a one-year renewal, provided that the

contract amount for that renewal option did not exceed $1 million.

Commissioner Gimenez suggested the County use contracts with the total timeframe, with the total amount for that timeframe, and with a termination clause.

Hearing no other questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as amended to authorize a one-year renewal provision for the items listed in this resolution, provided the dollar amount did not exceed $1 million.

8O1C

080609 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH CUBIC TRANSPORTATION SYSTEMS, INC. FOR CONTRACT NO. 8481-2/22, IN THE AMOUNT OF $72,978,433, TO OBTAIN AN AUTOMATED FARE COLLECTION SYSTEM, AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION, OPTIONS AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Procurement Management Department)

The motion that this Resolution be Adopted failed.
Mover: Joe A. Martinez
Seconder: Dorrin D. Rolle
Vote: 5- 7
No: Edmonson, Heyman, Sosa, Gimenez, Souto, Diaz, Seijas
Absent: Martinez

Report: *It was moved by Commissioner Martinez that the foregoing proposed resolution be adopted. This motion was seconded by Commissioner Rolle.*

In response to Commissioner Edmonson's inquiry regarding how the scope of the proposed contract for the Automated Fare Collection (AFC) system changed after the County negotiated with Cubic Transportation System, Inc. to reduce its price, Mr. Harpal Kapoor, Director, Miami-Dade Transit (MDT) Agency, noted the scope did not change.

Responding to Commissioner Edmonson's inquiry regarding greater potential savings had the County negotiated with the top two ranked firms, Assistant County Attorney Bruce Libhaber noted he could not respond to her inquiry; however, he advised the Request for Proposals (RFP) for contract no. 8481-2/22 specified twice that the County would enter into negotiations with the highest ranked firm.

Commissioner Edmonson expressed concern regarding the RFP being written in a manner that prevented the County from receiving the lowest possible price.

Following further discussion between Commissioner Edmonson, Assistant County Manager Ysela Llort, and Mr. Amos Roundtree, Procurement Competition Advocate, Department of Procurement Management, regarding the manner in which the RFP was written, Commissioner Gimenez expressed concern that the County negotiated the price on a contract that emphasized the technical rating in the selection process. He noted the proposed contract had 42 changes from the original contract and he questioned whether the evaluation committee would provide the same technical rating.

Assistant County Manager Llort noted the proposed contract included the technical elements from the original proposal.

Responding to Commissioner Gimenez's questions regarding the AFC system being Universal Transit Farecard Standard (UTFS) compliant, Mr. Hugh Chen, Deputy Director of Operations, MDT, noted the AFC system would be UTFS compliant if the County exercised Option No. 5 – APTA CFMS Part 3 Compliance (handwritten page 18).

In response to Commissioner Gimenez's inquiries regarding the UTFS compliance of the automated fare collection system in Cubic's original proposal for $59 million and the foregoing proposed resolution for $47 million, Mr. Chen noted Cubic's original proposal offered a fully compliant Part 2 UTFS system. He stated the County opted to defer implementing Part 2 compliance in this proposed resolution.

Commissioner Gimenez noted the original technical evaluation of Cubic for contract no. 8481-2/22 included Part 2 UTFS compliance. He expressed concern that the second ranked firm may have had a higher technical ranking than Cubic after the County negotiated the contract.

In response to Commissioner Gimenez's question regarding the cost of anticipated training and customer service needs, Mr. Chen explained the customer service estimate was $5 million for the first year for customer service representatives at MDT stations to guide customers through the use of the smart card and the ticket vending machine.

Responding to Commissioner Sosa's inquiry, Mr. Chen explained the total contract value with all options being exercised was $72 million.

Responding to Commissioner Sosa's further inquiry regarding the impact of this proposed resolution on traffic in the County, Mr. Kapoor noted the AFC system would help MDT plan better bus routes.

Commissioner Sosa noted the People's Transportation Plan (PTP) half penny surtax campaign included promises that infrastructure would be developed to ensure quicker travel and improved traffic flow in the County. She expressed concern regarding the automated fare collection system being funded through PTP funds.

Commissioner Souto expressed concern that MDT would expend funds on this proposed AFC system when less expensive systems existed and MDT intended to discontinue certain bus routs to save funds. He spoke in support of MDT expanding service.

In response to Commissioner Diaz's question concerning the vendor the County Manager recommended in this proposed resolution, County Manager Burgess noted he recommended contract no. 8481-2/22 be awarded to Cubic Transportation System, Inc.

Responding to Commissioner Diaz's inquiry regarding the ability of the AFC system proposed by Cubic and Scheidt & Bachmann USA (S&B) to communicate with other counties, Mr. Roundtree said Cubic's proposal met all requirements of the RFP. He noted he was not aware if S&B's proposal met all requirements because their proposal contained 65 exceptions to the terms of the RFP.

County Manager Burgess noted he had recommended, on other contracts, that the County Commission waive the competitive process and allow the County Administration to negotiate with more than one firm, usually because of an enormous complexity or problems in selecting a firm. He pointed out that he met with staff and the County Attorney's Office, and their discussion clarified the process that was followed was consistent with the RFP. County Manager Burgess clarified the Cubic proposal met all of the requirements in the RFP, including addressing regional issues, and the 65 exceptions related to the number of conditions contained within S&B's proposal.

Mr. Roundtree noted Cubic's proposal included approximately seven exceptions.

In response to Commissioner Diaz's comment that the Selection Committee concluded the County Manager should negotiate with the top two firms, County Manager Burgess noted the integrity of the selection committee process should be protected.

Following discussion between Commissioner Diaz and Mr. Chen regarding the fee for liquidated damages being reduced from $5,000 to $2,000 per day, Assistant County Attorney Bruce Libhaber advised the fee for liquidated damages was reduced in an effort to reduce the overall price of the contract. He pointed out both Cubic and S&B requested liquidated damages be reduced.

Commissioner Heyman expressed concern regarding the language in the RFP that restricted negotiations with the top ranked firm. She noted she was prepared to move that the County waive the bid protest procedures and direct the County Manager to negotiate all details of proposed contract no. 8481-2/22 with the top two ranked firms and come back to the Commission with a recommendation.

Commissioner Sorenson spoke in opposition to the County Commission approving a method of award that was contrary to the method in the RFP.

In response to Commissioner Seijas' inquiry regarding the meaning of the three-year guarantee in the proposed contract no. 8481-2/22, County Attorney Cuevas advised that language was standard Uniform Commercial Code language, and the warranty to the County was only as it was provided in the document.

Mr. Chen explained the County had a three-year warranty on everything with no exceptions and no questions asked.

Assistant County Attorney Libhaber advised the warranty on any replaced parts would be the remainder of the three-year warranty plus 30 days. He noted the provisions of the warranty proposed by Cubic and S&B were the same.

Following further discussion regarding the three-year warranty, Commissioner Edmonson spoke in support of the County Administration negotiating with the top two ranked firms.

Responding to Commissioner Gimenez's inquiry regarding the Commission voting to waive the bid protest, and to direct the County Administration to negotiate with the top two firms and provide a recommendation, County Manager Burgess noted he would follow that direction from the Commission and present a recommendation as soon as possible.

Commissioner Gimenez explained the County needed to look for the best combination of price and quality for this proposed contract.

Commissioner Jordan noted staff had assured her the scope of the proposed contract did not change during the negotiations. She expressed concern regarding the 65 exceptions in S&B's proposal. Commissioner Jordan spoke in support of the County not including restrictive language in future RFPs. She emphasized staff should consider all of the ramifications of quality and reliability, if the Commission approved a motion to negotiate with the top two ranked firms. Commissioner Jordan noted the County Attorney was preparing legislation that would ensure the County always had the option to negotiate when the selection committee ratings were very close.

In response to Commissioner Moss' inquiry whether the AFC system in S&B's proposal was UTFS compliant, Mr. Chen noted the system in S&B's proposal was not UTFS compliant.

Commissioner Diaz asked County Attorney Cuevas to provide him with language defining if and when a RFP should be approved by the Commission.

Responding to Commissioner Diaz's question whether the Cone of Silence would be imposed on this proposed resolution if the County Administration

was directed to negotiate with the top two ranking firms, Assistant County Attorney Libhaber advised the Cone of Silence would not be imposed if the Commission rejected all bids.

County Attorney Cuevas advised the Cone of Silence would be re-imposed if the County Commission referred this proposed resolution back to the County Manager for further review.

In response to Commissioner Diaz's question regarding the method of negotiations, County Manager Burgess noted he would ensure both firms could meet all of the technical requirements of the RFP, and after the technical requirements were met, the price would be negotiated.

Hearing no other questions or comments, the Commission proceeded to vote on Commissioner Martinez's motion to adopt this proposed resolution, and upon being put to a vote, the motion failed by a vote of 5-7 (Commissioners Jordan, Rolle, Sorenson, Moss and Chairman Barreiro voted "yes") (Commissioners Edmonson, Heyman, Sosa, Gimenez, Souto, Diaz, and Seijas voted "No") (Commissioner Martinez was absent).

Discussion ensued among Chairman Barreiro, Commissioner Heyman, and County Attorney Cuevas regarding the proper procedure for the County Commission to follow to direct the County Manager to negotiate contract no. 8481-2/22 with the top two ranked firms.

County Attorney Cuevas suggested the County Commission request the County Manager reconsider what action he would recommend for contract no. 8481-2/22, since the Commission rejected his recommendation in this proposed resolution. He advised the County Manager could negotiate with the top two ranked firms, and present the outcome of those negotiations, as well as a bid waiver for that outcome, and a rejection of the bids in this proposed resolution.

Commissioner Diaz asked that County Manager Burgess negotiate contract no. 8481-2/22 with the top two ranked firms, and present the Commission with the better offer.

County Attorney Cuevas advised the Commission would need to reject the original bids and to waive the competitive bid process, pursuant to a written recommendation from the County Manager, to ultimately act on the County Manager's recommendation after negotiating with the top two ranked firms. He clarified a 2/3 majority vote would be required to adopt the recommendation.

It was moved by Commissioner Heyman that the Board direct the County Manager to negotiate with the top two ranked firms and to come back to the Board with the results of those negotiations within one month; and with a recommendation to reject bids, waive competitive bidding, and protest procedures.

Commissioner Sosa spoke in opposition to the County Commission violating the established procurement process. She noted she would not support Commissioner Heyman's motion.

Commissioner Sosa asked County Manager Burgess to provide the County Commission with a report within 30 days reflecting the amount of funding

generated from the People's Transportation Plan (PTP) each year, the projects/activities previously approved by the Commission to be funded from PTP funds, and whether PTP funds could be used to fund the $73 million (maximum contract value).

Following further discussion related to Commissioner Heyman's motion, Commissioner Edmonson seconded the motion, and upon being put to a vote, passed by a vote of 10-2, (Commissioners Sosa and Sorenson voted "No") (Commissioner Martinez was absent).

4/8/2008 *Deferred by the Board of County Commissioners*

4/16/2008 *Forwarded to BCC with a favorable recommendation from the Transit Committee*

8O1C SUPPLEMENT

080949 **Supplement**

SUPPLEMENTAL INFORMATION: PROTEST REGARDING RECOMMENDATION FOR APPROVAL TO AWARD CONTRACT NO. 8481-2/22: AUTOMATED FARE COLLECTION SYSTEM FOR TRANSIT DEPARTMENT ***Presented***

4/8/2008 *Deferred by the Board of County Commissioners*

4/16/2008 *Forwarded to BCC with a favorable recommendation from the Transit Committee*

8O1C SUPPLEMENT 2

081083 **Supplement**

SUPPLEMENTAL INFORMATION RE: AUTOMATED FARE COLLECTION SYSTEM FOR TRANSIT DEPARTMENT ***Presented***

4/8/2008 *Deferred by the Board of County Commissioners*

4/16/2008 *Forwarded to BCC with a favorable recommendation from the Transit Committee*

8P [No items were submitted for this section.]

8Q SEAPORT DEPARTMENT

8Q1A

080564 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FISHER ISLAND COMMUNITY ASSOCIATION, INC., TO PROVIDE A COMMERCIAL BARGE OPERATION TO AND FROM FISHER ISLAND AT THE PORT OF MIAMI; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN, AND TO APPROVE (I) AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN ISLAND DEVELOPERS, LTD., ("IDL") AND FISHER ISLAND HOLDINGS, LLC ("FIH") TRANSFERRING IDL'S RIGHTS AND OBLIGATIONS UNDER THE LEASE TO FIH AND (II) AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN FIH AND FISHER ISLAND COMMUNITY ASSOCIATION, INC., ("FICA") TRANSFERRING FIH'S RIGHTS AND OBLIGATIONS UNDER THE LEASE TO FICA [SEE AGENDA ITEM NO. 12(A)1] (Seaport Department)

Adopted
Resolution R-433-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

3/12/2008 *Forwarded to BCC with a favorable recommendation from the Transit Committee*

9 ADDITIONAL DEPARTMENTAL ITEMS

9A10A

081106 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH RUNBECK ELECTION SERVICES, INC. TO PROVIDE A BALLOT ON DEMAND SYSTEM; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. 604 (Elections Department)

Adopted
Resolution R-434-08
Mover: Barbara J. Jordan
Seconder: Carlos A. Gimenez
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *Mr. Lester Sola, Supervisor of Elections, Elections Department, noted the ballot on demand system in the foregoing proposed resolution would enable the County to store 260 different ballots at the 20 early voting sites. He clarified this ballot on demand system was a highly sophisticated software system that printed ballots, and it was not related to the optical scanning voting system, the tabulation, or the processing of the ballots. Mr. Sola noted the Elections Department would have preprinted ballots available for voters, pending any problems with the ballot on demand system.*

Commissioner Moss asked Mr. Sola to prepare for the County Commission's review, a PowerPoint presentation on the proposed ballot on demand system.

Following further discussion regarding the Elections Department educating voters on this new system, the Commission proceeded to vote.

4/15/2008 *Forwarded to BCC with a favorable recommendation from the Governmental Operations and Environment Committee*

9A29A

080115 **Resolution**

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE SEPARATE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND GRANT AGREEMENTS WITH THE MIAMI ART MUSEUM OF DADE COUNTY ASSOCIATION, INC. (MAM) AND THE MUSEUM OF SCIENCE, INC. (MSM) TO FUND INITIAL DESIGN AND SITE ENGINEERING EXPENSES ASSOCIATED WITH THE DEVELOPMENT OF THE TWO MUSEUMS AT MUSEUM PARK; AND APPROVING TERMS OF AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING AMONG THE COUNTY, THE CITY OF MIAMI, THE MIAMI SPORTS AND EXHIBITION AUTHORITY (MSEA), MAM, MSM AND THE HISTORICAL ASSOCIATION OF SOUTH FLORIDA, INC. (Office of Capital Improvements)

Adopted
Resolution R-435-08
Mover: Audrey M. Edmonson
Seconder: Katy Sorenson
Vote: 11- 1
No: Souto
Absent: Rolle

Report: *In response to Commissioner Gimenez' question regarding the amount and the funding source for the Bicentennial MetroMover Station and Pump Station #2 Improvements on handwritten page 61, Exhibit "D" of the foregoing proposed resolution, Assistant County Manager Alex Munoz noted the amount for Pump Station #2 Improvements would not be high, and the costs for the Bicentennial MetroMover Station would be worked into the budget in future years.*

County Manager Burgess explained the Bicentennial MetroMover Station would only need to be refreshed. He noted the cost for Pump Station #2 Improvements could be a small amount or an enormous amount, however, the amount would not be inordinately expensive. County Manager Burgess stated the County would not charge the Water and Sewer Fund inappropriately for the improvements.

Responding to Commissioner Gimenez's question regarding the impact of failure to expand the Omni Community Redevelopment Agency (CRA) on the development of Museum Park (Bicentennial Park), County Manager Burgess noted the Museum Park project would not be stopped if the Omni CRA was not expanded.

In response to Commissioner Edmonson's question concerning Omni CRA funds currently being spent on Museum Park, County Manager Burgess explained the City of Miami could not currently use Omni CRA funds on Museum Park; it was not in the boundaries of the CRA. He emphasized the County Commission and the City of Miami Commission would have to approve a series of proposals for the Omni CRA boundaries to be expanded to include Museum Park.

Responding to Commissioner Seijas' question whether the design money for the Bay of Pigs Museum was included in this proposed resolution, County Manager Burgess noted the Bay of Pigs Museum was not related to this proposal.

Assistant County Manager Munoz noted the Recreation and Cultural Affairs Committee (RCAC) received a report on April 14, 2008, regarding a conceptual study of the Bay of Pigs Museum site.

Following further discussion between Commissioner Seijas, Assistant County Manager Munoz, and County Manager Burgess regarding the discussion on the Bay of Pigs Museum at the April 14, 2008, RCAC meeting, County Manager Burgess noted he would ensure the parties involved in the Bay of Pigs Museum would be aware that the County Commission would discuss the conceptual study on May 6, 2008.

Responding to Commissioner Sosa's inquiry whether the language on the ballot question approved by voters regarding the General Obligation Bond (GOB) Program was specific to the projects in this proposal, County Manager Burgess noted the language on the ballot provided $100 million of GOB funds to the Miami Art Museum (MAM) to be located at Museum Park and $175 million for the Museum of Science (MSM) at Museum Park.

Assistant County Attorney Bonzon-Keenan advised this proposed GOB grant agreement was the first of many grant agreements, and the first grant agreement was limited to $235,000 to the MAM and $3.3 million to the MSM.

Commissioner Sosa expressed concern that the City of Miami would use CRA funds to develop the land in Museum Park. She noted she could not support any use of CRA funds at Museum Park.

In response to Commissioner Sosa's question regarding who would control the museums at Museum Park, County Manager Burgess explained MAM and MSM would be responsible for developing and maintaining the museums and they would own the facilities. He clarified the County was advancing, on a reimbursement basis, the public sector share of the required funding to build MAM and MSM. County Manager Burgess noted the issue of security was an operational issue that would be determined later. He explained Museum Park was not part of any community redevelopment district; therefore, no CRA funds had been used on Museum Park, and they could not be used until the County Commission and the City of Miami approved modifications to the Omni Community Redevelopment Plan.

Commissioner Sosa expressed concern regarding the possibility of CRA funds being used in the future. She questioned who would pay for any cost overruns and what would occur if the private funding was not realized.

County Manager Burgess noted a contract to construct the museums could not be made without the private sector funding. He pointed out MAM and MSM would be responsible for any cost overruns.

Responding to Commissioner Sosa's inquiry regarding the County protecting the investment of the GOB funds if private sector funding was not realized, County Manager Burgess noted MAM and MSM could not start site work without a contract, and a contract could not be made without the funding.

Commissioner Sosa asked that this proposed resolution be amended to ensure no CRA funds would be used in the Museum Park agreement between the County, the City of Miami, MAM, and MSM.

Commissioner Sorenson clarified the Commission was being asked to approve funding for two museums, and Bicentennial Park would not become Museum Park until funding was approved for park improvements.

County Manager Burgess emphasized no CRA funds would be expended on the two parcels of four acres each for MAM and MSM.

Responding to Commissioner Edmonson's inquiry regarding the cost for the improvements to Bicentennial Park, County Attorney Cuevas advised pursuant to Resolution No. R-1372-07 the cost would be up to $68 million.

Discussion ensued between Commissioner Edmonson and County Manager Burgess regarding the City of Miami's funding contribution to MAM, MSM, and Bicentennial Park development and how the City's contribution would impact economic development in the Omni CRA.

In response to Commissioner Diaz's comment concerning cost overruns, County Manager Burgess noted the museums would be responsible for cost overruns.

Responding to Commissioner Jordan's question why the County Commission was being asked to waive site control, Mr. Michael Spring, Director, Department of Cultural Affairs, explained site control was being temporarily

waived for the first GOB grant agreement. He noted the County expected the museums to come back before the Commission with leases and subleases for site control on the land. He pointed out the museums would ultimately have 99-year subleases for their property.

Following comments by Commissioner Moss regarding the use of CRA funds to provide affordable housing and to reinvest them in the community, Commissioner Martinez questioned whether voters were apprised MAM and MSM would be owned by a private entity when they approved the GOB.

Assistant County Attorney Geri Bonzon-Keenan advised the GOB ballot question would never have been that specific. She explained municipalities, the County, or private entities could receive GOB proceeds.

Chairman Barreiro spoke in support of this proposed resolution.

Responding to Commissioner Heyman's question whether the County had any similar relationships for public buildings as it would with the owners of MAM and MSM, County Manager Burgess noted he was not aware of a similar partnership.

Commissioner Heyman questioned whether checks and balances were in place to ensure the County would not assume liability for cost overruns.

County Manager Burgess noted he felt safeguards were in place and the language in the agreement stated the grantee would be solely responsible for cost overruns.

Commissioner Seijas expressed concern that the City of Miami depended on the expansion of the Omni CRA to provide the funding to develop Bicentennial Park.

Commissioner Sosa offered an amendment to the foregoing proposed resolution that no CRA funding would be used. This amendment was accepted by Commissioner Edmonson.

County Attorney Cuevas noted the foregoing proposed resolution approved three different grant agreements, one each to the museums, and the third item was the Memorandum of Understanding between the City and the Museums. He suggested the proposed resolution be amended to approve separately the two agreements to the two museums, and to direct the County Manager to restructure the Memorandum of Understanding with no mention of the CRA.

It was moved by Commissioner Edmonson that the foregoing proposed resolution be adopted to approve the grant agreements with the Miami Art Museum of Dade County Association, Inc. (MAM) and the Museum of Science, Inc. (MSM). This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 11-1 (Commissioner Souto voted "no") (Commissioner Rolle was absent).

It was then moved by Commissioner Sosa that no Community Redevelopment Agency (CRA) funds be used in developing Bicentennial Park. This motion was seconded by Commissioner Edmonson.

County Attorney Cuevas advised the Interlocal Agreement in Resolution No. R-1372-07 referenced expansion of the Omni CRA, and the County

Commission agreed to go through the process to consider expanding the CRA.

Commissioner Sorenson spoke in opposition to the County foreclosing any options related to MAM, MSM, and the development of Bicentennial Park.

County Manager Burgess suggested the County Commission bifurcate the museums and the land the museums were located on, from the Park itself. He noted the discussion regarding the Park was an unrelated issue which would come before the Commission. County Manager Burgess said a number of alternative funding sources existed for Museum Park, and he suggested that it be clarified today that the museums and the land they were located on, would not include any CRA dollars.

County Attorney Cuevas apprised the Commission that the land that was contemplated for the museum sites was owned by the City of Miami. He noted the Memorandum of Understanding provided those sites to be utilized for the two museums and addressed the balance of Museum Park. County Attorney Cuevas said the Memorandum of Understanding comprised three components.

In response to Commissioner Edmonson's comment that the County Commission did not wish CRA monies to go toward Museum Park, County Attorney Cuevas advised that could not occur until the CRA, the City and the Commission approved an expansion of the CRA.

It was moved by Commissioner Jordan that the Board approve the Memorandum of Understanding among the County, the City of Miami, the Miami Sports and Exhibition Authority (MSEA), the Miami Art Museum of Dade County Association, Inc., (MAM), the Miami Museum of Science, Inc. (MSM) and the Historical Association of South Florida, Inc. This motion was seconded by Commissioner Sorenson and upon being put to a vote, passed by a vote of 9-4 (Commissioners Martinez, Seijas, Sosa and Souto voted "no").

Commissioner Gimenez emphasized MAM and MSM could be built regardless of the CRA boundaries being expanded. He pointed out the City of Miami had funds to develop Bicentennial Park, however, the amount would not develop the park the way the City of Miami envisioned.

In response to Commissioner Gimenez's inquiry regarding the impact of the County rejecting the Memorandum of Understanding in this proposed resolution, County Attorney Cuevas noted MAM and MSM would not have a site to build on and to use the GOB funds the County granted to them. He advised the County would not be liable for not expanding the CRA, even if it approved the Memorandum of Understanding. However, the cost to develop MAM and MSM could be impacted by the County not approving expansion of the CRA, County Attorney Cuevas noted.

Responding to Commissioner Heyman's concern regarding the County being liable for additional funds to develop Bicentennial Park if the Omni CRA was not expanded, County Attorney Cuevas advised the County would not be liable for additional funds. He explained the Memorandum of Understanding contemplated the CRA may not be expanded.

Assistant County Attorney Bonzon-Keenan noted, for the record, the following language on handwritten page 45, Article III of the MOU: "the City intends to fund the park Component from tax increment revenues from the Omni Community Redevelopment Area (the "CRA"), subject to the expansion of the

CRA's boundaries." She further noted the following language from Resolution No. R-1372-07, Exhibit "A," Limitations on Approvals: "Therefore, the parties agree that as a matter of their sovereign power and legislative authority if the CRA, the City Commission and/or the Board do not approve a resolution adopting the finding of necessity and/or the amendment to the Plan, the failure to approve such resolution or amendment to the Plan shall not be deemed an event of default under this Agreement and the parties shall not be liable to each other."

Hearing no other questions or comments, the Commission proceeded to vote.

4/14/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Recreation & Cultural Affairs Committee*

9A29A SUPPLEMENT

080942 **Supplement**

MEMORANDUM IN RESPONSE TO COMMISSIONER JAVIER SOUTO'S REQUEST FOR INFORMATION ON THE MUSEUM PROJECTS: MIAMI ART MUSEUM AND MIAMI SCIENCE MUSEUM

Presented

4/14/2008 *Report Received by the Recreation & Cultural Affairs Committee*

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

10C1A

080584 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO RECEIVE, AND EXPEND FUNDS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AS PER THE NATIONAL AFFORDABLE HOUSING ACT FOR THE SUPPORTIVE HOUSING PROGRAM FOR CONTINUUM OF CARE HOMELESS ASSISTANCE (Miami-Dade HomelessTrust)

Adopted
Resolution R-436-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

3/12/2008 *Forwarded to BCC with a favorable recommendation from the Economic Development and Human Services Committee*

11 COUNTY COMMISSION

11A RESOLUTIONS

11A1

081010 **Resolution** **Rebeca Sosa**

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 DISTRICT 6 OFFICE BUDGET FUNDS

Adopted
Resolution R-437-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

11A2

081008 **Resolution** **Rebeca Sosa**

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 6

Adopted
Resolution R-438-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

11A3

081175 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING THE ALLOCATION OF FY 2007-2008 DISTRICT 10 COUNTY SERVICES RESERVE FUNDS

Adopted
Resolution R-439-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

11A4

081004 **Resolution** **Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT TO PASS HB 491, SB 286 OR SIMILAR LEGISLATION THAT WOULD REDUCE THE ESOL INSERVICE REQUIREMENTS FROM 300 TO 60 HOURS FOR READING TEACHERS AND TEACHERS OF OTHER BASIC SUBJECT AREAS; URGING GOVERNOR CHARLIE CRIST TO VETO SUCH LEGISLATION IF ITS PASSES THE LEGISLATURE

Adopted
Resolution R-440-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

11A5

080928 **Resolution** **Rebeca Sosa, Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, Katy Sorenson, Barbara J. Jordan, Dorrin D. Rolle**

RESOLUTION URGING CONGRESS TO PASS THE BREAST CANCER PATIENT PROTECTION ACT, SB 459, HR 119, HR 758 OR SIMILAR LEGISLATION, THAT WOULD REQUIRE INSURANCE COMPANIES TO COVER A MINIMUM 48-HOUR HOSPITAL STAY FOR PATIENTS UNDERGOING A MASTECTOMY AND OTHER PROCEDURES

Adopted
Resolution R-441-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

11A6

080702 **Resolution** **Rebeca Sosa, Barbara J. Jordan**

RESOLUTION URGING THE LEGISLATURE TO ENACT APPROPRIATE LEGISLATION REQUIRING THAT CURRENT LONG-TERM MOBILE HOME PARK TENANTS BE GIVEN THE RIGHT OF FIRST REFUSAL TO PURCHASE INDIVIDUAL MOBILE HOME PARK PARCELS WHEN THE UNDERLYING MOBILE HOME PARK PROPERTIES ARE SUBDIVIDED OR CHANGE IN THE USE OF LAND IS PROPOSED

Adopted
Resolution R-442-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

11A7

081044 **Resolution** **Joe A. Martinez**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO AMEND STATE LAW TO ELIMINATE THE REQUIREMENT THAT CITY OR COUNTY REGULATIONS RELATING TO PROVIDERS OF COMMUNICATIONS SERVICES PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN ITS ROADS OR RIGHTS-OF-WAY MUST BE GENERALLY APPLICABLE TO ALL PROVIDERS OF COMMUNICATIONS SERVICES

Adopted
Resolution R-443-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

11A8

081218 **Resolution** **Dorrin D. Rolle**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO REINSTATE LANGUAGE PROHIBITING MUNICIPAL WATER AND SEWER UTILITIES FROM CHARGING A SURCHARGE TO CONSUMERS LOCATED OUTSIDE THE CITY BASED ON WATER SURCHARGES IMPOSED BY THE CITY OF NORTH MIAMI [SEE ORIGINAL VERSION UNDER FILE NO. 081006]

Adopted
Resolution R-444-08
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Budget and Finance Committee*

11 B ADDITIONAL BUDGET ALLOCATIONS

11B1

081265 **Report**

ALLOCATION OF (FY) 2007/08 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 1)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were made from fiscal year (FY) 2007/08 District 1 Discretionary Reserve funds as requested by Vice-Chairwoman Jordan.*

$2,000 to Rosewood Heritage Foundation, Inc. (In support of Rosewood Family Reunion Activities)
$255 to Retroactive Allocation for activities related to the 2008 American Cancer Society Relay for Life of North West Dade
$1,500 to The Miami/Bahamas Goombay Festival Committee (for the 32nd Annual Goombay Festival)
$400 to Citizen's Crime Watch of Miami Dade County (for tickets for District 1 residents to attend the 33rd Annual Awards Ceremony)
$150 to The First Regional District, FMA, Inc. (for an Ad in support of the Mortician of the Year Gala and Scholarship Fund)
$2,000 to Best Buddies Florida (to support chapters at Miami Norland and Dr. Michael Krop High Schools)

11B2

081266 **Report**

ALLOCATION OF (FY) 2007/08 OFFICE FUNDS (DISTRICT 2)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were made from fiscal year (FY) 2007/08 District 2 Office Funds as requested by Commissioner Rolle.*

$137 to B's Party Rental (Easter Egg Bash)
$1,000 to New Shiloh Missionary Baptist Church 70th Anniversary Banquet

11B3

081268 **Report**

ALLOCATION OF (FY) 2007/08 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 2)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were made from fiscal year (FY) 2007/08 District 2 Discretionary Reserve Funds as requested by Commissioner Rolle.*

$10,000 to Kappa Alpha Psi Fraternity, Inc. – Miami Alumni Chapter Kappa League of Miami, Inc., Foundation for the scholarship program
$2,500 to God's Storehouse Ministries, Inc.
$1,085 to Prestige Event Services
$5,000 to Bethune-Cookman University
$1,000 to 93rd Street Community Baptist Church (for the Senior Saints at the IC Mickens Conference)

11B4

081269 **Report**

ALLOCATION OF (FY) 2007/08 OFFICE OPERATING BUDGET (DISTRICT 3)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocation was made from fiscal year (FY) 2007/08 District 3 Office Operating Budget as requested by Commissioner Edmonson.*

$2,131.70 to Miami Dade Parks and Recreation/Joseph Caleb Auditorium
Re: FAMU Strikers

11B5

081270 **Report**

ALLOCATION OF (FY) 2007/08 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 3)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were made from fiscal year (FY) 2007/08 District 3 Discretionary Reserve Funds as requested by Commissioner Edmonson.*

$5,000 to MIMO Biscayne Association
$2,000 to Miami All Stars
$1,070 to Earlington Heights Olinda HOA
$1,000 to Booker T. Washington Senior High
$1,000 to St. James Catholic Church
$400 to Citizen Crime Watch Re: Morningside
$250 to Dade County PBA Love Fund

11B6

081271 **Report**

ALLOCATION OF (FY) 2007/08 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 4)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were made from fiscal year (FY) 2007/08 District 4 Discretionary Reserve Funds as requested by Commissioner Heyman.*

$1,000 to Sea of Flame
$1,000 to Teach for America
$1,000 to Friends of Prime Time Seniors

11B7

081272 **Report**

REIMBURSEMENT FROM COMMUNITY-BASED ORGANIZATION OFFICE FUNDS (DISTRICT 4)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

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

$600 from South Florida Firefighters
$3,000 from Actors Playhouse
$500 from Special Olympics
$400 from Crime Watch
$750 from David Lawrence Jr. K-8

11B8

081273 **Report**

REIMBURSEMENT FROM COMMUNITY-BASED ORGANIZATION - FOR EXPENSES ASSOCIATED WITH VARIOUS DISTRICT 4 EVENTS (DISTRICT 4)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocations were reimbursed from Community Based Organization – for the following expenses associated with various District 4 events:*

$49.21 from Expenses associated with District 4 Israeli Consul General Meeting
$51.57 from Expenses associated with District 4 Art in Public Places Meeting
$224.60 from Expenses associated with District 4 Constituent Event
$49.47 from Expenses associated with District 4 Animal Services Chapter V
$35.74 from Expenses associated with District 4 Special Olympics
$132.81 from Expenses associated with District 4 NACo EM Sub Committee Mtg.
$178.55 from Expenses associated with District 4 Bay Clean-Up Meeting
$42.96 from Expenses associated with District 4 Sorting of Books

11B9

081274 **Report**

ALLOCATION OF (FY) 2007/08 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 12)

Approved
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

Report: *The following funding allocation was made from fiscal year (FY) 2007/08 District 12 Discretionary Reserve Funds as requested by Commissioner Diaz.*

$500 from Miami Killian JROTC Booster Club

11C REPORTS

12 COUNTY MANAGER

12A1

080582 **Resolution**

RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FISHER ISLAND COMMUNITY ASSOCIATION, INC., RELATED TO OUTSTANDING BUSINESS ISSUES; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE SETTLEMENT AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN [SEE AGENDA ITEM NO. 8(Q)1(A)] (County Manager, County Attorney)

Adopted
Resolution R-445-08
Mover: Sally A. Heyman
Seconder: Jose "Pepe" Diaz
Vote: 9- 0
Absent: Edmonson, Moss, Souto, Martinez

3/12/2008 *Forwarded to BCC with a favorable recommendation from the Transit Committee*

12B1

080854 **Report**

QUATERLY REPORT: AUTHORIZED NEGOTIATIONS AND SETTLEMENTS OF ENFORCEMENT ACTIONS OF VIOLATIONS AGAINST MIAMI-DADE COUNTY RESULTING FROM THE OPERATIONS OF THE COUNTY'S WATER AND SEWER SYSTEM (County Manager)

Accepted
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

13 COUNTY ATTORNEY

14 ITEMS SUBJECT TO 4-DAY RULE

14A1

081151 **Resolution** **Dennis C. Moss**

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE IN THE AMOUNT OF $55,000 BETWEEN THE WEST PERRINE COMMUNITY DEVELOPMENT CORPORATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, AS SELLER, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 6,853 SQUARE FEET OF VACANT LAND LOCATED AT 10202 S.W. 172 STREET, MIAMI, FOR THE PURPOSE OF DEVELOPING WEST PERRINE DOMINO PARK; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

Adopted
Resolution R-446-08
Mover: Dennis C. Moss
Seconder: Joe A. Martinez
Vote: 13- 0

4/15/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget and Finance Committee*

14A2

081149 **Resolution** **Dennis C. Moss**

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE EXTENSION OF TIME FOR MIAMI-DADE COUNTY TO ENFORCE ITS DEED REVERTER ON LAND TRANSFERRED FROM MIAMI-DADE COUNTY TO SOUTH MIAMI HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC., FOR DEVELOPMENT OF FORTY-FIVE (45) AFFORDABLE SINGLE FAMILY HOUSING UNITS

Amended

Report: *(See Agenda Item 14A2 Amended, Legislative File No. 081255)*

4/16/2008 *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Economic Development and Human Services Committee*

14A2 Amended

081255 **Resolution** **Dennis C. Moss**

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO APPROVE THE EXTENSION OF TIME FOR MIAMI-DADE COUNTY TO ENFORCE ITS DEED REVERTER ON LAND TRANSFERRED FROM MIAMI-DADE COUNTY TO SOUTH MIAMI HEIGHTS COMMUNITY DEVELOPMENT CORPORATION, INC., FOR DEVELOPMENT OF FORTY-FIVE (45) AFFORDABLE SINGLE FAMILY HOUSING UNITS [SEE ORIGINAL ITEM UNDER FILE NO. 081149]

Adopted as amended
Resolution R-447-08
Mover: Dennis C. Moss
Seconder: Joe A. Martinez
Vote: 13- 0

Report: *Pursuant to Commissioner Moss' request, the County Commission by motion duly made, seconded and carried, amended the foregoing proposed resolution to provide an extension of additional time for the reverter in the County Deed to South Miami Heights Community Development Corporation, Inc., from April 30, 2008 to July 31, 2008, in lieu of April 30, 2008 to December 31, 2008.*

14A3

081227 **Ordinance** **Rebeca Sosa**

ORDINANCE AMENDING ORDINANCE NO. 07-76 PERTAINING TO THE COUNTY MANAGER'S AUTHORITY TO ADVERTISE CONTRACTS FOR CONSTRUCTION AND PURCHASES OF SUPPLIES, MATERIALS AND SERVICES INCLUDING PROFESSIONAL SERVICES WITHOUT PRIOR COMMISSION APPROVAL; DELETING SUNSET PROVISION; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: May 13, 2008
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 8- 3
No: Jordan, Heyman, Gimenez
Absent: Moss, Seijas

Report: *It was moved by Commissioner Sosa that the foregoing proposed ordinance be adopted on first reading. This motion was seconded by Commissioner Jordan.*

Commissioner Gimenez requested the four-day rule be invoked on the foregoing proposed ordinance.

County Attorney Cuevas advised that the four-day rule provides that the provisions of this rule shall be deemed waived unless asserted by a commissioner before the Commission takes action on the resolution, ordinance, motion or other item in question.

Later in the meeting, it was moved by Commissioner Heyman that the foregoing proposed ordinance be reconsidered. She indicated her intent to reconsider was to change her vote to "yes."

Chairman Barreiro noted Commissioner Heyman voted with the minority on this proposed ordinance, and she could not move to reconsider this proposal.

Responding to Commissioner Martinez' explanation that this proposed ordinance could be four-day ruled if the Commission reconsidered it, Commissioner Heyman noted she did not intend to reconsider the proposed ordinance to have it four-day ruled.

The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Budget and Finance Committee on May 13, 2008, at 2:00 p.m.

15 CLERK OF THE BOARD

15B REPORTS

15B1

081100 **Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON APRIL 22, 2008 (Clerk of the Board)

Accepted as amended
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

Report: *The foregoing report was accepted as amended to schedule the public hearing date for Agenda Item 4D to June 12, 2008, at 9:30 a.m. before the Airport and Tourism Committee meeting.*

15B2

081101 **Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD
SEPTEMBER 4, 2007 (REGULAR MEETING)
MARCH 20, 2008 (ZONING MEETING) (Clerk of the Board)

Accepted
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

15B3

081103 **Report**

RESOLUTION NO. 2008-3390 OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AUTHORIZING AND APPROVING THE ESTABLISHMENT OF A COUNTYWIDE CONSOLIDATED MUNICIPAL ELECTION DATE; PROPOSING THE DATE FOR ELECTION; PROVIDING FOR TRANSMISSION OF THE RESOLUTION; EFFECTIVE DATE. (Clerk of the Board)

Presented
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

15C COUNTY ADVISORY BOARD APPOINTMENTS

15C1

081125 **Nomination**

RE-APPOINTMENT OF JOHN KURZMAN TO THE BOARD OF RULES AND APPEALS (Clerk of the Board)

Appointed
Mover: Rebeca Sosa
Seconder: Barbara J. Jordan
Vote: 10- 0
Absent: Edmonson, Moss, Souto

15C2

082081 **Report**

APPOINTMENT OF ALAN H. FEIN TO THE PERFORMING ARTS CENTER FOR GREATER MIAMI TRUST

Appointed
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

15C3

082082 **Report**

APPOINTMENT OF KERRY VAUGHN TO THE INDUSTRIAL DEVELOPMENT AUTHORITY

Appointed
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

15C4

082164 **Report**

APPOINTMENT OF FELIX LASARTE TO THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

Appointed
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 10- 0
Absent: Sosa, Sorenson, Martinez

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15D1

081126 **Nomination**

BALLOT APPOINTMENT OF MEMBERS TO THE PUBLIC LIBRARY ADVISORY BOARD (Clerk of the Board)

Appointed

Report: *The Board of County Commissioners, by ballot vote, appointed the following nominees to serve as members of the Public Library Advisory Board:*

1. *Dr. Moiez A. Tapia (replacing Mr. Dayle W. Wilson)*
2. *Dr. Roselyn Pirson (replacing Mr. Yonel A. Martinez-Cardenas)*
3. *Florentino L. Gonzalez (incumbent)*
4. *Maria C. Velez (incumbent)*

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

081145 **Service Awards** **Bruno A. Barreiro**

PRESENTATION OF SERVICE AWARDS: *Presented*

ERNEST H. SMITH - BUILDING DEPARTMENT - 30 YEARS
BETTY J. FULLER - CORRECTIONS - 30 YEARS
JOANN W. HICKS - MMAP - 30 YEARS
ETHEL R. HADLEY - MDPD - 35 YEARS
EPHESUS EXUM - MDTA - 30 YEARS
IVORY JOHNSON - MDTA - 30 YEARS
ANGEL G. RODRIGUEZ - MDTA - 30 YEARS
VALERIE D. WOODS - MDTA - 30 YEARS
EVELYN DAVIS - PROPERTY APPRAISAL - 30 YEARS

16A2

080932 **Proclamation** **Barbara J. Jordan**

PRESENTATION OF A PROCLAMATION TO MONSIGNOR PACE HIGH SCHOOL BASKETBALL TEAM CLASS 4A CHAMPIONS *Not presented*

16A3

080933 **Proclamation** **Barbara J. Jordan**

PRESENTATION OF A PROCLAMATION TO MIAMI NORLAND SENIOR HIGH SCHOOL BASKETBALL TEAM CLASS 6A CHAMPIONS *Presented*

16A4

080934 **Certificate of Appreciation** **Barbara J. Jordan**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO MONSIGNOR PACE HIGH SCHOOL BASKETBALL TEAM *Not presented*

16A5

080935 **Certificate of Appreciation** **Barbara J. Jordan**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO MIAMI NORLAND SENIOR HIGH SCHOOL BASKETBALL TEAM *Presented*

16A6

080936 **Certificate of Appreciation** **Bruno A. Barreiro**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE CHARTER REVIEW TASK FORCE *Presented*

16A7

081166 **Special Presentation** **Natacha Seijas**

SPECIAL PRESENTATION TO MS. COLLEEN STILES, CEO OF "WATER FOR PEOPLE" AND MR. FRED ELWELL PRESIDENT OF THE BOARD FOR "WATER FOR THE PEOPLE" *Presented*

16A8

081188 **Resolution of Sympathy** **Dorrin D. Rolle**

PRESENTATION OF A RESOLUTION OF SYMPATHY TO THE FAMILY OF THE LATE PIERRE "PEPE" BAYARD *Presented*

16A9

081189 **Special Presentation** **Barbara J. Jordan**

SPECIAL PRESENTATION TO THE MIAMI NORLAND SENIOR HIGH SCHOOL SENIOR 500 ROLE MODELS *Presented*

16A10

081190 **Proclamation** **Mayor**

PRESENTATION OF A PROCLAMATION DECLARING MIAMI-DADE PUBLIC LIBRARY SYSTEM'S NATIONAL LIBRARY WEEK *Presented*

16A11

081191 **Proclamation** **Carlos A. Gimenez**

PRESENTATION OF A PROCLAMATION TO ST. THOMAS THE APOSTLE CATHOLIC SCHOOL *Presented*

16A12

081192 **Congratulatory Certificate** **Carlos A. Gimenez**

PRESENTATION OF A CONGRATULATORY CERTIFICATES TO ST. THOMAS THE APOSTLE CATHOLIC SCHOOL *Presented*

16A13

081193 **Certificate of Appreciation** **Rebeca Sosa**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE MIAMI-DADE COUNTY BLUE RIBBON ADVISORY COMMITTEE LEADERSHIP *Not presented*

16A14

081194 **Certificate of Appreciation** **Dennis C. Moss**

PRESENTATION OF CERTIFICATES OF APPRECIATION TO THE COMMUNITY IMAGE ADVISORY BOARD CLEAN UP & GREEN UP POSTER CONTEST 2008 WINNERS — ***Presented***

16A15

081195 **Commendation** **Bruno A. Barreiro**

PRESENTATION OF COMMENDATIONS TO CAPTAIN MATTHEW "MATTY" TAMBOR, CAPTAIN ELOY DOMINGUEZ AND DETECTIVE LUIS KING — ***Presented***

16A16

081196 **Certificate of Appreciation** **Bruno A. Barreiro**

PRESENTATION OF A CERTIFICATE OF APPRECIATION TO CAPTAIN BOUNCER SMITH — ***Presented***

16B POLICY MATTERS FOR DISCUSSION BY THE BOARD

16B1

080838 **Miscellaneous**

APPROVAL OF PRIORITIES AND POLICY OBJECTIVES FOR COMING YEAR'S BUDGET (PER ORDINANCE 07-45) — ***Deferred to May 6, 2008***

Report: *Chairman Barreiro pointed out the Commission Auditor prepared a matrix of the budget priorities submitted by the Commission Committees and individual commissioners. He asked each commissioner to select their top 20 budget priorities from the matrix, and then submit those priorities to the Clerk of the Board.*

Commissioner Seijas expressed concern that commissioners were not given sufficient time to evaluate and respond to the Commission Auditor's matrix.

In response to Commissioner Sosa's concern that the Commission Auditor did not provide the matrix to commissioners before today (4/22), Chairman Barreiro clarified he was responsible for the matrix not being provided to commissioners before today. He noted the County Commission could discuss the budget priorities on April 24, 2008.

Commissioner Gimenez suggested the County Commission identify what budget priorities were critical.

The foregoing item was deferred to the County Commission meeting scheduled for May 6, 2008.

4/8/2008 *Deferred by the Board of County Commissioners*

16B1 SUPPLEMENT

081058 **Supplement**

SUPPLEMENTAL INFORMATION TO APPROVAL OF PRIORITIES AND POLICY OBJECTIVES FOR COMING YEAR'S BUDGET (PER ORDINANCE 07-45) — ***Deferred to May 6, 2008***

Report: *At the April 24, 2008 Board of County Commissioners (BCC) meeting, the foregoing supplement was deferred to the next BCC meeting scheduled for May 6, 2008.*

4/8/2008 *Deferred by the Board of County Commissioners*

16B1 SUPPLEMENT #2

081065 **Supplement**

SUPPLEMENTAL INFORMATION TO APPROVAL OF PRIORITIES AND POLICY OBJECTIVES FOR COMING YEAR'S BUDGET (PER ORDINANCE 07-45) — ***Deferred to May 6, 2008***

Report: *At the April 24, 2008 Board of County Commissioners (BCC) meeting, the foregoing supplement was deferred to the next BCC meeting scheduled for May 6, 2008.*

4/8/2008 *Deferred by the Board of County Commissioners*

16B2

081036 **Discussion Item**

CHARTER REVIEW — ***Not considered***

4/8/2008 *Deferred by the Board of County Commissioners*

16C ZONING AGENDA (Scheduled for 9:30 a. m.)

16D METROPOLITAN PLANNING ORGANIZATION AGENDA (Scheduled for 2:00 p.m.)

081248 **Report**

NON-AGENDA REPORT

Report: *1. Commissioner Edmonson noted Ms. Patricia Braynon, Director, Housing Finance Authority, was elected President of the National Association of Local Housing Finance Agencies (NALHFA). She pointed out Ms. Braynon was the first female president in the 25 year history of NALHFA.*

Ms. Braynon explained NALHFA represented Housing Finance Authorities across the United States, and advocated legislation that would allow Housing Finance Authorities to provide affordable housing to low and moderate income families.

2. It was moved by Commissioner Diaz that the Board of County Commissioners express their support of uniform, statewide legislation proposed by the State that would prohibit sexual predators from living within 2,000 feet of specified locations. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 13-0.

3. It was moved by Commissioner Sosa that the County Commission support the amendment proposed by State Representative Zapata providing that 10 percent of the 50 percent of Surtax funds allocated towards homeownership be used on an annual basis towards down payment assistance during the first nine months of each year for the next five years, and if the funds were not used, they would revert back to homeownership.

Chairman Barreiro clarified the other 50 percent of the Surtax funds would be allocated towards affordable rental assistance.

Commissioner Sorenson spoke in opposition to the foregoing motion. She noted the County had flexibility regarding the use of the Surtax funds, and she felt Representative Zapata's proposed amendment would remove that flexibility.

County Manager Burgess noted the language in the amendment proposed by Representative Zapata was sufficiently flexible to provide homeownership opportunities and to provide funding for a rental program. He noted the County Administration did not object to that language.

Commissioner Sorenson explained she understood Representative Zapata's proposed amendment would divide all County housing assistance funding sources to provide 50 percent of the funds for rental assistance and 50 percent for home ownership opportunities. She noted this division of funds would deprive the County of needed rental assistance.

County Manager Burgess suggested the County minimize the down payment assistance it provided. He pointed out second mortgage assistance was better than down payment assistance.

Senior Advisor to the County Manager Cynthia Curry clarified that in the latest language of the proposed amendment the down payment assistance funds would be part of the 50 percent homeownership portion.

Discussion ensued among Commission members, County Manager Burgess, and Senior Advisor Curry regarding the timing of this proposed amendment and whether the amendment was in the best interest of the County.

Commissioner Edmonson seconded Commissioner Sosa's motion, and upon being put to a vote, the motion passed by a vote of 11-1 (Commissioner

Sorenson voted "No") (Commissioner Seijas was absent).

081310 **Report**

NON-AGENDA REPORT- APRIL 24, 2008 BCC

Report: *At the April 24, 2008 Board of County Commissioners meeting, it was moved by Commissioner Gimenez that Mayor Matti Bower, Carol Ann Taylor, Sergio Gonzalez, and Adriana Sabino be appointed to the Performing Arts Center Trust. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed by a vote of 12-0 (Commissioner Sosa was absent).*

19 ADJOURNMENT

Report: *At 6:59 p.m., Chairman Barreiro announced the meeting was recessed to Thursday, April 24, 2008.*

Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK

By: Kay Sullivan, Deputy Clerk