



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Governmental Operations and Environment
Committee (GOEC)**

Board of County Commissioners

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

July 08, 2008

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Jill Thornton, Commission Reporter
(305) 375-2505





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

FINAL OFFICIAL
Meeting Minutes
Governmental Operations and Environment
Committee

Natacha Seijas (13) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Audrey M. Edmonson (3), Carlos A. Gimenez (7), Joe A. Martinez (11), and Dorrin D. Rolle (2)

Tuesday, July 8, 2008

9:30 AM

COMMISSION CHAMBERS

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Joe A. Martinez, Natacha Seijas.

Members Absent: Audrey M. Edmonson, Dorrin Rolle.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

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

1A ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Susanne Torriente;
Assistant County Attorneys Joni Armstrong-
Coffey, Gerald Heffernan and Hugo Benitez; and
Deputy Clerks Doris Dickens and Jill Thornton.*

*Assistant County Attorney Joni Armstrong-Coffey
advised Committee members of the changes listed
in the County's Manager Memorandum entitled
"Requested Changes to the Governmental
Operations and Environment Committee Agenda,"
dated July 08, 2008.*

*It was moved by Commissioner Gimenez that
today's agenda be approved with the requested
changes listed in the County Manager's
Memorandum of Changes. This motion was
seconded by Commissioner Diaz, and upon being
put to a vote, passed 4-0. (Commissioners
Edmonson and Rolle were absent)*

1B **REMARK'S FROM CHAIRPERSON SEIJAS**

Report: *Chairwoman Seijas called the meeting to order at 9:58 a.m. and provided opening remarks. She advised committee members that Commissioners Edmonson and Rolle submitted a memorandum indicating they would be absent from today's meeting.*

Chairwoman Seijas noted she was working with the County Attorney's Office to develop legislation requiring property owners to bring foreclosed properties up to code before placing them on the market. She noted she would ask the Building and Building Code Compliance Departments for assistance with this problem. Chairwoman Seijas stated some properties with code violations had become very hazardous, and she planned to expedite this legislation.

Chairwoman Seijas stated she wanted to hear from her colleagues at the conclusion of today's meeting regarding departmental budgets under this Committee's jurisdiction, and to address any questions or concerns. She asked for the Committee members' support of Agenda 3I, which she sponsored, requesting the Administration to review the Arts in Public Places program and to provide a summary report by the September budget hearings.

Chairwoman Seijas stated she would like to hear an oral report from the Department of Solid Waste Management on the status of the new Community Recycling Program, before considering today's agenda.

2 **DEPARTMENTS**

2A

081771 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 25.09 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND M & M CONSTRUCTION GROUP CORPORATION AS SELLER; AND AUTHORIZING THE MAYOR TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2B

081772 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND GEORGINA SERA-TUNDIDOR AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2C

081775 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 4.77 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND ESTHER HORWITZ C/O REBECCA HORWITZ AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2D

081776 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 27.65 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND MIAMI 229, LLC, C/O JASON KAPIT, AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

Governmental Operations and Environment Committee

FINAL OFFICIAL

Meeting Minutes

Tuesday, July 08, 2008

2E

081780 Resolution

RESOLUTION AUTHORIZING THE RELEASE OF UNNEEDED DRAINAGE DITCH RESERVATIONS IN SECTION 13, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2F

081873 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND CORNERSTONE ACQUISITIONS, LLC C/O GUSTAF ARNOLDSON AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2G

081874 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 8.93 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND FILM ARTISTS COMPANY C/O WILLIAM GREFE AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2H

081875 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 19.73 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND DOLOMITE CO., INC. C/O JEFF TUCKER AS SELLER; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

21

081876 Resolution

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.14 ACRES IN THE NAVY WELLS #23 PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND STEVEN A. KIVO AS SELLER; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC without a recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Martinez asked if it had been the practice of the Board of County Commissioners (BCC) to purchase properties based on the assessed value exceeding the appraised value, as stated in this resolution; and if so, how often had this occurred.

Mr. Carlos Espinosa, Director, Department of Environmental Resources Management (DERM), noted according to the County Attorney's Office, that was County policy.

Commissioner Martinez asked Assistant County Attorney Robert Duvall to provide him with a copy of the county policy indicating the Board of County Commission purchased properties with tax-assessed values exceeding the appraised value as a matter of practice, before this item goes before the BCC.

In response to Commissioner Gimenez' question whether policy existed that allowed the County to purchase these properties with tax deeds, Mr. Espinosa noted a policy was adopted several months ago that allowed the County the ability to do so

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

2J

081879 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND VICTOR AND CAROLYN FOX AS SELLERS; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2K

081919 Resolution

RESOLUTION APPROVING SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 142-"BAYWALK BIKE PATH" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-914-04 AFTER A PUBLIC HEARING (General Services Administration Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2L

081965 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR SALE AND PURCHASE, IN THE AMOUNT OF \$2,000,000, BETWEEN PAUL AND MARLENE PROENZA, AND GABLES UNITS INVESTMENTS CORPORATION, A FLORIDA FOR PROFIT CORPORATION, AS SELLERS, AND MIAMI-DADE COUNTY, AS BUYER OF APPROXIMATELY 19,000 SQUARE FEET OF IMPROVED PROPERTY LOCATED AT 1042, 1100, AND 1110 S.W. 3 AVENUE, INCLUDING THE VACATED PORTION OF S.W. 11 STREET, MIAMI, FOR THE PURPOSE OF CONSTRUCTING A NEW PUMP STATION 8, WHICH SERVES THE BRICKELL AVENUE CORRIDOR; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *Commissioner Diaz questioned why a new pump station was needed.*

Mr. John Renfrow, Director, Water and Sewer Department, noted the existing pump station was located in the middle of Brickell Avenue, in a low area where flooding occurred, and was very difficult to maintain. He also noted the pump station needed to be expanded, but space was limited in the Brickell area.

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

2M

081777 Resolution

RESOLUTION APPROVING MODIFICATIONS TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM'S ADMINISTRATIVE RULES IDENTIFIED IN EXHIBIT 1 TO THIS RESOLUTION AND AUTHORIZING CORRESPONDING MODIFICATIONS TO STANDARD GRANT AND INTERLOCAL AGREEMENTS AFTER CONSULTATION WITH COUNTY ATTORNEY'S OFFICE (Office of Capital Improvements)

Deferred to no date certain
Mover: Diaz
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Martinez asked for an explanation of subsections 2, 5 and 7 under "Background" in the County Manager's memorandum pertaining to this resolution. He expressed concern with subsection 6, which modified the existing rules restricting the use of Government Obligation Bond (GOB) funds for government-owned properties, to benefit private entities. Commissioner Martinez noted subsection 8 also modified the existing rules by waiving the requirement for stakeholders to obtain the Board's authorization before selling or transferring their properties. He asked that this resolution be bifurcated so that he could vote No on subsections 6 and 8, which he did not support.

Regarding subsection 2-Owning Property in Perpetuity, Mr. Jose Galan, Chief of Program Legislation, Office of Capital Improvements (OCI), explained that in order to be eligible to receive GOB funding, a property owner must meet certain criteria, one of which was site control that was established by owning the property through a purchase or a lease for a minimum of twenty-five (25) years. He noted the stakeholder would be required to maintain the property in its intended use for 25 years.

Commissioner Martinez questioned the 25-year lease when bonds were issued for a longer period of time. He also questioned what the ceiling was for issued bonds.

Ms. Rachael Baum, Finance Director, noted bonds were usually issued from twenty (20) to thirty (30) years, or sometimes longer, and she

explained bond amortization.

Mr. Galan added that the 25-year provision was an average used to bring the maintenance requirement in line with the current lease requirement.

Following the foregoing explanations, Commissioner Martinez noted he was still unable to support subsections 2, 6 and 8.

Regarding subsection 5- Retainage, Mr. Galan explained the current administrative rules provided that a 5% retainage be held on the entire project for both the Construction and Architect and Engineers (A&E) portions. He noted this resolution would modify the existing rules to align with State statutes, which did not hold A&E Retainage, but held a 10% retainage for Construction until a project was 50% completed. At such time, he noted 50% of the retainage fee would be refunded if the performance was satisfactory, and 5% or more retainage could be collected on the remaining construction portion. Mr. Galan noted this had been the County's practice for awhile, but the proposed modification would eliminate the A&E retainage hold.

Regarding subsection 7-Open to the Public, Mr. Galan explained the current administrative rules required all properties funded by the GOB restoration/rehabilitation program to be opened to the public at reasonable times and maintained. He noted, however, a specific line-item in the GOB program, a \$10 million Historic Preservation Fund, was a category that included both residential and commercial properties receiving funding. He further explained that staff felt it more practical to require individual property owners with properties in-line with the Dade Heritage Trust to open their properties, by appointment only, during the Dade Heritage Days celebration.

Responding to Commissioner Martinez' questions regarding the length of time the Dade Heritage Days was celebrated, and taxes not paid on properties designated historical, Mr. Subrata Basu, Director, Department of Planning and Zoning, noted the Dade Heritage Days celebration lasted about one month, from March to April. He clarified the modified requirement only applied to single-family residences and was limited through the Dade Heritage Days. Mr. Basu also clarified

that State statutes allowed for an abatement of taxes for up to ten (10) years on improvements made to historical properties. He noted he believed 86 properties declared historical, currently existed in Unincorporated Dade, with a \$30 million assessed value on the increment improvements and a \$138,000 tax impact. He advised he would provide the Committee with a full report on this information.

In response to Commissioner Martinez' comments that the language in subsection 7 did not specify single-family residents, but applied to both residential or commercial historic properties, Mr. Basu noted that language could be amended to limit the modification to single family residents only.

Commissioner Martinez noted he would support subsection 7 if it was limited to single-family residents; however, he asked that this item be bifurcated to separate out Subsections 2, 6 and 8.

Regarding Subsection 6—Ownership, Mr. Galan explained the current administrative rules provided that only governmental agencies or non-profit groups could own historically designated properties, including museums, purchased or rehabilitated using GOB funds. He noted an RFP was issued for the \$10 million Historic Preservation Fund line-item and the rules needed to be modified to allow eligibility of individual property owners to receive that funding.

Regarding Subsection 8-Selling Properties, Mr. Galan explained that anyone receiving GOB funding to restore/rehabilitate historical properties would sign a grant or an interlocal agreement requiring them to maintain the property for 25 years for its intended purpose.

Commissioner Martinez pointed out the current rules required the stakeholders to seek authorization from the Board prior to selling or transferring properties, which would be waived by this modification.

Chairwoman Seijas pointed out the County usually leased a property for fifty (50) years, and a bond issuance ceiling was forty (40) years. She stated she felt historically designated properties should be maintained for a minimum of 40 years rather than 25 years.

Commissioner Gimenez stated he would support subsection 2, provided it was amended to require a leased property be leased for the life of the bond. Regarding Subsection 6, he asked for an explanation of the process for obtaining GOB funding to preserve an historical property.

Mr. Galan explained that the criteria and amounts available were listed in the existing RFP and would be modified based on today's outcome. He noted the requirement was that a property be designated historical or located in a historical district before an owner could apply for GOB funding, and the property owner would be required to maintain the property's historical elements for 25 years.

In response to Commissioner Gimenez' question regarding the requirements for a new buyer purchasing a property designated historical, Mr. Galan noted subsection 9 required a stakeholder to sign a restrictive covenant that would run with the land, which required the purchaser to continue maintaining the property for its intended purpose for 25 years.

Commissioner Gimenez stated he would support subsections 2 and 9 provided they were modified to state that the restrictive covenant would run with the land for the life of the bond. He noted he would also support subsection 6, if the restriction applied to historic designated properties only, and not to properties located in historically designated areas.

Chairwoman Seijas suggested this resolution be deferred for further review and clarification.

Following discussion, the Committee voted on a motion to defer this resolution pending further review.

Chairwoman Seijas asked Assistant County Attorney Gerald Heffernan to provide her with a copy of the revised item before it was placed on any agenda.

2N

081909 Resolution

RESOLUTION RESCINDING RESOLUTION NO. R-1208-06; APPROVING IMPLEMENTING ORDER _____ TO PROVIDE A PROCESS FOR ALLOCATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM SURPLUS FUNDS, PREMIUM FUNDS AND UNSPENT BOND PROCEEDS; AND AUTHORIZING COUNTY MANAGER TO EXERCISE ANY AND ALL RIGHTS CONFERRED IN IMPLEMENTING ORDER (Office of Capital Improvements)

Amended

Report: (SEE AGENDA ITEM NO. 2N AMENDED;
LEGISLATIVE FILE NO. 081908.)

2N AMENDED

082605 Resolution

RESOLUTION RESCINDING RESOLUTION NO. R-1208-06; APPROVING IMPLEMENTING ORDER 3-47 TO PROVIDE A PROCESS FOR ALLOCATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM SURPLUS FUNDS, PREMIUM FUNDS AND UNSPENT BOND PROCEEDS; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXERCISE ANY AND RIGHTS CONFERRED IN IMPLEMENTING ORDER [SEE ORIGINAL ITEM UNDER FILE NO. 081909] [SEE AGENDA ITEM NO. 4D] (Capital Improvement Coordinator)

Forwarded to BCC with committee amendments

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Gimenez asked for an explanation of the language in the County Manager's memorandum regarding a consensus reached by the members of the Building Better Communities Citizens Government Obligation Bond (BBC-GOB) Citizen's Advisory Committee (CAC) that should be considered by the full Board of County Commissioners (BCC) after committee review.

Mr. George Navarrete, Office of Capital Improvements (OCI), noted the language was written in a way to limit the CAC's power, but the consensus of the CAC was to recommend this item be forwarded to the full Board by the presiding committee.

Assistant County Attorney Gerald Heffernan clarified the BBC-GOB CAC had limited powers in advising the Mayor and BCC, but had the authority to recommend how surplus funds were used. In this case, he noted, the CAC recommended this item be approved. Mr. Heffernan pointed out a number of items in this Implementing Order (IO) with significant modifications to the GOB program that would be presented to the Board simultaneously. He defined the term 'Projects' under Section B-other Definitions, as all projects going forward from the effective date of this IO, including projects considered simultaneously. Mr. Heffernan advised that Items 2N, 3C and 3F on today's agenda, also contained significant modifications.

In response to Chairwoman Seijas' question regarding Agenda Items 3C and 3F, which were

commission-sponsored items, Assistant County Attorney Heffernan noted the foregoing IO did not apply to commission-sponsored items, and a waiver of the rules was required to move those items forward in connection with this IO. Assistant County Heffernan noted another approach would be for the Board to find the two commission-sponsored items (Agenda Items 3C and 3F) consistent with the IO, when considering those items.

Commissioner Martinez questioned if the rules applicable to a commission-sponsored item differed from the rules that applied to items sponsored by the Mayor or Manager.

Assistant County Attorney Heffernan noted any Commissioner wanting an item to be considered for a significant modification to the BBC-GOB program, could advise the County Manager's Office and the Administration would be required to follow the rules, or a Commissioner could instruct the County Attorney's Office to prepare the significant modification. He noted the foregoing IO was a proposed policy involving the rules on the use of surplus funds, and if adopted as drafted, a commission-sponsored item would require a waiver of the rules.

In response to Commissioner Martinez' question whether the waiver of the rules pertaining to the use of surplus funds applied to the Mayor or Manager, Assistant County Attorney Heffernan advised that the Board would be implementing policy on the use of surplus funds, and the Manager would be required to follow this policy when bringing items before the Board for approval.

In response to Commissioner Martinez' question whether the Mayor or the Manager had the actual authority to accelerate projects; Assistant County Attorney Heffernan noted the Mayor or his designee had the authority.

Commissioner Martinez expressed concern with the following language in this proposal: "the underlying premise of the IO was that the BBC-GOB funds would be used primarily to fund budget shortfalls, subject to Board approval." He asked if this language meant the County Administration would seek approval from the Board prior to moving forward with accelerating projects or retroactively.

Assistant County Attorney Heffernan noted the purpose of this IO was to enable projects with a budget shortfall going forward, to be funded with surplus funds.

In response to Commissioner Martinez' question whether this IO would give the Administration the authority to move allocated funds from a project in one Commission District to fund a project in another Commission District, Assistant County Attorney Heffernan noted this IO would authorize the Manager to only move projects forward when unable to proceed on other scheduled projects within the same bond series, provided the approved allocation amount remained unchanged.

Commissioner Diaz expressed concern that this IO would give the Administration freewill to decide which projects would move forward, and would provide a way to delay projects to the end of the bond program; at which time, some projects might fail due to a lack of funds. He also expressed concern with the Board's inability to monitor projects.

Mr. Heffernan noted the GOB program was a difficult program to manage since projects needed to move forward as quickly as possible and monies needed to be spent within a three-year time period, pursuant to a federal law. He noted the Board could move an amendment to prohibit funds allocated to a project that was delayed, from being spent on other projects; however, he cautioned that this action would hinder the ability to administer this program given the federal mandate that the funds be expended within a certain time frame.

Mr. Johnny Martinez, Director, Office of Capital Improvements (OCI), noted each project was allocated a fixed amount and those funds would not disappear. He stated this IO provided the ability to accelerate funds to projects that were ready, and was the key to successfully selling the next bond series. He noted a shortfall could occur in the next bond series sale, but would not pose a problem until the end of the bond program.

Commissioner Diaz questioned the total capacity of the bond program that was approved by the citizens.

Assistant County Attorney Heffernan noted the County had the legal authority to issue up to \$2.9 billion bonds to meet its obligation to fund over 300 projects, and the project amounts were clearly defined in the ballot questions. He further noted each project approved had an amount not-to-be-exceeded by the bond proceeds unless this Board approved a significant modification. He also noted it was the stakeholders' responsibility to make up a budget shortfall of a project. Mr. Heffernan advised the recommendation before the Board today was for the Board to defer a modification until the end of the bond program. He added that if the Board decided to assist with surplus cash, a determination should be made first as to whether all projects were funded.

Commissioner Diaz noted his concern was with projects unfunded by the end of the bond program as a result of change orders and delays.

Assistant County Attorney Heffernan noted many projects were only partially funded by the BBC-GOB program, and any overages were the responsibility of the stakeholder. He noted this IO addressed a procedure for evaluating a significant modification to the program and for determining the funding source.

In response to Commissioner Diaz' question whether the Administration would identify the funding source to cover the gap; Assistant County Attorney Heffernan noted a funding source would be included in a recommendation to come back before the Board. The recommendation today, he noted, was for the Board to ensure all projects were funded at the amount approved by the voters, and then for the Board to decide how to allocate surplus funds, which should occur near the end of the bond program.

Responding to Commissioner Diaz' request that a status report be provided on an ongoing basis, Mr. Martinez noted the IO already provided for that function.

In response to Chairwoman Seijas' question regarding changes to a project, Assistant County Attorney Heffernan noted a project could be modified two ways: 1) by changing the location or description of a project without changing the amount allocated, which required a public hearing and Board approval or 2) by changing the amount allocated for a project.

Regarding Commissioner Seijas' concern with no Board approval, Mr. Heffernan noted the language in subsection 6 entitled "Accelerating Projects Using BBC-GOB Funds," handwritten page 8, gave the County Manager the discretion to accelerate projects and could be amended to require Board approval first.

Commissioner Gimenez questioned why this program could not follow the same process used for the Transportation Improvement Program (TIP), for which the Metropolitan Planning Organization (MPO) approved the work products and change orders. He noted in the IO process, the Administration could come back before the Board twice a month for approval to accelerate a project, and the committee review process could be waived in order to forward items directly to the full BCC and expedite the process.

Mr. Navarrete pointed out that since the Board adopted policy to allow the Manager to accelerate projects, not one project had been de-funded or delayed. He noted, in many cases, decisions to award were made on a daily basis, and approximately one hundred (100) decisions to accelerate had been made. He emphasized a statement in the foregoing IO that no project would be de-funded or delayed as a result of acceleration, and that staff would be required to come back before the Board for approval if monies used to accelerate an alternate project would cause a delay to the donor project. Mr. Navarrete pointed out this IO eliminated a lengthy approval process by authorizing the movement of funds from one project to another, and he asked that this authority not be taken away.

Assistant County Manager Torriente urged the Board to continue the OCI's ability to move projects around, which had been successfully done for the past few years. She suggested the Administration be allowed to provide a standing report of their actions to the Board on a monthly basis.

Assistant County Attorney Armstrong-Coffey addressed Board member's questions regarding the 2/3s vote requirement to waive the rules contained in the IO.

Commissioner Gimenez asked that this resolution and IO be amended to replace every occurrence of

the word "Manager" with the words "Mayor or designee;" and that an additional criterion be added under "Evaluation Factors," handwritten page 10, to read: "Does the project or new project have a positive impact on the environment of Miami-Dade County?" Additionally, Commissioner Gimenez asked for an amendment requiring the Administration to come back before the Board at two-week intervals with their requests for changes to projects.

Mr. Johnny Martinez responded to Chairwoman Seijas' question on how a positive impact would be created. He noted each project would be evaluated on a case-by-case basis. He clarified, for the record, the two categories of surplus funds were net income or unused proceeds, and surplus funds were used to fund budget shortfalls. He noted retired debt or new projects would have to be approved first by the BCC.

Mr. Navarrete suggested staff be allowed to notify each District Commissioner of any project impacted in his/her district by this IO.

Commissioner Martinez spoke about a project delayed in District 11 as a result of funds transferred to another project. He expressed concern with the waiver provision, which he did not support. He stated he felt the Administration should be required to come directly to the Board every two weeks to request approval for a changed project, and he suggested the 4-day rule be waived.

Assistant County Attorney Armstrong-Coffey addressed questions of Committee members regarding the 4-day rule. She noted the 4-day rule could be waived, but would require an ordinance to change the existing rules. In the interim, she noted the BCC Chairman could waive the committee review requirements.

Mr. Navarrete pointed out the CAC recommended the two-thirds vote requirement be implemented in order to make it difficult for a new project to be added, outside of those included in this IO.

Chairwoman Seijas noted she had no issues with the two-thirds vote requirement, but would support her colleagues' desire to delete it. She noted she also supported requiring the Administration to come back before the Board every two weeks for approval of a change in a

project. She suggested the Administration be required to notify each District Commission, by memorandum, of projects in their district impacted by a significant modification to the bond program, and have the Commissioner(s) sign off on the memorandum. She commented that the BCC was a stakeholder in this process as well.

Commissioner Gimenez agreed with Chairwoman Seijas' suggestion, provided the District Commissioner whose project was impacted, did not have veto power over it.

Commissioner Diaz noted he supported the Administration being able to move forward without Board approval, as long as the Commissioners were notified of a change that impacted a project in their district, which was his primary concern.

Chairwoman Seijas clarified her suggestion was that the Administration be required to report before the full Board every two weeks to notify of a change in the bond program; and as the process moved forward, the Administration would report whether the District Commissioner(s) approved or disapproved of a change that impacted a project in their district, or the Administration would get Board approval on those changes not agreed to by the District Commissioner. She commented that the issue with the language "Mayor/Manager" needed to be addressed.

Following further discussion, the foregoing proposed resolution was forwarded to the County Commission with a favorable recommendation with committee amendment(s) to replace every occurrence of the word "Manager" in the resolution and attached implementing order, with the words "Mayor or Mayor designee;" that another criterion be added under subsection E entitled "Evaluation Factors...", handwritten page 10, to read: "Does the project or new project have a positive impact on the environment of Miami-Dade County?;" that the entire language in subsection A (6), on handwritten page 8, be deleted and replaced with the following language: "any acceleration of projects would come back before the Board by resolution for approval without committee review;" that the 2/3s requirement contained in the Waiver Provision, handwritten page 10, be removed and replaced with a majority vote of those Board members present; and that a one-year sunset provision be

added.

20

082079 Resolution

RESOLUTION APPROVING BUILDING BETTER
COMMUNITIES GENERAL OBLIGATION BOND
PROGRAM PROJECTS TO BE FUNDED BY SERIES 2009
BOND PROCEEDS

Withdrawn

(Office of Capital Improvements)

Report: *(See Agenda Item 20 Substitute; Legislative File
No. 082152)*

20 SUB.

082152 Resolution

RESOLUTION APPROVING BUILDING BETTER
COMMUNITIES GENERAL OBLIGATION BOND
PROGRAM PROJECTS TO BE FUNDED BY SERIES 2009
BOND PROCEEDS [SEE ORIGINAL ITEM UNDER FILE
NO. 082079] (Office of Capital Improvements)

Amended

Report: *(See Agenda Item 20 Substitute Amended;
Legislative File No. 082208 for the amended
version)*

20 SUBSTITUTE AMENDED

082208 Resolution

RESOLUTION APPROVING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECTS TO BE FUNDED BY SERIES 2009 BOND PROCEEDS (SEE ORIGINAL ITEM UNDER FILE NOS. 082152, 082079) (Office of Capital Improvements)

Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments
Mover: Diaz
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Assistant County Manager Susanne Torriente asked that this resolution be amended to add the Country Club of Miami Community Center-Ferry Property to the list of projects under question No. 2. She noted this project was ready to move forward in the current bond series.

The foregoing proposed resolution was forwarded to the County Commissioners with a favorable recommendation, with committee amendment(s) to add the Country Club of Miami Community Center-Ferry Property to the list of projects under question No. 2.

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2P

082114 Resolution

RESOLUTION APPROVING CAPITAL PROJECTS INCLUDED IN THE COUNTY'S ECONOMIC STIMULUS PLAN [SEE AGENDA ITEM NO. 2W] (Office of Capital Improvements)

Withdrawn

Report: *(See Agenda Item 2P Substitute; Legislative File No. 082153)*

2P SUB.

082153 Resolution

RESOLUTION APPROVING CAPITAL PROJECTS INCLUDED IN THE COUNTY'S ECONOMIC STIMULUS PLAN [SEE ORIGINAL ITEM UNDER FILE NO. 082114](SEE AGENDA ITEM NO. 7A) (Office of Capital Improvements)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Hearing further comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2Q

082052 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF HIALEAH FOR THE PROVISION OF WATER SERVICE BY THE COUNTY TO THE CITY (Water & Sewer Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Diaz
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Diaz noted he wanted to ensure that this ordinance included language to prevent rates from being increased without Board approval.

Assistant County Attorney Henry Gillman advised that the Board had the authority to revise the rates.

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

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2R

081848 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$709,830.72 BETWEEN BCC ENGINEERING, INC. AND MIAMI-DADE COUNTY FOR THE PROJECT ENTITLED SW 268/264 STREET CONNECTOR, BETWEEN SW 147 AVENUE AND SW 112 AVENUE LOCATED WITHIN COMMISSION DISTRICTS 8 AND 9 (PROJECT NO. E06-PW-06; CONTRACT NO. 20060240) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Seijas

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Gimenez asked that the Public Works Department Director provide a report by the September 9th Committee meeting on their use of consultants for public involvement, and the amount of monies spend for that use.

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

2S

082047 Resolution

RESOLUTION APPROVING EXECUTION OF A CONTRACT WITH THE CITY OF MIAMI BEACH FOR THE PROVISION OF WATER SERVICE BY THE COUNTY TO THE CITY (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Seijas

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting that Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2T

082062 Resolution

RESOLUTION AUTHORIZING AND APPROVING, PURSUANT TO SECTION 125.37, FLORIDA STATUTES, THE EXCHANGE OF CERTAIN COUNTY REAL PROPERTIES LOCATED IN SECTIONS 30, TOWNSHIP 56 SOUTH, RANGE 38 EAST AND SECTION 34, TOWNSHIP 55 SOUTH, RANGE 38 EAST, FOR OTHER REAL PROPERTY OWNED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD), LOCATED NORTH OF SW 244 STREET AND WEST OF AND SOUTHWEST OF THE C-102 CANAL (THEORETICAL SW 132 AVENUE) IN SECTION 25, TOWNSHIP 56 SOUTH, RANGE 39 EAST; AUTHORIZING THE COUNTY MANAGER TO COMPLETE SUCH EXCHANGE OF LANDS AND TO EXECUTE THE AGREEMENT WITH THE SFWMD, IN CONNECTION THEREWITH; RATIFYING ACTION OF THE COUNTY MANAGER IN PUBLISHING NOTICE OF EXCHANGE OF REAL PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE A COUNTY DEED AND DISCLAIMER; AND AUTHORIZING THE ACCEPTANCE OF A DEED FROM SFWMD (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

2U

081918 Resolution

RESOLUTION RATIFYING ACTIONS OF COUNTY MAYOR OR HIS DESIGNEE PURSUANT TO PROVISIONS OF ORDINANCE 07-108 IN EXECUTING CHANGE ORDER NO. 1 TO CONTRACT NO. S-813(A) FOR THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT HLD UPGRADE TO 285 MGD, YARD PIPING, WITH METRO EQUIPMENT SERVICE INC. TO MOVE WORK FROM MILESTONE NUMBER 2 TO MILESTONE 4, AND FROM MILESTONE 2 TO MILESTONE 3, WITHOUT INCREASING THE CONTRACT AMOUNT OR EXTENDING THE CONTRACT TIME AND WAIVING LIQUIDATED DAMAGES (Water & Sewer Department)

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

Mover: Diaz

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2V

081948 Resolution

RESOLUTION APPROVING AGREEMENT FOR TRANSFER OF CITY OF MIAMI SPRINGS WATER AND SEWER SYSTEMS TO MIAMI-DADE COUNTY AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT AND TO ACCEPT PROPERTY INSTRUMENTS AND TAKE APPROPRIATE ACTIONS TO IMPLEMENT THE AGREEMENT FOLLOWING CITY'S SATISFACTION OF CONDITIONS (Water & Sewer Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Diaz
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

2W

081955 Ordinance

ORDINANCE ESTABLISHING MEASURES TO STIMULATE THE LOCAL ECONOMY; CREATING A PROCESS TO EXPEDITE CERTAIN CAPITAL DEVELOPMENT PROJECTS IDENTIFIED BY THE BOARD OF COUNTY COMMISSIONERS THROUGH RESOLUTION; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ADVERTISE FOR BIDS, RECEIVE AND AWARD BIDS, APPOINT PROFESSIONAL SELECTION COMMITTEES AND AWARD CONTRACTS SUBJECT TO RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ISSUE CHANGE ORDERS WHICH DO NOT EXCEED SPECIFIED AMOUNTS; AMENDING PROCESS FOR IMPLEMENTING CBE, SBE AND CSBE MEASURES IN CONNECTION WITH THOSE CONTRACTS INCLUDING REVIEW COMMITTEE PROCESS AND APPEALS PROCESS; PROVIDING FOR INCLUSION OF WORK ORDER BASED CONTRACTS; ESTABLISHING PROCEDURES AND LIMITATIONS FOR AWARD; PROVIDING EXCEPTIONS; CREATING SECTION 2-8.2.7 OF THE CODE; AMENDING SECTIONS 2-10.4, 2-10.4.01 AND 10-33.02 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 2P] (Office of Capital Improvements)

Amended

Report: *(See Agenda Item 2W Amended; Legislative File No. 082209 for the amended version)*

2W AMENDED

082209 Ordinance

ORDINANCE ESTABLISHING MEASURES TO STIMULATE THE LOCAL ECONOMY; CREATING A PROCESS TO EXPEDITE CERTAIN CAPITAL DEVELOPMENT PROJECTS IDENTIFIED BY THE BOARD OF COUNTY COMMISSIONERS THROUGH RESOLUTION; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ADVERTISE FOR BIDS, RECEIVE AND AWARD BIDS, APPOINT PROFESSIONAL SELECTION COMMITTEES AND AWARD CONTRACTS SUBJECT TO RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ISSUE CHANGE ORDERS WHICH DO NOT EXCEED SPECIFIED AMOUNTS; AMENDING PROCESS FOR IMPLEMENTING CBE, SBE AND CSBE MEASURES IN CONNECTION WITH THOSE CONTRACTS INCLUDING REVIEW COMMITTEE PROCESS AND APPEALS PROCESS; PROVIDING FOR INCLUSION OF WORK ORDER BASED CONTRACTS; ESTABLISHING PROCEDURES AND LIMITATIONS FOR AWARD; PROVIDING EXCEPTIONS; CREATING SECTION 2-8.2.7 OF THE CODE; AMENDING SECTIONS 2-10.4, 2-10.4.01 AND 10-33.02 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081955](SEE AGENDA ITEM NO. 9(A)1) (Office of Capital Improvements)

Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments

Mover: Gimenez

Seconder: Diaz

Vote: 3-1

No: Martinez

Absent: Edmonson, Rolle

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing ordinance. Seeing no one wishing to speak in connection with this ordinance, the public hearing was closed.

Commissioner Martinez noted he did not support this ordinance at first reading, and would continue to oppose it. He expressed concern with this proposal giving the Administration too much leeway and with the Board continuing to delegate authority to the County Mayor or his designee to move projects forward, subject to retroactive ratification. He referenced the issues with the Aviation projects at the Miami International Airport (MIA).

Commissioner Diaz pointed out the MIA ordinance, which he supported, was different from this ordinance. He expressed concern with projects in this ordinance containing significantly

higher amounts, and projects duplicated. He noted his primary concern was with thresholds preset at 20% and 15% for overages and change orders, respectively. He stated he supported an economic stimulus package, but had concerns with ratifying a project with an automatic threshold set for overages and change orders. Commissioner Diaz noted he would support this ordinance provided the Administration was required to come back before the Board with overages and change orders for review and approval; or the threshold be deleted.

Mr. Johnny Martinez, OCI Director, noted this IO was a list of finite projects already identified and budgeted. He suggested the 20% threshold for overages could be lowered to something more comfortable. He stated he felt the Administration should have some leeway on bids that come in over 10% without having to go through the committee process, otherwise, it would negate the expedite process.

Commissioner Gimenez noted he basically supported an economic stimulus package, but had concerns with subsections (4)(d)(2) on handwritten page 6. He noted he would not support a 20% threshold, but could support a 10% threshold. He also expressed concern that subsection (4)(d)(5), handwritten page 5, which addressed the Administration coming before the Board on projects subject to ratification, did not include a timeline.

Mr. Martinez noted the Administration would be required to come back at the next available Board of County Commission (BCC) meeting.

Commissioner Gimenez asked that this ordinance be amended to include that language.

Responding to questions by Commissioner Gimenez regarding the Florida Department of Transportation's (FDOT) procedures for contingency requirements, in place when Mr. Martinez was employed by FDOT; and how often the FDOT exceeded the estimated amount of contingency for change orders, Mr. Martinez noted it was less than 10% of the time.

Commissioner Gimenez noted the County's practice for exceeding the estimated amount had become 90% of time, which was not the norm and needed to be changed to hold contractors

accountable. Commissioner Gimenez stated he felt the preset threshold for change orders should be deleted since a contingency amount was built in, and the Administration should be required to come back before the Board for approval of change orders.

Assistant County Manager Susanne Torriente suggested the threshold for change orders be limited to the contingency amount, and that the Administration be required to come back before the Board for approval for any change order above that amount.

Discussion ensued among Committee members regarding amendments to limit the threshold for change orders to the built-in contingency amount and to change the threshold for awarding when exceeding the base estimate amount.

In response to Chairwoman Seijas' request for clarification regarding the suggested amendments, and whether (4)(d)(2) would be amended to a 10% threshold or zero, Mr. Martinez clarified the built-in contingency covered changes in scope and unforeseen circumstances, and differed from the recommended threshold for awarding when exceeding the base estimate.

Commissioner Gimenez clarified he was supportive of subsection (4)(d)(2), provided the recommended award did not exceed the base estimate by more than 10%; that he wanted subsection (4)(d)(5) to be amended to include a required timeframe for the Administration to report back to the Board on projects subject to ratification; that all language in subsections (4)(e)(1) and (4)(e)(3) regarding retroactive change orders be deleted and language added requiring the Administration to come back before the Board for approval of change orders; and that subsection (4)(e)(5) be amended to require Board approval to waive liquidated damages.

Commissioner Diaz expressed concern that setting any threshold for awards exceeding the base estimate would give the bidding program away, and would allow bidders leeway to come in at a higher amount.

Following comments by Mr. Martinez regarding the competitive process requirements even with a built-in contingency fund, Commissioner Diaz noted he would support the suggested amendments

by Commissioner Gimenez, including the threshold for awarding when exceeding the base estimate reduced to 10%.

Upon the request of Chairwoman Seijas, Assistant County Attorney Hugo Benitez read into the record, the proposed amendments by the Selection and Negotiation Committee to subsections (4)(c) and (4)(d), handwritten page 6 as follows: that the language "provided that each such Committee shall contain wherever possible, representation from the user department" be added at the end of the statement in subsection (4)(c); and that the entire language in subsection(4)(d)(4) be deleted and replaced with the following language "none of the bidders have filed a timely bid protest." Mr. Benitez explained by deleting the balance of that section would provide the item not come before the Board in the event there was concurrency between the hearing examiner and the Manager.

Following discussion, it was moved by Commissioner Diaz that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to delete the language: "twenty (20) percent" and replace with the language "ten (10) percent" in subsection (4)(d)(2), handwritten page 6; to add the language: "...at the next available meeting..." in subsection (4)(d)(5); to delete all language in subsection (4)(e)(1) and replace with the following language: "provided the change order does not increase the contract amount, including contingencies;" to delete all language in subsection (4)(e)(3) and replace with the language "the limitations provided in (4)(e)(1) above shall not apply to any change order or amendment related to emergency actions impacting environmental remediation, public safety, health requirements or recovery from natural disaster, and;" to add the following language "provided each such committee shall contain, wherever possible, representation from the user department" at the end of subsection (4)(c); and, to delete all language in subsection (4)(d)(4) except the language "none of the bidders have filed a timely bid protest, and." This motion was seconded by Commissioner Gimenez, and upon being put to a vote passed 3-1. (Commissioner Martinez voted No), (Commissioners Edmonson and Rolle were absent)

Later in the meeting, it was moved by Commissioner Gimenez that the foregoing ordinance be reconsidered for an additional amendment. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed 4-0. (Commissioners Edmonson and Rolle were absent)

It was moved by Commissioner Gimenez that the foregoing ordinance be further amended to include a one-year sunset provision. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed 3-1. (Commissioner Martinez voted No), (Commissioners Edmonson and Rolle were absent)

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing ordinance to be forwarded to the July 17 BCC meeting for consideration.

2X

081580 Ordinance

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE STANDARD URBAN CENTER DISTRICT ("STANDARD REGULATIONS"), AMENDING SECTIONS 33-284.83, 33-284.85 THROUGH 33-284.87, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Second: Diaz
Vote: 4-0
Absent: Edmonson, Rolle*

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing ordinance. Seeing no one wishing to speak in connection with this ordinance, the public hearing was closed.

Hearing no further comments or questions, the Committee proceeded to vote on the foregoing proposed ordinance as presented

3 COUNTY COMMISSION

3A

081286 Ordinance

Natacha Seijas

ORDINANCE RELATING TO WATER USE EFFICIENCY STANDARDS; AMENDING SECTIONS 8-31, 32-84, AND 8A-381 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CHANGING EFFECTIVE DATES TO JANUARY 1, 2009 AND CLARIFYING STANDARDS FOR PLUMBING FIXTURES, FIXTURE FITTINGS AND APPLIANCES; PROVIDING SEVERABILITY; INCLUSION IN CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas relinquished the chair to Vice Chairman Diaz.

Vice-Chairman Diaz opened the public hearing on the foregoing ordinance. Seeing no one wishing to speak in connection with this ordinance, the public hearing was closed, and the Committee proceeded to vote.

3B

081736 Ordinance

Sally A. Heyman

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-133 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE") TO ELIMINATE THE HALF-SECTION LINE RIGHT-OF-WAY WIDTH REQUIREMENT FOR THAT PORTION OF N.E. 191 STREET WHICH LIES BETWEEN N.E. 24 AVENUE AND N.E. 25 AVENUE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed ordinance was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Chairwoman Seijas opened the public hearing on the foregoing ordinance. Seeing no one wishing to speak in connection with this ordinance, the public hearing was closed.

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

3C

081960 Resolution

Sally A. Heyman

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 212-"UNIVERSITY OF MIAMI (UM)/JACKSON MEMORIAL HOSPITAL (JMH) CENTER OF EXCELLENCE FOR HEARING AND COMMUNICATION DISORDERS" AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-916-04 AFTER A PUBLIC HEARING

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

3D

081882 Resolution

Dennis C. Moss

RESOLUTION PURSUANT TO ORDINANCE NO. 07-125 AUTHORIZING THE DISBURSEMENT OF CONTINUED FUNDING TO THE SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT IN THE AMOUNT OF \$40,000.00 AS SPECIFIED ON PAGE 12 OF 14 OF ATTACHMENT D TO THE MEMORANDUM OF THE COUNTY MANAGER DATED SEPTEMBER 20, 2007 ENTITLED INFORMATION FOR SECOND BUDGET HEARING – FY 2007-08 PROPOSED BUDGET, WHICH IS INCORPORATED BY REFERENCE IN ORDINANCE NO. 07-125

Amended

Report: *(See Agenda Item 3D Amended; Legislative File No. 082255 for the amended version)*

3D AMENDED

082255 Resolution

Dennis C. Moss

RESOLUTION PURSUANT TO ORDINANCE NO. 07-125 AUTHORIZING THE DISBURSEMENT OF CONTINUED FUNDING TO THE SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT IN THE AMOUNT OF \$40,000.00 AS SPECIFIED ON PAGE 12 OF 14 OF ATTACHMENT D TO THE MEMORANDUM OF THE COUNTY MANAGER DATED SEPTEMBER 20, 2007 ENTITLED INFORMATION FOR SECOND BUDGET HEARING - FY 2007-08 PROPOSED BUDGET, WHICH IS INCORPORATED BY REFERENCE IN ORDINANCE NO. 07-125 [SEE ORIGINAL ITEM UNDER FILE NO. 081882]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

Report: *Assistant County Attorney Joni Armstrong-Coffey read the foregoing proposed resolution into the record, and noted amendments proffered by this Committee were to add the following language: "provided and conditioned upon the prior receipt by the County Manager of a stipulation, duly authorized and executed by the South Dade Soil and Water Conservation District substantially in the form attached hereto," after the "Be it resolved..." phrase in the body of this resolution; and to include a stipulation provision that would result in the South Dade Soil and Water Conservation District releasing the County from any liability in connection with this funding.*

Following comments by Chairwoman Seijas in response to Commissioner Diaz' question concerning the outcome of a previous litigation, the Committee forwarded the foregoing proposed resolution to the County Commission with a favorable recommendation with committee amendment(s) to add the following language " provided and conditioned upon the prior receipt by the County Manager of a stipulation, duly authorized and executed by the South Dade Soil and Water Conservation District in the form attached hereto" to the body of the resolution, following the language "Be it resolved...that" on handwritten page 3; and that a liability release provision be added to include a stipulation for receipt of community-based funding.

3E

081884 Resolution

Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO PREPARE AND IMPLEMENT AN EDUCATIONAL CAMPAIGN DIRECTED TO "BIG BOX" RETAIL ESTABLISHMENTS TO INFORM SUCH ESTABLISHMENTS OF POTENTIAL FINES AND VIOLATIONS RESULTING FROM THEIR FAILURE TO CLEAN AND MAINTAIN THEIR PROPERTIES ON A REGULAR BASIS

Deferred to no date certain
Mover: Gimenez
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Martinez questioned the cost for the educational campaign, and whether a certified letter to corporate headquarters could have accomplished the same purpose.

Chairwoman Seijas noted she had the same concerns, and would not support this item based on budget issues/concerns.

Assistant County Manager Torriente noted the sponsoring Commissioner's intent was to do a minimal effort by having Team Metro's in-house staff visit the establishment, meet with the local managers and provide educational flyers or letters to the corporate office, at no additional cost.

Commissioner Gimenez asked if the County had ever attempted to inform every Miami-Dade County property owner of all violations before issuing fines to them. He noted he did not support this item because the County did not treat its residents in the same manner and the "Big Box" representatives should know better.

Commissioner Diaz stated he understood the intent was to ensure that the areas were policed properly.

Following further discussion, Chairwoman Seijas suggested this resolution be deferred for further clarification by the sponsoring Commissioner.

3F

081368 Resolution

Katy Sorenson

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 104 - "UNINCORPORATED MUNICIPAL SERVICE AREA - CONTINENTAL PARK" AND TO PROJECT NO. 102 - "UNINCORPORATED MUNICIPAL SERVICE AREA- LEISURE LAKES PARK," AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. 913-04 AFTER A PUBLIC HEARING

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

3G

082002 Resolution

Katy Sorenson

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE DEPARTMENT OF SOLID WASTE MANAGEMENT FOR THE JUNE 27, 2008 "ENVIRONMENTAL PROJECT" SPONSORED BY HANDS ON MIAMI INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$800.00 TO BE FUNDED IN PART FROM THE DISTRICT 8 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Diaz
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

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

3H

081717 Resolution Sen. Javier D. Souto

RESOLUTION AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE REVERTER SUBORDINATION AND STANDSTILL AGREEMENT IN FAVOR OF THE BANK OF NEW YORK TRUST COMPANY, N.A. TO ENABLE THE SCHOOL BOARD OF MIAMI-DADE COUNTY'S FINANCING OF A PUBLIC SCHOOL

Deferred to no date certain
Mover: Martinez
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

Commissioner Martinez pointed out issues with the Miami-Dade County School Board's current budget shortfall and its inability to pay teachers the amount agreed upon. He asked if a particular area where a school would be built was included in the School Board's Capital Improvement Work Plan (CIWP), and if so, how would the CIWP be impacted by the proposed amendment in the upcoming November Election, should the voters approve it.

Ms. Silvia Rojas, Treasurer, Miami-Dade County School Board, affirmed that the particular area referenced by Commissioner Martinez was in the School Board's CIWP, approved in September 2007, and the CIWP would have funds for capital improvements, as well as for operating and maintenance. She noted the amendment in the upcoming November election was related to the School Board's required local effort, which pertained to operating; and the capital funding for maintenance was part of the local option millage levy, separate from the operating funds. Ms. Rojas noted the amendment, if approved, would eliminate the required local effort, which was unrelated to capital funds.

Chairwoman Seijas suggested this item be deferred for further clarification.

Hearing no further comments, the Committee proceeded to vote on a motion to defer.

31

082156 Resolution

Natacha Seijas,

Jose "Pepe" Diaz

RESOLUTION REQUESTING COUNTY MAYOR OR
DESIGNEE TO STUDY ART IN PUBLIC PLACES
PROGRAM AND TO REPORT TO BOARD; REQUESTING
THAT NO NEW ART IN PUBLIC PLACES CONTRACTS
BE EXECUTED UNTIL THE REPORT IS SUBMITTED

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

Mover: Seijas

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into
the record by Assistant County Attorney Joni
Armstrong-Coffey.*

*Chairwoman Seijas relinquished the Chair to Vice
Chairman Diaz, and the Committee proceeded to
vote on the foregoing proposed resolution as
presented.*

*NOTE: Chairwoman Seijas submitted a
memorandum dated July 08, 2008, requesting the
Board of County Commissioner (BCC) Chairman
Barreiro waive the Committee rules and
procedures and allow the foregoing resolution to
be forwarded to the July 17 BCC meeting for
consideration.*

4 COUNTY MANAGER

4A

081944 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO CONDUCT COUNTY BUSINESS DURING THE BOARD OF COUNTY COMMISSIONERS' 2008 SUMMER RECESS; THE AUTHORIZATION PERIOD WILL BEGIN AT THE ADJOURNMENT OF THE JULY 17, 2008 BOARD OF COUNTY COMMISSIONERS' MEETING AND CONCLUDE AUGUST 29, 2008; AND SUBSEQUENTLY ALL ITEMS WILL BE SUBMITTED TO THE BOARD FOR RATIFICATION AT THE OCTOBER 7, 2008 BOARD OF COUNTY COMMISSIONERS' MEETING (County Manager)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Diaz
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

Report: *The foregoing proposed resolution was read into the record by Assistant County Attorney Joni Armstrong-Coffey.*

In response to Commissioner Gimenez' question whether the language in this resolution was identical to the language presented and approved by the Board last year, Assistant County Manager Susanne Torriente assured that the language was identical to the language presented and adopted last year.

NOTE: Chairwoman Seijas submitted a memorandum dated July 08, 2008, requesting the Board of County Commissioner (BCC) Chairman Barreiro waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the July 17 BCC meeting for consideration.

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

082027 Report

APPROVAL OF CLERK'S MINUTES FOR THE JUNE 10, 2008 GOVERNMENTAL OPERATIONS AND ENVIRONMENT COMMITTEE MEETING (Clerk of the Board)

Approved
Mover: Martinez
Seconder: Gimenez
Vote: 4-0
Absent: Edmonson, Rolle

7 REPORTS

7A

081698 Report
 VEHICLE DETECTION LOOP REPORT (County Manager) *Report Received*

7A SUPP.

082150 Report
 SUPPLEMENT: VEHICLE DETECTION LOOP REPORT *Report Received*

7B

081699 Report
 UPDATE ON IMPROVED PLATTING PROCESS *Deferred to September 9, 2008*
 (County Manager)

Report: *The Committee deferred the foregoing report with a request that the County Manager include an update on the platting process.*

7C

081911 Report
 AGRICULTURAL PRACTICES STUDY ADVISORY BOARD: 2007 ANNUAL REPORT (County Manager) *Report Received*

Report: *Commissioner Gimenez expressed concern with the statement in this report under item B, on handwritten page 3, which states that the Agricultural Practices Study Advisory Board (APSAB) asserts that the County's wetland regulations are burdensome and unnecessary in light of the State and Federal policies on this subject. He asked if the County Manager agreed with this statement since he recommended this report be accepted.*

7D

082053 Report
 ORAL REPORT RE: SIX-MONTH REPORT ON THE COUNTY'S 20-YEAR WATER USE PERMIT ISSUED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT ON NOVEMBER 15, 2007 (County Manager) *Deferred to September 9, 2008*

Governmental Operations and Environment Committee

FINAL OFFICIAL

Meeting Minutes

Tuesday, July 08, 2008

7E

082065 Report

CITY OF HOMESTEAD ANNEXATION APPLICATION
OF HOMESTEAD SW (County Manager)

Deferred to no date certain

Mover: Gimenez

Seconder: Diaz

Vote: 4-0

Absent: Edmonson, Rolle

7F

082113 ReportORAL REPORT RE: OFFICE OF SUSTAINABILITY
UPDATE (County Manager)*Report Received*

Report: *Mr. Devesh Nirmul, Program Manager, Office of Sustainability, provided an oral report on the status of his engagement and discussion with fifteen (15) county departments regarding fuel based emissions, the Chicago Climate Exchange (CCX) membership, and procedures for complying with the Green Buildings Ordinance. He noted the Court House building would be used as a pilot project to develop those procedures and he would explore other governments' approaches in implementing this ordinance.*

Regarding Laser Detection and Ranging (LADAR) mapping, Mr. Nirmul noted the County had the ability to assess sea level rise and terrain modeling without additional assistance from LADAR mapping. He noted he could move forward immediately with the first step of the three-step process for sea level rise assessment. He also noted he wanted to develop a matrix of all recommendations made by the Climate Control Advisory Task Force (CCATF) to evaluate their full implementation, including the financial obligations, the partners on board, and collaboration with the community. He noted funding was a critical piece and he wanted to be prepared to ask for the foundation monies when needed for studies, adaptation, or planning. Additionally, he noted he was asked to research some campaigns, and was prepared to begin marketing and educating on the National Association of Counties (NACo) Drive Smarter Challenge Campaign.

Mr. Nirmul noted the Office of Sustainability now had an intern from the University of Miami (UM) working to help manage the US Environmental Protection Agency (EPA)'s program entitled "Energy Sharp Performance Manager" which would assist the County in managing its buildings' energy performance. He further noted the Committee should soon see some analysis regarding this program. Mr. Nirmul also noted the Office of Sustainability's website was up and running, and was being updated regularly. He indicated the key function of this website was to provide County employees with information that helped them understand the County's energy

consumption.

Regarding the progress of the CCX, Mr. Nirmul noted some inconsistencies in the audit of the 2000 Year Baseline Report, which should be completed by the end of this month. He noted once received, he could complete the 2007 Emissions Report narrative for submittal to the CCX. He also noted he met with representatives from the Transit Department to assist them with a grant application for fuel for hybrid buses.

In response to Chairwoman Seijas' question regarding the municipal mayors, Mr. Nirmul noted he had not yet met with the municipal mayors; however, he planned to work with the Office of Intergovernmental Affairs (OIA) to generate an International City/County Management Association (ICMA) survey to engage that process.

Chairwoman Seijas asked the Office of Sustainability Program Manager to provide her with a report listing the names of the fifteen (15) County departments he met with to discuss fuel based emissions and procedures for following the Green Buildings Ordinance. She also asked that he provide a progress report at the November 10th Committee meeting regarding the progress of step 1 of the 3-step process for sea level rise assessment. Additionally, she asked that the new intern assigned to the Office of Sustainability meet with her.

082545 Report

NON-AGENDA ITEMS FOR THE JULY 08, 2008 GOEC MEETING

Report: *ORAL REPORT FROM DEPARTMENT OF SOLID WASTE MANAGEMENT*

Ms. Kathleen Woods-Richardson, Director, Department of Solid Waste Management (DSWM), noted the new Community Recycling Program had moved forward and was on schedule with cart delivery. She noted 135,000 blue, 65-gallon, recycling carts with informational packets had been delivered to households countywide, and World Waste, Inc. began the recyclable collections last week. She further noted she consented to an interview by NBC-Channel 6 News Reporter, Ari Ozder, yesterday (7/7), regarding residents' complaints about the container's size. She noted she advised Mr. Ozder that DSWM could accommodate residents with greater recycling needs and provide smaller containers to the elderly and handicapped. She suggested other ways to address this issue were compressing the materials or ordering larger carts. She further noted that 35, 65 and 95 gallon containers were available to accommodate most needs. Ms. Woods-Richardson advised Committee members that the interview with Mr. Ozder would air tonight on NBC News-Channel 6.

In response to Commissioner Gimenez' questions regarding how often the recyclables would be collected under this new program, and what size the previous containers were, Ms. Woods-Richardson noted collection was scheduled at two-week intervals, and households were previously issued two (2) 18-gallon containers.

Ms. Woods-Richardson noted a visual inspection was conducted of the streets now lined with the green and blue containers, which presented a nice appearance. Regarding the processing of recyclables, she noted all recyclables were delivered to the Hialeah transfer station where they were transferred to the processing plant. Ms. Woods-Richardson presented a brief video on the new Community Recycling Program, and noted she would meet with individual commissioners to provide them with additional information regarding this program.

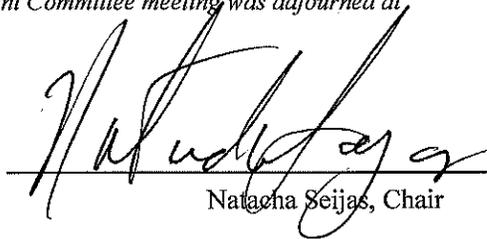
Chairwoman Seijas commended Ms. Woods-

Richardson and DSWM staff for a magnificent job done in implementing this program and for a great job producing this video.

In response to Commissioner Martinez' question regarding what could be done with the old recycling bins, Ms. Woods-Richardson noted residents were being asked to take the old bins to a neighborhood recycling center, but DSWM would endeavor to collect and recycle as many as possible.

8 ADJOURNMENT

Report: *There being no further business to come before this Board, the Governmental Operations and Environment Committee meeting was adjourned at 12:52 p.m.*



Natacha Seijas, Chair