



MIAMI-DADE COUNTY FINAL OFFICIAL MINUTES Transit Committee (TC)

Board of County Commissioners

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

Wednesday, September 10, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Alicia Stephenson, Commission Reporter
(305) 375-1475





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

FINAL OFFICIAL Meeting Minutes Transit Committee

Dorrin D. Rolle (2) Chair; Barbara J. Jordan (1) Vice Chair; Commissioners Audrey M. Edmonson (3), Sally A. Heyman (4), and Katy Sorenson (8)

Wednesday, September 10, 2008

2:00 PM

COMMISSION CHAMBERS

Members Present: Sally A. Heyman, Barbara J. Jordan, Dorrin Rolle, Katy Sorenson.

Members Absent: Audrey M. Edmonson.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Alicia Stephenson, Commission Reporter, (305) 375-1475.*

INVOCATION

1A PLEDGE OF ALLEGIANCE

1B **ROLL CALL**

Report: *The following staff members were present:
Assistant County Manager Ysela Llori; Assistant
County Attorney Bruce Libhaber; and Deputy
Clerks Jovel Shaw and Alicia Stephenson.*

*Assistant County Attorney Bruce Libhaber noted
the following changes to today's (9/10) agenda
pursuant to the September 10, 2008 County
Manager's memorandum of changes: Agenda
Item 3M was added to the agenda; Commissioner
Martinez, the sponsor of Item 2C, requested that
this item be withdrawn; Commissioner Gimenez,
the sponsor of item 2D, requested that this item be
deferred to no date certain; and a scrivener's
error in item 1E1 should be corrected and would
be read when this item was considered.*

*It was moved by Commissioner Heyman that the
Committee approve the foregoing changes to the
September 10, 2008 Transit Committee Agenda as
requested by the County Attorney. This motion
was seconded by Chairman Rolle and upon being
put to a vote, passed by a vote of 4-0
(Commissioner Edmonson was absent).*

1C **CHAIRMAN ROLLE'S REMARK(S)**

1D **SPECIAL PRESENTATION(S)**

1D1

082535 Special PresentationMIAMI PARTNERSHIP AND CIVIC CENTER
METRORAIL STATION*Presented*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Mr. Michael De Cossio, Marketing and Communications, Miami-Dade Transit Agency, introduced the proposed projects to improve the Civic Center Metrorail Station and the City of Miami's new health district. He noted that private and public sector entities were collaborating to execute the proposed projects. Mr. De Cossio introduced the following partners on the project: Mr. Jose Gonzalez, City of Miami Assistant Transportation Coordinator; Mr. Ron Bogue, Assistant Vice President for Facilities Administration, Leonard M. Miller School of Medicine; Ms. Suzell Bogle-Hopman, Outreach Manager for South Florida Commuter Services; Ms. Rosy Cancela, Public Health Trust member; Ms. Christina Casado-Acorn, Public Works Department (PWD) Division of Community Image Director; and Mr. Dani Toranzo, RAAM Division, PWD. Mr. De Cossio, Mr. Toranzo, Mr. Bogue, and Mr. Gonzalez made a PowerPoint presentation on the Metrorail enhancements and the health district's proposed circulator and streetscape improvements.

Commissioner Sorenson, Vice Chairwoman Jordan, and Chairman Rolle commended this project and its partnership.

1E PUBLIC HEARING(S)

1E1

081945 Ordinance Sally A. Heyman

ORDINANCE AMENDING SECTION 30-388.2 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING THAT CONSISTENT WITH STATE LAW PARKING CHARGES MAY BE IMPOSED ON VEHICLES DISPLAYING A DISABLED PARKING PERMIT OR LICENSE TAG AT ANY COUNTY AIRPORT OR SEAPORT UNDER SPECIFIED CIRCUMSTANCES , BUT THAT SUCH CHARGES MAY NOT BE IMPOSED FOR CERTAIN VEHICLES AS DEFINED IN SUCH STATE LAW; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing ordinance into the record. He noted a scrivener's error in item 1E1 should be corrected as follows: On handwritten page 5, in the continuation paragraph from the previous page, under Sec. 30-388.2, the underlined word "or" located on the third to last line of the paragraph should be removed.*

Chairman Rolle opened the public hearing; however, it was closed after no one appeared in response to Chairman Rolle's call for persons wishing to be heard in connection with this ordinance.

Commissioner Heyman spoke regarding the intent of this ordinance to address misuse of parking spaces at Miami International Airport (MIA) and at the Port of Miami involving disabled parking permits. She noted her intent to propose legislation similar to this ordinance which would address this type of misuse in municipalities, at Jackson Memorial Hospital, and with regard to Miami-Dade Transit. She added that this ordinance would bring Miami-Dade County into compliance with the Florida Statutes.

Commissioner Sorenson noted she believed the County's Commission on Disability Issues (CODI) had discussed this matter. She asked Ms. Heidi Johnson Wright, Office of ADA Coordination Director, to speak regarding CODI's position on the issue.

Ms. Johnson-Wright noted the last time this issue was before CODI, a quorum was not present; therefore, CODI's members did not vote on the issue. She further noted that ADA Coordination supported making the County's ordinance

compliant with State law because this would free parking spaces needed by people who drove modified vehicles. She added that currently, more accessible options, including wheelchair accessible taxis, were available for those wanting transportation to MIA. Ms. Johnson-Wright clarified that CODI supported this ordinance.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing ordinance with the correction to the scrivener's error.

Later in the meeting, Chairman Rolle acknowledged Mr. Denny Woods. Mr. Woods apologized for being late to today's meeting. He spoke about his experience today when a bus driver did not allow him to board a bus at a red light. Mr. Woods spoke in support of treating experiences like his more seriously, and specifically spoke in support of negative sanctions. He added this was the fourth or fifth time he was left by a bus. Mr. Woods noted he submitted a proposed ordinance to stop these incidents.

In response to Mr. Woods' inquiry as to whether Agenda item IEI was addressed earlier in the meeting, Chairman Rolle noted this was correct.

Mr. Woods noted he wanted to ask Commissioner Heyman to withdraw the item. He also noted he was aware the item would be considered by the Airport and Tourism Committee (ATC) the following day, September 11, 2008.

Upon confirming with Assistant County Attorney Bruce Libhaber that the item was on the ATC's agenda for the next day as a public hearing, Chairman Rolle asked Mr. Woods to attend the ATC meeting scheduled for 9:30 a.m. the next day.

1E2

082128 Ordinance**Dorrrin D. Rolle**

ORDINANCE RELATING TO SEAPORT SAFETY; AMENDING SECTIONS 28A-6.4 AND 28A-6.6 OF THE CODE OF MIAMI-DADE COUNTY; REQUIRING THE PORT DIRECTOR TO CONSIDER A STEVEDORE APPLICANT'S WORK-RELATED SAFETY RECORD IN ISSUING STEVEDORE LICENSES AND PERMITS; AUTHORIZING THE PORT DIRECTOR TO SUSPEND OR REVOKE STEVEDORE LICENSES AND PERMITS BASED ON THE STEVEDORE'S WORK-RELATED SAFETY RECORD; CREATING SECTION 28A-6.7; REQUIRING STEVEDORE LICENSE AND PERMIT HOLDERS TO REPORT WORK-RELATED ACCIDENTS, INJURIES, DEATHS AND REGULATORY ACTIONS TO THE DIRECTOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Jordan

Vote: 4-0

Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing ordinance into the record.*

Chairman Rolle opened the public hearing; however, it was closed after no one appeared in response to Chairman Rolle's call for persons wishing to be heard in connection with this ordinance.

Chairman Rolle relinquished the chair. He noted the intent of this ordinance, specifying that it would ensure up-to-date safety documents were available for stevedores which wished to work at or on the Port of Miami.

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

2 COUNTY COMMISSION

2A

082372 Resolution Joe A. Martinez

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY REGARDING THE FEASIBILITY AND ADVISABILITY OF INSTALLING TIME BOARDS AT CERTAIN BUS SHELTERS IN MIAMI-DADE COUNTY

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Jordan
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Commissioner Sorenson's inquiries as to how much funding would be needed to perform the proposed study on installing time boards at bus shelters and whether this study would be done in-house, Mr. Harpal Kapoor, Miami-Dade Transit Agency Director, noted at this time, only an in-house study would be conducted. He noted consideration was being given to expanding another study. Mr. Kapoor also indicated Commissioner Sorenson was correct in noting that the completion of the proposed study would not consume a lot of extra resources.

Vice Chairwoman Jordan asked Assistant County Manager Ysela Llorca to include a cost analysis in the foregoing resolution.

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

2B

082476 Resolution Joe A. Martinez

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM MIAMI-DADE TRANSIT FOR THE DECEMBER 20, 2007 "BAYSIDE OUTING" EVENT SPONSORED BY PALMER HOUSE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$328.00 TO BE FUNDED FROM THE DISTRICT 11 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

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

2C

082217 Resolution Joe A. Martinez

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO PLACE FOR COMPETITIVE BID THE OPERATION OF ANY BUS ROUTE TO BE ELIMINATED BY MIAMI-DADE TRANSIT OR ANY BUS ROUTE THAT HAS BEEN ELIMINATED BY MIAMI-DADE TRANSIT WITHIN THE PAST YEAR

Withdrawn
Mover: Heyman
Seconder: Rolle
Vote: 4-0
Absent: Edmonson

Report: *The foregoing resolution was withdrawn during consideration of changes to today's agenda as requested by Commissioner Martinez, the sponsor of the resolution.*

2D

081789 Ordinance Carlos A. Gimenez

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE FIDUCIARY DUTY OF THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 061819]

Deferred to no date certain
Mover: Heyman
Seconder: Rolle
Vote: 4-0
Absent: Edmonson

Report: *The foregoing ordinance was deferred during consideration of changes to today's agenda as requested by Commissioner Gimenez, the sponsor of the ordinance.*

3 DEPARTMENTS

3A

082292 Resolution

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT EAST 25TH STREET AND EAST 6TH AVENUE, HIALEAH; AUTHORIZING THE PRIVATE SALE OF SAID PROPERTY FOR \$133,000.00 TO THE ADJACENT PROPERTY OWNER, BUILDING 600 @25TH STREET, L.L.C., WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Heyman
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

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

3B

082526 Resolution

RESOLUTION AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (SURTAX) AS A FUNDING SOURCE FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

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

3C

082349 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY NEEDED FOR CONSTRUCTION OF THE PEDESTRIAN/ BICYCLE OVERPASS AT THE UNIVERSITY METRORAIL STATION, INCLUDING A TEMPORARY CONSTRUCTION EASEMENT FOR ONE (1) YEAR LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF US-1 (SOUTH DIXIE HIGHWAY-SR 5) AND MARIPOSA COURT, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE AND TEMPORARY CONSTRUCTION EASEMENT BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Heyman
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Chairman Rolle's inquiry regarding the means by which the proposed land could be acquired, Ms. Esther Calas, Public Works Department (PWD) Director, noted that this resolution enabled the County to acquire the land either by eminent domain or offers fee simple.

In response to Chairman Rolle's inquiry as to which means was less expensive, Ms. Calas noted certain factors would determine this.

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

3D

082529 Resolution

RESOLUTION APPROVING A LEASE AGREEMENT FOR A BUSWAY PARK AND RIDE LOT BETWEEN MIAMI-DADE COUNTY AND INMOBILIARIA BALEARES, LLC., FOR USE OF IMPROVED REAL PROPERTY LOCATED AT S.W. 112TH AVENUE/SOUTH ALLAPATTAH ROAD AND THE SOUTH MIAMI-DADE BUSWAY IN THE AMOUNT OF \$65,000 ANNUALLY; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO EXECUTE SAME AND EXERCISE ANY AND ALL PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Jordan
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Commissioner Sorenson's question regarding whether the proposed property could be purchased instead of rented, Mr. Kapoor noted this resolution contained a lease to buy option, meaning that the property could be purchased in the future.

In response to Commissioner Sorenson's inquiry as to whether monies paid up-front would go toward purchasing the property, Mr. Kapoor noted this was correct.

Commissioner Sorenson noted considering that property values would increase, purchasing the property sooner would be better than later.

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

3E

082419 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$377,821.77 BETWEEN BCC ENGINEERING, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED SW 137 AVENUE FROM THE HOMESTEAD EXTENSION OF FLORIDA TURNPIKE TO US-1 LOCATED WITHIN COMMISSION DISTRICTS 8 & 9 (PROJECT NO. E06-PW-09 PTP; CONTRACT NO: 20040344) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Heyman

Vote: 4-0

Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Vice Chairwoman Jordan's inquiry regarding the time taken to submit to the Committee the proposed contract for a People's Transportation Plan (PTP) project, Ms. Esther Calas, Public Works Department (PWD) Director, noted that the process of submitting items to the Committee or County Commission usually took ten months at a minimum.

Vice Chairwoman Jordan asked Ms. Calas to inform her of why bringing this resolution before the Committee took almost one year after negotiations were approved and a consultant was selected.

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

3F

082531 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A JOINT USE AGREEMENT (JUA) WITH MIAMI-DADE EXPRESSWAY AUTHORITY (MDX) FOR THE JOINT USE OF RIGHT OF WAY ALONG THE AIRPORT EXPRESSWAY/STATE ROAD 112 (SR 112) AND LEJBUNE ROAD FOR USE BY MIAMI-DADE COUNTY IN THE CONSTRUCTION OF THE MIAMI INTERMODAL CENTER-EARLINGTON HEIGHTS (MIC-EH) CONNECTOR PROJECT; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE PROVISIONS CONTAINED THEREIN FOR AND ON BEHALF OF MIAMI-DADE COUNTY (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

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

3G

082518 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR'S ACTION OF EXECUTING AN INTERLOCAL AGREEMENT WITH THE CITY OF HOMESTEAD AND MIAMI-DADE COUNTY FOR FEDERAL FUNDING PASS-THROUGH ARRANGEMENTS FROM FEDERAL TRANSIT ADMINISTRATION FISCAL YEAR 2006 FUNDS OF \$495,000 FOR PURCHASE OF TROLLEYS AND FOR THE PROVISION OF CITY TROLLEY SERVICES IN THE CITY OF HOMESTEAD; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Heyman
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Commissioner Sorenson commended the City of Homestead for wisely using People's Transportation Plan (PTP) monies.

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

3H

082465 Resolution

RESOLUTION RESCINDING R-1194-98, AND AUTHORIZING EXECUTION OF A WAREHOUSE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR WAREHOUSE SPACE LOCATED AT TERMINAL 10; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson

Report: *There being no objection, the Committee considered Agenda items 3H, 3I, 3J, and 3K simultaneously.*

Assistant County Attorney Bruce Libhaber read the foregoing resolutions into the record.

Vice Chairwoman Jordan noted the County agreed to modifications in standard lease language for items 3I, 3J, and 3K. She asked whether similar changes were made with regard to other cruise terminals.

Mr. Bill Johnson, Seaport Director, noted he did not think this was the case. He added that staff would make similar amendments if necessary and would be submitting amendments to items concerning Royal Caribbean in the fall.

In response to Vice Chairwoman Jordan's inquiry regarding fiscal impact related to a shift in responsibility for trash removal, Mr. Johnson noted the Port of Miami had always provided custodial services inside the cruise terminal. He explained that the proposed amendments would clarify that the Port would continue to provide removal of waste material. He also noted Vice Chairwoman Jordan was accurate in saying that in the past, the County did not hold the Lessee to the letter of the law of the lease.

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

Mr. Johnson noted a September 30, 2008 deadline for compliance with requirements in Washington, D.C. with regard to Agenda Item 3K.

Chairman Rolle asked staff to prepare the

appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow Agenda Item 3K to be heard at the September 16, 2008 County Commission meeting.

3I

082467 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR OFFICE SPACE LOCATED AT TERMINAL 10; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN (Seaport Department)

*Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson*

Report: *See report under Agenda item 3H (Legislative File No. 082465)*

3J

082483 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION FOR OFFICE SPACE LOCATED AT TERMINALS D & E; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

*Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Sorenson
Vote: 4-0
Absent: Edmonson*

Report: *See report under Agenda item 3H (Legislative File No. 082465)*

3K

082527 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LICENSE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FLORIDA POWER & LIGHT COMPANY FOR THE PURPOSE OF INSTALLING HOMELAND SECURITY SURVEILLANCE EQUIPMENT; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE TERMINATION RIGHTS CONFERRED THEREIN (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Sorenson

Vote: 4-0

Absent: Edmonson

Report: *Mr. Johnson noted a September 30, 2008 deadline for compliance with requirements in Washington, D.C. with regard to the foregoing resolution.*

Chairman Rolle asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing resolution to be heard at the September 16, 2008 County Commission meeting.

See report under Agenda item 3H (Legislative File No. 082465)

3L

082533 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND URS CORPORATION SOUTHERN (URS) FOR POST DESIGN SERVICES FOR THE METRORAIL ORANGE LINE PHASE I- MIAMI INTERMODAL CENTER (MIC)/EARLINGTON HEIGHTS CONNECTOR PROJECT IN THE AMOUNT OF \$9,360,172 AND A CONTRACT TIME EXTENSION OF 346 CALENDAR DAYS (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Sorenson

Vote: 4-0

Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Commissioner Sorenson's inquiry as to the expected completion date of this project, Mr. Albert Hernandez, Deputy Director, Engineering, Miami-Dade Transit Agency, noted construction should be complete in the first quarter of 2012.

In response to Vice Chairwoman Jordan's questions regarding whether a Disadvantaged Business Enterprise (DBE) goal existed on the original contract, Ms. Penny Townsley, Department of Small Business Development Director, noted the DBE goal on the contract had consistently been 20%.

In response to Vice Chairwoman Jordan's inquiry regarding the amount of the DBE award as related to the original contract and the 1st and 2nd amendments, Ms. Townsley noted that the amount for the original contract and the first amendment was \$3.5 million. Ms. Townsley added that \$4.7 million was achieved.

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

3M

082608 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 FOR \$15, 560, 000 TO CONTRACT NO. TR04-PTP1 BETWEEN MIAMI-DADE COUNTY AND PB AMERICAS, INC. (Miami-Dade Transit Agency)

Withdrawn
Mover: Heyman
Seconder: Rolle
Vote: 4-0
Absent: Edmonson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record. He noted he was informed that the County Manager was requesting withdrawal of this resolution at the current time.*

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

Vice Chairwoman Jordan expressed concern regarding withdrawal of this resolution as related to ongoing needs.

In response to Vice Chairwoman Jordan's comments regarding the initial amount of funds requested, Assistant County Manager Ysela Llort noted that the amount was \$21 million. She also noted that the Commission added \$2 million which was to serve through the end of October 2008. Ms. Llort added that the County Manager was requesting a withdrawal in order to review some items in this resolution and the resolution would be re-submitted to the Committee.

In response to Vice Chairwoman Jordan's inquiry regarding whether funding was sufficient to serve through the end of October, Ms. Llort noted this was correct and the funds would have to be used very frugally.

Chairman Rolle noted that this resolution was added to the agenda at the last minute.

Ms. Llort thanked the Chairman for adding the resolution and offered her apologies with regard to the withdrawal.

Vice Chairwoman Jordan asked Assistant County Manager Ysela Llort to submit a report at the County Commission meeting on September 16, 2008 on the amount of funds appropriated from the \$2 million supplemental allocation which was approved by the Board on June 17, 2008 to fund essential project management consultant tasks

through October 2008; any related work orders which were signed and issued; and whether sufficient funding remained out of the \$2 million to serve through the end of October. She asked that the report provide full disclosure on activity concerning the \$2 million.

Assistant County Attorney Libhaber advised that this contract did not have a local preference goal on it. He explained that federal funding would be received for this contract and therefore, the application of a local preference requirement was not allowed. Mr. Libhaber added that the Commission and staff clarified that although the County could not mandate local preference, it did appreciate companies which acted in the benefit of local firms.

Chairman Rolle noted for the record that he concurred with Vice Chairwoman Jordan regarding some of her concerns about withdrawal of this resolution, the \$2 million allocation approved on June 17, 2008, and work orders related to the \$2 million. He expressed concern regarding a lot of hard work having gone into placing this item on the agenda. Chairman Rolle questioned what could have changed so drastically between the end of the past week and today (9/10) to call for withdrawal of the resolution. He noted the resolution could have provided information which Commissioner Heyman requested about Agenda Item 5C during consideration of item 5C. Chairman Rolle added that this issue seemed to have implications for the North Corridor Metrorail project.

4 CLERK OF THE BOARD

4A

082448 Report

CLERK'S SUMMARY OF MEETING MINUTES FOR
THE JULY 9, 2008 TRANSIT COMMITTEE MEETING
(Clerk of the Board)

Approved
Mover: Sorenson
Seconder: Rolle
Vote: 4-0
Absent: Edmonson

Report: Assistant County Attorney Bruce Libhaber read the foregoing report into the record.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing report.

5 REPORTS

5A

082332 Report

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT
3RD QUARTER FISCAL YEAR 2007-2008 (County
Manager)

Report Received

Report: *Assistant County Attorney Bruce Libhaber read
the foregoing report into the record.*

*Hearing no questions or comments, the Committee
proceeded to receive the foregoing report.*

5B

082449 Report

MONTHLY REPORT FROM THE FLORIDA
DEPARTMENT OF TRANSPORTATION ON THE PORT
OF MIAMI TUNNEL (County Manager)

Report Received**Mover: Sorenson****Seconder: Rolle****Vote: 4-0****Absent: Edmonson**

Report: *Assistant County Attorney Bruce Libhaber read
the foregoing report into the record.*

*In response to Chairman Rolle's inquiry
regarding progress on the Port of Miami Tunnel,
Assistant County Manager Llord noted she
understood from the Florida Department of
Transportation (FDOT) that proceedings related
to the tunnel were very close to completion, that
FDOT was currently verifying its forecast, and
that concessionaires generally agreed to terms of
the contract. She also noted that discussions were
taking place regarding a commercial closing at
the end of October. Ms. Llord pointed out that
some items related to this resolution, including a
letter of credit, would have to be submitted to the
County Commission for consideration.*

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

5C

082450 Report

MONTHLY INVOICING AND DBE STATUS REPORT ON THE PROGRAM MANAGEMENT CONSULTANT (PMC) CONTRACT (County Manager)

*Report Received
Mover: Sorenson
Seconder: Rolle
Vote: 4-0
Absent: Edmonson*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Mr. Albert Hernandez, Miami-Dade Transit Agency (MDTA) Deputy Director, Engineering, responded to Commissioner Heyman's questions and concerns regarding how current the foregoing report was, who compiled it, and whether MDTA staff verified if firms had been dismissed. He noted that the Program Management Consultant (PMC) compiled the report, and that Phillips Consulting Group, Inc. and Dickey & Associates were still working with the County.

In response to Commissioner Heyman's inquiry as to whether local firms were being sought first, Mr. Hernandez noted selected firms which were from outside the local area and the State had fare collection specialties and the PMC felt these specialties needed to be brought in.

Commissioner Heyman expressed concern that especially with the downturn in the economy, although efforts were made to give an advantage to residents of the local area, the residents were being given employment in a piecemeal manner. She noted she heard that this happened on other contracts, but this contract was significant, as it addressed professional management for transit jobs.

Commissioner Heyman noted she was concerned about an observation she had made, namely that most firms which were added on, or a substantial amount of them, were from outside the State.

Commissioner Heyman asked Mr. Albert Hernandez, Deputy Director for Engineering, Miami-Dade Transit Agency, to report to her or to the Committee the accomplishments of the PMC and any action taken concerning funds to local businesses.

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

resolution.

Assistant County Manager Ysela Llorca noted that some of the information requested by Commissioner Heyman was in withdrawn Agenda item 3M. She added that the intent of the foregoing report was to track DBE attainment against goals.

5D

082451 Report

MONTHLY ORANGE LINE UPDATE (County Manager)

Report Received

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Commissioner Sorenson noted the Orange Line Metrorail project seemed to be in limbo until a funding source was in place. She asked whether she was correct in saying that this project currently had no real funding source.

Assistant County Manager Ysela Llort noted at the last meeting of the Commission, a fare increase item was considered. She explained that the item outlined funding gaps and how they could be bridged for both heavy rail on the Orange Line and lesser alternatives. Ms. Llort noted that the Committee had been given two supplements to this item. She also noted that future boards had to decide how to bridge any funding gap.

Commissioner Sorenson noted she thought a discussion to determine alternatives to heavy rail might be necessary. She also noted that transit system service to all segments of the community was needed; however, the presence of heavy rail in the County may not increase right away.

Assistant County Manager Ysela Llort and Mr. Albert Hernandez, Miami-Dade Transit Agency Deputy Director, Engineering, responded to Chairman Rolle's questions as to whether work had stopped on the North Corridor, a directive had been issued because of a dilemma concerning the 27th Avenue portion of the Orange Line, or staff had given subcontractors a cease order.

Mr. Hernandez noted that certain activities were proceeding, specifically with regard to the Program Management Consultant (PMC); however, the Corridor consultant was not performing engineering work because, he noted, only New Starts was currently needed in order to proceed.

Ms. Llort noted the decision indicated by Mr. Hernandez was made when the County Commission considered the entirety of the PMC contract and prioritized activities in September and October.

Transit Committee
Meeting Minutes

FINAL OFFICIAL

Wednesday, September 10, 2008

Vice Chairwoman Jordan noted when the County Commission approved the \$2 million supplemental allocation on June 17, 2008 to fund essential project management consultant tasks, it did not approve a stop order. She repeated Chairman Rolle's inquiry as to whether a stop work order had been issued to the engineer on the North Corridor.

Ms. Llort spoke regarding the pace at which activities related to the North Corridor were proceeding, limitations as related to \$2 million in funding, Federal Transit Administration (FTA) submittal, and decisions the Commission needed to make regarding Metrorail.

Mr. Hernandez noted that the PMC continued to work and the preliminary engineering work on the design was at a standstill until an understanding of FTA's position on the application was established.

Vice Chairwoman Jordan noted to Commissioner Sorenson that she understood alternatives to heavy rail may have to be accepted. Vice Chairwoman Jordan also noted she understood the County had limited resources and the need to prioritize with regard to the \$2 million; however, item 3M on today's agenda referenced how the County would proceed, and the item was withdrawn at the last minute. Vice Chairwoman Jordan added that it appeared full disclosure was lacking. She noted her concern related to information that was needed to make solid decisions. The Vice Chairwoman pointed out legislation passed regarding a fare increase and a transit summit, and noted that until the Commission changed direction, the County should be as responsive as possible to the application process in Washington, D.C.

Chairman Rolle noted for the record that this summer, Mr. Hernandez noted that \$4 million was needed to serve until October 2008; however, \$2 million was in reserve. He also noted that he received calls informing him that DBE's were being phased back and that in actuality, \$4 million was needed in addition to the \$2 million in reserve. Chairman Rolle pointed out he was also informed by phone that the amount of dollars requested was low and incorrect. Chairman Rolle expressed concern regarding a scaling back on the North Corridor as related to staff making decisions. He expressed further concern that staff

indicated the importance of bringing forward proposed legislation and then suddenly said "No." Chairman Rolle noted he understood independent audits and certain dilemmas, but the fight on the North Corridor was not over.

Commissioner Sorenson referred to a commissioner putting on record that he planned to reconsider issues related to funding for the North Corridor. She expressed concern regarding insufficient funding.

Discussion ensued regarding staff making decisions.

Further discussion ensued regarding funding sources, the Commission's vote on a transit fare increase, reconsideration of a previous Commission vote, the potential for transit routes to suffer, funding based on the Consumer Price Index (CPI), submittal to FTA, Commissioner Moss's proposal for a transit summit, and desires the community may express with regard to future transit.

Commissioner Heyman asked Assistant County Manager Llort whether she was correct in saying that staff was not eliminating this resolution, but was only pulling it back.

Chairman Rolle pointed out to Commissioner Heyman a stop work order which had been issued on the contract.

In response to Commissioner Heyman's inquiry, Assistant County Manager Llort noted that all the Commission had asked to be done on the North Corridor was done. She also noted that environmental clearance and submittal to the FTA would stimulate activity for the North Corridor. Ms. Llort further noted staff was not setting policy, but was trying to grant the Commission's requests.

With concern, Chairman Rolle discussed with Ms. Llort the withdrawal of Agenda Item 3M as related to any intent to improve on the item. He reasoned that the item was correct when it was submitted to him.

Hearing no further questions or comments, the Committee proceeded to receive the foregoing report.

5E

082485 Report

LIST OF ADDITIONAL TRAFFIC INTERSECTION
IMPROVEMENTS FOR FY 07-08

Report Received
Mover: Sorenson
Seconder: Heyman
Vote: 4-0
Absent: Edmonson

(County Manager)

Report: *Assistant County Attorney Bruce Libhaber read
the foregoing report into the record.*

*Hearing no questions or comments, the Committee
proceeded to receive the foregoing report.*

082905 Report

NON-AGENDA REPORT-SEPTEMBER 10, 2008 TC

Report: 1. Chairman Rolle asked Mr. Richard Snedden, Assistant Director of Rail Services, Miami-Dade Transit Agency, to report on an incident at a Metromover station that morning.

Mr. Snedden noted that morning, two patrons jumped from a platform onto a guideway on N.E. 11 Street, apparently in order to retrieve a hat. One patron got back onto the platform, Mr. Snedden explained, while the other, unable to do the same, tried to access the emergency stairs. In the meantime, Mr. Snedden stated, a train was approaching from around a curve. Mr. Snedden noted that the patron on the guideway, despite his efforts, was unable to avoid the train and was trapped by it. Mr. Snedden stated that the patron's body was retrieved and the patron had expired.

Chairman Rolle offered condolences to the late patron's family.

In response to Chairman Rolle's inquiry as to whether the Transit Agency could have taken or could take preventive measures to avoid this type of incident, Mr. Snedden noted "No Trespassing" signs were posted and the patron was trespassing once he jumped onto the guideway. Mr. Snedden commented that the Metromover system was automatic. He added that the incident was recorded on video tape and video cameras were positioned to record activity at Metromover stations. Mr. Snedden pointed out that the cameras were not monitored 24 hours a day, seven days a week at all stations.

2. Bishop Lee Variety approached the dais and was recognized by Chairman Rolle.

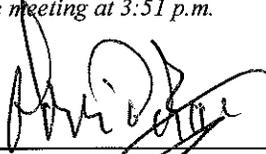
Mr. Variety noted he wanted the Commission to revisit contract no. 3143-9/11 regarding fuel and transportation.

In response to Chairman Rolle's request that Mr. Variety submit his concern to Assistant County Manager Llort, Mr. Variety noted he had tried this approach.

Chairman Rolle asked Mr. Variety to submit his concern to him.

6 ADJOURNMENT

Report: *Hearing no further business, the Committee adjourned the meeting at 3:51 p.m.*



Dorrian Rolle, Chairman