

**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Budget and Finance Committee**

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Board of County Commissioners
Stephen P. Clark Government Center
Commission Chambers
111 NW 1st Street
Miami, Florida 33128

Tuesday, September 9, 2008
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Madry Sullivan, Director
Clerk of the Board Division

Scott Rappleve, Commission Reporter
(305) 375-5108





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

FINAL OFFICIAL Meeting Minutes Budget and Finance Committee

Joe A. Martinez (11) Chair; Carlos A. Gimenez (7) Vice Chair; Commissioners Jose
"Pepe" Diaz (12), Katy Sorenson (8), Rebeca Sosa (6), and Javier D. Souto (10)

Tuesday, September 9, 2008

2:00 PM

Commission Chambers

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Joe A. Martinez, Katy Sorenson, Rebeca Sosa, Javier D. Souto.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Scott Rappleye, Commission Reporter
(305) 375-5108*

1A INVOCATION

Report: *Chairman Martinez called the meeting to order at
2:20 p.m.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Susanne Torriente,
Special Assistant to the County Manager Jennifer
Glazer-Moon; Assistant County Attorney Jess
McCarty, David Murray, Lee Kraftchick, Hugo
Benitez, David Hope, and David Murray; and
Deputy Clerks Doris Dickens and Scott Rappleye.*

CHANGES TO TODAY'S COMMITTEE AGENDA

*Assistant County Attorney McCarty indicated that
in addition to the County Manager's memorandum
entitled, "Requested Changes to the Budget and
Finance Committee Agenda," the following
additional change had been requested: that
Agenda Item 31 be added.*

2 COUNTY COMMISSION

2A

081258 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO THE TIME OF
TERMINATION OF THE CONE OF SILENCE AMENDING
SECTION 2-11.1(T) OF THE CODE OF MIAMI-DADE
COUNTY, FLORIDA; PROVIDING SEVERABILITY,
INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Report: *(See Agenda Item 2A Substitute; Legislative File
No.082599.)*

2A SUBSTITUTE

082599 Ordinance

Jose "Pepe" Diaz

ORDINANCE RELATING TO CONE OF SILENCE AMENDING SECTION 2-11.1(T) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081258]

Forwarded to BCC without a recommendation

Mover: Diaz

Second: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairman Martinez noted this proposal did not address the main issue of concern regarding communication under the Cone of Silence. He suggested this proposed resolution be moved forward without recommendation.

Commissioner Diaz explained that, pursuant to discussion at the June 10, 2008, Budget and Finance Committee meeting, he met with the Department of Procurement Management (DPM) and the Commission on Ethics and Public Trust to discuss this proposed ordinance, and this proposal satisfied both entities. He further explained that this proposed ordinance would allow department directors to be knowledgeable of what occurred regarding procurement items.

In response to Commissioner Sosa's question whether this proposed ordinance would allow a County employee to communicate with a vendor regarding a specific solicitation without anyone else present, Assistant County Attorney David Murray advised the County employee and the vendor could communicate if the County employee was one of the specific employees listed in the solicitation.

Commissioner Sosa expressed concern that the impact of expanding communication between County staff and vendors would provide the opportunity for lobbyists and dishonest people to influence the solicitation process.

Mr. Robert Meyers, Director, Commission on Ethics and Public Trust, noted the Commission on Ethics and Public Trust supported the exception to the Cone of Silence that would allow County staff to communicate with other County staff, and the exception regarding oral communications at briefings. He questioned whether this proposed ordinance clarified that the people identified in the

solicitation as individuals to contact could not sit on the Selection Committee or be involved in influencing the recommendation for that solicitation.

Commissioner Sosa requested this proposed ordinance be amended to clarify that the people identified in the solicitation as individuals to contact could not sit on the Selection Committee or be involved in influencing the recommendation for that solicitation.

Ms. Miriam Singer, Director, DPM, noted a representative from DPM or the department that issued the solicitation was always a non-voting member of the selection committee who was the contact person for information. She noted the language in this proposed ordinance would allow consultations with the non-voting member of the selection committee.

Commissioner Sosa noted she would not support this proposed ordinance without an amendment to clarify that no member of the selection committee would be identified in the solicitation as the individual for vendors to contact.

Commissioner Gimenez asked the DPM Director to meet with him to discuss the impact of this proposed ordinance on the Cone of Silence before this proposal came before the County Commission. He questioned whether the County Administration would be required to apprise the County Commission that a selection committee had made a recommendation to the County Mayor. He suggested this proposed ordinance be amended to include language requiring the County Mayor to report to the County Commission if he had not made a recommendation for a solicitation more than 90 days after the selection committee made its recommendation to him.

Commissioner Diaz noted he would review Commissioners Sosa and Gimenez's proposed amendments and present amendments to this proposed ordinance when it came before the County Commission.

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

2B

082346 Resolution

Jose "Pepe" Diaz,

Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez,
Rebeca Sosa, Audrey M. Edmonson, Dennis C. Moss
RESOLUTION REQUIRING THE PAYMENT OF MERIT
RAISES TO EMPLOYEES ON MILITARY LEAVE,
RETROACTIVE TO 1994

*Forwarded to BCC with a favorable
recommendation*

Mover: Diaz

Seconded: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed resolution into the record.*

*Commissioner Diaz explained that County
employees were not paid while they were on
military leave, which impacted their merit
increases.*

*In response to Chairman Martinez's inquiry
regarding the selection of 1994 as the date of
retroactivity, Commissioner Diaz noted 1994 was
the year federal law regarding this issue changed.*

*Commissioner Sosa asked Special Assistant to the
County Manager Jennifer Glazer-Moon to prepare
a fiscal impact analysis and forward it for the
Board's consideration along with this proposed
resolution. She also asked that the analysis
address how employees' pension and retirement
benefits were impacted when they were deployed
on military duty.*

*Special Assistant to the County Manager Jennifer
Glazer-Moon pointed out the County Commission
approved a resolution with the same intent in
1999, and the impact of this proposed resolution
would be from 1994 to 1999.*

*Commissioner Gimenez asked that he be listed as
a co-sponsor. He noted an employee should not
miss merit increases for serving the Country.*

*Following discussion regarding how the County
awarded merit increases, Commissioner Sosa
questioned why the County had limited the ability
of employees on military leave to receive merit
increases.*

*Special Assistant Glazer-Moon explained military
leave was similar to a leave of absence from
County employment, which would change the
anniversary date of an employee's merit increase,
and the employee would not receive the merit*

increase at the same time as originally scheduled.

Discussion ensued among Committee members, Special Assistant Glazer-Moon, and Assistant County Attorney Lee Kraftchick regarding the impact of military leave on retirement for County employees.

Commissioner Gimenez asked Assistant County Attorney Lee Kraftchick to provide each member of the Committee with a report regarding the impact of military leave on a County employee's retirement date with the Florida Retirement System (FRS), seniority status, and consideration for promotions before this proposed resolution came before the County Commission.

Chairman Martinez asked that he be listed as a co-sponsor.

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

2C

082478 Resolution

Audrey M. Edmonson,

Bruno A. Barreiro

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE GENERAL SERVICES ADMINISTRATION FOR THE JULY 13, 2008 "ZO'S SUMMER GROOVE BLOCK PARTY" EVENT SPONSORED BY THE ALONZO MOURNING CHARITIES, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$500.00 TO BE FUNDED IN PART FROM THE DISTRICT 3 AND DISTRICT 5 IN-KIND RESERVE FUNDS

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 6-0

2C SUPPLEMENT

082585 Supplement

FISCAL IMPACT STATEMENT FOR IN-KIND SERVICES REGARDING THE ALONZO MOURNING CHARITIES, INC. FOR THEIR "ZO SUMMER GROOVE" EVENT

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 6-0

2D

082488 Resolution Audrey M. Edmonson,

Sally A. Heyman, Barbara J. Jordan, Dorrin D. Rolle
RESOLUTION RETROACTIVELY AUTHORIZING IN-
KIND SERVICES FROM MIAMI-DADE PARK AND
RECREATION DEPARTMENT AND THE MIAMI-DADE
FIRE RESCUE DEPARTMENT FOR THE "ANNUAL JULY
4TH INDEPENDENCE DAY CELEBRATION"
SPONSORED BY THE CITY OF NORTH MIAMI IN AN
AMOUNT NOT TO EXCEED \$2,826.00 TO BE FUNDED
IN PART FROM DISTRICT 1, DISTRICT 2, DISTRICT 3
AND DISTRICT 4 IN-KIND RESERVE FUNDS AND IN
PART FROM THE NON-AD VALOREM PORTION OF
THE FIRE RESCUE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable
recommendation*

Mover: Sosa

Seconder: Diaz

Vote: 6-0

2E

082334 Resolution Carlos A. Gimenez

RESOLUTION APPROVING THE DESIGNATION OF
THAT PORTION OF U.S. HIGHWAY 1 BETWEEN S.W.
80TH STREET AND S.W. 57TH AVENUE AS "ALL
AMERICA PARKWAY"

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Diaz

Vote: 6-0

2F

082369 Resolution Carlos A. Gimenez

RESOLUTION APPROVING THE DESIGNATION OF
THAT PORTION OF S.W. 59TH AVENUE FROM S.W.
80TH STREET TO S.W. 72ND STREET AS "AMERICAN
LEGION WAY"

*Forwarded to BCC with a favorable
recommendation*

Mover: Gimenez

Seconder: Diaz

Vote: 6-0

2G

082373 Resolution

Carlos A. Gimenez,

Rebeca Sosa

RESOLUTION APPROVING THE DESIGNATION OF THAT PORTION OF S.W. 67TH AVENUE BETWEEN S.W. 56TH STREET AND S.W. 64TH STREET AS "RICHARD D. WARD WAY"

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sosa

Vote: 5-0

Absent: Sorenson

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sosa asked that she be listed as a co-sponsor.

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

2H

082222 Resolution

Sally A. Heyman

RESOLUTION URGING THE FLORIDA LEGISLATURE TO INCREASE THE STATUTORY FEE FOR SERVICE OF PROCESS TO BETTER REFLECT THE ACTUAL COST OF SERVICE OF PROCESS

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

In response to Commissioner Diaz's request for an explanation on this proposed resolution, Assistant County Attorney McCarty explained the fee for Service of Process that the County provided to private litigants did not cover the costs for this service, and this proposed resolution would urge the Legislature to increase this fee from \$20 to \$40 to cover the cost of the service.

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

2I

082224 Resolution Sally A. Heyman

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION PROVIDING TAX COLLECTORS WITH ADDITIONAL TOOLS TO COLLECT ON DELINQUENT TANGIBLE PERSONAL PROPERTY TAXES

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Gimenez

Vote: 5-1

No: Sosa

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sosa expressed concern that this proposed resolution could have a negative impact on the business community. Commissioner Sosa asked Assistant County Attorney Jess McCarty to provide her with a report on this proposed resolution, which specifically explained why the Tax Collector needed to contract with a private attorney as well as the cost involved, and the impact the fee in this proposed resolution would have on businesses.

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

2J

082354 Resolution Sally A. Heyman

RESOLUTION URGING CONGRESS TO PASS LEGISLATION FACILITATING LIVING ORGAN DONATIONS BY EXTENDING BENEFITS UNDER THE FAMILY MEDICAL LEAVE ACT TO COVERED EMPLOYEES WISHING TO DONATE ORGANS AND BY ALLOWING TAX CREDITS AND OTHER FINANCIAL INCENTIVES TO ASSIST DONORS IN OFFSETTING UNREIMBURSED COSTS OF DONATION

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Gimenez

Vote: 6-0

2K

082473 Resolution

Barbara J. Jordan

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI DADE FIRE RESCUE DEPARTMENT FOR THE AUGUST 6, 2008 "RICK ROSS BE OUT DAY" EVENT SPONSORED BY RICK ROSS CHARITES, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,456.00 TO BE FUNDED IN PART FROM THE DISTRICT 1 IN-KIND RESERVE FUND, AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sosa

Vote: 6-0

2L

081986 Ordinance

Joe A. Martinez,

Rebeca Sosa

ORDINANCE AMENDING SECTIONS 2-8.1.1 AND 10-33.1 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO BIDS FROM RELATED PARTIES TO INCLUDE A PROHIBITION ON COLLUSIVE BIDDING, REQUIRING THAT RECOMMENDED BIDDERS SUBMIT AN AFFIDAVIT REGARDING THEIR RELATION TO OTHER BIDDERS, AND EXPAND THE PROHIBITIONS TO INCLUDE THE PURCHASE OF GOODS OR SERVICES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Report: *See Report Under Agenda Item 2L AMENDED, Legislative File No. 082617.*

2L AMENDED

082617 Ordinance

Joe A. Martinez,

Rebeca Sosa

ORDINANCE AMENDING SECTIONS 2-8.1.1 AND 10-33.1 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO BIDS FROM RELATED PARTIES TO INCLUDE A PROHIBITION ON COLLUSIVE BIDDING, REQUIRING THAT RECOMMENDED BIDDERS SUBMIT AN AFFIDAVIT REGARDING THEIR RELATION TO OTHER BIDDERS, AND EXPAND THE PROHIBITIONS TO INCLUDE THE PURCHASE OF GOODS OR SERVICES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081986]

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

Mover: Martinez

Seconder: Sosa

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairman Martinez relinquished the Chair to Vice-Chairman Gimenez.

The public hearing was opened. The public hearing was closed after no one appeared in response to Vice-Chairman Gimenez's call for persons wishing to be heard.

Ms. Miriam Singer, Director, Department of Procurement Management, requested this proposed ordinance be amended to add "licensing agreements" following the word "permit" on the sixth line of Section 2-8.1.1(a); and to add at the end of Section 2-8.1.1(b) the following language: "and referred for prosecution."

Following Chairman Martinez's explanation of the intent of this proposed ordinance, Commissioner Sosa asked that she be listed as a co-sponsor.

Commissioner Diaz questioned whether this proposed ordinance clearly defined collusion. He expressed concern regarding parties identifying a loophole to how this proposed ordinance defined collusion.

Assistant County Attorney Hugo Benitez advised collusion was well defined in this proposed ordinance.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended to add "licensing agreements" following the word "permit" on the sixth line of Section 2-8.1.1(a); and to add at the

*end of Section 2-8.1.1(b) the following language:
"and referred for prosecution."*

2M

082336 Resolution Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY
2007-2008 UNALLOCATED GENERAL FUND
DISCRETIONARY COMMUNITY-BASED
ORGANIZATION FUNDING IN THE AMOUNTS OF
\$2239.50 TO WEST DADE COMMUNITY SERVICES, INC.
AND \$2239.50 TO HISPANIC COALITION, CORP.; AND
AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE
TO EXECUTE AGREEMENTS AND AMENDMENTS TO
THE AGREEMENTS NECESSARY TO EFFECTUATE THE
ALLOCATIONS FOR AND ON BEHALF OF MIAMI-DADE
COUNTY

*Forwarded to BCC with a favorable
recommendation*

Mover: Martinez

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the
foregoing proposed resolution into the record.*

*Chairman Martinez relinquished the chair to Vice-
Chairman Gimenez.*

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

2N

082163 Resolution**Dorrin D. Rolle**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DESIGNATE N.W. 15TH AVENUE FROM N.W. 62ND STREET TO N.W. 79ST STREET AS "REV. DR. GILBERT S. SMITH AVENUE"; APPROVING SUCH DESIGNATION

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairman Martinez questioned the County Commission's Rules of Procedure regarding the naming of streets after living individuals.

Assistant County Attorney Jess McCarty pointed out this proposed resolution would urge the State Legislature to designate a street after a living individual. He advised the County Commission's Rules of Procedure would not apply.

Following further discussion among Committee members regarding street naming for living individuals, Assistant County Attorney Jess McCarty clarified County Commission Rule 9.02.(c) required a 3/5 majority vote of the County Commission to name a street for a living individual.

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

2O

082042 Resolution**Katy Sorenson**

RESOLUTION THANKING GOVERNOR CRIST FOR EVERGLADES LAND PURCHASE FOR OKBEOBEE FLOW-WAY

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Diaz

Vote: 6-0

2P

082050 Resolution

Katy Sorenson,

Sally A. Heyman

RESOLUTION SUPPORTING THE CONTINUATION OF THE FEDERAL MORATORIUM ON OFFSHORE OIL AND GAS DRILLING TO PROTECT FLORIDA'S COAST AND TOURISM-RELATED INDUSTRY

Forwarded to BCC without a recommendation

Mover: Sorenson

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sorenson expressed concern regarding the offshore drilling initiative. She pointed out that hurricanes caused oil spillage. She noted tourism was Florida's most important industry and it would be threatened by offshore drilling.

Commissioner Souto noted the drilling platforms for other countries were probably closer to Florida than the offshore drilling for gas and oil in this proposed resolution. He spoke in opposition to this proposed resolution.

Commissioner Gimenez pointed out the last major oil spill was in 1969. He explained the spillage of oil during hurricanes Katrina and Rita was 700,000 gallons in a 600,000 square mile area. He spoke in support of the United States of America (USA) becoming energy independent through all forms of energy and by using the existing resources in the Gulf of Mexico. Commissioner Gimenez clarified the only oil leaks from hurricanes Katrina and Rita were from older pipes, and the newer technology was much improved.

Commissioner Diaz expressed concern that the USA would stop exploring alternative fuel sources if the federal moratorium on offshore oil and gas drilling was discontinued.

Commissioner Sosa noted the Mason Dixon Poll indicated 61 percent of Floridians favored oil drilling off of the gulf coast. She pointed out that the oil spillage from Hurricane Katrina had no reported impact on shorelines or wildlife. She spoke in support of the USA continuing to explore alternative fuels.

Commissioner Souto pointed out the Miccosukee Indian Tribe operated an oil well in the

Everglades.

Commissioner Sorenson noted the issue of offshore drilling was a climate change issue. She pointed out the United States Department of Energy stated the impact of offshore drilling on gasoline prices would take 10 years to be realized and the difference in prices would be negligible. She emphasized that the price of gasoline was based on the international market.

It was moved by Commissioner Sorenson that this proposed resolution be forwarded to the County Commission without recommendation. This motion was seconded by Commissioner Diaz.

Commissioner Gimenez emphasized that the offshore drilling technology had improved to the point that offshore drilling was not a major environmental risk. He noted offshore drilling could help the USA become independent of the Middle East and Venezuela for fuel. He suggested that offshore drilling could improve the USA's global trade, as well as impact national security.

Commissioner Sosa suggested Commissioner Sorenson amend this proposed resolution to include a paragraph that emphasized increasing the domestic supply of oil, reducing the price of oil to help consumers, and drilling in a way that protected the environment, if the USA lifted the embargo on offshore drilling.

Hearing no other questions or comments the Committee proceeded to vote.

2Q

082173 Resolution

Katy Sorenson,

Rebeca Sosa, Jose "Pepe" Diaz

RESOLUTION OPPOSING THE STATE OF FLORIDA LEASING ALLIGATOR ALLEY TO A PRIVATE FIRM; OPPOSING ANY DIVERSION OF ALLIGATOR ALLEY REVENUE AWAY FROM EVERGLADES RESTORATION AND SOUTH FLORIDA ROAD PROJECTS; URGING THE LEGISLATIVE BUDGET COMMISSION NOT TO APPROVE ANY LEASE OF ALLIGATOR ALLEY; URGING THE LEGISLATURE TO REPEAL STATUTES AUTHORIZING FDOT TO LEASE ALLIGATOR ALLEY TO A PRIVATE FIRM

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Second: Sosa

Vote: 5-1

No: Souto

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sorenson expressed concern that the state of Florida would lose revenues for Everglades restoration by leasing Alligator Alley to a private firm.

Commissioner Souto noted governments all over the United States of America (USA) were leasing highways to private firms. He questioned how the County and State of Florida would have new roads without money to construct the roads. He expressed concern that the State would establish a precedent that would prevent any highway in the State from being leased by a private firm, if the State prohibited leasing Alligator Alley.

Responding to Commissioner Souto, Commissioner Diaz noted he would have concurred with Commissioner Souto if Alligator Alley had not already been built with tax dollars. He questioned why the State would provide the completed roadway after taxpayers funded the major costs of the road. He noted \$2 million for Everglades restoration would be lost if Alligator Alley was leased to a private firm.

Commissioner Sosa expressed concern regarding the potential for a private firm to increase tolls on Alligator Alley and the impact that would have on residents. She asked that she be listed as a co-sponsor.

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

2R

082243 Resolution Katy Sorenson

RESOLUTION APPROVING THE STATE ROAD DESIGNATION OF S.W. 87TH AVENUE FROM S.W. 94TH STREET TO S.W. 95TH STREET AS "RABBI BARRY TABACHNIKOFF AVENUE"

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Sosa

Vote: 6-0

2S

081978 Resolution Rebeca Sosa

RESOLUTION URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO ENHANCE CUSTOMER SERVICE FOR SUNPASS VIOLATIONS BY SHARING SUNPASS CUSTOMER INFORMATION WITH THE MIAMI-DADE EXPRESSWAY AUTHORITY AND OTHER EXPRESSWAY AUTHORITIES IN FLORIDA

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 6-0

2T

082043 Resolution Rebeca Sosa

RESOLUTION DIRECTING THE COUNTY'S FEDERAL LOBBYING TEAM TO CLOSELY MONITOR THE DEVELOPMENT OF GRANT OPPORTUNITIES UNDER THE SECOND CHANCE ACT OF 2007 AND IDENTIFY ALL GRANT MONIES THAT ARE OR MAY BECOME AVAILABLE TO LOCAL PROGRAMS THAT FACILITATE THE RE-ENTRY OF INMATES INTO THE COMMUNITY, INCLUDING RELATED LOCAL CAPITAL IMPROVEMENT PROJECTS

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

2U

082377 Resolution

Rebeca Sosa,

Carlos A. Gimenez, Joe A. Martinez, Jose "Pepe" Diaz,
Katy Sorenson, Sen. Javier D. Souto

RESOLUTION URGING THE FLORIDA LEGISLATURE,
THE FLORIDA AGENCY FOR HEALTH CARE
ADMINISTRATION, AND THE FLORIDA DEPARTMENT
OF ELDER AFFAIRS TO IMPLEMENT THE
RECOMMENDATIONS OF THE MIAMI-DADE ELDER
ABUSE TASK FORCE INCLUDING EXPRESSLY
PERMITTING THE USE OF "GRANNY CAMERAS" IN
NURSING HOMES TO DETER ELDER ABUSE AND
NEGLECT; REQUIRING ASSISTED LIVING FACILITIES
TO HAVE VITAL MEDICAL INFORMATION
AVAILABLE ON STANDARDIZED FORMS 24 HOURS A
DAY; AND CHANGING ADMINISTRATIVE PROCEDURE
TO PROVIDE CERTIFICATION EXAMINATIONS FOR
ASSISTED LIVING FACILITIES IN CREOLE IN
ADDITION TO ENGLISH AND SPANISH

Withdrawn

Report: *See Report Under Agenda Item 2U AMENDED,
Legislative File No. 082625.*

2U AMENDED

082625 Resolution

Rebeca Sosa,

Budget and Finance Committee, Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, Audrey M. Edmonson, Barbara J. Jordan, Dennis C. Moss, Dorrin D.

Rolle

RESOLUTION URGING THE FLORIDA LEGISLATURE, THE FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION, AND THE FLORIDA DEPARTMENT OF ELDER AFFAIRS TO IMPLEMENT THE RECOMMENDATIONS OF THE MIAMI-DADE ELDER ABUSE TASK FORCE INCLUDING EXPRESSLY PERMITTING THE USE OF "GRANNY CAMERAS" IN NURSING HOMES TO DETER ELDER ABUSE AND NEGLECT; REQUIRING ASSISTED LIVING FACILITIES TO HAVE VITAL MEDICAL INFORMATION AVAILABLE ON STANDARDIZED FORMS 24 HOURS A DAY; AND CHANGING ADMINISTRATIVE PROCEDURE TO PROVIDE CERTIFICATION EXAMINATIONS FOR ASSISTED LIVING FACILITIES IN CREOLE IN ADDITION TO ENGLISH AND SPANISH [SEE ORIGINAL ITEM UNDER FILE NO. 082377]

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

Mover: Sosa

Seconder: Martinez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairman Martinez and Commissioner Gimenez asked that they be listed as co-sponsors.

Commissioner Sosa noted the County needed to defend the elderly by permitting the use of cameras in nursing homes. She explained assisted living facilities needed to be able to communicate with Haitians.

Chairman Martinez clarified this proposed resolution would permit the use of cameras, and not mandate their use.

In response to Chairman Martinez's inquiry regarding the nursing home choosing not to use cameras and the patient choosing to waive its right to the use of a camera, Assistant County Attorney McCarty advised the language of this proposal would allow a nursing home patient or family member to install a camera, with or without, approval of the nursing home.

Responding to Chairman Martinez's comments regarding the damage to the cameras, Commissioner Sosa asked that this proposed resolution be amended to add penalties to the nursing home or assisted living facility (ALF) for

damage to the "granny camera," to require the nursing home or ALF to notify a family member of damage to the "granny camera" within 24 hours of the "granny camera" being damaged. She emphasized the importance of assisted living facilities recording vital medical information for the elderly in case of emergency.

Commissioner Diaz questioned the specific location of the camera in the nursing home or the assisted living facility.

Ms. Betty Jimenez, Senior Advocate, Department of Human Services, noted the specific location of the cameras would be defined by the Florida Legislature. She clarified the cameras could be placed in the commons areas and the bedroom. She explained the intent of the cameras was to combat elderly abuse, and the cameras would only be in the rooms where an elderly person could be abused.

Commissioner Diaz asked that he be listed as a co-sponsor. He noted he would withdraw his support of this proposal if the cameras were in any general area besides the patient's room for privacy issues.

In response to Commissioner Sorenson's concern regarding the nursing home or assisted living facility charging fees for patients to mount a camera, Commissioner Sosa asked that this proposed resolution be amended to add language that no special assessment could be made for a patient to have a "granny camera" and the "granny camera" could have no implications to the family members who decided to have the camera.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution, as amended to add penalties to the nursing home or assisted living facility (ALF) for damage to the "granny camera," to require the nursing home or ALF to notify a family member of damage to the "granny camera" within 24 hours of the "granny camera" being damaged, to add clarifying language that the "granny cameras" could only be placed in the common areas and the bedroom, to include language prohibiting unreasonable fees for installing a "granny camera," and to add language that no special assessment could be made for a patient to have a "granny camera" and the "granny camera" could have no implications to the family members who decided to have the camera.

3 DEPARTMENTS

3A

082406 Resolution

RESOLUTION APPROVING EXTENSION OF 2008 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS (Finance Department)

Forwarded to BCC with a favorable recommendation
Mover: Sosa
Seconder: Sorenson
Vote: 6-0

3B

082412 Ordinance

ORDINANCE AUTHORIZING ISSUANCE OF NOT TO EXCEED \$1.9 BILLION AGGREGATE ORIGINAL PRINCIPAL AMOUNT OF MIAMI-DADE COUNTY, FLORIDA, AVIATION REVENUE BONDS, IN ONE OR MORE SERIES, PURSUANT TO PROVISIONS OF AMENDED AND RESTATED TRUST AGREEMENT INCLUDING SECTION 210, DATED AS OF DECEMBER 15, 2002 FOR PURPOSE OF PAYING OR REIMBURSING AVIATION DEPARTMENT FOR COSTS OF CERTAIN CAPITAL IMPROVEMENTS TO COUNTY'S PORT AUTHORITY PROPERTIES; PROVIDING THAT TERMS, MATURITIES, INTEREST RATES AND OTHER DETAILS OF SAID BONDS BE DETERMINED IN ONE OR MORE SUBSEQUENT SERIES RESOLUTIONS; AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE (Finance Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sorenson
Vote: 6-0

3C

082294 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR BUILDINGS NUMBERED 24, 25, 26 AND 27, COMPRISING 14,400 SQUARE FEET, LOCATED AT 20600 N.W. 47TH AVENUE, MIAMI, WITH THE CENTER FOR FAMILY AND CHILD ENRICHMENT, INC. FOR THE BUILDINGS TO BE UTILIZED TO OPERATE CHILD WELFARE AND RESPITE PROGRAMS AND FOR ANCILLARY OFFICE AND STORAGE SPACE AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Seconder: Gimenez
Vote: 6-0

3D

082413 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A DESIGN-BUILD SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MAGNUM CONSTRUCTION MANAGEMENT CORP. (MCM), IN AN AMOUNT NOT TO EXCEED \$13,373,332, TO PROVIDE DESIGN AND CONSTRUCTION SERVICES FOR THE NEW GENERAL SERVICES ADMINISTRATION (GSA) TRADES SHOP FACILITY, GSA CONTRACT NO. W80021, FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (General Services Administration Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Sorenson
Secunder: Diaz
Vote: 5-0
Absent: Gimenez

Report: *Chairman Martinez noted he would prepare a memorandum requesting that Chairman Barreiro waive the Board's Rules and Procedures to allow this proposed resolution to be considered at the September 16, 2008, County Commission Meeting.*

3E

082389 Resolution

RESOLUTION WAIVING THE REQUIREMENTS OF SECTION 2-8.4 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO BID PROTEST PROCEDURES BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. 526 FOR WIRELESS (CELLULAR) DEVICES AND SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR DESIGNEE TO BEGIN COMPETITIVE NEGOTIATIONS BETWEEN BOTH RESPONSIVE PROPOSERS, AT&T MOBILITY NATIONAL ACCOUNTS, LLC (AT&T), FORMERLY NEW CINGULAR WIRELESS NATIONAL ACCOUNTS, LLC, AND SPRINT SOLUTIONS, INC. (SPRINT) (Procurement Management Department)

Withdrawn

Report: *(See Report Under Agenda Item 3E Amended. Legislative File # 082389)*

3E Amended

082936 Resolution

AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT WITH AT&T MOBILITY NATIONAL ACCOUNTS, LLC TO OBTAIN WIRELESS (CELLULAR) DEVICES AND SERVICES ON AN ENTERPRISE BASIS, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN. CONTRACT NO. RFP526 [SEE ORIGINAL ITEM UNDER FILE NO. 082389] (Procurement Management Department)

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

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sosa requested clarification regarding what had occurred to cause the County Administration to change its recommendation for Request for Proposals (RFP) no. 526 for Wireless (Cellular) Devices and Services, notwithstanding the procurement process was followed.

Chairman Martinez pointed out this RFP was issued on September 15, 2006, and a contract was executed with AT&T Mobility. He requested an explanation why the executed contract was not being recommended for award.

Mr. Angel Petisco, Interim Director, Enterprise Technology Services Department (ETSD), explained the intent of RFP no. 526 was to contract with one organization to provide cellular services and emergency services to the County. He noted Wireless Priority Services (WPS) was a part of this RFP, and during County negotiations with Sprint, the County determined Sprint was not compliant with the WPS requirements. The County Attorney's Office concurred Sprint was not compliant and AT&T was the only responsive bidder, Mr. Petisco clarified. He explained pending litigation between the County and AT&T Mobility prevented the County Administration from immediately bringing the executed contract with AT&T Mobility before the County Commission for award. Following the resolve of the litigation, the County Administration questioned whether Sprint and AT&T Mobility's proposals were still valid, Mr. Petisco noted. He pointed out Sprint indicated it had become WPS compliant, had changed equipment, and had changed its pricing plan, and AT&T Mobility indicated it had changed equipment and pricing

plans. He noted the County Administration recommended the County reject Sprint and AT&T Mobility's bids and authorize the County Mayor or his designee to enter best and final negotiations with both Sprint and AT&T Mobility to provide the County with a better deal.

Commissioner Sosa expressed concern regarding the process the County Administration followed.

Chairman Martinez pointed out Sprint was deemed a non-responsive bidder during the selection process, and he questioned why the County Administration would recommend negotiations with Sprint.

Ms. Miriam Singer, Director, Department of Procurement Management, explained Sprint proffered that it was WPS compliant, and the negotiations of the contract details showed the County that Sprint was not fully WPS compliant.

In response to Commissioner Gimenez's question regarding how long the County Administration held the recommendation to award the executed contract with AT&T Mobility, Ms. Singer noted the County Administration had prepared an item recommending the County Commission award the executed contract with AT&T Mobility in September 2007.

Assistant County Manager Susanne Torriente explained the County Administration held the executed contract from September 2007 to September 2008 to allow AT&T's pending litigation with the Miami-Dade Aviation Department to be resolved.

Responding to Commissioner Gimenez's inquiry regarding why AT&T's pending litigation would impact the executed contract, Assistant County Attorney David Hope advised the County Administration made a business decision to not award more money to AT&T when it was alleging the County was doing illegal activities.

Mr. Petisco noted the pending litigation was resolved in June 2008.

Commissioner Gimenez spoke in support of this proposed resolution.

Commissioner Diaz expressed concern that the County Administration was recommending to begin competitive negotiations with AT&T

Mobility and Sprint after AT&T Mobility had completed the negotiation process. He noted he would have supported competitive negotiations if the County Administration had recommended that process from the start. He explained the County Administration should not have executed a contract with AT&T Mobility if the pending litigation would change the decision to recommend the contract be awarded.

Assistant County Manager Torriente pointed out the County would benefit by Sprint and AT&T Mobility competing against each other for wireless devices and services.

Commissioner Diaz expressed concern that AT&T Mobility would file a law suit against the County if the County did not award the contract that they executed for wireless devices and services.

Chairman Martinez questioned whether the status of a vendor's responsiveness had ever changed from non-responsive to responsive for its response to one solicitation.

Ms. Singer explained both AT&T Mobility and Sprint volunteered to the County that they could lower the price in their original proposals, and they were willing to participate in competitive negotiations.

In response to Commissioner Diaz's inquiry regarding the resolve of the litigation between the County and AT&T Mobility, Assistant County Attorney Hope advised that in February 2008 the Public Service Commission found the County was operating under a codified airport exemption at Miami International Airport. He noted the County had further negotiations with AT&T, and that in March 2008 AT&T dismissed with prejudice its claims with the State Court.

Discussion ensued among Commissioner Diaz, Assistant County Manager Torriente, and Mr. Petisco regarding Commissioner Diaz's concern that this proposed resolution took six months after the AT&T claims were dismissed to come before this Committee.

Chairman Martinez emphasized Sprint was a non-responsive vendor to RFP no. 526.

Assistant County Attorney Hope clarified the settlement of AT&T's claims with the State Court were verbally agreed to in March 2008; however,

he advised the County Administration that the claims were finalized on April 30, 2008.

Following further discussion between Commissioner Diaz and Assistant County Attorney Hope regarding the resolve of the AT&T litigation against the County and the amount of time that had elapsed before the County Commission presented this proposed resolution, Commissioner Gimenez expressed concern that AT&T Mobility could file a law suit against the County for the way the County held the contract it executed with AT&T Mobility. Commissioner Gimenez noted the County should not have used the litigation on a separate issue to impact the contract for wireless devices and services.

Chairman Martinez asked Assistant County Attorney Jess McCarty and the Department of Procurement Management Director to provide him with a report reflecting how many times a bid was deemed non-responsive by the County Attorney's Office and subsequently changed to responsive after the County Manager made his recommendation.

Chairman Martinez suggested that this proposed resolution be amended to authorize the County Administration to negotiate the executed contract with AT&T Mobility to provide the lower rates that AT&T Mobility had indicated were available, and that the negotiated contract be forwarded to the County Commission.

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to delete any provision(s) to reject all proposals received in response to Request for Proposals (RFP) No. 526 for wireless (cellular) devices and services, and to authorize the County Mayor or County Mayor designee to begin competitive negotiations with AT&T Mobility National Accounts, LLC (AT&T), formerly New Cingular Wireless National Accounts, LLC. This motion was seconded by Commissioner Gimenez.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution as amended.

Commissioner Diaz recommended AT&T Mobility negotiate the contract with the lowest possible rates to ensure Country residents had the best

value possible.

3F

082492 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER (Procurement Management Department)

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Sosa

Vote: 6-0

3G

082493 Resolution

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER, AND CONTRACT MODIFICATIONS AND AWARD OF COMPETITIVELY BID CONTRACTS OF OTHER GOVERNMENTAL ENTITIES FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Sorenson asked the Department of Procurement Management Director to ensure that the results of the audit on bus operator compliance with the American with Disabilities Act were forwarded to the Commission on Disability Issues.

Responding to Commissioner Sosa's question regarding the use of People's Transportation Plan (PTP) funds for maintenance and operations in this proposed resolution, Assistant County Manager Susanne Torriente explained the intent of this proposed resolution was to approve the contracts, and the Transit Committee would consider the appropriateness of the proposed use of PTP funds.

Ms. Miriam Singer, Director, Department of Procurement Management, clarified each item in this proposed resolution with PTP funding had specific language that indicated the Transit Committee, the Citizen's Independent Transportation Trust, and the County Commission would authorize the use of PTP funds. She explained the items in this proposed resolution were before this Committee as contracts with multiple funding sources.

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

3H

082494 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES
FOR ONE NON-COMPETITIVE CONTRACT
MODIFICATIONS AND TWO CONFIRMATION
PURCHASES AND AUTHORIZING THE COUNTY
MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD
SAME (Procurement Management Department)

Withdrawn

Report: *See Report Under Agenda Items 3H AMENDED,
Legislative File No. 082618, and 3H AMENDED
#2, Legislative File No. 082631.*

3H AMENDED

082618 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR TWO CONFIRMATION PURCHASES AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AWARD SAME [SEE ORIGINAL ITEM UNDER FILE NO. 082494] (Procurement Management Department)

Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments
Mover: Diaz
Seconder: Gimenez
Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record. He advised the Committee that a scrivener's error existed on handwritten page 13 that should be corrected to indicate that American Coach Lines of Miami, Inc. was a non-local vendor with the following address: "5430 LBJ Freeway Suite 1075, Dallas TX 75240".*

Chairman Martinez expressed concern that the performance data for Item 4.1: Security Guard and Screening Services indicated that Forestville Corporation had 181 contract violations and that DeLad Securities had 237 contract violations, however, the compliance data stated no compliance issues existed.

Mr. Daniel Payne, Chief of Security, General Services Administration (GSA), noted all firms on the current Security Guard and Screening Services contract had numerous contract violations. He pointed out the number of violations were over a three year period. Mr. Payne explained the liquidated damages had increased from \$25 for each violation under the previous contract to between \$100 and \$300 for each violation in this proposed contract.

It was moved by Commissioner Diaz that the foregoing proposed resolution be bifurcated to remove Item 4.1: Security Guard and Screening Services. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 6-0.

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to delete Item 4.1: Security Guard and Screening Services, and to indicate on handwritten page 13 that American Coach Lines of Miami, Inc. was a non-local vendor with the following address:

"5430 LBJ Freeway Suite 1075, Dallas TX 75240". This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 6-0.

Responding to Commissioner Diaz's concern regarding the number of contract violations, Ms. Wendi Norris, Director, GSA, clarified that contract violations included minor incidents and that performance issues were classified as non-performance, not contract violations.

Chairman Martinez questioned the number of contract violations that could be considered fraudulent. He asked Ms. Norris to provide him with a report indicating the type of contract violations imposed on Forestville Corporation and DeLad Security, Inc. before Item 4.1: Security Guard and Screening Services emergency contract was considered by the County Commission.

Assistant County Manager Torriente clarified that, in this proposed resolution, "compliance" referred to compliance to the County's Small Business Ordinances, and "performance" was the work done by the vendor.

Commissioner Sosa asked the Department of Procurement Management Director to provide the Budget and Finance Committee with a report identifying all contract violations cited against Forestville Corporation and DeLad Security, Inc. for non-performance within the first three months of this contract.

Hearing no other questions or comments, it was moved by Commissioner Diaz that Item 4.1: Security Guard and Screening Services be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to have Item 4.1 presented to the County Commission as a separate agenda item. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 6-0.

3H AMENDED #2

082631 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES
FOR A NON-COMPETITIVE CONTRACT
MODIFICATION FOR SECURITY GUARD AND
SCREENING SERVICES IN THE AMOUNT OF \$4,900,000
AND AUTHORIZING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO AWARD SAME
(Procurement Management Department)

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

Mover: Diaz

Seconder: Gimenez

Vote: 6-0

Report: *(See Report Under Agenda Item 3H AMENDED,
Legislative File No. 082618.)*

*It was moved by Commissioner Diaz that the
foregoing proposed resolution be bifurcated to
remove Item 4.1: Security Guard and Screening
Services. This motion was seconded by
Commissioner Gimenez, and upon being put to a
vote, passed by a vote of 6-0.*

*It was moved by Commissioner Diaz that Item 4.1:
Security Guard and Screening Services be
forwarded to the County Commission with a
favorable recommendation with committee
amendment(s) to have Item 4.1 presented to the
County Commission as a separate agenda item.
This motion was seconded by Commissioner
Gimenez, and upon being put to a vote, passed by
a vote of 6-0.*

31

082607 Resolution

RESOLUTION APPROVING AMENDMENT TO STANDBY BOND PURCHASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND JPMORGAN CHASE BANK, NATIONAL ASSOCIATION WITH RESPECT TO \$295,240,000 WATER AND SEWER SYSTEM REVENUE REFUNDING VARIABLE RATE DEMAND BONDS, SERIES 2005; AND AUTHORIZING MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PROPOSALS FOR SUBSTITUTE LIQUIDITY PROVIDER (Finance Department)

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

Mover: Diaz

Secunder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Ms. Rachel Baum, Director, Finance Department, explained the County had a letter of credit on variable rate Water and Sewer Bonds, Series 2005, and the bank would not renew the letter of credit, only extend it for 90 days and increase the fee. She noted this proposed resolution recommended the County accept the 90 day extension while the County made a Request for Proposals to select a new letter of credit.

Commissioner Gimenez questioned the expected annual commitment rate for the new letter of credit.

Ms. Baum noted the County did not know what the annual commitment rate may be, and the County did not even know if it could obtain another letter of credit.

In response to Commissioner Gimenez's inquiry regarding what the County would do if it could not obtain another letter of credit, Ms. Baum noted the County would evaluate other options, including converting these bonds to fixed rate bonds.

Commissioner Sosa questioned whether the County would have to refund any of the Series 1995 Bonds.

Ms. Baum noted the County would have to negotiate a new termination payment for the Series 1995 Bonds, if the County issued fixed rate bonds.

Commissioner Sosa pointed out the County could also enter into a Standby Bond Purchase.

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

Chairman Martinez noted he would prepare a memorandum requesting that Chairman Barreiro waive the Board's Rules and Procedures to allow this proposed resolution to be considered at the September 16, 2008, County Commission Meeting.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

082474 Report

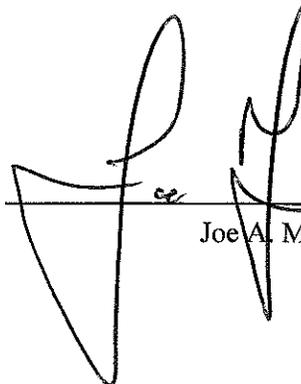
CLERK'S SUMMARY OF MINUTES FOR THE BUDGET AND FINANCE COMMITTEE MEETING FOR: JULY 8, 2008 (Clerk of the Board)

*Approved
Mover: Diaz
Seconder: Sosa
Vote: 6-0*

7 REPORTS

Report: *There being no other business to come before the Committee, the meeting adjourned at 4:57 p.m.*

8 ADJOURNMENT



Joe A. Martinez, Chair