



MIAMI-DADE COUNTY FINAL OFFICIAL MEETING MINUTES Airport and Tourism Committee (ATC)

Board of County Commissioners

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

September 11, 2008,
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Judy Marsh, Commission Reporter
(305) 375-1967





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

FINAL OFFICIAL Meeting Minutes Airport and Tourism Committee

Jose "Pepe" Diaz (12) Chair; Sally A. Heyman (4) Vice Chair; Commissioners Carlos
A. Gimenez (7), Joe A. Martinez (11), Dorrin D. Rolle (2), and Rebeca Sosa (6)

Thursday, September 11, 2008

9:30 AM

COMMISSION CHAMBERS, SPCC

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, Dorrin Rolle, Rebeca Sosa.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

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

1A INVOCATION

Report: *Chairman Diaz called for a moment of silence to remember the victims of the September 11, 2001 terrorist attacks and members of the Armed Forces who were serving to protect the United States from future attacks; and victims of Hurricanes Fay, Gustav, Hanna and Ike.*

The invocation was presented by Sergeant at Arms Michael Roan at Chairman Diaz' request; followed by the Pledge of Allegiance.

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present:
Assistant County Manager Ysela Llori; Assistant
County Attorneys David Murray, Cynji Lee and
Tim Abbott; and Senior Deputy Clerk Doris
Dickens and Deputy Clerk Judy Marsh.*

Also present was Commissioner Dennis C. Moss.

*Assistant County Attorney David Murray noted a
scrivener's error existed in Agenda Item 2D, and
the word "or" in the third to last line on
handwritten page 5 of the continuation paragraph
from the previous page, Section 30-388.2, should
be deleted.*

*It was moved by Commissioner Sosa that the
Committee approve the September 11, 2008
Airport and Tourism Committee agenda. This
motion was seconded by Commissioner Rolle, and
upon being put to a vote, passed by a vote of 5-0,
(Commissioner Martinez was absent).*

1D **SPECIAL PRESENTATION**

2 **COUNTY COMMISSION**

2A

081520 Resolution **Dorrin D. Rolle**

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE TO REPORT WITHIN THIRTY DAYS ON THE FEASIBILITY OF MIAMI DADE COUNTY DESIGNING AND BUILDING A KIDPORT IN THE MIAMI INTERNATIONAL AIRPORT OR ALTERNATIVELY PARTNERING WITH THE CHILDREN'S TRUST OR ANOTHER SIMILARLY ORIENTED CHILD ADVOCACY GROUP TO DO SAME

Forwarded to BCC with a favorable recommendation
Mover: Rolle
Seconder: Heyman
Vote: 5-0
Absent: Martinez

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Commissioner Rolle provided an overview of the proposed resolution.

Commissioner Sosa asked that the safety of the children who would be utilizing the proposed kidport be considered.

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

2B

081446 Ordinance **Rebeca Sosa**

ORDINANCE CREATING AIRCRAFT NOISE ABATEMENT ADVISORY BOARD FOR MIAMI INTERNATIONAL AIRPORT; PROVIDING MEMBERSHIP, PURPOSE, PROCEDURES, POWERS AND DUTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

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

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record.*

Chairman Diaz announced that the foregoing proposed ordinance was open for public participation, and there being no one to appear before the Committee, the public hearing was closed.

Commissioner Sosa provided an overview of the purpose and membership of the proposed Noise Abatement Advisory Board (NAAB). She noted the NAAB would submit an annual written report to the County Commission.

In response to Chairman Diaz' inquiry, Commissioner Sosa noted the members of the NAAB could be designated by the mayor or designee of any of the cities outlined in the proposed ordinance.

Hearing no further comments or questions, the Committee voted on the foregoing proposed ordinance as presented.

2C

081447 Ordinance

Rebeca Sosa,

Jose "Pepe" Diaz

ORDINANCE CREATING MIAMI INTERNATIONAL AIRPORT NEIGHBORHOOD RELATIONS COMMITTEE; PROVIDING PURPOSE, MEMBERSHIP, PROCEDURE, POWERS AND DUTIES, STAFF; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record.*

Chairman Diaz announced that the foregoing proposed ordinance was open for public participation, and there being no one to appear before the Committee, the public hearing was closed.

Commissioner Sosa provided an overview of the proposed ordinance.

Hearing no further comments or questions, the Committee voted on the foregoing proposed ordinance as presented.

2D

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: Sosa

Vote: 6-0

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record. He noted a scrivener's error existed in the proposed ordinance and the word "or" in the third to last line on handwritten page 5 of the continuation paragraph from the previous page, Section 30-388.2, should be deleted.*

Chairman Diaz announced that the foregoing proposed ordinance was open for public participation.

Mr. Denny Wood, 1300 SW 92 Avenue, appeared before the Committee. He noted two days ago he discovered the County Commission had considered the proposed ordinance on first reading. Mr. Wood said he felt a huge breakdown in communications had occurred because the Chairperson of the Airport Advisory Committee for the Disabled had not informed him about this proposed ordinance, and the Co-Chairperson of the Commission on Disability Issues (CODI) was unaware of the proposed ordinance.

Mr. Wood asked Commissioner Heyman to withdraw the foregoing proposed ordinance or to incorporate a requirement that people who used the disabled placards and were allowed to park free of charge at the Airport, be limited to thirty days. He said Airport employees with disabled placards should be required to park in the employee parking lot which would allow additional parking spaces to be available in the parking garages. Mr. Wood pointed out that more county employees and airline personnel parked in the parking garages than travelers.

Ms. Heidi Johnson-Wright, Director, Office of Americans with Disabilities Act (ADA)

Coordination, spoke in support of the foregoing proposed ordinance. She noted disabled individuals now had more options for getting to and from the Airport, including Special Transportation Services, fixed routes and wheelchair accessible taxicabs.

Commissioner Heyman expressed appreciation to Ms. Johnson-Wright and Mr. Wood for their comments. She noted the foregoing proposed ordinance was adopted on first reading on July 1, 2008. Commissioner Heyman said this legislation was limited to the Airport and Seaport to address revenue loss and to address concerns from CODI representatives; ADA associations and people who felt available parking spaces were insufficient based on the fraudulent use of others. She noted the foregoing proposed ordinance, with the scrivener's error corrected complied with state law.

Commissioner Heyman placed the following comments on the record regarding Miami International Airport's policy relating to free parking for disabled persons: "The current policy of providing free parking to disabled persons should be changed because the current policy leaves MDAD open for a "reverse discrimination" complaint lawsuit." She noted Jackson Memorial Hospital, municipalities and Miami-Dade Transit had asked to be included in the proposed ordinance at a later time.

Commissioner Sosa noted the difficulty in establishing policy when the system was abused and questioned whether it was legally possible for employees with disabled placards to park in the employees' parking lot. She pointed out that if employees were allowed to park in the visitors' parking lot, this would be discriminating against those persons who had the right to park in the parking lots.

Assistant County Attorney Tim Abbott advised the Airport could provide an operational directive to accomplish Commissioner Sosa's suggestion, consistent with ADA guidelines.

Commissioner Sosa said she was supportive of the foregoing proposed ordinance, however, she offered an amendment that all employees be required to park in the employee parking lot. She noted she would ask legal staff to prepare a separate item if her proposed amendment was not

accepted by Commissioner Heyman.

Mr. David Fialkoff, 10649 SW 113 Place, appeared before the Committee in support of the foregoing proposed ordinance. He noted he was a county employee but was speaking as a private citizen. Mr. Fialkoff said his wife was a quadriplegic and he was hopeful that the proposed ordinance would enable his wife and himself to locate a parking space much easier than the last time they traveled.

Mr. Chris Mazzella, Inspector General, Miami-Dade County Office of the Inspector General, said disabled parking was not properly regulated within the State. He noted approximately 12 to 15 criminal investigations were underway; however, it was difficult to establish crimes regarding disabled parking because of erroneous information including the wrong doctors and missing applications. Mr. Mazzella emphasized the importance of available parking for disabled people.

Chairman Diaz expressed appreciation to Mr. Mazzella and his staff for reviewing misuse of the system.

There being no further persons to appear before the Committee, the public hearing was closed.

Commissioner Gimenez spoke in support of the foregoing proposed ordinance which he noted would create additional spaces for handicapped individuals. He noted employees would no longer have an incentive to park in the Airport parking lot once it was no longer free.

In response to Commissioner Rolle's inquiry whether the foregoing proposed ordinance could be extended to Miami-Dade Transit and JMH, Assistant County Attorney Abbott advised that separate legislation would be required.

Commissioner Heyman noted legal staff had begun preparing legislation for JMH, the municipalities and MDT; and the savings to be realized from this legislation would be used for ADA compliance.

3 DEPARTMENTS

3A

082424 Resolution

RESOLUTION RELATING TO KENDALL-TAMIAMI EXECUTIVE AIRPORT; RATIFYING THE EXECUTION BY THE MAYOR OR HIS DESIGNEE, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE CODE OF MIAMI-DADE COUNTY, OF GRANT AGREEMENT AIP NO. 3-12-0050-007-2008 WITH THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$483,550 WITH FUNDS THEREUNDER TO BE APPLIED TO THE COSTS OF THE DESIGN OF THE EXTENSION OF RUNWAY 9R/ 27L OF KENDALL-TAMIAMI EXECUTIVE AIRPORT (Aviation Department)

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

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee voted on the foregoing proposed resolution as presented.

3B

082427 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF A RAILROAD REIMBURSEMENT AGREEMENT AMONG MIAMI-DADE COUNTY, THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND CSX TRANSPORTATION, INC. UNDER FINANCIAL PROJECT NUMBER 41466015701 ESTABLISHING THE OBLIGATIONS OF ALL THREE PARTIES RELATING TO THE RELOCATION OF RAILROAD GRADE CROSSINGS AND ASSOCIATED DEVICES RESULTING FROM THE RE-ROUTING OF PERIMETER ROAD AT THE AIRPORT (Aviation Department)

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

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee voted on the foregoing proposed resolution as presented.

3C

082428 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF A RAILROAD REIMBURSEMENT AGREEMENT UNDER FINANCIAL PROJECT NUMBER 41820815701 AMONG THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CSX TRANSPORTATION, INC. (CSXT), AND MIAMI-DADE COUNTY, UNDER WHICH CSXT WILL CONSTRUCT A GRADE CROSSING ON PERIMETER ROAD BETWEEN N.W. 72ND AVENUE AND N.W. 57TH AVENUE, FDOT WILL REIMBURSE CSXT FOR THE COST OF CONSTRUCTION, AND THE COUNTY WILL BE RESPONSIBLE FOR FIFTY PERCENT OF THE FUTURE MAINTENANCE COSTS OF THE GRADE CROSSING (Aviation Department)

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

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

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

3D

082460 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT FOR THE MIA CONCOURSE "E" FIRE SPRINKLERS AND FIRE ALARM UPGRADES AT MIAMI INTERNATIONAL AIRPORT, PROJECT NO. F117A, IN AN AMOUNT NOT TO EXCEED \$4,465,125.00 TO AARYA CONSTRUCTION AND DESIGN, INC.; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE ALLOWANCE ACCOUNT, CANCELLATION AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Heyman
Seconder: Sosa
Vote: 6-0

Report: *In response to the request by Miami-Dade Aviation Department Director Jose Abreu for a waiver, Chairman Diaz asked staff to prepare the appropriate memorandum to County Commission Chairman Bruno Barreiro requesting that the Board's Rules and Procedures be waived to allow the foregoing proposed resolution to be heard at the September 16, 2008 County Commission meeting.*

3E

082458 Resolution

RESOLUTION DECLARING THE ACQUISITION OF PROPERTY LOCATED AT 6600 N.W. 36 ST., VIRGINIA GARDENS, FLORIDA, NEEDED FOR THE WIDENING AND RECONSTRUCTION OF THE INTERSECTIONS OF NW 67TH AVENUE AT PERIMETER ROAD AND NW 36TH STREET, 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 BY DONATION, PURCHASE AT VALUES ESTABLISHED BY APPRAISALS OR BY EMINENT DOMAIN, INCLUDING A DECLARATION OF TAKING AS NECESSARY (Aviation Department)

Forwarded to BCC with a favorable recommendation
Mover: Heyman
Seconder: Gimenez
Vote: 5-1
No: Martinez

Report: *Commissioner Martinez noted he could not be supportive of the foregoing proposed resolution as it did not include a cap to provide that purchase of the subject property would not exceed market value.*

3F

082462 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND H.J. ROSS ASSOCIATES, INC., FOR MIA RUNWAY 8R/26L PAVEMENT REHABILITATION, PROJECT NO. E07-MDAD-02; IN AN AMOUNT NOT TO EXCEED \$3,307,949.00; AND AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Gimenez
Seconder: Sosa
Vote: 6-0

Report: *Chairman Diaz asked staff to prepare the appropriate memorandum to County Commission Chairman Bruno Barreiro requesting that the Board's Rules and Procedures be waived to allow the foregoing proposed resolution to be heard at the September 16, 2008 County Commission meeting.*

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

082033 Report

CLERK'S SUMMARY OF JUNE 12, 2008 AIRPORT AND TOURISM COMMITTEE MEETING MINUTES (Clerk of the Board)

Approved
Mover: Gimenez
Seconder: Sosa
Vote: 6-0

6B

082501 Report

CLERK'S SUMMARY OF JULY 10, 2008 AIRPORT AND TOURISM COMMITTEE MEETING MINUTES (Clerk of the Board)

Approved
Mover: Gimenez
Seconder: Sosa
Vote: 6-0

7 REPORTS

7A

082077 Report

MONTHLY REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE MIAMI INTERMODAL CENTER (JUNE) (County Manager)

Report Received
Mover: Sosa
Seconder: Heyman
Vote: 6-0

7B

082322 Report

MONTHLY REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE MIAMI INTERMODAL CENTER - JULY (County Manager)

Report Received
Mover: Sosa
Seconder: Heyman
Vote: 6-0

7C

082547 Report
 STATUS REPORT - HOMESTEAD AIR SHOW
 (County Manager)

Report Received
Mover: Sosa
Seconder: Gimenez
Vote: 5-0
Absent: Rolle

Report: *Commissioner Moss spoke in support of the proposed Homestead Air Show anticipated to occur in the latter part of 2009 as part of the "November Fest" events. He noted the events would also include the Rib and Wine Fest in South Dade and the NASCAR's final race of the year at the Homestead Race Track. Commissioner Moss said the Beacon Council had also been meeting with representatives of Homestead Air Reserve Base to create Miami-Dade County's version of the "Paris Air Show" which would be an economic generator for the community. He expressed appreciation to staff and noted he looked forward to working with this Committee and the County Commission to make "November Fest" a reality.*

Chairman Diaz and Commissioner Sosa asked to be listed as co-sponsors to appropriate legislation regarding the foregoing proposed Homestead Air Show.

7D

082078 Report
 MONTHLY MIAMI-DADE AVIATION DEPARTMENT
 CAPITAL IMPROVEMENT PROGRAM REPORT (JULY)
 (County Manager)

Report Received
Mover: Sosa
Seconder: Heyman
Vote: 6-0

7E

082422 Report
 MONTHLY MIAMI-DADE AVIATION DEPARTMENT
 CAPITAL IMPROVEMENT PROGRAM REPORT (County
 Manager)

Report Received
Mover: Sosa
Seconder: Heyman
Vote: 6-0

7F

082086 Report

PET HOTELS AT MIAMI INTERNATIONAL AIRPORT
(County Manager)

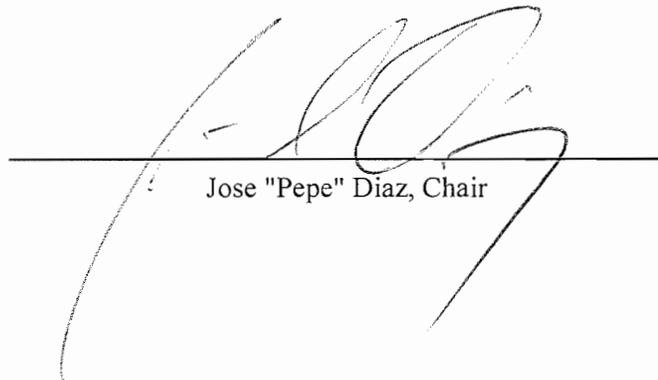
Report Received

Mover: Sosa

Seconder: Heyman

Vote: 6-0

8 ADJOURNMENT



Jose "Pepe" Diaz, Chair