



**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, November 12, 2008  
As Advertised

Harvey Ruvlin, 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

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

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**Wednesday, November 12, 2008**

**2:00 PM**

**COMMISSION CHAMBERS**

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**Members Present:** Audrey M. Edmonson, Sally A. Heyman, Barbara J. Jordan, Dorin Rolle, Katy Sorenson.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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### **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 Judy Marsh and Alicia Stephenson.*

*Assistant County Attorney Bruce Libhaber asked that the following changes be made to today's (11/12) agenda pursuant to changes listed in the November 12, 2008 County Manager's memorandum: that Agenda Item 1E1 Supplement be added to the agenda; that a scrivener's error in item 2C Supplement be corrected as follows: To delete the language on handwritten page 1, 5th paragraph, the 2nd sentence, and replace it with the following: "The CAO advised that, absent a bid waiver approved by the Board, the County would need to conduct a separate procurement to address MDT's specific needs, such as customer safety, dedicated electrical power source installation, and vandalism provisions." Additionally, Assistant County Attorney Libhaber asked that a scrivener's error in item 3a be corrected as follows: On handwritten page 13, the second bullet toward the bottom of the page makes reference to "eighteen" routes; it should say "nine" routes; on handwritten page 83, in the 4th paragraph, on the 6th line, "2016" should be replaced with "2017", and on the 8th line, "2017" should be replaced with "2023"; and a scrivener's error in item 3D should be corrected as follows: On handwritten page 128, the original contract amount of Change Order No. 2 read "\$15,933,094.59" and should read "\$15,815,362.36."*

*It was moved by Commissioner Heyman that the Committee approve the foregoing changes to the November 12, 2008 Transit Committee Agenda as requested by the County Attorney. This motion was seconded by Commissioner Sorenson 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)**

**1E PUBLIC HEARING(S)**

1E1

**082768 Ordinance** **Barbara J. Jordan**

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PROVIDING THAT THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) SHALL SUBMIT A RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS (BCC) PRIOR TO THE BCC AWARDED ANY CONTRACT FUNDED IN WHOLE OR IN PART BY CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Deferred to no date certain**Mover: Jordan**Seconder: Sorenson**Vote: 4-0**Absent: Edmonson*

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

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

1E1 SUPPL.

**083239 Supplement**

SUPPLEMENTAL INFORMATION TO ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA

*Deferred to no date certain**Mover: Jordan**Seconder: Sorenson**Vote: 4-0**Absent: Edmonson***2 COUNTY COMMISSION**

2A

**082777 Resolution****Sen. Javier D. Souto**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF PRIVATIZING ALL OR PORTIONS OF MASS TRANSIT SERVICES PROVIDED BY AND IN MIAMI-DADE COUNTY

*No Action Taken*

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

*Chairman Rolle acknowledged Commissioner Souto.*

*Commissioner Souto noted the intent of this resolution was to perform a study on improving mass transit services and it was not his intent to privatize services. He noted the possibility of creating private co-ops for some bus routes.*

*Commissioner Sorenson she expressed concern regarding private co-ops taking away from the County's transit system. She questioned the feasibility of allowing private co-ops to provide service.*

*Commissioner Souto added brief comments in support of this resolution.*

*Hearing no further questions or comments, Chairman Rolle called for a motion.*

*This resolution failed to receive a motion.*

2B

## 083127 Resolution

Sen. Javier D. Souto

RESOLUTION REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) ISSUE A CORRECTIVE QUITCLAIM DEED FOR PROPERTY LOCATED AT BIRD ROAD AND SW 89TH AVENUE IN ORDER TO PROVIDE FOR THE REQUESTED MODIFICATION OF USE

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Secunder: Edmonson*

*Vote: 4-0*

*Absent: Sorenson*

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

*In response to Vice Chairwoman Jordan's inquiry as to whether the County was authorized to direct the Florida Department of Transportation (FDOT) to issue a corrective Quit Claim Deed for property at Bird Road and SW 89th Avenue, Mr. Libhaber noted the County was not, but could ask the State to do so. He also noted the Metropolitan Planning Organization (MPO) did not have to review this request, but the County Commission could express its preference through a resolution.*

*Ms. Alice Bravo, Director of Transportation Development, District 6, Florida Department of Transportation (FDOT) appeared before the Committee as requested by Vice Chairwoman Jordan. Ms. Bravo noted the intended use of the subject parcel had changed and the parcel would be transferred to the County, with the issuance of the Deed allowing the new use to be implemented. She added she believed the previous intent was to develop a transit village; however, the new intent was to develop housing for the elderly.*

*Commissioner Souto noted this resolution would allow more apartments to be built on the subject parcel.*

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

2C

**081468 Ordinance****Dorrin D. Rolle**

ORDINANCE AMENDING SECTION 30B-4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ALLOWING FOR THE CONSUMPTION OF FOOD AND BEVERAGES AT TRANSIT STATION PLATFORMS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Rolle*

*Seconder: Edmonson*

*Vote: 5-0*

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

*There being no objection, the Committee considered Agenda Items 2C and 2C Supplement simultaneously.*

*Chairman Rolle relinquished the Chair.*

*It was moved by Commissioner Rolle that Agenda Items 2C and 2C Supplement be withdrawn. This motion was seconded by Commissioner Heyman.*

*Commissioner Sorenson noted that when analysis regarding the foregoing ordinance was considered, the ordinance's proposal seemed feasible.*

*It was moved by Commissioner Rolle that Agenda Items 2C and 2C Supplement be reconsidered. This motion was seconded Heyman and upon being put to a vote, passed by a vote of 5-0.*

*Hearing no further questions or comments, the Committee proceeded to vote on Agenda Items 2C and 2C Supplement.*

2C SUPPL.

**082972 Supplement**

SUPPLEMENTAL INFORMATION RE: VENDING  
MACHINE SERVICES PILOT PROJECT

*Forwarded to BCC with a  
favorable recommendation*

*Mover: Rolle*

*Seconded: Edmonson*

*Vote: 5-0*

**Report:** *During consideration of changes to today's agenda, a scrivener's error on handwritten page 1, 5th paragraph, 2nd sentence of the foregoing report was corrected to read as follows: "The CAO advised that, absent a bid waiver approved by the Board, the County would need to conduct a separate procurement to address MDT's specific needs, such as customer safety, dedicated electrical power source installation, and vandalism provisions."*

*Also see report under Agenda Item 2C (Legislative File No. 081468)*

2D

## 083195 Resolution

Sen. Javier D. Souto

RESOLUTION REQUESTING THAT THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION DELAY THE EXPANSION OF STATE ROAD 826 BETWEEN THE BIRD ROAD EXIT AND MILLER ROAD EXIT UNTIL FURTHER ANALYSIS IS COMPLETED BY THE COUNTY AND THE DEPARTMENT OF TRANSPORTATION REGARDING THE IMPACT OF THE PROJECT

*No Action Taken*

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

*Commissioner Souto noted that efforts to expand State Road 826 would involve widening Bird Road. He expressed concern regarding this project's impact on pedestrians. He expressed concern that the safety of pedestrians would be jeopardized as they attempted to cross this road to access Tropical Park. Commissioner Souto noted the intent of this resolution was to address this problem and constructing a bridge for pedestrians to cross was a possible solution.*

*In response to Chairman Rolle's inquiry as to the impact of the proposed project on Bird Road, Ms. Alice Bravo, Director of Transportation Development, District 6, Florida Department of Transportation (FDOT) noted that FDOT would work closely with the Miami-Dade Park and Recreation (MDPR) Department and Public Works Department (PWD), including on providing safety information. She also noted the project site was within FDOT's right-of-way and the walking distance at the main entrance to Tropical Park would remain as it was.*

*Commissioner Souto expressed concern regarding FDOT's approach to projects and noted safety should be a very high priority. He also noted the possibility of individuals filing lawsuits because they got hurt while crossing the road.*

*In response to Commissioner Heyman's request for a statement regarding when this project began, Ms. Bravo noted this project was the next to last part of a program which began 20 years ago.*

*In response to Commissioner Souto's previous concerns regarding safety, Ms. Bravo also noted that FDOT would try to work out details of the project. She added that work was not scheduled to*

*start for several months.*

*Commissioner Heyman noted she was concerned that traffic flow and pedestrian issues had not previously been addressed.*

*In response to Commissioner Heyman's question regarding revised information on expansion of the Bird Road corridor, Ms. Bravo noted that every time the project changed, a reevaluation was performed and traffic analysis was updated. She added that the configuration in front of Bird Road had changed, but the design-build team on this project had to meet all FDOT traffic safety standards. In response to Commissioner Heyman's question regarding whether FDOT's standard land use change processes had been applied in the area surrounding the corridor, Ms. Bravo noted this was correct. She explained that DOT had updated its studies, distributed newsletters to residents within 300 feet of the corridor, held public meetings, and performed other FDOT standard processes.*

*Hearing no further questions or comments, Chairman Rolle called for a motion.*

*This resolution failed to receive a motion.*

### **3 DEPARTMENTS**

3A

**083097 Resolution**

RESOLUTION ADOPTING THE MIAMI-DADE TRANSIT (MDT) SUBMISSION OF THE ANNUAL UPDATE OF THE 2008 TRANSIT DEVELOPMENT PLAN (TDP) COVERING THE TEN-YEAR PERIOD FROM 2009-2018 (Miami-Dade Transit Agency)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Heyman*  
*Seconder: Edmonson*  
*Vote: 5-0*

**Report:** *During consideration of changes to today's agenda, a scrivener's error in the foregoing resolution was corrected as follows: On handwritten page 13, the second bullet toward the bottom of the page makes reference to "eighteen" routes; it should say "nine" routes. On handwritten page 83, in the 4th paragraph, on the 6th line, "2016" should be replaced with "2017" and on the 8th line, "2017" should be replaced with "2023."*

*Assistant County Manager Bruce Libhaber read the foregoing resolution into the record.*

*Commissioner Sorenson suggested the Committee discuss issues which were identified in Agenda Item 5D before the Annual Update of the 2008 Transit Development Plan (TDP) in the foregoing resolution was submitted to the Florida Department of Transportation. She noted the update was not financially feasible.*

*In response to Vice Chairwoman Jordan's inquiry as to whether the Annual Update of the 2008 Transit Development Plan (TDP) would be sent to Washington, D.C., Assistant County Manager Ysela Llort noted that the update was required by the State Statutes.*

*Vice Chairwoman Jordan expressed concern regarding taking action before transportation related changes were known.*

*Assistant County Manager Ysela Llort clarified the intent of the update of the 2008 TDP. She noted this update documented the ten year horizon as it existed in 2007. She explained that the next update would reflect changes in 2008. Ms. Llort noted she was asking the Committee to move this resolution forward because according to the State Statutes, the update of the 2008 TDP must be in place for the County to receive State dollars.*

*Commissioner Heyman asked Assistant County Manager Ysela Llort to prepare a summarized*

*version in bullet format of the report and place it on the agenda for discussion at the People's Transportation Plan (PTP) summit scheduled for November 15, 2008.*

*Commissioner Sorenson and Chairman Rolle noted they did not want to do anything that would stop State funding.*

*Chairman Rolle noted some of the information in the update might be discussed at the People's Transportation Plan Summit. He referred to alternatives for the East-West Corridor which were being considered. Chairman Rolle also noted an independent auditor submitted information on the update.*

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

3B

**083054 Resolution**

RESOLUTION AUTHORIZING RETROACTIVE APPROVAL AND EXECUTION OF COORDINATION AND FARE AGREEMENTS FOR THE COORDINATION OF TRANSPORTATION DISADVANTAGED SERVICES IN MIAMI-DADE COUNTY WITH ACTION COMMUNITY CENTER, INC.; ALLAPATTAH COMMUNITY CENTER, INC.; ASSOCIATION FOR RETARDED CITIZENS OF SOUTH FLORIDA (ADULT AND CHILDREN'S PROGRAMS); CITRUS HEALTH NETWORK, INC.; COMMUNITY HEALTH OF SOUTH FLORIDA, INC.; CONCEPT HOUSE, INC.; DEEDCO GARDENS, INC.; DOUGLAS GARDENS COMMUNITY MENTAL HEALTH CENTER, INC.; FELLOWSHIP HOUSE; GALATA INC.; GOODWILL INDUSTRIES, INC.; FLORIDA PACE CENTERS, INC.; FRESH START OF MIAMI-DADE; HEBREW HOMES HEALTH NETWORK; HIALEAH HOUSING AUTHORITY; HOPE CENTER, INC.; JAMES E. SCOTT COMMUNITY ASSOCIATION; JEWISH COMMUNITY SERVICES OF SOUTH FLORIDA; MACTOWN, INC.; MIAMI BEHAVIORAL HEALTH CENTER, INC.; MIAMI BRIDGE YOUTH AND FAMILY SERVICES, INC.; MIAMI LIGHTHOUSE FOR THE BLIND; MIAMI JEWISH HOME AND HOSPITAL FOR THE AGED; NEW HORIZONS COMMUNITY HEALTH CENTER, INC.; MICHAEL ANN RUSSELL JEWISH COMMUNITY CENTER; NORTH MIAMI FOUNDATION FOR SENIOR CITIZENS SERVICE, INC.; SOUTHWEST SOCIAL SERVICES PROGRAM, INC.; SPECTRUM PROGRAMS, INC.; ST. ANNE'S NURSING CENTER; SUNRISE COMMUNITY, INC.; UNITED CEREBRAL PALSY ASSOCIATION OF MIAMI, INC.; UNIVERSITY OF MIAMI-DEBBIE SCHOOL; AND VILLA MARIA NURSING AND REHABILITATION CENTER, INC. (Miami-Dade Transit Agency)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Edmonson*

*Vote: 5-0*

**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

**083131 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: Jordan*

*Seconder: Sorenson*

*Vote: 5-0*

**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.*

3D

**083100 Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$24,060,890.52 BETWEEN THE DE MOYA GROUP, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY IMPROVEMENTS ALONG NW 74 STREET, FROM NW 107 AVENUE TO NW 87 AVENUE AND NW 74 STREET, FROM NW 87 AVENUE TO NW 84 AVENUE, LOCATED WITHIN COMMISSION DISTRICT 12 (PROJECT NO. 20070575) (Public Works Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Jordan*

*Vote: 5-0*

**Report:** *During consideration of changes to today's agenda, a scrivener's error in the foregoing resolution was corrected as follows: On handwritten page 128, the original contract amount of Change Order No. 2 read "\$15,933,094.59" and should read "\$15,815,362.36."*

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

*In response to Commissioner Heyman's request for an update on settlement of a lawsuit with De Moya Group, Inc., Assistant County Manager Llort noted that a settlement was prepared and was moved forward in Committee; no problems were anticipated for the settlement.*

*In response to Vice Chairwoman Jordan's request for information regarding open violations, Ms. Penney Townsley, Department of Small Business Development Director, noted that the De Moya Group currently had no open violations.*

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

3E

**083053 Resolution**

RESOLUTION APPROVING EXECUTION OF AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE SOUTHEAST FLORIDA EMPLOYERS PORT ASSOCIATION, INC., FOR OFFICE SPACE LOCATED AT 1007 NORTH AMERICA WAY, SUITE #403; 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: 5-0*

**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.*

3F

**083055 Resolution**

RESOLUTION APPROVING AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE INTERNATIONAL LONGSHOREMAN ASSOCIATION LOCALS 1922 FOR OFFICE SPACE LOCATED AT 1007 NORTH AMERICA WAY, SUITE #407; 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: Sorenson*

*Seconder: Heyman*

*Vote: 5-0*

**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

**083059 Resolution**

RESOLUTION APPROVING AN OFFICE SPACE LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE ILA HEALTH, WELFARE & PENSION FUND FOR OFFICE SPACE LOCATED AT 1007 NORTH AMERICA WAY, SUITE #405; 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: Edmonson*  
*Vote: 5-0*

**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.*

3H

**083098 Resolution**

RESOLUTION APPROVING SEAPORT TERMINAL ADVERTISING PILOT PROGRAM RATE CARD FOR ADVERTISING INSIDE CRUISE TERMINALS FACILITIES; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE STANDARD PORT OF MIAMI ADVERTISING CONTRACTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY (Seaport Department)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Jordan*  
*Seconder: Heyman*  
*Vote: 5-0*

**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.*

3I

**083099 Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 3 (FINAL) TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BALFOUR BEATTY CONSTRUCTION, LLC AUTHORIZING 21 DAYS OF NON-COMPENSABLE TIME EXTENSION, AUTHORIZING THE REDUCTION OF TOTAL CONTRACT SUM IN THE AMOUNT OF \$19,134,863.62 RELATED TO THE SEAPORT DEEPWATER INFRASTRUCTURE DEVELOPMENT BY CONSTRUCTION MANAGER AT RISK, CONTRACT NO. CM02-SEA-01; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT (Seaport Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Jordan*

*Seconder: Sorenson*

*Vote: 5-0*

**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.*

3J

**083126 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF DESIGN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE U.S. DEPARTMENT OF THE ARMY FOR THE DESIGN OF MIAMI HARBOR FEDERAL NAVIGATION PROJECT PHASE III; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, TO SPEND UP TO \$1,220,000 PURSUANT TO THE DESIGN AGREEMENT AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREOF (Seaport Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Sorenson*

*Vote: 5-0*

**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.*

3K

**083163 Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 (FINAL) TO THE CONTRACT BETWEEN MIAMI-DADE COUNTY AND MARKS BROTHERS, INC. AUTHORIZING THE REDUCTION OF TOTAL CONTRACT SUM IN THE AMOUNT OF \$1,277,697.17 RELATED TO THE EASTERN PORT BOULEVARD EXTENSION BY CONTRACT NO. 06.002; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT (Seaport Department)

*Forwarded to BCC with a favorable recommendation*  
*Mover: Heyman*  
*Seconder: Edmonson*  
*Vote: 5-0*

**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.*

3L

**083202 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF BUSINESS SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ROYAL CARIBBEAN CRUISES LTD., RELATED TO OUTSTANDING BUSINESS ISSUES; AND EXECUTION OF AMENDMENT NO. 1 TO THE AMENDED AND RESTATED TERMINAL USAGE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ROYAL CARIBBEAN CRUISES LTD.; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS AND ALL OTHER RIGHTS CONFERRED THEREIN (Seaport Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Second: Sorenson*

*Vote: 5-0*

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

*The Committee proceeded to vote on the foregoing resolution.*

*Commissioner Heyman requested a status report on the Port of Miami. She noted that Mr. Bill Johnson, Seaport Director, was put in position to turn the Port around.*

*Chairman Rolle's requested a response to a statement made at a Comprehensive Development Master Plan meeting that the Port of Miami was losing money.*

*In response to Commissioner Heyman and Chairman Rolle's requests, Mr. Johnson noted the Port had a balanced budget (the current year budget had a reserve of about \$2.5 million). He also noted the Port had just fewer than 4.2 million passengers this season and was \$3 million over projected cruise revenues. Mr. Johnson added that cargo was slightly lower than desired, but was coming back strongly. He also provided revenue and budget figures, and noted the Port was financially in the black. Mr. Johnson further noted that the Committee's approval of agenda items today and the County Commission's approval on December 2, 2008 would allow all construction and design disputes to be resolved. Mr. Johnson identified issues and disputes which had been resolved. He further noted the Florida Department of Law Enforcement ranked the Port as one of the two most secure ports in Florida.*

*Chairman Rolle congratulated Mr. Johnson and his staff on the increase in their cruise passenger numbers over the previous year's and commended them for their good work.*

**4 CLERK OF THE BOARD**

4A

**083133 Report**

CLERK'S SUMMARY OF MEETING MINUTES FOR  
OCTOBER 15, 2008 TRANSIT COMMITTEE (Clerk of the  
Board)

*Approved  
Mover: Edmonson  
Seconder: Heyman  
Vote: 5-0*

**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

**083134 Report**

MONTHLY REPORT FROM THE FLORIDA  
DEPARTMENT OF TRANSPORTATION ON THE PORT  
OF MIAMI TUNNEL

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

(County Manager)

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

*Ms. Alice Bravo, Director of Transportation Development, District 6, Florida Department of Transportation (FDOT) noted FDOT recently came to an agreement with the Miami Access Tunnel team on some major items. She also noted both parties met with the Transportation Infrastructure Finance and Innovation Act (TIFIA) office in Washington, D.C. on October 29, 2008 regarding the team's financial model and hoped to tie down TIFIA financing by the end of November, 2008. Ms. Bravo further noted the closing date was expected to be in the mid-December, 2008 to mid-January, 2009 timeframe. She added that the County was supposed to re-procure its letter of credit and she encouraged the County to have the letter in hand for December.*

*In response to Chairman Rolle's inquiry regarding the start of construction, Ms. Bravo noted that in January, FDOT would submit a report identifying a timeframe in which construction would start. She added that traffic would be moved through I-395.*

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

5B

**083135 Report**

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

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

(County Manager)

**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.*

5C

**083136 Report**

MONTHLY ORANGE LINE UPDATE

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

(County Manager)

**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.*

5D

**083132 Report**

REPORT RE: RESOLUTION R-302-08 ORANGE LINE NEW STARTS APPLICATION REVIEW (County Manager)

*Report Received  
Mover: Sorenson  
Seconder: Jordan  
Vote: 5-0*

**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.*

5E

**083112 Report**

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT  
4TH QUARTER FISCAL YEAR 2007-2008 (County  
Manager)

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

**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.*

**083519**

**Report:** *Chairman Rolle asked Assistant County Manager Ysela Llort to ensure that representatives of the Seaport and Transit departments were available at the November 20th Comprehensive Development Master Plan (CDMP) meeting to address financial concerns raised by members of the Budget and Finance Committee on November 6th.*

**6 ADJOURNMENT**

**Report:** *The Committee adjourned this meeting at 2:32 p.m.*



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Dorrin Rolle, Chairman