



MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

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

Thursday, November 6, 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



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Board of County Commissioners

Meeting Minutes

Thursday, November 6, 2008

Members Present: Bruno Barreiro; Jose "Pepe" Diaz; Carlos A. Gimenez; Sally A. Heyman; Barbara J. Jordan; Joe A. Martinez; Dennis C. Moss; Dorrin Rolle; Natacha Seijas; Katy Sorenson; Rebeca Sosa; Javier D. Souto

Members Absent: Audrey M. Edmonson

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

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

1A MOMENT OF SILENCE

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Attorneys Craig Collier and Dennis Kerbel; and Deputy Clerks Diane Collins and Alicia Stephenson.*

PUBLIC HEARING(S) [SET FOR 9:30 A.M.]

SPECIAL ITEM NO. A

083147

Report

REPORT ON APRIL 2008 CYCLE APPLICATIONS TO
AMEND THE COMPREHENSIVE DEVELOPMENT MASTER
PLAN (Department of Planning & Zoning)

Presented

Report: *Chairman Barreiro noted today's meeting was a public hearing for the Comprehensive Development Master Plan (CDMP) April 2008 Amendment Cycle. He explained that the purpose of today's hearing was for the Commission to take action pertaining to the April 2008 Cycle applications requesting amendments to the CDMP. Chairman Barreiro noted that of the 20 applications filed in this cycle, application nos. 2, 3, 4, and 5 requested small scale amendments to the CDMP Land Use Plan Map and were eligible for final action by the Commission to adopt, adopt with change, not adopt as small scale, or deny at this hearing. He further noted that Application No. 12, which was an annual update of the CDMP Capital Improvement Element (CIE), was eligible under State law for final action by the Commission to adopt, adopt with change, or deny at today's hearing. Chairman Barreiro pointed out that application nos. 14 and 16 were withdrawn by the Department of Planning and Zoning (DP&Z).*

Chairman Barreiro noted that an ordinance listed as Special Item No. 1 on today's agenda would be considered for the Commission to take final action to adopt, adopt with change, or deny the four small scale amendment requests at the conclusion of the public hearing for Special Item No. 1. He also noted that an ordinance identified as Special Item No. 2 would be considered for the Commission to take such final action on application no. 12 at the conclusion of the public hearing for the ordinance. In addition, Chairman Barreiro noted that the Commission was scheduled to take action on a resolution, agenda Special Item No. 3, which instructed the County Manager to transmit or not transmit to the Florida Department of Community Affairs (DCA) for review and comment, the following: standard CDMP Amendment application nos. 1, 6 through 11, 13, 15, 17 through 20, and any eligible small scale amendments not adopted today, but which the Commission would like to further consider after DCA's review and comment. The Chairman further noted that another ordinance, agenda Special Item No. 4, was on today's agenda for first reading. He added that each application transmitted to DCA by today's resolution would be heard again and finally decided upon by the Commission in April 2009 by approval of this ordinance.

Chairman Barreiro noted today's public hearing procedures.

SPECIAL ITEM NO. 1

082880 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN
ACTING UPON SMALL-SCALE AMENDMENT
APPLICATIONS FILED IN APRIL 2008 CYCLE TO AMEND,
MODIFY, ADD TO OR CHANGE COMPREHENSIVE
DEVELOPMENT MASTER PLAN; PROVIDING
SEVERABILITY, EXCLUSION FROM THE CODE AND AN
EFFECTIVE DATE (Department of Planning & Zoning)

Bifurcated

Report: *Assistant County Attorney Craig Collier read the foregoing ordinance into the record. He noted this ordinance addressed applications No. 1 through 5, with Application No. 4 being the only application with the potential to increase residential density. Mr. Collier stated one of the applicants was requesting that the foregoing ordinance be bifurcated in order for separate action to be taken on Application No. 4.*

There being no objection, the Board bifurcated the foregoing ordinance into Special Item Nos. 1A and 1B in order to take separate action on Application No. 4.

See reports under Special Item No. 1A (Legislative File No. 083451) and Special Item No. 1B (Legislative File No. 083453).

10/21/2008 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

10/21/2008 *Adopted on first reading by the Board of County Commissioners*

SPECIAL ITEM NO. 1A

083453 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN ACTING UPON SMALL-SCALE AMENDMENT APPLICATION NO.4 FILED IN APRIL 2008 CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 082880] (Department of Planning & Zoning)

Adopted

Ordinance 08-122

Mover: Dorrin D. Rolle

Seconder: Jose "Pepe" Diaz

Vote: 9-0

Absent: Edmonson, Heyman, Sosa, Sorenson

Report: *The Board bifurcated Special Item No. 1 (Legislative File No. 082880) in order to take separate action on Application No. 4.*

Application No. 4

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, presented the foregoing application.

Vice-Chairwoman Jordan opened the public hearing.

Mr. Matthew Amster, 200 S. Biscayne Boulevard, attorney representing the applicant, appeared before the Board.

It was moved by Commissioner Rolle that Application No. 4 be adopted as a small scale application with change and with acceptance of the proffered covenant. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Barreiro, Edmonson, Souto, and Heyman were absent).

Upon the closing of the public hearing, the Board by motion duly made, seconded, and carried adopted the foregoing ordinance, incorporating therein the preliminary vote on Application No. 4.

(Note: See Special Item No. 1B (Legislative File No. 083451) for action taken on application nos. 2, 3, and 5.)

SPECIAL ITEM NO. 1B

083451 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN
ACTING UPON SMALL-SCALE AMENDMENT
APPLICATION NOS. 2, 3 AND 5 FILED IN APRIL 2008
CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM
UNDER FILE NO. 082880] (Department of Planning & Zoning)

Adopted

Ordinance 08-123

Mover: Barbara J. Jordan

Seconder: Dennis C. Moss

Vote: 9-0

*Absent: Edmonson, Heyman,
Sosa, Sorenson*

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Report: *The Board bifurcated Special Item No. 1 (Legislative File No. 082880) and took the following action on Applications No. 2, 3, and 5:*

Application No. 2

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Mr. Michael Gil, 200 South Biscayne Boulevard, attorney representing the applicant, appeared before the Board.

Dr. Clyde House, PhD, 6099 S.W. 118 Street, appeared before the Board in response to Chairman Barreiro's call for objectors to this application.

It was moved by Vice Chairwoman Jordan that Application No. 2 be adopted as a small scale application with acceptance of the proffered covenant. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 10-0 (Commissioners Edmonson, Heyman, and Souto were absent).

Application No. 3

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Mr. Patrick Range, 1221 Brickell Avenue, attorney representing the applicant, appeared before the Board. He introduced his colleague Mario Garcia-Serra.

No one responded to Chairman Barreiro's call for objectors to this application.

Mr. Range responded to Commissioner Rolle's concerns regarding whether approval of this application would increase flooding on N.E. 135th Street and regarding traffic.

Mr. Woerner responded to Commissioner Rolle's inquiries regarding staff's rationale for stating that this application was incompatible with the surrounding area.

Commissioner Sorenson noted she supported this application; however, she cautioned that because residential land was being depleted inside the Urban Development Boundary (UDB), development may take place outside the UDB. She added that development outside the UDB was not beneficial in the long run.

It was moved by Commissioner Rolle that Application No. 3 be adopted as a small scale application with acceptance of the proffered covenant. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Barreiro, Edmonson, Souto, and Heyman were absent).

Application No. 5

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Vice-Chairwoman Jordan opened the public hearing; however, it was closed when no one responded to Vice-Chairwoman Jordan's call for persons

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wishing to be heard in connection with this application.

It was moved by Commissioner Diaz that Application No. 5 be adopted as a small scale application with acceptance of the proffered covenant with authorization of the Mayor to execute the covenant substantially in the form provided in today's agenda package. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Barreiro, Edmonson, Souto, and Heyman were absent).

Upon the closing of the public hearing, the Board by motion duly made, seconded, and carried adopted the foregoing ordinance, incorporating therein the preliminary votes on applications 2, 3, and 5.

(Note: See Special Item No. 1A (Legislative File No. 083453) for action taken on Application No. 4)

SPECIAL ITEM NO. 2

082883

Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
ACTING UPON CAPITAL IMPROVEMENTS ELEMENT
AMENDMENT APPLICATION FILED IN APRIL 2008 CYCLE
TO AMEND, MODIFY, ADD TO OR CHANGE THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN;
PROVIDING SEVERABILITY, EXCLUSION FROM THE
CODE AND AN EFFECTIVE DATE (Department of Planning &
Zoning)

Continued

Mover: Jose "Pepe" Diaz

Seconder: Carlos A. Gimenez

Vote: 9-0

*Absent: Edmonson, Heyman,
Sosa, Sorenson*

Report: Application No. 12

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one appeared before the Board wishing to be heard in connection with the foregoing application.

It was moved by Commissioner Gimenez that Application No. 12 be adopted. This motion was seconded by Commissioner Moss.

Commissioner Martinez expressed concern regarding language in the foregoing application on pages 12-8 and 12-9 regarding Miami-Dade County Seaport Department (Seaport) projects which were to be funded mostly by Seaport revenue bonds. He noted the Commission rejected a proposal for funding these proposed projects. Commissioner Martinez expressed concern that the proposed projects would be funded by the mechanism which the Commission rejected.

Commissioner Gimenez withdrew his motion.

Mr. Woerner noted that the Commission could make a motion on this item which included instruction that staff correct pages 12-8 and 12-9 based on any motion made in previous meetings.

Discussion ensued regarding this suggestion by Mr. Woerner.

Further discussion ensued regarding financial issues related to this application and the County's need to demonstrate to the State that it could fund the projects in the CDMP Capital Improvements Element (CIE) Schedule of Improvements.

Commissioner Gimenez asked that members of the County Administration provide more information regarding the County's ability to fund the proposed Seaport projects before the Commission further considered CIE projects.

Commissioner Martinez expressed concern regarding the County's ability to fund the proposed Seaport projects.

It was moved by Commissioner Diaz that Application No. 12 be adopted. This motion was seconded by Vice-Chairwoman Jordan and upon being put to a preliminary vote, passed by a vote of 6-3 (Commissioners Martinez, Seijas, and Souto voted "No." Commissioners Edmonson, Heyman, Sorenson, and Sosa were absent).

Assistant County Attorney Craig Coller noted that seven affirmative votes of the Commission would be required to approve Special Item No. 2 when the Commission voted on it at the end of today's meeting.

Commissioner Moss initiated discussion regarding consequences of not adopting the foregoing application, whether the Seaport projects could be deleted from the CIE, and consequences of deleting the projects.

Discussion ensued regarding whether to continue this application and the foregoing proposed ordinance to another day and regarding whether to bifurcate them.

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Brief discussion ensued regarding procedure for consideration of this application if it was continued to November 20, 2008.

It was moved by Commissioner Diaz that consideration of Application No. 12 and the foregoing proposed ordinance be continued to November 20, 2008, with no further notice. This motion was seconded by Commissioner Gimenez.

Commissioner Rolle asked Mr. Marc LaFerrier, DP&Z Director, to request that appropriate members of staff appear at the November 20, 2008 meeting to address concerns raised by members of the Commission at today's meeting regarding funding Seaport projects.

Commissioner Gimenez asked that members of the County Administration submit to him, by the November 20th Commission meeting, a report outlining the CIE's Seaport and Mass Transit Schedules of Improvements, the County's capacity to fund projects identified in these schedules in the outyears, whether interest only bonds were being removed from funding for these projects, and whether negative amortization bonds were being added to the funding.

Upon being put to a vote, the motion to continue consideration of Application No. 12 and the foregoing proposed ordinance to November 20, 2008 passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

10/21/2008 *Adopted on first reading by the Board of County Commissioners*

10/21/2008 *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

SPECIAL ITEM NO. 3

083145

Resolution

RESOLUTION PERTAINING TO APRIL 2008 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; INSTRUCTING THE COUNTY MANAGER WHETHER OR NOT TO TRANSMIT APPLICATIONS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; REQUESTING FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS TO REVIEW APPLICATIONS; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS (Department of Planning & Zoning)

Adopted

Resolution R-1134-08

Mover: Joe A. Martinez

Seconder: Carlos A. Gimenez

Vote: 9-0

*Absent: Edmonson, Heyman,
Sosa, Sorenson*

Report: Prior to voting on the foregoing resolution, the Board considered Applications No. 1, 6-11, and 13-20 separately.

Application No. 1

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application. He noted staff was requesting that the application be withdrawn.

It was moved by Vice Chairwoman Jordan that the Board accept the withdrawal of Application No. 1. This motion was seconded by Moss and upon being put to a preliminary vote, passed by a vote of 10-0 (Commissioners Edmonson, Heyman, and Souto were absent).

Application No. 6

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Vice-Chairwoman Jordan opened the public hearing; however, it was closed when no one responded to Vice-Chairwoman Jordan's call for persons wishing to be heard in connection with this application.

It was moved by Commissioner Diaz that Application No. 6 be adopted with acceptance of the proffered covenant and transmitted to the Florida Department of Community Affairs with authorization of the Mayor to execute the covenant substantially in the form provided in today's agenda package. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Barreiro, Edmonson, Souto, and Heyman were absent).

Application No. 7

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Vice-Chairwoman Jordan opened the public hearing; however, it was closed when no one responded to Vice-Chairwoman Jordan's call for persons wishing to be heard in connection with this application.

It was moved by Commissioner Diaz that Application No. 7 be adopted with acceptance of the proffered covenant and transmitted to the Florida Department of Community Affairs with authorization of the Mayor to execute the covenant substantially in the form provided in today's agenda package. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Barreiro, Edmonson, Souto, and Heyman were absent).

Application No. 8

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Mr. Felix Lasarte, 5835 Blue Lagoon Drive, attorney representing the applicant, appeared before the Board and summarized covenants being proffered by the applicant.

Vice Chairwoman Jordan opened the public hearing.

Members of the audience stood in support of the application as requested by

Mr. Lasarte.

The following persons appeared before the Board in support of this application:

*~Mr. Jesus Carcasses, president of the Keep the Bleau Green Committee
~Mr. Waldo Rodriguez, 9682 Fountainbleau Blvd., #408*

Commissioner Moss asked Mr. Lasarte to follow through with plans for development which the applicant submitted.

Commissioner Souto noted efforts ongoing to maintain the Fountainbleau area.

It was moved by Commissioner Souto that Application No. 8 be adopted with change and acceptance of the two proffered covenants and transmitted to the Florida Department of Community Affairs as recommended by the Community Council. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 10-0 (Commissioners Edmonson, Heyman, and Sorenson were absent).

Application No. 9

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Mr. Juan Mayol, 701 Brickell Avenue, attorney representing the applicant, appeared before the Board. He introduced his co-counsel, Mr. Miguel DeGrandy. Mr. Mayol asked that if the foregoing application was transmitted to the Florida Department of Community Affairs (DCA), the applicant's traffic engineer's report be transmitted with it.

Mr. Jesus Carcasses, 580 N.W. 99 Place, appeared before the Board in response to Chairman Barreiro's call for objectors to the application.

Assistant County Attorney Craig Coller noted if this application was approved today, it would return to the Board for zoning approval, and the public could speak on the application at that time.

Mr. DeGrandy appeared before the Board and spoke regarding plans to file a covenant.

It was moved by Commissioner Souto that Application No. 9 be adopted with acceptance of the proffered covenant in its present form and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 10-0 (Commissioners Edmonson, Heyman, and Sorenson were absent).

Application No. 10

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Mr. Alan Krischer, 701 Brickell Avenue, attorney representing the applicant, appeared before the Board.

Chairman Barreiro opened the public hearing; however, it was closed after no one appeared before the Board in connection with this application.

It was moved by Commissioner Moss that Application No. 10 be adopted with acceptance of the proffered covenant and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Sosa and upon being put to a preliminary vote, passed by a vote of 10-0 (Commissioners Edmonson, Heyman, and Sorenson were absent).

Application No. 11

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application. He noted that amendments to school concurrency for the Comprehensive Development Master Plan (CDMP) elements were adopted by the Board in July, 2008 and transmitted to the Florida Department of Community Affairs (DCA) with the Interlocal Agreement for Public School Facilities Planning (ILA), which the County executed. He added that the School Board did not execute the ILA. Mr. Woerner noted DCA would not review the amendments until it received a fully executed ILA. He noted that the applicant was attempting to amend language which was adopted by the Board in July, 2008, but was not in effect.

Mr. Jeffrey Bercow, 200 S. Biscayne Boulevard, attorney representing the applicant, made a presentation in support of this application. He addressed staff's concern that the proposed text amendment to the CDMP Educational Element was premature because the ILA was not amended. Mr. Bercow noted the applicant submitted a draft amendment to the ILA for Commission approval and subsequent consideration by the School Board.

Discussion ensued regarding whether this application was premature.

Ms. Susan Trevarthen, 2525 Ponce de Leon Blvd., attorney representing the School Board of Miami-Dade County (School Board), appeared before the Board in objection to this application. She noted she was accompanied by Mr. Ivan Rodriguez, a non-voting member of the Planning Advisory Board (PAB). She expressed that this application was premature. With regard to Board's amendments in July, 2008 to the CDMP's school concurrency provisions, Ms. Trevarthen noted that even if the amendments had become legally effective, this application would not be feasible until the ILA was executed by the School Board and "Cities" identified in the ILA and the ILA was amended to provide for the mitigation option identified in this application.

It was moved by Commissioner Martinez that Application No. 11 be adopted with changes submitted in a letter from the applicant dated November 4, 2008, which incorporated a change requested by the County Attorney's Office.

Mr. Woerner noted the applicant requested by letter that the Board direct staff to include in the ILA the text being proposed by the applicant for addition to the CDMP's Educational Element.

Mr. Bercow noted that the DCA recognized and approved interlocal agreements and master plan educational elements that allowed charter schools to be used for mitigation purposes for other major metropolitan areas in Florida. He noted the applicant was requesting this use of charter schools.

Commissioner Martinez noted that at his request, an amendment was made to the ILA on July 1, 2008 during consideration of Agenda Item 5U to allow all mitigation that the State recognized, which included charter school

mitigation.

Assistant County Attorney Kerbel clarified that no language addressing charter schools was added to the ILA pursuant to consideration of Agenda Item 5U.

Commissioner Martinez asked that language be added to the ILA reflecting that all types of mitigation permitted by the State of Florida were allowed.

Assistant County Attorney Kerbel noted that in order for language to be added to the ILA as requested by Commissioner Martinez, the ILA would have to be reconsidered by the Board, revised to include the language, and re-executed.

Discussion ensued regarding building charter schools to standards which were subject to exceptions and exemptions, which entity determined those exceptions and exemptions, the need for the County, School Board, and cities in the County to consent to the ILA in order to make the ILA effective, information which was provided to the PAB and School Board regarding the ILA, comment from the State on this application and the ILA, and construction of charter schools in areas of low student enrollment.

In response to Vice-Chairwoman Jordan's concern regarding potential for decreased enrollment, Mr. Bercow noted the applicant did not object to adding language to the proposed text amendment indicating no charter schools that were used for mitigation would be constructed in areas of low student enrollment.

Mr. Kathryn Wilbur, 15805 S.W. 153 Avenue, responded to Vice-Chairwoman Jordan's questions regarding income and ethnicity by percentage with regard to students enrolled in charter schools and residing in areas surrounding charter schools.

Vice-Chairwoman Jordan asked that a report she previously requested regarding income and ethnic breakdown as related to charter school enrollment be submitted to her.

Discussion ensued regarding language in the proposed application concerning school boundaries.

Commissioner Moss initiated discussion regarding deferral of this application until the ILA was reviewed by the DCA and regarding the types of applications which the DCA would not process until the ILA was established. Mr. Kerbel noted he believed if an application had the effect of increasing residential density, the DCA would find the application noncompliant until school concurrency was in place with the School Board.

Discussion ensued regarding consequences of charter schools shutting down; the School Board's approval process, including criteria for approving charter schools; School Board boundaries; transmitting this application to DCA; the need for the ILA to be fully executed, and all areas of Broward County having been incorporated.

It was moved by Commissioner Martinez that Application No. 11 be adopted with changes and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Diaz and upon being put

to a preliminary vote, passed by a vote of 8-0 (Commissioners Edmonson, Heyman, Sosa, Souto, and Sorenson were absent).

Application No. 13

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

It was moved by Commissioner Martinez that Application No. 13 be adopted with changes and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Moss and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Application No. 14

Application No. 14 was withdrawn by the Department of Planning and Zoning.

Application No. 15

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with this application.

It was moved by Vice Chairwoman Jordan that Application No. 15 be adopted and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Application No. 16

Application No. 16 was withdrawn by the Department of Planning and Zoning.

Application No. 17

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with this application.

It was moved by Commissioner Souto that Application No. 17 be adopted and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Application No. 18

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with this application.

It was moved by Vice Chairwoman Jordan that Application No. 18 be adopted

with further changes and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Martinez and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Application No. 19

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with this application.

It was moved by Commissioner Moss that Application No. 19 be adopted with change and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Rolle and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Application No. 20

Mr. Mark Woerner, Department of Planning and Zoning Metropolitan Planning Chief, introduced the foregoing application.

Chairman Barreiro opened the public hearing; however, it was closed when no one responded to Chairman Barreiro's call for persons wishing to be heard in connection with this application.

Mr. Woerner responded to Vice-Chairwoman Jordan's questions regarding changes to the text of the Land Use Element pertaining to non-aviation related uses at Opa-locka Executive, Miami International, and Kendall-Tamiami Executive airports.

It was moved by Commissioner Martinez that Application No. 20 be adopted and transmitted to the Florida Department of Community Affairs. This motion was seconded by Commissioner Diaz and upon being put to a preliminary vote, passed by a vote of 9-0 (Commissioners Edmonson, Heyman, Sosa, and Sorenson were absent).

Upon the closing of the public hearing, the Board by motion duly made, seconded, and carried adopted the foregoing resolution, incorporating therein the preliminary votes taken on applications nos. 1, 6-11, and 13-20 to amend the Comprehensive Development Master Plan.

SPECIAL ITEM NO. 4

083146 Ordinance

ORDINANCE RELATING TO MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING DISPOSITION OF APPLICATIONS FILED IN APRIL 2008 CYCLE TO AMEND, MODIFY, ADD TO OR CHANGE COMPREHENSIVE DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Adopted on first reading
Public Hearing: no date certain
Mover: Dennis C. Moss
Seconder: Jose "Pepe" Diaz
Vote: 9-0
Absent: Edmonson, Heyman,
Sosa, Sorenson*

Report: Assistant County Attorney Craig Collier read the foregoing ordinance into the record.

Mr. Woerner noted the intent of the foregoing ordinance.

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

090201 Report

NON-AGENDA REPORT- 11/6/2008 BCC CDMP

Report: Commissioner Souto expressed concern regarding a shooting in his commission district (Dist. 10) today (11/6). Commissioner Souto noted he was awaiting more information regarding this shooting.

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ADJOURNMENT

Report: Hearing no further business, the Board adjourned the meeting at 5:22 p.m. with respect to Special Item Nos. 1, 1A, 1B, 3, and 4 and continued Special Item No. 2 to November 20, 2008.



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk