

**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

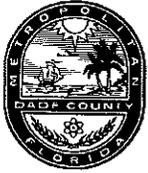
December 11, 2008
As Advertised

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, December 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: *A Moment of Silence was observed followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C

ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Ysela Llorc; Assistant
County Attorneys David Murray and Craig Collier;
Senior Deputy Clerk Doris Dickens and Deputy
Clerk Judy Marsh.*

*Chairman Diaz called the meeting to order at 9:52
a.m.*

*Assistant County Attorney David Murray noted
Agenda Item 3G contained a scrivener's error and
the participation form on handwritten page 10A
should be corrected to reflect Total Control as the
current Subcontractor/Subconsultant in lieu of
Puryear. He also noted Agenda Item 3N contained
a scrivener's error and handwritten page 4, sub-
heading (2) (b) should read as follows: "subject to
the restrictions contained herein, the following
privately owned non-aviation-related uses may be
approved in the aviation and non-aviation area of
the Opa-locka Airport accessible to the general
public."*

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

1D

SPECIAL PRESENTATION(S)

1D1

083506 Report

ORAL REPORT REGARDING THE GREATER MIAMI
CONVENTION & VISITORS BUREAU (County Manager)

Presented

Report: *Mr. Rolando Aedo, Senior Vice-President, Marketing and Tourism, Greater Miami Convention & Visitors Bureau (GMCVB), provided an oral report on the activities of the GMCVB. He noted Mr. Bill Talbert, President and Chief Executive Officer, GMCVB, was attending a meeting of the Florida Tourism Commission on which he served as a member.*

Mr. Aedo said in spite of global challenges in the economy and in the tourism industry, Miami was well positioned. He noted half of Miami's visitors came from overseas and the other half were from within the state, therefore, the GMCVB's portfolio was well hedged. Mr. Aedo said the GMCVB had been tracking all the key indicators, including occupancy, room rates, Convention Development Tax (CDT) collections, and visitors to the community. He noted he anticipated that 2009 would be a relatively strong year, and hotel operators were projecting approximately three to six percent off on their overall revenues.

Mr. Aedo said the GMCVB anticipated a successful first quarter and felt events including the International Association of Events and Exhibition being held this week at the Miami Beach Convention Center, the Orange Bowl and the Bowl Championship game in January 2009, and the Pow Wow travel show in May 2009, would mitigate the economic challenges. He noted some adjustments were being made to the hotel room rates which would impact revenues collected through the CDT and resort taxes. Mr. Aedo said through the last 10 months, hotel occupancy was relatively flat; and room rates and the CDT had increased approximately two percent. He noted as a result of the partnership between Miami-Dade County, the Beacon Council, Miami International Airport (MIA) and the Port of Miami in the "Where Worlds Meet" Program, the GMCVB was able to place approximately \$2 million worth of global advertising that was positioning Miami as a destination to live, work or play. He noted the GMCVB and its partners were trying to determine how this Program could continue throughout the first quarter.

Mr. Aedo noted that major events related to the Pow Wow would be held at the Adrienne Arsht Center for the Performing Arts and on South Beach. He noted approximately 1,000 volunteers were needed to successfully host Pow Wow and the GMCVB was hopeful that people who volunteered for Pow Wow would also consider becoming volunteers at MIA and the Port of Miami.

Mr. Aedo pointed out the opening of new hotels in Miami, including the Fontainebleau, Eden Roc Hotel, Canyon Ranch and the "W" would attract media attention which kept Miami and the Miami brand in the eyes of the consumer. He noted new hotel rooms also served to fuel the coffers from the CDT, resort tax and the Food and Beverage tax.

In response to Commissioner Gimenez' inquiry whether hotel room rates were being lowered, Mr. Aedo said a recent survey of hotel representatives indicated that approximately 65% (two-thirds) of hotels were seeking to adjust room rates to sustain occupancy. He noted according to Smith Travel which tracked occupancy and room rates; and RevPAR (Revenue Per Available Room), the southeast region would probably be off by two percent in occupancy. Mr. Aedo said Greater Miami was unlike any other destination in the country in that half of Miami's business was international and a large portion of the other half was from South America. He noted Miami continued to outperform the State of Florida and the nation as a whole.

Chairman Diaz expressed appreciation to Mr. Aedo, Mr. Talbert and the GMCVB's entire team for their outstanding work. He noted tourism was Miami-Dade County's largest economic engine.

2 COUNTY COMMISSION

2A

082795 Resolution

Jose "Pepe" Diaz

RESOLUTION EXPRESSING UNEQUIVOCAL SUPPORT FOR THE MAJOR LEAGUE BASEBALL NATIONAL YOUTH BASEBALL ACADEMY DEVELOPMENT PROJECT IN HIALEAH, FLORIDA

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconded: Martinez

Vote: 6-0

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

Chairman Diaz relinquished the Chair to Vice Chairwoman Heyman.

It was moved by Commissioner Diaz that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Martinez.

Commissioner Sosa referenced a resolution which was sponsored by Commissioner Moss and approved by the County Commission asking for a similar request in Homestead. She questioned whether the foregoing proposed resolution was in addition to Commissioner Moss' resolution and the fiscal impact of this proposal.

Commissioner Diaz said the proposed resolution involved negotiations with the City of Hialeah and Major League Baseball and the economic impact would greatly benefit the community. He noted Commissioner Moss' resolution related to bringing a team to the Homestead Baseball Stadium for spring training.

In response to Commissioner Sosa's inquiry whether the proposed project would involve the expenditure of County funds, Commissioner Diaz said this resolution only expressed support for the negotiations between the City of Hialeah and Major League Baseball.

In response to Vice Chairwoman Heyman's inquiry, Assistant County Attorney Murray noted this resolution was not tied to the status of the proposed new baseball stadium.

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

2B

083075 Ordinance

Jose "Pepe" Diaz

ORDINANCE AMENDING SECTION 2-1603 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE POSITION OF CHAIRPERSON OF THE MIAMI-DADE COUNTY SPORTS COMMISSION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconded: Martinez

Vote: 6-0

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

Chairman Diaz relinquished the Chair to Vice Chairwoman Heyman.

Vice Chairwoman Heyman 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, and the Committee proceeded to vote.

2C

083361 Resolution

Rebeca Sosa

RESOLUTION DESIGNATING MIAMI INTERMODAL CENTER (MIC) AS AN AREA OR FACILITY OF COUNTYWIDE SIGNIFICANCE PURSUANT TO SECTION 20-28.1 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconded: Martinez

Vote: 6-0

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

Commissioner Sosa provided brief remarks on the foregoing proposed resolution as sponsor.

In response to Chairman Diaz' inquiry, Assistant County Attorney Craig Coller noted this proposed resolution only related to the political jurisdiction authority with respect to zoning, land use matters and regulatory matters.

Chairman Diaz asked staff to prepare a report indicating the number of County entities in particular cities to determine whether these entities could be designated as an area or facility of countywide significance.

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

3 DEPARTMENTS

3A

083463 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT FOR CONSTRUCTION OF THE MIA SOUTH TERMINAL DUAL TAXIWAY, PROJECT NO. MDAD K-150-A BETWEEN COUNTY AND MARKS BROTHERS, INC., IN AN AMOUNT NOT TO EXCEED \$627,655.00, AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME (Aviation Department)

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

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

In response to questions from Commissioner Sosa regarding the funding source for the proposed South Terminal Dual Taxiway project and the delay in bringing this resolution before the committee, Mr. Jose Abreu, Director, Miami-Dade Aviation Department, said 75% of the project was funded with federal funds and 25% with funds from the Capital Improvement Program. He noted the delay in bringing the project before the committee was due to unforeseen conditions which were addressed by the contractor.

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

3B

083157 Resolution

RESOLUTION AUTHORIZING RETROACTIVE FIRST AMENDMENT TO THE NON-EXCLUSIVE AGREEMENT FOR PHONE CARDS AT MIAMI INTERNATIONAL AIRPORT BETWEEN MIAMI DADE COUNTY AND LATIN AMERICAN ENTERPRISES INC. WHICH PROVIDES FOR A PRORATED MINIMUM ANNUAL GUARANTEE OF \$390,325.00 FROM MAY 1ST THROUGH JULY 31ST, 2008, AND A PRORATED MINIMUM ANNUAL GUARANTEE OF \$550,000.00 FROM AUGUST 1ST 2008, AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND ANY RENEWAL OR TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Sosa

Vote: 6-0

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

Responding to questions from Commissioner Martinez, Mr. Miguel Southwell, Aviation Deputy Director, Business Development, Miami-Dade Aviation Department (MDAD), provided an overview of the contract for the prepaid phone card vending machines at Miami International Airport (MIA). He noted Latin American Enterprises, Inc. (LAE) agreed to pay the County a Minimum Annual Guarantee (MAG) of \$550,000 annually for a total of 26 machines for the remainder of the contract, which would expire in March 2009. Mr. Southwell said he felt this was a good deal as the company showed good faith and the County was receiving 55% of gross revenues from LAE. He noted the alternative was to allow sales of the prepaid phone cards to occur in the stores and the County would receive approximately 14% or \$140,000.00.

In response to Commissioner Martinez' inquiry regarding the impact of the lost revenues on MDAD's revenue projections, and the rationale for the contract being retroactive, Mr. Southwell said this represented a loss of \$700,000. He noted this First Amendment to the contract was being presented to the Committee and County Commission retroactively because it was a tough negotiation.

Commissioner Martinez noted he would discuss the retroactive issue further with Mr. Southwell.

In response to Commissioner Gimenez' inquiry regarding his opinion of the phone card vending

machines, Mr. Jose Abreu, Director, Miami-Dade Aviation Department, noted while the machines were not his favorite feature, they were reduced by 14 and the County would be receiving \$550,000. He pointed out that the County would receive less revenues if the phone cards were sold in the stores, but it would also receive less complaints.

Commissioner Sosa spoke in support of the foregoing proposed resolution. She noted while the demand for prepaid phone cards had diminished tremendously; she felt the County had to offer this service and it was a revenue-generating source.

Commissioner Heyman spoke in support of the foregoing proposed resolution. She noted this service was needed and she was hopeful the County would continue its relationship with the company.

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

3C

083435 Resolution

RESOLUTION APPROVING SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ACS TRANSPORT SOLUTIONS, INC., FOR UPGRADE OF SERVERS AND SOFTWARE INTERFACE FOR SUNPASS® EQUIPMENT AT MIAMI INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$1,323,438.00; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AUTHORIZING COUNTY MAYOR TO EXERCISE ALL OTHER RIGHTS INCLUDING TERMINATION PROVISIONS CONTAINED THEREIN; AND WAIVING COMPETITIVE BID PROCEDURES AND PROVISIONS CONTAINED IN SECTION 5.03(D) OF HOME RULE CHARTER, AND ADMINISTRATIVE ORDER NO. 3-38 (Aviation Department)

Forwarded to the BCC by the BCC Chairperson 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.*

In response to the request by the Miami-Dade Aviation Department Director, Chairman Diaz asked staff to prepare the appropriate memorandum to the Board of County Commissioners' Chairman Bruno A. Barreiro requesting that the Board's Rules and Procedures be waived to allow the foregoing proposed resolution to be heard at the December 16, 2008 County Commission meeting.

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

3D

083436 Resolution

RESOLUTION APPROVING SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND TRANSCORE, LP, FOR AUTOMATIC VEHICLE IDENTIFICATION HARDWARE ACQUISITION, INSTALLATION, AND TESTING OF SERVICES FOR INTERFACE OF SUNPASS® EQUIPMENT AT MIAMI INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED \$382,151.00; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT; AUTHORIZING COUNTY MAYOR TO EXERCISE ALL OTHER RIGHTS INCLUDING TERMINATION PROVISIONS CONTAINED THEREIN; AND WAIVING COMPETITIVE BID PROCEDURES AND PROVISIONS CONTAINED IN SECTION 5.03(D) OF HOME RULE CHARTER, AND ADMINISTRATIVE ORDER NO. 3-38 (Aviation Department)

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

Report: *In response to Commissioner Rolle's inquiry, Mr. Miguel Southwell, Aviation Deputy Director, Business Development, Miami-Dade Aviation Department (MDAD), explained the operation of the SunPass equipment at the public parking facilities of Miami International Airport. He noted this equipment would be located at all garage entrances.*

In response to the request by the Miami-Dade Aviation Department Director, Chairman Diaz asked staff to prepare the appropriate memorandum to the Board of County Commissioners' Chairman Bruno A. Barreiro requesting that the Board's Rules and Procedures be waived to allow the foregoing proposed resolution to be heard at the December 16, 2008 County Commission meeting.

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

3E

083456 Resolution

RESOLUTION APPROVING AWARD OF A NON-EXCLUSIVE AGREEMENT FOR JANITORIAL SERVICES AT MIAMI DADE COUNTY AVIATION DEPARTMENT FACILITIES BETWEEN N & K ENTERPRISES, INC., AND MIAMI DADE COUNTY, FOR A THREE YEAR PERIOD, AND FOR THE ESTIMATED FIRST YEAR AMOUNT OF \$2,495,469, SUBJECT TO ADJUSTMENT FOR CHANGES IN REIMBURSABLE AMOUNTS; PROVIDING FOR FIVE ONE YEAR OPTIONS TO RENEW; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF; AND DELEGATING TO THE COUNTY MAYOR OR HIS DESIGNEE THE AUTHORITY TO EXECUTE AN AMENDMENT TO THE CONTRACT TO CONFORM CONTRACT TERMS WITH OTHER JANITORIAL CONTRACTS (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Martinez

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.

3F

083457 Resolution

RESOLUTION APPROVING AWARD OF A NON-EXCLUSIVE AGREEMENT FOR JANITORIAL SERVICES AT MIAMI DADE COUNTY AVIATION DEPARTMENT FACILITIES BETWEEN VISTA BUILDING MAINTENANCE SERVICES, INC. AND MIAMI-DADE COUNTY, WITH A TERM OF THREE YEARS, AND FOR AN ESTIMATED FIRST YEAR AMOUNT OF \$2,404,125 SUBJECT TO ADJUSTMENT FOR CHANGES IN REIMBURSABLE AMOUNTS; PROVIDING FOR FIVE ONE YEAR OPTIONS TO RENEW; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Heyman

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.

3G

083510 Resolution

RESOLUTION APPROVING AMENDMENT ONE TO THE NON-EXCLUSIVE AGREEMENT FOR JANITORIAL SERVICES BETWEEN MIAMI-DADE COUNTY AND UNICCO SERVICES COMPANY, CONTRACT #MDAD00045A, IN THE YEARLY AMOUNT OF \$22,975,882, WHICH AMOUNT WILL BE PRORATED; PROVIDING FOR A MONTH-TO-MONTH EXTENSION OF CONTRACT TIME NOT TO EXCEED 180 DAYS; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND ANY TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Withdrawn

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record. He noted this resolution contained a scrivener's error and the participation form on handwritten page 10A should be corrected to reflect Total Control as the current Subcontractor/Subconsultant in lieu of Puryear.*

Chairman Diaz noted it was his understanding that the janitorial services contract had been signed.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department (MDAD), said the contract with Unicco Service Company was signed yesterday (12/10); however, the new contract was not added to today's agenda because he had to allow for the protest period. He asked that this new contract be waived to allow it to be heard at the County Commission meeting scheduled for January 20, 2009.

Commissioner Martinez asked Mr. Abreu to make sure the Anti-Collusion Affidavit was included in the janitorial services contract for approval by the County Commission.

In response to Commissioner Martinez' inquiry why Unicco was not deemed non-responsive when they began negotiating on the indemnity issue which was included in the Request for Proposals, Assistant County Attorney Murray advised at that point it was not a responsiveness issue.

In response to Commissioner Sosa's inquiry, Mr. Abreu noted a written agreement was reached between the County and Unicco whereby Unicco would defend and/or indemnify the County for

accidents at Miami International Airport related to its performance.

Following further discussion, the Committee recommended the foregoing proposed resolution be withdrawn and requested staff to prepare a subsequent contract award.

Chairman Diaz asked staff to prepare the appropriate memorandum to the Board of County Commissioners' Chairman Bruno A. Barreiro requesting that committee review of this subsequent contract award be waived to allow it to be heard at the County Commission meeting scheduled for January 20, 2009.

3H

083471 Resolution

RESOLUTION APPROVING AWARD OF THE CONTRACT FOR THE CONSTRUCTION OF THE OPA-LOCKA AIR TRAFFIC CONTROL TOWER, PROJECT NO. L-085A, TO TGSV ENTERPRISES INC., IN AN AMOUNT NOT TO EXCEED \$10,598,332.50, AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE TERMINATION PROVISIONS THEREOF (Aviation Department)

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

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

In response to Commissioner Martinez' inquiry regarding the proposed Opa-locka Executive Airport Air Traffic Control Tower, Mr. Sunil Harman, Division Director, Miami-Dade Aviation Department (MDAD), said the National Association of Air Traffic Controllers signed off on the design and stipulations of this new proposed tower.

Responding to Commissioner Sosa, Mr. Harman said construction of the Tower would be managed by MDAD and the equipment would be managed by the Federal Aviation Administration.

Chairman Diaz commended MDAD for obtaining the necessary funds for the adjustments and for making sure the federal department signed off properly to ensure that problems experienced in the past would not occur.

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

3I

083498 Resolution

RESOLUTION APPROVING AWARD OF THE CONTRACT FOR FIRE ALARM & SPRINKLER SYSTEM MIA FRONT TERMINAL D-H, PROJECT NO. A-155B1 BETWEEN ABC CONSTRUCTION INC. AND MIAMI-DADE COUNTY, IN AN AMOUNT NOT TO EXCEED \$3,302,703.03; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Martinez

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.

3J

083499 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR THE RETAIL CONCESSION PROGRAM 2008 PACKAGE 1, BETWEEN NEWSLINK/ADLER AIRPORT DEVELOPMENT GROUP LLC AND MIAMI-DADE COUNTY, PROJECT NO. MDAD-04-07, WITH A MINIMUM ANNUAL GUARANTEE OF \$1,800,000, AND FOR A TERM OF EIGHT YEARS, WITH A TWO-YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Rolle

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.

3K

083500 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD RETAIL LEASE AND CONCESSION AGREEMENT PROGRAM 2008 PACKAGE 2, BETWEEN AMS-TEL MIAMI JV AND MIAMI-DADE COUNTY, WITH A MINIMUM ANNUAL GUARANTEE OF \$2,821,220, AND FOR A TERM OF EIGHT YEARS, WITH A TWO-YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconded: Sosa

Vote: 6-0

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

In response to Commissioner Martinez' inquiry whether staff had conducted revenue estimating studies and if they had determined whether the Minimum Annual Guarantee (MAG) could be achieved, Mr. Miguel Southwell, Aviation Deputy Director, Business Development, Miami-Dade Aviation Department (MDAD), said staff did not observe a change in the trend for retail purchases in the North Terminal.

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

3L

083501 Resolution

RESOLUTION APPROVING AN AMENDMENT FOR THE NON-EXCLUSIVE LICENSE AGREEMENT FOR WIRELESS HIGH FIDELITY (WI-FI) SYSTEM PROVIDER AT MIAMI INTERNATIONAL TO ELECTRONIC MEDIA SYSTEMS, INC. (EMS) TO AMEND THE PERFORMANCE BOND AND SECURITY DEPOSIT REQUIREMENT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Second: Gimenez

Vote: 6-0

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

Commissioner Sosa questioned why the Performance Bond and Security Deposit pertaining to the Wireless High Fidelity (WI-FI) System provider at Miami International Airport were being reduced.

In response to Commissioner Sosa's question, Mr. Miguel Southwell, Aviation Deputy Director, Business Development, Miami-Dade Aviation Department (MDAD), said the original estimate of the Performance Bond and Security Deposit were based upon estimated sales of the WI-FI for Miami International Airport (MIA) and the MIA Hotel. He noted the vendor had a separate contract for the MIA Hotel and sales had been less than anticipated. Mr. Southwell said he felt the County was still protected with the Performance Bond.

Responding to Commissioner Rolle's inquiry regarding the impact of the reduced Performance Bond and Security Deposit on the County's income, Mr. Southwell said the Performance Bond and the Security Deposit were being reduced because the income was less than what was anticipated, and this was just a reflection of the smaller amount of revenues the County was receiving. Mr. Southwell said the original estimated revenues were approximately \$600,000 and it was now closer to \$500,000. He noted the Miami-Dade Aviation Department Director could administratively increase the County's share if revenues increased.

In response to Commissioner Gimenez' inquiry, Mr. Southwell said the WI-FI spots were located throughout the hotel.

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

3M

083511 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES AND PROVISIONS OF SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03 (D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES, AND APPROVING AGREEMENT WITH HONEYWELL INTERNATIONAL, INC. FOR BUILDING MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$65,041,042.22 AND FOR A TERM OF TEN YEARS; WAIVES THE PROVISIONS OF R-130-06 AS IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO NEGOTIATE A MUTUALLY ACCEPTABLE INDEMNIFICATION PROVISION, SUBJECT TO RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE TERMINATION PROVISIONS THEREOF (Aviation Department)

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

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

In response to Commissioner Martinez' inquiry whether the proposed contract amount of \$65 million was in addition to the current contract amount of \$33 million, Mr. Max Fajardo, Deputy Aviation Director, Miami-Dade Aviation Department, noted the proposed contract amount was for the next ten years.

Concerning the indemnification issue, Mr. Fajardo said Honeywell International, Inc. (Honeywell) had questioned why they should provide indemnity for monies not yet contracted. He noted staff would try to reach an agreement with Honeywell where as work was added to their contract through the Allowance Account, the indemnification clause would grow. He explained that staff anticipated the contract amount to be \$41 million if no deficiencies were found in the Building Management System and the contract included parts and labor.

Commissioner Martinez noted the proposed contract should be presented as a sole source; not as proprietary.

Mr. Fajardo noted pursuant to Chairman Diaz' request, staff renegotiated the proposed contract with Honeywell which resulted in a reduction of \$2.5 million.

Chairman Diaz noted the cost to obtain a new system from another vendor could be within the \$1 billion range.

Commissioner Gimenez asked Assistant County Attorney Murray to prepare legislation requiring the County Administration to look at the total cost of ownership versus the acquisition cost for proprietary systems as part of the evaluation process.

Commissioner Rolle asked Miami-Dade Aviation Department Director Jose Abreu to provide him with a list of the current Disadvantaged Business Enterprise (DBE) subcontractors participating on the Honeywell Contract at Miami International and other General Aviation Airports.

Commissioner Heyman said the proposed contract was all-inclusive and would draw down on money and services as needed. She noted the contract was a sole source because Honeywell had a proprietary interest that no one else could enter into to maintain the service.

Responding to questions from Commissioner Heyman regarding the contract amount, Mr. Fajardo said the current contract amount of \$33 million would be spent by the end of the current contract period. He noted staff was requesting \$65 million, of which \$40 million was for work that had already been identified that must be completed during the next 10 years. Mr. Fajardo said approximately \$4 million per year were used for testing and inspection, and general maintenance.

Commissioner Heyman said the proposed contract was an overall, comprehensive package for fire protection and service to a sole source for \$65 million.

Chairman Diaz commended the Aviation Department and noted this was an example of a contract that was tweaked and this standard should continue.

In response to Commissioner Rolle, Mr. Abreu noted he anticipated notifying DBE firms on the County's list regarding work on this proposed Contract.

Hearing no further comments or questions, the Committee voted on the foregoing proposed

resolution as presented.

3N

082712 Ordinance

ORDINANCE PERTAINING TO AIRPORT ZONING REGULATIONS; AMENDING SECTION 33-363.1 OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO USES PERMITTED ON OPA-LOCKA AIRPORT LANDS IN THE GP GOVERNMENT PROPERTY ZONING DISTRICT; CREATING SECTION 33-363.2 PERTAINING TO SITE PLAN REVIEW STANDARDS; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

Withdrawn

Report: *(See Agenda Item 3N Substitute, Legislative File No. 083241)*

3N SUBSTITUTE

083241 Ordinance

ORDINANCE PERTAINING TO AIRPORT ZONING REGULATIONS; AMENDING SECTION 33-363.1 OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO USES PERMITTED ON OPA-LOCKA AIRPORT LANDS IN THE GP GOVERNMENT PROPERTY ZONING DISTRICT; CREATING SECTION 33-363.2 PERTAINING TO SITE PLAN REVIEW STANDARDS; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER LEG. FILE NO. 082712] (Department of Planning & Zoning)

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

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution 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, and the Committee proceeded to vote.

Hearing no comments or questions, the Committee voted on the foregoing proposed resolution with the scrivener's error corrected to reflect that handwritten page 4, subheading (2) (b) should read as follows: "subject to the restrictions contained herein, the following privately owned non-aviation-related uses may be approved in the aviation and non-aviation area of the Opa-locka Airport accessible to the general public."

30

083372 Resolution

RESOLUTION AUTHORIZING THE FUNDING OF FORTY (40) GRANTS FROM THE FY2008-2009 FIRST QUARTER TOURIST DEVELOPMENT ROOM TAX PLAN AND SURTAX CATEGORY TO PROMOTE MIAMI-DADE COUNTY TOURISM WITH: ACTORS' PLAYHOUSE PRODUCTIONS, INC.; AMERICAN CHORAL DIRECTORS ASSOCIATION; ARTFORMZ, LLC; BAYFRONT PARK MANAGEMENT TRUST CORPORATION; CAMPOSITION, INC.; CENTER FOR THE EMERGING ART, INC.; CENTRO CULTURAL BRASIL-USA DA FLORIDA, INC.; CITY OF SUNNY ISLES BEACH; CULTURAL COUNCIL, INC. THE; DAVE AND MARY ALPER JEWISH COMMUNITY CENTER, INC.; DIASPORA VIBE CULTURAL ARTS INCUBATOR, INC.; EDGE ZONES, INC.; EXPONICA INTERNATIONAL, INC.; FAMILY & CHILDREN FAITH COALITION, INC.; FLORIDA DANCE ASSOCIATION, INC.; FLORIDA FILM INSTITUTE, INC. F/A FLORIDA MEDIA MARKET, INC.; FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, FOR THE BENEFIT OF INSTITUTE FOR PUBLIC MANAGEMENT AND COMMUNITY SERVICE; FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES, FOR THE BENEFIT OF FROST ART MUSEUM; GABLESTAGE, INC.; GALA CHORUSES, INC.; GREATER SO. DADE/SO. MIAMI/KENDALL CHAMBER OF COMMERCE DBA CHAMBER SOUTH; JAMAICA AWARENESS, INC.; M. ATHALIE RANGE CULTURAL ARTS FOUNDATION, INC.; MIAMI BEACH CHAMBER OF COMMERCE; MIAMI BEACH LATIN CHAMBER OF COMMERCE OF MIAMI BEACH/CAMARA DE COMERCIO LATINA DE MIAMI BEACH, INC.; MIAMI BOOKFAIR INTERNATIONAL, INC.; MIAMI CARNIVAL, INC.; MIAMI CHILDREN'S MUSEUM, INC., THE; MIAMI SHORT FILM FESTIVAL, INC.; MIAMI-DADE COUNTY DAYS, INC.; MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT (OPERATIONS REGION 5); MUSEUM OF SCIENCE, INC.; NEW WORLD FESTIVAL, INC.; PENINSULA SCULPTURE, LLC; PR RACING MIAMI, LLC; SOUTH FLORIDA SUPER BOWL HOST COMMITTEE, INC.; TIGERTAIL PRODUCTIONS, INC.; TRINIDAD & TOBAGO SAGA BOYS INTERNATIONAL, INC.; TROPICAL EVERGLADES VISITOR ASSOCIATION, INC.; UNIVERISITY OF MIAMI SCHOOL OF MUSIC AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS FOLLOWING COUNTY ATTORNEY APPROVAL OF FORM AND LEGAL SUFFICIENCY AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Cultural Affairs Council)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconded: Heyman

Vote: 6-0

Airport and Tourism Committee

Meeting Minutes

Thursday, December 11, 2008

FINAL OFFICIAL

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.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

083496 Report

CLERK'S MINUTES SUMMARY OF SEPTEMBER 11, 2008 AIRPORT AND TOURISM COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Martinez
Seconder: Heyman
Vote: 6-0*

7 REPORTS

7A

082732 Report

ORAL STATUS REPORT OF THE HOSPITALITY AND AMBASSADOR PROGRAM (County Manager)

*Withdrawn
Mover: Heyman
Seconder: Martinez
Vote: 5-0
Absent: Rolle*

Report: *The foregoing report was withdrawn at the request of Commissioner Heyman.*

7B

083379 Report

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

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

7C

083512 Report

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

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

7D

083504 Report

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

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

090066 Report
NON-AGENDA REPORT

Report: *The Committee members expressed appreciation to Chairman Diaz and Vice Chairwoman Heyman for the Committee's accomplishments over the past two years.*

Commissioner Heyman expressed appreciation to Chairman Diaz for his leadership and noted it had been a pleasure to serve as Committee Vice Chairwoman. She said Chairman Diaz was inclusive of both the Airport and Tourism industries and she was hopeful that commissioners would continue receiving status reports on the state of the economy regarding tourism and the Convention Development Tax.

Commissioner Heyman asked Mr. Abreu to proceed with the Ambassador Program.

Chairman Diaz and the Committee members expressed appreciation to Mr. Abreu and Airport staff for the accomplishments at Miami International Airport under Mr. Abreu's leadership.

Chairman Diaz congratulated Mr. Southwell on being elected president of the Latin America and Caribbean region of Airports Council International.

Pursuant to Chairman Diaz' request, Assistant County Manager Ysela Llord summarized the Committee's accomplishments as follows:

- opening of the South Terminal in August 2007, with a new Concourse "J" and a renovated Concourse "H"; 18 airlines and 190 ticket counters; a new cruise and tour bus station and more than 35 restaurants and stores;*
- airlines were relocated to the South Terminal from the Central Terminal and Concourse "A" which allowed for the closure of Concourse "A" in November 2007, saving approximately \$200 million in two years of work in the North Terminal and facilitating passengers;*
- North Terminal contract with Parsons Odebrecht Joint Venture was renegotiated, transferring significant risk to them;*
- all outstanding subcontractor claims from the Turner Austin era were settled in 2008 for a total of \$56 million;*

- the C-D Project was completed in November 2008, a 240 million portion of the North Terminal which included 360,000 square feet of new construction, seven new international domestic gates, D-26 to D-30 and D-37 and D-38; four levels for domestic and international passenger movement and a rooftop automatic people mover (APM) station;
- the Aviation Department and the Transportation Security Administration (TSA) opened an interim 10-lane security checkpoint for the North Terminal that provides direct access to the recently completed areas of Concourse "D" and allows remaining construction to continue at a faster pace;
- approximately 1,100 workers were onsite at the North Terminal, completing more than \$1 million of work per day, including weekends;
- passenger traffic at Miami International Airport grew above forecast to nearly 33.7 million passengers in 2007 and was projected to reach approximately 34 million in 2008; Miami International Airport (MIA) was the only large U.S. airport to increase airline seat capacity in 2008 despite the global economic crisis and record high fuel prices in the summer, and was currently American Airlines' second busiest hub airport;
- cargo traffic reached an all-time high in 2007 surpassing 2.1 million tons and topping the previous record in 2006 by five percent;
- several new airlines began servicing MIA, including Cathay Pacific Airlines and Korean Air Cargo;
- Air Cargo News, one of the world's top cargo publications, rated MIA the best cargo airport in the world for those airports handling 500,000 tons of cargo per year;
- the County entered into lease agreements with developers of Kendall Tamiami and Opa-locka Executive Airports that were expected to bring more than \$360 million of investments to these airports;
- all three bond rating agencies in 2008 maintained MIA's "A" ratings and stable financial outlooks gained in 2007, allowing the Aviation Department to finance the Capital Improvement Program with favorable rates;
- MIA's concessions sales in 2007 grew 12% to \$546 million ranking it sixth among North American airports in sales per passenger;
- MIA earned the highest ranking in customer service for retail service among all large airports in 2007 (J. D. Power Study) as a result of opening 18 new, national name brand retail stores in 2006;

- *MIA improved its overall rating in 2008, (J. D. Power Customer Satisfaction Study), from 14 to 6 among all North American airports, while the expansion project was being undertaken;*
- *the Transportation Security Administration named MIA the agency's Airport of the Year in 2008 and MIA currently ranks third among the 24th largest Category X airports in the United States, with 90% of its passengers waiting less than 10 minutes to be processed;*
- *the Aviation Department has trained more than 16,000 MIA employees, nearly half of the Airport workforce, in behavior pattern recognition, a security technique developed by the Security Director for Ben Gurion Airport in Tel Aviv, Israel, that detects suspicious individuals based on behavior rather than ethnicity; MIA was the first U.S. airport to offer this training to all its civilian employees;*
- *MIA has been enjoying its lowest crime rate in 20 years with overall crime down 40% and robberies down 80% in 2008 compared to the year 2000;*
- *the Aviation Department, with the support of the Miami-Dade Congressional Delegation, successfully obtained a \$54.4 million grant from the TSA in 2008 for the installation of an Explosive Detection Baggage Screening System at North Terminal.*

In conclusion, Assistant County Manager Llord noted the Airport and Tourism Committee's accomplishments comprised areas within capital improvement, business, customer satisfaction and safety and security.

Chairman Diaz asked that employees of the Miami-Dade Aviation Department stand and be recognized.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the Airport and Tourism Committee meeting was adjourned at 11:24 a.m.*

Jose "Pepe" Diaz, Chair

COMMISSIONER JOSE "PEPE" DIAZ
DISTRICT 12:



MEMORANDUM

Date: 12-12-08
To: Honorable Chairman Bruno Barreiro
Board of County Commissioners
From: Honorable Jose "Pepe" Diaz, Chairperson
Airport and Tourism Committee
RE: Waiver to the December 16, 2008 Board of County Commissioners Meeting

The items listed below were heard by the Airport and Tourism Committee on December 11, 2008, and were forwarded to the Board with a favorable recommendation. I respectfully request that these items be waived onto the next available Board of County Commissioners meeting on December 16, 2008.

ITEM 3C - 083435

RESOLUTION APPROVING SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ACS TRANSPORT SOLUTIONS, INC., FOR UPGRADE OF SERVERS AND SOFTWARE INTERFACE FOR SUNPASS® EQUIPMENT AT MIAMI INTERNATIONAL AIRPORT IN AN AMOUNT NOT TO EXCEED \$1,323,438.00; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AUTHORIZING COUNTY MAYOR TO EXERCISE ALL OTHER RIGHTS INCLUDING TERMINATION PROVISIONS CONTAINED THEREIN; AND WAIVING COMPETITIVE BID PROCEDURES AND PROVISIONS

- *The convenience provided the public by the implementation of SunPass, as well as the reduction in departure waits times in short term parking will significantly improve customer service such that, time is of the essence.*

ITEM 3D - 083436

RESOLUTION APPROVING SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND TRANSORE, LP, FOR AUTOMATIC VEHICLE IDENTIFICATION HARDWARE ACQUISITION, INSTALLATION, AND TESTING OF SERVICES FOR INTERFACE OF SUNPASS® EQUIPMENT AT MIAMI INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED \$382,151.00; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT; AUTHORIZING COUNTY MAYOR TO EXERCISE ALL OTHER RIGHTS INCLUDING TERMINATION PROVISIONS CONTAINED THEREIN; AND WAIVING COMPETITIVE BID PROCEDURES AND PROVISIONS

- *This item contains the SunPass readers for the above project which will improve the public's payment options at the public parking facilities and fulfill an anticipated customer service convenience.*

Thank you for your consideration. By virtue of the signature below, this request is approved:

A handwritten signature in black ink that reads "Bruno Barreiro".

Approved
Honorable Chairman Bruno Barreiro
Board of County Commissioners

A handwritten word in black ink that reads "Exhibit".