

**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Health, Public Safety and Intergovernmental
Committee (HPSIC)**

Board of County Commissioners

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

February 12, 2009
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Jovel Shaw, Commission Reporter
(305) 375-1289





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

FINAL OFFICIAL

Meeting Minutes

Health, Public Safety & Intergovernmental Cmte

Sally A. Heyman (4) Chair; Rebeca Sosa (6) Vice Chair; Commissioners Bruno A. Barreiro (5), Jose "Pepe" Diaz (12), Dorrin D. Rolle (2), and Javier D. Souto (10)

Thursday, February 12, 2009

2:00 PM

COMMISSION CHAMBERS, SPCC

Members Present: Bruno A. Barreiro, Jose "Pepe" Diaz, Sally A. Heyman, Dorrin D. Rolle, Rebeca Sosa, Javier D. Souto.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jovel Shaw, Commission Reporter, (305) 375-1289*

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

Report:

The Committee convened in a moment of silence, followed by the Pledge of Allegiance.

1C **ROLL CALL**

Report: *The following staff members were present:
Assistant County Manager Alina Hudak, Assistant
County Attorney Valda Clark Christian, and
Deputy Clerk Jovel Shaw.*

*Chairwoman Heyman called the meeting to order
at 2:05 p.m.*

*Chairwoman Heyman asked that Department
Directors and speakers introduce themselves with
their title prior to them speaking before the
Committee members.*

*Chairwoman Heyman provided the following
decorum to be followed during the Committee
proceedings as follows:*

- (1) That the Committee meetings would start
promptly at 2:00 p.m., and if no quorum was
present at 2:30 p.m. the Committee members at the
discretion of the Board of County Commissioners
(BCC) Chairman Dennis C. Moss would forward
the agenda items scheduled for that meeting to the
BCC without recommendation or dialogue.*
- (2) That she welcomed dialogue among the
Committee members, Departmental
representatives, or public speakers, but through
the Chair on the scheduled discussion and/or
debate on agenda items according to public
records requirements.*
- (3) That future Committee agendas be organized
by subject matter according to the Committee's
jurisdiction regarding police, fire rescue,
corrections, health professionals, and the other
departments.*

*In addition to the changes noted in the February
12, 2009, County Manager's memorandum
entitled, "Requested Changes to the Health,
Public Safety & Intergovernmental Committee
Agenda," Assistant County Attorney Valda Clark
Christian advised the Committee of the following
changes to today's (2/12) agenda as follows:*

- a requested amendment to Agenda Item 2B to
add a whereas clause in between the 4th and 5th
whereas clause to read as follows: "WHEREAS,
on January 8, 2008, Miami Police Department
Detective James Walker was shot and killed by an
AK-47 when he attempted to take police action
while off duty";*

- a correction to Agenda Item 3B to correct the following scrivener's errors:

- to insert in Section 4.02(b) after "The Mayor of Miami-Dade County" the following language: "designee shall appoint two Directors";
- to delete Section 4.02(c) in its entirety;
- to delete "County Manager" in the second sentence in Section 4.03(a), and the sentence would read, "Directors appointed by the Commissioners of Districts with odd numbers shall serve initial terms of two years."

Hearing no objection, Commissioner Diaz moved that the Committee approve the County Manager's memorandum of changes and the additional changes noted by Assistant County Attorney Clark Christian. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Barreiro and Souto were absent).

1D SPECIAL PRESENTATION(S)

1D1

090273 Special PresentationANIMAL SERVICES ADOPTIONS AND VALENTINE'S
DAY EVENT (Animal Services)*Presented*

Report: *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

Dr. Sara Pizano, Director, Miami-Dade Animal Services, informed the Committee members that approximately 700 animals were adopted in January 2009, which was the highest number of adoptions for the department and a celebration was held in recognition of this achievement. Dr. Pizano also informed the Committee members that Sunday, February 15th, would be the "Open Your Heart and Open Your Home Adoption" event from 10:00 a.m. to 3:00 p.m. at Animal Services, 7401 N.W 74 Street. She noted that today (2/12) was the first day Animal Services and the Humane Society of Greater Miami were offering to Miami-Dade citizens free spay/neuter for cats. Dr. Pizano proceeded to inform the Committee members the Department was working with Miami-Dade Corrections and Rehabilitation to have dogs spend time at Turner Guilford Knight (TGK) Correction Center for a period of 46 weeks for training services to prepare the animals for adoption. She also noted the Department launched a "Donations Online" link to its webpage. Dr. Pizano also informed the Committee members that the department partnered with Humane Society of Greater Miami to inform the community of a walk scheduled for February 21, 2009, "The 2009 Walk for the Animals."

1E DISCUSSION ITEM(S)

1E1

090206 Report

STATUS REPORT ON THE NEW ANIMAL SERVICES FACILITY (Animal Services)

Report Received

Mover: Sosa

Seconder: Diaz

Vote: 4-0

Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on this report as presented.

1E2

090207 Report

STATUS REPORT ON CRIME STATISTICS (Miami-Dade Police Department)

Report Received

Report: *Assistant County Attorney Valda Clark Christian read the foregoing report into the record.*

Mr. J.D. Patterson, Assistant Director, Support Services, Miami-Dade Police Department (MDPD), appeared before the Committee and invited the Committee members and the entire Board of County Commissioners to a press conference scheduled by the Office of the County Mayor Carlos Alvarez and the MDPD Director for Wednesday, February 18, 2009, at 10:30 a.m., at MDPD Police Headquarters. He stated the Mayor would present the "Five Year Crime Comparison Report."

Chairwoman Heyman stated the Committee members would look forward to the dialogue from the County Mayor and the MDPD Director next week.

1E3

090208 Report

STATUS REPORT ON MIAMI-DADE BLUE HEALTH PLAN (LIMITED BENEFIT LOW COST INSURANCE PRODUCT) (Office of Countywide Healthcare Planning)

Deferred to no date certain

Mover: Diaz

Seconder: Sosa

Vote: 4-0

Absent: Souto, Barreiro

Report: *During consideration of changes to today's agenda, the Committee deferred the foregoing report to no date certain as requested in the February 12, 2009, County Manager's memorandum entitled, "Requested Changes to the Health, Public Safety and Intergovernmental Committee Agenda."*

1E4

090209 Report

STATUS REPORT ON THE STIMULUS PACKAGE AND
PROPOSED BUDGET PRIORITIES IN TALLAHASSEE
(Office of Intergovernmental Affairs)

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

Report: *The Committee proceeded to vote on the foregoing report as presented.*

Chairwoman Heyman noted a scrivener's error and a correction to reflect "Washington D.C." instead of "Tallahassee" on this report.

Mr. Joe Rasco, Director, Office of Intergovernmental Affairs, presented the foregoing report regarding the stimulus package and the proposed budget priorities in Washington D.C. He proceeded to provide an overview of the Federal Economic Stimulus Package.

Chairwoman Heyman asked the Office of Intergovernmental Affairs (OIA) Director to provide the Commission members with a copy of the critical legislative priorities approved as part of the Miami-Dade County 2009 Federal Legislative Agenda (based on compromise) before the Washington D.C. Fly-in. She asked the Director to prioritize the critical appropriations priorities based on input from the County lobbyist in Washington D.C. and to submit it to members of the Commission. In addition, she also asked the Director to review projects included in the County's Federal Legislative Priorities to ensure that the projects were identified for funding in the Federal Economic Stimulus Package (FESP). In addition, she asked that these priorities be based on the FESP that Congress was accepting.

Chairwoman Heyman asked the OIA Director to provide members of the State Intergovernmental Affairs Subcommittee (SIAS) with copies of the Florida Senate Bill 630 imposing a moratorium for the collection of impact fees from developers to pay for new roads and infrastructure. In addition, she asked that the County Congressional Delegation lobby against this legislation.

Commissioner Sosa asked the Office of Intergovernmental Affairs (OIA) Director, also to ensure that each of the funding appropriations identified in the County's Federal Legislative Agenda were paired with a matching funding

source in the Federal Economic Stimulus Package (FESP). In addition, that the Director ensure the FESP was carefully analyzed; and that the Administration anticipate the future needs of the County and ensure that all funding opportunities were pursued.

Commissioner Sosa informed the Committee members that a Sunshine Meeting was scheduled to discuss the SIAS goals and objectives.

1E5

090283 Discussion Item Dennis C. Moss

SECURITY AT THE STEPHEN P. CLARKE CENTER

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

Report: Assistant County Attorney Valda Clark Christian read the foregoing report into the record.

Chairwoman Heyman stated the strategic and budgetary issues for the security at the Stephen P. Clark Center was being addressed at an executive level rather than in a public meeting or forum. She informed the Committee members that a report would be presented at the next Committee meeting along with recommendations initiated through the Miami-Dade Police Department.

The Committee received the foregoing report as presented.

2 COUNTY COMMISSION

2A

083681 Resolution**Barbara J. Jordan**

RESOLUTION URGING THE U.S. DEPARTMENT OF HOMELAND SECURITY NOT TO DEPORT LYGLENSON LEMORIN AND FURTHER URGING THE MIAMI-DADE COUNTY CONGRESSIONAL DELEGATION TO INTERVENE ON LEMORIN'S BEHALF

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

Mover: Rolle

Seconder: Barreiro

Vote: 3-2

No: Heyman, Sosa

Absent: Souto

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

It was moved by Commissioner Rolle that the Committee forward this proposed resolution as presented. Commissioner Sosa seconded this motion for discussion.

Commissioner Sosa noted she opposed this resolution and the setting of a precedent by the County urging the United States (U.S.) Department of Homeland Security not to deport Mr. Lyglenson Lemorin and urging the County's Congressional Delegation to intervene on Mr. Lemorin's behalf.

Commissioner Jordan explained the intent of this proposed resolution.

Commissioner Sosa stated she would support a resolution urging non-deportation by the U.S. Department of Homeland Security of a legal resident found not guilty of a crime.

Commissioner Jordan stated she would accept Commissioner Sosa's comments as an amendment to this resolution.

Chairwoman Heyman expressed concern with an individual acquitted of a crime having knowledge of the intent to commit a crime.

Commissioner Jordan stated she would withdraw this resolution at this time.

Commissioner Rolle suggested that this resolution be forwarded to the County Commission without recommendation.

Commissioner Diaz emphasized the need for more details to support this resolution and noted he

supported Commissioner Rolle's comments to forward it to the County Commission without recommendation. He suggested Commissioner Jordan present a different resolution that would be more inclusive without naming a specific person.

Discussion ensued among Committee members and Assistant County Attorney Christian regarding the possible deferral or withdrawal of this proposed resolution, the urging of the US Department of Homeland Security for non-deportation of U.S. citizens, and the guidelines for homeland security.

The Committee proceeded to vote on this proposed resolution as presented.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

2B

090224 Resolution

Barbara J. Jordan,

Dorin D. Rolle, Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE
TO ENACT LEGISLATION MAKING IT A CAPITAL
OFFENSE TO KILL OR INJURE SOMEONE WITH AN AK-
47 OR OTHER SEMI-AUTOMATIC ASSAULT WEAPON

Amended

Report: *See Agenda Item 2B Amended, Legislative File No. 090357 for the amended version.*

2B AMENDED

090357 Resolution

Barbara J. Jordan,

Dorrin D. Rolle, Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A CAPITAL OFFENSE TO KILL OR INJURE SOMEONE WITH AN AK-47 OR OTHER SEMI-AUTOMATIC ASSAULT WEAPON [SEE ORIGINAL ITEM UNDER FILE NO. 090224]

Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments
Mover: Sosa
Secunder: Rolle
Vote: 5-0
Absent: Souto

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record. She recommended that this proposed resolution be forwarded with Committee amendment(s) to add between the fourth and fifth whereas clause a clause to read as follows:*

"WHEREAS, on January 8, 2008, Miami Police Department Detective James Walker was shot and killed by an AK-47 when he attempted to take police action while off duty;"

Commissioners Rolle and Sosa asked to be listed as cosponsors on this proposed resolution.

Commissioner Diaz stated he supported anyone's right to bear arms. He expressed he wanted to ensure that law abiding citizens who acted in self-defense were not penalized if they stored their fire arms attached in their home and adhered to the proper requirements to have these types of weapons.

In response to Commissioner Diaz' comments, Assistant County Attorney Christian stated this proposed resolution encouraged the Florida Legislature to enact new legislation that would change the offense and/or punishment for killing or injuring someone with an AK-47 or other semi-automatic assault weapon.

Discussion ensued among Committee members and Assistant County Attorney Christian regarding the use of these types of weapons for self-defense versus causing harm to others, and punishment for offenders who pled self-defense.

Chairwoman Heyman asked Assistant County Manager Alina Hudak to ensure that a copy of the "10-20-Life" legislation in the Florida Legislature (House Bill 113) accompanied this proposed

resolution when it came before the Commission.

Hearing no objection, the Committee forwarded this proposed resolution as amended.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

2C

090214 Resolution

Barbara J. Jordan,

Sally A. Heyman, Dorrin D. Rolle, Katy Sorenson
RESOLUTION URGING THE U.S. CONGRESS TO
REINSTATE THE FEDERAL ASSAULT WEAPONS BAN;
URGING THE FLORIDA LEGISLATURE TO IMPOSE A
STATE ASSAULT WEAPONS BAN; AND
ALTERNATIVELY URGING THE FLORIDA
LEGISLATURE TO LIFT THE PREEMPTION ON LOCAL
GOVERNMENTS' REGULATING ASSAULT WEAPONS
IN FLORIDA AND ALLOW LOCAL GOVERNMENTS TO
IMPOSE AN ASSAULT WEAPONS BAN

*Forwarded to the BCC by the BCC
Chairperson with a favorable
recommendation
Mover: Heyman
Seconder: Rolle
Vote: 3-2
No: Barreiro, Diaz
Absent: Souto*

Report: *Assistant County Attorney Valda Clark Christian
read the foregoing proposed resolution into the
record.*

*Chairwoman Heyman relinquished the Chair to
Vice-Chairwoman Sosa.*

*The Committee proceeded to vote on this proposed
resolution.*

*Commissioner Jordan reminded the Committee
members that police departments, local
communities and municipalities supported this
proposed resolution urging the United States
Congress to reinstate the federal assault weapons
ban.*

*Commissioner Sosa noted she supported
forwarding this proposed resolution to the
Commission for consideration, but indicated she
would not support it in the end because criminals
would obtain and possess these types of weapons
anyway.*

*Commissioner Rolle asked to be listed as a
cosponsor on this proposed resolution.*

*Chairwoman Heyman requested staff to prepare
the appropriate memorandum to the Board of
County Commissioners (BCC) Chairman Dennis
C. Moss requesting that the Board's Rules and
Procedures be waived to hear this proposed
resolution at the February 17, 2009, Board
meeting.*

2D

090223 Resolution

Barbara J. Jordan,

Sally A. Heyman, Dorrin D. Rolle, Katy Sorenson
RESOLUTION URGING THE U.S. CONGRESS AND THE
FLORIDA LEGISLATURE TO PASS LEGISLATION
REQUIRING ALL GUN SALES REGARDLESS OF VENUE
OR TYPE TO BE REGISTERED WITH LAW
ENFORCEMENT WITHIN 14 DAYS OF PURCHASE,
REQUIRING FIREARM OWNERS TO REPORT LOST OR
STOLEN FIREARMS TO LAW ENFORCEMENT &
CREATING A FIREARMS REGISTRATION SYSTEM AND
DATABASE AVAILABLE ONLY TO LAW
ENFORCEMENT

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

Mover: Sosa

Second: Heyman

Vote: 4-1

No: Diaz

Absent: Souto

Report: *Assistant County Attorney Valda Clark Christian
read the foregoing proposed resolution into the
record.*

*The Committee proceeded to vote on this
resolution as presented.*

*Chairwoman Heyman stated law enforcement
agencies supported this resolution.*

*Commissioner Rolle asked to be listed as a
cosponsor on this proposed resolution.*

*Chairwoman Heyman requested staff to prepare
the appropriate memorandum to the Board of
County Commissioners (BCC) Chairman Dennis
C. Moss requesting that the Board's Rules and
Procedures be waived to hear this proposed
resolution at the February 17, 2009, Board
meeting.*

2E

090319 Resolution**Bruno A. Barreiro**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DEFINE IN STATUTE THE TERMS "IMPOUNDMENT" AND "IMMOBILIZATION"; SET IN STATUTE A FEE SCHEDULE FOR VEHICLE IMPOUNDMENT AND IMMOBILIZATION; AND PROVIDE IN STATUTE REQUIREMENTS AND STANDARDS FOR PRIVATE COMPANIES AND PERSONS ENGAGED IN THE BUSINESS OF PROVIDING IMMOBILIZATION SERVICES

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Barreiro
Seconder: Sosa
Vote: 5-0
Absent: Souto

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

The Committee proceeded to vote on this resolution as presented.

In response to Commissioner Barreiro's request for a waiver, Chairwoman Heyman requested staff prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting. In addition, she asked that all of the agenda items on today's (2/12) agenda urging the Florida Legislature and the Federal government be included in this request for a waiver.

2F

090245 Resolution Sally A. Heyman

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ALLOW PROCEEDS FROM THE EXISTING \$5 SURCHARGE ON CIVIL PENALTIES FOR VIOLATING ANIMAL CONTROL AND CRUELTY ORDINANCES TO BE USED FOR ANIMAL SHELTER OPERATING EXPENSES

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Sosa
Secunder: Heyman
Vote: 4-0
Absent: Souto, Barreiro

Report:

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

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

2G

090229 Resolution Rebeca Sosa

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO COVER ADDITIONAL HOSPITAL STAYS FOLLOWING LABOR AND/OR CHILDBIRTH WHEN LABOR WAS STRESSFUL ON THE MOTHER AND CHILD

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

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

2H

090131 Resolution**Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROHIBIT TALKING, TEXT MESSAGING OR OTHERWISE USING WIRELESS COMMUNICATION DEVICES, INCLUDING CELLULAR TELEPHONES AND PERSONAL DIGITAL ASSISTANTS, WHILE DRIVING UNLESS OPERATED WITH A HEADSET OR HANDS-FREE DEVICE

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

Mover: Sosa

Seconder: Heyman

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

The Committee proceeded to vote on this proposed resolution as presented.

Commissioner Sosa explained the intent of this proposed resolution.

In response to Commissioner Diaz' question regarding the Commission previously considering a prohibition of using wireless communication devices including cellular telephones and personal digital assistants, Assistant County Attorney Christian noted this subject matter was presented before the Florida Legislature, and it did not pass by that body at its initial hearing.

Commissioner Barreiro stated the County Commission adopted a resolution (R-306-98) urging the Florida Legislature to enact legislation to provide that the use of a cellular phone while operating a motor vehicle may be considered as evidence of negligence. He pointed out the County legislation was preempted by the State of Florida, and since that time the County has continuously urged the Florida Legislature to put forth or enact similar legislation.

Commissioner Souto recommended that the County begin a program with its employees to encourage them not to use wireless communication devices, including cellular telephones and personal digital assistants, while driving.

Chairwoman Heyman proceeded to provide an overview of the prior consideration by the Florida Legislature on this subject matter that included eating, grooming, and reading. She noted that last year the Commission supported legislation for not using wireless communication devices, including

cellular telephones and personal digital assistants, while driving in a school zone.

Commissioner Sosa reminded the Committee members that former Commissioner Barbara M. Carey-Shuler sponsored a resolution to ban the use of cellular telephones while driving, and then the City of Pinecrest enacted the same legislation for its city not allowing residents to drive within its city limits while using cellular telephones. Commissioner Sosa stated the State was concerned that if local municipalities enacted this type of legislation in one area and not the other, then drivers would become confused. Therefore, in order for this law to be applied uniformly throughout the State of Florida (State) this legislation should come from the State.

Hearing no further questions or comments, the Committee forwarded this proposed resolution as presented.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

21

090213 Resolution**Rebeca Sosa**

RESOLUTION COMMENDING THE FLORIDA LEGISLATURE FOR REQUIRING INSURANCE COMPANIES TO PROVIDE COVERAGE FOR AUTISM BEHAVIORAL THERAPY; URGING THE LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO EXTEND COVERAGE TO OTHER DEVELOPMENTAL DISABILITIES; FURTHER URGING THE LEGISLATURE TO PASS LEGISLATION REQUIRING A PHYSICIAN TO REFER A CHILD TO AN APPROPRIATE SPECIALIST FOR AUTISM SCREENING WHEN A PARENT OR GUARDIAN REPORTS THAT A MINOR EXHIBITS SYMPTOMS OF AUTISM

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

Mover: Sosa

Seconder: Heyman

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record. She advised the Committee members of a scrivener's error that should be corrected on handwritten page 1, in the 2nd and 4th whereas clauses to change the bill reference to read SB 2654.*

Hearing no further questions or comments, the Committee proceeded to vote on this resolution as presented.

Chairwoman Heyman requested staff to prepare the appropriate memorandum to the Board of County Commissioners (BCC) Chairman Dennis C. Moss requesting that the Board's Rules and Procedures be waived to hear this proposed resolution at the February 17, 2009, Board meeting.

3 DEPARTMENT

3A

083677 Resolution

RESOLUTION AMENDING TERMS AND CONDITIONS FOR DISBURSEMENTS FROM ANIMAL SERVICES TRUST FUND AND SUPERSEDING RESOLUTION NO. R-1385-06 (Animal Services)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Secunder: Rolle

Vote: 4-0

Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

Hearing no objection, the Committee forwarded this resolution as presented.

3B

090179 Resolution

RESOLUTION AUTHORIZING COUNTY MAYOR OR DESIGNEE TO FACILITATE CREATION OF THE MIAMI-DADE ANIMAL SERVICES FOUNDATION, INC., AMENDING PREVIOUSLY APPROVED ARTICLES OF INCORPORATION AND BY-LAWS, AND SUPERSEDING RESOLUTION NO. R-706-07 (Animal Services)

Amended

Report: *See Agenda Item 3B Amended, Legislative File No. 090424 for the amended version.*

3B AMENDED

090424 Resolution

RESOLUTION AUTHORIZING COUNTY MAYOR OR DESIGNEE TO FACILITATE CREATION OF THE MIAMI-DADE ANIMAL SERVICES FOUNDATION, INC., AMENDING PREVIOUSLY APPROVED ARTICLES OF INCORPORATION AND BY-LAWS, AND SUPERSEDING RESOLUTION NO. R-706-07 [SEE ORIGINAL ITEM UNDER FILE NO. 090179] (Animal Services)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Sosa
Seconder: Rolle
Vote: 4-0
Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Christian recommended that the foregoing proposed resolution be forwarded with Committee amendment(s) to correct the following scrivener's errors:*

- (1) to insert in Section 4.02(b) after "The Mayor of Miami-Dade County" the following language: "designee shall appoint two Directors";*
- (2) to delete Section 4.02(c) in its entirety;*
- (3) to delete "County Manager" in the second sentence in Section 4.03(a), and the sentence would read, "Directors appointed by the Commissioners of Districts with odd numbers shall serve initial terms of two years."*

Hearing no objection, the Committee forwarded this proposed resolution as amended.

3C

083680 Resolution

RESOLUTION AMENDING IMPLEMENTING ORDER 4-51, ANIMAL SERVICES DEPARTMENT FEE SCHEDULE, TO REVISE FEES FOR LICENSE TAGS [SEE AGENDA ITEM NO. 3(D)] (Animal Services)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 4-0

Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

It was moved by Commissioner Diaz that the Committee forward this proposed resolution as presented. Commissioner Sosa seconded this motion for discussion.

Commissioner Sosa questioned if this resolution was increasing any animal services fees.

Dr. Sara Pizano, Director, Miami-Dade Animal Services Department, provided an overview of the proposed changes to Implementing Order 4-51 that would revise the Animal Services Department Fee Schedule for license tag fees.

Hearing no objection, the Committee forwarded this proposed resolution as presented.

3D

083373 Ordinance

ORDINANCE PERTAINING TO ANIMALS; AMENDING SECTIONS 5-7 AND 5-11 OF THE CODE; AMENDING REQUIRED LICENSES, CATEGORIES OF LICENSE FEES, AND DURATION OF LICENSES FOR DOGS; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 3(C)] (Animal Services)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Second: Rolle

Vote: 4-0

Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed ordinance into the record.*

Chairwoman Heyman opened the public hearing. There being no one wishing to speak before the Committee, Chairwoman Heyman closed the public hearing.

The Committee proceeded to vote on this proposed ordinance as presented.

In response to Commissioner Sosa's question regarding an increase to the animal services fees, Dr. Sara Pizano, Director, Miami-Dade Animal Services Department, provided an overview of the proposed changes to Chapter 5 of the Miami-Dade County Code pertaining to animals and to the associated Implementing Order 4-51. She specifically noted the purpose for this authorization was to issue multi-year licenses for rabies vaccinations.

Commissioner Sosa questioned the status of the Animal Services Mobile Unit, and if the department was still offering that mobile service.

In response to Commissioner Sosa's question, Dr. Pizano informed the Committee members that the department has collaborated with Humane Society of Greater Miami (Humane Society) to provide the mobile unit services twice a week. She provided an overview of the animal services offered by the mobile unit.

Commissioner Sosa stated citizens residing in Commission District 6 were inquiring about the Animal Services Mobile Unit and they requested that the mobile unit provide services in District 6. She pointed out if any Committee or Commission members preferred the mobile unit services in their commission district they should work with the

department for sponsorship of the mobile unit to visit their respective commission district.

Dr. Pizano noted the cost for the mobile animal services unit was approximately \$1,000 per day that included the cost staffing of the mobile unit in order to provide these services. She welcomed the opportunity to work with any of the Commission members to sponsor and to provide the mobile unit throughout Miami-Dade as needed.

Assistant County Manager Alina Hudak clarified while the fees may not have necessarily increased the cycle of the fees were different. Therefore, some people may perceive this proposed ordinance was an increase in animal service fees.

Dr. Pizano clarified that the proposed changes would allow the 3-year tag to coincide with the option of the 3-year rabies vaccinations. She noted an annual rabies vaccination and tag registration would still be in place.

3E

090011 Resolution

RESOLUTION AMENDING RESOLUTION NO. R-939-97 TO CHANGE THE ACCOUNT TITLE AND EXISTING SIGNATURE AUTHORITIES ON THE TRUST ACCOUNT FOR BOND PAYMENTS (Corrections & Rehabilitation Department)

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

Report: Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.

The Committee proceeded to vote on this proposed resolution as presented.

Commissioner Rolle asked the Corrections and Rehabilitation Department Director to provide him with a written status report regarding the Corrections and Rehabilitation Department Food Services Bureau Memorandum of Understanding.

3F

090012 Resolution

RESOLUTION TO CHANGE THE ACCOUNT TITLE AND EXISTING SIGNATURE AUTHORITIES ON THE DADE COUNTY TRUST ACCOUNT (Corrections & Rehabilitation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3G

090014 Resolution

RESOLUTION AMENDING RESOLUTION NO. R-204-02 TO CHANGE EXISTING SIGNATURE AUTHORITIES ON THE MIAMI-DADE COUNTY CORRECTIONS WORK FURLOUGH TRUST ACCOUNT (Corrections & Rehabilitation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3H

083635 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 13810 N.E. 5 AVENUE, 13850 N.E. 5 AVENUE, AND 13890 N.E. 5 AVENUE, NORTH MIAMI, WITH NORTH MIAMI COMMUNITY REDEVELOPMENT AGENCY, A PUBLIC BODY CORPORATE AND POLITIC, FOR PREMISES TO BE UTILIZED BY THE MIAMI-DADE FIRE RESCUE DEPARTMENT TO CONSTRUCT AND OPERATE FIRE RESCUE STATION NUMBER 18 WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED \$99.00 FOR THE TERM OF THE LEASE INCLUDING OPTION RENEWAL TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Rolle

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3I

083678 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN MIAMI-DADE COUNTY AND MEMBER AGENCIES OF THE CHILD ABDUCTION RESPONSE TEAM AND THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND AUTHORIZING THE COUNTY MAYOR AND HIS DESIGNEE TO EXECUTE AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO EXERCISE THE CANCELLATIONS PROVISION CONTAINED THEREIN (Miami-Dade Police Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Rolle

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3J

090016 Resolution

RESOLUTION AUTHORIZING RETROACTIVE EXECUTION OF AN INTERLOCAL AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES BETWEEN MIAMI-DADE COUNTY AND THE CITIES OF SOUTH MIAMI AND DORAL; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Miami-Dade Police Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

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

3K

090114 Resolution

RESOLUTION APPROVING CONTRACT MODIFICATIONS FOR MEDICAL TRANSPORTATION SERVICES, CONTRACTS 68A, 68B AND 68C TO MODIFY THE LIQUIDATED DAMAGES PROVISION, EXTEND THE CONTRACT TERM, AND INCREASE THE CONTRACT ALLOCATION BY \$40,000 FOR CONTRACT 68C; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Procurement Management Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Secunder: Sosa

Vote: 4-0

Absent: Souto, Barreiro

Report: *Assistant County Attorney Valda Clark Christian read the foregoing proposed resolution into the record.*

In response to Commissioner Sosa's question regarding the sponsorship of this proposed resolution, Commissioner Gimenez explained he was present at today's (2/12) Committee meeting to answer any questions concerning this resolution. He noted he initiated this proposal due to a concern raised by the ambulance companies regarding the increase in medical transport by the Miami-Dade Fire Rescue, which affected the ambulance companies and their ability to provide medical transportation services.

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

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

7 REPORTS

090634 Report

NON-AGENDA REPORT ITEM(S) FOR THE FEBRUARY 12, 2009, HEALTH, PUBLIC SAFETY AND INTERGOVERNMENTAL COMMITTEE (HPSIC):

Presented

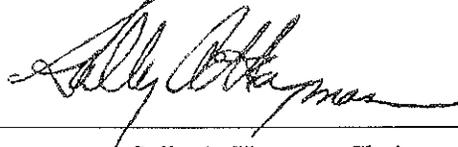
Report: *1. Commissioner Souto thanked the Miami-Dade Police and the Fire Rescue Departments for their response to an emergency that occurred in Commission District 10. Commissioner Souto asked the County Manager and the County Attorney along with the Office of Intergovernmental Affairs to inform the Florida Legislature to require property owner(s) to check on their rental property to ensure that the properties were in good condition and the homes were not a haven for illegal activities.*

2. Commissioner Diaz congratulated the Miami-Dade Fire Rescue Department (MDFR), the County Mayor, the County Manager and Assistant County Manager Alina Hudak for the department's Fire Rescue Expo held on Saturday, February 7, 2009, that was an outstanding event. He expressed his appreciation for an outstanding job done by MDFR.

Mr. Herminio Lorenzo, MDFR Chief, expressed appreciation to Commissioner Diaz for his comments and to other members of the Commission and staff who attended this event. He noted this event was well attended and received by the community.

8 ADJOURNMENT

Report: *There being no further business to come before the Committee, the meeting adjourned at 3:11 p.m.*



Sally A. Heyman, Chair