



**MIAMI-DADE COUNTY**  
**FINAL OFFICIAL MINUTES**  
**Budget, Planning and Sustainability Committee**

**Board of County Commissioners**

Stephen P. Clark Government Center  
Commission Chambers  
111 NW 1<sup>st</sup> Street  
Miami, Florida 33128

Tuesday, March 10, 2009  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Kay Madry Sullivan, Director  
Clerk of the Board Division

Scott Rappleye, Commission Reporter  
(305) 375-5108





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

## FINAL OFFICIAL

### Meeting Minutes

#### Budget, Planning and Sustainability Committee

Katy Sorenson (8) Chair; Joe A. Martinez (11) Vice Chair; Commissioners Audrey M. Edmonson (3), Carlos A. Gimenez (7), Sally A. Heyman (4), and Barbara J. Jordan (1)

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**Tuesday, March 10, 2009**

**2:00 PM**

**Commission Chambers**

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**Members Present:** Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Joe A. Martinez, Katy Sorenson.

**Members Absent:** None.

**Members Late:** None.

**Members Excused:** None.

**Members Absent County Business:** None.

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#### **1 MINUTES PREPARED BY**

**Report:** *Scott Rappleye, Commission Reporter, (305) 375-5108*

#### **1A MOMENT OF SILENCE**

**Report:** *Chairwoman Sorenson called the meeting to order at 2:00 p.m. The Committee convened in a moment of silence followed by the Pledge of Allegiance.*

#### **1B PLEDGE OF ALLEGIANCE**

**1C**      **ROLL CALL**

**Report:** *The following staff members were present: Assistant County Managers Alina Hudak, Susanne Torriente, and Alex Munoz, Special Assistant to the County Manager Jennifer Glazer-Moon; Assistant County Attorneys Gerald Heffernan, Gerald Sanchez, Craig Coller, and Hugo Benitez; and Deputy Clerks Mary Smith-York and Scott Rappleye.*

**CHANGES TO TODAY'S COMMITTEE AGENDA**

*Assistant County Attorney Heffernan indicated that in addition to the March 10, 2009, County Manager's memorandum entitled, "Requested Changes to the Budget, Planning and Sustainability Committee Agenda," the following additional changes had been requested: that Agenda Items 3A through 3F be amended to add language to the title that indicated whether General Obligation Bond funds would be used; that Agenda Item 3H be amended to add language to the title to indicate that this project would be funded by Building Better Communities funds; that Agenda Item 3J be amended to change the dollar figures on handwritten page 2 for "Delinquent tangible personal property taxes" to \$15,362.00 and to change "Delinquent real property taxes" to \$240,766.00.*

*Assistant County Attorney Sanchez noted Agenda Item 1G4 Substitute should be amended to change the third WHEREAS clause to read as follows: "WHEREAS, the District invoked modified Phase II drought restrictions which limited landscape irrigation to two days per week in Miami-Dade County"; and to insert "shall be allowed" following "lawns and landscaping" in number (7) on handwritten page 11.*

*Assistant County Manager Hudak requested Agenda Item 3L Substitute be amended to exclude Item 1.1: Automotive and Truck Replacement Parts and Specialized Repair Services.*

*It was moved by Commissioner Heyman that the changes listed in the County Manager's memorandum and the additional changes noted by the Assistant County Attorney be accepted. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 5-0 (Commissioner Edmonson was absent).*



1F1 AMENDED

**090839 Report**

COMMISSION AUDITOR'S FY 2008-09 WORK PLAN AND ANNUAL REPORT [SEE ORIGINAL FILE UNDER NUMER 083441] (Commission Auditor)

*Report received as amended*

*Mover: Heyman*

*Seconder: Edmonson*

*Vote: 6-0*

**Report:** *Chairwoman Sorenson noted she had provided each Committee member with a list to rank the projects in the Commission Auditor's Work Plan. She requested the Committee members rank the projects based on priority.*

*Chairwoman Sorenson noted the Committee ranked the following priorities as the highest priorities for the Commission Auditor:*

- Feasibility Study of consolidating certain functions in the Police and the Corrections and Rehabilitation departments;*
- Assessment of Employee Relations Department technology requirements;*
- Review of procurement processes, including change orders, sole source contracts, debarment and suspension procedures, selection committees;*
- Review of the Expedited Purchasing Program Pilot Project;*
- Review vendor payment processes, including prompt payment compliance with Community Small Business Enterprise (CSBE) program requirements;*
- Review of People's Transportation Plan Surtax revenue;*
- Review Community Action Agency operations;*
- Review of the County Manger's exercise of authority delegated pursuant to Section 2-8.1 of the Code of Miami-Dade County;*
- General Services Administration pricing best practices review; and*
- Audit of implementation of light vehicle reductions and internal controls.*

*In response to Chairwoman Sorenson's inquiry regarding projects from the Fiscal Year (FY) 2007-08 work plan being completed, Mr. Charles Anderson, Commission Auditor, noted several of these projects would be completed by the end of March 2009.*

*Chairwoman Sorenson noted this report would be amended to reflect these priorities.*

*Mr. Anderson noted the Peer Review, Item 20 on handwritten page 6, needed to be completed for*

*the Office of the Commission Auditor to comply with government auditing standards. He pointed out that the peer review would be conducted May 6, 2009.*

*Hearing no other questions or comments, the Committee voted to receive this report as amended to reflect the priorities established by the Committee.*

**1G      PUBLIC HEARING(S)**

1G1

**083267    Ordinance**

ORDINANCE REVISING CHAPTER 18A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), MIAMI-DADE COUNTY LANDSCAPE ORDINANCE, AMENDING SECTIONS 18A-2 THROUGH 18A-4 AND SECTIONS 18A-6 THROUGH 18A-7, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Deferred to April 14, 2009  
Mover: Heyman  
Seconder: Martinez  
Vote: 5-0  
Absent: Edmonson*

1G2

**083268    Ordinance**

ORDINANCE CREATING CHAPTER 18B OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), MIAMI-DADE COUNTY RIGHT-OF-WAY LANDSCAPE ORDINANCE, CREATING SECTIONS 18B-1 THROUGH 18B-4, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Deferred to April 14, 2009  
Mover: Heyman  
Seconder: Martinez  
Vote: 5-0  
Absent: Edmonson*

1G3

**083276 Ordinance Bruno A. Barreiro**

ORDINANCE PERTAINING TO ZONING REGULATION OF SIGNS; DELETING SUNSET PROVISION FOR THE ESTABLISHMENT OF MURALS; REPEALING SECTION 9 OF ORDINANCE 07-61 OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Edmonson*

*Vote: 6-0*

**Report:** *Assistant County Attorney Gerald Heffernan read the foregoing proposed resolution into the record.*

*The public hearing was opened, and the following individuals appeared before the Committee:*

*Mr. Dusty Melton, 3430 Poinciana Avenue, Coconut Grove, requested the County to ensure that all illegal murals be removed.*

*Mr. Alfredo Gonzalez, 1221 Brickell Avenue, attorney representing Fuel Miami, LLC, requested the Committee approve this proposed resolution.*

*The public hearing was closed after no other persons appeared in response to Chairwoman Sorenson's call for people wishing to be heard.*

*Pursuant to Mr. Gonzalez explaining the City of Miami would revoke all licenses and permits from mural companies that violated the mural ordinances, Commissioner Gimenez asked Assistant County Attorney Craig Collier to prepare legislation under his sponsorship that would require the County to revoke the licenses and permits for any identified violators of the mural ordinance.*

*In response to Commissioner Gimenez's inquiry regarding the mural violations on the City Inn building at 660 NW 81 Street, Assistant County Manager Alex Munoz noted the County had filed a civil injunction against the owners of that building.*

*Commissioner Gimenez asked Assistant County Manager Alex Munoz to provide him with an update regarding the civil injunction that was filed for the signs on the City Inn building at 660 NW 81st Street that violated the County's mural ordinance, including the name of the company responsible for these signs and whether this company had mural permits with the City of Miami, as well as the name of the entity that provided the signs to this company and whether*

*this entity had mural permits with the City of Miami.*

*Mr. Sam Walthour, Director, Office of Neighborhood Compliance, noted the County had forwarded a list of the properties in unincorporated areas of the County that were violating the mural ordinance.*

*Commissioner Gimenez asked Assistant County Manager Munoz to provide him with a report regarding the action taken by the City of Miami in response to the list of companies violating the mural ordinance in Unincorporated Metropolitan Service Areas (UMSA) that the County provided the City.*

*Responding to Commissioner Gimenez's inquiry regarding the City of Miami Mural Ordinance, Mr. Peter Bockweg, Assistant to Senior Director of Building, Planning, and Zoning, City of Miami, noted Section 62-612 of the City of Miami Code required murals to comply with both City and County regulations. He clarified the list of mural ordinance violators that the County provided the City was a list of violators within the City of Miami.*

*Commissioner Edmonson suggested entities continued to violate the mural ordinance because the County imposed a fine that was less than the revenues generated for the entity by leasing the space for a sign. She noted the County should revise the amount of the fine to improve compliance to the mural ordinance.*

*Mr. Walthour clarified the County had filed the civil injunction against the City Inn property owner because the fines were not resulting in compliance to the mural ordinance.*

*Assistant County Attorney Collier advised the County had filed the civil injunction and it had been served; the County was awaiting an answer from the Court. He pointed out the City Inn murals violated Florida Department of Transportation (FDOT) guidelines and FDOT had obtained an administrative order against the property owners to remove the signs.*

*Commissioner Edmonson asked Assistant County Attorney Collier to arrange for the County attorney working on the civil injunction regarding violations of the mural ordinance to meet with her to answer her question on which entity the County*

was prosecuting: the owner of the structure or the company advertising on the structure.

Chairwoman Sorenson noted the County should recover a share of the profits the property owner generated through these illegal murals.

Discussion ensued between Commissioner Martinez and Mr. Walthour regarding the impact on the process for citing mural violators when property owners complied with a citation by removing the specific mural cited, however, they continued to violate the mural ordinance by posting a different mural.

Assistant County Manager Munoz noted the County could prosecute the property owner for repeatedly violating the ordinance if the property owner continued to post different murals in place of the mural that was in place when the citation was issued.

Commissioner Heyman noted the County should send the City of Miami a list of all mural ordinance violators countywide, not just within the city limits. She questioned whether the Code of Miami-Dade County had a provision that allowed the County to take down illegal murals.

Assistant County Attorney Collier advised the Code had a provision that the County Attorney could use whatever procedures necessary to enforce the provisions in the Code.

Commissioner Heyman asked Assistant County Manager Alina Hudak to exercise the power and authority vested in the County pursuant to the Code and the Florida Statutes to ensure that all illegal signs and murals were removed.

(OP) Following discussion between Commissioner Heyman and Assistant County Attorney Collier regarding the Code allowing the County to rescind permits or to refuse to issue permits for companies that were violating the mural ordinance, Commissioner Heyman asked Assistant County Attorney Collier to determine whether the Code contained any provision(s) that would allow the County to prevent sign companies in violation of the County's mural ordinance from placing signs in other cities and municipalities and to provide her with a report of his findings and recommendations. She also asked Assistant County Attorney Collier and Assistant County Manager Alina Hudak to work together to enforce

*the mural ordinance by establishing precisely what constitutes a violation of the mural ordinance; and to ensure that permits were properly issued and enforced when violations were cited.*

*Commissioner Heyman asked Assistant County Attorney Collier to provide her with a report regarding the problems preventing the County from enforcing the existing law(s) regarding signs and murals, which could include the following:*

*--whether the proliferation of signs and murals was due to the County not having enough authority to enforce the existing law(s);  
--whether the County could issue a cease and desist order for signage at a specific location as opposed to a specific sign;  
--whether the County did not have the proper resources to enforce the existing law(s); and  
--whether the County was imposing severe enough fines for violating the mural ordinance.*

*Chairwoman Sorenson suggested that the County create stricter rules regarding murals and that the County derive a financial benefit commensurate to the benefit derived by those entities leasing the space for the murals.*

*Responding to Commissioner Gimenez's inquiry regarding the revenues generated for the City of Miami from permitted murals, Mr. Bockweg noted the City of Miami received \$1 per square foot per month, which was approximately \$4,000 to \$5,000 per sign per month.*

*Commissioner Gimenez questioned how the City of Miami used the revenues generated by the murals.*

*Mr. Bockweg explained the City of Miami used the revenues to regulate the murals and to ensure murals did not proliferate to cause visual blight. He pointed out none of the mural companies that were part of the City's mural program had mural violations within the City.*

*Commissioner Gimenez asked Assistant County Attorney Collier to provide him with an analysis of the fines imposed for violations within the County versus the amount of revenues companies generated by renting space for signs and murals.*

*Commissioner Martinez suggested the County attempt to better enforce the Mural Ordinance by penalizing violators with jail time as opposed to*

*finer, pursuant to Section 21-81.(c) of the Code.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

1G4

**083460 Ordinance** **Natacha Seijas**

ORDINANCE AMENDING SECTION 32-8.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PERMANENT LANDSCAPE IRRIGATION RESTRICTIONS; PROVIDING MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CODE ENFORCEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

**Withdrawn**

**Report:** *See Report Under Agenda Item 1G4 SUBSTITUTE, Legislative File No. 090633.*

1G4 Sub.

**090633 Ordinance** **Natacha Seijas**

ORDINANCE AMENDING SECTION 32-8.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PERMANENT LANDSCAPE IRRIGATION RESTRICTIONS; PROVIDING MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CODE ENFORCEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 083460]

**Withdrawn**

**Report:** *See Report Under Agenda Item 1G4 Sub. Amended, Legislative File No. 090728.*

1G4 Sub. Amended

090728 Ordinance

Natacha Seijas

ORDINANCE AMENDING SECTION 32-8.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO PERMANENT LANDSCAPE IRRIGATION RESTRICTIONS; PROVIDING MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO CODE ENFORCEMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 090633]

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Heyman*

*Secunder: Gimenez*

*Vote: 6-0*

**Report:** *During the changes to today's Committee Agenda, the foregoing proposed ordinance was amended to change the third WHEREAS clause to read as follows: "WHEREAS, the District invoked modified Phase II drought restrictions which limited landscape irrigation to two days per week in Miami-Dade County"; and to insert "shall be allowed" following "lawns and landscaping"; in number (7) on handwritten page 11.*

*Assistant County Attorney Gerald Heffernan read this proposed ordinance into the record.*

*The public hearing was opened and the following persons appeared before the Committee:*

*Mr. Sanford Stein, 6065 SW 133 Street, Immediate Past President, Miami-Dade Chapter of the Florida Nursery Growers and Landscape Association (FNGLA), noted FNGLA advocated saving water by efficient water irrigation delivery technology, alternative water supplies, and nine key principles of Florida friendly landscaping. He explained that true water conservation was contingent on using water conservation strategies based on sound science and including clear educational components in local ordinances. Mr. Stein pointed out that FNGLA was unaware of any scientific evidence that supported the two day per week water limitation, and that the University of Florida had demonstrated that in order to replace the normal water loss in South Florida, irrigation must be permitted at least three days per week during spring and summer. He expressed concern that the County would permanently impose a restriction prohibiting water usage for irrigation and landscaping purposes on only two days per week before the South Florida Water Management District made that permanent change.*

*Mr. Jorge Abreu, 12761 SW 248 Terrace, President, FNGLA, noted landscaping and related industries lost between 15 to 25-percent of their sales during the local water restrictions. He suggested the County replace the two days per week water restriction (8 hours per day) with a three days per week water restriction that maintained the same 16 total hours for irrigating.*

*The public hearing was closed after no other persons appeared in response to Chairwoman Sorenson's call for people wishing to be heard.*

*Commissioner Seijas noted FNGLA had met with her and they respectfully presented their views on water conservation. She explained the permanent water restrictions would eliminate public awareness campaigns when new restrictions were imposed and would allow residents to follow the same pattern for irrigating their yards. She noted she was preparing legislation for an effective educational outreach on the permanent restrictions.*

*Responding to Commissioner Heyman's question regarding recommendations from FNGLA regarding water restrictions for the nursery industry, Mr. Stein explained the scope of this proposed ordinance was residential water restrictions. He clarified FNGLA was concerned regarding the level of public outreach on alternative forms of irrigation that would provide incentives for residents who owned plants.*

*Commissioner Heyman expressed concern that this proposed ordinance could force the County to revisit the existing landscaping policies. She questioned whether this proposed ordinance contained a provision that would limit the restrictions on irrigation with recycled water*

*Commissioner Seijas noted this proposed ordinance did not restrict the use of recycled water*

*Commissioner Martinez clarified that this proposed ordinance restricted using irrigation systems to water landscaping, and that residents were not restricted from using water hoses to water landscaping.*

*In response to Commissioner Martinez's request for clarification of the criminal sanctions in this proposed ordinance, Assistant County Attorney Gerald Sanchez advised the Code of Miami-Dade County contained a provision that any violation of*

an ordinance was subject to a criminal penalty.

Chairwoman Sorenson pointed out the water restrictions in this proposed ordinance had been in place for the last two years. She noted she supported the FNGLA recommendation that more educational outreach be provided regarding the importance of imposing water restrictions.

Hearing no other questions or comments, the Committee proceeded to vote on this proposed ordinance as amended to change the third WHEREAS clause to read as follows: "WHEREAS, the District invoked modified Phase II drought restrictions which limited landscape irrigation to two days per week in Miami-Dade County"; and to insert "shall be allowed" following "lawns and landscaping" in number (7) on handwritten page 11.

Commissioner Seijas noted, for the record, that she would prepare a resolution calling for educational outreach on the water restrictions. She said she would also advocate for additional incentives for alternative forms of irrigation.

1G4 Sub. Supplement

090677 Supplement

FISCAL IMPACT TO ORDINANCE AMENDING SECTION 32-8.2 OF THE CODE RELATING TO THE PERMANENT LANDSCAPE IRRIGATION RESTRICTIONS

Report Received

1G5

090316 Ordinance

Rebeca Sosa

ORDINANCE PROVIDING RELIEF FROM COUNTY CIVIL PENALTIES RELATING TO CONTINUING VIOLATIONS TO ADDRESS ECONOMIC CRISIS; ESTABLISHING GRACE PERIOD FOR THE IMPOSITION OF CIVIL PENALTIES RELATED TO CONTINUING VIOLATIONS; AMENDING SECTION 8CC-4 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain  
Mover: Heyman  
Seconder: Martinez  
Vote: 5-0  
Absent: Edmonson

2 COUNTY COMMISSION

2A

**090547 Resolution Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 14, 2009 "SUMMER GAMES COMPETITION" SPONSORED BY THE SPECIAL OLYMPICS FLORIDA, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,085.00 TO BE FUNDED FROM THE DISTRICT 12 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2B

**090565 Resolution Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE MARCH 9-15, 2009 "WORLD GOLF CHAMPIONSHIP" SPONSORED BY THE SOUTH FLORIDA GOLF FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$27,071.00 TO BE FUNDED FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2B Supplement

**090665 Supplement**

FISCAL IMPACT TO IN-KIND REGARDING "WORLD GOLF CHAMPIONSHIPS"

*Presented*

2C

**090555 Resolution Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JANUARY 31, 2009 "2ND ANNUAL STOP THE VIOLENCE RALLY AND COMMUNITY RESOURCE FAIR" SPONSORED BY THE BROWNSVILLE COMMUNITY DEVELOPMENT CORPORATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$790.00 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2D

**090564 Resolution Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE GENERAL SERVICES DEPARTMENT FOR THE MARCH 19-22, 2009 "2009 NCAA DIVISION 1 MEN'S BASKETBALL TOURNAMENT" SPONSORED BY THE MIAMI-DADE SPORTS COMMISSION INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,000.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2D Supplement

**090664 Supplement**

FISCAL IMPACT TO IN-KIND REGARDING "2009 NCAA DIVISION 1 MEN'S BASKETBALL TOURNAMENT"

*Presented*

2E

**090567 Resolution Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT FOR THE FEBRUARY 11, 2009 "BOB BEAMON SCHOLARSHIP FAIR" SPONSORED BY THE BOB BEAMON ORGANIZATION FOR YOUTH, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$775.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2E Supplement

**090666 Supplement**

FISCAL IMPACT TO IN-KIND REGARDING "BOB BEAMON SCHOLARSHIP FAIR"

*Presented*

2F

**090533 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 20-22, 2009 "FESTIVAL FOR THE POOR" SPONSORED BY ST. LOUIS CATHOLIC CHURCH IN AN AMOUNT NOT TO EXCEED \$4,415.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2G

**090543 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE AUGUST 15, 2008 "BACK TO SCHOOL HEALTH FAIR AND BOOK BAG GIVE AWAY" SPONSORED BY THE WOUNDED HEALERS, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,086.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2H

**090549 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE MIAMI DADE FIRE RESCUE DEPARTMENT, THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE ELECTIONS DEPARTMENT FOR THE MARCH 8, 2009 "MIAMI KIDNEY WALK 2009" SPONSORED BY THE NATIONAL KIDNEY FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$15,476.00 TO BE FUNDED IN PART FROM THE DISTRICT 7 IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2I

**090552 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 7, 2009 "PUBLIC SAFETY DAY" EVENT SPONSORED BY THE VILLAGE OF KEY BISCAIYNE IN AN AMOUNT NOT TO EXCEED \$2,166.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2J

**090537 Resolution Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 27, 2009 "CARNAVAL MIAMI 8K RUN" SPONSORED BY THE KIWANIS CLUB OF LITTLE HAVANA, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,225.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2K

**090539 Resolution Sen. Javier D. Souto**

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 1-3, 2009 "4-H HORSE SHOW" SPONSORED BY THE DADE COUNTY 4-H YOUTH FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,085.00 TO BE FUNDED FROM THE DISTRICT 10 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2L

**090551 Resolution Sally A. Heyman**

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 1, 2009 "2ND ANNUAL COMMUNITY FESTIVAL" SPONSORED BY THE CITY OF NORTH MIAMI BEACH IN AN AMOUNT NOT TO EXCEED \$2,566.00 TO BE FUNDED FROM THE DISTRICT 4 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2M

**090546 Resolution Joe A. Martinez**

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 3, 2009 "WALK THE TALK" EVENT SPONSORED BY THE EPILEPSY FOUNDATION OF FLORIDA, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,230.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2N

**090528 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE POLICE DEPARTMENT FOR THE MARCH 15, 2009 "SPRING FESTIVAL" SPONSORED BY ARYA SAMAJ OF MIAMI, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,746.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2O

**090534 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 27-28, 2009 "50TH ANNIVERSARY CELEBRATION" SPONSORED BY AIR BASE ELEMENTARY SCHOOL IN AN AMOUNT NOT TO EXCEED \$960.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2P

**090535 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE DECEMBER 13, 2008 "COMMUNITY FISH FRY AND CONCERT" SPONSORED BY THE COVENANT BAPTIST CHURCH, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,155.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2Q

**090536 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 7, 2009 "COMMUNITY FELLOWSHIP DAY" SPONSORED BY THE COMMUNITY CHURCH OF CHRIST WRITTEN IN HEAVEN OF PERRINE, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$790.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2R

**090538 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE NOVEMBER 16, 2008 "CHICKS N WINGS CAR SHOW" SPONSORED BY IMAGES AND BEYOND, INC., A FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,155.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2S

**090540 Resolution Dennis C. Moss**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE NOVEMBER 26, 2008 "1ST ANNUAL GATOR BOWL GAME" EVENT SPONSORED BY HOMESTEAD MIDDLE SCHOOL IN AN AMOUNT NOT TO EXCEED \$3,195.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUNDS

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2T

**090553 Resolution Dorrin D. Rolle**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND MIAMI-DADE POLICE DEPARTMENT FOR THE JANUARY 24, 2009 "WILLIS MCGAHEE FLAG FOOTBALL TOURNAMENT AND MUSICAL FESTIVAL" SPONSORED BY GWEN CHERRY PARK FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$27,702.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2U

**090545 Resolution Rebeca Sosa**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 20, 2009 "FLAGAMI FIESTA" SPONSORED BY THE UNITY INTERNATIONAL FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,155.00 TO BE FUNDED FROM THE DISTRICT 6 IN-KIND RESERVE FUND

*Forwarded to BCC with a favorable recommendation*

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

2V

**090531 Resolution Sen. Javier D. Souto**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 28, 2009 "6TH ANNUAL FAMILY FESTIVAL OF ARTS AND GAMES" SPONSORED BY CREATIVE CHILDREN THERAPY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,390.00 TO BE FUNDED FROM THE DISTRICT 10 IN-KIND RESERVE FUND

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

2W

**090526 Resolution Rebeca Sosa,  
Katy Sorenson, Barbara J. Jordan**

RESOLUTION DECLARING THE WEEK OF APRIL 16 TO APRIL 22 TO BE EARTH WEEK IN MIAMI-DADE COUNTY

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

**Report:** *Assistant County Attorney Gerald Heffernan read the foregoing proposed resolution into the record.*

*Chairwoman Sorenson asked that she be listed as a co-sponsor.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

2X

090444 Resolution

Jose "Pepe" Diaz,

Carlos A. Gimenez, Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS SJR 1302, HJR 833 OR SIMILAR LEGISLATION THAT WOULD PROPOSE A CONSTITUTIONAL AMENDMENT TO ALLOW A PROPERTY TAX CREDIT ON HOMESTEAD PROPERTY FOR MILITARY PERSONNEL DEPLOYED ON ACTIVE DUTY OUTSIDE THE U.S.

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

*Mover: Heyman*

*Seconder: Gimenez*

*Vote: 6-0*

**Report:** *Commissioner Gimenez asked that he be listed as a co-sponsor.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*SPECIAL NOTE: Chairwomen Sorenson submitted a memorandum requesting that the Board of County Commissioners (BCC) Chairman Dennis C. Moss waive the Board's Rules and Procedures to allow the foregoing proposed resolution to be heard at the March 17, 2009 BCC meeting.*

2Y

090479 Resolution

Audrey M. Edmonson

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE TO CONDUCT FEASIBILITY STUDY ON CREATION OF A FINANCIAL HELP CENTER TO SUNSET IN ONE (1) YEAR

*Deferred to April 14, 2009*

*Mover: Edmonson*

*Seconder: Heyman*

*Vote: 6-0*

2Z

090519 Resolution

Joe A. Martinez,

Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Barbara J. Jordan, Katy Sorenson, Dorrin D.

Rolle

RESOLUTION SUPPORTING THE MIAMI-DADE COUNTY PUBLIC SCHOOLS' STATE LEGISLATIVE PACKAGE; URGING THE FLORIDA LEGISLATURE TO HOLD SCHOOL DISTRICTS HARMLESS FROM THE EFFECTS OF PROPERTY TAX RELIEF AND STATE BUDGET SHORTFALLS BY PROVIDING PER STUDENT FUNDING AT A LEVEL NO LOWER THAN THE FISCAL YEAR 2008-09 LEVEL; FURTHER URGING THE LEGISLATURE TO RESTORE THE LOCAL DISCRETIONARY CAPITAL OUTLAY LEVY TO 2-MILLS AND NOT PASS LEGISLATION THAT REDUCES THE NUMBER OF IN-SERVICE HOURS REQUIRED OF TEACHERS PROVIDING INSTRUCTION TO ENGLISH AS A SECOND LANGUAGE LEARNERS

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

**Report:** *Chairwoman Sorenson and Commissioners Gimenez, Edmonson, Heyman, and Jordan asked that they be listed as co-sponsors.*

*Hearing no other questions or comments the Committee proceeded to vote.*

*SPECIAL NOTE: Chairwomen Sorenson submitted a memorandum requesting that the Board of County Commissioners (BCC) Chairman Dennis C. Moss waive the Board's Rules and Procedures to allow the foregoing proposed resolution to be heard at the March 17, 2009 BCC meeting.*

2AA

**090514 Resolution Dennis C. Moss,**

**Dorrin D. Rolle, Natacha Seijas, Audrey M. Edmonson**  
RESOLUTION URGING PRESIDENT OBAMA'S  
ADMINISTRATION TO QUICKLY IMPLEMENT  
PROVISIONS IN THE AMERICAN REINVESTMENT AND  
RECOVERY ACT THAT WOULD IMPROVE ACCESS TO  
CAPITAL FOR SMALL BUSINESSES; HELP SMALL  
BUSINESSES THAT ARE STRUGGLING WITH  
EXISTING DEBT, AND SPUR INVESTMENT IN SMALL,  
HIGH-GROWTH FIRMS

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

*Mover: Edmonson*

*Seconder: Martinez*

*Vote: 6-0*

**Report:** *SPECIAL NOTE: Chairwomen Sorenson  
submitted a memorandum requesting that the  
Board of County Commissioners (BCC) Chairman  
Dennis C. Moss waive the Board's Rules and  
Procedures to allow the foregoing proposed  
resolution to be heard at the March 17, 2009 BCC  
meeting.*

2BB

**090559 Resolution Sen. Javier D. Souto**

RESOLUTION DIRECTING COUNTY MAYOR OR  
COUNTY MAYOR'S DESIGNEE TO EQUITABLY  
ALLOCATE ALL INTEREST INCOME EARNED ON SAFE  
NEIGHBORHOOD PARKS BOND PROCEEDS TO FUND  
QUALIFIED MIAMI-DADE PARK AND RECREATION  
DEPARTMENT CAPITAL PROJECTS AND TO  
ACQUISITION OF LAND

*Withdrawn*

**Report:** *See Report Under Agenda Item 2BB Substitute,  
Legislative File No. 090680.*

2BB Sub.

090680 Resolution

Sen. Javier D. Souto

RESOLUTION DIRECTING SAFE NEIGHBORHOOD PARKS CITIZENS' OVERSIGHT COMMITTEE TO ALLOCATE SAFE NEIGHBORHOOD PARKS BOND SURPLUS FUNDS EQUALLY AMONG THIRTEEN COMMISSION DISTRICTS TO FUND QUALIFIED PROJECTS WITHIN EACH DISTRICT [SEE ORIGINAL ITEM UNDER FILE NO. 090559]

*Forwarded to BCC with a favorable recommendation*

*Mover: Martinez*

*Seconder: Gimenez*

*Vote: 5-1*

*No: Sorenson*

**Report:** *Assistant County Attorney Gerald Heffernan read the foregoing proposed resolution into the record.*

*Commissioner Heyman questioned whether Safe Neighborhood Parks already existed. She expressed concern that the County parks in some Commission districts would not need these funds.*

*Mr. Jose Galan, Chief of Program Legislation, Office of Capital Improvements, noted municipal parks would also be eligible to use these funds.*

*Discussion ensued among Commissioner Heyman, Mr. Jorge Mora, Chief Parks and Recreation Capital Programs, Parks and Recreation Department, and Mr. Galan regarding the intent of this proposed resolution.*

*Commissioner Martinez expressed concern that some Commission districts would be at a disadvantage because they did not have municipalities.*

*Following discussion between Chairwoman Sorenson and Mr. Galan regarding how the Safe Neighborhood Parks Citizens' Oversight Committee would continue to function, Chairwoman Sorenson noted she did not support equal distribution of the Safe Neighborhood Parks funds.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

2CC

090222 Resolution **Dorrin D. Rolle**

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE TO CONDUCT A COMPREHENSIVE REVIEW OF THE MIAMI-DADE COUNTY SIGN CODE AND TO SUBMIT FOR THE BOARD'S CONSIDERATION A RECOMMENDED REVISION TOGETHER WITH A DETAILED EXPLANATION THEREFOR

*Deferred to no date certain**Mover: Edmonson**Seconder: Gimenez**Vote: 6-0*

2DD

090487 Resolution **Dorrin D. Rolle**

RESOLUTION ADDING THE REGIONAL HEAD START CENTER, NORTHSIDE POLICE STATION, ARCOLA LIBRARY AND ARCOLA LAKES SENIOR CENTER LOCATED IN DISTRICT 2 TO THE LIST OF ECONOMIC STIMULUS PROJECTS PURSUANT TO THE COUNTY'S ECONOMIC STIMULUS PLAN

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

**Report:** *Commissioner Rolle explained the intent of the foregoing proposed resolution was to add three projects to the County's Economic Stimulus Plan (ESP). He noted the necessary funding was already in place for these projects.*

*Commissioner Gimenez expressed concern regarding these projects being included on the list of projects eligible for funds received through the Federal Economic Stimulus Plan. He noted the Commission should establish a process before projects were added.*

*Assistant County Manager Susanne Torriente clarified this proposed resolution anticipated adding these projects to the ESP established by the County on July 17, 2008.*

*Responding to Commissioner Martinez's inquiry regarding the Commission adding projects to the ESP, Assistant County Manager Torriente explained Ordinance 08-92 contained a provision that allowed projects to be added through a resolution by the Commission.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

*Discussion ensued between Chairwoman Sorenson and Assistant County Manger Torriente regarding the weekly reports the County Administration was providing on the Federal Economic Stimulus Plan.*

2EE

090325 Resolution Rebeca Sosa

RESOLUTION REQUESTING THE COUNTY MAYOR OR  
DESIGNEE TO ORGANIZE A CHARRETTE AND  
FACILITATE THE PREPARATION OF A CHARRETTE  
REPORT FOR THE CORAL VILLA ESTATES AREA

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

**3 DEPARTMENTS**

3A

090457 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION  
TO PURCHASE" APPROXIMATELY 10 ACRES OF  
SOUTH DADE WETLANDS PROJECT WITHIN THE  
ENVIRONMENTALLY ENDANGERED LANDS  
PROGRAM ACQUISITION SITE WITH THE NATURE  
CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY  
AS ASSIGNEE, AND JAIME SAAD AS SELLER FOR A  
PURCHASE PRICE OF \$105,000; AND AUTHORIZING  
THE COUNTY MAYOR OR COUNTY MAYOR'S  
DESIGNEE TO EXERCISE PROVISIONS CONTAINED  
THEREIN (Department of Environmental Resources  
Management)

*Withdrawn*

**Report:** *See Agenda Item 3A Amended, Legislative File No.  
090695 for the amended version.*

## 3A AMENDED

**090695 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND JAIME SAAD AS SELLER FOR A PURCHASE PRICE OF \$105,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 090457] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Secunder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

## 3B

**090500 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND NERISA GAY PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Agenda Item 3B Amended, Legislative File No. 090696 for the amended version.*

## 3B AMENDED

**090696 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND NERISA GAY PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 090500] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Secunder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

## 3C

**090503 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 1.90 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND JAMES PILAFIAN AND SHOCKY PILAFIAN, AS SELLERS FOR A PURCHASE PRICE OF \$422,438; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Agenda Item 3C Amended, Legislative File No. 090698 for the amended version.*

## 3C AMENDED

**090698 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 1.90 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND JAMES PILAFIAN AND SHOCKY PILAFIAN, AS SELLERS FOR A PURCHASE PRICE OF \$422,438; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NUMBER 090503] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

## 3D

**090506 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND SAM PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Agenda Item 3D Amended, Legislative File No. 090694 for the amended version.*

3D AMENDED

**090694 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND SAM PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 090506] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

3E

**090507 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND MARNI PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Agenda Item 3E Amended, Legislative File No. 090693 for the amended version.*

3E AMENDED

**090693 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.49 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND MARNI PILAFIAN, AS SELLER FOR A PURCHASE PRICE OF \$100,548; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NUMBER 090507] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Secunder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

3F

**090512 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.95 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND SHOCKY PILAFIAN AS SELLER FOR A PURCHASE PRICE OF \$242,550; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Agenda Item 3F Amended, Legislative File No. 090697 for the amended version.*

3F AMENDED

**090697 Resolution**

RESOLUTION APPROVING "CONTRACT FOR SALE AND PURCHASE" OF APPROXIMATELY 0.95 ACRES IN THE SEMINOLE WAYSIDE PARK ADDITION PINELAND PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH MIAMI-DADE COUNTY AS PURCHASER AND SHOCKY PILAFIAN AS SELLER FOR A PURCHASE PRICE OF \$242,550; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO 090512] (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to add language to the title that indicated whether General Obligation Bond funds would be used. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

3G

**090451 Resolution**

RESOLUTION AUTHORIZING THE RELOCATION OF AN EXISTING ACCESS ROAD EASEMENT THROUGH A COUNTY DEED AND THE DEDICATION OF A NEW ACCESS ROAD EASEMENT IN SECTIONS 34 AND 35, TOWNSHIP 51 SOUTH, RANGE 41 EAST, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation*

*Mover: Heyman*

*Seconder: Edmonson*

*Vote: 6-0*

3H

**090557 Resolution**

RESOLUTION WAIVING BID PROTEST PROCEDURES PURSUANT TO SECTION 2-8.4 OF THE COUNTY CODE; REJECTING THE SINGLE BID RECEIVED IN RESPONSE TO THE BID SOLICITATION FOR BEACH RENOURISHMENT PROJECT – PROJECT NO: BEAR2-GOB-08 ESP; CONTRACT NO: BEAR2; WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 2-8.1 (B) OF THE COUNTY CODE, SECTION 5.03(D) OF THE HOME RULE CHARTER; AND FLORIDA STATUTES 255.20; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ADVERTISE, AWARD, AND EXECUTE A CONTRACT IN AN AMOUNT NOT TO EXCEED \$4 MILLION; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Department of Environmental Resources Management)

*Withdrawn*

**Report:** *See Report Under Agenda Item 3H AMENDED, Legislative File No. 091121.*

3H AMENDED

**091121 Resolution**

RESOLUTION WAIVING BID PROTEST PROCEDURES PURSUANT TO SECTION 2-8.4 OF THE COUNTY CODE; AUTHORIZING A CONTRACT AWARD FOR BEACH RENOURISHMENT PROJECTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Department of Environmental Resources Management)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Heyman*

*Second: Edmonson*

*Vote: 4-2*

*No: Jordan, Sorenson*

**Report:** *During consideration of the changes to today's Committee agenda, the foregoing proposed resolution was amended to add language to the title to indicate that this project would be funded by Building Better Communities funds.*

*Assistant County Attorney Gerald Heffernan read this proposed resolution into the record.*

*Commissioner Heyman expressed concern that this request for proposals (RFP) for a sole source provider and that the County Administration recommended awarding this contract to a company that had past performance issues. She noted she opposed the County practice to continue awarding a contractor contracts to allow the contractor to resolve Community Small Business Enterprise performance issues which prevented contractors with no performance issues to be awarded contracts. She questioned when the beach renourishment project would start if the Commission adopted this recommendation to reject the single bid received for Project No: BEAR2-GOB-08 ESP; Contract No: BEAR2.*

*Mr. Carlos Espinosa, Director, Department of Environmental Resource Management, noted the County should have all the necessary permits to start the beach renourishment project in April 2009. He clarified the County Administration would use an expedited process to sign a contract with another vendor who was experienced in beach renourishment.*

*Following further discussion between Commissioner Heyman and Mr. Espinosa regarding the selection of another vendor and the impact of this proposed resolution on the completion date of the beach renourishment, Commissioner Gimenez pointed out the single bid was received from American Earth Movers, Inc. (AEM) who had CSBE violations on previous*

*County contracts.*

*Discussion ensued between Commissioner Gimenez and Ms. Penelope Townsley, Director, Department of Small Business Development (SBD), regarding the County's response to AEM's CSBE violations and AEM's corrective action to its CSBE violations.*

*Commissioner Gimenez expressed concern that the County had entered into an agreement with AEM that led them to expect two County contracts to allow them to make up for the CSBE violations. He noted the County would deny AEM due process by adopting this proposed resolution.*

*Assistant County Manager Susanne Torriente clarified that future County contracts were contingent upon approval by the County Commission, and that the County was not bound to provide any specific contract to AEM.*

*Commissioner Gimenez suggested the agreement regarding make up opportunities for AEM should have come before the Commission for approval.*

*In response to Chairwoman Sorenson's question whether AEM had waived future rights to appeal the penalties for their CSBE violations or if they had voluntarily dropped their appeal of the penalties, Ms. Townsley noted AEM had voluntarily dropped their appeal of the penalties for their CSBE violations.*

*Commissioner Martinez expressed concern regarding the County Administration treating companies with contract violations and compliance issues differently. He pointed out that the County Administration recommended a County contract be awarded to a vendor that had worse compliance issues than AEM at the June 2008 Transit Committee meeting. He pointed out this proposed resolution should not be affected by the agreement AEM signed with the County to drop their appeal.*

*Discussion ensued between Commissioner Martinez and Ms. Townsley regarding the types of CSBE violations AEM had committed.*

*Ms. Townsley explained that on a previous County contract one of AEM's subcontractors was unable to complete its work, and AEM did not follow proper procedures when they substituted another firm to do that subcontractor's work. She noted*

*the other firm selected by AEM would have qualified as a CSBE if AEM had properly substituted that firm.*

*Discussion ensued among Commissioner Martinez, Assistant County Manager Torriente, and Chairwoman Sorenson regarding the need for the Commission to improve the rules governing vendor compliance and responsibility issues.*

*Commissioner Jordan clarified, for the record, that SBD could not mislead any small business by promising that it would be awarded a future County contract; that SBD dealt with contract compliance, not contract awards. She expressed concern that the Committee would weaken the laws regarding small businesses if it reversed the County Manager's recommendation and forwarded this proposed resolution with a favorable recommendation to award the contract to AEM.*

*Commissioner Edmonson expressed concern that the County would not award this recommended contract to AEM after they had entered into an agreement with the County. She noted AEM had made the effort to meet their CSBE goals.*

*Following discussion between Commissioner Edmonson and Ms. Townsley regarding the process that AEM should have followed to add the replacement subcontractor, Commissioner Diaz questioned if SBD currently considered whether AEM was in compliance with the County laws regarding CSBDs.*

*Ms. Townsley noted AEM had a plan to remedy their compliance issues.*

*Commissioner Diaz stressed the County needed to put rules in place that would ensure all small businesses were treated equally on compliance issues.*

*Commissioner Gimenez pointed out the agreement between the County Administration and AEM considered mutual promises and covenants, and that any AEM bids on County contracts prior to December 2, 2008, would not be affected by AEM's voluntary suspension, and that this suspension would not impede AEM's right to be awarded and perform such County contracts, and that the terms of the agreement were contractual. He noted the County would impose additional punishment, which was contrary to the agreement,*

*if this proposed resolution was forwarded to the County Commission as presented.*

*Commissioner Jordan stressed the Commission needed to respect the small business laws and enforce penalties for noncompliance.*

*Chairwoman Sorenson noted AEM should have been aware of the process for replacing a subcontractor.*

*It was moved by Commissioner Heyman that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to reject the County Manager's recommendation and to reward the Beach Renourishment Project to the original bidder, American Earth Movers, Inc; and to add language to the title to indicate that this project would be funded by Building Better Communities funds. This motion was seconded by Commissioner Edmonson.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

3I

**090502 Resolution**

RESOLUTION APPOINTING THREE MEMBERS TO FILL VACANCIES ON THE AGRICULTURAL PRACTICES ADVISORY BOARD (Department of Planning & Zoning)

*Forwarded to BCC with a favorable recommendation  
Mover: Martinez  
Secunder: Edmonson  
Vote: 6-0*

3J

**090558 Resolution**

RESOLUTION DESIGNATING MIAMI DAILY BUSINESS REVIEW AS THE NEWSPAPER FOR PUBLICATION OF DELINQUENT TAX LISTS IN 2009 FOR 2008 TAX YEAR IN ACCORDANCE WITH FLORIDA STATUTES §197.402, AND FOR THE PUBLICATION OF DELINQUENT IMPROVEMENT LIENS AND SPECIAL ASSESSMENT LIENS PURSUANT TO SECTION 18-14(8) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND FLORIDA STATUTES §197.363 AND §197.3632 (Finance Department)

*Withdrawn*

**Report:** *See Report Under Agenda Item 3J AMENDED, Legislative File No. 090718.*

3J AMENDED

**090718 Resolution**

RESOLUTION DESIGNATING MIAMI DAILY BUSINESS REVIEW AS THE NEWSPAPER FOR PUBLICATION OF DELINQUENT TAX LISTS IN 2009 FOR 2008 TAX YEAR IN ACCORDANCE WITH FLORIDA STATUTES §197.402, AND FOR THE PUBLICATION OF DELINQUENT IMPROVEMENT LIENS AND SPECIAL ASSESSMENT LIENS PURSUANT TO SECTION 18-14(8) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND FLORIDA STATUTES §197.363 AND §197.3632 [SEE ORIGINAL ITEM UNDER FILE NO. 090558] (Finance Department)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Martinez*

*Secunder: Edmonson*

*Vote: 6-0*

**Report:** *During consideration of today's Committee agenda, the foregoing proposed resolution was amended to change the dollar figures on handwritten page 2 for "Delinquent tangible personal property taxes" to \$15,362.00 and to change "Delinquent real property taxes" to \$240,766.00.*

3K

**090510 Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation*

*Mover: Gimenez*

*Seconder: Heyman*

*Vote: 6-0*

**Report:** *Assistant County Attorney Gerald Heffernan read the foregoing proposed resolution into the record.*

*It was moved by Commissioner Martinez that this proposed resolution be bifurcated to exclude Item 4.2: Juvenile Detention Services. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 6-0.*

*It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation with committee amendment(s) to exclude Item 4.2: Juvenile Detention Services. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

*Responding to Commissioner Martinez's questioned why the County Administration continued to recommend extending this emergency contract, Ms. Miriam Singer, Director, Procurement Management Department, noted the County had completed negotiations with a successor contractor and would present that contract recommendation at the April 14, 2009, Budget, Planning, and Sustainability Committee meeting.*

*Commissioner Heyman asked the Procurement Management Department Director to pursue the 2% User Access Program provision for Item 4.2: Juvenile Detention Services.*

*It was moved by Commissioner Gimenez that Item 4.2: Juvenile Detention Services be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Heyman, and upon being put to a vote, passed by a vote of 6-0.*

3L

**090511 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS AND CONTRACT MODIFICATIONS, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND A BID REJECTION (Procurement Management Department)

*Withdrawn*

**Report:** *See Report Under Agenda Item 3L Substitute; Legislative File No. 090676.*

3L Sub.

**090676 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS AND CONTRACT MODIFICATIONS, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND A BID REJECTION (Procurement Management Department)

*Withdrawn*

**Report:** *See Agenda Item 3L Substitute Amended, Legislative File No. 090703 for the amended version.*

## 3L SUBSTITUTE AMENDED

**090703 Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS AND CONTRACT MODIFICATIONS, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND A BID REJECTION [SEE ORIGINAL ITEM UNDER FILE NO. 090676] (Procurement Management Department)

*Forwarded to BCC with a favorable recommendation with committee amendment(s)*

*Mover: Heyman*

*Secunder: Gimenez*

*Vote: 6-0*

**Report:** *During the changes to today's Committee Agenda, the Committee voted to amend the foregoing proposed resolution to delete Item 1.1: Automotive and Truck Replacement Parts and Specialized Repair Services.*

*Commissioner Jordan questioned whether the applicants in this proposed resolution were Small Business Enterprise (SBE) firms.*

*Ms. Miriam Singer, Director, Procurement Management Department, noted no SBE firms responded to the solicitations in this proposed resolution.*

*Regarding Item 1.1, Commissioner Gimenez noted the Commission had directed the County Administration to reduce the vehicle fleet by 10%, and that the County Administration should have been replacing old vehicles with new vehicles. He explained he would have concerns if Item 1.1 came back before the Commission and requested increased funding for replacement parts and specialized repair services.*

*Hearing no other questions or comments, the Committee proceeded to vote on this proposed resolution as amended to exclude Item 1.1: Automotive and Truck Replacement Parts and Specialized Repair Services.*

**4 COUNTY MANAGER**

4A

**090560 Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 7, 2009 "2ND ANNUAL WALK-A-THON" SPONSORED BY THE LIGA CONTRA EL CANCER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,381.00 TO BE FUNDED FROM THE MAYOR'S IN-KIND RESERVE FUND (County Manager)

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

**5 COUNTY ATTORNEY**

**6 CLERK OF THE BOARD**

6A

**090498 Report**

CLERK'S SUMMARY OF MINUTES FOR THE BUDGET, PLANNING AND SUSTAINABILITY COMMITTEE FOR FEBRUARY 10, 2009 (Clerk of the Board)

*Accepted  
Mover: Edmonson  
Seconder: Heyman  
Vote: 6-0*

**7 REPORTS**

7A

**090268 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 – AGRICULTURAL PRACTICES ADVISORY BOARD

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

7B

**090358 Report**

WAIVER OF ENFORCEMENT COSTS FOR SENIOR  
CITIZENS REPORT  
(County Manager)

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

**Report:** *Commissioner Martinez questioned whether the recommendations in the foregoing report would be implemented by the Committee receiving this report.*

*Commissioner Heyman pointed out the report had to go before the full Commission.*

*Hearing no other questions or comments, the Committee proceeded to vote.*

7C

**090591 Report****DEPARTMENTAL BUDGET PRESENTATIONS (County Manager) *Presented***

**Report:** *Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Management, noted the information provided regarding the Fiscal Year (FY) 2009-10 County budget was unaudited. She explained the County had conducted approximately half of the departmental budget hearings. She suggested the Committee hold a special budget workshop to discuss each department at a later date when more information was available. Ms. Glazer-Moon pointed out the County would have a funding gap for FY 2009-10 equal to or greater than the gap for FY 2008-09. She expressed concern that the proprietary County departments were generating less revenue than anticipated in the budget." In addition, Ms. Glazer-Moon noted residents were using less proprietary department services; and noted not only was the Property Appraiser unable to provide any estimates on the tax roll that could be used in the budget projections, the Administration was unable to estimate the potential impact of unfunded State Legislative mandates .*

*Commissioner Gimenez noted the Committee should not discuss the budget, however, it could provide the County Administration with some guiding principles.*

*Commissioner Heyman suggested the County Administration apprise the Commission of the critical needs for each department that should be addressed in Tallahassee.*

*Commissioner Martinez noted the Commission could work with the County Administration to develop a Table of Organization (TO) that clearly identified the number of employees for each department.*

*Commissioner Gimenez noted that the County needed to maintain basic service and staffing levels for proprietary departments, and that General Funds be used to maintain these levels if necessary. He also noted the County Administration needed to prioritize County services based on needs versus wants.*

*Commissioner Jordan asked Ms. Glazer-Moon to*

conduct surveys of County employees and Collective Bargaining Union representatives to determine their willingness to work fewer hours or to accept other alternatives to maintain employment as opposed to being laid off and to use the results of these surveys to prepare an emergency contingency plan.

Ms. Glazer-Moon pointed out she provided Commission members with a memorandum reflecting the fiscal impact of a 3% reduction to the salaries of County executives, the fiscal impact of a furlough, which would require consent of employee unions, and the fiscal impact of a cost of living adjustment (COLA) for each 1% increase.

Commissioner Gimenez asked Ms. Glazer-Moon to consider including in the contract negotiations for classified positions a provision for a zero percent COLA that provided the County the discretion each fiscal year to increase that COLA percentage if the financial condition of the County would allow it. He also asked her to consider negotiating smaller step increases for classified positions. He noted he favored the use of a furlough.

Commissioner Heyman asked Ms. Glazer-Moon to consider implementing a system that would track the pay rate of employees as they accumulated sick and annual leave time throughout their careers and that would use those values to compensate employees for their unused sick and annual leave time when they retired, based on their pay rate when those hours were accrued.

Chairwoman Sorenson asked Ms. Glazer-Moon to consider providing County employees the opportunity to take voluntary leaves of absences to help reduce expenses and balance the County budget for FY 2009-10. She noted the General Fund would decrease \$200 million and would not be able to support proprietary departments. She asked each Committee member to send her a memorandum with general budget priorities before the April 14, 2009, Committee meeting.

Commissioner Gimenez asked Ms. Glazer-Moon to provide him with a report regarding the savings that the County would realize by freezing step raises or increases for all County employees.

091032 Report  
NON AGENDA ITEMS

**Report:** *County Commission Vice-Chairman Jose "Pepe" Diaz noted he just presented the VA Hospital with a check for \$1 million for the Fisher House.*

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*Commissioner Gimenez noted the County Manager explained the document labeled the financial plan for the proposed Florida Marlins stadium that was provided to the Commission was really a financial scenario. Commissioner Gimenez stated the County Manager's explanation was unacceptable, and any document labeled a financial plan should explain all the exceptions to that plan.*

**8 ADJOURNMENT**

**Report:** *There being no other business to come before the Committee, the meeting adjourned at 5:13 p.m.*

  
\_\_\_\_\_  
Katy Sorenson, Chair