

MIAMI-DADE COUNTY FINAL OFFICIAL MINUTES Government Operations Committee (GOC)

Board of County Commissioners

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

May 12, 2009
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Diane Collins, Acting Division Chief
Clerk of the Board Division

Jill Thornton, Commission Reporter
(305) 375-2505





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

FINAL OFFICIAL
Meeting Minutes
Government Operations Committee

Carlos A. Gimenez (7) Chair; Natacha Seijas (13) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Audrey M. Edmonson (3), Joe A. Martinez (11), and Rebeca Sosa (6)

Tuesday, May 12, 2009

9:30 AM

COMMISSION CHAMBERS

Members Present: Carlos A. Gimenez, Joe A. Martinez, Natacha Seijas, Rebeca Sosa.

Members Absent: Jose "Pepe" Diaz, Audrey M. Edmonson.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jill Thornton, Commission Reporter*
(305) 375-2505

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present: County Executive Office Senior Advisor Cynthia Curry; Assistant County Manager Susanne Torriente; Assistant County Attorneys Geri Bonzon-Keenan, Henry Gillman and Oren Rosenthal; and Deputy Clerks Judy Marsh and Jill Thornton.*

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

Assistant County Attorney Geri Bonzon-Keenan requested the following changes be made to today's (5/12) agenda pursuant to the changes listed in the May 12, 2009 County Manager's memorandum: that Agenda Item 4L be added to the agenda; that Agenda Item 2J be deferred to no date certain, as requested by Commissioner Sosa; and that Agenda Items 2C and 4A be withdrawn, as requested by the County Manager.

It was moved by Commissioner Sosa that today's agenda be approved with the changes listed in the County Manager's memorandum entitled "Requested Changes to the Governmental Operations Committee Agenda," dated May 12, 2009, as requested by Assistant County Attorney Geri Bonzon-Keenan. This motion was seconded by Commissioner Seijas, and upon being put to a vote, passed 4-0 (Commissioners Edmonson and Diaz were absent).

1D **SPECIAL PRESENTATION**

1D1

091383 Special Presentation
TAXICAB DRIVER OF THE YEAR***Presented***

Report: *Chairman Gimenez presented the 2008 Taxicab Driver of the Year Award to Mr. Frantz Rimville for showing kindness and compassion to wheelchair passengers at Miami International Airport (MIA). He noted on April 20, 2008, Mr. Rimville was nominated by Mr. Anthony Miller, Senior Landside Operations Officer, MIA, for providing outstanding customer service. Commissioner Gimenez noted, at the request of the Landside Officer, Mr. Rimville readily agreed to assist by transporting a disabled person from MIA to the Wyndham-Miami Hotel that was currently serviced by a separate designated fleet of taxicabs, which were not wheelchair accessible. Mr. Rimville returned to help ten additional handicapped persons in need of transportation to the hotel. Mr. Rimville received the 2008 Chauffeur of the Quarter award for his kindness and compassion, which ultimately earned him the 2008 Chauffeur of the Year award and \$2,500 in cash. Chairman Gimenez commended Mr. Rimville on providing stellar services.*

1E DISCUSSION ITEM

1E1

090573 Discussion Item

Carlos A. Gimenez

GOVERNMENT OPERATIONS COMMITTEE BUDGET
PRIORITIES*Presented*

Report: *Commission Auditor Charles Anderson noted the discussion item before the Committee today was a matrix prepared by him of all budget priorities submitted by Committee members.*

Responding to Commissioner Sosa's question regarding who would track the vacant county positions and ensure they were deleted if not filled, Mr. Anderson noted he was working with the Office of Strategic Business Management, which he noted issued a quarterly report on vacant positions.

Following comments by Commissioner Seijas regarding a memorandum she sent to the BCC Chair highlighting the priorities, Chairman Gimenez asked if committee members wished to prioritize this list.

Commissioner Seijas stated she felt that encouraging all county departments to meet their emission reduction/climate control goals was important and should be prioritized to ensure the County received credit from the Chicago Climate Exchange (CCX) rather than pay the CCX. She said she agreed with Commissioner Sosa's recommendation to monitor vacant positions countywide, and noted the recommendation should be prioritized as well.

Commissioner Martinez stated he felt the following three budget priorities with performance measures, which were recommended by Commissioner Seijas, were extremely important and should be prioritized: 1) to identify and track grants that support departmental operations for the purpose of making budget adjustments when grants are not received; 2) to ensure county facilities become energy efficient, and 3) to ensure county departments meet their carbon emission reduction goals.

Commissioner Sosa stated she felt the County's real priorities for this year should be to continue providing direct services to the community, to ensure the work force was stable, to reduce costs, and to encourage all county departments to meet their climate control/emission reduction goals.

Commissioner Seijas pointed out the County would save approximately \$13 million by eliminating projects which were no longer needed, which were listed in Agenda Items 4G and 4K on today's agenda.

Chairman Gimenez noted one of his goals as Chair of this Committee was to re-evaluate the Water Use Permit since the County had been successful in conserving water and the demand for water had decreased. He noted this was a difficult budget year and he recommended prioritizing the need to reduce layoffs as much as possible, by any means possible. Chairman Gimenez asked Senior Advisor to the Manager Cynthia Curry to ensure the General Services Administration (GSA) Department immediately began providing the Government Operations Committee (GOC) with monthly reports on Energy Consumption in county-owned facilities, and that a baseline year be established for the purpose of monitoring and budgeting energy consumption.

Chairman Gimenez also asked Mr. Charles Anderson, Commission Auditor, to draft a memorandum consolidating the budget priorities submitted by members of the GOC and forward it to Chairman Moss' Office.

2 COUNTY COMMISSION

2A

090995 Resolution

Jose "Pepe" Diaz

RESOLUTION DECLARING 5 VEHICLES SURPLUS AND AUTHORIZING THEIR DONATION TO STATE OF FLORIDA DEPARTMENT OF CHILDREN & FAMILY SERVICES

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.

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

2B

091172 Resolution **Jose "Pepe" Diaz**

RESOLUTION DECLARING ONE 1997 DODGE VAN SURPLUS AND AUTHORIZING ITS DONATION TO THE CITY OF HIALEAH GARDENS

*Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Sosa
Vote: 4-0
Absent: Edmonson, Diaz*

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

2C

090046 Ordinance **Barbara J. Jordan, Natacha Seijas**

ORDINANCE RELATING TO RULES OF PROCEDURE OF BOARD OF COUNTY COMMISSIONERS; AMENDING RULE 5.05 TO PROVIDE THAT ITEMS FORWARDED BY A COMMISSION COMMITTEE TO THE COUNTY COMMISSION ARE EXEMPT FROM THE "4-DAY RULE" UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn
Mover: Sosa
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Diaz*

Report: *During consideration of the changes to the agenda, the foregoing proposed ordinance was withdrawn, as requested by the County Manager.*

2D

091191 Resolution **Barbara J. Jordan**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PRESENT TO THE BOARD SEVERAL OPTIONS OF CONSTRUCTION SIGN DESIGNS FOR THE BOARD TO SELECT A STANDARD CONSTRUCTION SIGN TO BE USED BY ALL DEPARTMENTS AS PART OF THE COUNTY'S BRANDING STYLE AND USAGE GUIDE

Amended

Report: *(See Agenda Item 2D Amended; Legislative File No 091520 for the amended version.)*

2D AMENDED

091520 Resolution Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PRESENT TO THE BOARD SEVERAL OPTIONS OF CONSTRUCTION SIGN DESIGNS FOR THE BOARD TO SELECT A STANDARD CONSTRUCTION SIGN TO BE USED BY ALL DEPARTMENTS AS PART OF THE COUNTY'S BRANDING STYLE AND USAGE GUIDE [SEE ORIGINAL ITEM UNDER FILE NO. 091191]

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

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Chairman Gimenez for discussion.

Commissioner Jordan noted the Board of County Commissioners approved a resolution in 2004 directing the County Manager to implement procedures for the use of a new county logo as the official County brand on all County-owned project signs. In 2006, Commissioner Moss sponsored a resolution directing the County Manager to locate informational signs in close proximity to capital projects in each Commission District, affirming the support and sponsorship of the Commissioner, she added. Commissioner Jordan noted she recently saw new project signs that were not approved by the County Commission. She noted the intent of this resolution was to ask staff to come back with a number of designs for the Board's consideration and approval of an official brand to ensure consistency in branding on county signs.

Commissioner Seijas noted the official brand was established by an ordinance or resolution prior to Commissioner Moss bringing forth his resolution.

Commissioner Jordan noted, after researching this issue, it was clear to her that the resolution sponsored by Commissioner Moss specified how the signs were to be designed, but she was concerned with seeing different signs and wanted to ensure consistency.

Regarding questions from several Committee

members regarding who authorized a change in the original design, Commissioner Jordan noted when inquiring about the changed signs, she was told by staff that nothing in the record clearly indicated the County Commission approved a sign design. She noted, however, that she felt the 2006 resolution sponsored by Commissioner Moss did.

Regarding questions from Committee members concerning who authorized adding the Mayor's name to project signs and changing the format and lettering size of the sponsoring Commissioner's name without approval of the Board, Ms. Deborah Higer, Assistant Director, Government Information Center, provided an overview of the County's Branding Style and Usage guidelines that staff had operated under since 2004.

Responding to Chairman Gimenez' question concerning whether an ordinance was approved in 2006 that established a brand design for county-owned signs, Commissioner Jordan clarified that a resolution was approved in 2004 directing the County Manager to implement procedures for the use of the "Refreshed" County logo as the official county brand and Commissioner Moss sponsored a resolution in 2006 directing the County Manager to place informational signs in close proximity to capital projects in each Commission District, reflecting and affirming the support and sponsorship of the Commissioner.

Chairman Gimenez said he felt the new signs did not violate the spirit of the existing resolution because they reflected support and sponsorship.

Ms. Higer noted the current signs did comply with the countywide branding, however no standard existed. She demonstrated to the Committee two template examples of signs proposed by staff. Ms. Higer noted staff tried to incorporate all information on a 4'x 8' sign for cost efficiency in installation.

Responding to Commissioner Martinez' question regarding when the change in the format of signs was authorized and what the cost difference was, Ms. Higer noted she believed the change was made within the past year, but she was not sure of the cost difference, only that time was saved in installing signs.

Commissioner Martinez pointed out the prior design consisted of a smaller, attached sign

reflecting sponsorship, which could easily be removed and attached to another sign; however, the new signs could only be used in the Commission Districts where they applied and nowhere else, which was not time saving or cost effective. He questioned if the Commissioners were the only ones who could sponsor a project, and noted he supported codifying the previous sign design.

Commissioner Seijas noted the two designs presented by staff had some small inconsistencies and no standard existed for where the County Logo should be placed on the signs, which she felt the Department had not done deliberately. She noted the format of the older signs had always reflected the applicable Commissioner's name on them. Commissioner Seijas pointed out that signs had been located in the wrong Commission district. She said she had no problems with including the Mayor's name on the signs, but had concerns with the sponsoring Commissioners' names not being highlighted.

Ms. Higer noted her office prepared both designs in an effort to consolidate information on one design, and acknowledged the issue of the lettering size. She also noted staff was trying to address a resolution directing the lettering size of the Commissioner and Mayor's name to be the same.

Commissioner Gimenez noted the sign formats had been the same since he had been in office as a Commissioner and only recently had changed. Responding to his questions regarding what resolution the department was following and who directed the Department to make this change, Ms. Higer said she would need to research when the change in the format was made in order to provide a correct answer.

Commissioner Sosa noted not only was it important that constituents be informed of projects funded by the Government Obligation Bond (GOB) program, but that they know the County was giving back to the community by supporting many capital projects being developed in the municipal boundaries. She also noted for this purpose, the County Commission adopted a resolution dictating the brand and design of the signs. Commissioner Sosa said she could support including the Mayors name on the signs, but felt it was important that the name of the Commissioner supporting and sponsoring the project be

highlighted.

In response to Chairman Gimenez' request, Commissioner Jordan noted initially she wanted a resolution directing staff to use the original design approved, but agreed the Mayor's name should be included on project signs. She pointed out that staff was restricted from relocating signs elsewhere because the sign was limited to a project name, and each sign cost approximately \$800 to make. She said she would like staff to come back with at least three different designs for the Board to consider which brand and design should be used. She also noted the signs should be generic and transferable with the ability to attach and remove the project title so that when the project was finished, the signs could be used for another project.

Following Assistant County Attorney Geri Bonzon-Keenan's response to Chairman Gimenez' question regarding whether Commissioners were the only ones who could sponsor a capital project, Chairman Gimenez asked Assistant County Attorney Geri Bonzon-Keenan to ensure when this resolution was forwarded to the County Commission that it included a report indicating whether projects developed within a specific County Commission District should be sponsored only by the respective Commissioner.

Commissioner Heyman noted her district was unique in that it was surrounded by other districts that shared projects. She said she felt it would be beneficial if the signs reflected the names of the District Commissioners when projects covered several jurisdictions. Commissioner Heyman said she liked the newer designs which informed people that they could reach local government through 311.

Commissioner Seijas suggested this resolution be amended to require staff to come back with four different designs on project signage for the Board's consideration.

Commissioner Sosa proposed a further amendment to make the signs transferable so that the project name could be removed and the sign could be used for another project.

Commissioner Jordan accepted the amendments proposed by Commissioners Seijas and Sosa.

Assistant County Attorney Daniel Frastai advised

the Committee that he found only one resolution pertaining to sponsorship and same lettering size of names, which was attached to this resolution. In addition, he noted the resolution sponsored by Commissioner Moss in 2006 indicated that each Commissioner who wished to affirm his/her support or sponsorship of a capital project located in his/her district should be reflected, regardless of whether or not they were the prime sponsor of the project.

Hearing no further comments, the Committee forwarded the foregoing proposed resolution to the County Commission with Committee amendment(s) directing the County Manager or his designee to present to the Board for consideration at least four different designs for project signs, including a design whereby the name of the project could be removed so that the sign could be reused for other projects.

2E

090758 Resolution**Dennis C. Moss**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE AND THE CLERK OF THE BOARD TO ENSURE THAT ADVERTISEMENTS OF PUBLIC MEETINGS SIMPLY AND CLEARLY CONVEY THE NATURE OF THE MEETING BEING NOTICED

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

2F

090862 Resolution **Dennis C. Moss**

RESOLUTION RENAMING THE PROTOCOL AND EMPLOYEE RECOGNITION OFFICE TO THE PROTOCOL, EMPLOYEE AND ADVISORY BOARD RECOGNITION OFFICE AND SPECIFYING THE ADDITIONAL DUTIES OF THE RENAMED OFFICE

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

It was moved by Commissioner Sosa that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Gimenez for discussion.

In response to Commissioner Seijas' request for an explanation, Mr. Guillermo Cuadra, Chief Legal Analyst, Office of Commission Auditor, noted this resolution would basically change the name and protocol of the Employee Recognition Office to include the Advisory Board Recognition Office, and add another responsibility for recommending awards.

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

2G

091188 Resolution **Dennis C. Moss**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONTINUE TO DEVELOP AND REPORT ON PLANS TO USE TEXT-MESSAGING, ROBO-CALLS, AND OTHER NEW TECHNOLOGIES TO BETTER COMMUNICATE WITH THE RESIDENTS OF MIAMI-DADE COUNTY

Amended

Report: *(See Agenda Item 2G Amended; Legislative File No. 091489 for the amended version.)*

2G AMENDED

091489 Resolution Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONTINUE TO DEVELOP AND REPORT ON PLANS TO USE TEXT-MESSAGING, ROBO-CALLS, AND OTHER NEW TECHNOLOGIES TO BETTER COMMUNICATE WITH THE RESIDENTS OF MIAMI-DADE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 091188]

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

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Seijas for discussion.

Commissioner Seijas said she hoped staff would keep in mind that some people did not have the ability to receive text messages or robo-calls, and many people hang up upon answering robo-calls.

Commissioner Martinez stated he would not support this item because some robo-calls may infer the County was supporting a campaign.

Commissioner Sosa pointed out the Miami-Dade Police Department and the Public Works Department currently used this technology to alert citizens of sexual predators living in neighborhoods or to advise of mosquito spraying in their areas. She noted it was important to ensure these systems were not misused; if used appropriately, they would serve as a beneficial tool for informing the public.

Commissioner Seijas noted she would support this resolution if it was amended to add language that stated no elected officials would use this technology; however, she was uncomfortable with proposing an amendment without the sponsor present.

Commissioner Gimenez seconded the proposed amendment, and proposed a further amendment to include language that stated no elected officials' names shall be mentioned in a robo-call.

Commissioner Sosa added that this technology should be used for informational purposes only,

and not for political gain.

Commissioner Martinez seconded the amendments.

Hearing no further comments or questions, the Committee forwarded the foregoing proposed resolution to the County Commission with a favorable recommendation with Committee amendment(s) limiting the government's use of text messaging and robo-call technology to informational purposes only; and prohibiting the use of any elected officials name or voice in any county messages using this technology.

2H

090478 Resolution**Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROHIBIT MANUFACTURERS, DISTRIBUTORS AND/OR RETAILERS FROM CHARGING MORE THAN A REASONABLE PROFIT FOR SPECIALIZED BRASSIERES SOLD TO WOMEN WHO HAVE UNDERGONE MASTECTOMIES

*Withdrawn**Mover: Sosa**Seconder: Gimenez**Vote: 4-0**Absent: Edmonson, Diaz*

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Sosa noted usually she opposed price control by governments and strongly believed in democracy; however, she was approached by the American Cancer Society and the League Against Cancer and sponsored this item because of concerns with an incredible number of women using ordinary brassieres because they could not afford to buy brassieres designed specifically for women who had undergone mastectomies. The specially designed brassieres started at a minimum price of \$70, she explained. Commissioner Sosa suggested that rather than prohibit sellers from charging high prices, the resolution encourage businesses to reduce the prices in order to prevent price disparity between regular bras and specialized bras.

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Seijas for discussion.

Commissioner Seijas noted she previously did not support this resolution because she had seen presentations made on specialized bras sold at a reasonable price; however, she had no problems supporting this resolution but asked staff to verify if presentations were made by sellers with equal pricing for specialized bras, as demonstrated to her.

Commissioner Sosa said she welcomed that information and would like to know the names of the distributors so she could share it with these women.

Chairman Gimenez said although he was sympathetic to the cause, he could not support this

resolution because it violated his values and principles concerning price control.

Following Chairman Gimenez' comments, the Committee proceeded to vote on the foregoing motion to forward this resolution to the County Commission with a favorable recommendation, which, upon being put to a vote, failed by a vote of 2-2 (Chairman Gimenez and Commissioner Martinez voted "No.") (Commissioners Edmonson and Diaz were absent).

Assistant County Attorney Bonzon-Keenan advised that the action would be recorded as "No Action Taken" and this item would be carried over to the next committee meeting for an appropriate motion.

Commissioner Martinez asked Assistant County Attorney Geri Bonzon-Keenan to draft appropriate legislation under his sponsorship to change the ordinance creating the Committee rules and procedures to reflect that when an item failed to receive a majority vote of a Commission Committee to forward it to the County Commission, that the action be reflected as "tabled" rather than as "failed."

Commissioner Sosa moved to withdraw this resolution and noted she would go to Tallahassee as an independent commissioner on behalf of these women to act in support of their cause.

Hearing no further comments or questions, the Committee proceeded to vote on a motion to withdraw this resolution.

2I

090488 Resolution**Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY MAYOR OR HIS DESIGNEE TO NOTIFY THE BOARD OF COUNTY COMMISSIONERS WHEN THE COUNTY WAIVES ANY MATERIAL BREACH OF A CONTRACT OR EXTENDS A CONTRACT CURE PERIOD BEYOND 30 DAYS

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Commissioner Sosa explained this resolution would provide timely notice on breach of contracts and allow the Board to provide further directives on contracts as needed, and it would prevent small issues from coming before the Board at a later date.

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

2J

090863 Resolution**Rebeca Sosa**

RESOLUTION CREATING A BLUE RIBBON ADVISORY COMMITTEE FOR THE 2010 CENSUS

Deferred to no date certain

Mover: Sosa

Seconder: Seijas

Vote: 4-0

Absent: Edmonson, Diaz

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred, as requested by Commissioner Sosa.*

2K

091173 Resolution **Sen. Javier D. Souto**

RESOLUTION DECLARING ONE 1995 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO THE ROCK MIAMI CHURCH, INC.

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Diaz, Edmonson

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

2L

091181 Resolution **Natacha Seijas**

RESOLUTION DECLARING ONE 1995 DODGE PASSENGER VAN SURPLUS AND AUTHORIZING ITS DONATION TO MIAMI-LAKES BAPTIST CHURCH

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

3 PUBLIC HEARINGS

3A

090846 Ordinance Dennis C. Moss

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; MODIFYING ORDER OF THE DAY TO EXPRESSLY PROVIDE FOR BOARD POLICY DISCUSSIONS ON TUESDAYS AND MAKING OTHER CHANGES TO THE ORDER OF THE DAY; CONFORMING RULES OF PROCEDURE TO HOME RULE CHARTER AMENDMENT WHICH REQUIRES THE MAYOR TO MAKE RECOMMENDATIONS FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Diaz, Edmonson

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed ordinance, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3B

091060 Ordinance Dennis C. Moss

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 TO PROVIDE PROCESS WHEREBY SPECIAL AND EMERGENCY MEETINGS OF THE COUNTY COMMISSION MAY BE CANCELLED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *(See Agenda Item 3B Amended; Legislative File No. 091596 for the amended version.)*

3B AMENDED

091596 Resolution Dennis C. Moss

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 TO PROVIDE PROCESS WHEREBY SPECIAL AND EMERGENCY MEETINGS OF THE COUNTY COMMISSION MAY BE CANCELLED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091060]

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

Mover: Sosa

Seconder: Seijas

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed ordinance, and seeing no one wishing to speak on this item, the public hearing was closed.

It was moved by Commissioner Sosa that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Martinez for discussion.

Chairman Gimenez expressed concern with the Chair of the Board of County Commissioners (BCC) ability to cancel a special or emergency meeting of the BCC when the rules currently provided for a memorandum to be circulated and signed by at least seven Commission members in order to schedule one. In response to his question regarding whether the Chair would be able to cancel a special or emergency meeting called by seven other Commission members if this ordinance was adopted, Assistant County Attorney Bonzon-Keenan answered "yes."

Chairman Gimenez said he felt that was too much power, and proposed to amend this ordinance to require the signatures of any seven Commission members to cancel a special or emergency meeting.

Assistant County Attorney Bonzon-Keenan advised the current rules provided that the cancellation or rescheduling of Regular BCC meetings required the signatures of the Chair and six other Commission members, and she believed a special or emergency meeting could be canceled in the same manner. She noted that no rules currently existed for the cancellation of a special or

emergency meeting, except in the event of a lack of quorum, which rendered the meeting cancelled after 30 minutes. Responding to her question whether the Committee would like the amendment to provide for the signatures of the BCC Chair and six other members, or any seven members of the Board, Commissioner Gimenez stated he wanted the amendment to provide for the signature of any seven members of the BCC to cancel a special meeting.

Commissioner Martinez pointed out that only the BCC Chair controlled the use of the Chambers, and he suggested adding language that stated the Chambers would be available for use in the event seven members other than the Chair called for a special meeting, and the Chair would ensure the chambers was not used for other purposes.

Following discussion, the Committee forwarded the foregoing proposed ordinance to the County Commission with a favorable recommendation, with committee amendment(s) to amend the County Commission's rules and procedures which governed special and emergency meetings of the Board of County Commissioners to require the signatures of any seven (7) members of the Commission to cancel a special or emergency meeting; and that the Commission chambers be made available whenever a special or emergency meeting was called.

3C

090800 Ordinance**Rebeca Sosa**

ORDINANCE RELATING TO VEHICLES FOR-HIRE;
AMENDING ARTICLE V OF THE CODE OF MIAMI-
DADE COUNTY, FLORIDA, RELATING TO ELIGIBILITY
REQUIREMENTS FOR INITIAL AND RENEWAL FIXED
ROUTE OR JITNEY SERVICE CHAUFFEUR
APPLICANTS; PROVIDING SEVERABILITY, INCLUSION
IN THE CODE, AND AN EFFECTIVE DATE

*Forwarded to BCC with a favorable
recommendation*

Mover: Sosa

Sejias

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan
read the foregoing proposed ordinance into the
record*

*Chairman Gimenez opened the public hearing on
the foregoing proposed ordinance, and seeing no
one wishing to speak on this item, the public
hearing was closed.*

*It was moved by Commissioner Sosa that the
foregoing proposed ordinance be forwarded to the
County Commission with a favorable
recommendation. This motion was seconded by
Commissioner Sejias for discussion.*

*Commissioner Sosa noted many jitney chauffeurs
in the Haitian and Hispanic communities came
forward to ask for relief because they wanted to be
able to communicate with their clients. In
addition, she noted this ordinance would provide
for a separate oral test to ensure that Jitney
drivers were able to understand and communicate
in English with emergency personnel and
passengers in the event of an emergency.*

*Commissioner Martinez noted he supported this
ordinance but also noted the importance of jitney
drivers being able to communicate effectively in
English so as not to endanger life. He asked if the
separate oral test would ensure this.*

*Ms. Cathy Grimes Peel, Director, Consumer
Services Department (CSD), noted CSD would
utilize the method currently used for private
school bus drivers, which provided hypothetical
circumstances and pictures to improve English
skills in emergency situations. She noted the
intent of this ordinance was to continue providing
training in the English language, but also give
drivers the option to take the written test in their
own language.*

Hearing no further comments or questions, the

Government Operations Committee

Meeting Minutes

Tuesday, May 12, 2009

FINAL OFFICIAL

Committee proceeded to vote on the foregoing proposed ordinance as presented.

3D

082143 Ordinance**Sally A. Heyman**

ORDINANCE RELATING TO WATER CONSERVATION MEASURES; AMENDING SECTION 32-8.1 OF THE CODE OF MIAMI-DADE COUNTY; IMPOSING PERMANENT RESTRICTION ON SERVING WATER WITHOUT REQUEST IN RESTAURANTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

*Withdrawn**Mover: Sosa**Seconder: Gimenez**Vote: 4-0**Absent: Edmonson, Diaz*

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed ordinance, and seeing no one wishing to speak, the public hearing was closed.

Commissioner Seijas asked why this item was before the Committee again for further consideration when its history reflected it failed 1-5 at the September 09, 2008 Governmental Operations and Environment Committee (GOEC) meeting.

Assistant County Attorney Henry Gillman explained that a motion to forward this item to the County Commission failed and no further action was taken, but technically it should have been placed on the next committee agenda for action pursuant to the Committee rules and procedures.

Responding to Commissioner Seijas' comments regarding the announcement of Assistant County Attorney Bonzon-Keenan at that meeting that the action taken was "laid on the table," Assistant County Attorney Henry Gillman explained there was no motion to table this item at the committee meeting.

Responding to Chairman Gimenez' question regarding whether an item could be brought back before the Committee after six months if a motion to forward it to the County Commission failed, Assistant County Attorney Henry Gillman explained that if a motion to forward an item to the County Commission failed at Committee and no further action was taken, the item should be placed on the next committee agenda for a proper motion. He noted if tabled, an item could not come back except as a new item.

Responding to Chairman Gimenez' question regarding the timeframe for bringing back a new item before Committee, Assistant County Attorney Bonzon-Keenan noted the timeframe was at least three months unless there was a waiver. She noted the foregoing proposed ordinance was a new item.

It was moved by Commissioner Sosa that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Gimenez for a discussion.

Commissioner Heyman noted she reviewed the history and minutes pertaining to this item, which revealed Commissioner Gimenez saying he would prefer that this matter remain as a business decision until the County imposed more water restrictions. She also noted that rather than wait for another County mandate on water restrictions, she awaited the appropriate timeframe to propose a new ordinance, and in the interim, reached out to restaurant associations, which supported implementing water restrictions that required restaurants to serve water only upon request as an ongoing standard practice. She indicated this was being carried out by some hotels and restaurants now, and asked the Committee to favorably support this ordinance as a standard practice for conserving water.

Commissioner Sosa noted restaurants such as Joe's Stone Crab were already practicing the standard of serving water to customers upon request only. She stated she would support this in an abundance of caution to help conserve water.

Commissioner Martinez noted he was the only committee member who supported this ordinance last September and agreed with its intent; however, after giving it more thought, he could no longer support this ordinance because he felt that government interference in private businesses would violate his principles and the practice of serving water upon request only should be a business decision.

Commissioner Seijas noted although she admired Joe's Stone Crab restaurant for taking the initiative in this practice, she could not support county government imposing permanent water restrictions on restaurants serving water because she felt it would be too punitive and the practice should be optional. She suggested the County and

other organizations such as the Visitors Convention Bureau make a bigger effort in educating restaurants on this issue. She reminded Committee members of two agenda items on today's agenda with projects that would not happen because the County was successful at conserving water. She said she agreed with the intent of this ordinance, but could not support it.

Commissioner Sosa asked if this ordinance could be amended to insert the language "asking restaurants to self-impose restrictions to conserve water" and delete the words "imposing permanent restrictions" in an effort to educate restaurants on the need to conserve water.

Commissioner Heyman noted she accepted the amendment proposed by Commissioner Sosa, and could support asking restaurants to post signs that stated water would be served upon request only, in an effort to get people involved in water/energy conservation. She also noted she welcomed a dialogue before the Board of County Commissioners on meeting green standards and protecting water resources, as was done by the State of Florida and other regions.

Chairman Gimenez asked Assistant County Attorney Gillman to rephrase the amendment.

Assistant County Attorney Gillman advised he believed it would be appropriate to prepare a resolution, as opposed to an ordinance, asking restaurants to voluntarily comply with posting signs that stated they would serve water upon request only, and noted he would prepare the resolution.

Chairman Gimenez concurred with Commissioner Martinez' position regarding government interference and the intent of this ordinance, but stated he preferred an educational campaign be implemented that would teach businesses about the need to conserve water rather than impose a mandatory water restriction, which he felt should be a business decision. He noted he would support a resolution to that effect, but would not support the foregoing ordinance.

Following comments by Commissioner Heyman, Assistant County Attorney Gillman advised he would prepare a resolution asking restaurants to post signs that state water would be served upon request only, and bring it back before the Committee for consideration, but the Committee

needed to take action on the foregoing ordinance.

Following a discussion among Committee members regarding committee rules and procedures and the appropriate motion for preventing this ordinance from coming before the Committee again, the Committee proceeded to vote on a motion to withdraw the ordinance, as requested by Commissioner Heyman.

3E

090299 Ordinance

ORDINANCE RELATING TO FOR-HIRE MOTOR VEHICLES; AMENDING CHAPTER 31 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, BY CREATING ARTICLE VII TO PROVIDE FOR REGULATION AND LICENSING OF ROUTE SERVICE MOTOR VEHICLES; REQUIRING THAT ADVERTISEMENTS FOR ROUTE SERVICE INCLUDE CERTAIN INFORMATION; ESTABLISHING DUTIES AND RESPONSIBILITIES OF THE MIAMI-DADE COUNTY CONSUMER SERVICES DEPARTMENT; CREATING PROVISIONS RELATING TO RATES, INSURANCE REQUIREMENTS AND ENFORCEMENT; ESTABLISHING VEHICLE STANDARDS AND RULES OF OPERATION FOR ROUTE SERVICE MOTOR VEHICLES; PROVIDING FOR SUSPENSION AND REVOCATION OF FOR-HIRE LICENSES AND OPERATING PERMITS; PROVIDING FOR SEIZURE, IMPOUNDMENT AND FORFEITURE OF ROUTE SERVICE MOTOR VEHICLES; AMENDING CHAPTER 8CC OF THE CODE PROVIDING CIVIL PENALTIES; AND PROVIDING FOR DEFINITIONS, PENALTIES, SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE (Consumer Services Department)

*Tabled**Mover: Martinez**Seconder: Seijas**Vote: 4-0**Absent: Edmonson, Diaz*

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record*

Chairman Gimenez opened the public hearing on the foregoing proposed ordinance, and seeing no one wishing to speak on this item, the public hearing was closed.

Commissioner Sosa expressed concern that this ordinance, if adopted as written, would add penalties/fines that did not currently exist; would reduce the vehicle age from 15 to 10 years; would change this process to make it exclusively an Administrative process without County Commission consideration or approval; and would change the application process to not require a public hearing.

Ms. Cathy Grimes Peel, Director, Consumer Services Department (CSD), advised that one of the elements of this proposed ordinance was to make the process administrative with very specific standards spelled out that would qualify a person or corporation to obtain a jitney certificate, and would eliminate the requirement of a public hearing.

In response to Commissioner Sosa's question regarding the standard to retain no greater than 30% duplications of existing bus or jitney services on a requested jitney route, Ms. Grimes Peel noted this standard was currently used, in which CSD submitted to Miami-Dade Transit Agency (MDTA) an applicant's request for a route for MDT to compare and determine whether a duplication existed that exceeded 30% of existing jitney and bus routes.

In response to Commissioner Sosa's question regarding what the benefit would be of eliminating the public forum and removing the County Commission from this process to make it a complete administrative process, Ms. Grimes Peel noted the timeframe for processing applications would be shortened. She explained that applying for a Jitney route or modification was currently a very long process because the Code contained built-in timeframes that could take six months or longer. She noted this ordinance would streamline the process and make it easier for the CSD and the applicant and would prevent items that were routine in nature from coming before the Board.

In response to Commissioner Sosa's question regarding how many applications the CSD received on average, per year, Ms. Grimes Peel noted the Jitney Operator Circulator Services was not a large industry and CSD did not receive many applications per year. She noted the contracts were very routine items, and currently went before the Board for approval and the CSD processed them administratively.

Commissioner Martinez noted he did not support this ordinance on first reading because very little applications were received per year and he did not see the point in eliminating the public hearing and protest process. He noted the two (2) twenty-day notifications provided by the Code could be eliminated to shorten the timeframe, but he would not support eliminating the public hearing and protest process, which applied to every other contract.

Ms. Grimes Peel explained that the protest process currently did not come before the Board of County Commissioners, but was a process where CSD scheduled a protest hearing before an Administrative Hearing Officer for a protest filed by an existing service provider that objected to a route being applied for. She noted along with that

component, this ordinance would expand the application requirements at the front end, and addresses the vehicle's age and condition and provide for civil penalties and enforcement ability, which currently did not exist.

In response to Commissioner Martinez' question regarding the 10-year vehicle inspections, Ms. Grimes Peel clarified the intent was to reduce the vehicle age and improve the vehicles in service, and the vehicles currently in service today would be allowed to operate through their normal life span in order to minimize the impact on the industry. She noted this change would become effective when a new vehicle was put in service.

Commissioner Martinez noted, for reasons already stated, he would not support this ordinance.

Responding to Commissioner Seijas' question regarding what situation would constitute a vehicle being impounded, Ms. Grimes Peel noted a vehicle would be impounded if it was operating illegally, and would be forfeited if impounded three times, which was the current provision today.

Commissioner Seijas agreed there should be penalties for illegal actions, but she would not support impounding a vehicle or forfeiting someone's property.

Commissioner Gimenez stated he did not support eliminating the public hearing process.

Following the discussion, it was moved by Commissioner Martinez that the foregoing proposed ordinance be tabled. This motion was seconded by Commissioner Seijas.

Responding to Assistant County Manager Susan Torriente's question regarding whether staff could withdraw this item and bring back a new item as an option, Commissioner Martinez said his motion would stand.

Hearing no further comments, the Committee proceeded to vote on the motion to table this ordinance.

3F

091090 Ordinance

ORDINANCE RELATING TO NONEMERGENCY MEDICAL TRANSPORTATION; AMENDING SECTION 4-44 (D) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING THAT EACH RESOLUTION APPROVING AN APPLICATION SHALL SPECIFY THE NUMBER OF CERTIFICATES AUTHORIZED THEREBY AND THAT EACH CERTIFICATE SHALL AUTHORIZE A SINGLE NONEMERGENCY VEHICLE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed ordinance into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed ordinance, and seeing no one wishing to speak on this item, the public hearing was closed.

Hearing no comments or questions, the Board proceeded to vote on the foregoing proposed ordinance as presented.

3G

091131 Resolution

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 207 FROM JORGE ENRIQUE GAMEZ GROSSO D/B/A AMERICAN TOURS USA, INC. TO V.I.P. SHUTTLE SERVICES, CORP. TO PROVIDE CHARTER SERVICE AS A PASSENGER MOTOR CARRIER (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3H

091170 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO INTER S', INC. D/B/A UNLIMITED TRANSPORTATION TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 152) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3I

091204 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOMIR HEALTHCARE TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 45030) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3J

091216 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOMIR HEALTHCARE TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 45032) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Diaz, Edmonson

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3K

091230 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOMIR HEALTHCARE TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 45033) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3L

091236 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOMIR HEALTHCARE TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 45034) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3M

091237 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOMIR HEALTHCARE TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICE (NE CONTROL NO. 45035) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3N

091239 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO COMFORT WHEELCHAIR CAB, INC. D/B/A COMFORT WHEELCHAIR TRANSPORTATION TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (NE CONTROL NO. 45040) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

30

091238 Resolution

RESOLUTION APPROVING APPLICATION FOR ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO COMFORT WHEELCHAIR CAB, INC. D/B/A COMFORT WHEELCHAIR TRANSPORTATION TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (NE CONTROL NO. 45041) (Consumer Services Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

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

3P

091328 Resolution

RESOLUTION APPROVING AN INCREASE TO THE CITY OF MIAMI BEACH FIRE DEPARTMENT'S AUTHORIZED EMERGENCY MEDICAL SERVICES RATE SCHEDULE (Consumer Services Department)

Tabled

Mover: Seijas

Seconder: Sosa

Vote: 4-0

Absent: Diaz, Edmonson

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez opened the public hearing on the foregoing proposed resolution, and seeing no one wishing to speak on this item, the public hearing was closed.

Mr. Eric Yuhr, Fire Chief, City of Miami Beach Fire Department, appeared in support of this resolution.

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Chairman Gimenez for discussion.

Commissioner Seijas expressed concern with the significant monetary amount requested by the City of Miami Beach for the County Commission to approve, and the County Commission being blamed for increased rates proposed by the cities. She also expressed concern with the impact of this significant increase on the insured populations or those insured by Medicare and Medicaid.

Mr. Yuhr explained that the City of Miami Beach Fire Department would still be capped by Medicare and Medicaid for reimbursement and the Department would maintain its policy of writing off unpaid balances. He noted this proposal was really tailored to the City of Miami Beach's self-paid insurance population, which was larger than in most municipalities. He noted the City of Miami Beach reviewed its collection rates regionally and statewide, and anticipated collecting from the self-insured population, but would still adhere to its policy of not sending unpaid bills to a collection agency.

Responding to further questions by Commissioner Seijas' regarding write-offs and caps, Mr. Yuhr noted the Administration and the collection

agency for the City of Miami Beach believed the Fire Department would be able to collect more by raising its fees.

Commissioner Seijas asked if the City of Miami Beach reviewed the County's rates and services when considering a rate change. Mr. Yuhr stated they did. He noted prior to this proposal, all fire departments were essentially at the County's rate and increased their rates when the County's rates increased. He noted the City of Hialeah passed an ordinance allowing their rates to automatically move with the County's rates, subject to approval by the County Commission. Mr. Yuhr also noted that according to its collection agency, the City of Miami Beach had a different mix of payers and transported only about 6,000 patients per year. The City of Miami Beach's collection agency advised that the City would receive more returns with these rates even with the Medicaid/Medicare cap and write-offs of uncollected accounts after six months, he added.

In response to Commissioner Seijas' question regarding whether this proposal essentially increased the rates paid by the self-insured population, Mr. Yuhr answered "yes."

Commissioner Seijas expressed concern with approving this resolution because the City of Miami Beach would become the most expensive fire rescue service. She noted a proposition was on tomorrow's City of Miami Beach's Commission agenda to service other cities, and if it was approved, the City would be charging more to provide fire services for other cities that the County currently provided for at a cheaper rate. She said she felt this would be a disservice to the people the County currently represented. She noted she could not support this ordinance unless the City of Miami Beach matched its rate increase with rates of other cities countywide.

Responding to Commissioner Seijas' question regarding the City of Miami Beach's current population, Mr. Yuhr noted the census population was approximately 93,000.

Commissioner Martinez noted he was torn between whether to approve or not approve this resolution. Responding to his question regarding whether the County Commission was governed and required by Charter to approve the rate increases proposed by cities, Assistant County Attorney Bonzon-Keenan noted the County's Code

required it.

Commissioner Martinez suggested revisiting and amending the County Code to prevent the County Commission from being blamed for approving rate increases proposed by the cities. He pointed out the foregoing proposal was already approved by the City of Miami Beach Commission on Sept 17, 2008, and asked who decided to place this item on the agenda today.

Ms. Cathy Grimes Peel, Director, Consumer Services Department (CSD), noted the CSD received an application on March 30, 2009, submitted by the City of Miami Beach, requesting this rate adjustment and CSD processed it.

In response to Commissioner Martinez' question why this resolution took so long to come before this Committee since the discussions on the issue of the Fire District unification last summer, Mr. Yuhr noted he was unaware of why it took so long to come before the Committee.

Commissioner Martinez noted he was undecided between the City of Miami Beach needing to make up its revenues and Miami Beach's fire service becoming the most expensive service.

Mr. Yuhr noted the last time the City of Miami Beach increased its rates was in 2003, and envisioned this proposed rate increase as long-term.

Responding to Commissioner Gimenez' question whether this rate increase would be above the Medicare/Medicaid reimbursement, Mr. Yuhr answered "yes." Commissioner Gimenez agreed with Commissioner Seijas comments that the rates should move in unison across the board, which he felt was good policy. He suggested the City of Miami Beach adjust its rates to match the County's rates.

In response to Commissioner Sosa's questions regarding the process and whether a copy of the City's resolution approving this rate increase was provided, Ms. Grimes Peel noted that resolution was attached to today's agenda item.

Commissioner Sosa noted her primary concern was that cities had the jurisdiction to increase their rates but the County was accused for being more expensive, which was not the case. She noted Miami Beach would be charging more and competing with the County's rates

Commissioner Seijas pointed out that by the time this resolution went before the County Commission, the item on the City's agenda tomorrow would already be approved.

Commissioner Martinez asked Assistant County Attorney Geri Bonzon-Keenan to prepare a committee-sponsored resolution to provide that rate schedules of city or municipal fire departments did not require County Commission approval.

Commissioner Seijas provided an example of the County being blamed for a rate increase in childcare when she served as a member of the Early Childhood Coalition Board. She suggested the City of Miami Beach go back and find a rate comparable with the County's rate.

Chairman Gimenez suggested this resolution be tabled, and that the Committee wait for the new legislation proposed by Commissioner Martinez, which would take the Commission out of the process and allow the City of Miami Beach to charge what they wanted.

The public hearing was closed.

Hearing no further comments, the Committee proceeded to vote on a motion to table this resolution.

Commissioner Sosa asked the Water and Sewer Department Director and members of the County Administration to meet with her to review the process of water rate schedules for municipalities.

4 DEPARTMENTS

4A

082921 Ordinance

ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-DADE COUNTY CODE; ADDING THE WATERPROOFING CONTRACTOR CATEGORY, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Building Code Compliance Department)

*Withdrawn
Mover: Sosa
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Diaz*

Report: *During consideration of the changes to the agenda, the foregoing proposed ordinance was withdrawn, as requested by the County Manager.*

4B

090794 Resolution

RESOLUTION DECLARING MIAMI-DADE COUNTY-OWNED PROPERTY LOCATED IN THE VICINITY OF NW 177 STREET BETWEEN NW 27 COURT AND NW 27 AVENUE SURPLUS, WAIVING THE REVIEW OF THIS ACTION, AS PRESCRIBED BY ADMINISTRATIVE ORDER 8-4, BY THE PLANNING ADVISORY BOARD; APPROVING THE CONVEYANCE OF SAME TO THE CITY OF MIAMI GARDENS, IN ACCORDANCE WITH F.S. 197.592 (3); AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY FOR RIGHT-OF-WAY (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4C

090797 Resolution

RESOLUTION DECLARING SURPLUS COUNTY-OWNED PROPERTY LOCATED AT 11251 SW 216 STREET; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER FOR A MINIMUM SALE AMOUNT OF \$103,125.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4D

090811 Resolution

RESOLUTION DECLARING COUNTY-OWNED PROPERTY SURPLUS AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DISPOSE OF SAID PROPERTY IN ACCORDANCE WITH FLORIDA STATUTE 125.35, FLORIDA STATUTE 125.379 AND FLORIDA STATUTE 197.592; AUTHORIZING THE WAIVER OF ADMINISTRATIVE ORDER 8-4 AS IT PERTAINS TO REVIEW BY THE PLANNING ADVISORY BOARD; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4E

090951 Resolution

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 1634 N.W. 6 AVENUE, FLORIDA CITY, FL, WITH JOHN C. GUTLEBER, M.D., P.A., FOR PREMISES TO BE UTILIZED AS A DISTRICT OFFICE BY THE COMMISSIONER OF DISTRICT 9, WITH TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED \$108,309.98 FOR THE TWO-YEAR TERM OF THE LEASE AND THE OPTION TERM; AND AUTHORIZING THE COUNTY MAYOR OR THE 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: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4F

090982 Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO THE BEACON TRADEPORT COMMUNITY DEVELOPMENT DISTRICT FOR THE INSTALLATION AND MAINTENANCE OF AN UNDERGROUND IRRIGATION SYSTEM AND THE INSTALLATION AND MAINTENANCE OF LANDSCAPING IMPROVEMENTS, LOCATED AT 11500 N.W. 25 STREET, AND AN ADJACENT VACANT PARCEL OF LAND, SURROUNDING THE SITE OF THE MIAMI-DADE COUNTY LIGHTSPEED BUILDING; AND AUTHORIZING THE COUNTY MAYOR TO EXECUTE SAID EASEMENT (General Services Administration Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4G

091166 Resolution

RESOLUTION REJECTING ALL BIDS RECEIVED ON OCTOBER 21, 2008 IN CONNECTION WITH MIAMI-DADE WATER AND SEWER DEPARTMENT'S UPPER FLORIDAN BLENDING WELLS PROJECT NO. W-903 (A) DIVISION I (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Chairman Gimenez noted the County would save \$8.4 million because this project was no longer needed due to the County's efforts to conserve water.

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

4H

091240 Resolution

RESOLUTION AMENDING RESOLUTION NO. R-69-09 TO INCLUDE CORRECTED LEGAL DESCRIPTION IN EXHIBIT A TO AMENDED JOINT PARTICIPATION AGREEMENT WITH CITY OF HIALEAH (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Secunder: Gimenez

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

41

090950 Resolution

RESOLUTION APPROVING CONTRACT NO. E08-SWM-01 IN THE AMOUNT OF \$1,455,000.00 TO HDR ENGINEERING, INC. FOR THE SOLID WASTE MANAGEMENT MASTER PLAN (Solid Waste Management Department)

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

Mover: Seijas

Seconder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

It was moved by Commissioner Seijas that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Sosa for discussion.

Mr. Dusty Melton, 3430 Ponce De Leon, attorney representing R.W. Beck, Inc, appeared before the Committee and made a presentation in opposition to this contract being awarded to HDR Engineering, Inc.

Mr. Miguel DeGrandy, 800 Douglas Road, attorney representing HDR Engineering (HDR), Inc. appeared before the Committee and made a presentation in support of the foregoing resolution.

Commissioner Sosa directed questions to the Administration as to whether the procurement process as currently established was followed step by step, and if both companies submitted the proper paperwork to qualify for Local Preference (LP) when this process started. She also asked if the scores changed with the LP factor was applied.

Assistant County Manager Susanne Torriente affirmed that the procurement process was followed.

Mr. Johnny Martinez, Capital Improvements Office, responded that HDR met the LP criteria and RW Beck, Inc did not meet the LP criteria to prove it was a local firm at the time of the procurement. He also noted the scores never changed, which was 627 for RW Beck, Inc and 611 for HDR, a 2.55% difference, which was well within the 5% requirement for applying the LP factor.

Commissioner Sosa asked for clarification regarding the legal verbiage in the memorandum of Assistant County Attorney Benitez regarding who was responsible for applying the LP in A&E (Architectural and Engineering) procurement processes.

Assistant County Attorney Oren Rosenthal noted pursuant to the terms in the County's Ordinance, the County Manager was the one responsible for applying the LP, and based on the Manager's report, he applied the LP after the firms were ranked by the Selection Committee.

Commissioner Sosa noted Mr. Melton, in his presentation, alleged the Selection Committee applied the LP, and not the County Manager, and she wanted to ensure the procurement process and Code were followed appropriately.

Assistant County Manager Torriente assured that the process was followed and the County Manager applied the LP based on the Selection Committee's recommendation.

Commissioner Martinez commented regarding RW Beck not filling out the form for LP. In response to Commissioner Martinez' question whether it mattered if the County Manager applied the LP or not, Assistant County Attorney Rosenthal noted that was just a technical operation of the Code, but it was within the County Manager's discretion to apply the LP and proceed with negotiations.

Commissioner Martinez pointed out that the Code stated "...shall negotiate with the local vendor"; HDR was a local vendor that filled out the form, and RW Beck did not. Commissioner Martinez recognized Mr. Melton to reply in rebuttal.

Mr. Melton noted two sections in the County Code that governed LP: Section 2-8.5, which dealt with the 5% requirement, the occupational license one year before submittal of the form; and Section 2-10.4, which governed LP for engineering firms. He noted RW Beck did not submit the form because it did not qualify under the LP protocol for all other procurements under Section 2-8.5, but did qualify under Section 2-10.4, which was the approach utilized by the County Manager and was the general test for applying LP based on the location of the firms. Mr. Melton noted RW Beck was issued an occupational license by this County, and had been local since 2007. He noted the

County Manager's approach of applying LP was the firm being local.

In response to Commissioner Martinez question regarding how anyone would know a firm was local if a form was not submitted, Mr. Melton noted RW Beck's address was on the proposal, and was stated when RW Beck was introduced as a local firm before the Selection Committee, which was how it received such a high score. It was also noted in written correspondence to the County Manager, he said.

Commissioner Martinez recognized Mr. DeGrandy for rebuttal.

Mr. DeGrandy noted the Notice to Professional Consultants (NTPC) required a form to be filled out for LP. He pointed out that he quoted in his argument that Administrative Order 3-39 implemented Section 2-10.4 of the Code, which stated "local preference shall be considered more applicable and in compliance with Section 2-8.5." Mr. DeGrandy also noted for procurements under Section 2-10.4 of the Code, the firm could only meet LP through Section 2-8.5 of the Code.

Commissioner Gimenez stated he disagreed with the Assistant County Attorney's opinion on page 10 of this ordinance, which stated "the application of LP to A&E services shall be in accordance with the process outlined in Section 2-10.4 of the Code of Miami-Dade County," which somehow linked Section 2-8.5 to Section 2-10.4. He asked if RW Beck, Inc qualified as being a local firm under Section 2-10.4.

Assistant County Attorney Rosenthal noted the opinion of the County Attorney was that RW Beck was not local because Section 2-10.4 of the Code had to be read consistent with Section 2-8.5 of the Code. He noted the County Attorney's Office (CAO) had not considered that exclusively under Section 2-10.4 of the Code.

Commissioner Gimenez noted although he did not agree with the County Attorney's interpretation of the Code, and he was somewhat persuaded by Mr. Melton's argument, he would have to support the County Manager's recommendation, absent a different opinion from the County Attorney.

Commissioner Sosa asked Assistant County Attorney Oren Rosenthal to review the procurement process with her to ensure the Code

requirements for qualifying for Local Preference were consolidated in one place in the Code.

Commissioner Gimenez asked Assistant County Attorney Rosenthal to provide him with an explanation of the original intent of Section 2-10.4 of Miami-Dade County's Code when that section was enacted.

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

NOTE: Chairman Gimenez submitted a memorandum dated May 12, 2009, requesting the Board of County Commissioner's (BCC) Chairman Moss to waive the Committee rules and procedures and allow the foregoing resolution to be forwarded to the May 19, 2009 BCC meeting for consideration.

4I SUPP.

090947 Report

SUPPLEMENTAL REPORT: SOLID WASTE MASTER PLAN

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

Mover: Seijas

Secunder: Sosa

Vote: 4-0

Absent: Edmonson, Diaz

Report: NOTE: Chairman Gimenez submitted a memorandum dated May 12, 2009, requesting the Board of County Commissioner's (BCC) Chairman Moss to waive the Committee rules and procedures and allow the foregoing report to be forwarded to the May 19, 2009 BCC meeting for consideration.

4J

090845 Resolution

RESOLUTION APPROVING NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT NO. E08-WASD-03 IN THE AMOUNT OF \$4,400,000 TO HDR ENGINEERING, INC. TO PROVIDE ENGINEERING DESIGN SERVICES FOR UPGRADES TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S ALEXANDER ORR WATER TREATMENT PLANT AND THE SOUTH MIAMI-DADE WATER SUPPLY SYSTEMS INCLUDING ELEVATED WATER TANK, LEISURE CITY, NARANJA, EVERGLADES LABOR CAMP AND NEWTON WATER TREATMENT PLANTS AND APPURTENANT FACILITIES; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Martinez

Vote: 4-0

Absent: Diaz, Edmonson

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

4K

091161 Resolution

RESOLUTION REJECTING ALL BIDS RECEIVED ON OCTOBER 15, 2008 IN CONNECTION WITH MIAMI-DADE WATER AND SEWER DEPARTMENT'S UPPER FLORIDAN BLENDING WELLS PROJECT NO. W-903 (A) DIVISION II (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Secunder: Seijas

Vote: 4-0

Absent: Edmonson, Diaz

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

Responding to Chairman Gimenez' question as to whether the South Florida Water Management District (SFWMD) was in agreement with this resolution, Mr. John Renfrow, Director, Water and Sewer Department, answered "yes" (unofficially), and noted some conditions needed to be amended. He also noted he spoke with SFWMD representatives, who agreed the project was not needed, and noted the County would save \$4.8 million as a result.

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

4L

091466 Resolution

RESOLUTION AUTHORIZING THE GENERAL SERVICES ADMINISTRATION TO ACT AS GENERAL CONTRACTOR AND SOLICIT BIDS FROM SUBCONTRACTORS TO RENOVATE THE FOLLOWING FACILITIES IN THE MAXIMUM AGGREGATE AMOUNT LISTED PER FACILITY HEREIN: INTEGRATED COMMAND FACILITY-PHASE ONE (\$3,076,835), AND THE MENTAL HEALTH DIVERSION FACILITY (\$1,500,000.00), IN ACCORDANCE WITH FLORIDA STATUTE 255.20(1)(C)(9); FINDING THAT IT IS IN THE BEST INTEREST OF MIAMI-DADE COUNTY; WAIVING RESOLUTION NO. R-120-83; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE NECESSARY AGREEMENTS CONSISTENT WITH THE ATTACHED MEMORANDUM IN ORDER TO CARRY OUT THIS RESOLUTION (General Services Administration Department)

*Forwarded to BCC with a favorable recommendation
Mover: Martinez
Secunder: Sosa
Vote: 4-0
Absent: Edmonson, Diaz*

Report: *Assistant County Attorney Geri Bonzon-Keenan read the foregoing proposed resolution into the record.*

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

5 COUNTY MANAGER

6 COUNTY ATTORNEY

7 CLERK OF THE BOARD

7A

090953 Report

CLERK'S SUMMARY OF MINUTES FOR THE MARCH 10, 2009 GOVERNMENT OPERATIONS COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Seijas
Secunder: Sosa
Vote: 4-0
Absent: Edmonson, Diaz*

8 REPORTS

8A

090838 Report

OUTREACH PLAN TO EDUCATE SCHOOL CHILDREN
IN MIAMI-DADE COUNTY ABOUT WATER
CONSERVATION (County Manager)

Report Received
Mover: Sosa
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Diaz

8B

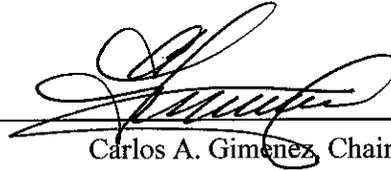
090952 Report

STATUS REPORT ON USE AND MANAGEMENT OF
INTERGRATED COMMAND FACILITY (A/K/A
LIGHTSPEED) (County Manager)

Report Received
Mover: Sosa
Seconder: Seijas
Vote: 4-0
Absent: Edmonson, Diaz

8 ADJOURNMENT

Report: *There being no further business to come before
this committee, the Government Operations
Committee meeting was adjourned at 12:40 p.m.*



Carlos A. Gimenez, Chair

ok



Government Operations Committee
May 12, 2009

Prepared by: Jill Thornton

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	05/12/2009		County Manager's Memorandum re: Changes to Agenda
2	05/12/2009		Memo filed by Commissioner Edmonson explaining her absence from today's GOC meeting.
3	05/12/2009		Memo filed by Commissioner Diaz explaining his absence from today's GOC meeting.
4	05/12/2009		Miami-Dade BCC GOC Budget Priorities FY2009-10
5	05/12/2009		Copy of a sign posted at Joe's Stone Crab Restaurant
6	05/12/2009		Memorandum from Chairman Gimenez dated May 12, 2009- requesting waiver of Agenda Items 4H and 4I to the May 19, 2009 BCC meeting
7			
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Memorandum

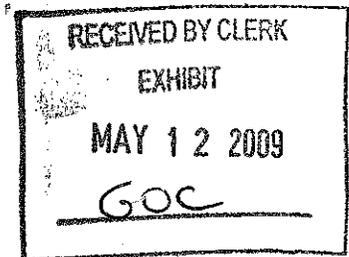


Date: May 12, 2009

To: Honorable Chairperson and Members
Government Operations Committee

From: George M. Burgess
County Manager 

Subject: Requested Changes to the
Government Operations Committee Agenda



Additions

4L

091466 RESOLUTION AUTHORIZING THE GENERAL SERVICES ADMINISTRATION TO ACT AS GENERAL CONTRACTOR AND SOLICIT BIDS FROM SUBCONTRACTORS TO RENOVATE THE FOLLOWING FACILITIES IN THE MAXIMUM AGGREGATE AMOUNT LISTED PER FACILITY HEREIN: INTEGRATED COMMAND FACILITY-PHASE ONE (\$3,076,835), AND THE MENTAL HEALTH DIVERSION FACILITY (\$1,500,000.00), IN ACCORDANCE WITH FLORIDA STATUTE 255.20(1)(C)(9); FINDING THAT IT IS IN THE BEST INTEREST OF MIAMI-DADE COUNTY; WAIVING RESOLUTION NO. R-120-83; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE NECESSARY AGREEMENTS CONSISTENT WITH THE ATTACHED MEMORANDUM IN ORDER TO CARRY OUT THIS RESOLUTION (General Services Administration Department)

Deferrals

2J

Rebeca Sosa

090863 RESOLUTION CREATING A BLUE RIBBON ADVISORY COMMITTEE FOR THE 2010 CENSUS
Note: The sponsor of this item is requesting a deferral to no date certain.

Withdrawals

2C

Barbara J. Jordan,
Natacha Seijas

090046 ORDINANCE RELATING TO RULES OF PROCEDURE OF BOARD OF COUNTY COMMISSIONERS; AMENDING RULE 5.05 TO PROVIDE THAT ITEMS FORWARDED BY A COMMISSION COMMITTEE TO THE COUNTY COMMISSION ARE EXEMPT FROM THE "4-DAY RULE" UNDER CERTAIN CIRCUMSTANCES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

4A

082921 ORDINANCE AMENDING CHAPTER 10 OF THE MIAMI-DADE COUNTY CODE; ADDING THE WATERPROOFING CONTRACTOR CATEGORY, PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Building Code Compliance Department)



MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER AUDREY M. EDMONSON
DISTRICT 3

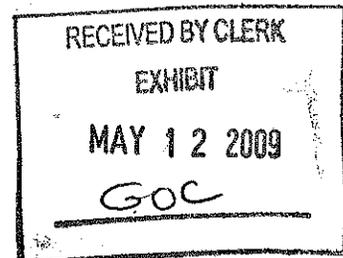
Date: May 12, 2009
To: Honorable Carlos A. Gimenez, Chair
and Members of Government Operations Committee
From: Commissioner Audrey M. Edmonson
District 3
Subject: Absence From May 12, 2009 Committee Meeting

A handwritten signature in cursive script that reads "Audrey M. Edmonson".

Please be advised that I will not be in attendance at the Government Operations Committee meeting today. I apologize for any inconvenience this may cause.

Thank you for your consideration.

cc: Kay Sullivan, Clerk of the Board
George Burgess, County Manager
R.A. Cuevas, Jr., County Attorney



Vice-Chairman Jose "Pepe" Diaz

District 12



MEMORANDUM

TO: Honorable Carlos A. Gimenez, Chairman
Government Operations Committee

FROM: Vice-Chairman Jose "Pepe" Diaz

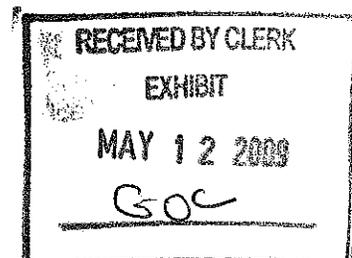
DATE: May 12, 2009

RE: Absence

Due to unexpected circumstances, I will not be able to attend to today's committee meeting.

I apologize for any inconvenience this may cause.

C: Clerk of the Board



**Miami-Dade Board of County Commissioners
Government Operations Committee Budget Priorities
FY 2009-10**

Committee	Commissioner	Affected Departments	Budget Priority	Selections	Item Nr	
Government Operations Committee	Carlos A. Gimenez	Various	Avoid raising rates and fees. In such difficult times, our residents cannot absorb governmental increases while their household incomes are struggling to keep up. Also, while raising rates and fees may seem to be an easy way to increase revenues at a time they are down, this often has the opposite effect by discouraging business and residents from utilizing those services.		GOC-1	
		Various	Reduce layoffs to the greatest extent possible by utilizing attrition, retraining, furloughs, and any other means.		GOC-2	
		WASD	Re-evaluation of the Water Use Permit assumptions and the massive capital program based on those figures.		GOC-3	
	Jose "Pepe" Diaz	GIC	Expansion of 311 services			GOC-4
		WASD	Continue implementation of WASD capital plans to improve water quality.			GOC-5
		WASD	Study the structure of the South Florida Water Management District in an effort to improve its role as a partner with local government.			GOC-6
		Various	Retain as many jobs and avoid lay offs whenever possible.			GOC-7
		DSWM	Improve the way in which Solid Waste monitors and reports illegal dumping activities, especially in established hotspots.			GOC-8
		DSWM	Look at ways to become more efficient in the Solid Waste Department.			GOC-9
		Various	Continue to improve County government through technology improvements.			GOC-10
	Audrey M. Edmonson	GIC	Continue the expansion of 311 services.			GOC-11
		Various	As our workforce is concerned, we need to ensure that they are receiving adequate training and support to maximize their potential.			GOC-12
	Joe A. Martinez	Various	Focus should be on reducing rates and fees. There are too many residents losing their jobs and homes, and we cannot continue to burden them with any more increases.			GOC-13
		Beacon Council, ITC	Find ways to draw new business and residents to the County in order to maintain and grow our tax base.			GOC-14
		Various	In order to reduce wasteful government spending, we need to find ways to consolidate departments within the same buildings without reducing accessibility of services provided to the residents. Many positions have been eliminated; as such, there are many departments throughout the County that can be consolidated.			GOC-15
	Natacha Seijas	Various	During this economic downturn, local governments in Florida will be seriously challenged. As the economy sours, there will be an increase in service demands. We must also contend with the anticipated corrections in the valuation of properties. For these reasons, I believe every department must be aggressive in identifying and seeking state and federal grant funding opportunities.			GOC-16

Agenda Item 1E1

RECEIVED BY CLERK
EXHIBIT
MAY 12 2009
GOC

**Miami-Dade Board of County Commissioners
Government Operations Committee Budget Priorities
FY 2009-10**

Committee	Commissioner	Affected Departments	Budget Priority	Selections	Item Nr
Government Operations Committee (cont'd)	Natacha Seijas (cont'd)	Various	Every department list the grants that are currently supporting their operations, and then identify at least three (3) new applications to be filed during the coming year. This activity should be the primary performance measure for each department in the coming year. The new federal administration has introduced a host of programs and policies that should benefit a talented and efficient local government like Miami-Dade County.		GOC-17
		Various	We must also become more energy efficient. The GSA reports regarding the energy consumption at every building owned by the county should be provided to the GO Committee. We need to compare this information to the reports from the Energy Performance Contractors that identify investment opportunities at county facilities. It should be a Budget Priority to make the suggested investments that are not being made by the Energy Performance Contractors.		GOC-18
		Various	Ensure that every department is meeting the carbon emission reduction goals (6% by 2010) we committed to the Chicago Climate Exchange (CCX). If a department has not achieved its goal, it must be accountable. Each department must purchase its proportionate share of carbon credits for the county to true-up its CCX obligations. This performance measure for each department will have a dollar value, a metric we can all appreciate.		GOC-19
	Rebeca Sosa	Various	During these very difficult times it will be imperative to find ways to keep intact the funding that benefits our most fragile residents, including seniors and children.		GOC-20
		Various	Maintain our direct services to the residents we serve. Continuity of direct service will be instrumental to maintaining Miami-Dade County's appeal, which brings visitors and business to the area.		GOC-21
		Various	Our main priority should be to maintain our levels of services with minimum personnel cuts. As one of the largest employers in Miami-Dade County, we should look to lead by example and maintain the majority of our workforce intact to avoid contributing to the increase in unemployment.		GOC-22
		Various	Eliminate vacant positions.		GOC-23
		Various	Streamline government operations and eliminate any duplication of services.		GOC-24
		DSWM, PWD	As a major tourist destination, we must maintain essential garbage pick up and beautification of our County's highways and common areas.		GOC-25
		DSWM	Maintain current service levels of twice-a-week pick-up for solid waste.		GOC-26
WASD	Maintain water services to the highest levels possible, as cutting these services will lower the community's overall standard of living and morale.		GOC-27		



JOE'S STONE CRAB HAS BEEN PART OF
THE SOUTH FLORIDA LANDSCAPE AND
ENVIRONMENT FOR 95 YEARS.

WE WILL ONLY SERVE WATER
TO THE TABLES UPON REQUEST.

THANK YOU FOR YOUR
UNDERSTANDING AND HELP.



12/29/2008

RECEIVED BY CLERK
EXHIBIT
MAY 12 2009
Agenda Item 3D
GAC

Memorandum



Date: May 12, 2009

To: Honorable Chairman Dennis C. Moss
Board of County Commissioners

From: Honorable Chairman Carlos A. Gimenez 
Government Operations Committee

Subject: Waiver to the May 19, 2009 Board of County Commissioners Meeting

The items below, heard at the May 12, 2009 Government Operations (GO) Committee meeting, were forwarded to the Board of County Commissioners with a favorable recommendation. I respectfully request that these items be waived onto the next available Board meeting on May 19, 2009 (specific justifications detailed below).

4I - 090950

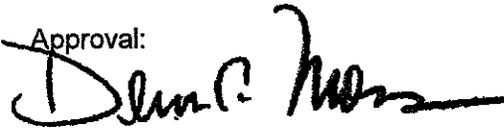
RESOLUTION APPROVING CONTRACT NO. E08-SWM-01 IN THE AMOUNT OF \$1,455,000.00 TO HDR ENGINEERING, INC. FOR THE SOLID WASTE MANAGEMENT MASTER PLAN (Solid Waste Management Department)

4I Supplement - 090947

SUPPLEMENTAL REPORT: SOLID WASTE MASTER PLAN

- *These items were originally scheduled to go before the GO Committee on April 14, 2009; however, the item was not discussed due to a lack of quorum. The items are time sensitive as the department is eager to begin its master planning process which is essential to the meeting the future demands of the County.*

Approval:



Honorable Chairman Dennis C. Moss
Board of County Commissioners

- c: R.A. Cuevas, Jr., County Attorney
Susanne M. Torriente, Assistant County Manager
Jennifer Glazer-Moon, Special Assistant/Director, Office of Strategic Business Management
Dianne Collins, Office of the Clerk

