



**MIAMI-DADE COUNTY**  
**FINAL OFFICIAL**  
**Meeting Minutes**

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

Tuesday, June 2, 2009  
As Advertised

Harvey Ruvlin, Clerk  
Board of County Commissioners

Diane Collins, Acting, Director  
Clerk of the Board Division

Scott Rappleye, Commission Reporter, (305) 375-5108



**FINAL OFFICIAL**

*Board of County Commissioners*

*Meeting Minutes*

*Tuesday, June 2, 2009*

---

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

**Members Absent:** Natacha Seijas

**Members Late:** None.

**Members Excused:** None.

---

**Members Absent County Business:** None.

---

**1 MINUTES PREPARED BY**

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

**1A ROLL CALL**

**Report:** *The Honorable County Mayor Carlos Alvarez and the following staff members were present: County Manager George Burgess, Assistant County Managers Susanne Torriente and Alex Munoz, Special Assistant to the County Manager Irene Taylor-Wooten, Senior Advisor to the County Manager Cynthia Curry; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams, Assistant County Attorneys Joni Armstrong-Coffey, Terrence Smith, John McInnis, Gerald Sanchez, Geri Bonzon-Keenan; and Deputy Clerks Diane Collins and Scott Rappleye.*

**1B MOMENT OF SILENCE**

**Report:** *Chairman Moss called the meeting to order at 9:56 a.m. The Commission convened in a moment of silence followed by the Pledge of Allegiance.*

**1C PLEDGE OF ALLEGIANCE**

**1D REPORTS OF OFFICIAL BOARDS**

1D1

**091011 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 -  
BISCAYNE BAY SHORELINE DEVELOPMENT REVIEW  
COMMITTEE

*Accepted  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11-0  
Absent: Martinez, Seijas*

*5/12/2009 Report Received by the Budget, Planning and Sustainability Committee*

FINAL OFFICIAL

1D2

**091041 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009-  
COMMUNITY IMAGE ADVISORY BOARD

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*5/12/2009 Report Received by the Budget, Planning and Sustainability Committee*

1D3

**090983 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009-  
CULTURAL AFFAIRS COUNCIL

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*4/13/2009 Deferred due to lack of a quorum by the Recreation, Culture & Tourism Committee*

*5/11/2009 Report Received by the Recreation, Culture & Tourism Committee*

1D4

**090707 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 - MIAMI-  
DADE ART IN PUBLIC PLACES TRUST

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*4/13/2009 Deferred due to lack of a quorum by the Recreation, Culture & Tourism Committee*

*5/11/2009 Report Received by the Recreation, Culture & Tourism Committee*

1D5

**090709 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 -  
LIBRARY ADVISORY BOARD

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*4/13/2009 Deferred due to lack of a quorum by the Recreation, Culture & Tourism Committee*

*5/11/2009 Report Received by the Recreation, Culture & Tourism Committee*

1D6

**091141 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 - SAFE  
NEIGHBORHOOD PARKS CITIZENS' OVERSIGHT  
COMMITTEE

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*5/11/2009 Report Received by the Recreation, Culture & Tourism Committee*

1D7

**091349 Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2009 -  
TOURIST DEVELOPMENT COUNCIL

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/11/2009 Report Received by the Recreation, Culture & Tourism Committee

**1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)**

1E1

**091592 Citizen's Presentation Bruno A. Barreiro**

SONIA SUAREZ, PRESIDENT OF THE MARTIN FINE  
RESIDENT COUNCIL REGARDING CONDITIONS AT  
MARTIN FINE

*Presented*

**Report:** Ms. Sonia Suarez, President, Martin Fine Resident Council, noted the Martin Fine Villas were built for people with physical disabilities, however, the County had been sending people without disabilities to live there and now the majority of residents were not disabled. She noted the influx of non-disabled tenants had caused the disabled tenants to lose benefits. She requested that the County ensure that disabled persons filled future vacancies at Martin Fine Villas. Ms. Suarez noted some of the non-disabled tenants were abusing the disabled tenants. She stressed that disabled people should be sent to Martin Fine Villas to enjoy the accessibility it provided.

Commissioner Barreiro pointed out that the Miami-Dade Housing Agency had requested that the United States Department of Housing an Urban Development re-designate Martin Fine Villas for handicapped residents only.

1E2

**091626 Citizen's Presentation Dennis C. Moss**

BISHOP LEE VARIETY OF CEDIA INC.

*Presented*

**Report:** Bishop Lee Variety, President/Chief Executive Officer, Community Economic Development Improvement Association, Inc. (CEDIA), noted CEDIA created jobs, provided job training, and job development that no other entity provided for low and moderate income residents. He expressed appreciation to Commissioner Rolle for supporting CEDIA's Haiti Relief program that provided antibiotics to 250,000 people in Haiti. He expressed appreciation to Commissioner Edmonson and Barreiro for their continued support. Bishop Variety noted he provided the commissioners with reading material that provided more information on CEDIA. He expressed appreciation to Chairman Moss for his assistance.

**1F**      **MOTION TO SET THE AGENDA AND "PULL LIST"**

**Report:** County Attorney Robert Cuevas advised that in addition to the County Manager's memorandum entitled "Changes for the June 2, 2009 BCC meeting" the following changes had been requested: that Agenda Item 15B1 Substitute should be amended to reflect that the public hearing for Agenda Item 4C would be set for the July 21, 2009, County Commission meeting, at 9:30 a.m., that Agenda Item 11A45 Supplement should be added to the agenda, and that the final version of the Agenda incorrectly labeled Agenda Item 11A52 as withdrawal requested.

Chairman Moss requested that Agenda Item 11A25 be deferred to June 30, 2009.

It was moved by Commissioner Diaz that the Commission approve the foregoing changes to the June 2, 2009, Board of County Commissioners meeting Agenda with the changes listed in the County Manager's memorandum, and the additional changes requested by the County Attorney and the commissioner(s). This motion was seconded by Commissioner Sosa and upon being put to a vote, passed by a vote of 11-0 (Commissioners Seijas and Martinez were absent).

**1G**      **OFFICE OF COMMISSION AUDITOR**

**Report:** Chairman Moss noted that a peer review team from the Association of Local Governments Auditors came to the County the week of May 18, 2009, and found the Office of the Commission Auditor (OCA) to be in full compliance with government auditing standards established by the Comptroller General of the United States. He pointed out that the opinion of this peer review team was that the OCA Internal Control System was suitably designed and was operating effectively to provide reasonable assurance of compliance with government auditing standards for audits and attestation engagements during the period October 1, 2006, to September 30, 2008.

**1H**      **OFFICE OF INTERGOVERNMENTAL AFFAIRS****1I**      **SPECIAL PRESENTATIONS**

**091570 Special Presentation**

MIAMI-DADE PARK AND RECREATION DEPARTMENT 2009 *Presented*  
GOVERNOR'S STERLING AWARD RECIPIENT (County  
Manager)

**Report:** *County Mayor Carlos Alvarez noted the Park and Recreation Department was recognized by Florida Governor Charlie Crist and the Legislature as a Sterling Award recipient. He pointed out that under the guidance of County Manager George Burgess the Park and Recreation Department was the first of its kind in Florida to receive this award. Mayor Alvarez explained that the Department was analyzed closely during the evaluation process.*

*County Manager Burgess stressed the Sterling Award was a very significant achievement. He pointed out that the County departments used the Sterling Award evaluation process to improve and to assess themselves. He commended the Park and Recreation Department staff for their efforts to deliver excellence every day.*

*Mr. Jack Kardys, Director, Park and Recreation Department, expressed appreciation to the County Mayor and the County Commission for the opportunity to direct this department and for their support. He noted that the first assignment he received from County Manager Burgess was to earn the Sterling Award. He expressed further appreciation to Assistant County Manager Alex Munoz for his help.*

*Judge Bob Purcell of the Florida Sterling Council, noted that the State of Florida had awarded the Sterling Award to 50 organizations and nine of them were from Miami-Dade County. He explained that the Sterling Award was modeled after the Malcolm Baldrige Award.*

*County Manager Burgess noted the Elections, Finance, and Human Services Departments also conducted the self assessment challenge process for the Sterling Award and these departments would also be awarded a plaque.*

*County Mayor Alvarez presented the plaques to the Elections, Finance, and Human Services Departments, and the Sterling Award to the Park and Recreation Department.*

*Commissioner Sorenson noted the Park and Recreation Department was a public investment that improved the community for everyone. She pointed out that taxes were levied to improve the community for everyone. She noted the County would face challenges regarding how to allocate tax revenues for Fiscal Year 2009-10. Commissioner Sorenson noted the County needed to work with the Legislature to develop a more equitable tax structure. She suggested the County also discuss with the Legislature how local governments used taxes to enhance the quality of life.*

*Commissioner Souto commended the Park and Recreation staff and stressed the importance of parks in the community.*

112

**091628 Special Presentation**

Rebeca Sosa

**PRESENTATION TO MIAMI-DADE DELEGATION***Presented*

**Report:** *Chairman Moss expressed appreciation to the Dade Delegation for their leadership and cooperation that produced success during the 2009 Legislative Session.*

*Commissioner Sosa proclaimed June 2, 2009, Dade Delegation Day. She noted that the State budget cuts and the new House Speaker made the 2009 State Legislative Session a challenge in which the County realized a number of important successes. She expressed appreciation to Dade Delegation Chairman Juan Zapata and Vice-Chairman Luis Garcia. Commissioner Sosa noted the County's efforts with the Dade Delegation were able to help Senate Bill (SB) 2430 pass to extend the Miami-Dade Affordable housing surtax for 20 years and close the loophole in the surtax. She expressed appreciation to Senator Dan Gelber and Representative Carlos Lopez-Cantera for their efforts on the housing surtax bill. She pointed out that the Port of Miami Tunnel project was revived through the efforts of Senator Alex Diaz de la Portilla and Representative David Rivera. Commissioner Sosa noted that SB 2108 secured a new funding source for the new Children's Courthouse. She explained that the Dade Delegation helped to mitigate the impact of SB 360—the Growth Management Bill. She expressed appreciation to Representatives David Rivera and Marcelo Llorente for preserving funding and minimizing the cuts to Jackson Health Systems. Commissioner Sosa expressed appreciation to Mayor Carlos Alvarez and Commission Chairman Dennis Moss for trusting her to represent the Commission at the Legislature. She expressed appreciation to the other commissioners who frequently traveled to Tallahassee to work for the good of the County.*

*Mayor Alvarez expressed appreciation to the Dade Delegation for representing their constituents well in this challenging budget year.*

*Chairman Moss expressed appreciation to Dade Delegation Chairman Juan Zapata. He noted that he had an excellent working relationship with Chairman Zapata. Chairman Moss expressed appreciation to Senate President Jeff Atwater and House Speaker Larry Cretul for being accessible during the Legislative Session.*

*Mayor Alvarez, Chairman Moss, and Commissioner Heyman presented each Delegation member with a Certificate of Appreciation for their leadership and perseverance in working for the issues concerning the County.*

*Rep. Lopez-Cantera noted the County Lobbying Team was instrumental in passing SB 2430.*

*Mr. Ron Book, Lead County Lobbyist, recognized members of the County Lobbying Team who were present. He expressed appreciation for the opportunity to represent the County.*

**2 MAYORAL ISSUES****2A MAYORAL VETOES**

**2B      MAYORAL REPORTS**

2B1

**091697              Report**

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**3              CONSENT ITEMS**

3B1A

**091484              Resolution**

RESOLUTION RATIFYING SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN THE AMOUNT OF \$4,185,838 FOR BEACH NOURISHMENT IN MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE AND EXPEND GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR ADDITIONAL GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE AND EXECUTE APPLICATIONS, CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, AMENDMENTS, MODIFICATIONS, TERMINATION AND CANCELLATION CLAUSES, AFTER APPROVAL BY COUNTY ATTORNEY'S OFFICE (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-638-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Natacha Seijas*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

3B1B

**091485              Resolution**

RESOLUTION RATIFYING SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN THE AMOUNT OF \$1,967,093 FOR MARINE HABITAT CREATION IN THE COASTAL WATERS OF MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE AND EXPEND GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR ADDITIONAL GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE AND EXECUTE APPLICATIONS, CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, AMENDMENTS, MODIFICATIONS, TERMINATION AND CANCELLATION CLAUSES, AFTER APPROVAL BY COUNTY ATTORNEY'S OFFICE (Department of Environmental Resources Management)

*Adopted*  
*Resolution R-639-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

3B1C

**091486 Resolution**

RESOLUTION RATIFYING SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN THE AMOUNT OF \$1,100,000 FOR THE CHAPMAN FIELD WETLANDS RESTORATION PROJECT IN MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE AND EXPEND GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR ADDITIONAL GRANT FUNDS; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE AND EXECUTE APPLICATIONS, CONTRACTS, AGREEMENTS, MEMORANDA OF UNDERSTANDING, AMENDMENTS, MODIFICATIONS, TERMINATION AND CANCELLATION CLAUSES, AFTER APPROVAL BY COUNTY ATTORNEY'S OFFICE (Department of Environmental Resources Management)

*Adopted*  
**Resolution R-640-09**  
**Mover: Jose "Pepe" Diaz**  
**Seconder: Rebeca Sosa**  
**Vote: 11- 0**  
**Absent: Martinez, Seijas**

3J1A

**091500 Resolution**

RESOLUTION RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR \$200,000 IN GRANT FUNDING FOR THE REMOVAL OF EXOTIC AND INVASIVE PLANTS AND RESTORATION OF NATURAL PLANT COMMUNITIES AT MATHESON HAMMOCK PARK AND R. HARDY MATHESON PRESERVE; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND NO MORE THAN \$200,000, AND TO FILE AND EXECUTE CONTRACTS AND AMENDMENTS AS REQUIRED UPON APPROVAL BY COUNTY ATTORNEY (Park & Recreation Department)

*Adopted*  
**Resolution R-641-09**  
**Mover: Jose "Pepe" Diaz**  
**Seconder: Rebeca Sosa**  
**Vote: 11- 0**  
**Absent: Martinez, Seijas**

**4 ORDINANCES FOR FIRST READING**

4A

**091558 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS HAMMOCK LAKES SECURITY GUARD SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading*  
**Public Hearing: July 21, 2009**  
**Mover: Jose "Pepe" Diaz**  
**Seconder: Dorrin D. Rolle**  
**Vote: 11- 0**  
**Absent: Souto, Seijas**

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the July 21, 2009, Board of County Commissioners meeting at 9:30 a.m.*

4B

**091546          Ordinance**

ORDINANCE RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN MIAMI-DADE COUNTY; AUTHORIZING THE IMPOSITION AND COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT; PROVIDING DEFINITIONS; ESTABLISHING THE PROCEDURES FOR IMPOSING FIRE PROTECTION SPECIAL ASSESSMENTS; PROVIDING THAT FIRE PROTECTION SPECIAL ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR FIRE PROTECTION SPECIAL ASSESSMENTS UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1 LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING THE IMPOSITION OF INTERIM ASSESSMENTS; PROVIDING AUTHORIZATION FOR EXEMPTIONS AND HARDSHIP ASSISTANCE; PROVIDING PROCEDURES FOR COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (County Manager)

*Adopted on first reading  
Public Hearing: July 21, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Barbara J. Jordan  
Vote: 8- 3  
No: Barreiro, Sosa, Gimenez  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the July 21, 2009, Board of County Commissioners meeting at 9:30 a.m.*

**5/26/2009**    *Requires Municipal Notification by the Board of County Commissioners to the Budget, Planning and Sustainability Committee*

4C

**091583 Ordinance**

ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 08-126; AUTHORIZING ISSUANCE OF MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM COMMERCIAL PAPER NOTES, IN ONE OR MORE SERIES, AND ENTERING INTO ONE OR MORE LINES OF CREDIT, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000 OUTSTANDING AT ANY ONE TIME, AS INTERIM FINANCING IN ANTICIPATION OF ISSUANCE OF MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM REVENUE BONDS; AUTHORIZING ISSUANCE OF NOT TO EXCEED \$800,000,000 MIAMI-DADE COUNTY, FLORIDA WATER AND SEWER SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, FOR PURPOSE, AMONG OTHERS, OF REPAYING INTERIM FINANCING, PURSUANT TO SECTION 208 OF ORDINANCE NO. 93-134; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO OBTAIN PROPOSALS FOR SELECTION, AS APPLICABLE, OF COMMERCIAL PAPER DEALER(S), ISSUING AND PAYING AGENT(S) AND CREDIT PROVIDER(S) IN CONNECTION WITH INTERIM FINANCING; PROVIDING FOR ESTABLISHMENT OF DETAILS OF INTERIM FINANCING AND BONDS BY SUBSEQUENT RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE (Water & Sewer Department)

*Adopted on first reading  
Public Hearing: July 21, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Dorrin D. Rolle  
Vote: 11-0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the July 21, 2009, Board of County Commissioners at 9:30 a.m.*

4D

**091564 Ordinance** **Sally A. Heyman,  
Rebeca Sosa**

ORDINANCE RELATED TO THE COURTS; AMENDING SECTIONS 11-12, 11-13 AND 11-14 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; INCREASING THE SURCHARGE ON CIVIL AND CRIMINAL TRAFFIC INFRACTIONS AND VIOLATIONS TO FUND COURT FACILITIES AND DEBT SERVICE THEREON; PROVIDING AN EXCEPTION FOR INDIGENTS RELATED TO THE COLLECTION OF COURT SURCHARGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: July 16, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Dorrin D. Rolle  
Vote: 11-0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the July 16, 2009, Health, Public Safety and Inergovernmental Affairs Committee at 2:00 p.m.*

**5 PUBLIC HEARINGS (Scheduled for 9:30 a.m.)**

5A

**090719 Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CENTURY PALMS AT DORAL SOUTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted  
Ordinance 09-39  
Mover: Jose "Pepe" Diaz  
Seconder: Dorrin D. Rolle  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

- 4/7/2009** Adopted on first reading by the Board of County Commissioners
- 4/7/2009** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners
- 5/5/2009** Deferred as recommended by the County Manager by the Board of County Commissioners

5A1

**090746 Resolution**

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS CENTURY PALMS AT DORAL SOUTH MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted  
Resolution R-642-09  
Mover: Jose "Pepe" Diaz  
Seconder: Dorrin D. Rolle  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

- 5/5/2009** Deferred as recommended by the County Manager by the Board of County Commissioners

5B

**091108            Ordinance**

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS EUREKA SWEET HOMES MULTIPURPOSE MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

***Adopted******Ordinance 09-40******Mover: Jose "Pepe" Diaz******Seconder: Dorrin D. Rolle******Vote: 11- 0******Absent: Souto, Seijas***

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

**5/5/2009**     *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Board of County Commissioners*

**5/5/2009**     *Adopted on first reading by the Board of County Commissioners*

5C

091371

Resolution

Sally A. Heyman

RESOLUTION APPROVING DELETION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 234 – "BISCAYNE PARK – CONSTRUCT CITY HALL BUILDING" FROM APPENDIX A TO RESOLUTION NO. R-917-04 AND FROM LIST OF PROJECTS TO BE FUNDED BY SERIES 2008B BOND SALE, WAIVING REQUIREMENTS REGARDING ADDING NEW PROJECTS OF IMPLEMENTING ORDER 3-47 AND APPROVING ADDITION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 234A – "BISCAYNE PARK – CONSTRUCT PUBLIC WORKS FACILITY" TO APPENDIX A TO RESOLUTION NO. R-917-04 AND TO LIST OF PROJECTS TO BE FUNDED BY SERIES 2008B BOND SALE AFTER A PUBLIC HEARING

*Adopted**Resolution R-643-09**Mover: Sally A. Heyman**Seconder: Joe A. Martinez**Vote: 11- 0**Absent: Souto, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

*Commissioner Diaz pointed out the intent of this proposed resolution was to redirect funds that were originally earmarked for the Village of Biscayne Park City Hall. He questioned whether Biscayne Park would request funding for the City Hall building in the future.*

*Commissioner Heyman noted the Village of Biscayne Park would not return before the Board and request funding for a new city hall building.*

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

**5/13/2009** Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

5D

090769

Ordinance

Dorrin D. Rolle,  
Audrey M. Edmonson,  
Barbara J. Jordan

ORDINANCE AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY; PERTAINING TO THE COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) PROGRAM; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR FAILURE TO SATISFY AN APPROVED CSBE MAKE-UP PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted  
Ordinance 09-41  
Mover: Dorrin D. Rolle  
Seconder: Audrey M. Edmonson  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

*Commissioner Edmonson asked that she be listed as a co-sponsor.*

*Commissioner Sorenson expressed concern that firms could violate the policies of the County Community Small Business Enterprises (CSBE) program and expect another County contract if they agreed to a make-up plan. She suggested this proposed ordinance be amended on handwritten page 5 to replace "may be subject to" with "shall be subject to" on the tenth to the last line in Section 1.*

*Commissioner Rolle did not accept Commissioner Sorenson's suggested amendment.*

*Commissioner Diaz requested a clarification on how the County would determine "good cause."*

*Ms. Penelope Townsley, Director, Department of Small Business Development, explained "good cause" situations were when the department reduced or eliminated the scope of work related to the CSBE goal or when a CSBE firm became unavailable and the prime contractor could not replace that CSBE firm with another CSBE firm.*

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

- 4/7/2009** Adopted on first reading by the Board of County Commissioners
- 4/7/2009** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Budget, Planning and Sustainability Committee
- 5/12/2009** Forwarded to the full BCC by the BCC Chairperson as requested from the Budget, Planning and Sustainability Committee
- 5/19/2009** Legislative notes attached by the Commission Auditor

5E

091355

Resolution

Sen. Javier D. Souto

RESOLUTION AUTHORIZING A WAIVER OF FACILITY RENTAL FEES FOR THE USE OF VIZCAYA MUSEUM AND GARDENS FOR THE JUNE 10, 2009 "FIFTEENTH INTER-AMERICAN CONFERENCE OF MAYORS AND LOCAL AUTHORITIES COCKTAIL RECEPTION" SPONSORED BY FLORIDA INTERNATIONAL UNIVERSITY'S INSTITUTE OF PUBLIC MANAGEMENT AND COMMUNITY SERVICE, IN AN AMOUNT NOT TO EXCEED \$13,125.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND [SEE AGENDA ITEM NO. 11A45]

*Adopted**Resolution R-644-09**Mover: Rebeca Sosa**Seconder: Carlos A. Gimenez**Vote: 11- 0**Absent: Souto, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

**5/12/2009** *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

**5/19/2009** *Legislative notes attached by the Commission Auditor*

5F

**091412          Resolution**

RESOLUTION DECLARING FOUR GEOGRAPHIC AREAS OF MIAMI-DADE COUNTY, FLORIDA LOCATED IN THE CITY OF FLORIDA CITY; GEOGRAPHIC AREA ONE GENERALLY BOUNDED BY SW 328 ST TO THE NORTH, SW 187 AVENUE TO THE WEST, ON THE EAST BY NW 4 AVENUE AND ON THE SOUTH BY 336 STREET; GEOGRAPHIC AREA TWO GENERALLY BOUNDED BY PALM DRIVE TO THE NORTH, SW 8 AVENUE TO THE WEST, SW 6 AVENUE TO THE EAST AND SW 3 TERRACE TO THE SOUTH (PINELAND PARK); GEOGRAPHIC AREA THREE GENERALLY BOUNDED BY PALM DRIVE TO THE NORTH, SW 2 AVENUE TO THE WEST, KROME AVENUE TO THE EAST AND SW 352 STREET TO THE SOUTH (CLOSED PACKING PLANT); GEOGRAPHIC AREA FOUR GENERALLY BOUNDED BY NW 4 STREET TO THE NORTH, SW 3 AVENUE TO THE WEST, THE SOUTH DADE BUSWAY TO THE EAST AND NW 2 STREET TO THE SOUTH (BUSWAY INFILL) TO BE A SLUM OR BLIGHTED AREAS; DECLARING REHABILITATION, CONSERVATION OR REDEVELOPMENT, OR COMBINATION THEREOF, OF AREAS TO BE NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, MORALS OR WELFARE OF RESIDENTS OF MIAMI-DADE COUNTY, FLORIDA; AND APPROVING AMENDMENT TO AND RESTATEMENT OF REDEVELOPMNET PLAN FOR THE FLORIDA CITY COMMUNITY REDEVELOPMENT AGENCY [SEE AGENDA ITEM NO. 8L1D] (Office of Strategic Business Management)

*Adopted**Resolution R-645-09**Mover: Dennis C. Moss**Seconder: Katy Sorenson**Vote: 10- 1**No: Martinez**Absent: Sosa, Seijas*

FINAL OFFICIAL

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened, and the following person appeared before the Commission:*

*Mr. Rick Stots, Executive Director, City of Florida City Community Redevelopment Agency, explained the subject area had remained a blighted area since Hurricane Andrew.*

*The public hearing was closed after no other person appeared in response to Chairman Moss' call for people wishing to be heard.*

*Chairman Moss relinquished the Chair to Commissioner Jordan.*

*Commissioner Martinez questioned the fiscal impact this proposed resolution would have on the County's tax revenues.*

*Mr. Jorge Fernandez, Office of Strategic Business Management Coordinator, Office of Strategic Business Management (OSBM), noted the Community Redevelopment Agency expansion in this proposed resolution would generate \$2.7 million over the next 17 years from County Tax Increment Financing (TIF).*

*Responding to Commissioner Martinez clarifying that he wanted to know the taxable value of the subject area, Mr. Fernandez noted the taxable value was \$83.6 million.*

*Commissioner Martinez noted he would not support this proposed resolution. He explained the County could not afford to lose taxable land at this time.*

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

*Chairman Moss resumed the Chair.*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

5G

**090743                    Resolution**

RESOLUTION PROVIDING FOR THE UPGRADING OF STREET LIGHTING SERVICES AT A COMBINED CAPITAL AND FIRST YEAR RATE INCREASE COST OF \$37,064 AND ADOPTING A REVISED ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS BROWNSVILLE STREET LIGHTING IMPROVEMENT DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, ORDINANCE NO. 02-12, AND RESOLUTION NO. 9199 (Public Works Department)

*Adopted  
Resolution R-646-09  
Mover: Audrey M. Edmonson  
Seconder: Dorrin D. Rolle  
Vote: 11- 0  
Absent: Diaz, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

**4/15/2009**    *Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

**5/5/2009**    *Deferred as recommended by the County Manager by the Board of County Commissioners*

5H

**091556 Resolution**

RESOLUTION APPROVING THE PLAT OF EQUESTRIAN TRAIL SUBDIVISION, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 56 SOUTH, RANGE 38 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY SW 212 STREET, ON THE EAST BY SW 177 AVENUE, ON THE SOUTH BY SW 216 STREET, AND ON THE WEST BY APPROXIMATELY SW 180 AVENUE) (Public Works Department)

*Amended (pending receipt of Leg. File No. from CM)*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance/resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

*Mr. Raul Pino, Public Works Department, requested this proposed resolution be amended to change the second bullet under Plat Restrictions on handwritten page 1 to read as follows: The use of wells for drink and culinary purposes will not be permitted within this subdivision after the waterline for the proposed purposes is available except for swimming pools, sprinkler systems and/or air conditioners.*

*It was moved by Commissioner Sorenson that this proposed resolution be adopted as amended to change the second bullet under Plat Restrictions on handwritten page 1 to read as follows: The use of wells for drink and culinary purposes will not be permitted within this subdivision after the waterline for the proposed purposes is available except for swimming pools, sprinkler systems and/or air conditioners. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Diaz, and Martinez were absent).*

*The amended version of this resolution was assigned Resolution No. R-629-09.*

5I

**091557 Resolution**

RESOLUTION APPROVING THE PLAT OF TERCERO GROUP PLAT, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY NW 79 STREET, ON THE EAST BY NW 27 AVENUE, ON THE SOUTH BY APPROXIMATELY NW 76 STREET, AND ON THE WEST BY APPROXIMATELY NW 30 AVENUE) (Public Works Department)

**Adopted**  
**Resolution R-630-09**  
**Mover: Katy Sorenson**  
**Seconder: Barbara J. Jordan**  
**Vote: 10-0**  
**Absent: Martinez, Diaz, Seijas**

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

5J

**091582            Resolution**

RESOLUTION PERTAINING TO TEMPORARY MORATORIUM FOR PROPERTIES BEING UTILIZED AS MOBILE HOME PARKS IN UNINCORPORATED MIAMI-DADE COUNTY; DETERMINING WHETHER OR NOT THE MORATORIUM SHOULD BE TERMINATED; DIRECTING THE IMPLEMENTATION OF THE STRATEGIES RECOMMENDED IN THE MOBILE HOME PARK REPORTS DATED FEBRUARY 19, 2008 AS ORDERED BY RESOLUTION R-1161-07 AND MAY 6, 2008 AS ORDERED BY RESOLUTION R-167-08 AND OCTOBER 21, 2008 AS ORDERED BY RESOLUTION R-567-08 AND FEBRUARY 17, 2009 AS ORDERED BY RESOLUTION R-1115-08 AND JUNE 2, 2009 AS ORDERED BY R-144-A-09 TO MITIGATE THE IMPACT OF REDEVELOPMENT ON PROPERTIES IN THE STUDY AREA DESCRIBED IN RESOLUTION R-1161-07 (Department of Planning & Zoning)

*Adopted**Resolution R-647-09**Mover: Jose "Pepe" Diaz**Seconder: Rebeca Sosa**Vote: 12- 0**Absent: Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*Chairman Moss relinquished the Chair to Vice-Chairman Diaz.*

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

*Mr. Matthew Amster, 200 S Biscayne Boulevard Suite 850, representing Liberty Investments, Inc., owner of Colonial Acres Mobile Home Park, noted that Liberty Investments, Inc. had no desire to close the park. He requested that the Commission exclude Colonial Acres Mobile Home Park from this proposed temporary moratorium on the issuance of building permits for properties being utilized as mobile home parks on the grounds that Liberty Investments had a comprehensive redevelopment plan in progress before this moratorium was initially implemented, and that the County Commission excluded some mobile home parks from this moratorium since they had established redevelopment plans.*

*Ms. Ivonne Hislop, Palm Lake Trailer Park, 7600 NW 27 Avenue Lot 124, spoke in support of this proposed resolution. She noted the County would have a major socioeconomic problem if all mobile home park residents were evicted.*

*Mr. Charles Elsesser, Attorney, Florida Legal Services, spoke in opposition to this proposed resolution. He noted that this proposal did not accomplish the original intent of the temporary moratorium that directed the County Administration to find appropriate zoning for the existing mobile home parks. He explained that the County Attorney had opined that the County could not have a zoning district for only mobile home parks, notwithstanding every other South Florida county having such zoning districts. He pointed out that municipalities in the County had zoning districts for only mobile home parks. Mr. Elsesser requested the Commission make the County Attorney's opinions on this issue public and debate the legality of a single use zoning district for mobile home parks.*

*Ms. Judith Nassar, 2260 NW 27 Avenue, spoke in support of this proposed resolution.*

*Mr. Juan Ruiz, 12610 SW 6 Street, University of South Florida Researcher, stressed the importance of the County creating a zoning district for mobile home parks, and the potential long-term unintended consequences of not protecting the mobile home parks.*

*Ms. Juanita Alvarez, Trinidad Court Park, spoke in support of this proposed resolution.*

*Ms. Herminia Nassar, 2260 NW 27 Avenue, spoke in support of this proposed resolution.*

*Ms. Alyce Wright, 268 NW 59 Terrace, expressed concern regarding the County Attorney opposing the creation of a zoning district for mobile home parks. She requested a process point that would provide, in writing, the reasons why this zoning district was lawful or not, and whether the application was lawful or not in this County. She expressed appreciation that the Commission included this issue in the discussion with the Department of Planning and Zoning on the Comprehensive Development Master Plan*

FINAL OFFICIAL

(CDMP). She requested the Commission extend this moratorium to a date that would provide for her process point to be resolved.

Ms. Lady Diaz, Lil Abner Mobile Home Park, 11239 NW 4 Street, spoke in support of this proposed resolution.

Mr. Jose Hernandez, Palm Lake Trailer Park, 7600 NW 27 Avenue, spoke in support of this proposed resolution.

Ms. Regla Gonzalez, President, Lil Abner Mobil Home Park Home Owners Association, 11160 NW 3 Terrace, spoke in support of this proposed resolution.

The public hear was closed after no other persons appeared in response to Vice-Chairman Diaz's call for persons wishing to be heard.

Vice-Chairman Diaz requested the County Administration clarify, for the record, the position of the Department of Planning and Zoning on the issue of a zoning district for only mobile home parks.

Assistant County Manager Alex Munoz noted that the County Administration had consistently recommended throughout this moratorium that the County impose a takings action if the zoning district for mobile home parks were changed; that the County create the Villa Development Zoning District, which was attached to this proposed resolution and could be brought back as an ordinance. He explained that the proposed Villa Development Zoning District would create a zoning district for mobile and modular homes as a matter of right, as opposed to the existing law requiring an unusual use zoning hearing to use land for mobile homes. Assistant County Manager Munoz pointed out that all existing mobile home parks were on land that was zoned for other uses. He clarified that the takings action was required because the County would impose a different zoning district on the properties with mobile home parks. He explained that the County Attorney was providing legal advice, not presenting opposition to a new mobile home park zoning district. Assistant County Manager Munoz noted the County Administration was also recommending the County implement an exit plan that provided the County a way to deal with mobile home parks on a case-by-case basis according to State Statutes and required mobile home park owners to demonstrate that other housing options were available to mobile home residents. He noted that the County Administration was recommending some changes to the CDMP that would allow mobile home parks a greater ability to pursue land use changes. Assistant County Manager Munoz clarified the County Administration was recommending the County create a zoning district for mobile home parks, however, mobile home park owners would need to request a zoning change to be rezoned to the new district, as opposed to the County imposing this zoning change on mobile home parks.

Mr. Marc LaFerrier, Director, Department of Planning and Zoning, noted the proposed mobile home park zoning district could be applied to existing or future mobile home parks. He explained that this proposed zoning district had more flexibility than the current regulations and would allow for smaller lots that could be parceled, would allow for common ownership of the land, and would allow for smaller park sizes. He pointed out that some mobile home park closures were not done according to state law, however, the Exit Ordinance on handwritten pages 28-34 would strengthen the state law. Mr. LaFerrier noted the unresolved issue regarding the proposed mobile home park zoning district was whether mobile home parks should be the only

FINAL OFFICIAL

*allowed use under that district; the single use for this proposed zoning district could be considered a takings by the County.*

*Regarding mobile home park zoning districts in other jurisdictions, Mr. LaFerrier explained that jurisdictions that had a zoning district that had mobile homes as the only permitted use of the land had created the mobile home park zoning district and rezoned land to the mobile home park zoning district before the mobile home parks were developed on the land. He clarified that the County did not have a zoning district exclusively for mobile home parks, and that all the existing mobile home parks in the County were developed with a special use permit on land that had another zoning district. Notwithstanding the development of the mobile home parks, the owners of the land had rights to use the land in accordance with the underlying zoning district, Mr. LaFerrier noted.*

*Vice-Chairman Diaz noted that he had been working to find a solution and preserve mobile home parks, which was a form of housing that the county needed.*

*Commissioner Sosa noted she could not support the County lifting this moratorium until the County had exercised its best efforts to establish a mobile home zoning district. She noted that she would continue to lobby the Legislature to grant mobile home park residents the right of first refusal to purchase or lease the underlying mobile home park parcel if the mobile home park property was subdivided or a proposed change in the use of the land comprising the mobile home park property was made. She expressed concern regarding the exit plan in the proposed Villa Development Zoning District.*

*Commissioner Gimenez questioned whether mobile home park owners could assert that extending this moratorium, which had already lasted more than 600 days, was a takings by the County.*

*Assistant County Attorney Armstrong Coffey advised the County could extend this moratorium only with intent to rezone the land through the creation of a zoning district or through an existing zoning district.*

*Commissioner Gimenez noted the proposed Villa Development Zoning District was the best compromise between the mobile home residents and the mobile home park owners. He expressed concern regarding the potential for legal action by mobile home park owners if the County extended the moratorium or if the County rezoned the mobile home parks.*

*Commissioner Sorenson questioned whether the County could avoid legal problems if it created a mobile home park zoning district and allowed mobile home park owners to opt into that zoning district.*

*Assistant County Attorney Armstrong-Coffey advised that court precedent was that property owners could not be required to allow people to inhabit their property, which would be the case with a mobile home park zoning district.*

*Commissioner Sorenson expressed concern regarding the impact of the County ending this moratorium on mobile home parks in unincorporated parts of the County. She noted the cost of the County facing a takings issue with mobile home park owners could be less than the cost of mobile home park residents losing their homes.*

*Assistant County Attorney Armstrong-Coffey advised that the Supreme Court*

of Florida had ruled that zoning that confiscated property was invalid. She pointed out that the County could exercise eminent domain on mobile home park properties.

Commissioner Jordan questioned Assistant County Attorney Armstrong-Coffey regarding the ability of the County to apply a mobile home park zoning district to properties that had been used as mobile home parks for several years.

Commissioner Rolle noted that he supported the County creating a mobile home parks zoning district. He expressed concern regarding the enforcement of the Code of Miami-Dade County related to the living conditions. He further expressed concern that 22 out of the 25 mobile home parks in his district could be redeveloped without a public hearing.

Commissioner Martinez pointed out that the property owner for all mobile home parks had come before the Board and requested the special use permit to have a mobile home park on their property. He noted that the County would not violate the rights of these property owners by applying a single use mobile home park zoning district to these properties.

In response to Commissioner Martinez's inquiry regarding mobile home park owners changing the use of their property, Assistant County Attorney Armstrong-Coffey advised that these owners could use the land within its underlying zoning district without reappearing before the Board, notwithstanding the special use permit.

Mr. LaFerrier pointed out that all the existing mobile home parks had come before the Board for approval of special use of that land.

Vice-Chairman Diaz suggested the County extend this moratorium for five months to conclude considering the mobile home park zoning district, with a provision that mobile home park owners could sell parcels of land to the existing mobile home residents.

Responding to Commissioner Diaz's request for an update regarding the status of Colonial Acres Mobile Home Park, Mr. LaFerrier noted that the County's field research indicated that this park was fully operating as a mobile home park.

Commissioner Sosa noted she supported the County extending this moratorium and directing staff to prepare additional alternatives for parceling mobile home park units. She stressed that she did not support the exit plan in the recommended villa zoning district.

In response to Commissioner Martinez's question regarding the County exempting vacant mobile home parks from this moratorium, Assistant County Attorney Armstrong-Coffey advised that the County could exempt individual mobile home parks from this moratorium.

Responding to Vice-Chairman Diaz's inquiry regarding parks that had been vacated after this moratorium was originally imposed, Mr. LaFerrier noted the parks that have vacated were: Landmark Plaza and Trailer, Coe's Trailer Court, and Palm Trailer Park.

Vice-Chairman Diaz requested this proposed resolution be amended to extend this moratorium for five months, to release Landmark Plaza and Trailer,

FINAL OFFICIAL

*Coe's Trailer Court, and Palm Trailer Park from the moratorium, and to provide for mobile home park owners to parcel lots and sell those lots to the existing tenant(s).*

*Commissioner Sorenson expressed concern that the County would provide other mobile home parks an incentive to remove mobile home units from the property by releasing Landmark Plaza and Trailer, Coe's Trailer Court, and Palm Trailer Park from the moratorium.*

*Assistant County Attorney Armstrong-Coffey advised that the County could retain the three vacant properties in the moratorium if the County would consider rezoning them. She clarified that this moratorium did not prevent mobile home park owners from removing mobile homes from the property, and that this moratorium prevented rezoning and redevelopment of these properties.*

*Commissioner Gimenez asked Assistant County Attorney Joni Armstrong-Coffey to provide him with a report regarding the financial exposure to the County by imposing a special mobile home zoning designation on the existing mobile home parks.*

*In response to Commissioner Rolle's inquiry regarding Colonial Acres Mobile Home Park filing litigation against the County, Assistant County Attorney Armstrong-Coffey advised that Liberty Investments, Inc. had filed a vested rights claim with the County indicating that they had filed a zoning application on the property that they wished to have processed. She noted that the Code did not allow this zoning application to be processed while this moratorium was in place. She clarified that Liberty Investments, Inc. had not filed a lawsuit.*

*Assistant County Manager Munoz questioned whether Vice-Chairman Diaz still intended to release Landmark Plaza and Trailer, Coe's Trailer Court, and Palm Trailer Park from the moratorium, and whether a five month extension would bring this item before the Commission again on October 20, 2009.*

*Vice-Chairman Diaz noted he did not want to release Landmark Plaza and Trailer, Coe's Trailer Court, and Palm Trailer Park from this moratorium.*

*Chairman Moss resumed the Chair.*

*Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution to extend the temporary moratorium for properties being utilized as mobile home parks for five months.*

5J SUPPLEMENT

091584

Supplement

SUPPLEMENTAL INFORMATION RE: RESOLUTION  
REGARDING MORATORIUM, AS ORDERED BY  
RESOLUTIONS R-1161-07, R-167-08, R-567-08 AND R-1115-08  
FOR PROPERTIES BEING UTILIZED AS MOBILE HOME  
PARKS IN UNINCORPORATED MIAMI-DADE COUNTY

*Presented*

5K

**091597 Resolution**

RESOLUTION APPROVING THE SUBSTANTIAL AMENDMENT TO THE FY 2008 ACTION PLAN TO REFLECT THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY FUNDS (CDBG-R) AS AUTHORIZED BY TITLE XII, OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, IN THE AMOUNT OF \$4,884,311 IN SUBSTANTIALLY THE SAME FORM AS INDICATED IN EXHIBIT 1; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Office of Community and Economic Development)

*Adopted  
Resolution R-631-09  
Mover: Audrey M. Edmonson  
Seconder: Barbara J. Jordan  
Vote: 10- 0  
Absent: Sosa, Martinez, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed resolution into the record.*

*The public hearing was opened. It was closed after no one appeared in response to Chairman Moss' call for people wishing to be heard.*

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

**6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS**

**6A POLICY MATTERS FOR DISCUSSION BY THE BOARD**

6A1

**091627 Discussion Item**

STEPHANIE DABKOWSKI, FCC REPRESENTATIVE  
REGARDING DTV TRANSITION

*Presented*

**Report:** *Ms. Stephanie Dabkowski, Federal Communications Commission (FCC), noted the Digital Television (DTV) transition would occur on Friday, June 12, 2009. She pointed out that this transition would not effect cable and satellite viewers, however, they should be prepared to receive DTV if they lose their signal during a hurricane. She pointed out that the National Telecommunication and Information Administration (NTIA) coupon program had some issues and that any household with an expired coupon could reapply. Ms. Dabkowski noted television companies would run a soft test on Friday, June 5, 2009, at 6:25 p.m. and 11:25 p.m. that would warn viewers who had not installed a DTV converter box or who were not using a DTV with a message to get prepared for the upcoming transition. She noted the FCC was partnering with local entities to help residents prepare, which included providing assistance with installing converter boxes. Ms. Dabkowski explained that portable, battery-powered televisions would require a converter box and a new antenna to continue working. She pointed out that residents would need to rescan their televisions or converter boxes on June 13 to pick up the additional stations that had transitioned on June 12.*

**7 ORDINANCES SET FOR SECOND READING**

7A

**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 .

*Adopted  
Ordinance 09-42  
Mover: Dennis C. Moss  
Seconded: Carlos A. Gimenez  
Vote: 9- 0  
Absent: Heyman, Souto,  
Martinez, Seijas*

**Report:** *First Assistant County Attorney Abigail Price Williams read the foregoing proposed ordinance into the record.*

*Chairman Moss relinquished the Chair to Commissioner Jordan.*

*Commissioner Barreiro questioned whether this proposed ordinance would allow the Commission to discuss policy matters only on Tuesday or for the Commission Chair to have the flexibility to choose Tuesday or Thursday.*

*Commissioner Moss explained that the Commission only discussed policy matters on Thursday if items from the Tuesday meeting were carried over to Thursday. He noted this proposed ordinance would amend the Rules of Procedure to conform to the current practice.*

*Assistant County Attorney Cynthia Johnson-Stacks advised this proposed ordinance would allow the Commission to have policy discussions on both Tuesday and Thursday.*

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

*Chairman Moss resumed the Chair.*

- 4/7/2009**      *Adopted on first reading by the Board of County Commissioners*
- 4/7/2009**      *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Government Operations Committee*
- 5/12/2009**      *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

7B

091596

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 [SEE ORIGINAL ITEM UNDER FILE NO. 091060]

*Adopted**Ordinance 09-43**Mover: Dennis C. Moss**Seconder: Jose "Pepe" Diaz**Vote: 9-0**Absent: Heyman, Souto,**Martinez, Seijas*

**Report:** *First Assistant County Attorney Abigail Price Williams read the foregoing proposed ordinance into the record.*

*Chairman Moss relinquished the Chair to Commissioner Jordan.*

*Commissioner Moss noted that the intent of this proposed resolution was to enable the Commission to cancel a special meeting by collecting seven signatures of Commission members.*

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

*Chairman Moss resumed the Chair.*

**5/12/2009** Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Government Operations Committee

7C

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

*Adopted*  
*Ordinance 09-44*  
*Mover: Rebeca Sosa*  
*Second: Jose "Pepe" Diaz*  
*Vote: 11- 0*  
*Absent: Heyman, Seijas*

**Report:** *First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance into the record.*

*Commissioner Sosa explained that this proposed ordinance would provide individuals applying for a chauffeur registration the option to take the written exam in Spanish or Creole, however, they would still have to do the oral exam in English.*

*Commissioner Edmonson questioned who would determine the necessary emergency phrases and the necessary proficiency to pass the oral exam.*

*Ms. Cathy Grimes Peel, Director, Consumer Services Department, noted the Consumer Services Department would determine the emergency phases and the passing score. She explained that the Department had a similar program in place that the Board approved for private school bus drivers.*

*Commissioner Jordan expressed concern regarding a chauffeur's ability to communicate in English during the excitement of an emergency, if English was not the chauffeur's native language.*

*Responding to Commissioner Jordan's request for an explanation of the process that the County had in place for private school bus drivers, Ms. Peel noted the bus drivers were asked to identify specific emergency situations and to provide the English term.*

*Commissioner Diaz questioned whether the County administered chauffeur course was done in one language.*

*Ms. Peel noted the course was administered in only English.*

*Commissioner Diaz expressed concern that prospective chauffeurs would have difficulty passing a test that was written in a language different than the language used to teach the course.*

*Following further discussion between Commissioners Sosa and Diaz on whether this proposed resolution would improve the chauffeur registration, the Commission proceeded to vote.*

- 4/7/2009** Tentatively scheduled for a public hearing by the Board of County Commissioners to the Government Operations Committee
- 4/7/2009** Adopted on first reading by the Board of County Commissioners
- 5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee
- 5/19/2009** Legislative notes attached by the Commission Auditor

7D

**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)

*Adopted  
Ordinance 09-45  
Mover: Katy Sorenson  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Heyman, Seijas*

- 4/21/2009 Adopted on first reading by the Board of County Commissioners*
- 4/21/2009 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

7E

**090840 Ordinance**

ORDINANCE REPEALING ORDINANCES NO. 01-100, 04-136, AND 04-148 OF MIAMI-DADE COUNTY ESTABLISHING THE REDLAND, PRINCETON LEISURE CITY AND NARANJA (PLANT), AND GOULDS AREA MUNICIPAL ADVISORY COMMITTEES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE (Office of Strategic Business Management)

*Adopted  
Ordinance 09-46  
Mover: Katy Sorenson  
Seconder: Jose "Pepe" Diaz  
Vote: 11- 0  
Absent: Heyman, Seijas*

- 4/21/2009 Tentatively scheduled for a public hearing by the Board of County Commissioners to the Budget, Planning and Sustainability Committee*
- 4/21/2009 Adopted on first reading by the Board of County Commissioners*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

7F

**091524 Ordinance**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTIONS 33-13, 33-238 AND 33-259 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AMENDING UNUSUAL USES; PERMITTING ANCILLARY OUTDOOR DINING USE SUBJECT TO CONDITIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 091143] (Department of Planning & Zoning)

*Adopted  
Ordinance 09-47  
Mover: Joe A. Martinez  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Heyman, Seijas*

- 5/12/2009 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget, Planning and Sustainability Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

**8 DEPARTMENTAL ITEMS**

**8A and 8B**      **[No items were submitted for these sections.]**

**8C**      **CONSUMER SERVICES DEPARTMENT**

8C1A

**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)

*Adopted  
Resolution R-648-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**      *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

8C1B

**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)

*Adopted  
Resolution R-649-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**      *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

8C1C

**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)

*Adopted  
Resolution R-650-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**      *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

8C1D

**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)

*Adopted*  
*Resolution R-651-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8C1E

**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)

*Adopted*  
*Resolution R-652-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8C1F

**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)

*Adopted*  
*Resolution R-653-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8C1G

**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)

*Adopted*  
*Resolution R-654-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8C1H

**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)

*Adopted  
Resolution R-655-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8C1I

**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)

*Adopted  
Resolution R-656-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee

**8D ENVIRONMENTAL RESOURCES MANAGEMENT**

8D1A

**091297 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 7.5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND MARIA DE LA CRUZ LOAYZA, MARIA CRISTINA LOAYZA, MARIA ADOLFINA LOAYZA, MARIA ISABEL LOAYZA AND ALBA C. LOAYZA AS SELLERS FOR A PURCHASE PRICE OF \$108,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-657-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

8D1B

**091274 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.77 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND ERIC ALINO H. AND BARBARA ALINO H. AS SELLERS FOR A PURCHASE PRICE OF \$95,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-658-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

8D1C

**091272 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND JULIA BALDRICHE AS SELLER FOR A PURCHASE PRICE OF \$96,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-659-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

8D1D

**091268 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 5 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND ROMEO PERSAUD AS SELLER FOR A PURCHASE PRICE OF \$31,500; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-660-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

8D1E

**091266 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 6.43 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND RONDA GUIDO AS SELLER FOR A PURCHASE PRICE OF \$20,500; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-661-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

8D1F

**091265 Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 39.1 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND ARJET INVESTMENTS, INC. AS SELLER FOR A PURCHASE PRICE OF \$381,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

*Adopted  
Resolution R-662-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

**8E** **[No items were submitted for this section.]**

**8F** **GENERAL SERVICES ADMINISTRATION**

8F1A

**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)

*Adopted  
Resolution R-663-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**4/14/2009** Carried over due to cancellation of meeting by the Government Operations Committee

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Government Operations Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

8F1B

**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)

*Adopted  
Resolution R-664-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

8F1C

**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)

*Adopted  
Resolution R-665-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

8F1D

**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)

*Adopted  
Resolution R-666-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

8F1E

**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)

*Adopted  
Resolution R-667-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

8F1F

**091162 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT THE FLORIDA CITY NEIGHBORHOOD SERVICE CENTER, 1600 N.W. 6 COURT, FLORIDA CITY, WITH THE CENTER OF INFORMATION AND ORIENTATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR PREMISES TO BE UTILIZED AS ADMINISTRATIVE OFFICES, AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-668-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 5/13/2009 Forwarded with a favorable recommendation from the Housing & Community Development Committee*

8F1G

**091163 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT THE FLORIDA CITY NEIGHBORHOOD SERVICE CENTER, 1600 N.W. 6 COURT, BUILDING B, FLORIDA CITY, WITH THE STATE OF FLORIDA DEPARTMENT OF HEALTH, MIAMI-DADE COUNTY HEALTH DEPARTMENT, FOR PREMISES TO BE UTILIZED FOR THE WOMEN'S HEALTH CLINIC AND FAMILY PLANNING PROGRAM; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-669-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8F1H

**091164 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT THE FLORIDA CITY NEIGHBORHOOD SERVICE CENTER, 1600 N.W. 6 COURT, FLORIDA CITY, WITH WORKFORCE COALITION, D/B/A REDEMPTION WOMEN AND CHILDREN, A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR PREMISES TO BE UTILIZED AS ADMINISTRATIVE OFFICES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-670-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Seijas*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

**8G HOUSING AGENCY**

8G1A

**091311                      Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SATISFACTION OF MORTGAGE ISSUED BY MIAMI-DADE COUNTY TO IMAGINE PROPERTIES, INC., A FLORIDA FOR-PROFIT CORPORATION, FOR THE PROPERTY LOCATED AT 229 WASHINGTON DRIVE, CORAL GABLES, FLORIDA; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Miami-Dade Public Housing Agency)

*Adopted*

*Resolution R-671-09*

*Mover: Barbara J. Jordan*

*Seconder: Katy Sorenson*

*Vote: 9- 2*

*No: Sosa, Martinez*

*Absent: Heyman, Seijas*

**Report:** *Commissioner Sosa pointed out that Ms. Mordie Hill should have been making payments on the mortgage in this proposed resolution for seven years before she passed away. She requested an explanation why the County was in a position to lose the balance of the funds loaned to Ms. Hill.*

*Senior Advisor to the County Manager Cynthia Curry explained that the County Attorney apprised the County Administration that the County could not locate the documents related to the loan for the subject property.*

*Commissioner Sosa questioned whether the County could reclaim more funds.*

*Assistant County Attorney Terrence Smith advised that Ms. Hill participated in a County homeownership program in 1977, and after her death in 2004 her family did not do anything with the property, and they were forced to sell the house. Imagine Properties Inc. (Imagine) bought the property and requested that the County execute a Satisfaction of Mortgage, Assistant County Attorney Smith advised. He noted that the County could not locate any records regarding a mortgage for the subject property. He noted that Imagine was offering the County \$2000 for considering the Satisfaction of Mortgage in lieu of suing the County.*

*Commissioner Sosa questioned whether the County Administration was taking precautions in the current County homeownership programs to prevent scenarios similar to this one in the future.*

*Assistant County Attorney Smith responded to questions from Commissioner Edmonson regarding Imagine's intent to sell or to rent the subject property to a low income family.*

*Commissioner Martinez noted the County should not provide a Satisfaction of Mortgage to Imagine. He explained the County would set a precedent for other property owners. He suggested the County Attorney defend the County in a lawsuit against Imagine that would require them to pay the original loan amount of \$13,500.*

*Responding to Commissioner Gimenez's inquiry regarding the amount of the County's loan portfolio that was in default, Senior Advisor Curry noted the amount of loan defaults was less than one percent of the total loan portfolio.*

*Commissioner Gimenez asked Senior Advisor to the County Manager Cynthia Curry to determine the number of other properties in the County that could request a satisfaction of mortgage similar to the subject property.*

*Following questions from Commissioner Jordan regarding the process used to sell the subject property after Ms. Hill passed away, the Commission proceeded to vote.*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8G1B

**091317                      Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO SUBMIT A DEMOLITION/DISPOSITION APPLICATION TO US HUD ON BEHALF OF MIAMI-DADE COUNTY THROUGH MIAMI-DADE PUBLIC HOUSING AGENCY, FOR THE DEMOLITION AND DISPOSITION OF EIGHT PUBLIC HOUSING FAMILY UNITS WITHIN UNINCORPORATED MIAMI-DADE COUNTY, KNOWN AS SCATTERED SITES (USHUD ID # FL. 5-17B), LOCATED AT VARIOUS LOCATIONS NOTED BELOW WITHIN MIAMI-DADE COUNTY, FLORIDA AND SUBSEQUENTLY SOLD AS AFFORDABLE HOUSING TO QUALIFIED APPLICANTS (Miami-Dade Public Housing Agency)

*Adopted  
Resolution R-672-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/13/2009**      *Forwarded with a favorable recommendation from the Housing & Community Development Committee*

8G1C

**091319            Resolution**

RESOLUTION APPROVING MIAMI-DADE PUBLIC HOUSING AGENCY'S (MDPHA) 2009-2010 PUBLIC HOUSING AGENCY (PHA) PLAN SUBJECT TO APPROVAL BY US HOUSING AND URBAN DEVELOPMENT (USHUD); AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO SUBMIT THE PLAN TO USHUD FOR FINAL APPROVAL (Miami-Dade Public Housing Agency)

*Adopted  
Resolution R-673-09  
Mover: **Dorrin D. Rolle**  
Seconder: **Rebeca Sosa**  
Vote: **11- 0**  
Absent: **Heyman, Seijas***

**Report:** *Commissioner Edmonson expressed concern regarding the two year timeframe to demolish the Lincoln Gardens development on handwritten page 15.*

*Senior Advisor Cynthia Curry noted the dates for demolishing the Lincoln Gardens development were benchmarks. She pointed out that the plans in this proposed resolution had to be approved by the United States Department of Housing and Urban Development.*

*Commissioner Edmonson asked Senior Advisor to the County Manager Cynthia Curry to provide her with a report explaining why the Lincoln Gardens Development would take two years to demolish.*

*Responding to Commissioner Edmonson's inquiry regarding the County having security guards at County public housing sites, Mr. Alex Ballina, Asset Management Director, Miami-Dade Public Housing Agency, noted the County was using security cameras, security gates, intercoms, and access cards as opposed to security guards.*

*Commissioner Edmonson expressed concern that security cameras did not prevent the recent incident at Ward Towers.*

*Senior Advisor Curry noted the use of security guards versus other security measures was a budgetary issue.*

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

**5/13/2009**    *Forwarded with a favorable recommendation from the Housing & Community Development Committee*

8G1D

**091598                      Resolution**

RESOLUTION RETROACTIVELY AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND SET-ASIDE FUNDING IN THE AMOUNT OF \$43.7 MILLION UNDER THE SECTION 8 HOUSING CHOICE VOUCHER (HCV) PROGRAM AS PROVIDED FOR IN SECTION 5 OF THE US HUD NOTICE PIH 2009-13 (HA) FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE AND EXPEND ADDITIONAL HCV PROGRAM FUNDS WHICH BECOME AVAILABLE FROM US HUD; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE ALL NECESSARY AGREEMENTS UPON APPROVAL OF THE APPLICATION BY US HUD (Miami-Dade Housing Agency)

*Adopted**Resolution R-632-09**Mover: Barbara J. Jordan**Seconder: Audrey M. Edmonson**Vote: 11- 0**Absent: Heyman, Seijas*

**Report:** Commissioner Rolle noted that Senior Advisor to the County Manager Cynthia Curry had apprised him that funding was not the issue hindering the HOPE VI project. He requested clarification regarding the issues that prevented the County from completing the HOPE VI project.

County Manager Burgess noted the County had awarded the HOPE VI contract to a contractor and the HOPE VI schedule was being followed. He clarified the HOPE VI project had no delays.

Senior Advisor Curry noted HOPE VI was a project that had to collaborate with the Planning and Zoning Department and could not be expedited. She stressed that May 2010 was the earliest that the HOPE VI project could be completed.

County Manager Burgess noted he would prepare recommendations for enhancing the expedite ordinance (Ordinance No. 08-92) that could address Commissioner Rolle's concerns regarding HOPE VI.

Senior Advisor Curry noted the developer hired by the County in January 2009 for the HOPE VI project needed to supplement the \$18 million remaining from the \$35 million federal grant for HOPE VI. She pointed out that the County was applying for tax credits with the State of Florida to allow the County to build 300 units in the HOPE VI project, otherwise, the County could use a 4% bond program to supplement the \$18 million. She clarified that the financing for HOPE VI was a critical issue hindering the County from finishing this project. Senior Advisor Curry noted the County could build approximately 200 units without the State tax credits and would look for local funds to supplement this project.

Commissioner Martinez asked the County Manager to provide him with a report detailing all expenses that the County paid from the \$35 million HOPE VI grant.

Commissioner Edmonson questioned what amount of the \$43.7 million decrease to the Miami-Dade Public Housing Agency's federal subsidy for the Section 8 Housing Choice Voucher (HCV) program could the County offset.

Senior Advisor Curry noted the County hoped to offset the full \$43.7 million, however, \$15 to \$20 million was more realistic. She pointed out that the County was prepared for this potential revenue shortfall.

In response to Commissioner Gimenez's inquiry regarding why the federal subsidy was reduced by \$43.7 million, Senior Advisor Curry noted the United States Department of Housing and Urban Development (HUD) assessed the HCV program accounts nationwide for uncommitted funds, and the \$43.7 million represented the amount of uncommitted funds in Miami-Dade County.

Mr. Craig Clay, Chief Financial Officer, Miami-Dade Public Housing Agency (MDPHA), noted the 2009 Appropriations Act directed \$750 million in the HCV program nationwide be recaptured. He explained that the County had applied to HUD for increases in Housing Assistance Payments (HAP), estimated at \$32.3 million on an annualized basis as well as over \$11.4 million in retroactive HAP payments, in order to maintain the same level of service and number of vouchers under the HCV Program.

Responding to Commissioner Gimenez's request for clarification regarding the \$43.7 million recaptured by HUD, Senior Advisor Curry clarified that

HUD recaptured these funds because the County had not spent them, as opposed to the County not spending them properly.

Mr. Clay responded to Commissioner Gimenez's questions regarding the HCV program and the impact of HUD recapturing the \$43.7 million on the County awarding Section 8 housing.

Commissioner Jordan questioned how the varying rate for monthly rent impacted the County's ability to issue all 14,500 HCVs.

Mr. Clay noted the County did not pay more than 100% of the market rate.

Following further questions by Commissioner Jordan regarding the assessment of the rental rates, the Commission proceeded to vote.

Chairman Moss questioned when the Mayor would appoint the new Miami-Dade Housing Authority Director.

County Manager Burgess noted that appointment would be made within one to two months.

Commissioner Souto stressed the severity of the foreclosure problem in the County. He expressed concern regarding the consequences of thousands of foreclosures on families in the county losing their homes. He noted that the Federal government provided millions of dollars of aid to the County in the 1960s to address problems that arose from the influx of Cuban refugees. Commissioner Souto asked the County Manager to implement a plan that would solicit federal funding to address the impacts of the foreclosure crisis on local residents and families.

**8H**      **[No Items were submitted for this section.]**

**8I**      **MIAMI-DADE POLICE DEPARTMENT**

8I1A

**091405                  Resolution**

RESOLUTION AUTHORIZING THE ANNUAL EXPENDITURE OF LAW ENFORCEMENT TRUST FUNDS FOR MIAMI-DADE POLICE DEPARTMENT (MDPD) CRIME PREVENTION PROGRAMS IN ACCORDANCE WITH FLORIDA STATUTE 932.7055 (5)(C)(3), REQUIRING THAT FIFTEEN PERCENT OF THESE FUNDS BE ALLOCATED FOR THE SUPPORT AND OPERATION OF CRIME PREVENTION PROGRAMS OPERATED BY MDPD AND PROVIDING MDPD THE AUTHORITY TO EXPEND THESE TARGETED FUNDS EACH FISCAL YEAR UNTIL OTHERWISE REVOKED BY THE BOARD (Miami-Dade Police Department)

*Adopted  
Resolution R-674-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/14/2009      Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte

5/19/2009      Legislative notes attached by the Commission Auditor

**8J**      **MIAMI-DADE TRANSIT AGENCY**

8J1A

**091307 Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT BUS SERVICE ADJUSTMENTS TO BE IMPLEMENTED ON OR ABOUT JUNE 14, 2009 (Miami-Dade Transit Agency)

*Adopted  
Resolution R-676-09  
Mover: Barbara J. Jordan  
Seconder: Katy Sorenson  
Vote: 9- 2  
No: Sosa, Martinez  
Absent: Heyman, Seijas*

**Report:** *Commissioner Sosa expressed concern that the Miami-Dade Transit Agency (MDT) would continue to eliminate bus routes after the Commission approved unified funding for MDT. She suggested the County stop collecting the half-penny sales surtax. She noted MDT Metrobus riders would experience more delays if the routes in this proposed resolution were re-routed.*

*Commissioner Martinez expressed concern that county citizens voted in favor of a tax increase for transit services, but notwithstanding these additional revenues, MDT was recommending it provide less service.*

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

**5/13/2009** Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

8J1B

**091313 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDING IN THE AMOUNT OF \$441,246 FROM ITS STATE TRANSIT CORRIDOR PROGRAM FUNDS TO IMPLEMENT A NEW EXPRESS BUS/BUS RAPID TRANSIT (BRT) SERVICE FROM DOWNTOWN MIAMI TO BROWARD COUNTY; AND AUTHORIZING THE FILING AND EXECUTION OF ANY ADDITIONAL AGREEMENTS, REVISIONS OR AMENDMENTS AS REQUIRED TO CARRYOUT THE PROJECTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY (Miami-Dade Transit Agency)

*Adopted  
Resolution R-677-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/13/2009** Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

8K

**OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT**

8K1A

**090458            Resolution**

RESOLUTION REJECTING ALL BIDS FOR THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS (GOB) PROJECT NUMBER 249 REQUEST FOR PROPOSALS (RFP) FOR THE CONSTRUCTION OF MULTI-FAMILY HOUSING ON CARIBBEAN BOULEVARD AND NORTHSIDE METRORAIL STATION SITES; WAIVING THE REQUIREMENTS OF SECTION 2-8.4 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO BID PROTEST PROCEDURES, AND SECTION 4.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE PERTAINING TO COMPETITIVE BID PROCEDURES, BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO ENTER INTO NEGOTIATIONS WITH ALL OF THE RESPONSIBLE BIDDERS FOR THE CONSTRUCTION OF TWO MULTI FAMILY DEVELOPMENTS UTILIZING GOB FUNDS AS "GAP" FUNDING ONLY (Office of Community and Economic Development)

*Adopted**Resolution R-678-09**Mover: Audrey M. Edmonson**Seconder: Barbara J. Jordan**Vote: 11- 0**Absent: Heyman, Seijas*

**Report:** *Commissioner Sorenson expressed concern that a lack of clarity on the evaluation criteria caused the selection committee to score the applications on technical conformance more than once. She questioned how the lack of clarity would be corrected, and what the new evaluation criteria were.*

*Ms. Shalley Jones Horn, Director, Office of Community and Economic Development, noted the Department of Procurement Management would work with the County Attorney's Office to prepare the proper document with wording that would not cause ambiguity.*

*Responding to Commissioner Sorenson's question regarding the proper document specifying the number of housing units and the special needs population, Ms. Horn noted this document would have information similar to the information in a Request For Proposals (RFP).*

*Commissioner Sorenson questioned the level of funding for the development at the Northside Metrorail Station.*

*Ms. Horn indicated the funding for the Northside Metrorail Station development would be \$2.5 million.*

*Ms. Horn responded to Commissioner Rolle's question regarding how the change in funding criteria would impact the Northside Metrorail Station development.*

*Chairman Moss clarified he did not support the use of all \$10 million of General Obligation Bond funds for Commission District 9 on the Caribbean Boulevard site.*

*Commissioner Martinez asked the Office of Community and Economic Development Director to apprise the members of the County Commission if she discovered that either of the five bidders in this proposed resolution had any previous failed attempts to build a development along a transit corridor.*

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

- 3/11/2009** 3-Day Rule Invoked by the Housing & Community Development Committee
- 4/15/2009** Deferred by the Housing & Community Development Committee
- 5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8K1B

**091436 Resolution**

RESOLUTION APPROVING THE POLICIES GOVERNING THE PLANNING PROCESS FOR AMENDMENTS TO THE FY 2008-2012 CONSOLIDATED PLAN THROUGH THE PREPARATION OF THE FY 2010 ACTION PLAN; APPROVING THE USE OF A REQUEST FOR APPLICATIONS PROCESS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) AND THE EMERGENCY SHELTER GRANT (ESG) TO SOLICIT AGENCIES TO APPLY FOR FUNDING TO ADDRESS NEEDS ALREADY IDENTIFIED IN THE PLAN OR TO MEET NEEDS RESULTING FROM THE CITIZEN PARTICIPATION PROCESS (Office of Community and Economic Development)

*Adopted  
Resolution R-679-09  
Mover: Barbara J. Jordan  
Seconder: Audrey M. Edmonson  
Vote: 11- 0  
Absent: Heyman, Seijas*

**Report:** *Chairman Moss questioned why County Departments that participated in the Planning Process for Amendments to the FY 2008-2012 Consolidated Plan would not be scrutinized the same way the other participating entities would be scrutinized.*

*Ms. Shalley Jones Horn, Director, Office of Community, Economic Development, noted County Departments would answer to the Commission and they were subject to pressure and accountability inside the County.*

*Chairman Moss asked the Office of Community and Economic Development Director to provide him with a report evaluating how well County Departments used their portions of funds from the Community Development Block Grant (CDBG) Program, the Home Investment Partnerships Program (HOME), the State Housing Initiatives Partnership (SHIP), and the Emergency Shelter Grant (ESG).*

*Commissioner Rolle asked the Office of Community and Economic Development Director to include in this report, the percentage of the County funds that each department's allocation represented.*

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

**5/13/2009** *Forwarded with a favorable recommendation from the Housing & Community Development Committee*

**5/19/2009** *Legislative notes attached by the Commission Auditor*

**8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT**

8L1A

**091309 Resolution**

RESOLUTION APPROVING THE MIDTOWN MIAMI  
COMMUNITY REDEVELOPMENT AGENCY FY 2008-09  
BUDGET (Office of Strategic Business Management)

*Adopted  
Resolution R-680-09  
Mover: Jose "Pepe" Diaz  
Second: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8L1B

**091343 Resolution**

RESOLUTION APPROVING THE OMNI COMMUNITY  
REDEVELOPMENT AGENCY FISCAL YEAR 2008-09  
BUDGET (Office of Strategic Business Management)

*Adopted  
Resolution R-681-09  
Mover: Audrey M. Edmonson  
Second: Dennis C. Moss  
Vote: 11- 0  
Absent: Heyman, Seijas*

**Report:** Commissioner Sorenson expressed concern regarding Community Redevelopment Agencies using funds to pay for lobbyists. She noted Community Redevelopment Agencies should focus on issues within their jurisdictions.

*Mr. James Villacorta, Director, City of Miami Community Redevelopment Agency (CRA), noted the CRA employed a federal and a state lobbyist to obtain funds, and that the lobbyists had successfully obtained \$1.3 million from the Health, Resources, and Services Administration and \$250,000 from the United States Department of Housing and Urban Development.*

*Commissioner Gimenez pointed out the budgeted expenses were higher than the budgeted revenues. He questioned the impact on the CRA budget if the tax increment in the CRA decreased for Fiscal Year 2010.*

*Mr. Villacorta explained the CRA budgeted conservatively and only undertook projects when it had saved 100% of the project costs. He clarified the CRA would undertake fewer projects if revenues decreased.*

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

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8L1C

**091344 Resolution**

RESOLUTION APPROVING THE SOUTHEAST OVERTOWN  
PARK WEST COMMUNITY REDEVELOPMENT AGENCY FY  
2008-09 BUDGET (Office of Strategic Business Management)

*Adopted*  
*Resolution R-682-09*  
*Mover: Audrey M. Edmonson*  
*Seconder: Dennis C. Moss*  
*Vote: 11- 0*  
*Absent: Heyman, Seijas*

**Report:** See Report Under Agenda Item 8L1B, Legislative File No. 091343.

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

8L1D

**091426 Resolution**

RESOLUTION APPROVING THIRD AMENDMENT TO  
INTERLOCAL COOPERATION AGREEMENT BETWEEN  
MIAMI-DADE COUNTY, THE CITY OF FLORIDA CITY AND  
THE FLORIDA CITY COMMUNITY REDEVELOPMENT  
AGENCY; AUTHORIZING THE COUNTY MAYOR OR  
MAYOR'S DESIGNEE TO EXECUTE AND DELIVER SAID  
THIRD AMENDMENT TO INTERLOCAL COOPERATION  
AGREEMENT IN SUBSTANTIALLY THE FORM ATTACHED  
[SEE AGENDA ITEM NO. 5F] (Office of Strategic Business  
Management)

*Adopted*  
*Resolution R-683-09*  
*Mover: Dennis C. Moss*  
*Seconder: Dorrin D. Rolle*  
*Vote: 10- 1*  
*No: Martinez*  
*Absent: Diaz, Seijas*

**5/13/2009** Forwarded with a favorable recommendation from the Housing & Community Development Committee

**5/19/2009** Legislative notes attached by the Commission Auditor

**8M PARK AND RECREATION DEPARTMENT**

8M1A

**091321 Resolution**

RESOLUTION AUTHORIZING THE GRANTING OF A  
CONSERVATION EASEMENT TO THE SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT FOR THE  
PRESERVATION AND CONSERVATION OF LANDS IN  
CHAPMAN FIELD PARK (Park & Recreation Department)

*Adopted*  
*Resolution R-684-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/11/2009** Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee

8M1B

**091322                      Resolution**

RESOLUTION APPROVING JOINT USE AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR THE JOINT USE OF PROPERTY, FACILITIES AND AMENITIES AT MANDARIN LAKES K-8 ACADEMY AND HOMESTEAD AIR RESERVE PARK FOR RECREATIONAL PURPOSES AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH (Park & Recreation Department)

*Adopted  
Resolution R-685-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/11/2009      Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee*

**8N                      PLANNING AND ZONING DEPARTMENT**

8N1A

**091256                      Resolution**

RESOLUTION APPOINTING TWO NEW MEMBERS TO FILL VACANCIES ON THE AGRICULTURAL PRACTICES ADVISORY BOARD AND REAPPOINTING ONE EXISTING MEMBER TO THE AGRICULTURAL PRACTICES ADVISORY BOARD (Department of Planning & Zoning)

*Adopted  
Resolution R-686-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009      Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

**8O                      PROCUREMENT MANAGEMENT DEPARTMENT**

801A

**090852 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH ALLIEDBARTON SECURITY SERVICES, LLC FOR AN AMOUNT UP TO \$8,935,000 OVER A SEVEN YEAR PERIOD INCLUDING THE OPTIONS-TO-RENEW TO OBTAIN CARE & CUSTODY SERVICES FOR JUVENILE DETAINEES, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. RFP632 (Procurement Management Department)

*Adopted  
Resolution R-633-09  
Mover: Barbara J. Jordan  
Seconder: Dorrin D. Rolle  
Vote: 10-0  
Absent: Heyman, Gimenez, Seijas*

**Report:** *Commissioner Rolle requested an update regarding the County's suit with Wackenhut.*

*County Attorney Robert Cuevas advised that the litigation in this case was on going, and that Commissioner Rolle should meet in private with the attorneys working on this case in lieu of discussing it in this meeting. He further advised that the Wackenhut litigation did not impact the Board's ability to act on this proposed resolution.*

*Commissioner Rolle questioned whether this proposed resolution should have small business goals.*

*Ms. Penelope Townsley, Director, Department of Small Business Development, noted no small businesses met the qualifications for the service in this proposal. She pointed out that this proposed resolution had a selection factor that gave preference to any certified small business that would bid on this proposal.*

*Responding to Commissioner Rolle's inquiry regarding the qualifications for this proposed resolution, Ms. Townsley noted the qualifications were that the firm or the principles of the firm had to have a background as a juvenile care and custody officer or juvenile probation officer, and had to have graduated from a certified federal, state, or county law enforcement training program.*

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

**5/12/2009** *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

801A SUPPELMENT

**091365 Supplement**

SUPPLEMENT TO RECOMMENDATION FOR APPROVAL TO AWARD CONTRACT NO. RFP632: CARE AND CUSTODY SERVICES FOR JUVENILE DETAINEES

*Presented*

**5/12/2009** *Presented by the Budget, Planning and Sustainability Committee*

801B

**090981                      Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH RADIO SATELLITE INTEGRATORS, INC. TO OBTAIN AUTOMATED VEHICLE LOCATION TRACKING SERVICE, IN THE AMOUNT OF \$2,125,000, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. EPP-RFP 8299 (Procurement Management Department)

*Adopted*  
*Resolution R-634-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Dorrin D. Rolle*  
*Vote: 11- 0*  
*Absent: Heyman, Seijas*

FINAL OFFICIAL

**Report:** Commissioner Sosa questioned whether the automated vehicle location (AVL) tracking system in this proposed resolution would be compatible with the existing computer aided dispatch (CAD) system in County vehicles. She also questioned what the funding sources would be for this proposed resolution.

Mr. Tom Gross, Communications Bureau Major, Miami-Dade Police Department, noted AVL was an option that the County selected with the existing CAD system. He pointed out that the AVL in this proposed resolution would be separate from and would not impact the existing AVL system.

Commissioner Sosa questioned whether this AVL system was a line item in the Fiscal Year (FY) 2008-09 County budget.

County Manager Burgess noted the departments listed in this proposal had budgeted for the projects in this proposed resolution.

Commissioner Sosa further questioned County Manager Burgess regarding her concern that the funds in this proposed resolution should already be budgeted.

In response to Commissioner Martinez's request for clarification regarding the recommended allocation for the initial term, Ms. Miriam Singer, Director, Procurement Management Department, noted the initial three year term would be \$2,125,000.

Commissioner Martinez questioned Ms. Singer regarding the language on public access in Agenda Item 801B Supplement and whether the public could access the location of Miami-Dade Police Department and Miami-Dade Fire Rescue vehicles.

Responding to Commissioner Martinez's comments regarding the County using this AVL system to monitor employees' work habits, County Manager Burgess explained the intent of the County acquiring this proposed AVL system was to improve efficiencies in the field.

Commissioner Diaz expressed concern regarding the public access portion in this proposed resolution.

Mr. Herminio Lorenzo, Fire Chief, Miami-Dade Fire Rescue (MDFR), stressed that the public would not have access to pertinent information regarding MDFR vehicles.

Ms. Kathleen Woods-Richardson, Director, Solid Waste Department, noted that public access would be helpful, but not necessary.

In response to Commissioner Gimenez's inquiry regarding the funding source for this proposed resolution, Ms. Woods-Richardson noted operational funds was the funding source for the Solid Waste Department.

Commissioner Gimenez stressed that the impending budget cuts required the County to evaluate all purchases that would be made with operational funds on their importance and their potential for savings.

County Manager Burgess noted the County Administration was evaluating purchases the way Commissioner Gimenez described. He pointed out that the County would defer some technology investments, however, some technology

*investments were operationally sensible and they should be made.*

*Commissioner Sosa noted that Ms. Singer and Mr. Lorenzo's comments convinced her that the efficiency and safety provided by this proposed AVL system made it necessary.*

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

**4/14/2009** *Deferred by the Budget, Planning and Sustainability Committee*

**5/12/2009** *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

801B SUPPLEMENT

**091103**                    **Supplement**

SUPPLEMENTAL INFORMATION RE: CONTRACT AWARD                    *Presented*  
RECOMMENDATION FOR VEHICLE LOCATION TRACKING  
SERVICES CONTRACT NO. EPP-RFP 8299

**4/14/2009** *Deferred by the Budget, Planning and Sustainability Committee*

**5/12/2009** *Presented by the Budget, Planning and Sustainability Committee*

801B SUPPLEMENT NO.2

**091600**                    **Supplement**

SUPPLEMENT NO. 2 TO CONTRACT AWARD                    *Presented*  
RECOMMENDATION FOR AUTOMATED VEHICLE  
LOCATION TRACKING SERVICE CONTRACT NO. EPP-  
RFP8299

801C

**091264**                    **Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR                    *Adopted*  
COUNTY MAYOR'S DESIGNEE TO REJECT THE TEN                    *Resolution R-635-09*  
REMAINING PROPOSALS RECEIVED FOR THE REQUEST                    *Mover: Jose "Pepe" Diaz*  
FOR QUALIFICATIONS TO ESTABLISH THE INFILL                    *Seconder: Rebeca Sosa*  
HOUSING DEVELOPER POOL; RFQ NO. 95 (Procurement                    *Vote: 11- 0*  
Management Department)                    *Absent: Martinez, Seijas*

**5/12/2009** *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

801D

**091352                      Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE *Amended*  
CONTRACTS, CONTRACT MODIFICATIONS, AND  
COMPETITIVELY SOLICITED CONTRACTS OF OTHER  
GOVERNMENTAL ENTITIES, AND AUTHORIZING THE  
COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO  
EXERCISE OPTIONS-TO-RENEW ESTABLISHED  
THEREUNDER FOR THE PURCHASE OF GOODS AND  
SERVICES, AND A BID REJECTION, AND AUTHORIZES THE  
USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX  
FUNDS (Procurement Management Department)

**Report:** *See Report Under Agenda Item 801D, Legislative File No. 091793.*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

801D AMENDED

**091793                      Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, CONTRACT MODIFICATIONS, AND COMPETITIVELY SOLICITED CONTRACTS OF OTHER GOVERNMENTAL ENTITIES, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR THE PURCHASE OF GOODS AND SERVICES, AND A BID REJECTION, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 091352] (Procurement Management Department)

*Adopted as amended  
Resolution R-636-09  
Mover: Joe A. Martinez  
Seconder: Rebeca Sosa  
Vote: 10- 0  
Absent: Martinez, Diaz, Seijas*

**Report:** Commissioner Jordan noted this proposed resolution recommended the Commission increase the spending authority in Item 4.3: Information Technology Hardware: Network Infrastructure by \$22 million without extending the contract.

Mr. Amos Roundtree, Procurement Competition Advocate, Department of Procurement Management, explained that the spending authority of this proposed resolution needed to be increased to provide eight County departments with access to this contract.

Ms. Miriam Singer, Director, Department of Procurement Management, clarified that the \$22 million increased allocation in Item 4.3 was for additional projects that were not considered when the County awarded this contract on January 12, 2009. She explained that the additional projects were specific departmental projects that were budgeted and requested by the departments. Ms. Singer pointed out that the additional projects were for departments that were not included in the original contract award, and that the original departmental allocations did not increase.

Assistant County Manager Alina Hudak explained that the contract in this proposed resolution would expire in September 2011, and that the allocated amount in this contract was for departmental needs that were allocated in the Fiscal Year (FY) 2008-09, FY 2009-10, or FY 2010-11 budgets.

Commissioner Diaz questioned Assistant County Managers Hudak and Susanne Torriente regarding the budget process and whether these additional allocations were included in the FY 2008-09 County budget.

Ms. Singer pointed out that the Miami-Dade Police Department (MDPD) was awarded grant monies that would be the funding source for the MDPD projects. She noted that the FY 2008-09 budget reflected these grant monies.

Responding to Commissioner Gimenez's inquiry whether the amount of the requested \$22 million increased allocation would be operating funds, capital funds, and grant funds, Ms. Singer provided the following list of department, requested spending authority, and funding source:

Miami-Dade Aviation Department, \$2,045,000, Operating Funds;  
Clerk of Courts, \$755,000, State Revenue;  
Department of Environmental Resources Management, \$480,000, Internal Service Funds;  
General Services Administration, \$3 million, Internal Service Funds;  
Miami-Dade Public Library System, \$5,680,000, Library Taxing District Funds;  
Miami-Dade Police Department, \$4,641,000, General Funds and Grants;  
Miami-Dade Transit Agency, \$2,972,000, Federal and Operating Funds; and  
Miami-Dade Water and Sewer Department, \$2,769,000, Operating Funds.

Commissioner Gimenez noted he could not support the use of operating funds, general funds, and Library Taxing District Funds as indicated by Ms. Singer. He requested that Item 4.3 be bifurcated.

It was moved by Commissioner Martinez that this proposed resolution be adopted as amended to delete Item 4.3: Information Technology Hardware: Network Infrastructure. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Diaz, and Martinez were absent).

*It was moved by Commissioner Sorenson that Item 4.3 be adopted.*

*Hearing no second to the motion, the foregoing motion died.*

801E

**091482 Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER [SEE ORIGINAL ITEM UNDER FILE NO. 091353] (Procurement Management Department)

*Adopted  
Resolution R-637-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

801F

**091289 Resolution**

RESOLUTION AUTHORIZING AWARD OF A COMPETITIVE CONTRACT TO PROFESSIONAL PROTECTION & INVESTIGATIONS AGENCY, INC. / SECURITY ALLIANCE (A JOINT VENTURE) AND 50 STATE SECURITY SERVICE, INC. IN AN AMOUNT NOT TO EXCEED \$36,300,000.00 FOR TWO YEARS FOR SECURITY GUARD SERVICES FOR MIAMI-DADE TRANSIT METROMOVER, METRORAIL AND FACILITIES, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW IN AN AMOUNT NOT TO EXCEED \$72,600,000.00 (Procurement Management Department)

*Deferred to June 30, 2009  
Mover: Carlos A. Gimenez  
Seconder: Jose "Pepe" Diaz  
Vote: 10- 0  
Absent: Jordan, Heyman, Seijas*

**Report:** Chairman Moss noted Commissioner Seijas had sent a memorandum requesting this proposed resolution be deferred.

*Commissioner Sorenson questioned the impact of the Commission deferring this proposal.*

*County Manager Burgess noted this proposed resolution could be deferred to the June 30, 2009, County Commission meeting, however, this proposal would be time sensitive and require a vote on that day.*

*Hearing no other questions or comments, the Commission proceeded to vote to defer this proposed resolution.*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

**8P PUBLIC WORKS DEPARTMENT**

8P1A

**091185 Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A COUNTY INCENTIVE GRANT PROGRAM (CIGP) AGREEMENT TO PROVIDE FUNDING IN THE AMOUNT OF 50% OF THE PROJECT COST UP TO A MAXIMUM OF \$10,499,382.50 BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE COUNTYWIDE IMPLEMENTATION OF A PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) FOR A TOTAL PROJECT AMOUNT OF \$20,998,765.00 AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

*Adopted  
Resolution R-687-09  
Mover: Dorrin D. Rolle  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Heyman, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1B

**091124 Resolution**

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY FOR ROAD RIGHT-OF-WAY AT NW 35 AVENUE FROM, NW 46 STREET NORTH FOR APPROXIMATELY 520 FEET, IN SECTION 21, TOWNSHIP 53 SOUTH, RANGE 41 EAST (Public Works Department)

*Adopted  
Resolution R-688-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

8P1C

**091196 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL ONE (1) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-689-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1D

**091199 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWO (2) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-690-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1E

**091202 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL THREE (3) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-691-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1F

**091210 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL FOUR (4) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-692-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1G

**091218 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL FIVE (5) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-693-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1H

**091194 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL SIX (6) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-694-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1I

**091217 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL SEVEN (7) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-695-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1J

**091231 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL EIGHT (8) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-696-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1K

**091229 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL NINE (9) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-697-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1L

**091222 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TEN (10) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-698-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1M

**091183 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL ELEVEN (11) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-699-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1N

**091193 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWELVE (12) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-700-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1O

**091192 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL THIRTEEN (13) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-701-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1P

**091195 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL FOURTEEN (14) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-702-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1Q

**091189 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL FIFTEEN (15) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-703-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1R

**091201 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL SIXTEEN (16) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-704-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1S

**091224 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL SEVENTEEN (17) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-705-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

5/19/2009 Legislative notes attached by the Commission Auditor

8P1T

**091203 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL EIGHTEEN (18) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-706-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

5/19/2009 Legislative notes attached by the Commission Auditor

8P1U

**091209 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL NINETEEN (19) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-707-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

5/19/2009 Legislative notes attached by the Commission Auditor

8P1V

**091187 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY (20) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-708-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1W

**091190 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-ONE (21) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-709-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1X

**091220 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-TWO (22) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-710-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1Y

**091206 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-THREE (23) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-711-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1Z

**091212 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-FOUR (24) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-712-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1AA

**091198 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-FIVE (25) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-713-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

8P1BB

**091207 Resolution**

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWENTY-SIX (26) NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO NW 37 AVENUE FROM NW NORTH RIVER DRIVE TO NW 79 STREET TO BE A PUBLIC NECESSITY (Public Works Department)

*Adopted  
Resolution R-714-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

5/19/2009 Legislative notes attached by the Commission Auditor

**8Q [No items were submitted for this section.]**

**8R WATER AND SEWER DEPARTMENT**

8R1A

**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)

*Adopted  
Resolution R-715-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8R1B

**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)

*Adopted  
Resolution R-716-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee

8R1C

**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)

*Adopted  
Resolution R-717-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

8R1D

**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)

*Adopted  
Resolution R-718-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

**9 ADDITIONAL DEPARTMENTAL ITEMS**

9A1

**091262 Resolution**

RESOLUTION AUTHORIZING STRATEGIC ALLIANCE MEMORANDUM BETWEEN UNITED STATES SMALL BUSINESS ADMINISTRATION AND MIAMI-DADE COUNTY TO START, MAINTAIN AND EXPAND SMALL BUSINESSES BY COOPERATIVE AND OPEN COMMUNICATIONS TO MEET NEEDS OF THE SMALL BUSINESS COMMUNITY (Department of Small Business Development)

*Adopted  
Resolution R-719-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*
- 5/19/2009 Legislative notes attached by the Commission Auditor*

9A2

**091345 Resolution**

RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE CORRECTIONS AND REHABILITATION DEPARTMENT FOOD SERVICES BUREAU (Corrections & Rehabilitation Department)

*Adopted*  
*Resolution R-720-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*5/14/2009 Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

*5/19/2009 Legislative notes attached by the Commission Auditor*

9A3

**091398 Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE FIRE RESCUE DEPARTMENT TO REALLOCATE \$600,000 AND \$2.3 MILLION FROM CERTAIN CAPITAL ASSET ACQUISITION BONDS AND \$7.175 MILLION FROM 2006 SUNSHINE LOAN TO OTHER BUDGETED MIAMI-DADE FIRE RESCUE DISTRICT CAPITAL PROJECTS (Miami-Dade Fire and Rescue Department)

*Adopted*  
*Resolution R-721-09*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dorrin D. Rolle*  
*Vote: 10- 0*  
*Absent: Jordan, Heyman, Seijas*

**Report:** *Commissioner Rolle asked the Miami-Dade Fire Rescue Department Director to provide him with a report indicating when the department would break ground on the new Fire Station in Commission District 2.*

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

*5/14/2009 Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

*5/19/2009 Legislative notes attached by the Commission Auditor*

9A4

**091342 Resolution**

RESOLUTION RESCINDING AND APPROVING GRANT AWARD FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM'S NOT-FOR-PROFIT COMMUNITY ORGANIZATION CAPITAL FUND TO CITIZENS FOR A BETTER SOUTH FLORIDA, INC. IN THE AMOUNT OF \$459,900.00 (Office of Capital Improvements)

*Adopted*  
*Resolution R-722-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

9A5

**091569 Resolution**

RESOLUTION AMENDING APPENDIX A TO RESOLUTION NO. R-1154-08 TO ADD BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROJECT NO. 208 – "CONSTRUCT AND EXPAND THE EMERGENCY DEPARTMENT AT JACKSON MEMORIAL HOSPITAL (JMH)" TO LIST OF PROJECTS ELIGIBLE FOR FUNDING FROM SERIES 2008B BOND PROCEEDS AND APPROVING ACCELERATION OF FUNDING FOR SUCH PROJECT (Office of Capital Improvements)

*Adopted  
Resolution R-723-09  
Mover: Dorrin D. Rolle  
Second: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Heyman, Seijas*

9A6

**091625 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND THE SOUTH FLORIDA WORKFORCE INVESTMENT BOARD FOR THE COMMUNITY WORKFORCE PROGRAM [SEE ORIGINAL ITEM UNDER FILE NO. 091140] (Department of Small Business Development)

*Adopted  
Resolution R-724-09  
Mover: Joe A. Martinez  
Second: Sally A. Heyman  
Vote: 11- 0  
Absent: Souto, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Budget, Planning and Sustainability Committee*

*5/26/2009 Legislative notes attached by the Commission Auditor*

**10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS**

10A1

**091215 Resolution**

RESOLUTION AUTHORIZING THE RETROACTIVE WAIVER OF THE ART IN PUBLIC PLACES REQUIREMENT FOR THE CITY OF SUNNY ISLES BEACH BUILDING BETTER COMMUNITIES/GENERAL OBLIGATION BOND (BBC/GOB) PROJECT-REDESIGN ACTIVE PARK; THIS ACTION ALSO REQUIRES A WAIVER OF ADMINISTRATIVE ORDER 3-11, GOVERNING THE PROCESS FOR REQUESTING WAIVERS OF THE ART IN PUBLIC PLACES REQUIREMENT (Cultural Affairs Council)

*Adopted  
Resolution R-725-09  
Mover: Joe A. Martinez  
Second: Jose "Pepe" Diaz  
Vote: 11- 0  
Absent: Heyman, Seijas*

*5/11/2009 Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee*

*5/19/2009 Legislative notes attached by the Commission Auditor*

10A2

**091227            Resolution**

RESOLUTION AUTHORIZING APPROVAL OF A RETROACTIVE WAIVER OF THE ART IN PUBLIC PLACES REQUIREMENT FOR THE OVERTOWN TRANSIT VILLAGE BUILDINGS I AND II PROJECTS AND A WAIVER OF ADMINISTRATIVE ORDER 3-11, GOVERNING THE PROCESS FOR REQUESTING WAIVERS OF THE APP REQUIREMENT (Cultural Affairs Council)

*Adopted*  
*Resolution R-726-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Dorrin D. Rolle*  
*Vote: 9- 0*  
*Absent: Jordan, Heyman,*  
*Gimenez, Seijas*

**Report:** *Ms. Wendi Norris, Director, General Services Administration (GSA), noted that this proposed resolution applied to the Overtown Transit Village buildings One and Two, and that GSA was not aware that developments on private property had to comply with the Art in Public Places Ordinance when the lease was initially negotiated.*

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

**5/11/2009**    *Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee*

**5/19/2009**    *Legislative notes attached by the Commission Auditor*

10A3

**091261 Resolution**

RESOLUTION AUTHORIZING THE FUNDING OF THIRTY-FOUR (34) GRANTS FOR A TOTAL OF \$262,800 FROM THE FY2008-2009 SECOND QUARTER TOURIST DEVELOPMENT ROOM TAX PLAN AND SURTAX CATEGORY TO PROMOTE MIAMI-DADE COUNTY TOURISM WITH: AMERICAN PUBLIC MEDIA/CLASSICAL SOUTH FLORIDA; BACK BONE CULTURAL GROUP, INC.; CENTER FOR THE ADVANCEMENT OF JEWISH EDUCATION, INC.; CITY OF MIAMI BEACH, DEPARTMENT OF TOURISM AND CULTURAL DEVELOPMENT; CITY OF MIAMI GARDENS; CLASSICAL REVIEW, INC., THE; COCONUT GROVE CHAMBER OF COMMERCE, INC.; COUNCIL OF INTERNATIONAL FASHION DESIGNERS, INC.; DEERING ESTATE FOUNDATION, INC.; DR. MARTIN LUTHER KING, JR. PARADE & FESTIVITIES COMMITTEE, INC.; EXCEL EVENTS AND PRODUCTIONS, LLC; GOLD COAST RAILROAD MUSEUM, INC.; HISTORICAL ASSOCIATION OF SOUTHERN FLORIDA, INC.; JUNIOR ORANGE BOWL COMMITTEE, INC.; MIAMI BACH SOCIETY, INC.; MIAMI CITY BALLET, INC.; MIAMI CONTEMPORARY DANCE COMPANY; MIAMI DADE COLLEGE FOUNDATION, INC.; MIAMI LIGHT PROJECT, INC.; MIAMI SYMPHONY ORCHESTRA, INC.; MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT (OPERATIONS REGION 4); NATIONAL FOUNDATION FOR ADVANCEMENT IN THE ARTS, INC.; NATIONAL GAY AND LESBIAN TASK FORCE FOUNDATION, INC.; NEW WORLD SYMPHONY, INC.; PERFORMING ARTS CENTER TRUST, INC. DBA THE ADRIENNE ARSHT CENTER FOR THE PERFORMING ARTS OF MIAMI-DADE COUNTY; RED CHEMISTRY, INC.; ROTARY FOUNDATION OF SOUTH MIAMI, INC.; SOUTH FLORIDA BLUEGRASS ASSOCIATION, INC.; SOUTH FLORIDA COMPOSERS ALLIANCE, INC.; ST. STEPHEN'S EPISCOPAL CHURCH, INC.; UNCONSERVATORY, INC., THE; UNITED HAITIAN AMERICAN ARTISTS, INC.; WOMEN'S INTERNATIONAL FILM & ARTS FESTIVAL, INC. AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS FOLLOWING COUNTY ATTORNEY APPROVAL OF FORM AND LEGAL SUFFICIENCY AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Cultural Affairs Council)

*Adopted  
Resolution R-727-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/11/2009 Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee

**11 COUNTY COMMISSION**

**11A RESOLUTIONS**

FINAL OFFICIAL

11A1

**091296 Resolution Bruno A. Barreiro**

RESOLUTION REQUESTING THE COUNTY MAYOR OR DESIGNEE TO ORGANIZE A CHARRETTE AND FACILITATE THE PREPARATION OF A CHARRETTE REPORT FOR THE PALMER LAKE AREA

*Adopted  
Resolution R-728-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A2

**091506 Resolution Carlos A. Gimenez**

RESOLUTION DIRECTING THE MAYOR TO PREPARE A REPORT AND RECOMMENDATIONS TO CONVERT RICKENBACKER CAUSEWAY TO OPEN ROAD AND/OR OTHER MODERN TOLLING PROCEDURES [SEE ORIGINAL ITEM UNDER FILE NO. 091399]

*Adopted  
Resolution R-729-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit, Infrastructure & Roads Committee*

11A2 SUPPLEMENT

**091705 Supplement**

SUPPLEMENTAL INFORMATION RE: RECOMMENDATIONS TO CONVERT RICKENBACKER CAUSEWAY TO OPEN ROAD AND/OR OTHER MODERN TOLLING PROCEDURES

*Presented*

11A3

**091004 Resolution Audrey M. Edmonson**

RESOLUTION REQUIRING CURRENT INFORMATION REGARDING PARTICULAR FUNDING SOURCE BE PRESENTED TO BOARD AT TIME LEGISLATION DESIGNATING USE OF SUCH FUNDING SOURCE IS CONSIDERED

*Amended*

**Report:** See Report Under Agenda Item 11A3 AMENDED, Legislative File No. 091795.

*4/14/2009 Deferred by the Budget, Planning and Sustainability Committee*

*5/12/2009 Forwarded to BCC without a recommendation from the Budget, Planning and Sustainability Committee*

11A3 AMENDED

091795

Resolution

Audrey M. Edmonson

RESOLUTION REQUIRING CURRENT INFORMATION REGARDING PARTICULAR FUNDING SOURCE BE PRESENTED TO BOARD AT TIME LEGISLATION DESIGNATING USE OF SUCH FUNDING SOURCE IS CONSIDERED [SEE ORIGINAL ITEM UNDER FILE NO. 091004]

*Adopted as amended*

*Resolution R-730-09*

*Mover: Audrey M. Edmonson*

*Seconder: Carlos A. Gimenez*

*Vote: 8- 2*

*No: Sosa, Sorenson*

*Absent: Jordan, Heyman, Seijas*

**Report:** Assistant County Attorney Geri Bonzon-Keenan advised that this proposed resolution should be amended to change the last paragraph on handwritten page 3 to read as follows:

*NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the memorandum that accompanies legislation which designates the use of a particular funding source shall identify: (1) for each such funding source the index code and sub-object code (or if index codes and subobject codes are not used by the applicable department, the Fund, Subfund, and Project Number), (2) the available balance of such index code and sub-object code, or if applicable, Fund, Subfund and Project Number, and (3) the available capacity using reasonable interest rates assumptions if the issuance of debt is contemplated. This information shall be supplemented by the County Mayor or the County Mayor's designee when it is necessary, to update such information prior to the Board's final consideration of the legislation.*

*Commissioner Gimenez questioned whether this proposed amendment would provide that proposed legislation would indicate the available balance of the identified funding source.*

*Assistant County Attorney Bonzon-Keenan advised proposed legislation would provide the available balance in the requested funding source.*

*In response to Commissioner Gimenez's inquiry regarding the information that this proposed resolution would provide on County debt, Assistant County Attorney Bonzon-Keenan advised that the proposed amendment did not change the information regarding County debt.*

*County Manager Burgess noted that he did not understand what the proposed amendment was requesting and how the County Administration would comply with it. He explained that the Commission approved allocations in the County Budget, and that the County Administration presented legislation during the fiscal year that requested funds from an allocated line item in the County Budget. He noted the County Administration could provide the funds that would remain in an allocated line item. County Manager Burgess pointed out this proposed resolution would be unworkable if it applied to procurement items. He noted that the term balance needed to clarify whether it was the balance in a bank account or the balance of a budgeted line item.*

*Assistant County Attorney Bonzon-Keenan advised that this proposed resolution would apply to any proposed legislation that would designate the use of a particular funding source, including procurement items. She explained that all County expenditures were charged to the applicable index code, subobject code, or character code, that this proposed resolution required that these codes be identified in each legislation with their available balance, and that a bank account balance would not be identified.*

*Commissioner Edmonson questioned the Commission Auditor whether this proposed resolution was feasible.*

*Mr. Charles Anderson, Commission Auditor, noted he had not seen the proposed amendment to this proposed resolution, however, this proposed resolution as presented would be difficult to accomplish.*

*Commissioner Edmonson noted that the Commission Auditor's staff advised her that the amendment to this proposed resolution was feasible. She pointed*

out that the City of Miami and the State of Florida Legislature had implemented the same practice. She explained that County Residents and the Commission needed to know the funding sources and the remaining balances when approving legislation.

Responding to Commissioner Sosa's suggestion that the Commission defer this proposal to allow Commissioner Edmonson and the County Administration to meet to design a simplified way to accomplish the intent of this proposed resolution, Commissioner Edmonson noted she had met with the County Administration and the Office of the Commission Auditor already. She explained that the Office of Strategic Business Management Budget Director requested that this proposed resolution be deferred when it was on the April 14, 2009, Budget, Planning and Sustainability Committee Agenda to provide for the Budget Director to meet with her, however, the Budget Director was too busy; that she was hospitalized when the Budget, Planning and Sustainability Committee forwarded this proposal to the County Commission on May 12, 2009; and that she never agreed to the amendment requested by the Budget Director at the May 12 meeting. Commissioner Edmonson pointed out that someone knew the information requested in this proposed resolution for each agenda item, and that the Commission should be apprised of that information as well.

Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Management, noted she had not seen language in the proposed amendment. She explained that the proposed amendment would not provide accurate information that the Commission and the Commission Auditor would understand. She noted that the proposed amendment would not provide the Commission with the most accurate information in a way that the Commission would understand. Ms. Glazer-Moon explained that available revenues and available appropriation authority were different, which was why the County Administration wanted the verbiage in this proposal more defined.

County Manager Burgess stressed that the County Administration was concerned with providing the Commission with information that would accomplish the intent of this proposal.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended to change the last paragraph on handwritten page 3 to read as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the memorandum that accompanies legislation which designates the use of a particular funding source shall identify: (1) for each such funding source the index code and sub-object code (or if index codes and subobject codes are not used by the applicable department, the Fund, Subfund, and Project Number), (2) the available balance of such index code and sub-object code, or if applicable, Fund, Subfund and Project Number, and (3) the available capacity using reasonable interest rates assumptions if the issuance of debt is contemplated. This information shall be supplemented by the County Mayor or the County Mayor's designee when it is necessary, to update such information prior to the Board's final consideration of the legislation.**

11A4

**091348**                      **Resolution**                      **Sally A. Heyman**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE AN AGREEMENT WITH THE CITY OF NORTH MIAMI FOR MIAMI-DADE COUNTY TO PARTICIPATE IN THE FUNDING OF UP TO \$215,000.00 FROM DISTRICT 4 QNIP FUNDS FOR THE CONSTRUCTION OF A PEDESTRIAN PATH ON PROPERTY OWNED BY BOTH THE CITY AND MIAMI-DADE COUNTY ON THE SOUTH SIDE OF N.E. 151ST STREET FROM DAVID LAWRENCE JUNIOR K THROUGH 8 SCHOOL TO THE ENTRANCE OF THE LANDINGS

*Adopted*  
*Resolution R-731-09*  
*Mover: Rebeca Sosa*  
*Second: Audrey M. Edmonson*  
*Vote: 11- 0*  
*Absent: Souto, Seijas*

**5/13/2009**    *Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

11A5

**091346**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO PREPARE A REPORT TO THE BOARD OF COUNTY COMMISSIONERS WITH PROPOSED USES OF ROUND 2 OF NEIGHBORHOOD STABILIZATION PROGRAM FUNDS

*Adopted*  
*Resolution R-732-09*  
*Mover: Jose "Pepe" Diaz*  
*Second: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/13/2009**    *Forwarded with a favorable recommendation from the Housing & Community Development Committee*

11A6

**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]

*Adopted*  
*Resolution R-733-09*  
*Mover: Jose "Pepe" Diaz*  
*Second: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Government Operations Committee*

**5/19/2009**    *Legislative notes attached by the Commission Auditor*

11A6 SUPPLEMENT

**091657**                      **Supplement**

SUPPLEMENTAL INFORMATION TO RESOLUTION DIRECTING THE MAYOR TO PRESENT TO THE BOARD SEVERAL OPTIONS OF CONSTRUCTION SIGN DESIGNS TO BE USED BY ALL DEPARTMENTS

*Presented*

FINAL OFFICIAL

11A7

**091347**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION DIRECTING THE COUNTY MAYOR OR  
MAYOR'S DESIGNEE TO STATE IN EACH MEMORANDUM  
RECOMMENDING THE AWARD OF A CONTRACT THE  
TOTAL COST OF THE CONTRACT INCLUDING OPTIONS TO  
RENEW

*Adopted*  
*Resolution R-734-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A8

**091197**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION DIRECTING THE MAYOR TO FORWARD TO  
THE COUNTY COMMISSION FOR CONSIDERATION THE  
APPROPRIATE LEGISLATION WHENEVER THE  
COMMISSION CONSIDERS OR ACCEPTS A REPORT WHICH  
INCLUDES A RECOMMENDATION THAT CERTAIN ACTION  
BE TAKEN BY THE COUNTY COMMISSION

*Adopted*  
*Resolution R-735-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/14/2009**    *Forwarded to BCC with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A9

**090420**                      **Resolution**                      **Joe A. Martinez**

RESOLUTION RESCINDING THE FY 2008-2009  
ALLOCATION FROM THE GENERAL FUND IN THE  
AMOUNT OF \$40,000.00 TO FLORIDA ATLANTIC  
UNIVERSITY AND RE-ALLOCATING THOSE FUNDS TO  
THE UNIVERSITY OF WEST FLORIDA BOARD OF  
TRUSTEES, A PUBLIC BODY CORPORATE, FOR THE  
FLORIDA SMALL BUSINESS DEVELOPMENT CENTER  
NETWORK

*Adopted*  
*Resolution R-736-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A10

**091294**                      **Resolution**                      **Joe A. Martinez**

RESOLUTION DEFINING PROCEDURE FOR COUNTY COMMISSIONER PURCHASES OF GOODS AND SERVICES FROM SPENDING ACCOUNTS AND OFFICE BUDGETS AND DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO ESTABLISH IMPLEMENTING ORDER CONSISTENT WITH RESOLUTION

*Amended (pending receipt of Leg. File No. from CA)*

**Report:** *Commissioner Martinez noted this proposed resolution should be amended on handwritten page 3 to read as follows: "do not exceed \$10,000.00."*

*Commissioner Gimenez questioned whether the procedures for purchases of goods and services in this proposed resolution would apply to the County Administration as well as the County Commission.*

*Commissioner Barreiro noted the County had an agreement with Office Depot that the County would receive a discounted price on the products it purchased. He pointed out that the County was not always given that discounted price, and the only way for the County to have the discounted rate was to research the retail price and report the discrepancy.*

*It was moved by Commissioner Martinez that this proposed resolution be adopted as amended on handwritten page 3 to read as follows: "do not exceed \$10,000.00." This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Seijas, Jordan, Gimenez, and Heyman were absent).*

*The amended version of this resolution was assigned Resolution No. R-737-09.*

**5/12/2009**    Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

**5/19/2009**    Legislative notes attached by the Commission Auditor

11A11

**091409**                      **Resolution**                      **Dennis C. Moss**

RESOLUTION GRANTING THE MAYOR OR THE MAYOR'S DESIGNEE THE AUTHORITY TO APPROVE A CHANGE IN CONTRACT ACTIVITY TYPE FROM AFFORDABLE HOMEOWNERSHIP DEVELOPMENT TO AFFORDABLE RENTAL NEW CONSTRUCTION FOR FUNDED AFFORDABLE HOUSING PROJECTS THAT HAVE NOT YET COMMENCED CONSTRUCTION; AND FURTHER GRANTING THE MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO EXECUTE AGREEMENTS, CONTRACTS AND AMENDMENTS ON BEHALF OF MIAMI-DADE COUNTY, FOLLOWING APPROVAL BY THE COUNTY ATTORNEY'S OFFICE

*Amended*

**Report:** *See Report Under Agenda Item 11A11 Amended, Legislative File No. 092238.*

**5/13/2009**    Forwarded with a favorable recommendation from the Housing & Community Development Committee

11A11 AMENDED

**092238                      Resolution                      Dennis C. Moss**

RESOLUTION GRANTING THE MAYOR OR THE MAYOR'S DESIGNEE THE AUTHORITY TO APPROVE A CHANGE IN CONTRACT ACTIVITY TYPE FROM AFFORDABLE HOMEOWNERSHIP DEVELOPMENT TO AFFORDABLE RENTAL NEW CONSTRUCTION FOR FUNDED AFFORDABLE HOUSING PROJECTS THAT HAVE NOT YET COMMENCED CONSTRUCTION; AND FURTHER GRANTING THE MAYOR OR MAYOR'S DESIGNEE THE AUTHORITY TO EXECUTE AGREEMENTS, CONTRACTS AND AMENDMENTS ON BEHALF OF MIAMI-DADE COUNTY, FOLLOWING APPROVAL BY THE COUNTY ATTORNEY'S OFFICE [SEE ORIGINAL ITEM UNDER FILE NO. 091409]

*Adopted as amended  
Resolution R-738-09  
Mover: Dennis C. Moss  
Seconder: Joe A. Martinez  
Vote: 9- 0  
Absent: Jordan, Heyman,  
Gimenez, Seijas*

**Report:** *Assistant County Attorney Shannon Summerset advised that this proposed resolution should be amended to add at the end of the last paragraph on handwritten page 4 that the authority granted to the Mayor or his designee in this proposed resolution would be conditioned on the Commissioner for the district where the affordable housing project was located consenting in writing to the change.*

*Chairman Moss relinquished the Chair to Vice-Chairman Diaz.*

*Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended.*

*Chairman Moss resumed the Chair.*

11A12

**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

*Adopted  
Resolution R-739-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

- 4/14/2009**    *Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009**    *Legislative notes attached by the Commission Auditor*

11A13

**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

*Adopted  
Resolution R-740-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*4/14/2009      Carried over due to cancellation of meeting by the Government Operations Committee  
5/12/2009      Forwarded to BCC with a favorable recommendation from the Government Operations Committee*

11A14

**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]

*Adopted  
Resolution R-741-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009      Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Government Operations Committee*

11A15

**091509                      Resolution                      Dorrin D. Rolle**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO IMPLEMENT A PEDESTRIAN SAFETY CAMPAIGN BY POSTING SAFETY MESSAGES ON THE INTERIOR AND EXTERIOR OF METROBUS AND METRORAIL CARS [SEE ORIGINAL ITEM UNDER FILE NO. 091476]

*Adopted  
Resolution R-742-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009      Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit, Infrastructure & Roads Committee*

11A16

**091519                      Resolution                      Dorrin D. Rolle**

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S DESIGNEE TO RESEARCH THE AVAILABILITY OF AND APPLY FOR AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS TO BE USED AS GAP FUNDING FOR THE CONSTRUCTION OF GREEN AND SUSTAINABLE BUILDINGS IN THE HOPE VI PROJECT [SEE ORIGINAL ITEM UNDER FILE NO. 091382]

*Adopted  
Resolution R-743-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/13/2009      Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Housing & Community Development Committee*

*5/19/2009      Legislative notes attached by the Commission Auditor*

FINAL OFFICIAL

11A17

**091381 Resolution Dorrin D. Rolle**

RESOLUTION AMENDING RESOLUTION NO. R-88-06  
PERTAINING TO THE LIBERTY CITY BEAUTIFICATION  
DEMONSTRATION PROGRAM TO EXPAND THE  
GEOGRAPHICAL AREA TO ENCOMPASS ALL OF DISTRICT  
2

*Adopted  
Resolution R-744-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded with a favorable recommendation from the Housing & Community Development Committee

11A18

**091534 Resolution Dorrin D. Rolle**

RESOLUTION AMENDING RESOLUTION NO. R-872-08 TO  
CANCEL \$8,092,307 OF \$10,592,307 ALLOCATION FROM  
BUILDING BETTER COMMUNITIES GENERAL  
OBLIGATION BOND PROGRAM PROJECT NUMBER 249 -  
"PRESERVATION OF AFFORDABLE HOUSING UNITS AND  
EXPANSION OF HOME OWNERSHIP" TO AFFORDABLE  
HOUSING COMPONENT OF NORTHSIDE METRORAIL  
STATION TRANSIT ORIENTATED DEVELOPMENT  
PROJECT [SEE ORIGINAL ITEM UNDER FILE NO. 091205]

*Adopted  
Resolution R-745-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/13/2009 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit, Infrastructure & Roads Committee

11A19

**091369 Resolution Katy Sorenson,  
Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY MAYOR OR  
COUNTY MAYOR'S DESIGNEE TO EVALUATE THE  
POTENTIAL FOR MIAMI-DADE COUNTY TO JOIN THE LED  
CITY™ PARTNERSHIP; IDENTIFY AN APPROPRIATE  
PROJECT, FUNDING SOURCES, POTENTIAL GRANTS, AND  
EXPECTED EFFICIENCY AND CARBON EMISSION GAINS  
FOR A PILOT STUDY OF LIGHT EMITTING DIODE ("LED")  
OUTDOOR LIGHTING; AND PROVIDE  
RECOMMENDATIONS TO THE BOARD OF COUNTY  
COMMISSIONERS

*Adopted  
Resolution R-746-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

5/19/2009 Legislative notes attached by the Commission Auditor



**FINAL OFFICIAL**

11A21 AMENDED

**100745**

**Resolution**

**Rebeca Sosa**

RESOLUTION CREATING ELDERLY PEDESTRIAN SAFETY  
ADVISORY COMMITTEE [SEE ORIGINAL ITEM UNDER  
FILE NO. 091388]

*Adopted as amended  
Resolution R-748-09  
Mover: Rebeca Sosa  
Seconder: Dennis C. Moss  
Vote: 7-2  
No: Martinez, Diaz  
Absent: Jordan, Heyman,  
Gimenez, Seijas*

**Report:** Pursuant to Commissioner Sosa noting that this proposed resolution should be amended, Assistant County Attorney Debra Herman advised that this proposed resolution should be amended to add to Section 3 the following two organizations: 15. Office of Americans with Disabilities Act Coordination, 16. The Senior Advocate of the Department of Human Services, Elderly Services Division; and to correct a scrivener's error that existed in the last sentence of Section 3 to replace "The County Manager" with "The County Mayor or his designee."

It was moved by Commissioner Diaz that this proposed resolution be deferred to June 30, 2009. This motion was seconded by Commissioner Martinez.

Commissioner Diaz explained that the intent of his motion was not to hurt a movement. He noted that Commissioner Gimenez and he attended a four hour meeting with the County Administration to review each County Board to identify how to reduce the number of County Boards. He pointed out the County Administration sent staff to attend board meetings. Commissioner Diaz noted he would have a report from the County Manager on the County Boards that could help the Commission determine whether this proposal was necessary.

Commissioner Martinez pointed out the time staff was attending the board meetings was an expense to the County.

Hearing no other questions or comments regarding the motion to defer, the Commission proceeded to vote, and upon being put to a vote, the motion failed by a vote of 4-5 (Commissioners Rolle, Sorenson, Moss, Barreiro, and Sosa voted "No"; Commissioners Jordan, Heyman, Seijas, and Gimenez were absent).

Commissioner Barreiro asked the County Manager to ensure that signs warning motorists to exercise caution in areas with significant elderly populations pursuant to resolution no. R-85-03 were reviewed by the Elderly Pedestrian Safety Advisory Committee.

Commissioner Martinez asked Special Assistant to the County Manager Irene Taylor-Wooten to provide him with a report on the fiscal impact of the Elderly Pedestrian Safety Advisory Committee.

Commissioner Diaz noted the County had three existing entities that could accomplish the intent of this proposed resolution.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended to add to Section 3 the following two organizations: 15. Office of Americans with Disabilities Act Coordination, 16. The Senior Advocate of the Department of Human Services, Elderly Services Division; and to correct a scrivener's error that existed in the last sentence of Section 3 to replace "The County Manager" with "The County Mayor or his designee."

11A22

**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

*Adopted*  
*Resolution R-749-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

- 3/10/2009** *No Action Taken by the Government Operations Committee*
- 4/14/2009** *Carried over due to cancellation of meeting by the Government Operations Committee*
- 5/12/2009** *Forwarded to BCC with a favorable recommendation from the Government Operations Committee*
- 5/19/2009** *Legislative notes attached by the Commission Auditor*

11A23

**091288**

**Resolution**

**Rebeca Sosa**

RESOLUTION CREATING TASK FORCE ON THE  
PERFORMING AND VISUAL ARTS IN MIAMI-DADE  
COUNTY; PROVIDING PURPOSE, MEMBERSHIP,  
PROCEDURES, POWERS AND DUTIES, STAFF, MEETINGS

*Amended (pending receipt of  
Leg. File No. from CA)*

**Report:** Commissioner Diaz noted he would meet with the County Manager on Thursday, June 4, 2009, to finalize the review process of County Boards. He requested this proposed resolution be deferred to June 30, 2009.

Commissioner Sosa pointed out that this proposed resolution would create a Task Force, not a Board, with a defined 150-day life.

Commissioner Diaz explained that his intent was to reduce County costs. He noted that any Commissioner could request a group of people to perform a task and provide him or her with information on an issue without Board approval.

Commissioner Sosa noted this proposed resolution should be amended to add clarifying language to Section 4 that the report provided by the Task Force would come to the County Commission through the Recreation, Culture & Tourism Committee. She stressed that this proposed task force should ensure that the small art organizations were protected from the large art organizations.

Commissioner Martinez questioned who selected the individuals who would comprise this task force. He pointed out that these individuals represented large organizations. He questioned whether the Commission traditionally used a nominating council to select the members on County Boards and Task Forces.

County Attorney Robert Cuevas advised that Article IB of the Code of Miami-Dade County (Code) established a standard for the creation of County Boards, however, this article of the Code defined boards as entities that existed for one year or more. He pointed out that this proposed resolution would create a task force that would exist for less than one year and was not subject to the standards of Article IB.

Commissioner Barreiro asked Assistant County Manager Alex Munoz to ensure that Performing and Visual Arts Task Force seriously considered the issues facing small and grassroots Cultural Organizations – cultural groups with annual operating budgets under \$100,000.

Commissioner Diaz asked that the Task Force seriously consider the issues and concerns of grassroots cultural organizations, but avoid placing too much emphasis on these organizations.

Commissioner Sosa requested this proposed resolution be amended to add clarifying language to Section 4 that the report provided by the Task Force would come to the County Commission through the Recreation, Culture & Tourism Committee.

It was moved by Commissioner Sosa that this proposed resolution be adopted as amended to add clarifying language to Section 4 that the report provided by the Task Force would come to the County Commission through the Recreation, Culture & Tourism Committee. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 8-0 (Commissioners Gimenez, Heyman, Jordan, Seijas, and Souto were absent).

The amended version of this resolution was assigned Resolution No. R-750-09.

**5/11/2009** Forwarded to BCC with a favorable recommendation from the Recreation, Culture & Tourism Committee

FINAL OFFICIAL

11A24

091421 Resolution Sen. Javier D. Souto

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY AND ADVISABILITY OF CREATING A LANDSCAPE-A-ROADWAY PROGRAM

Adopted  
Resolution R-751-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas

5/13/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee

11A25

091575 Resolution Dennis C. Moss,

Sen. Javier D. Souto,  
Carlos A. Gimenez,  
Barbara J. Jordan,  
Bruno A. Barreiro,  
Audrey M. Edmonson,  
Jose "Pepe" Diaz,  
Sally A. Heyman,  
Dorrian D. Rolle,  
Natacha Seijas,  
Katy Sorenson,  
Rebeca Sosa

RESOLUTION URGING CONGRESS, THE FLORIDA LEGISLATURE, AND FEDERAL AND STATE OFFICIALS TO ENSURE THAT THE RATINGS METHODOLOGY USED BY THE PORTABLE PEOPLE METER RATINGS SYSTEM DESIGNED TO MEASURE RADIO STATION LISTENERSHIP DOES NOT UNDER-REPRESENT MINORITY RADIO LISTENERS

Deferred to June 30, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas

11A26

090995 Resolution Jose "Pepe" Diaz

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

Adopted  
Resolution R-752-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas

4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee

5/12/2009 Forwarded to BCC with a favorable recommendation from the Government Operations Committee

FINAL OFFICIAL

11A27

**091172**                    **Resolution**                    **Jose "Pepe" Diaz**

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

*Adopted  
Resolution R-753-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009    Forwarded to BCC with a favorable recommendation from the Government Operations Committee

11A28

**091181**                    **Resolution**                    **Natacha Seijas**

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

*Adopted  
Resolution R-754-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009    Forwarded to BCC with a favorable recommendation from the Government Operations Committee

11A29

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

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

*Adopted  
Resolution R-755-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009    Forwarded to BCC with a favorable recommendation from the Government Operations Committee

11A30

**091378**                    **Resolution**                    **Bruno A. Barreiro**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 1, 2009 "ES AHORA O NUNCA" SPONSORED BY THE HISPANIC COALITION, CORP., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,115.00 TO BE FUNDED FROM THE DISTRICT 5 IN-KIND RESERVE FUND

*Adopted  
Resolution R-756-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

5/12/2009    Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A31

**091368                      Resolution                      Jose "Pepe" Diaz**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 25, 2009 "RELAY FOR LIFE OF DORAL" SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$975.00 TO BE FUNDED FROM THE DISTRICT 12 IN-KIND RESERVE FUND

*Adopted  
Resolution R-757-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A32

**091370                      Resolution                      Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 23, 2009 "LITTLE HAITI MULTICULTURAL SUMMER SOCCER TOURNAMENT" SPONSORED BY THE FLORIDA MULTICULTURAL EVENTS PROMOTION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,666.00 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

*Withdrawn  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A33

**091360                      Resolution                      Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE WATER AND SEWER DEPARTMENT FOR THE APRIL 3, 2009 "8TH ANNUAL DR. MARTIN LUTHER KING, JR. CANDLELIGHT MEMORIAL SERVICE" SPONSORED BY THE MARTIN LUTHER KING ECONOMIC DEVELOPMENT CORPORATION, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,865.00 TO BE FUNDED FROM THE DISTRICT 3 IN-KIND RESERVE FUND

*Adopted  
Resolution R-759-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

**5/12/2009**    *Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

FINAL OFFICIAL

11A34

**091361 Resolution Audrey M. Edmonson**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT AND THE MIAMI-DADE GENERAL SERVICES DEPARTMENT FOR THE APRIL 10-11, 2009 "TEAM HANDBALL FRENCH CHAMPIONSHIP CUP" SPONSORED BY THE FLORIDA ASSOCIATION OF NONPROFIT ORGANIZATIONS, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,721.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Adopted  
Resolution R-760-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A35

**091359 Resolution Carlos A. Gimenez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 19, 2009 "EARTH FEST 2009" SPONSORED BY EARTH LEARNING, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$4,346.00 TO BE FUNDED FROM THE DISTRICT 7 IN-KIND RESERVE FUND

*Adopted  
Resolution R-761-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A36

**091366 Resolution Sally A. Heyman**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 17, 2009 "CHARITY DOG SHOW" SPONSORED BY THE KIWANIS CLUB OF NORTH SHORE MIAMI BEACH, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$835.00 TO BE FUNDED FROM THE DISTRICT 4 IN-KIND RESERVE FUND

*Adopted  
Resolution R-762-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A37

**091362                      Resolution                      Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MARCH 21, 2009 "HEALTHY LIVING HEALTH FAIR" SPONSORED BY THE OPA-LOCKA/NORTH-DADE FRONT PORCH COUNCIL, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,266.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

*Adopted  
Resolution R-763-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A38

**091376                      Resolution                      Barbara J. Jordan**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT, THE DEPARTMENT OF SOLID WASTE MANAGEMENT AND THE MIAMI-DADE POLICE DEPARTMENT FOR THE APRIL 24-25, 2009 "RELAY FOR LIFE OF NORTH WEST DADE" SPONSORED BY THE AMERICAN CANCER SOCIETY, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$6,872.00 TO BE FUNDED FROM THE DISTRICT 1 IN-KIND RESERVE FUND

*Adopted  
Resolution R-764-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A39

**091356                      Resolution                      Joe A. Martinez**

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE MAY 30, 2009 "2009 FAMILY EXPO" SPONSORED BY THE CHILDREN'S TRUST, IN AN AMOUNT NOT TO EXCEED \$18,640.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND, AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Adopted  
Resolution R-765-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Martinez, Seijas*

*5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee*

FINAL OFFICIAL

11A40

091367

Resolution

Joe A. Martinez,  
Sen. Javier D. Souto

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 17-18, 2009 "JP'S ANNUAL SOFTBALL TOURNAMENT" SPONSORED BY METRO DAWGS POLICE SOFTBALL ORGANIZATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$818.00 TO BE FUNDED IN PART FROM DISTRICT 11 AND IN PART FROM DISTRICT 10 IN-KIND RESERVE FUNDS

*Adopted*  
*Resolution R-766-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A41

091402

Resolution

Joe A. Martinez

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT AND THE MIAMI-DADE FIRE RESCUE DEPARTMENT FOR THE JUNE 7, 2009 "34TH ANNUAL TELETHON" SPONSORED BY THE LEAGUE AGAINST CANCER, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$2,647.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Adopted*  
*Resolution R-767-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A42

091358

Resolution

Dennis C. Moss

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 12, 2009 "COMMUNITY CANCER SOCIETY AWARENESS PROGRAM" SPONSORED BY THE COMMUNITY EMPOWERMENT AND OUTREACH INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$945.00 TO BE FUNDED FROM THE DISTRICT 9 IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-768-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A43

091364

Resolution

Dennis C. Moss

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT, THE MIAMI-DADE FIRE RESCUE DEPARTMENT AND THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 18, 2009 "5K WALK/RUN FOR ASTHMA" SPONSORED BY CONTINENTAL SOCIETIES OF GREATER MIAMI INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$11,404.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET

*Adopted*  
*Resolution R-769-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A44

091357

Resolution

Rebeca Sosa

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 3, 2009 "ANNUAL VOLUNTEER RECOGNITION PICNIC" SPONSORED BY THE DADE COUNTY DENTAL RESEARCH CLINIC, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,275.00 TO BE FUNDED FROM THE DISTRICT 6 IN-KIND RESERVE FUND

*Adopted*  
*Resolution R-770-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

5/12/2009 Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A45

**091354**                      **Resolution**                      **Sen. Javier D. Souto**

RESOLUTION AUTHORIZING THE PROVISION OF IN-KIND SERVICES FROM THE MIAMI-DADE POLICE DEPARTMENT, MIAMI-DADE TRANSIT AGENCY, MIAMI-DADE PARK AND RECREATION DEPARTMENT, GENERAL SERVICES ADMINISTRATION DEPARTMENT, ENTERPRISE TECHNOLOGY SERVICES DEPARTMENT, OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT, AND MIAMI-DADE COUNTY FIRE DEPARTMENT IN SUPPORT OF THE JUNE 8-11, 2009 "FIFTEENTH INTER-AMERICAN CONFERENCE OF MAYORS AND LOCAL AUTHORITIES" SPONSORED BY THE FLORIDA INTERNATIONAL UNIVERSITY'S INSTITUTE FOR PUBLIC MANAGEMENT & COMMUNITY SERVICE, A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$29,892.00 TO BE FUNDED IN PART FROM THE COUNTYWIDE IN-KIND RESERVE FUND AND IN PART FROM THE NON-AD VALOREM PORTION OF THE FIRE RESCUE DISTRICT BUDGET [SEE AGENDA ITEM NO. 5E]

*Amended (pending receipt of Leg. File No. from CA)*

**Report:** Assistant County Attorney Gerald Sanchez advised that the foregoing proposed resolution should be amended to change "\$28,630.00" to "\$39,478.00" in the last WHEREAS clause.

*It was moved by Commissioner Sosa that this proposed resolution be adopted as amended to change "\$28,630.00" to "\$39,478.00" in the last WHEREAS clause. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Seijas and Souto were absent).*

*The amended version of this resolution was assigned Resolution No. R-771-09.*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

11A45 SUPPLEMENT

**091740**                      **Supplement**

SUPPLEMENTAL INFORMATION TO RESOLUTION REGARDING SUPPORT OF THE JUNE 8-11, 2009 "FIFTEENTH INTER-AMERICAN CONFERENCE OF MAYORS AND LOCAL AUTHORITIES"

*Presented  
Mover: Rebeca Sosa  
Secunder: Carlos A. Gimenez  
Vote: 11-0  
Absent: Souto, Seijas*

11A46

091374

Resolution

Sen. Javier D. Souto

RESOLUTION RETROACTIVELY AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE MAY 21-25, 2009 "SPECTRUM INTERNATIONAL PASO FINO HORSE SHOW" SPONSORED BY THE FLORIDA PASO FINO HORSE ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$49,328.00 TO BE FUNDED FROM THE COUNTYWIDE IN-KIND RESERVE FUND

*Amended (pending receipt of Leg. File No. from CA)*

**Report:** Assistant County Attorney Gerald Sanchez advised that this proposed resolution should be amended to change "\$49,328.00" to "\$54,873.00."

*It was moved by Commissioner Souto that this proposed resolution be adopted as amended to change "\$49,328.00" to "\$54,873.00." This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Jordan, and Heyman were absent).*

*The amended version of this resolution was assigned Resolution No. R-772-09.*

**5/12/2009** Forwarded to BCC with a favorable recommendation from the Budget, Planning and Sustainability Committee

FINAL OFFICIAL

11A47

091532

Resolution

Jose "Pepe" Diaz,  
Sen. Javier D. Souto,  
Katy Sorenson

RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ALLOW COUNTY EMPLOYEES TO CONTRIBUTE THE VALUE OF ACCRUED ANNUAL AND HOLIDAY LEAVE TIME TO AMERICAN FRATERNITY, INC., AN ORGANIZATION THAT ASSISTS CHILDREN WHO ARE U.S. CITIZENS LEFT ORPHANS WHEN THEIR PARENTS ARE DEPORTED; SETTING THE CAP OF SUCH CONTRIBUTIONS AT \$250,000; AUTHORIZING MAYOR OR DESIGNEE TO MAKE THE CONTRIBUTION ON BEHALF OF THE EMPLOYEES OF MIAMI-DADE COUNTY; DIRECTING THE MAYOR OR DESIGNEE TO WORK WITH THE UNITED WAY TO CREATE A MEANS OF ALLOWING COUNTY EMPLOYEES TO SPONSOR INDIVIDUAL CHILDREN WHO HAVE BEEN LEFT ORPHANS BY U.S. IMMIGRATION POLICIES WHEN THEIR PARENTS ARE DEPORTED BY MAKING PAYROLL DEDUCTION CONTRIBUTIONS TO AMERICAN FRATERNITY, INC.

*Adopted*

*Resolution R-773-09*

*Mover: Jose "Pepe" Diaz*

*Seconder: Joe A. Martinez*

*Vote: 8-0*

*Absent: Jordan, Heyman,  
Gimenez, Souto, Seijas*

**Report:** Commissioner Sorenson asked that she be listed as a co-sponsor. She noted that she had proposed that the Human Resources Department establish an automatic payroll deduction for County employees to the Parks and Recreation Department for children's programming, and that the Human Resources Department opposed her proposal by explaining that the department wanted to scale back on payroll deductions. She questioned whether Human Resources had changed its practice to scale back on payroll deductions.

County Manager Burgess pointed out that this proposed resolution was an issue of County employees contributing the value of accrued annual and holiday leave time, and that the issue raised by Commissioner Sorenson was an issue of payroll deductions. He noted the County had recently limited the number of payroll deductions. He explained that the County was cautious about both forms of employee contributions and kept them to a minimum.

Commissioner Sorenson noted this proposed resolution and her proposal for the Parks and Recreation Department would both require data entry. She questioned the difference between the two proposals.

County Manager Burgess noted the Inspector General evaluated the payroll deduction issue and he expressed concerns regarding the number of payroll deductions the County had in place. He clarified that the County wanted Union dues and United Way contributions to be the only payroll deductions. He stressed that accrued annual leave donations were different than payroll deductions, and that accrued annual leave was capped because the County was the entity that paid for the contributions in the end.

Commissioner Sorenson noted she would attempt her proposal for donations to the Parks and Recreation Department for children's programming via accrued annual leave as opposed to payroll deductions.

Commissioner Martinez noted he had negative experiences with the United Way in the past, and he questioned whether another entity could be used.

Commissioner Diaz explained that his intent was to address a community need in the easiest way possible, and that he was apprised by the County Administration that the United Way had a system established that would facilitate this contribution.

In response to Commissioner Barreiro's inquiry regarding the value of the accrued annual leave time that County employees would donate, Ms. Angela Maher, Director, Human Resources Department, noted the value of the accrued annual leave time would be at the employee's current pay rate. She clarified that the County usually only allowed donation of leave time for a single, catastrophic event.

County Manager Burgess responded to Commissioner Barreiro's concerns regarding the funding source for sick and annual leave payouts when a County employee retires and the payment of sick and annual leave payouts at the employee's final pay rate as opposed to the pay rate at which the leave time was accrued.

Responding to Commissioner Diaz's inquiry regarding the United Way using a part of this proposed contribution for administrative costs, County Manager Burgess noted the County could establish this proposed contribution as a group that 100% of the contribution passed through to American Fraternity,

FINAL OFFICIAL

Inc.

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

5/19/2009 4 Day Rule Invoked by the Board of County Commissioners

11A48

091512 Resolution Sally A. Heyman

RESOLUTION REGARDING A CONFLICT WAIVER REQUEST BY GREENBERG TRAUIG, P.A. PURSUANT TO ITS FEDERAL LOBBYING CONTRACT WITH MIAMI-DADE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 091418]

Adopted  
Resolution R-774-09  
Mover: Joe A. Martinez  
Seconder: Rebeca Sosa  
Vote: 8-0  
Absent: Jordan, Heyman, Gimenez, Souto, Seijas

5/14/2009 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Health, Public Safety & Intergovernmental Cmte

5/19/2009 4 Day Rule Invoked by the Board of County Commissioners

11A48 SUPPLEMENT

091545 Supplement

SUPPLEMENTAL INFORMATION TO RESOLUTION REGARDING A CONFLICT WAIVER REQUEST BY GREENBERG TRAUIG, P.A. PURSUANT TO ITS FEDERAL LOBBYING CONTRACT WITH MIAMI-DADE COUNTY

Presented

11A49

091555 Resolution Audrey M. Edmonson

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 3

Adopted  
Resolution R-775-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11-0  
Absent: Martinez, Seijas

11A50

091505 Resolution Rebeca Sosa

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 6, DISTRICT 6 COUNTY SERVICES RESERVE FUNDS AND RESCINDING PREVIOUS ALLOCATION TO BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES

Adopted  
Resolution R-776-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 11-0  
Absent: Martinez, Seijas

11A51

091572                      Resolution                      Carlos A. Gimenez

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-  
2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF  
DISTRICT 7*Adopted*  
*Resolution R-777-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

11A52

091552                      Resolution                      Joe A. Martinez

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-  
2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF  
DISTRICT 11*Adopted*  
*Resolution R-778-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

11A53

091553                      Resolution                      Joe A. Martinez

RESOLUTION RESCINDING PREVIOUS ALLOCATIONS  
MADE FROM FY 2007 - 2008 DISTRICT 11 DISCRETIONARY  
RESERVE FUNDS*Adopted*  
*Resolution R-779-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas***11 B      ADDITIONAL BUDGET ALLOCATIONS**

11B1

091778                      Report

ALLOCATION OF (FY) 2008/09 OFFICE OPERATING  
BUDGET FUNDS (DISTRICT 3)*Approved*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas***Report:** *The following funding allocations were made from fiscal year (FY)  
2008/09 District 3 Office Operating Budget Funds as requested by  
Commissioner Edmonson.**\$2,800 to Nat's Catering Re: 4th of July event for seniors in District 3*  
*\$447.50 to Nat's Catering Re: Overtown Charette meeting on June 2, 2009*

11B2

**091779 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 3)

*Approved*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

**Report:** *The following funding allocation was made from fiscal year (FY) 2008/09 District 3 Discretionary Reserve Funds as requested by Commissioner Edmonson.*

*\$2,000 to New Journeys Transitional Home*

11B3

**091780 Report**

REIMBURSEMENT FROM COMMUNITY-BASED ORGANIZATION FUNDS - OFFICE ACCOUNT FUNDS (DISTRICT 4)

*Approved*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

**Report:** *The following funding allocations were reimbursed from District 4 Community Based Organization – Office Account Funds as requested by Commissioner Heyman.*

*\$100 from Barry University Jeanne O’Laughlin Scholarship Fund*  
*\$350 from Miami Dade Parks*  
*\$3,000 from Save Dade*  
*\$1,500 from Alliance for Aging*  
*\$1,000 from International Women’s Forum*  
*\$500 from Fulford Methodist Church*

11B4

**091781 Report**

ALLOCATION OF (FY) 2008/09 OFFICE BUDGET FUNDS (DISTRICT 4)

*Approved*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 4 Office Budget Funds as requested by Commissioner Heyman.*

*\$50,000 to the Government Information Center to cover costs associated with the first 15-months of the Northside Office Lease Agreement*  
*\$18,000 to the Center for the Advancement of Jewish Education (March of Living)*

11B5

**091782 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 4)

*Approved*

*Mover: Rebeca Sosa*

*Seconder: Jose "Pepe" Diaz*

*Vote: 7-0*

*Absent: Jordan, Rolle, Heyman,  
Gimenez, Souto, Seijas*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 4 Discretionary Reserve Funds as requested by Commissioner Heyman.*

*\$1,000 to The Dialysis Food Foundation of South Florida (d/b/a The Johan deVries Foundation, Inc.)*

*\$500 to Optimist Club of Ives Estates of North Miami Beach, Inc.*

*\$5,000 to Save Dade*

*\$500 to Sunny Isles Beach K-8 PTA*

*\$5,000 to Kristi House*

11B6

**091783 Report**

ALLOCATION OF (FY) 2008/09 OFFICE FUNDS (DISTRICT 6)

*Approved*

*Mover: Rebeca Sosa*

*Seconder: Jose "Pepe" Diaz*

*Vote: 7-0*

*Absent: Jordan, Rolle, Heyman,  
Gimenez, Souto, Seijas*

**Report:** *The following funding allocation was made from fiscal year (FY) 2008/09 District 6 Office Funds as requested by Commissioner Sosa.*

*A total of \$968 from Office Funds to purchase 7 cakes from Casa Potin#2, and donate them to the following Senior Centers for Mother's Day celebration:*

- Badia's Senior Center*
- West Dade Adult Day Care*
- Palermo Lakes Apartment*
- Generation Club*
- West Miami Senior Center*
- Miami Springs Senior Center*
- Residential Plaza ALF*

11B7

**091784 Report**

ALLOCATION OF (FY) 2008/09 COUNTY SERVICES FUNDS  
(DISTRICT 8)

*Approved**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 7- 0**Absent: Jordan, Rolle, Heyman,  
Gimenez, Souto, Seijas*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 8 County Services Funds as requested by Commissioner Sorenson.*

*\$2,000 to Parks Foundation of Miami-Dade County, Inc. – Funding for 8 children to attend camp*

*\$2,500 to ArtSouth – Funding for MacArthur South's classes for youth*

11B8

**091785 Report**

ALLOCATION OF (FY) 2008/09 COMMUNITY SERVICES  
RESERVE FUNDS (DISTRICT 9)

*Approved**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 7- 0**Absent: Jordan, Rolle, Heyman,  
Gimenez, Souto, Seijas*

**Report:** *The following funding allocation was made from fiscal year (FY) 2008/09 District 9 Community Services Reserve Funds as requested by Chairman Moss.*

*\$4,200 to Unity Center of Miami, Inc., for their summer program*

11B9

**091786 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 12)

*Approved**Mover: Rebeca Sosa**Second: Jose "Pepe" Diaz**Vote: 7- 0**Absent: Jordan, Rolle, Heyman,  
Gimenez, Souto, Seijas*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 12 Discretionary Reserve Funds as requested by Vice-Chairman Diaz.*

*\$1,000 to Creative Children Therapy, Inc.*

*\$1,500 to Florida State University – c/o Victor Bobolla*

*\$1,000 to Autism Speaks, Inc.*

*\$1,000 to South Florida Autism Charter School, Inc.*

*For the record, Vice-Chairman Diaz requested that his purchasing card be reimbursed from his District 12 Office Budget in the amount of \$1,398.00 for expenses for the End of the Year Recognition Event.*

11C1

091568 Report Rebeca Sosa  
 REPORT ON THE 2009 STATE LEGISLATIVE SESSION *Presented*

**12 COUNTY MANAGER**

12B1

090952 Report  
 STATUS REPORT ON USE AND MANAGEMENT OF INTERGRATED COMMAND FACILITY (A/K/A LIGHTSPEED) (County Manager) *Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Dennis C. Moss*  
*Vote: 8- 0*  
*Absent: Jordan, Heyman, Gimenez, Souto, Seijas*

**Report:** *Commissioner Diaz noted he would meet with the County Manager to discuss the idea that each Commissioner would have an office that would be functional after a hurricane or other natural disasters.*

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

*4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*

*5/12/2009 Report Received by the Government Operations Committee*

12B2

090838 Report  
 OUTREACH PLAN TO EDUCATE SCHOOL CHILDREN IN MIAMI-DADE COUNTY ABOUT WATER CONSERVATION (County Manager) *Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*4/14/2009 Carried over due to cancellation of meeting by the Government Operations Committee*

*5/12/2009 Report Received by the Government Operations Committee*

12B3

091410 Report  
 REPORT ON THE STATUS OF THE NEIGHBORHOOD STABILIZATION PROGRAM - MAY 2009 (County Manager) *Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

*5/13/2009 Report Received by the Housing & Community Development Committee*

**13 COUNTY ATTORNEY****14 ITEMS SUBJECT TO 4-DAY RULE**

14A1

**091655                      Ordinance                      Bruno A. Barreiro**

ORDINANCE RELATING TO MIAMI-DADE COUNTY  
MANATEE PROTECTION PLAN REVIEW COMMITTEE;  
AMENDING ORDINANCE NO. 09-06 TO PROVIDE AN  
ADDITIONAL THREE (3) MONTH EXTENSION OF THE  
SUNSET DATE FOR THE COMMITTEE; PROVIDING  
SEVERABILITY AND AN EFFECTIVE DATE

*Adopted on first reading*  
*Public Hearing: June 30, 2009*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Dorrin D. Rolle*  
*Vote: 11- 0*  
*Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the June 30, 2009, Board of County Commissioners meeting at 9:30 a.m.*

*Commissioner Sorenson asked the County Manager to prepare an appropriate memorandum asking Chairman Moss to waive the Board's rules and procedures to allow this proposed ordinance to be heard at the June 30, 2009, meeting.*

## 15                      **CLERK OF THE BOARD**

### 15A                      **RESOLUTIONS**

15A1

**091554                      Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE  
INTERGOVERNMENTAL COOPERATION AGREEMENT  
BETWEEN DOWNTOWN DORAL COMMUNITY  
DEVELOPMENT DISTRICT AND MIAMI-DADE COUNTY TO  
PROVIDE SERVICES TO DOWNTOWN DORAL  
COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE  
WITH SECTION 197.3632, FLORIDA STATUTES, UNIFORM  
METHOD FOR THE LEVY, COLLECTION AND  
ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS  
(Office of Property Appraiser)

*Adopted*  
*Resolution R-675-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

15A2

**091585                      Resolution**

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID  
PROCEDURES TO EXECUTE LETTER OF AGREEMENT  
BETWEEN MIAMI-DADE COUNTY'S OFFICE OF THE  
PROPERTY APPRAISER AND FRANK JACOBS, ASA, FOR  
PROFESSIONAL SERVICES IN AN AMOUNT NOT TO  
EXCEED \$385,500 OVER FOUR YEARS; AND AUTHORIZING  
THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE  
TO EXECUTE THE LETTER OF AGREEMENT (Office of  
Property Appraiser)

*Adopted*  
*Resolution R-758-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Joe A. Martinez*  
*Vote: 8- 0*  
*Absent: Jordan, Heyman,*  
*Gimenez, Souto, Seijas*

### 15B                      **REPORTS**

FINAL OFFICIAL

15B1

**091547 Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JUNE 2, 2009, (TO BE DELIVERED AT A LATER DATE) (Clerk of the Board)

*Withdrawn*

15B1 SUBSTITUTE

**091689 Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON JUNE 2, 2009 (Clerk of the Board)

*Accepted as corrected*

*Mover: Bruno A. Barreiro*

*Second: Joe A. Martinez*

*Vote: 10- 0*

*Absent: Jordan, Heyman, Seijas*

**Report:** *It was moved by Commissioner Barreiro that this report be reconsidered. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Heyman, and Jordan were absent).*

*It was moved by Commissioner Barreiro that this report be accepted as corrected to change the public hearing date for 14A1 from the Budget, Planning and Sustainability Committee meeting of Tuesday, June 9, 2009, at 2:00 PM, to the Board of County Commissioners meeting of Tuesday, June, 30, 2009, at 9:30 AM; and to change the public hearing date for 4C from the Budget, Planning, and Sustainability Committee meeting of Tuesday, July 14, 2009, at 2:00 PM, to the Board of County Commissioners meeting of Tuesday, July 21, 2009, at 9:30 AM. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Heyman, and Jordan were absent).*

15B2

**091548 Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD MARCH 3, 2009 (REGULAR MEETING) (Clerk of the Board)

*Approved*

*Mover: Jose "Pepe" Diaz*

*Second: Rebeca Sosa*

*Vote: 11- 0*

*Absent: Martinez, Seijas*

15B3

**091549 Report**

RESOLUTION NO. 2009-86 OF THE CITY OF CORAL GABLES COMMISSION WITH ATTACHMENTS, OFFICIALLY ACCEPTING THE ATTACHED CITY CLERK'S CERTIFICATION AND DECLARATION OF RESULTS FROM THE SPECIAL MUNICIPAL REFERENDUM ELECTION FOR CHARTER AMENDMENT NO. 3, HELD ON APRIL 14, 2009, WHEREIN SAID CHARTER AMENDMENT PROVIDING THAT THE MAYOR BE ELECTED TO SERVE A TWO (2) YEAR TERM COMMENCING THE SECOND TUESDAY, IN APRIL, 2011 WAS APPROVED BY THE ELECTORATE. (Clerk of the Board)

*Accepted*

*Mover: Jose "Pepe" Diaz*

*Second: Rebeca Sosa*

*Vote: 11- 0*

*Absent: Martinez, Seijas*

15B4

**091550 Report**

RESOLUTION NO. 2009-87 OF THE CITY OF CORAL GABLES COMMISSION WITH ATTACHMENTS, OFFICIALLY ACCEPTING THE ATTACHED CITY CLERK'S CERTIFICATION AND DECLARATION OF RESULTS FROM THE SPECIAL MUNICIPAL REFERENDUM ELECTION FOR CHARTER AMENDMENT NO. 4, HELD ON APRIL 14, 2009, WHEREIN SAID CHARTER AMENDMENT PROVIDING THAT TERM LIMITS OF EIGHT (8) CONSECUTIVE YEARS FOR THE MAYOR AND TWELVE (12) CONSECUTIVE YEARS FOR A CITY COMMISSIONER, WITH THE INCUMBENT MAYOR IN GROUP ONE (1) AND THE INCUMBENT COMMISSIONERS IN GROUP FOUR (IV) AND GROUP FIVE (V) RESPECTIVELY, BE ALLOWED TO RUN FOR AN ADDITIONAL TERM IN THE GENERAL BIENNIAL ELECTION IN 2011, WAS APPROVED BY THE ELECTORATE (Clerk of the Board)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

15B5

**091551 Report**

RESOLUTION 2009-88 OF THE CITY OF CORAL GABLES COMMISSION WITH ATTACHMENTS, OFFICIALLY ACCEPTING THE ATTACHED CITY CLERK'S CERTIFICATION AND DECLARATION OF RESULTS FROM THE SPECIAL MUNICIPAL REFERENDUM ELECTION FOR CHARTER AMENDMENT NO. 5, HELD ON APRIL 14, 2009, WHEREIN SAID CHARTER AMENDMENT PROVIDING FOR THE TIME SERVED IN FULFILLING THE UNEXPIRED TERM RESULTING FROM A VACANCY ON THE CITY COMMISSIN SHALL NOT BE COUNTED IN APPLYING TERM LIMITS, WAS APPROVED BY THE ELECTORATE (Clerk of the Board)

*Accepted*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 11- 0*  
*Absent: Martinez, Seijas*

**15C COUNTY ADVISORY BOARD APPOINTMENTS**

15C1

**092284 Report**

APPOINTMENT TO THE ASIAN AMERICAN ADVISORY BOARD AHMED TAVAKOLY

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

FINAL OFFICIAL

15C2

**092285** Report

APPOINTMENT TO ASIAN AMERICAN ADVISORY BOARD  
MEITAL STAVINSKY

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C3

**092286** Report

APPOINTMENT TO THE LIVING WAGE COMMISSION  
ROSALIND MARTIN

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C4

**092287** Report

APPOINTMENT TO THE VIZCAYA BOARD OF TRUSTEES  
RAYFIELD MCGHEE

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C5

**092288** Report

REAPPOINTMENT TO THE TASK FORCE ON URBAN  
ECONOMIC REVITALIZATION KATRINA WRIGHT

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C6

**092290** Report

APPOINTMENT TO THE COMMISSION FOR WOMEN  
REGINA SUAREZ

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

FINAL OFFICIAL

15C7

**092291 Report**

APPOINTMENT TO THE COMMISSION ON DISABILITY  
ISSUES JOSE ERNESTO MARTINEZ

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C8

**092292 Report**

APPOINTMENT TO THE COMMUNITY ACTION AGENCY  
JOYCE GALBUT

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C9

**092293 Report**

APPOINTMENT TO THE CONSTRUCTION TRADES  
QUALIFYING BOARD - DIVISION A MILTON THOMPSON

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C10

**092295 Report**

APPOINTMENT TO THE DOMESTIC VIOLENCE OVERSIGHT  
BOARD SOPHIE BRION

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C11

**092296 Report**

REAPPOINTMENT TO THE ENTERPRISE ZONE ADVISORY  
COUNCIL ELDRED GARCIA

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman,*  
*Gimenez, Souto, Seijas*

15C12

**092297 Report**

REAPPOINTMENT TO THE FIRE PREVENTION AND SAFETY APPEALS BOARD ARMANDO PIEDRA

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C13

**092298 Report**

APPOINTMENT TO THE FREIGHT TRANSPORTATION ADVISORY COMMITTEE EDDIE RODRIGUEZ

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C14

**092299 Report**

REAPPOINTMENT TO THE HISPANIC AFFAIRS ADVISORY BOARD ANTONIO WAGNER

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C15

**092300 Report**

REAPPOINTMENT TO THE CULTURAL AFFAIRS COUNCIL XAVIER CORTADA

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C16

**092301 Report**

REAPPOINTMENT TO THE FILM AND ENTERTAINMENT ADVISORY BOARD WILL EDWARDS

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7- 0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C17

092302 Report

REAPPOINTMENT TO COMMUNITY COUNCIL 14 CURTIS LAWRENCE

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7-0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

15C18

092303 Report Dennis C. Moss

APPOINTMENT TO THE ANIMAL SERVICES FOUNDATION BONNIE CRABTREE

*Appointed*  
*Mover: Rebeca Sosa*  
*Seconder: Jose "Pepe" Diaz*  
*Vote: 7-0*  
*Absent: Jordan, Rolle, Heyman, Gimenez, Souto, Seijas*

**15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT**

**15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS**

**16 ITEMS SCHEDULED FOR THURSDAY**

**16A SPECIAL PRESENTATIONS (Scheduled for 8:00 am)**

16A1

091593 Service Awards

SERVICE AWARD PRESENTATIONS:

*Presented*

MONICA BELTRAN - AVIATION - 30 YEARS  
 SILAS WASHINGTON - AVIATION - 35 YEARS  
 LAURA M. NELSON - CORRECTIONS - 30 YEARS  
 GUS J. RHANEY - DHS - 30 YEARS  
 CHERYL P. WEBB - DHS - 35 YEARS  
 MILTON CLARKE, JR. - MDT - 30 YEARS  
 FERNANDO P. FERMIN - MDT - 30 YEARS  
 BARBARA J. JONES - OCED - 30 YEARS  
 BARBARA A. MCMILLAN - OCED - 40 YEARS  
 CORNELIUS E. ALLEN - SOLID WASTE - 35 YEARS  
 LEROY A. HUNT - WASD - 35 YEARS  
 MIGUEL A. MOREJON - WASD - 30 YEARS



**092613**            **Report**  
NON AGENDA REPORT

**Report:** Commissioner Rolle announced that the Florida Department of Transportation (FDOT) had reached an agreement on the commercial issues of the Port of Miami Tunnel. He explained that the State of Florida, the County, the City of Miami, and the concessionaire were working towards a financial close on October 1, 2009.

County Manager George Burgess expressed appreciation to the many County personnel who were involved in reaching this agreement. He noted that all parties were working in good faith to meet the financial close on October 1, 2009.

Responding to Commissioner Diaz's inquiry regarding the County's costs being capped, County Manager Burgess explained that the County's position regarding the financial contributions, and the protections did not change from those in Resolution No. R-889-07.

Chairman Moss noted the Port Tunnel project was dead, however, the cooperation from the parties involved revived it.

Chairman Moss distributed a memorandum regarding the Commission rescheduling some future meetings. He explained that the memorandum proposed the Commission make the following schedule changes:

1. Call a Special Meeting for June 19, 2009, at 9:00 a.m., to discuss Marlins stadium financing;
2. Reschedule the June 16, 2009, County Commission meeting to June 30, 2009; and
3. Cancel the July 7, 2009, County Commission meeting and the July 9, 2009, Zoning Board hearing.

Chairman Moss clarified that the County would know by June 19, 2009, whether it could sell the bonds and begin construction on the stadium, and that the June 30, 2009, date would provide the Commission an opportunity to meet after the 10-day Mayoral veto period on the stadium bonds.

Commissioner Diaz questioned whether the Commission should schedule the June 19, 2009, Special Meeting in the afternoon, as opposed to the suggested 9:00 a.m. time.

County Attorney Robert Cuevas advised that the County planned to price the bonds on June 17 and 18, and that the County had a set period of time to sign the bond purchase agreement after pricing the bond. He noted the Commission needed to approve the bond purchase agreement in the morning to provide the Mayor or his designee the time to sign the agreement before the set period of time expired.

Commissioner Martinez noted he had schedule conflicts on June 19 and June 30 that could not be rescheduled.

Responding to Commissioner Gimenez's request for clarification regarding the period of time the County had from selling the bonds to sign the bond purchase agreement, Assistant County Attorney Bonzon-Keenan advised that the County normally signed the agreement by 2 p.m. the day following a two-day pricing, and that the proposed schedule would support the normal schedule. She advised that the bond purchase agreement could contain language that the execution of the agreement would have to wait for the Commission to approve the agreement.

*Commissioner Gimenez expressed concern regarding the Commission not having information on the bond sales before the proposed special meeting on June 19, 2009.*

*County Manager Burgess noted County staff would be available to answer any questions that the commissioners had on the proposed bond sales. He pointed out that the intent of this proposed special meeting was to protect to the County if the bond sales fell short, and that the County Commission did not normally meet after the County issued debt.*

*Commissioner Gimenez asked the County Manager to apprise the County Commission of the results of the bond sales for the Convention Development Tax (CDT) and Tourist Development Tax (TDT) issued to finance the Marlins Stadium as soon as possible rather than waiting until the June 19, 2009, Special Meeting.*

*Assistant County Attorney Bonzon-Keenan concurred with the County Manager that the County Commission did not normally meet before the County signed the bond purchase agreement. She advised that the termination provision in the stadium agreements made the Marlins stadium bonds different. She explained that no part of the stadium agreements could terminate the agreement after the County had executed the bond purchase agreements. Assistant County Attorney Bonzon-Keenan advised that the baseball stadium agreements reserved the County's ability to come before the Commission and recommend funding any shortfall in bond sales with another funding source or terminating the baseball stadium agreement.*

*In response to Commissioner Martinez pointing out that the County Mayor could waive his mayoral veto, thus providing the Commission the time to review the bond purchase agreement and to meet on a date after June 19, County Attorney Cuevas advised that the Commission act on the bond purchase agreement as if the Mayor could veto the Commission approval, which would not provide the Marlins the argument that an action to terminate was not effective July 1, 2009, because the 10-day Mayoral veto period had not expired.*

*County Manger Burgess responded to questions from Commissioner Diaz regarding the ability of commissioners to monitor the progress of the bond sales over the internet.*

*Responding to Commissioner Gimenez's question whether the County Manager would come before the Board for approval if the bonds sold within the previously approved parameters, County Manger Burgess clarified that he had intended to come before the Board only if the County fell short in selling the bonds.*

*Commissioner Gimenez explained that the Special Meeting would only be necessary if something unusual happened during the bond sales. He stressed that he wanted the County Manager to apprise the County Commission of the results of the bond sales as soon as possible.*

*It was moved by Commissioner Sosa that the Commission postpone the June 16, 2009, County Commission meeting until June 30, 2009; that the Commission call a special meeting of the County Commission for June 19, 2009, to consider issues related to the County bonds for the Marlins Stadium; and that the Commission cancel the July 7, 2009, County Commission meeting*

FINAL OFFICIAL

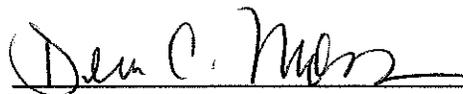
and the July 9, 2009, Zoning meeting. This motion was seconded by Chairman Moss, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Jordan, Heyman, and Seijas were absent).

-----  
It was moved by Commissioner Martinez that the Board waive Board of County Commissioners Rule 3.01.(a) to allow this meeting to continue after 6:30 p.m. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Seijas, Heyman, and

19

**ADJOURNMENT**

**Report:** There being no other business to come before the Commission, the meeting adjourned at 7:22 p.m.



Dennis C. Moss, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Diane Collins, Acting, Deputy Clerk