



MIAMI-DADE COUNTY FINAL OFFICIAL MEETING MINUTES Airport and Seaport Committee (ASC)

Board of County Commissioners

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

June 11, 2009
As Advertised

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

FINAL OFFICIAL

Meeting Minutes

Airport and Seaport Committee

Dorrin D. Rolle (2) Chair; Jose "Pepe" Diaz (12) Vice Chair; Commissioners Bruno A. Barreiro (5), Carlos A. Gimenez (7), Javier D. Souto (10) and Rebeca Sosa (6)

Thursday, June 11, 2009

9:30 AM

COMMISSION CHAMBERS, SPCC

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Alan Eisenberg, Commission Reporter,
305-375-2510*

1A INVOCATION

Report: *Chairman Rolle asked everyone to observe a moment of silence, followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present: Assistant County Manager Ysela Llorc; Assistant County Attorney David Murray; and Deputy Clerks Doris Dickens and Alan Eisenberg.*

Assistant County Attorney Murray requested the following changes be made to today's (6/11) agenda pursuant to the changes listed in the June 11, 2009 County Manager's memorandum: that Agenda Items 3H Supplement and 3K Supplement be added; that Agenda Items 3F, 3F Substitute, 3G & 3Q be withdrawn; that a scrivener's error in Items 3F & 3F Substitute be corrected as follows: Item 3F Substitute mistakenly appeared on the preliminary agenda and was distributed as an original item, although it should have been placed on the agenda as a substitute. The agenda has been corrected to include the original item (3K)-091039 that was presented at the April 16, 2009 Airport and Seaport Committee meeting as (3F) and its substitute (3F Substitute).

Chairman Rolle noted Mr. Jose Abreu, Aviation Director, had requested that Agenda Item 3F be withdrawn. He noted several developments had occurred subsequent to the April 16, 2009 Committee meeting and the Transportation Security Administration (TSA) had committed to providing guidelines for luggage wrapping services in July 2009. Chairman Rolle said once these guidelines were issued, the Aviation Department would proceed with issuing Request for Proposals (RFP) for the luggage wrapping services under its own authority, taking into consideration all directives given at the April 16th meeting. He noted this Committee looked forward to reviewing the outcome of this competitive process and emphasized the importance of this customer service issue at Miami International Airport (MIA), and the importance of maintaining employment at MIA.

Mr. Abreu and Assistant County Manager Ysela Llorc confirmed that an RFP for luggage wrapping services would not be issued until guidelines were received from the TSA. Ms. Llorc noted this was based on statements from Mr. Mark Hatfield, Federal Security Director for MIA that the guidelines would be issued promptly.

Responding to Commissioner Gimenez' inquiries

regarding the timeframe for completion of the baggage system testing, and the potential for this system to prevent luggage wrapping, Mr. Abreu said the baggage system testing would be completed in the first quarter of 2010. He noted that certain types of luggage could roll due to the slope of the ramps; however alternatives were being addressed and the intent was to make the system work.

Commissioner Gimenez asked the Aviation Department Director to include language in the RFP for luggage wrapping services to indicate that these services should be integrated with the baggage handling system.

In response to Commissioner Diaz' request that the current contract be extended to maintain service and employment, Mr. Abreu responded that his intention was to extend the contract on a month-to-month basis. He requested authority to negotiate vendor reimbursement percentages during the extension period.

It was moved by Commissioner Sosa that the Committee approve the foregoing changes to the June 11, 2009 Airport and Seaport Committee Agenda as requested by Chairman Rolle and Assistant County Attorney Murray. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed by a vote of 5-0 (Commissioner Barreiro was absent).

2 COUNTY COMMISSION

3 DEPARTMENT

3A

091225 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; APPROVING SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT 42155319401 NO. 2 BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO MODIFY THE ALLOWABLE RUNWAY REHABILITATION PROJECTS THEREUNDER (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 5-0

Absent: Barreiro

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

There being no questions or comments, the Committee proceeded to vote.

3B

091233 Resolution

RESOLUTION APPROVING THE CONSENT TO ASSIGNMENT AGREEMENT FROM FMC TECHNOLOGIES, INC. TO JOHN BEAN TECHNOLOGIES CORPORATION FOR MDAD PROJECT NO. ITN-MDAD-01-06 "BAGGAGE HANDLING SYSTEM OPERATION AND MAINTENANCE (BHS O&M)"; AND AUTHORIZING COUNTY MAYOR TO EXECUTE SAME (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Secunder: Sosa

Vote: 6-0

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

Commissioner Sosa was advised by Assistant County Attorney Murray that the contract assignment from FMC Technologies Inc. (FMC) to John Bean Technologies Corporation (JBT) included transfer of all legal obligations.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, advised that current FMC employees at Miami International Airport (MIA) would remain with JBT as the assignee was a spin-off of the original contract awardee; and JBT met all the original contract terms.

Ms. Penelope Townsley, Director, Department of Small Business Development (SBD), responded to Chairman Rolle's concern regarding compliance with the Community Workforce Program (CWP) goals and the Community Small Business Enterprise (CSBE) requirements. She noted the MIA Baggage Handling System Operation and Maintenance Project included a 29 percent CWP goal, of which JBT had achieved four percent and this equated to three employees. Ms. Townsley said the firm submitted a plan to achieve the 29 percent goal. She advised that the SBD had implemented procedures to effectively administer the CWP and staff had referred JBT to the South Florida Workforce to make sure they had access to a pool of workers from the local community. Ms. Townsley said the SBD was monitoring this Project and JBT was on target for achieving the CSBE goal and had an actual utilization of 14 percent. Additionally, Ms. Townsley noted JBT also had a plan to meet the 19 percent CSBE goal.

Chairman Rolle said firms must understand that the County Commission was serious about achieving established goals.

Mr. Milton Collins, Associate Director for Minority Affairs, Aviation Department, expressed concern regarding the firm's action plan in which contract goals would be attained by identifying CWP participants through termination and attrition.

Chairman Rolle asked Assistant County Manager Ysela Llort to monitor the contract with JBT for compliance with CSBE and CWP goals.

There being no further questions or comments, the Committee proceeded to vote.

3C

091315 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY (MDX) FOR MDX TO ASSUME ALL DESIGN AND CONSTRUCTION OBLIGATIONS FOR THE CENTRAL BOULEVARD IMPROVEMENT PROJECT, TO PROVIDE UP TO \$48.5 MILLION IN MDX FUNDS FOR THE PROJECT, AND TO SERVE AS THE LOCAL AGENCY UNDER THE REQUIREMENTS OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SO AS TO BE ELIGIBLE TO RECEIVE \$48.5 MILLION IN FUNDS ALREADY PROGRAMMED BY FDOT FOR THE PROJECT; APPROVING FORM OF PERPETUAL EASEMENT TO MDX FOR CERTAIN CENTRAL BOULEVARD PROPERTY AND APPROVING ISSUANCE OF SEPARATE LICENSES FROM TIME TO TIME, UPON REVIEW BY THE COUNTY ATTORNEY, FOR AIRPORT PROPERTY NOT UNDER THE EASEMENT, TO ENABLE MDX AND ITS CONTRACTORS TO DESIGN AND COMPLETE THE CONSTRUCTION OF THE PROJECT; AUTHORIZING MAYOR OR DESIGNEE TO TAKE ALL OTHER ACTIONS REASONABLY NECESSARY TO FULFILL THE COUNTY'S OBLIGATIONS UNDER THE INTERLOCAL AGREEMENT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

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

Commissioner Sosa asked that the item accurately reflect the spelling of her name.

Assistant County Attorney David Murray confirmed that this proposed Interlocal Agreement consisted of 48.5 million dollars in matching funds.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, said no federal dollars were being utilized and the proposed Miami International Airport Central Boulevard Construction Project would be funded by the Florida Department of Transportation (FDOT) and Miami-Dade County Expressway Authority (MDX).

Chairman Rolle asked that Ms. Penelope Townsley, Director, Department of Small Business Development (SBD), determine whether goals could be established for small businesses to participate on the proposed Project if federal dollars were not involved.

Assistant County Manager Ysela Llord noted Miami-Dade County funding was not being used and MDX would administer the program.

Chairman Rolle asked Assistant County Manager Ysela Llord to request that the MDX consider Miami-Dade County residents and businesses for opportunities associated with the Project

Mr. Abreu acknowledged the FDOT, MDX, and Commissioner Diaz for their efforts in supporting this project.

Assistant County Manger Llord noted if the Committee was amenable, she would suggest that Chairman Rolle draft a letter to the MDX in appreciation of the partnership which had been established for the Project. Chairman Rolle agreed to personally deliver this letter.

There being no further questions or comments, the Committee proceeded to vote.

3D

091726 Resolution

RESOLUTION AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE FEDERAL LEASES AND THEIR EXTENSIONS FOR FACILITIES AT ANY AIRPORT WITHIN THE COUNTY'S AIRPORT SYSTEM, UPON REVIEW BY THE COUNTY ATTORNEY, SUCH LEASES AND THEIR EXTENSIONS NOT TO EXCEED FIVE YEARS IN DURATION; AUTHORIZING MAYOR OR DESIGNEE TO ISSUE DEFAULT NOTICES THEREUNDER AND IMPLEMENT TERMINATION PROVISIONS THEREOF; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF GSA LEASE NO. 57-6395-08-086 FOR USE OF FACILITIES BY THE U.S. DEPARTMENT OF AGRICULTURE AT MIAMI INTERNATIONAL AIRPORT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Diaz

Vote: 6-0

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

Mr. Miguel Southwell, Deputy Director, Business Retention and Development, Aviation Department, responded to Commissioner Souto's concern that County facilities supported imports over exports. He noted that imports were currently 99% of airport traffic and the primary focus of the U.S. Department of Agriculture (USDA) was preventing disease from entering the United States. Mr. Southwell indicated the desire for Miami International Airport to increase its export volume of cattle and other large animals. He noted that private businesses were currently processing the export of livestock since the USDA facility required closing stalls needed to meet the high demand for imports. More exports were now being processed in South Florida after the State reduced its funding to Indiantown, said Mr. Southwell.

Commissioner Sosa noted that the export of cattle would significantly increase after mad cow disease was eradicated and upon adoption of a future Cuba resolution. He asked Assistant County Manager Ysela Llort to explore the need for additional County facilities to accommodate the increased demand for exporting livestock.

There being no further questions or comments, the Committee proceeded to vote.

3E

091733 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; ACKNOWLEDGING RECEIPT OF \$408,753.38 FROM JMG SYSTEMS, INC., D/B/A/ SERECA SECURITY CORPORATION ("SERECA") IN FULL PAYMENT OF ALL PERCENTAGE PERMIT FEES OWED UNDER SERECA'S SECURITY SERVICE PERMITS ISSUED BY THE AVIATION DEPARTMENT; AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE A RELEASE UNDER WHICH THE COUNTY RELEASES SERECA FROM ANY FURTHER CLAIMS TO PERCENTAGE PERMIT FEES OWED UNDER SUCH PERMITS (Aviation Department)

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

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

There being no questions or comments, the Committee proceeded to vote.

3F

091039 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS (RFP NO. MDAD-01-09) TO SELECT A FIRM TO PROVIDE EQUIPMENT, INSTALLATION, OPERATION AND MAINTENANCE FOR LUGGAGE WRAPPING SERVICES AT MIAMI INTERNATIONAL AIRPORT (Aviation Department)

*Withdrawn
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Barreiro*

3F SUBSTITUTE

091760 Resolution

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO ADVERTISE A REQUEST FOR PROPOSALS (RFP NO. MDAD-01-09) TO SELECT A FIRM TO PROVIDE EQUIPMENT, INSTALLATION, OPERATION AND MAINTENANCE FOR LUGGAGE WRAPPING SERVICES AT MIAMI INTERNATIONAL AIRPORT [SEE ORIGINAL ITEM UNDER FILE NO. 091039] (Aviation Department)

*Withdrawn
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Barreiro*

3G

091761 Resolution

RESOLUTION APPROVING NON-EXCLUSIVE TELECOMMUNICATIONS AND NETWORK SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NORSTAN COMMUNICATIONS, INC. D/B/A BLACK BOX NETWORK SERVICES FOR MIAMI-DADE AVIATION DEPARTMENT, RFP NO. MDAD-08-06; IN AN AMOUNT NOT TO EXCEED \$50,000,000; AND AUTHORIZING MAYOR OR HIS DESIGNEE TO EXECUTE AGREEMENT AND EXERCISE ANY CANCELLATION OR TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

*Withdrawn
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Barreiro*

Report: *Commissioner Diaz noted that he requested a withdrawal of this foregoing proposed resolution because he asked the Aviation Department Director to review a potential 5 million dollar cost savings which he had discovered.*

3H

091764 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HAZEN AND SAWYER, P.C. FOR THE UTILITIES MASTER PLAN (SANITARY SEWER) FOR THE MIAMI-DADE AVIATION DEPARTMENT, PROJECT NO. E08-MDAD-05C; IN AN AMOUNT NOT TO EXCEED \$1,728,750; AND AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY OPTIONS TO RENEW AND TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

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

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

There being no questions or comments, the Committee proceeded to vote.

3H SUPPLEMENT

091809 Supplement

SUPPLEMENTAL INFORMATION - AWARD RECOMMENDATION, PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HAZEN AND SAWYER, P.. FOR UTILITIES MASTER PLAN (SANITARY SEWER) (PROJECT NO. E08-MDAD-05C)

*Presented
Mover: Diaz
Seconder: Gimenez
Vote: 6-0*

31

091765 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; FINDING AND DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE COUNTY TO WAIVE THE PROVISIONS OF SECTION 2-8.1.5 OF THE CODE OF MIAMI-DADE COUNTY AS IT APPLIES TO AGREEMENTS AND LEASES WITH FOREIGN AIRLINES USING MIAMI INTERNATIONAL AIRPORT; DIRECTING MAYOR OR DESIGNEE TO PROVIDE A QUARTERLY REPORT IDENTIFYING THE FOREIGN AIRLINES NOT REQUIRED TO COMPLY WITH SECTION 2-8.1.5 (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 6-0

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

Commissioner Souto asked the Aviation Department Director to examine airlines using logos that may be considered offensive to local residents and to develop recommendations in anticipation of an official action by the Board.

Commissioner Diaz agreed with the need to be sensitive to our residents.

There being no further questions or comments, the Committee proceeded to vote.

3J

091741 Resolution

RESOLUTION RATIFYING ACTION OF COUNTY MANAGER, PURSUANT TO PROVISIONS OF ORDINANCE NO. 95-64, IN ACCEPTING AND EXECUTING AN OTHER TRANSACTION AGREEMENT (OTA) NUMBER WITH THE TRANSPORTATION SECURITY AGENCY, PROVIDING FOR REIMBURSEMENT OF \$54,400,000.00 FOR WORK RELATED TO NORTH TERMINAL DEVELOPMENT AT MIAMI INTERNATIONAL AIRPORT (Aviation Department)

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

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

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, responded to Commissioner Sosa's inquiry relating to the County receiving a larger percentage of financial assistance from the Transportation Security Administration (TSA). He acknowledged Congressman Lincoln Diaz-Ballart and the Dade Delegation for their support. Mr. Abreu noted that this assistance was an eligible reimbursement for an investment exceeding 100 million dollars by Miami-Dade County in the baggage handling system and was never guaranteed. An agreement was made for reimbursement of 75% of the eligible cost; however, some airports received a 90% reimbursement, said Mr. Abreu. He indicated that Congressman Diaz-Ballart filed legislation requesting an additional 11 million dollar reimbursement which now must be approved by the Senate.

Commissioner Sosa asked Assistant County Attorney David Murray to draft a resolution supporting current legislation sponsored by Congressman Diaz-Ballart that would provide the County with a higher percentage of reimbursement from the TSA for the Checked Baggage Inspection System at Miami International Airport's (MLA) North Terminal.

Mr. Abreu acknowledged Chairman Rolle, Commissioners Diaz and Sosa along with Associate Aviation Director Ana Sotorrio for their instrumental efforts on behalf of these negotiations.

Commissioner Gimenez questioned why the County was receiving a lower reimbursement percentage, to which Mr. Abreu noted this was due to a technicality in the method of appropriations

where the County's reimbursement was funded from the previous year's allocation.

Associate Aviation Director Ana Sotorrio stated that both Houston and Philadelphia airports also received lower reimbursements and the bulk of the 2008 allocations went to the New York City airports. She noted that Miami was next on the list and the Aviation Department was given the option to either accept the allocation or to wait for the 2009 allocation with no guarantee. The grant was accepted with a stipulation that if a higher participation rate was later authorized and funded by the Federal government then nothing in the grant would preclude the Department from receiving the additional reimbursement, said Ms. Sotorrio.

Commissioner Gimenez noted the benefit of collaborating with Houston and Philadelphia in future efforts to obtain additional reimbursements.

There being no further questions or comments, the Committee proceeded to vote.

3K

091742 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MACTEC ENGINEERING & CONSULTING, INC. FOR PAVEMENT MANAGEMENT SYSTEM FOR THE MIAMI-DADE AVIATION DEPARTMENT, PROJECT NO. E08-MDAD-02; IN AN AMOUNT NOT TO EXCEED \$576,250; AND AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY OPTIONS TO RENEW AND TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

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

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

There being no questions or comments, the Committee proceeded to vote.

3K SUPPLEMENT

091810 Supplement

SUPPLEMENTAL INFORMATION AWARD RECOMMENDATION, PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND MASTEC ENGINEERING & CONSULTING, INC. FOR PAVEMENT MANAGEMENT SYSTEM (PROJECT NO. E08-MDAD-02), IN THE AMOUNT OF \$576,250.00

Presented
Mover: Sosa
Seconder: Gimenez
Vote: 6-0

3L

091736 Resolution

RESOLUTION REGARDING MIA PCA AND 400 HZ COMPLETION, PROJECT NO. B763C AT MIAMI INTERNATIONAL AIRPORT, WAIVING COMPETITIVE BIDDING PURSUANT TO SECTION 5.03(D) OF THE MIAMI-DADE CHARTER AND SECTION 255.20, FLORIDA STATUTES; FINDING THAT THERE IS ONE APPROPRIATELY LICENSED CONTRACTOR WHO IS UNIQUELY QUALIFIED TO UNDERTAKE THE PROJECT; APPROVING CONTRACT WITH INET AIRPORT SYSTEMS, INC. IN THE MAXIMUM AMOUNT OF \$6,942,753; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE THE CONTRACT AND AUTHORIZING AIRPORT DIRECTOR OR DESIGNEE TO EXERCISE TERMINATION PROVISIONS AND CERTAIN DELEGATED AUTHORITY; AND WAIVING THE PROTEST PROCEDURES OF SECTION 2-8.4 OF THE COUNTY CODE (Aviation Department)

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

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

Chairman Rolle asked Assistant County Manager Ysela Llorca to closely monitor the contract with Inet Airport Systems, Inc. for compliance with Community Small Business Enterprise (CSBE) and Community Workforce Program (CWP) goals.

There being no further questions or comments, the Committee proceeded to vote.

3M

091771 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AND AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE THE FIRST AMENDMENT TO DEVELOPMENT LEASE AGREEMENT AMONG MIAMI-DADE COUNTY, CENTURION AIR CARGO, INC., AND AERO MIAMI III, LLC, THAT MODIFIES THE COMMENCEMENT DATE, CLARIFIES THE DATE ON WHICH THE LESSEE IS PERMITTED TO OMIT PHASE II FROM THE PROJECT, CONFIRMS THE LESSEE'S AGREEMENT TO A POTENTIAL AVIATION DEPARTMENT LEASE OF A PORTION OF BUILDING 5A TO A THIRD PARTY, CONFIRMS THAT THE AVIATION DEPARTMENT'S DESIGN GUIDELINES WILL APPLY TO ALL IMPROVEMENTS, CLARIFIES THE EFFECTS OF THE LESSEE'S LEGAL INABILITY TO EVICT AN EXISTING TENANT FROM THE PREMISES, CLARIFIES THE TIME AT WHICH LESSEE'S INSURANCE COVERAGE OBLIGATIONS SHALL COMMENCE, AND CONFIRMS THE REMAINING TERMS OF THE DEVELOPMENT LEASE AGREEMENT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Secunder: Rolle

Vote: 6-0

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

Mr. Miguel Southwell, Deputy Director, Business Retention and Development, Miami-Dade Aviation Department, responded to Commissioner Gimenez that Centurian's outstanding obligation of one million dollars was comprised of approximately six hundred thousand dollars related to an aircraft that was damaged two years ago. He noted that the only collateral was a personal financial statement and an affidavit stating that the verified bank assets could be acquired if necessary.

Assistant County Attorney Murray noted a legally binding personal guarantee from Mr. Alfonso Rey, Principal Corporate Officer of Centurian Air Cargo, Inc. was in force.

Commissioner Sosa pointed out that a history of outstanding balances along with a cycle of late payments had necessitated this personal guarantee to which Assistant County Attorney Murray advised that the County would lose its ability to collect outstanding obligations if Mr. Rey were to file for bankruptcy and lacked personal assets.

Mr. Jose Abreu, Aviation Director, responded to Commissioner Sosa's inquiry regarding the

rationale for this recommendation and controls to ensure compliance with these obligations. He mentioned that Aero Miami III, LLC (Aeroterm) was the developer, not Centurian, and this action was necessary due to circumstances beyond Aeroterm's control that required Wings Aviation Inc. (Wings) to relocate so that Aeroterm could take possession of the site. Mr. Abreu indicated that the airport must eventually evict Wings so that the agreement could be enforced.

Mr. Abreu stated that the first amendment to the lease specifically related to the Aeroterm/Centurian development; however, the payment history was another issue. He noted that although Centurian's business had a 40 percent decline, they were the number two cargo provider at Miami International Airport. Mr. Abreu pointed out that despite Centurian's history of late payments, they always paid their bills; however, they were currently disputing charges and requesting a waiver of late fees which was not allowed by airport regulations.

Assistant County Attorney Murray indicated that all County insurance requirements would be satisfied.

Commissioner Diaz asked Mr. Abreu to further investigate the financial records of Wings to move forward with litigation for noncompliance if necessary, and to come back with a status report at the next Committee meeting.

There being no further questions or comments, the Committee proceeded to vote.

3N

091772 Resolution

RESOLUTION AUTHORIZING EXECUTION OF FIRST AMENDMENT TO THE LEASE AND CONCESSION AGREEMENT FOR A CENTRAL TERMINAL RETAIL PROGRAM DEVELOPER WITH WESTFIELD CONCESSION MANAGEMENT, LLC AT MIAMI-INTERNATIONAL AIRPORT; WAIVING COMPETITIVE BID PROCEDURES (Aviation Department)

Amended

Report: (SEE AGENDA ITEM 3N AMENDED;
LEGISLATIVE FILE NO. 091847

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

Mr. Miguel Southwell, Deputy Director, Business Retention and Development, Aviation Department, responded to Commissioner Gimenez' inquiry regarding the scope of this request. He noted it was an extension of Westfield Concession Management, LLC.'s (Westfield) marketing services at the Central Terminal into the North and South Terminals. The contract required Westfield to collect ½ of 1 percent of gross receipts from sub-tenants for promotion of the Concession Program, said Mr. Southwell. He noted the intent was to transfer the annual collection of approximately \$400,000 and the expenditure of these funds from the Aviation Department to Westfield. Mr. Southwell indicated an annual fee of 12 percent (approximately \$48,000) would be paid to Westfield by the County to implement this program. He mentioned that the Department would monitor Westfield for their continued support of Central Terminal businesses and would also approve future spending programs.

Assistant County Attorney Murray noted an amendment was necessary to include that approval of this proposed resolution required a two-thirds vote of the County Commission members present.

There being no further questions or comments, the Committee proceeded to vote on the foregoing proposed resolution as amended.

3N AMEND

091847 Resolution

RESOLUTION AUTHORIZING EXECUTION OF FIRST AMENDMENT TO THE LEASE AND CONCESSION AGREEMENT FOR A CENTRAL TERMINAL RETAIL PROGRAM DEVELOPER WITH WESTFIELD CONCESSION MANAGEMENT, LLC AT MIAMI-INTERNATIONAL AIRPORT; WAIVING COMPETITIVE BID PROCEDURES (SEE ORIGINAL ITEM UNDER FILE NUMBER 091772) (Aviation Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Gimenez
Vote: 6-0

30

091773 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING GROUND AND DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AMERICAN AIRLINES, INC., FOR CONSTRUCTION OF AN EARLY BAGGAGE STORAGE FACILITY AT THE AIRPORT; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE THE GROUND AND DEVELOPMENT LEASE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS THEREOF (Aviation Department)

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

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

There being no questions or comments, the Committee proceeded to vote.

In response to Commissioner Barreiro's request that the proposed Early Baggage Storage Facility be fully compatible with the new baggage handling system, Mr. Jose Abreu, Aviation Director, noted that the facility would be totally coordinated with the baggage handling system.

3P

091762 Resolution

RESOLUTION (1) AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A SECURITY SERVICE AGREEMENT BETWEEN THE COUNTY AND ROYAL CARIBBEAN CRUISES, LTD., TO PROVIDE TERMINAL AND RELATED SECURITY SERVICES TO ROYAL CARIBBEAN CRUISES, LTD., ON A COST PLUS BASIS; AND (2) WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A SECURITY SERVICE CONTRACT BETWEEN THE COUNTY AND MCROBERTS PROTECTIVE AGENCY, INC., FOR THE PROVISION OF TERMINAL AND RELATED SECURITY SERVICES AT THE PORT'S CRUISE TERMINALS AT THE OPTION OF THE PORT'S CRUISE LINE CUSTOMERS WITH PAYMENT TO BE MADE BASED ON AN HOURLY RATE FOR SECURITY PERSONNEL FOR AN ESTIMATED ANNUAL COST OF APPROXIMATELY \$4,000,000 PER YEAR (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Sosa

Vote: 6-0

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

Mr. Bill Johnson, Port Director, responded to Commissioner Gimenez that the Unitary Fee was being requested to remain competitive with other ports that were offering similar fee structures and that Royal Caribbean Cruises Ltd. and Norwegian Cruise Line were supporting the adoption of this fee structure.

Mr. Dustin Nason, Manager, Port Operations, Royal Caribbean Cruises Ltd., indicated the Unitary Fee mechanically, operationally, and financially made it easier to manage the relationship when multiple services were provided by the Port. He noted similar agreements had been established with several ports and negotiations were underway with others to adopt this type of fee structure. Mr. Nason mentioned this would allow the cruise line to bundle fees for port services into a single fee.

Commissioner Gimenez asked Mr. Johnson to provide a report on the bundling of existing charges into a single Unitary Fee in an effort to determine the competitiveness of the County with other seaports nationwide.

Commissioner Sosa commended Mr. Johnson and

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staff for their outstanding efforts in keeping visitors coming to Miami-Dade County.

Mr. Johnson said that the Port experienced a 9.2 percent increase in passenger traffic in 2008 with 4.2 million visitors and projected meeting this figure for 2009. He noted the projection for next year would be 4.5 million passengers.

There being no further questions or comments, the Committee proceeded to vote.

3Q

091728 Bid Awards

CONTRACT AWARD RECOMMENDATION TO CENTRAL FLORIDA EQUIPMENT RENTALS INC. FOR AREA 3 (SEABOARD TERMINAL) BULKHEAD CONSTRUCTION IN AN AMOUNT OF \$6,812,911.10 - PROJECT NO: 2008.033 AND CONTRACT NO: 2008.033 (Seaport Department)

*Withdrawn
Mover: Sosa
Secunder: Diaz
Vote: 5-0
Absent: Barreiro*

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

091392 Report

SUMMARY MINUTES OF THE APRIL 16, 2009 AIRPORT AND SEAPORT COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Diaz
Secunder: Sosa
Vote: 6-0*

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

There being no questions or comments, the Committee proceeded to vote.

7 REPORTS

Airport and Seaport Committee

Meeting Minutes

Thursday, June 11, 2009

FINAL OFFICIAL

7A

091316 Report

MONTHLY REPORT FOR MAY 2009 FROM THE
FLORIDA DEPARTMENT OF TRANSPORTATION ON
THE PORT OF MIAMI TUNNEL (County Manager)

Report Received

Mover: Diaz

Seconder: Sosa

Vote: 6-0

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

*There being no questions or comments, the
Committee proceeded to vote.*

7B

091393 Report

MONTHLY REPORT FOR MAY 2009 FROM THE
FLORIDA DEPARTMENT OF TRANSPORTATION ON
THE MIAMI INTERMODAL CENTER (County Manager)

Report Received

Mover: Diaz

Seconder: Sosa

Vote: 6-0

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

*There being no questions or comments, the
Committee proceeded to vote.*

7C

091747 Report

MONTHLY REPORT FOR JUNE 2009 FROM THE
FLORIDA DEPARTMENT OF TRANSPORTATION ON
THE MIAMI INTERMODAL CENTER (County Manager)

Report Received

Mover: Diaz

Seconder: Sosa

Vote: 6-0

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

*There being no questions or comments, the
Committee proceeded to vote.*

7D

091774 Report

MONTHLY REPORT FOR JUNE 2009 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE PORT OF MIAMI TUNNEL (County Manager)

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

Report: *Mr. Gary Donn, Director of Transportation Support, Florida Department of Transportation, indicated that the first milestone had been accomplished through the cooperative efforts of the Aviation Department, the County Manager's office and DOT staff. He confirmed that additional action would occur by October in response to Chairman's Rolle's inquiry.*

7E

091727 Report

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

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

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

Commissioner Diaz noted that the Baggage Handling System had fallen behind schedule and he requested the Aviation Department Director to update the Committee on the status of this system.

Mr. Jose Abreu, Aviation Director, indicated that Handwritten Page 3, Bullet No. 6 of the report mentioned the Department's concern over the progress of the Baggage Handling System's software development. He noted that two gates had already opened; two additional gates would open in June and another three in July. Mr. Abreu advised that the software programming issues would cause an approximate 6 month delay.

Chairman Rolle asked Mr. Abreu to report on the potential impact to the County from programming delays related to the Baggage Handling System.

There being no further questions or comments, the Committee proceeded to vote.

NON AGENDA ITEM

Report: *Commissioner Souto asked Assistant County Manager Ysela Llori to develop a strategy for the Miami International Airport and the Port of Miami to increase business by enhancing communication efforts through the Sister Cities Program.*

8 ADJOURNMENT



Dorrin Rolle, Chair