

MIAMI-DADE COUNTY FINAL OFFICIAL Meeting Minutes

Board of County Commissioners
Stephen P. Clark Government Center
111 NW 1st Street
Miami, Florida 33128

Thursday, September 17, 2009
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Diane Collins, Acting Division Chief
Clerk of the Board Division

Alicia Stephenson, Commission Reporter (305) 375-1475



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

Members Absent: None.

Members Late: Sally A. Heyman

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Alicia Stephenson, Commission Reporter, (305) 375-1475.*

1A ROLL CALL

Report: *The following staff members were present at today's meeting: County Mayor Carlos Alvarez; County Manager George Burgess; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams, and Assistant County Attorney Cynthia Johnson-Stacks; Office of Strategic Business Management Budget Director Jennifer Glazer-Moon; and Deputy Clerks Diane Collins, Doris Dickens, and Alicia Stephenson.*

1B MOMENT OF SILENCE

Report: *The Board convened in a moment of silence followed by the Pledge of Allegiance.*

1C PLEDGE OF ALLEGIANCE

092800 **Report**
9/17/2009 REPORT

Report: Chairman Moss thanked County staff for their efforts regarding the current budget process. He reviewed rules on how today's hearing would be conducted, including rules of decorum. Chairman Moss outlined available Miami-Dade Transit Agency (MDTA) service upon the conclusion of today's hearing.

As requested by Chairman Moss, County Attorney Robert Cuevas read County Commission Rule 6.05 regarding decorum.

County Attorney Cuevas noted that today (9/17), pursuant to State Law, the Miami-Dade Board of County Commissioners (Commission) was conducting the County's Second Budget Hearing. He further noted that the first substantive issue for consideration today would be the percentage increase or decrease in millage over the rollback rate necessary to fund the County's budget, if any, and the specific purposes for which ad valorem taxes were being levied. He explained that the governing body would hear comments regarding the proposed increase or decrease and the reasons for the proposal; the general public would be allowed to speak and ask questions prior to the adoption of any measures by the governing body. Mr. Cuevas then read Agenda Items A through F into the record.

County Manager George Burgess noted that for Agenda Item A, the proposed Countywide operating millage was 4.8379 mills, which was 11.27% below the State-defined rollback rate; and for Agenda Item C, the proposed Unincorporated Municipal Service Area (UMSA) operating millage was 2.0083 mills, which was 10.55 % below the State-defined rollback rate. He further noted that for Agenda Item E, the proposed Miami-Dade Fire Rescue Service District operating millage was 2.1851 mills, which was 10.66% below the State-defined rollback rate; the proposed Miami-Dade Library System operating millage was 0.3822 mills, which was 10.66% below the State-defined rollback rate; the proposed Countywide debt service millage was 0.285 mills; and the proposed Fire Rescue District debt service millage was 0.042 mills.

It was moved by Commissioner Diaz that the agenda be adopted as presented by the County Attorney and County Manager. This motion was seconded by Commissioner Rolle and upon being put to a vote, passed by a vote of 12-0 (Commissioner Heyman was absent).

Chairman Moss recognized newly elected Chief Judge Joel H. Brown; former Florida Senator Daryl Jones; Ms. Betsy Kaplan, former member of the Miami-Dade County Public Schools School Board; Mr. Jules Littman, former City of North Miami Beach Councilman; and Mr. Ralph McCloud, legislative assistant to Florida Senator Larcenia J. Bullard. He invited Commissioner Sorenson, as Chairwoman of the Budget, Planning, and Sustainability Committee, to make opening comments.

Commissioner Sorenson noted that the Commission was present to hear from the public. She thanked Chairman Moss for his efforts to conduct the current budget process in a dignified manner. Commissioner Sorenson noted she was hopeful that at the end of today's meeting, the Commission would produce a budget, because the Commission was charged with doing so. She expressed confidence that members of the Commission would do their best to produce a budget, given that at the First Budget Hearing, the Commission decided on a flat millage rate.

Mayor Alvarez thanked Chairman Moss for his leadership in the budget

process.

Chairman Moss opened the public hearing for persons wishing to speak in connection with the FY 2009-10 Proposed Resource Allocation and Multi-Year Capital Plan (proposed FY 2009-2010 budget).

The following persons appeared before the Commission in connection with the proposed budget:

-Mr. B.J. Chiszor, 1200 NW 78 Avenue, Chairman, Miami-Dade Democratic Party, spoke in connection to the County's FY 2009-10 Proposed Budget.

-Mr. Darryl Jones, 8925 SW 148 Street, former United States Senator, spoke in support of Farm Share and, requested the Board to fund this organization at \$600,000.

-Mr. Carlos Martinez, Office of the Public Defender, spoke in connection to juvenile prevention and early intervention programs funded through the Criminal Justice Council and the Youth Crime Task Force. In addition, he expressed his concern with public safety. He urged the Board to cut only 20% of the Independent Review Panel's budget.

-Ms. Annie Betancourt, 1261 Ortega Avenue, representing the League of Women Voters, expressed concern with the proposed elimination of the Independent Review Panel.

-Mr. Jules Littman, Stop Hunger, urged the Board to continue its funding support of this organization.

-A senior citizen and community activist with the first name "Dorothy," urged the Board to continue its funding support for elderly services provided through the Department of Human Services.

-Mr. Brian Taylor, 3029 NE 188 Street, spoke in connection to the salary reductions for County employees.

-Ms. Georgia Jones Ayers, 2475 NW 111 Street, spoke in connection to the need for community services and support by this Board.

-Mr. Ernie Martinez, 6660 Biscayne Boulevard, Center for Independent Living, urged the Board to continue its funding support to this organization.

-A client of the Center for Independent Living with the first name "Jose," spoke in support of this organization and urged the Board to continue its funding support.

-Mr. Marcos Alcayaga, 670 NW 6 Street, spoke in connection to the proposed FY 2009-10 budget cuts.

-Ms. Pamela Corson, 14852 SW 177 Terrace, spoke in support of the 4-H Youth Development Program and the Miami-Dade County Cooperative Extension Service.

-Ms. Stephanie Herbert, 12660 SW 189 Street, urged the Board to continue its support of the 4-H Youth Development Program.

-Ms. Arlene Welsh, 10313 SW 114 Street, spoke in support of the 4-H Youth

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Development Program and urged the Board to continue its support of this program.

-Mr. Christian Fernandez, 11150 SW 160 Court, President, the Miami-Dade County Cooperative Extension Service, 4-H Youth Development Program spoke in support of the 4-H Program and urged the Board to continue its support of this program.

-Ms. Shirley Padron, 4715 NW 7 Street, spoke in support of Mayor Carlos Alvarez and thanked him for his effort in assisting her with coping with her learning disability.

-Ms. Katherine Espinoza, 11210 SW 40 Street, spoke in support of Mayor Carlos Alvarez and thanked him for his efforts in support of those coping with physical disabilities.

-Ms. Lilliana Vila, 2565 NE 207 Street, spoke in support of Mayor Carlos Alvarez and thanked him for all of his effort in assisting children with physical and mental disabilities in this community.

-Mr. Eddie Berrones, 17635 SW 83 Court, Executive Director, Le Jardin Community Center, one of the Community Action Agency (CAA) Head Start delegate agencies, spoke in connection to the delegate agencies and noted that the agencies must abide by the federal government rules and regulations.

-Ms. Wanda Gomez, 920 NW 55 Street, representing the Sisterhood of Survivors, spoke in connection to the Board support of domestic violence services.

-Ms. Susan Rivera, 14835 SW 297 Terrace, Executive Director, M.U.J.E.R, Inc., urged the Board to continue its funding support of Community-based Organizations (CBOs) at least 60% of its funding level.

-Dr. Clyde House, 6099 SW 118 Street, spoke in support of community services for children and elderly citizens. In addition, he spoke in connection to the proposed FY 2009-10 County budget.

-Mr. Jordan W. Leonard, Councilman, Town of Bay Harbor Islands, representing the Miami-Dade County League of Cities, urged the Board to ensure equitable treatment for all County departments and their employees.

-Ms. Patricia Robbins, 7763 SW 178 Street, Farm Share, urged the Board to continue its funding support of this organization.

-Ms. Amy Sofka, 1060 Brickell Avenue, Farm Share, spoke in connection to the Board continuing its funding support of this organization.

-Mr. William Howland, 10020 SW 140 Street, First Assembly of God, requested that the Board grant funding in the amount of \$600,000 to Farm Share.

-Mr. Yvette Rodriguez, 301 SW 110 Avenue, Farm Share, spoke on behalf of Farm Share and asked that the Board support Farm Share by providing \$600,000 in funding to this organization.

-Mr. Hans Hardy, 16558 NW 25 Avenue, spoke in support of the Board granting funding to Farm Share.

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-Ms. Emily Mathews, 12552 SW 259 Street, United Youth in Action, an after school program, requested that the Board continue to support after school programs.

-Mr. Jessie James Ortiz, 13475 SW 278 Terrace, United Youth in Action, Civil Air Patrol, urged the Board to continue to support after school programs.

-Ms. Gloria Jackson, 223 East Flagler Street, Chief Executive Officer, Eyes on God Corporation, spoke in support of the Farm Share and urged the Board to continue to support this organization.

-Ms. Juleta Romano, 9008 SW 169 Avenue, Human Services Coalition, spoke in connection to the proposed budget cuts to CBOs and how it would impact social services and families in this community.

-Mr. Allan Stuart, 6100 NW 7 Avenue, representing the CAA in Liberty City, spoke in support of the services provided by the CAA and the Early Head Start program.

-Ms. Daniella Levine, President and Chief Executive Officer, Human Services Coalition, urged the Board to preserve CBO funding for this community.

-Ms. Lillie Williams, 1180 NW 50 Street, spoke in connection to the Board regarding CAA providing and addressing the children and elderly needs in this community.

-Mr. Maria Holloway, 5840 SW 51 Street, speaking on behalf of the Greater Miami Youth Symphony, urged the Board to continue to support this organization.

-Ms. Susanne Pinedo, 1645 SW 107 Avenue, Communications Director, Roxy Theatre Group and on behalf of the Greater Miami Youth Symphony, thanked the Board for its support of the arts for children. She requested that the Board restore the funding for all CBOs in this community.

-Mr. Alex Rodriguez, 2805 SW 32 Avenue, Executive Director, Boys and Girls Clubs of Miami-Dade, urged the Board to continue to support CBOs who provide children services.

-Ms. Ashley Abreu, spoke in support of the Boys and Girls Club.

-Ms. Betsy Kaplan, 2 Grove Isle Drive, spoke in support of the arts and the restoration of the Department of Cultural Affairs budget.

-Ms. Sheila Womble, 1818 SW 23 Street, urged the Board to restore approximately \$11 million to the Department of Cultural Affairs.

-Ms. Letty Bassart, 400 SW 2 Street, spoke in support for the restoration of the cultural arts.

-Ms. Christine Conag (phonetic), 100 Bayview Drive, Director, Community Initiatives at Arts for Learning, read a statement into the record on behalf of Ms. Gloria P. Barnes, Principal, Treasure Island Elementary. She noted that the Board should consider restoring funding for the arts.

-Florida State House Representative James Bush III, urged the Board to

continue to support children and elderly service programs.

-Ms. Deborah Spiegelman, 11470 North Bayshore Drive, Executive Director, Miami Children's Museum, urged the Board to restore its funding support for cultural arts programs through the County's CBO funding process.

-Ms. Mary Rodriguez, 750 NW 35 Court, spoke in support of the Miami Children's Museum.

-Ms. Noah Smalls, 227, NW 83 Street, spoke in support of the Miami Children's Museum.

-Ms. Eileen, Lane, 7641 SW 55 Avenue, spoke in support of the Board supporting the arts for children.

-Ms. Lynn Summers, 5807 SW 82 Street, urged the Board to restore approximately \$200,000 to \$250,000 of its funding to Vizcaya Museum and Gardens pursuant to the Board's informal vote earlier in the week, instead of cutting \$900,000 from Vizcaya's budget.

-Dr. Robert Nolan, 15490 NW 7 Avenue, Director, Institute of Child and Family Health, spoke in support of the Board restoring CBO funding in the community.

-Ms. Zoila McLaughlin, 27011 SW 134 Place, M.U.J.E.R., Inc., spoke in connection to the Board providing funding support for CBOs that provided services to women and children.

-Ms. Rita Ines Suarez, 10475 SW 153 Court, M.U.J.E.R, Inc., urged the Board to continue to provide funding support for those County offices that handled domestic violence issues.

-Ms. Martine Pandora (phonetic), Economic Developer, Haitian Women of Miami, urged the Board to continue to support and provide funding support for CBOs.

-Ms. Sabrina Saint Jour (phonetic) requested that the Board continue to support CBOs.

-Mr. Paul Sweeney, 14076 SW 48 Terrace, Chairperson, Dade Miami Criminal Justice Council, expressed his concern with the adverse impact of the elimination of CBO funding for those CBOs funded through the Criminal Justice Council. He urged the Board to reconsider the budget recommendation to eliminate this funding source.

-Ms. Anna Obregon, 13940 Lincoln Drive, spoke in support of M.U.J.E.R, Inc. and County funding through its CBO process for this organization. She urged the Board to continue to provide funding support for CBOs.

-Ms. Olga Pavez, 1250 SW 4 Street, M.U.J.E.R, Inc., spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process.

-Ms. Ana Busto, 1418 Mowry Drive, M.U.J.E.R, Inc., spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process.

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-Ms. Liliana Hernandez, 17591 SW 197 Avenue, spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process.

-Ms. Angelica Reina, (phonetic), 1418 East Mowry Drive, spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process.

-Ms. Linda Morales, 15490 Hayes Lane, spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process. She urged the Board to restore the CBO funding.

-Ms. Elizabeth Hernandez Dondach, spoke in support of M.U.J.E.R, Inc. a CBO that received funding through the County's CBO funding process.

-Ms. Annette Naranjo, 9380 SW 72 Street, Institute for Child and Family Health, requested that the Board restore 100% of CBO funding for violence prevention.

-Mr. Sam Tidwell, American Red Cross, urged the Board to continue to provide funding support to this organization.

-Ms. Michelle Siegel, 11434 SW 127 Court, urged the Board to restore funding for M.U.J.E.R., Inc. a CBO that provided domestic violence services.

-Ms. Rosa Ramirez, 16100 SW 304 Street, spoke in support of M.U.J.E.R., Inc. and requested that the Board restore funding for this organization.

-Ms. Sabrina Casais-Garcia, 5781 SW 27 Street, spoke in support of the Drug Abuse Resistance Education (DARE) Program and urged the Board to restore funding for this program.

-Ms. Laura Ortiz, 454 NE 9 Street, spoke in support of M.U.J.E.R., Inc. and requested that the Board restore funding for this organization.

-Ms. Mimi Sutherland, 3114 Mary Street, spoke on behalf of Mr. Rafael Castro in support of M.U.J.E.R., Inc. and requested that the Board restore CBO funding to M.U.J.E.R.

-Mr. John Lindsay, 635 Palermo Avenue, spoke in connection to the DARE Program and requested that the Board carefully review the transfer of Miami-Dade Police Department police officers from this program to patrol duty.

-Mr. Robert Hover, 8392 NW 25 Street, General Director, Florida Grand Opera, spoke in support of the arts and urged the Board to restore funding to the Cultural Affairs Council and to social service agencies.

-Mr. Raul Garcia 25341 SW 141 Court, spoke in connection to the budget cuts for CBOs. He also spoke in support of M.U.J.E.R., Inc.

-Ms. Elsa Carrillo, 12024 SW 223 Street, spoke in support of M.U.J.E.R., Inc. and asked the Board to restore its funding.

-Ms. Dora Suarez, 15400 SW 75 Circle, spoke in support of M.U.J.E.R., Inc. and urged the Board to restore its funding for this organization.

-Ms. Milaydy Suarez, 2630 NE 3 Drive, spoke in support of M.U.J.E.R., Inc.

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and the services they provided to domestic violence victims. She urged the Board to restore the funding for this organization.

-Ms. Cristina Aldana, 18531 SW 357 Street, spoke in support of M.U.J.E.R., Inc.

-Ms. Sandra Barros, 9920 SW 115 Avenue, spoke in support of M.U.J.E.R., Inc. and urged the Board to provide 100% funding for M.U.J.E.R. and other CBOs that provided domestic violence services.

-Ms. Arjenys Gonzalez, 7925 BW 12 Street, CASA and urged the Board to reconsider the recommended funding cuts to CBOs.

-Ms. Catherine Penrod, 1881 79 Street, Chief Executive Officer, Switchboard of Miami, spoke in connection to the proposed budget cuts.

-Ms. Roxanne Paisible, 16450 Miami Drive, Human Services Coalition, urged the Board to continue to provide CBO funding support.

-Ms. Jeri Martinez, 10909-D SW 113 Place, spoke in support of the DARE program

-Ms. Cristina M. De La Torre, 17460 NW 86 Avenue, spoke in support of the DARE program and urged the Board to restore funding for this program.

-Ms. Kiara Robin, 2940 NW 71 Street, spoke in support of the DARE and the Police Athletic League (PAL).

-Mr. Trayon Gaitor, 18807 NW 29 Place, representing Westview Middle School, spoke in support of the DARE program.

-Mr. Nicholas De La Torre, 17460 NW 86 Avenue, spoke in support of the DARE program.

-Mr. Brenadon De La Torre, 17460 NW 86 Avenue, spoke in support of the DARE and PAL programs.

-Mr. Lorenzo Plumblings, 15920 SW 22 Place, spoke in support of the DARE program.

-Ms. Lavonte Flanders, 18807 NW 29 Aenue, spoke in support of the DARE and PAL programs.

-Ms. Trudy Krasovic, 8635 NW 8 Street, Crisis Counselor, Switchboard of Miami, spoke in connection to the proposed County budget cuts. She thanked the Board for its support over the years for Switchboard of Miami. In addition, she asked that the Board continue to provide funding support for this organization and other CBOs.

-Ms. Rosario Soto, 393 NW 132 Place, Switchboard of Miami, urged the Board to continue to support and to provide funding support for this organization.

-Ms. Laura Varela, 9380 Sunset Drive, Case Manager, Institute for Child and Family Health, spoke in connection to the institute's family empowerment program and violence prevention and intervention programs.

-Ms. Stacey Cuellar, 9380 Sunset Drive, Case Manager, Institute for Child

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and Family Health, spoke in connection to the institute's emancipation, violence prevention and intervention programs. She urged that the Board restore funding for their program.

-Mr. Rick Leon, 9380 Sunset Drive, Stop Now and Plan (SNAP) Program, spoke in connection to the SNAP and urged the Board to provide funding support for this program.

-A nine-year old boy named Lorenzo spoke in support of the SNAP program and asked that the Board support the continuation of this program by providing funding.

-Mr. Bill Doulin, 111 SW 5 Avenue, Florida Dance Association, spoke in connection to the proposed budget cut for the arts. He urged the Board to restore the funding to the Department of Cultural Affairs.

-Ms. Nilsa Velazquez, 3630 NE 1 Court, Executive Director, Kidco Child Care, a delegate agency for childcare in the Wynwood community, stated that delegate agencies were capable of operating the CAA Head Start program.

-Mr. Howard Herring, 541 Lincoln Road, President, New World Symphony, urged the Board to continue to support the arts.

-Ms. Helena Del Monte, Executive Director, Association for the Development of the Exceptional, 2801 North Miami Avenue, spoke in connection to the CBO funding support.

-Ms. Carolyn "Kiani" Nesbitt, 1505 NW 167 Street, President and Chief Executive Officer, Concerned African Women, spoke in opposition to CBO funding cuts and urged the Board to continue to support juvenile justice programs.

-Ms. Mary Carter, 16521 NW 19 Avenue, spoke on behalf and in support of Concerned African Women.

-Ms. Elizabeth Vidal, 19531 East Lake Drive, spoke in connection to the proposed closure of the Jackson Memorial Nursing Homes due to budget cuts at Jackson Memorial Hospital. She urged the Board to reconsider the closure of these nursing homes.

-Ms. Moraima Morales, spoke on behalf of Concerned Citizens of West Dade regarding proposed tax increases.

-Ms. Maria Estupinam, 21 Madeira, spoke in connection to the capital projects and the cost for those projects.

-Ms. Sam Gunning, 15957 SW 95 Avenue, Sunshine Jazz Organization, Greater Miami Festival and Event Association, urged the Board to restore the approximately \$11.2 million in funding to the Department of Cultural Affairs that was proposed to be cut.

-Ms. Marcela Brown, 452 Fernwood Road, a supervisor in the Institute for Child and Family Health, spoke in support of the institute.

-Ms. Michelle Justilien, 20540 SW 122 Avenue, Institute for Child and Family Health, urged the Board to restore the funding to the institute.

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-Mr. Teo Castellanos, 4266 SW 62 Avenue, an independent theatre artist, spoke in connection to the proposed funding cuts for the arts. He respectfully asked the Board to maintain the current funding level for the arts.

-Mr. Stan Hills, 800 NW 21 Street, International Association Fire Fighters, Local 1403, noted he met with the County Mayor and Manager to discuss and address concerns with all collective bargaining union representatives regarding the proposed changes that would affect County employees.

-Mr. Marvis Bryant, 11831 SW 190 Street, Institute for Child and Family Health, spoke in support of the Board continuing its funding support for the Youth Crime Task Force.

-Ms. Isabel Alfador, 3300 NW 27 Avenue, Chairperson, Youth Crime Task Force, spoke in connection with the services provided by the Juvenile Assessment Center (JAC). She urged the Board to continue to provide funding support for the Youth Crime Task Force.

-Mr. Tyrone Thompkins, 604 NW 179 Street, Institute for Child and Family Health, spoke in support of ICFH and its Family Associates Program. He urged the Board to continue to provide funding support to the Criminal Justice Council and the Youth Crime Task Force.

-Ms. Yuritz Acosta, 14215 SW 97 Terrace, spoke in support of the Board maintaining the CBO funding support level.

-Ms. Julia Dawson, 1701 SW 4 Avenue, spoke on behalf of funding for the Independent Review Panel (IRP).

-Mr. Baswell Donaldson, 2100 NW 192 Terrace, Kinad, Inc., urged the Board to provide funding support for their African American Mobile Museum.

-An unidentified speaker, spoke in connection to and in support of Kinad, Inc. African American Mobile Museum.

-Mr. Raymond Sullivan, 5101 Collins, Avenue, Artistic Director, Miami Beach Dance Company, urged the Board to restore funding for the Department of Cultural Affairs at 100%.

-Mr. Dale Andre, 6820 SW 65 Avenue, urged the Board to restore the funding for the Miami-Dade Cultural Arts program and for this community.

-Mr. Sergio Rodriguez and Ms. Evelyn Pierre, Executive Director, 4141 NE 2 Avenue, representing the Haitian Heritage Museum, asked the Board to restore the CBO funding for educational arts and cultural programs for the youth in this community.

-Mr. Brodes Hartley, Jr. 10300 SW 216 Street, President and Chief Executive Officer, Community Health of South Florida, Inc., spoke in connection to the budget reduction for Jackson Health. He stated that the CHI should be funded at its current funding level in the amount for \$6 million.

-Mr. Jorge Abreu, 10100 SW 177 Avenue, a Nursery owner, spoke on behalf of Cooperative Extension and urged the Board to continue to providing funding support for this agency.

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-Ms. Alma Humphrey, 16732 SW 101 Avenue, a volunteer Board member for the Community Health of South Florida, Inc. (CHI), spoke in support of the Board providing continued funding support for CHI.

-Mr. Camille Merilus of Camille and Sulette Merilus Foundation, Inc., 14815 NW 11 Avenue, asked the Commission to provide his foundation with \$116,000 to support the foundation's food program and its JEM Youth Academy, which was created to deter juveniles from going to jail.

-Mr. Frank Rabbito, Senior Vice President of the Village South, Inc., a comprehensive substance abuse and mental health program housed at 3050 Biscayne Blvd., spoke in opposition to eliminating funding to human services.

-Mrs. Mary Lee Hill, founder and National Director of the Economic Opportunity Program Incorporated, expressed concern regarding not being included in consideration of budget and economic related issues.

-Ms. Carmen Mojica, 6396 Manor Lane, spoke in opposition to restricting free veteran transit to veterans with a salary range under \$22,000 and spoke in opposition to the proposed 5% salary cut to employees' salaries.

-Mr. Jean R. LaFortune, 13235 NW 2nd Avenue, read a letter into the record from former Commissioner Betty Ferguson in support of the Independent Review Panel (IRP). He spoke against the operation of the Miami-Dade County Police Department (MDPD) without the IRP.

-Ms. Cindy Washington, 2020 Bay Drive, spoke in support of funding for children's programs like D.A.R.E., Community Action Agency (CAA) programs, 500 Role Models, and the Children's Trust. She also spoke in support of funding for the Independent Review Panel (IRP).

-Ms. Eden Carr noted she was Executive Director of the Juvenile Diabetes Research Foundation (JDRF) at 3411 NW 9th Ave., Fort Lauderdale, which served the entire South Florida area, thanked the Commission and the Mayor for their support of JDRF and other non-profit organizations in Miami-Dade County through the In-kind Services budget. She noted that the In-kind services produced 85 cents on every dollar, the economic costs of diabetes nationwide last year was \$176 billion, and investing in finding a cure for and providing services for diabetes victims saved money.

-Ms. Zaymar Vargas, 1865 Brickell Ave., counselor at Switchboard of Miami, asked the Commission to consider the impact of budget cuts on residents of the County, particular callers to Switchboard of Miami, who were facing hardship.

-Mr. Vikram Jagadish, 50 NE 132 St., spoke in opposition to elimination of the County's Department of Human Services domestic violence programs, noting that elimination would not save the County money because of program costs as compared to cost of domestic violence in the community. He expressed concern that if the County eliminated the program, it might be violating the law, since attendance of the program was mandated by State statute; and if the program was not available, and private providers were not affordable to victims, due process may be violated. He also expressed concern regarding domestic violence victims.

-Ms. Karen Peterson, 11760 SW 72 Ave, head of the Excello Dance Space at 8700B SW 129 Terrace, asked that all funding be restored to the Department

of Cultural Affairs (DCA), and asked that the Commission support the arts.

-Mr. Jonathan Rose, 5 Island Ave, immigration attorney, member of the Board of Directors of the American Immigration Lawyers Association, president of Culture in the City, member of the Governor's Task Force on Domestic Violence, and volunteer on the Community Grants Panel of the Department of Cultural Affairs (DCA), asked that funding for the arts, culture, and CBOs be restored and thanked the Commission for its continued support of these areas.

-Ms. Sylvia Daughtrey, Center Director of Youth Co-op, Inc. at 780 Fisherman St., noted she was present on behalf of herself and Ms. Maria Rodriguez, Executive Director of the Youth Co-op program and noted several programs which would be affected by proposed budget cuts. Ms. Daughtrey particularly advocated for the Co-op's job program, and asked the Commission to keep the Co-op funded.

-Mr. Allan Monica 15390 NE 6 Ave., noted he was a clinical social worker in the jails for the Public Health Trust (PHT). He spoke in opposition to privatization of jails. He noted he submitted to Commissioners Rolle and Souto a series of articles from the New York Times reflecting that quality of services in jails declined when jails were privatized, and asked the other commissioners to read it. Mr. Monica added that people had a constitutional right to adequate health care and other services.

-Dr. Joseph Portier, 1175 NW 125 St., noted he was a psychiatrist employed by the County's Pre-treatment Detention Center at 1321 NW 13 St. He asked the Commission not to privatize the Center. He noted that the Center tried to rectify disparaging treatment of prisoners in the jail system by working with County agencies, which Commissioner Seijas was involved in, making efforts to save the County money and restore prisoners to prosperous lives by diverting them to community programs. Mr. Porter noted that services could not be provided as effectively by any private agency.

-Ms. April Ponder, 2481 NW 152 St., noted she was an ex-convict who Youth Co-op, Inc. helped to become an entrepreneur; thanked Commissioner Jordan for her support to her community; and expressed appreciation that the Commission's support gave people a chance at life.

-Ms. Jessie Young, 16245 NW 22 Ct., spoke in support of Youth Co-op, Inc. and thanked Commissioner Jordan for supporting her community.

-Mr. Cory Jackson, 2430 NW 140 St., spoke in support of Youth Co-op, Inc.

-Ms. Radiah Johnson, employed at Youth Co-op, Inc. as its only job developer and employment specialist at 780 Fisherman St., thanked Commissioner Jordan for her support of the co-op. She noted the co-op had the most readily available fax and copy services in the area and asked the Commission to continue current funding to the co-op.

-Mr. Kenneth Newman, 2350 Arch Creek Drive, expressed concern regarding cutting of funding to parks and regarding the cutting of grass on sports fields in parks to make the fields available for children to do extracurricular activities on. He inquired of the County Attorney as to whether an agreement could be executed for soccer and/or optimist clubs could provide volunteers to cut the grass using County equipment if the County could not afford to pay its employees to do it.

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-Mr. Steve Bernard, Biscayne Park Commissioner, noted he was a member of the League of Cities' budget committee, which he noted had provided assistance with the proposed budget and was available to provide further assistance. He noted that his family, friends, and neighbors utilized and offered their services to Arch Creek Park, the Miami Children's Museum camp, Headstart, the Meals on Wheels program, the Jewish Museum on Miami Beach, and theatre facilities in order to enjoy performances. He commended Biscayne Park's fire rescue services and spoke of the benefits of agriculture; Farmshare; the most vulnerable in society who built buildings used by others; history, arts, and culture which attracted people to the County; the Switchboard of Miami; and domestic violence and elderly services. Commissioner Bernard noted that cutting funding to CBOs would be cutting funding of these services.

-Ms. Roberta DiPietro, Executive Director of the Greater Miami Festivals and Events Association, 12555 Biscayne Blvd., spoke in support of Miami-Dade County's special events and asked that all funding for Department of Cultural Affairs grants be restored.

-Mr. Alberto Machado Santa-Maria, 4015 Indian Creek Dr., noted that people had lost access to bus route 246 in Miami Beach, and noted that Miami Beach lost \$66 million per year as a result. He expressed concern regarding bus drivers who were treating elderly people badly and how these cases were handled.

-Mr. Jack Russell, 9850 SW 80 Dr., spoke in opposition to salary raises, expressed concern that tax dollars were not spent efficiently, and spoke in opposition to the intent of tax increases.

-Mr. Vaughn Marshall, 13900 Harrison St., Director of Programs for Richmond Heights Neighborhood Resource Center, noted the purpose of the Resource Center. He asked that funding to CBOs and non-profits not be cut and noted that a petition from citizens of Richmond Heights was submitted to each commissioner.

-Ms. Jenny Lee Herrera, employed at 601 Brickell Key Drive, Suite 900, asked that \$11.168 million be restored to the Department of Cultural Affairs (DCA), and spoke in support of the Miami Science Museum.

-Ms. Dahlia Lockhart, Senior Coordinator with Switchboard of Miami at 701 SW 27 Ave., noted she worked with seniors; expressed appreciation to the Commission for its support, and in particular to Commissioner Diaz for his sponsorship and Commissioner Seijas for her support; noted that the support was vital; and asked that it continue.

-Mr. Roy Hardeman, 1854 NW 67 St., Model City OCED Advisory Committee, asked that all funding for Amelia Earhart Park's petting zoo be restored. He also noted he was representing Youth of America, and asked that Curley's House Of Style, Inc./Hope Food Bank, not be privatized. He asked that the Metro-Miami Action Plan Trust received funding to provide for the needs of the community, that the Homeless Trust be fully funded so that it could restore the Annie Coleman apartment complex, and that the JESCA community center in Model City be provided with aid. He spoke in support of the MLK, Gwen Cherry, Jefferson Reeves, Soar, and Olinda parks, and in support of fully restoring funding for the arts.

- Mr. Bill Diggs, 11380 NW 27 Ave, CEO of the Miami-Dade Chamber of

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Commerce, pointed out the need for funding to his organization.

- Mr. Adolfo Henriques, 445 Grand Bay Drive, Chairman of the Cultural Affairs Council, thanked the Commission for its support of the cultural community and asked that all funding for the arts be restored, noting that every dollar invested in the arts yielded \$27 additionally.

- Mr. Alan Rigerman, 17910 NW 84 Av., spoke in support of funding adjustments in library services, and noted the benefits of libraries. He also spoke in support of restoring funding for human services before funding for the arts, particularly funding for Farmshare, Elderly Services, M.U.J.E.R., and venom services.

-Mr. Steven Wexstein, 8400 SW 36 St., representing Amnesty International, noted that Amnesty and the American Civil Liberties Union called for the restoration of funding to the Independent Review Panel (IRP) because it was necessary for public trust.

-Mr. Napoleon Jackson, 200 Perviz Ave., Apt. 9, spoke in support of Youth Co-op, Inc. and against cutting funding to the program. He expressed special appreciation to Commissioner Jordan for her exhibiting initiative with Youth Co-op, Inc.

-Mr. Daniel Marin, 601 Brickell Key Dr., employed at 2849 Coconut Ave, urged the Commission to restore \$11.168 million in funding to DCA. He spoke in support of the arts, culture, and the Miami Science Museum.

-Mr. Chrystian Santiago, The Theatre Institute of South Florida at 4995 NW 79 Ave., Suite 110, spoke in support of arts in the community and asked that \$11.168 million in funding be restored to the DCA. He thanked Commission members for their time.

-Mr. Cory B. Poitier, 14291 NE 3 Ct., SADD Program Advisor, spoke in opposition to cuts in funding to the DARE and SAD Programs. He thanked Commissioner Jordan for her aid to his mother.

-Ms. Christina Brown, 14541 Tyler St, asked that funding to the Headstart Program not be cut.

-Ms. Charlayne Thompkins, 20001 NW 63 Ave., commended the African Heritage Cultural Arts Center and asked that funding to the Center not be cut. She also asked that funding for restoration of the Hampton House not be cut, and expressed appreciation to members of the Commission, especially to Commissioner Edmonson, for their help.

-Mr. Arolio (phonetic) Lozano, 6923 W 25 Ct., noted he was a member of the National Association of Social Workers and that people and families were hurting, and spoke in support of an economic model in which well targeted tax increases on higher income households were preferred over deep budget cuts to CBOs and non-profit organizations. He expressed respect for government and Mayor Alvarez, and expressed concern regarding actions taken by Mayor Alvarez.

-Ms. Alison Austin, CEO of the Belafonte TACOLCY Center, 6161 NW 9 Ave., noted she was speaking on behalf of children and a County-supported program at the Center called the Family Assistance During Suspension and Termination. She noted CBOs were the backbones of communities, including

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her own, which exhibited negative statistics.

-Ms. Hattie Willis, 5510 NW 1 Ave., asked that funding to CBOs be restored in order for the CBOs to sustain her neighborhood in Commission District 3 and prevent it from dying.

-Ms. Lela Lombardo, 7629 NE 1 Ave., a multi-disciplinary arts facilitator and performing artist, expressed appreciation to the members of the Commission for hearing from the public and being willing to make weighty decisions. She asked that no cuts be made in the areas of arts and social services.

-Mr. Fernando Gonzalez, 128 NW 18 Ave., noted he was representing very low income people in Little Havana and Neighbors in Action, an organization that helped those in need. He further noted that Neighbors in Action was in need of money to serve the increased number of people asking for help, and expressed concern regarding the cost of a new baseball stadium for the Florida Marlins and the amount of money spent on helping the needy.

- Mr. Arturo Toirac, 6423 Collins Ave, commended the Commission for efforts to balance the budget and spoke in opposition to the closing of the Jackson Memorial Long Term Care Center nursing home located at 2500 NW 22 Ave.

-Mr. Leroy Jones, Neighbors and Neighbors Association, 180 NW 62 Street, thanked the Commission for its support over the years, spoke in opposition to elimination of the Mom & Pop Grants Program. He noted the number of downloads of the application for this program had increased by 300% since last year.

-Bishop Lee Variety, 1711 NW 87 Street, commended fiscal agents that he believed were doing positive jobs monitoring CBOs. He noted that the Office of Community and Economic Development (OCED) gave a contract to a non-profit organization, then discovered the organization did not have 501(c)(3) status, and asked the Commission to investigate whether any other such issues existed; and noted that current economic problems were not the fault of the Mayor, Commissioners, etc.

-Ms. Bridget Baker, owner of 6th Street Dance Studio in Little Haiti spoke in opposition to funding cuts to services for the needy and to the arts.

-Mr. Teddy Harrell, 1832 NW 59 St., Chairman of the Community Action Agency's (CAA's) Liberty City Citizen Participation Advisory Council and founder of the African American Performing Arts Community Theatre, noted that the members of the Advisory Council were concerned about the impact that balancing the budget may have on children, the elderly, the disabled, and low income families, and were requesting that funding be restored in full to the Headstart and Early Headstart programs, the nine CAA neighborhood service centers, and the CAA's Citizen Participation and Transportation units and youth programs; that resources for CBOs be sustained; and that the Commission consider restoring funding in the area of human services and save the arts in the County. He thanked the Commission as a whole, and Commissioner Edmonson, for their support.

-Mr. Richard L. Ashenoff, 11500 SW 32 St., asked for support of the arts and noted he believed County Funds had been grossly mismanaged.

-Mr. Mariano Cruz, Chairman of Allapattah Business Development Authority,

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expressed concern regarding code enforcement in the County.

-Ms. Mari Soto, 10025 SW 53 St., expressed concern that proposed 2009-10 costs and overhead were less than they were last year, yet the capital budget was 20% higher than last year. She asked that taxes not be increased, services not be cut, and spoke against preferential government raises and capital improvements at this time.

-Ms. Eva Webb, Florida Farm Bureau, 5400 SW 37 Street, Gainesville, FL, in collaboration with the Dade County Farm Bureau in support of the Dade County Extension Office.

-Ms. Silvia Unzueta, 1137 Asturia Ave., expressed concern regarding the County's lack of funds and suggested that funds be captured by: revamping pensions, addressing runaway salaries and self entitlement, eliminating community councils, and reducing the number of CBOs. She asked that the Commission consider that the Miami-Dade community was international and expressed concern over mistreatment of animals.

-Mr. Nelson F. Hincapie, President & CEO, Voices for Children Foundation at 1500 NW 12 Avenue, asked for continued support of his organization from the Commission.

-Mr. John Rivera, Dade County Police Benevolent Association (PBA), expressed concern with the community being told that the Independent Review Panel (IRP) and Office of the Inspector General were authorized to perform oversight of police; expressed concern that when the Commission approved for-profit contracts it guaranteed cost of living for for-profit employees, expressed concern that the Commission would ask County employees to take pay cuts at the same time, and asked that the Commission take this into consideration.

-An unidentified speaker thanked the Commission for letting him serve others through a CBO, noted that CBO funding was reduced, and spoke of growing hardship for CBOs.

-Dr. Jeffrey Solomon, 7315 SW 109 Terrace, Chairman of the Miami-Dade Sports, requested the Commission favorably consider the Sports Commission during the budget process.

-Ms. Susan Dean, 1688 West Ave., Apt. 1208, requested that \$11.168 million in funding be restored to the Department of Cultural Affairs.

Upon the closing of the public hearing, the Commission recessed at 12:28 a.m.

(Report continued under 9/17/2009 Report Part 2 of 2 (Legislative File #092801))

092801

Report

9/17/2009 REPORT PART 2 OF 2

Report: *The September 17, 2009 budget hearing reconvened at 2:21 a.m. on Friday September 18, 2009. Mayor Alvarez expressed appreciation to members of the public for expressing their points of view regarding the proposed budget. He noted that the budget that the Commission would approve at today's hearing would mean that most people's taxes decreased and thanked members of this Commission for the thoroughness of their efforts in reviewing the proposed FY 2009-10 budget and making recommendations for saving money. The Mayor noted that he heard budget priorities that Commission members expressed during the Committee of the Whole meetings held on September 8th, 10th, 11th, 15th, and 16th, 2009; that commissioners had met with Mr. Burgess and Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Management (OSBM), to address many of their high priorities. He noted that Mr. Burgess would walk the Commission through a scenario that included concessions, compromises, and tough decisions, but that would likely get the County close to where it needed to be. Mayor Alvarez thanked the County's Manager, Budget Director, budget analysts, executives, assistant county managers, directors, and assistant directors for their efforts in connection with the budget process.*

County Manager Burgess noted a memorandum entitled "Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget" (supplemental memorandum), dated September 17, 2009, was currently being distributed. He noted the supplemental memorandum presented a strategy to address as many budgetary priorities identified by the Commission at the September 15th and 16th Committee of the Whole meetings as possible. Mr. Burgess provided an overview of the adjustments recommended in the memorandum.

As part of the overview, Mr. Burgess noted that pursuant to a straw vote of the Commission at a Committee of the Whole meeting this week, he recommended restoring 75% of current year funding to Head Start and Early Head Start programs. He added that the County Administration would try to use Voluntary Prekindergarten (VPK) dollars to maintain all hours of VPK service through December 2009. Mr. Burgess also pointed out that he recommended restoring funding to Community-based Organizations (CBOs) at 70%, which would be a \$21.992 million restoration. He explained that the Commission could choose to allocate this \$21.992 million in any number of ways; for example, the Commission could allocate the \$21.992 million across all CBOs currently receiving funding; allocate it with a focus on CBOs which provided food, clothing, and shelter; allocate it toward restoring some of the current Mom & Pop Grants; etc. He also noted that the Commission may want to schedule for consideration at a subsequent meeting the issue of how the \$21.992 million would be allocated. In addition, Mr. Burgess noted that \$17.35 million was removed from the Countywide Emergency Contingency Reserve at the First Budget Hearing held on September 3, 2009, but he was now recommending that it be restored to the reserve. In addition, he noted that in attachments to the supplemental memorandum, a scrivener's error existed in a recommendation to reduce International Trade Consortium's (ITC's) funding, but the county administration would correct the scrivener's error so that the amount of this reduction in funding to the ITC would be reflected as \$25,000.

Upon the conclusion of the County Manager's overview, members of the Commission commended and expressed appreciation to Mayor Alvarez; Mr. Burgess; Mr. Cuevas; Assistant County Managers and Attorneys; Department heads; the Clerk of the Board Division of the Clerk of Courts; Mr. Charles Anderson, Commission Auditor, and his staff; Ms. Glazer-Moon; members of

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Commissioners' staff; and all others, including other members of County staff not mentioned, for their efforts in preparing and reviewing the proposed FY 2009-2010 budget; their efforts in making recommendations and requests regarding it; expressed appreciation to members of the County Administration for their efforts to incorporate the budgetary priorities of the Commission into it; and expressed appreciation to members of the public for their participation in the budget process. Commission members also commented on the supplemental memorandum as related to the proposed FY 2009-2010 budget. Several commissioners also expressed the sentiment that in the current economic times, budget cuts were inevitable.

Commissioner Sosa noted she wanted the Commission to ensure that if the 70% restoration of funding to CBOs was approved, that some of the funding be allocated to the Mom & Pop Grants program, and that she would like all members of the Commission to meet to discuss this.

Commissioner Edmonson concurred with Commissioner Sosa regarding allocating funding to the Mom & Pop Grants program.

Commissioner Sorenson noted she would like for the Commission to consider funding the County's Independent Review Panel (IRP) with some of the 70% funding which the Mr. Burgess recommended be restored to CBOs. She noted that cutting taxes meant cutting services and programs, and whether the community was willing to pay for more services and programs next year remained to be seen.

Commissioner Souto noted that the budget process would not be complete when this 9/17-18 hearing was adjourned. He noted he was hopeful that when the process was complete, the County government could say honestly that the process was transparent. Commissioner Souto also noted that many comments would be made about the County government regarding addressing the budget.

Commissioner Heyman noted she looked forward to successful negotiations with the County's employees and protecting those who delivered County services that were relied upon. She also noted she was encouraged that the County would make on-going efforts to reduce administration, excessive costs, and inefficiencies, in light of the current trying economic times. Commissioner Heyman added that the most current budget process was a good learning experience. She indicated she was hopeful that the County's government officials, administration, and staff would improve on their working relationships this coming year and be inclusive as they worked with information in a timely and fashion, all in aid of moving the County forward.

Commissioner Gimenez indicated that he believed the Commission was much more involved in the budget process this year than in previous years in his experience. He also noted that the Office of the Commission Auditor (OCA) needed to be reinforced. Commissioner Gimenez further noted that he anticipated next year's budget process would be as difficult as this year's, but that this and next year's processes provided a good opportunity to work with the County Administration.

Commissioner Diaz noted that although times were budgetarily difficult, by working together, members of the County's government would be able to move the County forward.

In response to Chairman Moss's inquiry as to whether Commission approval

of the supplemental memorandum's recommendation to restore funding of the Park and Recreation Department's after school programs would mean funding was restored to make staff available to provide after school programming and sports development activities, Mr. Burgess noted that this was correct, and added that this restoration would occur across the County's park system.

Chairman Moss noted he supported restoring funding to the Mom & Pop Grant program but not using part of the 70% recommended to be allocated to CBOs, noting that CBOs' funding had also been reduced last fiscal year.

Commissioner Rolle asked the County Administration to consider how the County could make the organization, Farm Share, as whole as possible so that its workers could supply food to as many people in the community as possible.

It was moved by Commissioner Jordan that \$371,000 budgeted for Fiscal Year (FY) 09-10 for four positions originally in the Office of Community Advocacy (Advocacy), and moved to Human Rights and Fair Employment Practices, as reflected in the FY 2009-10 Proposed Resource Allocation and Multi-Year Capital Plan, Volume 2, page 593, be moved back to Advocacy. She noted that in the absence of a monetary increase, according to the County Attorney, a budget line item could be moved to another budget line.

In response to Commissioner Gimenez's inquiry as to whether the Commission was permitted to request that job positions be placed in certain areas of the County in light of the fact that the Mayor had responsibilities of organization with regard to County Departments, Mr. Cuevas noted that Commissioner Jordan's motion was for the dollars that funded the job positions to be moved.

Commissioner Jordan noted that the rationale behind her motion was that the functions of Advocacy did not fit with the functions of Human Rights and Fair Employment Practices.

In response to Commissioner Martinez's inquiry as to whether the passing of Commissioner Jordan's motion would impact any funding other than the funding for the job positions, Mr. Burgess noted that the passing of the motion would have no budgetary impact and no funding issue was associated with the motion.

The foregoing motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 13-0.

In response to Commissioner Jordan's inquiry as to whether in the next six months, if resources could be found, whether mid-year adjustments could be made to the County's budget to restore funding to the IRP, Mr. Cuevas noted that mid-year adjustments could be made to restore the funding by amending supplemental budgets.

Commissioner Edmonson noted that following significant community input, the Commission recently restructured the Metro-Miami Action Plan Trust (MMAP) and renamed it the Miami-Dade Economic Advocacy Trust (the Trust). She further noted that as part of MMAP's restructuring, the Commission recognized that the Teen Court Program would remain with the Trust until the Trust identified a successor entity to transfer the Teen Court Program to, and that the Trust would retain its Affordable Housing Assistance Program. Commissioner Edmonson noted that the proposed budget

recommended that the funding sources, appropriations, and positions related to the Teen Court Program and the Affordable Housing Assistance Program be moved out of the Trust. She made a motion that these programs' funding sources, related appropriations, and positions remain with the Trust; that revenue for the funding of an accountant position, an assistant to the director position, and administration, which was eliminated, be reinstated; and that the proposed budget ordinances on today's agenda, the FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan, and the supplemental memorandum be conformed as necessary to reflect this motion.

In response to Commissioner Sosa's concern with having insufficient time to study policies and issues associated with Commissioner Edmonson's motion, Commissioner Edmonson noted that the Trust was under the authority of the Commission, not the Mayor's Office. She added that the Commission created an oversight board for the Trust, and adopted the board's recommendations that the Teen Court and Affordable Housing Assistance programs remaining with the Trust, and other legislation related to this issue.

In response to Commissioner Gimenez's inquiry as to whether the part of Commissioner Edmonson's motion could be voted on later in the fiscal year, Mr. Cuevas noted that the content of Commissioner Edmonson's motion could be addressed by amending a supplemental budget.

Commissioner Gimenez noted the issue was too much for him to consider at the time, and he would rather address the issues raised by Commissioner Edmonson later in the fiscal year.

In response to Commissioner Martinez's inquiries as to why MMAP was restructured to become the Miami-Dade Economic Advocacy Trust, Assistant County Attorney Cynthia Johnson-Stacks noted the reason was the Commission perceived that MMAP had a set of functions that the Commission preferred be truncated; MMAP's role was reduced to that of an economic advocacy group, with some functions being removed from MMAP; dollars had been allocated from the Beacon Council to the Trust in order for the Trust to perform part of its functions; and as a result of the removal of functions from MMAP, a stop was put to this flow of dollars. She noted all this was attributable to fact that the Beacon Council raised issues regarding MMAP executing its programs. Ms. Johnson-Stacks clarified that MMAP protested the arguments of the Beacon Council regarding the programs; and MMAP was directed by the Commission to submit documentation evidencing its execution of its programs, which MMAP did; but the Commission concluded that the dollars should not be given to MMAP, but should be kept by the Beacon Council.

In response to Commissioner Martinez's inquiry as to whether the restructuring and renaming of MMAP resulted in any changes besides those changes outlined by Assistant County Attorney Johnson-Stacks, Ms. Johnson-Stacks advised that the Economic Advocacy Trust's overall function was that of an economic advocacy group; the Commission decided that the Trust was to continue some housing functions; and that MMAP also served an advisory function.

In response to Commissioner Martinez's inquiry as to whether the positions for which funding was being requested by Commissioner Edmonson were new positions, Ms. Johnson-Stacks noted that Budget Director Glazer-Moon advised her that the positions were eliminated in the proposed budget.

In response to County Manager Burgess's comment that the County Administration was not recommending restoring positions, Commissioner Martinez noted that Commissioner Edmonson's motion was to fund positions, and he wanted to know what the source of funds would be. In response to Mr. Burgess's response that Commissioner Edmonson's motion was not part of the County Administration's recommendations, Commissioner Martinez noted that if funding for the positions were being added to the budget, the budget would not be balanced.

Commissioner Sorenson suggested that the Commission consider Commissioner Edmonson's proposal at the time it considered how to allocate 70% of funding to be restored to CBOs.

Commissioner Edmonson noted that in light of the positions being described as new and questions being raised as to the source of funding for the positions, she was curious as to where funding for the positions had gone. She noted that since she did not want today's meeting delayed by more discussion of this issue, she would bifurcate the part of the motion regarding providing revenues to fund accountant and assistant to the Director positions, and to fund administration. She amended her motion to read as follows:

that the Adopted FY 09-10 budget reflect the following:

- 1. All funding related to Teen Court Program, which was part of the Former Metro-Miami Action Plan Trust, now the Miami-Dade Economic Advocacy Trust, remain with the Miami-Dade Economic Advocacy Trust, including funding sources, related appropriations, and 14 positions associated with the program, be placed under the Trust instead of in the Juvenile Services Department as proposed by the Mayor's FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan; and that the Trust be given a two to three year transitional period to transfer the Teen Court Program to a successor entity such as a non profit agency, a law enforcement agency, the court administrator, or the Clerk of the Courts;*
- 2. all funding, related appropriations, and three positions associated with the Affordable Housing Assistance Program be placed under the Miami-Dade Economic Advocacy Trust instead of the Housing and Community Development Department as also proposed by the Mayor's budget; and*
- 3. references in the proposed budget ordinances (Items B and F on today's agenda), including the three budget books (Volumes 1, 2, and 3 of the FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan), and the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget, upon adoption, be conformed as necessary to reflect the foregoing language in points 1. and 2. above.*

Commissioner Edmonson expressed great concern that funding for the positions was removed, noting that the Commission's decisions regarding the positions for the Trust were not rushed or waived through the Commission process, and were arrived at by vote. She added that the Commission had directed that the Trust be given a two to three year period to transfer the Teen Court program to another entity, and she would like this direction to stand.

In response to Chairman Moss' inquiry to Commissioner Edmonson as to whether her motion as amended had no economic implication for the budget, Commissioner Edmonson noted this was correct; that she would address the

position of the accountant later; and that the assistant to the Director position may not be needed.

Chairman Moss spoke in support of the motion.

In response to Commissioner Gimenez's inquiry as to why, since the County Attorney had confirmed that the Commission passed a resolution in support of funding the positions noted by Commissioner Edmonson, the funding was not incorporated in to the proposed budget, County Manager Burgess noted that the resolution was passed subsequently to the release of the proposed budget.

Commissioner Edmonson's motion as amended was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 13-0.

In response to Commissioner Seijas' concern that funding for the positions of a television producer, assistant broadcaster, and photographer in the Government Information Center (GIC) were proposed to be eliminated, County Manager Burgess noted that these three positions were support for non-Commission types of activities of outside groups and did not affect meetings like Committee of the Whole meetings.

Commissioner Seijas asked the Mayor Alvarez to meet with her before the next Commission meeting, to discuss this matter.

In response to Commissioner Seijas' inquiry as to whether funding could be found for these positions after today (9/18), County Manager Burgess noted that the County Administration would report to the Commission on alternatives to the elimination of funding for these positions at the next Commission meeting scheduled for October 6, 2009.

Commissioner Seijas confirmed with County Attorney Cuevas that Mr. Cuevas noted previously to today's hearing an issue requiring that publications be dealt with carefully.

In response to Commissioner Seijas' request for clarification from Budget Director Glazer-Moon regarding impacts on agencies similar or related to the foregoing issue regarding publications, Ms. Glazer-Moon noted that her staff would have to adjust some numbers in the supplemental memorandum which were present due to scrivener's errors; and adjust some figures in the final budget ordinances, but the budget would remain balanced.

Commissioner Barreiro noted that pursuant to the supplemental memorandum, restoration of 70% of current year funding to cultural programs was being recommended; but the major cultural institutions (majors) were line itemed, and when these line items were removed, cultural grants would probably be allocated about 50% of prior year funding. He suggested that an additional \$1.5 million allocation for cultural grants be made from the Library Reserve which would be an approximately 70% allocation.

Ms. Glazer-Moon noted she believed a misunderstanding had occurred; that the dollars allocated for the majors identified in the supplemental memorandum were not part of the funding for cultural groups. She noted that 70% of current year General Fund funding was recommended for other cultural institutions, and allocations to the majors were recommended to come from Convention Development Taxes (CDTs) released from the South Dade Performing Arts Center (PAC).

Commissioner Barreiro noted that the supplemental memorandum recommended allocating majors' funding from South Dade PAC's budget; and in light of this, he still wanted monies from the Library Reserve to be allocated for cultural grants.

It was moved by Commissioner Barreiro that the County allocate additional funding for cultural grants in the amount of \$1.5 million, and that this \$1.5 million be taken from the Library Reserve. This motion was seconded by Commissioner Sosa.

Following Budget Director Glazer-Moon's response to Commissioner Gimenez's inquiries regarding the percentage of current year general fund support recommended to go toward cultural grants, Commissioner Gimenez noted he would address the issue of the percentage at a later time.

In response to Commissioner Martinez's inquiry as to whether Commissioner Barreiro's concern regarding allocating additional money for cultural grants from the Library Reserve could be addressed at a later date, County Attorney Cuevas noted that the issue could be addressed today (9/18) or could be addressed by amending a supplemental budget.

Following further discussion between Commissioners Martinez and Barreiro and County Manager Burgess regarding funding for cultural grants, Commissioner Barreiro asked Mayor Alvarez and County Manager Burgess to clarify, by the Commission meeting scheduled for October 6, 2009, the meaning of figures for cultural funding that were referenced today, and how the figures were arrived at. He added for the record that while efforts were being made to provide 70% of current year funding of all grants, differences existed between the grants.

In response to Commissioner Sosa's comments that she wanted to address a request that was made to restore at least 50% of current year funding to the Community Periodical Advertising Program, Chairman Moss noted the Commission should address this issue at the October 6th Commission meeting.

Chairman Moss expressed disappointment that funding to the Mom & Pop Grants program was not considered a priority, while Commissioner Jordan noted she was disappointed that funding for the program was lumped with funding for CBOs.

Commissioner Jordan noted that at the October 6th Commission meeting, she wanted members of the Commission to discuss using monies from the County's tuition reimbursement program to pay for the program.

Discussion ensued on which of the issues being raised by members of the Commission today (9/18) should be acted on today and which ones should be addressed at the October 6th meeting, and regarding funding of the Mom & Pop Grants program and CBOs.

In response to Chairman Moss's inquiry as to whether organizations that had been receiving Mom & Pop grants would continue to function between now and when the Commission took action to allocate funding to them, Budget Director Glazer-Moon noted that this was up to the Commission, and that after October 1, 2009, the Commission could make allocations retroactive to October 1, 2009.

The Commission proceeded to vote on Items A through E on today's 9/17 agenda (See reports under Items A through E-Legislative File Nos. 092539, 092540, 092541, 095242, 092543, and 092544 respectively).

1D ITEMS

ITEM A

092539 Ordinance

ORDINANCE APPROVING, ADOPTING AND RATIFYING THE COUNTYWIDE GENERAL FUND MILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; LEVYING ALL TAXES SO PROVIDED; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (County Manager)

*Adopted
Ordinance 09-82
Mover: Katy Sorenson
Second: Rebeca Sosa
Vote: 13- 0*

Report: *County Attorney Robert Cuevas read the foregoing ordinance into the record.*

County Manager Burgess noted that the proposed Countywide operating millage was 4.8379 mills, which was 11.27% below the State-defined rollback rate.

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

Note: The foregoing ordinance was adopted by the Commission on September 18, 2009.

ITEM B

092540 Ordinance*Amended*

ORDINANCE APPROVING AND ADOPTING THE COUNTYWIDE GENERAL FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; PROVIDING A SHORT TITLE; INCORPORATING THE 2009-10 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN THE TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; AUTHORIZING DEPOSIT OF INTEREST EARNED TO THE GENERAL FUND; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING SECTION 2-1799(A)2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO EXPENDITURES OF EMERGENCY CONTINGENCY RESERVE FUNDS; AMENDING SECTION 2-1503 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO THE INTERNATIONAL TRADE CONSORTIUM MEMBERSHIP; WAIVING SECTION 2-1605 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO FINANCIAL SUPPORT PROVIDED TO THE MIAMI-DADE SPORT COMMISSION; AMENDING THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CHANGE THE NAMES OF "OFFICE OF NEIGHBORHOOD COMPLIANCE" AND THE "BUILDING DEPARTMENT" TO "BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT"; REPEALING RESOLUTION NOS. R-829-06 AND R-1225-86; SUPERSEDING CONFLICTING PROVISIONS OF PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (County Manager)

Report: County Attorney Robert Cuevas read the foregoing ordinance into the record. He noted that motions made by Commissioners Jordan and Edmonson, noted below, applied to the foregoing ordinance, and that the foregoing ordinance should be amended to include the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget that was submitted today (9/18). He then pointed out text, identified below, which needed to be deleted from the foregoing ordinance:

It was moved by Commissioner Jordan that \$371,000 budgeted for Fiscal Year (FY) 09-10 for four positions originally in the Office of Community Advocacy, and moved to Human Rights and Fair Employment Practices as reflected in the FY 2009-10 Proposed Resource Allocation and Multi-Year Capital Plan, Volume 2, page 593, be moved back to the Office of Community Advocacy. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 13-0.

It was moved by Commissioner Edmonson that the Adopted FY 09-10 budget reflect the following:

- 1. All funding related to Teen Court Program, which was part of the Former Metro-Miami Action Plan Trust, now the Miami-Dade Economic Advocacy Trust, remain with the Miami-Dade Economic Advocacy Trust, including funding sources, related appropriations, and 14 positions associated with the program, be placed under the Trust instead of in the Juvenile Services Department as proposed by the Mayor's FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan; and that the Trust be given a two to three year transitional period to transfer the Teen Court Program to a successor entity such as a non profit agency, a law enforcement agency, the court administrator, or the Clerk of the Courts;*
- 2. all funding, related appropriations, and three positions associated with the Affordable Housing Assistance Program be placed under the Miami-Dade Economic Advocacy Trust instead of the Housing and Community Development Department as also proposed by the Mayor's budget; and*
- 3. references in the proposed budget ordinances (Items B and F on today's agenda), including the three budget books (Volumes 1, 2, and 3 of the FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan) and the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget, upon adoption, be conformed as necessary to reflect the foregoing language in points 1. and 2. above.*

This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 13-0.

It was moved by Commissioner Sorenson that the foregoing proposed ordinance be adopted as amended to incorporate the foregoing motions presented by Commissioner Jordan and Commissioner Edmonson and passed by the Board; to include a statement from the County Manger; to include the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget; to delete from the title "waiving Section 2-1605 of the Code of Miami-Dade County Florida relating to financial support provided to the Miami-Dade Sports Commission"; and 6) to delete Section 11 of handwritten page 98. This motion was seconded by Commissioner Rolle and upon being put to a vote,

passed by a vote of 13 – 0.

The amended version was assigned Ordinance No. 09-83.

Note: The foregoing ordinance was amended by the Commission on September 18, 2009.

ITEM C

092541 Ordinance

ORDINANCE APPROVING, ADOPTING AND RATIFYING THE UNINCORPORATED MUNICIPAL SERVICE AREA MILLAGE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; LEVYING ALL TAXES SO PROVIDED; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (County Manager)

*Adopted
Ordinance 09-84
Mover: Katy Sorenson
Seconder: Dorrin D. Rolle
Vote: 13- 0*

Report: *County Attorney Robert Cuevas read the foregoing ordinance into the record.*

County Manager George Burgess stated that the proposed Unincorporated Municipal Service Area operating millage was 2.0083 mills, which was 10.55 percent below the State defined rollback rate.

The Commission proceeded to vote on the foregoing ordinance as presented.

Note: The foregoing ordinance was adopted by the Commission on September 18, 2009.

ITEM D

092542

Ordinance

Amended

ORDINANCE APPROVING AND ADOPTING THE UNINCORPORATED MUNICIPAL SERVICE AREA FUND BUDGET FOR MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; PROVIDING A SHORT TITLE; INCORPORATING THE 2009-10 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN THE TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; AUTHORIZING DEPOSIT OF INTEREST EARNED TO THE GENERAL FUND; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; RECOGNIZING AND CONTINUING THE UNINCORPORATED MUNICIPAL SERVICE AREA; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; WAIVING SECTION 2-1799(A)2 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO EXPENDITURES OF EMERGENCY CONTINGENCY RESERVE FUNDS; AMENDING CODE OF MIAMI-DADE COUNTY, FLORIDA, TO CHANGE THE NAMES OF "OFFICE OF NEIGHBORHOOD COMPLIANCE" AND THE "BUILDING DEPARTMENT" TO "BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT"; AND REPEALING RESOLUTION NOS. R-829-06 AND R-1225-86; SUPERSEDING PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY, INCLUSION IN CODE AND PROVIDING AN EFFECTIVE DATE (County Manager)

Report: *County Attorney Robert Cuevas read the foregoing ordinance into the record. Noting that the County Manager's memorandum entitled "Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget was submitted today (9/18), County Attorney Cuevas advised that the foregoing ordinance should include this memorandum.*

It was moved by Commissioner Sorenson that the foregoing proposed ordinance be adopted as amended to include the changes included in the County Manager's Memorandum entitled "Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget." This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed 13-0.

The amended version was assigned Ordinance No. 09-85.

Note: The foregoing ordinance was amended by the Commission on September 18, 2009.

ITEM E

092543 Ordinance

ORDINANCE APPROVING, ADOPTING AND RATIFYING FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 ENDING SEPTEMBER 30, 2010 MILLAGE FOR COUNTYWIDE BONDED DEBT SERVICE, MILLAGE FOR MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT BONDED DEBT SERVICE, MILLAGE FOR MIAMI-DADE LIBRARY SYSTEM OPERATING PURPOSES AND MILLAGE FOR MIAMI-DADE FIRE RESCUE SERVICE DISTRICT OPERATING PURPOSES; LEVYING ALL TAXES SO PROVIDED; RECOGNIZING AND CONTINUING THE MIAMI-DADE LIBRARY SYSTEM; PROVIDING SEVERABILITY; AND AN EFFECTIVE DATE (County Manager)

*Adopted
Ordinance 09-86
Mover: Dorrin D. Rolle
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: County Attorney Robert Cuevas read the foregoing ordinance into the record.

County Manager George Burgess noted that the proposed Miami-Dade Fire Rescue Service Operating Millage was 2.1851mills, which was 10.66% below the State-defined rollback rate. The proposed Miami-Dade Library System Operating Millage was 0.23822 mills which was 10.66% below the State-defined rollback rate; and the proposed Countywide Debt Service Millage Rate was 0,285 mills Fire Rescue District Debt Service Millage rate was 0.042 mills.

Note: The foregoing ordinance was adopted by the Commission on September 18, 2009.

ITEM F

092544

Ordinance

Amended

ORDINANCE APPROVING, ADOPTING AND RATIFYING PROPRIETARY BUDGETS, SPECIAL ASSESSMENT DISTRICT RATES AND BUDGETS, AND OTHER BUDGETS OF MIAMI-DADE COUNTY, FLORIDA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010; PROVIDING A SHORT TITLE; INCORPORATING THE FY 2009-10 PROPOSED BUDGET AS AMENDED; APPROPRIATING ALL BUDGETED EXPENDITURES; AUTHORIZING THE INVESTMENT OF COUNTY FUNDS IN TIME WARRANTS OF MIAMI-DADE COUNTY; AUTHORIZING THE TRANSFER OF FUNDS AS CASH ADVANCES PENDING RECEIPT OF TAXES; RATIFYING AND APPROVING IMPLEMENTING ORDERS AND OTHER ACTIONS OF THE BOARD WHICH SET CHARGES, AUTHORIZING FEES CONSISTENT WITH APPROPRIATIONS AND PROVIDING FOR THEIR AMENDMENT; APPROVING REVISED FEES, CHARGES, AND IMPLEMENTING ORDERS FOR VARIOUS DEPARTMENTS AND AGENCIES; ADOPTING THE FY 2009-10 PAY PLAN; AUTHORIZING ALLOCATIONS AND REALLOCATIONS OF BOND PROCEEDS AND INTEREST EARNINGS; AUTHORIZING THE COUNTY MAYOR TO PROVIDE BOND ISSUE RESERVES; ESTABLISHING SUCH FUNDS AS MAY BE APPROVED DURING THE YEAR AND PROVIDING FOR THEIR EXPENDITURE; AUTHORIZING PAYMENT OF LOCAL BUSINESS TAX SURCHARGE TO BEACON COUNCIL; APPROPRIATING GRANT, DONATION, AND CONTRIBUTION FUNDS; AUTHORIZING THE COUNTY MAYOR TO EXECUTE CERTAIN FUNDING AGREEMENTS; CONTINUING THE MUNICIPAL SERVICES TRUST FUND; REPEALING RESOLUTION NO. R-829-06 AND R-1225-86; SUPERSEDING PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE (County Manager)

Report: County Attorney Robert Cuevas read the foregoing ordinance into the record.

County Manager Burgess, referencing information on pages eight and nine of his memorandum entitled "Information for the Second Budget Hearing-FY 2009-10 Proposed Budget" (change memorandum), outlined three scenarios presented to the Commission wherein the Commission could follow Mr. Burgess's recommendation, which was to approve rate adjustments in the Water and Sewer Department (WASD) FY 2009-10 Proposed Budget as identified in the first and third paragraphs on page eight; approve an alternative of two six percent adjustments as identified in the second paragraph on page nine; or approve another alternative of one six percent adjustment to be effective on October 1, 2009, and a second six percent adjustment to be effective on April 1, 2009, as identified in the third paragraph on page nine. Mr. Burgess noted that he recommended the first scenario, which was an adjustment to its retail water and wastewater rate utilizing a Maintenance Index of six percent based on the United States Labor, Bureau of Labor Statistics, 2008 Consumer Price Index (CPI), All Urban Consumers, Water and Sewerage Maintenance US City Average and an additional rate increase of 12 percent to support capital expansion needs.

It was moved by Commissioner Jordan that the Commission approve the County Manager's recommendation regarding water and sewer rates. This motion was seconded by Commissioner Sorenson.

As requested by Commissioner Sosa, Commissioner Jordan noted she would allow the portion of the foregoing ordinance regarding water rates to be bifurcated from the ordinance.

County Attorney Cuevas advised that the foregoing ordinance should be amended to include the County Manager's memorandum entitled "Supplemental Information for Second Budget Hearing - FY 2009-10 Proposed Budget" (supplemental memorandum) which was distributed today (9/18), to replace language in Section 21 of the foregoing ordinance, and to include motions made by Commissioner Edmonson and Jordan and passed by the Commission earlier in today's meeting identified as follows:

It was moved by Commissioner Jordan that \$371,000 budgeted for Fiscal Year (FY) 09-10 for four positions originally in the Office of Community Advocacy, and moved to Human Rights and Fair Employment Practices as reflected in the FY 2009-10 Proposed Resource Allocation and Multi-Year Capital Plan, Volume 2, page 593, be moved back to the Office of Community Advocacy. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 13-0.

It was moved by Commissioner Edmonson that the Adopted FY 09-10 budget reflect the following:

1. All funding related to Teen Court Program, which was part of the Former Metro-Miami Action Plan Trust, now the Miami-Dade Economic Advocacy Trust, remain with the Miami-Dade Economic Advocacy Trust, including funding sources, related appropriations, and 14 positions associated with the program, instead of in the Juvenile Services Department as proposed by the Mayor's FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan; and that the Trust be given a two to three year transitional period to

transfer the Teen Court Program to a successor entity such as a non profit agency, a law enforcement agency, the court administrator, or the Clerk of the Courts;

2. all funding, related appropriations, and three positions associated with the Affordable Housing Assistance Program be placed under the Miami-Dade Economic Advocacy Trust instead of the Housing and Community Development Department as also proposed by the Mayor's budget; and

3. references in the proposed budget ordinances (Items B and F on today's 9/17 agenda), including the three budget books (Volumes 1, 2, and 3 of the FY 2009-10 Proposed Resource Allocation And Multi-Year Capital Plan) and the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget, upon adoption, be conformed as necessary to reflect the foregoing language in points 1. and 2. above.

This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 13-0.

In response to Commissioner Seijas' request that the portion of the ordinance regarding the County's pay plan be bifurcated, Commissioner Jordan noted that she would allow this bifurcation.

In response to Commissioner Sorenson's inquiry as to whether adoption of the ordinance would have the effect of 5% reduction in pay for exempt employees on October 1, 2009, but not for non-exempt employees, Budget Director Glazer-Moon noted that the language which read, "the pay rates set forth in 2008-09 Pay Plan shall remain in effect until such time the Board decides to take into effect the rates listed in the 2009-10 Pay Plan," which the County Attorney previously noted as part of the necessary amendment to Section 21 of the ordinance, would protect all employees until a final decision was made at impasse hearings and that the amendment would keep the pay plan as is until these hearings.

The Commission then voted on the foregoing ordinance as follows:

It was moved by Commissioner Jordan that the foregoing proposed ordinance be adopted as amended to include the County Manager's memorandum entitled Supplemental Information for Second Budget Hearing – FY 2009-10 Proposed Budget, to include the previous motions offered by Commissioner Edmonson and Commissioner Jordan and passed by the Board, and to bifurcate and vote separately on the Water and Sewer Department (WASD) rates and the County's pay plan. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 12-1 (Commissioner Souto voted "No")

The Commission then voted on the original ordinance's bifurcated portion regarding WASD rates, the motion being to adopt the County Manager's recommendation of the first scenario from the change memorandum, as follows:

It was moved by Commissioner Jordan that the Board approve an adjustment to its retail water and wastewater rate utilizing a Maintenance Index of six percent based on the United States Labor, Bureau of Labor Statistics, 2008 Consumer Price Index (CPI), All Urban Consumers, Water and Sewerage

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Maintenance US City Average and an additional rate increase of 12 percent to support capital expansion needs. This motion was seconded by Commissioner Rolle, and upon being put to a vote, failed by a vote of 6-7 (Commissioners Sorenson, Edmonson, Jordan, Rolle, Seijas and Chairman Moss voted "Yes"; Commissioners Sosa, Souto, Barreiro, Gimenez, Heyman, Martinez and Vice Chairman Diaz voted "No").

County Manager Burgess provided clarification regarding the third scenario to effect a 6% increase on October 1, 2009 and a 6% increase in rates on April 1, 2010, which was an alternative to the recommendation in the change memorandum, as requested by Commissioner Seijas.

In response to Chairman Moss's inquiries regarding why the recommended water and sewer rate adjustments in the change memorandum were needed, County Manager Burgess noted the adjustments were needed to fund operation of the water and sewer system, to fund a capital improvement program adopted by the Commission, and to fund projects required by the County's 20-year Consumptive Water Use Permit from the South Florida Water Management District (SFWMD); that the recommended rate adjustments were a part of the County receiving the permits; and that while the County's water conservation was better, this did not negate the need for capital improvement projects that were underway.

County Attorney Cuevas read the amendatory language to reflect the third scenario for water and sewer rates in the change memorandum. This language was incorporated into the motion on the water and sewer rates as follows:

It was moved by Commissioner Seijas that the foregoing ordinance be amended to add a new section reading as follows: "A revised implementing order setting forth the Water and Sewer Department fees, rates, and charges as detailed as a third alternative in the County Manager's memorandum entitled "Information for the Second Budget Hearing-FY 2009-10 Proposed Budget" is approved, and the implementing order may be amended by motion of the Commission at a later date. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 7-6 (Commissioners Barreiro, Edmonson, Jordan, Rolle, Seijas, Sorenson and Chairman Moss voted "Yes" and Commissioners Sosa, Souto, Gimenez, Heyman, Martinez and Vice Chairman Diaz voted "No").

In response to Commissioner Edmonson's inquiries regarding whether a 5% pay reduction would be implemented if the 5% was not negotiated by a certain date, Budget Director Glazer-Moon noted that language in the foregoing ordinance made implementation of the 5% contingent on action by the Commission at its impasse hearings. She also noted that effect of the amendment read by the County Attorney regarding pay rates was that non-bargaining employees should be treated in the same manner as bargaining employees.

County Manager Burgess responded to Commissioner Gimenez's comment that a \$106 million dollars savings was being proposed based on an assumption of a five percent pay cut across the board, his question as to how the budget would be balanced with regard to the non-bargaining unit employees, and his question as to how employees without a bargaining unit would come up with the same types of recurring cuts as bargaining units. He provided three options regarding balancing the budget and noted that one of these options would unavoidably result in job layoffs. County Manager

Burgess also noted he believed the County should move as fast as possible on negotiating with bargaining units and whatever the result was, the County should extend it to the rest of the workforce.

Commissioner Sosa pointed out that a straw vote at the Committee of the Whole meeting of September 16, 2009 in favor of \$106 million reduction to ratify action regarding the Mayor's proposal on salary reductions did not address whether the pay reduction would be done on a scale, across the board, or through a combination of executive benefits, furloughs, and salary reductions.

The Commission proceeded to vote on the original ordinance's bifurcated portion regarding the County's pay rates as follows:

It was moved by Commissioner Edmonson that the Board delete Section 21 of the foregoing proposed ordinance and substitute it with the following language as read by County Attorney Cuevas as follows: "the pay rates set forth in 2008-09 Pay Plan shall remain in effect until such time the Board decides to take into effect the rates listed in the 2009-10 Pay Plan." This motion was seconded by Chairman Moss, and upon being put to a vote, passed by a vote of 10-3 (Commissioners Martinez, Seijas and Vice Chairman Diaz voted "No").

The amended version of the foregoing ordinance was assigned Ordinance No. 09-87.

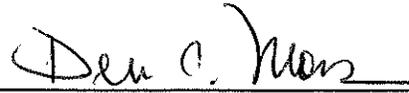
Note: The foregoing ordinance was amended by the Board on September 18, 2009.

In response to County Attorney Cuevas' inquiry as to whether the will of the Commission was to place on the October 6, 2009 Commission agenda three labor impasse items that were on the September 15, 2009 Commission agenda, Chairman Moss noted that as he understood it, the County Administration was to work with the labor groups to agree upon a date and then submit this date to the Commission.

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ADJOURNMENT

Report: *Hearing no further business to come before the Commission, the meeting was adjourned at 5:01 A.M.*



Dennis C. Moss, Chairman

ATTEST: HARVEY RUVIN, CLERK



By:

Diane Collins, Deputy Clerk