



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

Board of County Commissioners

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

Tuesday, December 8, 2009
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Diane Collins, Acting Division Chief
Clerk of the Board Division

Scott Rappleye, Commission Reporter
(305) 375-5108





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

FINAL OFFICIAL

Meeting Minutes

Budget, Planning and Sustainability Committee

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

Tuesday, December 8, 2009

2:00 PM

Commission Chambers

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY

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

1A INVOCATION

Report: *Chairwoman Sorenson called the meeting to order at 2:00 P.M. The Committee convened in a moment of silence followed by the pledge of allegiance.*

1B PLEDGE OF ALLEGIANCE

1C **ROLL CALL**

Report: *The following staff members were present: Special Assistant to the County Manager Jennifer Glazer-Moon; Assistant County Attorneys Jess McCarty, Craig Collier, and Dennis Kerbel; and Deputy Clerks Jovel Shaw and Scott Rappleye.*

CHANGES TO TODAY'S COMMITTEE AGENDA

Assistant County Attorney McCarty indicated that in addition to the December 8, 2009, County Manager's memorandum entitled, "Requested Changes to the Budget, Planning and Sustainability Committee Agenda," the following additional changes had been requested: that Agenda Items 1G1 Supplement, 2E Supplement, and 3J Substitute be added.

It was moved by Commissioner Heyman that the changes listed in the County Manager's memorandum and the additional changes noted by the Assistant County Attorney be accepted. This motion was seconded by Chairwoman Sorenson, and upon being put to a vote, passed by a vote of 4-0 (Commissioners Edmonson and Gimenez were absent).

1D **OPENING REMARKS FROM CHAIR SORENSON****1E** **SPECIAL PRESENTATIONS****1F** **OFFICE OF INTERGOVERNMENTAL AFFAIRS****1G** **PUBLIC HEARINGS**

1G1

092792 Ordinance

Barbara J. Jordan,

Natacha Seijas, Joe A. Martinez

ORDINANCE RELATING TO MUNICIPAL BOUNDARY CHANGE REQUESTS; SUSPENDING THE PROCESSING AND CONSIDERATION OF MUNICIPAL BOUNDARY REQUESTS; CREATING SECTION 20-4.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

The motion that this matter be Forwarded to BCC with a favorable recommendation failed.

Mover: Jordan

Seconder: Martinez

Vote: 3-3

No: Gimenez, Sorenson, Heyman

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairwomen Sorenson opened the public hearing and called for persons wishing to be heard. The following persons appeared before the Committee:

Mr. Bill Bain, Mayor, City of Miami Springs, noted the City of Miami Springs, the City of Virginia Gardens, the Town of Medley, and the City of Doral passed a joint resolution requesting they be exempt from this proposed ordinance and permitted to continue the annexation process in those areas which was initiated several years before this proposed ordinance was presented.

Mr. Jose Herrera, Village Attorney, Village of Virginia Gardens, requested the Committee amend this proposed ordinance to exempt annexation applications that had completed the initial phase(s) of the annexation process.

Mr. Juan Carlos Bermudez, Mayor, City of Doral, requested the Committee amend this proposed ordinance to exempt the application from the City of Miami Springs, the City of Doral, the Village of Virginia Gardens, and the Town of Medley.

Mr. Ramon Rodriguez, Mayor, Town of Medley, requested the Committee defer this proposed ordinance to provide time to analyze the economic impact that the proposed annexation had on the County.

Mr. Melvin Wolfe, Town Attorney, Town of Medley, noted the Town of Medley was prepared to withdraw its annexation request for Section 31. He requested the Committee amend this proposed ordinance to exempt the annexation application from the City of Miami Springs, the City of Doral, the Village of Virginia Gardens, and the Town of

Medley. He spoke in support of the foregoing proposed ordinance, noting the fiscal impact on the County would be positive.

Mr. Don Slesnick, Mayor, City of Coral Gables, requested the Committee amend this proposed ordinance to exclude the incorporation and annexation of enclave areas.

Mr. Sanford Youkilis, Consultant, City of South Miami, spoke in opposition to this proposed ordinance. He explained that citizens should retain the right to choose whether they wanted to incorporate. He noted the City of South Miami urged the Committee to vote against this proposed ordinance.

Chairwoman Sorenson closed the public hearing after no other person appeared wishing to speak.

Commissioner Jordan noted the County should not move forward on any annexations or incorporations until the local economy stabilized. She explained that the County needed to ensure that it had a tax base that would yield sufficient revenues to provide adequate services without raising taxes.

Commissioner Heyman expressed concern that the language in this proposal did not allow any exceptions, and that it did not consider the economic hardships of municipalities.

Commissioner Gimenez expressed concern that this proposal assumed that every annexation was detrimental to the County. He noted the County had an existing process that considered whether an annexation was good for the County.

Responding to Commissioner Martinez's inquiry regarding the authority of the County Commission to approve or disapprove requests for annexations and incorporations, Assistant County Attorney Craig Collier advised that the Commission had the authority to approve requests for annexation or incorporation.

Commissioner Martinez pointed out that no entity had ever advocated annexing or incorporating an area that would be detrimental. He explained that the only reason for incorporating or annexing was to increase the municipalities' tax base.

Concerning the previous request submitted by officials from the City of Miami Springs, the City of Virginia Gardens, the Town of Medley, and the

City of Doral that those areas be exempt from this proposal, Commissioner Martinez noted no one other than public officials and those municipality's attorneys appeared before the Committee in support or in opposition to this proposal during the public hearing process.

Commissioner Gimenez pointed out that the existing annexation and incorporation processes provided ample opportunity for the County Commission to evaluate each annexation or incorporation application on its merits.

Commissioner Edmonson noted she supported amending this proposed ordinance to exempt the applications for annexations for cities or municipalities that had already started the annexation process.

Chairwoman Sorenson suggested the County Commission should consider annexations and incorporations on a case-by-case basis and not use a general rule for all incorporations as presented in this proposed ordinance.

In response to Commissioner Seijas' inquiry regarding the definition of enclave, Assistant County Attorney Collier advised that an enclave was an unincorporated area that was surrounded on more than 80% of its boundary by one or more municipalities and was of a size that could not be serviced efficiently or effectively.

Responding to Commissioner Jordan's question regarding examples of municipal annexations that benefited the County, Special Assistant to the County Manager Jennifer Glazer-Moon noted she could not provide specific examples, however, she was aware that previous municipal annexations had a net impact on the annexed area that was beneficial to the community. She concurred that a general rule for all annexations and incorporations should not be made.

Commissioner Jordan explained that the intent of this proposed ordinance was to protect the rest of unincorporated Miami-Dade County from annexations that could negatively impact the delivery of services.

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

Assistant County Attorney McCarty advised that this proposed ordinance would be tabled pursuant

to Ordinance 09-74 that amended the Board of County Commissioners Rules of Procedure Rule No. 4.01.h.(6).

1G2

092791 Ordinance**Rebeca Sosa**

ORDINANCE RELATING TO MUNICIPAL BOUNDARY CHANGES; PROVIDING THE BOARD OF COUNTY COMMISSIONERS WITH DISCRETION TO DECIDE WHETHER TO REFER A MUNICIPAL BOUNDARY REQUEST TO THE PLANNING ADVISORY BOARD, TO DENY SUCH REQUEST, OR TO DEFER CONSIDERATION OF SUCH REQUEST; AMENDING SECTION 20-5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

The motion that this matter be Forwarded to BCC with a favorable recommendation failed.

Mover: Martinez

Seconder: Jordan

Vote: 3-3

No: Heyman, Edmonson, Gimenez

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed ordinance into the record.*

Chairwoman Sorenson opened the public hearing on the foregoing proposed ordinance. She closed the public hearing after no one appeared wishing to speak.

Commissioner Gimenez questioned whether the County Commission would have the necessary information regarding proposed municipal boundary changes without referring those proposals to the County Planning Advisory Board (PAB).

Assistant County Attorney Craig Coller advised that the municipality requesting the boundary change filed a petition that included the proposed boundaries and a series of questions regarding the requested annexation with the Clerk of the Circuit and County Courts.

Following Assistant County Attorney Coller's responses to Commissioner Heyman's questions regarding the impact of this proposed resolution on the existing process for boundary changes, Chairwoman Sorenson clarified that this proposed resolution would provide the Commission with the flexibility to stop unreasonable requests for boundary changes before the County used its resources with the PAB.

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

2 COUNTY COMMISSION

2A

093139 Resolution Sally A. Heyman

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 26, 2010 "CARNAVAL MIAMI 8K RUN" SPONSORED BY THE KIWANIS OF LITTLE HAVANA FOUNDATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$1,225.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 4 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Edmonson

Vote: 5-0

Absent: Gimenez

2B

093141 Resolution Sally A. Heyman

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE FEBRUARY 26-28, 2010 "3-DAY EVERGLADES BLUEGRASS FESTIVAL" SPONSORED BY THE SOUTH FLORIDA BLUEGRASS ASSOCIATION, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$5,996.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 4 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Edmonson

Vote: 5-0

Absent: Gimenez

2C

093136 Resolution Rebeca Sosa

RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE APRIL 16-18, 2010 "SPRINGS RIVER FESTIVAL" EVENT SPONSORED BY SPRINGS RIVER FESTIVAL, INC., A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$3,185.00 TO BE FUNDED FROM THE UNSPENT BALANCE OF THE DISTRICT 6 FY 2008-09 IN-KIND RESERVE FUND

Forwarded to BCC with a favorable recommendation

Mover: Martinez

Seconder: Edmonson

Vote: 5-0

Absent: Gimenez

2D

093073 Resolution**Barbara J. Jordan,****Audrey M. Edmonson**

RESOLUTION DIRECTING MAYOR OR HIS DESIGNEE THROUGH THE DEPARTMENT OF PLANNING AND ZONING TO PREPARE STUDY ANALYZING APPROPRIATE PARCELS FOR TRACTOR-TRAILER PARKING

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Heyman

Vote: 5-0

Absent: Gimenez

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

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

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

2E

093146 Resolution**Dennis C. Moss**

RESOLUTION AUTHORIZING CAPITAL TRUST AGENCY TO OPERATE WITHIN JURISDICTIONAL BOUNDARIES OF MIAMI-DADE COUNTY FOR CERTAIN LIMITED PURPOSES; APPROVING EXECUTION AND DELIVERY OF INTERLOCAL AGREEMENT WITH CAPITAL TRUST AGENCY REGARDING ITS ISSUANCE OF BONDS ON BEHALF OF MIAMI COMMUNITY CHARTER SCHOOL, INC.; APPROVING ISSUANCE SUCH REVENUE BONDS IN AMOUNT NOT TO EXCEED \$11,000,000 AS REQUIRED BY SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING FOR OTHER RELATED MATTERS

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

Mover: Heyman

Seconder: Jordan

Vote: 5-0

Absent: Gimenez

Report: *Chairwoman Sorenson asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing proposed resolution to be heard at the December 15, 2009 County Commission meeting.*

2E SUPPLEMENT

093263 Supplement

SUPPLEMENTAL INFORMATION TO RESOLUTION
AUTHORIZING CAPITAL TRUST AGENCY REGARDING
ITS ISSUANCE OF BONDS ON BEHALF OF MIAMI
COMMUNITY CHARTER SCHOOL, INC.

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

Mover: Heyman

Seconder: Jordan

Vote: 5-0

Absent: Gimenez

Report: *Chairwoman Sorenson asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing proposed resolution to be heard at the December 15, 2009 County Commission meeting.*

2F

093071 Resolution**Katy Sorenson**

RESOLUTION DIRECTING THE MAYOR OR HIS DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) TO RESCIND ORDINANCE NO. 08-44, APPROVING APPLICATION 5 IN THE APRIL 2007-08 CDMP AMENDMENT CYCLE (THE "LOWE'S APPLICATION"); UPON APPROVAL OF SUCH COMPLIANCE AMENDMENT BY THIS BOARD, DIRECTING THE MAYOR OR HIS DESIGNEE TO PROVIDE A REPORT TO THE STATE OF FLORIDA ADMINISTRATION COMMISSION AND DIRECTING THE COUNTY ATTORNEY TO WITHDRAW THE PENDING APPEAL OF THE STATE OF FLORIDA ADMINISTRATION COMMISSION ORDER DETERMINING THAT ORDINANCE NO. 08-44 IS "NOT IN COMPLIANCE" WITH APPLICABLE GROWTH MANAGEMENT LAWS

The motion that this matter be Forwarded to BCC with a favorable recommendation failed.

Mover: Sorenson

Seconder: Gimenez

Vote: 1-5

No: Gimenez, Jordan, Edmonson, Martinez, Heyman

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Chairwoman Sorenson relinquished the Chair to Commissioner Jordan.

Commissioner Gimenez questioned whether the County Attorney had filed the appeal of the State of Florida Administration Commission (SFAC) order determining that Ordinance No. 08-44 was "not in compliance" with applicable growth management laws for any reason in addition to the County Commission approving said ordinance.

Assistant County Attorney Dennis Kerbel advised that the County Attorney filed this appeal pursuant to the Board adopting Ordinance No. 08-44 and that the Board had not rescinded that ordinance. He further advised that the SFAC order had legal defects that merited an appeal by the County.

In response to Commissioner Gimenez's inquiry regarding the nature of the defects in the SFAC order, Assistant County Attorney Kerbel advised that the defects could establish precedent in the way the County's comprehensive development master plan (CDMP) was interpreted.

Responding to Commissioner Gimenez's question regarding the consequences of the County Commission adopting this proposed resolution, Assistant County Attorney Kerbel advised that the County would agree to abide by the opinion of the

SFAC and the precedent value in the SFAC order could be used in the future. He clarified that the SFAC order made findings about certain general policies in the County's CDMP regarding when and how the County Commission could move the Urban Development Boundary (UDB) line, and that this language could be used to determine when the County could change between different land uses within the UDB line.

Commissioner Gimenez asked the County Attorney to meet with him to advise him regarding the consequences of the County Commission adopting this proposed resolution.

Commissioner Heyman questioned whether the Commission should adopt a resolution or an ordinance to rescind Ordinance No. 08-44.

Assistant County Attorney Kerbel advised the Commission would need to adopt an item separate from this proposed resolution to rescind Ordinance No. 08-44.

Commissioner Edmonson noted that the County Commission made the same decision on this issue three separate times; and that she did not want to overrule the County Commission's decision and she wanted to avoid establishing precedence on future applications to move the UDB line.

Responding to Commissioner Edmonson's inquiry regarding the State of Florida levying fees on the County for continuing to appeal this SFAC order, Assistant County Attorney Kerbel advised the County was not subject to any fees or penalties during the appeals process. He explained that the State could sanction the County if the County did not prevail in the appeal, but it refused to rescind Ordinance No. 08-44.

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

2G

093210 Resolution

Natacha Seijas

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-24, RESPONSIBLE WAGES AND BENEFITS FOR COUNTY CONSTRUCTION CONTRACTS, AND APPROVING IMPLEMENTING ORDER 3-24 TO CLARIFY TERMS REQUIRING THE USE OF THE HIGHER WAGE RATES BETWEEN DAVIS-BACON AND THE COUNTY'S PREVAILING WAGE RATE STRUCTURE UNLESS PROHIBITED BY STATE OR FEDERAL LAW OR DISALLOWED BY A GOVERNMENTAL FUNDING SOURCE

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Jordan

Vote: 5-0

Absent: Gimenez

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Seijas explained that this proposed resolution would change one sentence in Implementing Order 3-24 to clarify the minimum pay rate that contractors who were awarded County construction contracts were required to pay their subcontractors.

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

2H

093215 Resolution Sen. Javier D. Souto

RESOLUTION REQUESTING THAT THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION COMPLETE THE PROPOSED LANDSCAPE ENHANCEMENTS WITH ADDITIONAL TREES AND SHRUBS ALONG BIRD ROAD BETWEEN SW 79TH AVENUE AND SW 99TH AVENUE IN FY 2009 -2010, AND IDENTIFY FUNDS IN THE STATE BUDGET FOR THE CONSTRUCTION OF AN ELEVATED PEDESTRIAN BRIDGE LINKING TROPICAL PARK WITH THE SHOPPING AND BUSINESS CENTER TO THE NORTH OF BIRD ROAD AS PART OF THIS PROJECT, AND DIRECTING THE MAYOR OR HIS DESIGNEE TO PERFORM AN INVENTORY OF ALL IMPACTED PLANTS AND GROUND COVER

The motion that this matter be Forwarded to BCC with a favorable recommendation failed.

Mover: Gimenez

Seconder: Sorenson

Vote: 2-2

No: Jordan, Heyman

Absent: Edmonson, Martinez

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

It was moved by Commissioner Martinez that this proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Jordan.

Commissioner Heyman expressed concern that this proposed resolution requested the Florida Department of Transportation (FDOT) to identify funds for a pedestrian bridge that FDOT had already refused to support.

Commissioner Jordan withdrew her second to Commissioner Martinez's motion.

Commissioner Martinez's motion was seconded by Commissioner Gimenez for discussion.

Commissioner Heyman pointed out that FDOT had committed to do the landscape enhancements in this proposal.

Commissioner Martinez withdrew his motion.

It was moved by Commissioner Gimenez that this proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Heyman.

Ms. Alice Bravo, District Six Director of Transportation Development, FDOT, noted that FDOT intended to plant trees in a new median on

Bird Road; that the number of pedestrians in the area was not enough to warrant the pedestrian bridge; and that the new median would cut the distance to safely cross Bird Road in half since it would have a pedestrian refuge.

Commissioner Heyman withdrew her second to Commissioner Gimenez's motion.

Chairwoman Sorenson seconded Commissioner Gimenez's motion. She pointed out that this proposed resolution was a request to FDOT that only required a response from FDOT.

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

3 DEPARTMENTS

3A

093031 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 4.86 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND BRYAN SCOTT THROCKMORTON AND RUSSELL C. WILLIAMS AS SELLERS FOR A PURCHASE PRICE OF \$38,800; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Gimenez

Vote: 6-0

3B

093040 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 10.00 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE, AND RICHARD S. LUCK, TRUSTEE AS SELLER FOR A PURCHASE PRICE OF \$52,500; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Gimenez

Vote: 6-0

3C

093041 Resolution

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.77 ACRES OF SOUTH DADE WETLANDS PROJECT WITHIN THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM ACQUISITION SITE WITH THE NATURE CONSERVANCY AS ASSIGNOR, MIAMI-DADE COUNTY AS ASSIGNEE AND GEORGINA GARCIA AS SELLER FOR A PURCHASE PRICE OF \$90,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Gimenez

Vote: 6-0

3D

092982 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF \$550,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT ENVIRONMENTAL ENHANCEMENT AT THE R. HARDY MATHESON PRESERVE THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Heyman

Vote: 6-0

3E

093021 Resolution

RESOLUTION RELEASING A DRAINAGE EASEMENT IN MIAMI-DADE COUNTY IN SECTION 2, TOWNSHIP 55 SOUTH, RANGE 39 EAST (Department of Environmental Resources Management)

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

3F

093032 Resolution

RESOLUTION APPROVING THE SUBMITTAL OF A BEACH EROSION CONTROL FUNDING REQUEST FOR FY 2010-11 AND LONG RANGE BUDGET PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND AUTHORIZING THE REQUEST OF GRANT FUNDS FOR BEACH EROSION CONTROL ACTIVITIES (Department of Environmental Resources Management)

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

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Martinez asked that the County Attorney provide him with a report regarding the status of the United States Supreme Court case regarding beach erosion and the potential impacts of that case on the County.

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

3G

093039 Resolution

RESOLUTION RELEASING CANAL RESERVATIONS IN MIAMI-DADE COUNTY IN SECTIONS 21 & 28, TOWNSHIP 52 SOUTH, RANGE 39 EAST

(Department of Environmental Resources Management)

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

3H

093063 Resolution

RESOLUTION AUTHORIZING THE DISBURSEMENT OF FUNDS FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND FOR BAYNANZA 2010 AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT TO PROVIDE FUNDING TO MIAMI-DADE COUNTY FOR THIS EVENT (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Heyman

Vote: 6-0

3I

093171 Resolution

RESOLUTION TO RE-APPOINT TWO BOARD MEMBERS TO THE AGRICULTURAL PRACTICES ADVISORY BOARD (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation

Mover: Heyman

Seconder: Edmonson

Vote: 6-0

3J

093145 Resolution

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

Withdrawn

Report: *See Report Under Agenda Item 3J SUBSTITUTE, Legislative File No. 093254.*

3J SUBSTITUTE

093254 Resolution

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACTS, REJECTION OF BIDS, AND CONTRACT MODIFICATIONS, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR PURCHASE OF GOODS AND SERVICES, AND AUTHORIZES THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 093145] (Procurement Management Department)

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Edmonson

Vote: 5-1

No: Martinez

Report: *Assistant County Attorney Jess McCarty read the foregoing proposed resolution into the record.*

Commissioner Gimenez expressed concern that the contract amount in Item 1.2: PC Parts, Peripherals, and Maintenance Services (Pre-qualification) equaled \$116,000 per month and that the previous contract amount equaled \$91,000 per month.

Ms. Miriam Singer, Director, Department of Procurement Management, explained that the 5-year trend history for the previous contract was \$1.378 million per year and that this proposed resolution recommended a new contract that estimated \$1.4 million per year.

Commissioner Gimenez expressed concern that the County was spending more on information technology although the number of employees had decreased.

Mr. Angel Petisco, Interim Director, Enterprise Technology Services Department, pointed out the recommended contract now included allocations for Miami-Dade Aviation Department, Miami-Dade Police Department, and Miami-Dade Fire Rescue.

Commissioner Gimenez asked the Enterprise Technology System Department Director to meet with him to explain how the recommended contract for Item 1.2: PC Parts, Peripherals and Maintenance Services (Pre-qualification) would reflect a downward trend in the County using these services.

In response to Commissioner Heyman's inquiry regarding Item 2.1: Cremation services for Miami-Dade County to reject all bids, Dr. Bruce Hyma,

Medical Examiner, explained that the County could reduce the cost for this service.

Commissioner Heyman asked the Department of Procurement Management to explain in future recommendations to reject all bids when those recommendations were for cost containment.

Commissioner Heyman questioned why the County Commission should approve increasing the contract amount in Item 3.2: Law Enforcement Equipment and Supplies by \$860,000 rather than accessing Schedule 84 for the federal government for these equipment and supplies.

Ms. Singer explained that Schedule 84 required a four to six month lead time for orders, and that the recommended contract in Item 3.2 was the County's best option to obtain supplies when needed.

Commissioner Heyman asked the Procurement Management Department Director to provide her with a report regarding the feasibility of the County saving money for the services in Item 3.4: Landscaping and Lawn Maintenance Services by using minimum security inmates.

Commissioner Martinez noted the County had invited bids on Item 2.1 twice with only one vendor bidding. He questioned how the County would reduce the costs as previously indicated.

Dr. Hyma explained that the Medical Examiners Department would change the specifications for this contract by adding work to existing staff that was available 24 hours a day/7 days a week, and by requiring the vendor to pick up remains during normal business hours. He clarified that the previous invitations to bid had required that the vendor be available 24 hours a day/7 days a week.

Commissioner Martinez noted he opposed the lengthiness of the proposed options to renew in this proposed resolution.

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

3K

093147 Resolution

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

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Heyman

Vote: 6-0

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

7 REPORTS

7A

093149 Report

REPORT REGARDING MIAMI-DADE COUNTY'S "BUY GREEN" PURCHASING GUIDE (County Manager)

Report Received

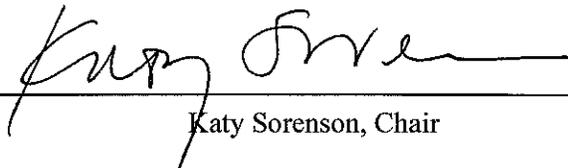
Mover: Heyman

Seconder: Martinez

Vote: 6-0

8 ADJOURNMENT

Report: *There being no other business to come before the Committee, the meeting adjourned at 4:08 P.M.*



Katy Sorenson, Chair