



**Government Operations Committee**  
**March 9, 2010**

Prepared by: Jovel Shaw

**EXHIBITS LIST**

NO.	DATE	ITEM #	DESCRIPTION
1	03/09/10		County Manager's memorandum dated March 9, 2010, entitled, "Requested Changes to the Government Operations Committee Agenda"
2	03/09/10		Cmr. Gimenez' memorandum dated March 8, 2010, entitled, "GO Committee March 9, 2010 Change of time to 10:00 a.m."
3	03/09/10		Cmr. Edmonson's memorandum dated March 4, 2010, entitled, "Absence from Government Operations Meeting"
4	03/09/10		Commission Auditor Charles Anderson's memorandum dated November 19, 2009, entitled, " Summary Minutes from Taxicab Meeting"
5	03/09/10	1F1 Sub.	Proposed ordinance requiring business telephone directories to list on the front cover information on how to opt out of receiving such directories
6	03/09/10	2E	Proposed resolution setting policy for Miami-Dade County requiring that all County retirees who seek re-employment with the county shall be subject to the County's regular hiring process and if hired shall start at the applicable entry level salary
7	03/09/10	2G	Proposed resolution amending resolution No. R-1164-04 relating to water and sewer billing
8	03/09/10	7A Suppl.	County Manager memorandum dated March 9, 2010, entitled, "Departmental Budget Information"
9	03/09/10	7B	A document entitled, "Commissioners and the CSD" from Mr. John Valdes
10	03/09/10	7B	3 Speaker's Cards

# Memorandum



**Date:** March 9, 2010

**To:** Honorable Chairperson and Members  
Government Operations Committee

**From:** George M. Burgess  
County Manager 

**Subject:** Requested Changes to the  
Government Operations Committee Agenda

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## Additions

1F1 SUB.

Katy Sorenson,  
Carlos A. Gimenez

**100609** ORDINANCE REQUIRING BUSINESS TELEPHONE DIRECTORIES TO LIST ON THE FRONT COVER INFORMATION ON HOW TO OPT OUT OF RECEIVING SUCH DIRECTORIES; CREATING SECTION 21-50 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY TO INCLUDE PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 100032]

3F

**100604** RESOLUTION APPROVING CONTRACT WITH THE CITY OF HOMESTEAD PROVIDING FOR THE RENDITION OF WHOLESALE WATER SERVICE BY MIAMI-DADE COUNTY TO THE CITY OF HOMESTEAD; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

7A SUPP.

**100598** DEPARTMENTAL BUDGET INFORMATION

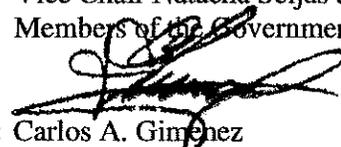


**MEMORANDUM**  
**BOARD OF COUNTY COMMISSIONERS**  
**COMMISSIONER CARLOS A. GIMENEZ**  
**DISTRICT 7**  
**Memorandum**

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**TO:** Vice Chair Natacha Seijas and  
Members of the Government Operations Committee

**DATE:** March 8, 2010

**FROM:**   
Carlos A. Gimenez  
Commissioner

**SUBJECT:** GO Committee March 9, 2010  
Change of time to 10:00 a.m.

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The Government Operations Committee meeting scheduled on Tuesday, March 9, 2010 will start at 10:00 a.m. Some members will be going to the Washington, D.C. Fly-In, however, we have four committee members confirmed, but one member can't attend until 10:00 a.m.

c: Government Operations Committee:  
Commissioner Jose "Pepe" Diaz  
Commissioner Audrey Edmonson  
Commissioner Joe Martinez  
Commissioner Rebeca Sosa

Diane Collins, Clerk of the Board  
Fara Diaz, Clerk of the Board



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

**Date:** March 4, 2010  
**To:** The Honorable Carlos A. Gimenez, Chairman and  
Members of the Government Operations Committee  
**From:** Audrey M. Edmonson  
Commissioner, District 3  
**Subject:** Absence from Government Operations Meeting

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Please be advised that I will be absent from the Government Operations Meeting on March 9<sup>th</sup>, 2010 due to the Annual Miami-Dade County Washington, DC Fly-In. I apologize for any inconvenience this may cause.

Thank you for your attention to this matter.

cc: George Burgess, County Manager  
R.A. Cuevas, Jr., County Attorney  
Diane Collins, Acting Clerk of the Board

Copy



GO  
Supplement to  
Agenda Item No.  
1(D)1  
December 8, 2009

**BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**

**MEMORANDUM**

**TO:** The Honorable Carlos A. Gimenez, Chairman  
and Members, Government Operations Committee

**FROM:** Charles Anderson  
Commission Auditor *Charles Anderson*

**DATE:** November 19, 2009

**SUBJECT:** Summary Minutes from Taxicab Meeting

At the September 8, 2009, Government Operations Committee meeting, Commissioner Martinez asked the County Attorney's Office and Commission Auditor's Office to meet with Taxicab Representatives to discuss their concerns. The meeting was held on Wednesday, October 21, 2009. Attached please find the summary minutes listing the attendees and the topics discussed at the meeting.

If you need additional information, please feel free to contact me.

- c: George M. Burgess, County Manager
- R. A. Cuevas, Jr., County Attorney
- Gerald Sanchez, Assistant County Attorney
- Cathy Peel, Director, Consumer Services Department
- Diane Collins, Acting Division Chief, Clerk of the Board Division

2009  
1888

**RECEIVED**  
By the Clerk for the record.  
DEC 08, 2009  
*1(D)1 Supplement*  
Meeting \_\_\_\_\_

**Board of County Commissioners (BCC)  
Office of the Commission Auditor**

**TAXICAB MEETING**

**Wednesday, October 21, 2009**

**County Attorney's Office, Stephen P. Clark Center  
111 NW First Street, 28<sup>th</sup> Floor Conference Room**

**Attendees:**

Gerald Sanchez	County Attorney's Office	305.375.5151
Charles Anderson	Office of the Commission Auditor	305.375.4354
Guillermo Cuadra	Office of the Commission Auditor	305.375.5469
Zaba Castro	Commissioner Martinez' Office	305.552.1155
Cathy Peel	Consumer Services Department	305.375.5952
Joe Mora	Consumer Services Department	305.375.2442
David Iglesias	Consumer Services Department	305.375.4577
Jerry Moskowitz	Coral Cab	305.633.2227
Dawood Akhtar	Owner/Driver, Miami Yellow Cab	786.229.7861
Diego Feliciano	So. FL. Taxi Association (SFTA)	305.710.4142
Susan Fried	So. FL. Taxi Association (SFTA)	305.778.2210
Juan A. Ruiz	Owner/Driver, Miami Yellow Cab	305.431.6298
Andy Khatri	Driver, Yellow Cab	305.444.8888
Niaz Mohammad	Driver, Yellow Cab	305.979.5379
Babar Khan	Owner/Driver, Miami Yellow Cab	305.302.7007
Valtes-Mompremier	Owner/Driver, Crown Taxi	305.917.3164
Les Eisenberg	Yellow Cab	305.444.4444

**TOPICS DISCUSSED**

**Lottery for Issuance of For-hire Licenses**

1. A number of the participants stated that more medallions should be issued.
2. Although no consensus was reached regarding the number of additional for-hire licenses that should be issued, to the extent that additional licenses are issued, a significant number of the participants agreed that senior drivers should be given priority in future lotteries.
3. One participant suggested that fifty (50) additional for-hire licenses should be issued through a lottery.
4. In response, a number of participants noted that approximately 2,100 for-hire licenses have already been issued and that the market is saturated.

### Operating Costs including Lease Prices Paid by Drivers

1. Drivers stated that operating costs including, but not limited to, the lease price and county-imposed fees paid by drivers are too high.
2. The statement was made that inspection fees charged by the County are passed through to drivers and incorporated into the lease price.
3. The County Attorney's Office advised the participants that the County does not have authority to control lease prices.
4. One participant stated that lease prices have gone up by 25% since 1972.
5. Another participant suggested that lease prices would be reduced if a substantial number of new for-hire licenses were issued.
6. Others disputed this conclusion stating that there are already too many taxicabs.

### Insurance Coverage

1. Various drivers stated that Personal Injury Protection (PIP) coverage and life insurance should be made available to the drivers.
2. Although third-party coverage is mandated by State law, taxicabs are exempt from PIP coverage.
3. County Code does not require the driver to be covered by PIP or life insurance.
4. Consumer Services Department (CSD) referenced a prior report that reviewed the availability of low cost Accidental Death & Dismemberment (ADD) coverage that provides a death benefit and other coverage that is similar to PIP.
5. One participant stated that PIP coverage on a driver's personal vehicle can also be used to cover injuries sustained while driving a taxicab.
6. To the extent that life insurance and/or PIP coverage is either voluntarily provided by for-hire license holders or mandated by law, it was stated by some participants that the costs associated with such coverage would be passed along to the driver and included in the lease price.

### Taxicab Advisory Group (TAG) Committee

1. A driver expressed the view that chauffeurs are not adequately represented on the TAG Committee which was created by the Consumer Services Department.
2. The view was expressed that additional chauffeur representation should be considered.

### Underserved Taxicab Service Areas

1. Concern was expressed by various drivers regarding the lack of business in the two underserved taxicab areas provided for in the Code: the Underserved Taxicab Area and the South Dade Taxicab Area.
2. Various participants shared the rationale for the underserved areas including the desire to ensure that taxicab service would be available throughout Miami-Dade County including, among other areas, Liberty City, Overtown and South Dade.

3. Certain participants stated that there should be no restricted areas or that the number of vehicles serving these areas should be reduced given economic conditions.
4. At least one participant stated that taxicab work in these areas is not well coordinated due to inadequate radio service.



**JOE A. MARTINEZ**  
**MIAMI DADE COUNTY COMMISSIONER**  
**DISTRICT 11**

To: Honorable Chairman Carlos Gimenez and  
Members of the Government Operations Committee

From: Commissioner Joe A. Martinez 

Date: July 17, 2009

Re: Taxicabs

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Recently, I met with various taxicab drivers to discuss concerns they had over their industry and the direction in which it is headed. The conversation centered around the issuance of medallions, insurance coverage and rates and the division between the North and South routes.

The issuance of the medallions continues to be a difficult process. Medallions are awarded via lottery without taking into account the years some drivers have put into their careers. A person can be driving for 25 plus years and someone with only one year on the job can win the medallion lottery. In other words, seniority is meaningless when it should actually count for something. While this system may be set up to ensure that there is not a monopoly on the medallions' use, I believe there may be an alternative method.

To illustrate, if 40 medallions are issued per year, we can issue 15 to drivers with over 25 years of driving experience based on seniority. If the driver chooses not to purchase a medallion, then it would move down the list to the next person. The next 15 medallions would follow the same process, but they would be reserved for drivers with more than 20 years experience, but less than 25. The final ten medallions would be issued via lottery for all remaining drivers with less than 20 years experience. In order to ensure the years of experience, the Consumer Services Department would be required to maintain a list with the date of license and/or issuance of permit, which should be on record regardless.

This is just one possibility, but by using this process, time in service would be recognized and also allow those that would like to retire someday the opportunity to bequeath the medallion to their relatives or heirs. The numbers can fluctuate and the industry as a whole should have input as these are the views of a few senior drivers and may not reflect the common wants and needs. At the very least, it is a starting point to begin a formal review of the process in its entirety.

We are all dealing with astronomical insurance rates and taxicab drivers are not immune. Although I am not sure what our authority might be in this area, I have been advised that rates for the drivers increased to \$425.00 per month, yet the drivers themselves are still not covered. It is understandable that insurance is required, but certainly it would be a better system if the drivers were also covered under the policy--assuming that we are able to make changes on this issue.

**Memo to Chairman Gimenez and  
Members of the Government Operations  
Committee  
July 14, 2009  
Page 2 of 2**

Finally, my understanding is that the County is divided into two sections, North and South. Apparently, this division also prohibits a driver from picking up passengers not in their assigned territory even if they are in the area dropping off another passenger. This is a wasteful practice as it is neither economical, nor is it beneficial to the environment. Surely, there is a better way to do things.

These are just some of the concerns from members of the taxicab industry that became my concerns once they were brought to my attention. Therefore, I believe it would be prudent and respectfully request a discussion item on a future Government Operations committee to review these issues dealing with the taxicab industry.

cc: Carlos Alvarez, County Mayor  
George Burgess, County Manager  
R. A. Cuevas, Jr., County Attorney  
Cathy Grimes Peel, Consumer Services Department

MEMORANDUM

GO  
Substitute to  
Agenda Item No. 1(F)1

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** March 9, 2010

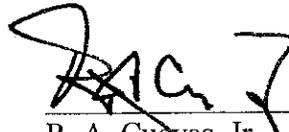
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Ordinance requiring business  
telephone directories to list  
on the front cover information  
on how to opt out of receiving  
such directories

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**This substitute differs from the original item in that it removes the requirement that business telephone directories be collected by the publisher or delivery agent within 15 days of delivery.**

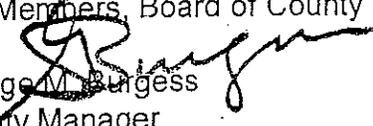
The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson and Co-Sponsor Commissioner Carlos A. Gimenez.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up

# Memorandum

MIAMI-DADE  
COUNTY

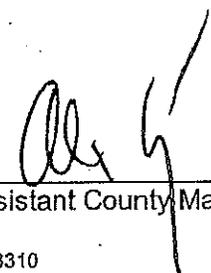
**Date:** Honorable Chairman Dennis C. Moss  
**To:** and Members, Board of County Commissioners  
**From:**   
George M. Burgess  
County Manager  
**Subject:** Ordinance requiring business telephone directories to list information on how to opt out of receiving directories; creating Section 21-50 of the Code and amending Chapter 8CC

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The proposed legislation requiring business telephone directories to list on the front cover information on how to opt out of receiving such directories may have a fiscal impact to Miami-Dade County.

At this time it is difficult to assess how many complaints will be received and must be investigated, and what type of resources would be needed to address the enforcement. Given current revenue constraints, it will not be possible to investigate violations resulting from this ordinance beyond that which can be absorbed by existing staff.

The proposed legislation provides penalties associated with violating any provision of the legislation punishable by a \$250 fine for the first offense and a \$500 fine for the second offense. The possible fine based revenue generation resulting from the proposed legislation is dependent upon the application of the enforcement section. If, for example, a fine is levied only once per violation upon each of the few major companies that distribute the business telephone directories, then the revenue generation is minimal. Alternatively, if a fine is levied for each offense the fine based revenue generation would be considerably greater.

  
Assistant County Manager

fis03310



MEMORANDUM  
(Revised)

TO: Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

DATE: April 6, 2010

FROM: R. A. Cuevas, Jr.  
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

"3-Day Rule" for committees applicable if raised

6 weeks required between first reading and public hearing

4 weeks notification to municipal officials required prior to public hearing

Decreases revenues or increases expenditures without balancing budget

Budget required

Statement of fiscal impact required

Ordinance creating a new board requires detailed County Manager's report for public hearing

No committee review

Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve

Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.  
4-6-10

ORDINANCE NO. \_\_\_\_\_

ORDINANCE REQUIRING BUSINESS TELEPHONE DIRECTORIES TO LIST ON THE FRONT COVER INFORMATION ON HOW TO OPT OUT OF RECEIVING SUCH DIRECTORIES; CREATING SECTION 21-50 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING CHAPTER 8CC OF THE CODE OF MIAMI-DADE COUNTY TO INCLUDE PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, over 500 million telephone directories are printed every year, equating to nearly two books for every person in the U.S., according to the organization Yellow Pages Go Green; and

**WHEREAS**, Yellow Pages Go Green also indicates that to produce the 500 million directories that are produced each year, 19 million trees are harvested, 1.6 billion pounds of paper are used, 268,000 cubic yards of landfill are taken up, 3.2 billion kilowatt hours of electricity are used, and 7.2 million barrels of oil are used in the publishing process along with countless additional barrels of oil to deliver directories; and

**WHEREAS**, many Miami-Dade County residents currently receive multiple telephone directories each year even though many residents keep at most one directory and a growing number of residents keep no directories at all; and

**WHEREAS**, in recent years, the way people acquire telephone numbers, addresses and similar information has changed substantially as people increasingly are turning to the internet, text messaging or calling 411 for such information, rather than using traditional telephone directories; and

**WHEREAS**, many telephone directories that are distributed go unclaimed and unused, and are frequently thrown away immediately, entering the solid waste stream; and

**WHEREAS**, a common sight in the common areas of apartment buildings, office buildings and condominium complexes in Miami-Dade County is stacks of unclaimed and unused telephone directories that sit wrapped in plastic for weeks and months after delivery; and

**WHEREAS**, telephone directories also are left at abandoned and foreclosed properties, and Miami-Dade County has one of the highest rates of abandoned and foreclosed properties in the U.S.; and

**WHEREAS**, telephone directories are also left at homes where residents are seasonal or on vacation, signaling to potential criminals that homes are unoccupied and Miami-Dade County has a large population of seasonal residents; and

**WHEREAS**, vacationing or seasonal residents currently can stop delivery of newspapers and U.S. Mail, but cannot stop delivery of telephone directories as easily; and

**WHEREAS**, publication of large numbers of telephone directories results in unnecessary use of resources, burdens on the solid waste management system, litter, poor aesthetics and potential signals to criminals that homes are unoccupied; and

**WHEREAS**, a firm that publishes telephone directories for distribution in Miami-Dade County itself has sought to waive requirements that they publish and deliver such directories; and

**WHEREAS**, in February, 2009, BellSouth Telecommunications, Inc. d/b/a AT&T Florida (BellSouth) petitioned the Florida Public Service Commission (PSC) for a waiver from Rule 25.4.040(2), Florida Administrative Code, which requires telephone companies to furnish

each subscriber an alphabetical directory of local residential and businesses listings, commonly known as white pages; and

**WHEREAS**, by order dated July 8, 2009, the PSC granted BellSouth a two-year waiver of the requirement that BellSouth provide printed alphabetical directories of business and residential listings to all subscribers; and

**WHEREAS**, under the waiver, subscribers can access alphabetical residential and businesses listings via the internet or request printed copies or CD-ROMs of the alphabetical directories; and

**WHEREAS**, the PSC does not regulate business telephone directories organized by type and containing advertisements; and

**WHEREAS**, in March, 2008, the City of Albany, New York, passed an ordinance that required telephone directories to include a telephone number and address for residents who wanted to opt-out of receiving directories for a period of five years; and

**WHEREAS**, in June, 2009, the Town of Cutler Bay proposed an ordinance that would allow Town residents to opt out of receiving business telephone directories; and

**WHEREAS**, the Town of Cutler Bay did not pass the ordinance when AT&T agreed to send post cards to all Town residents notifying them of a telephone number they could call so as not to receive AT&T directories; and

**WHEREAS**, publishers of business telephone directories in Miami-Dade County currently provide residents the ability to opt out of receiving business telephone directories, but there is no reference in the current directories to the ability to opt out or information about how

to opt out, such as a telephone number to call, a mailing address to which to write, an email address to use or a website to visit; and

**WHEREAS**, this Board is concerned about the environmental, public safety and aesthetic consequences of the delivery of unclaimed and unused business telephone directories in Miami-Dade County; and

**WHEREAS**, this Board believes it is in the best interest of Miami-Dade County to reduce paper waste and address the other issues set forth above by reducing the presence of unclaimed and unused business telephone directories; and

**WHEREAS**, this Board desires to require those persons who publish and deliver business telephone directories to expressly advise residents on the cover of the directory of the existing ability to opt out of receiving such directories~~[[and, after the passage of a certain amount of time, to pick up unclaimed and unused directories and recycle them]]~~,<sup>1</sup>

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

**Section 1.** Section 21-50 of the Code of Miami-Dade County, Florida is hereby created as follows:

**Sec. 21-50. Business telephone directories.**

(A) Definitions. The following words and phrases, when used in this ordinance, shall have the following meanings:

- (1) "Business telephone directory" or "Directory" means a non-residential publication containing more than 300 pages that lists names, addresses, and

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<sup>1</sup> The differences between the substitute and the original item are indicated as follows: words double stricken through and/or [[double bracketed]] shall be deleted, words double underlined and/or »double arrowed« constitute the amendment proposed.

telephone numbers by type and contains advertisements promoting those businesses or the products they sell;

- (2) "Deliver" means to physically bring to a resident by personal delivery or leave at a common location, such as a lobby, for retrieval by the resident, whether by contractor, subcontractor or other method not specifically excluded, but does not include delivery by the United States Postal Service, a commercial courier, or a commercial package delivery service that allows a customer to track the status of a shipment by destination, date, and time of delivery;
- (3) "Person" means any individual, corporation, partnership or other legal entity, or any agent or employee thereof.
- (4) "Resident" means a person that has a mailing address in Miami-Dade County that is not a post office box.

(B) Option to Stop Delivery of Business Telephone Directories.

- (1) Beginning October 1, 2010, a person engaged in the business of publishing business telephone directories to residents shall prominently and conspicuously print in bold-faced type all of the following information on the front cover of the directory:
  - (a) A statement that reads "IF YOU NO LONGER WISH TO RECEIVE THIS DIRECTORY, PLEASE CALL THE FOLLOWING TELEPHONE NUMBER, WRITE TO THE FOLLOWING MAILING ADDRESS, SEND AN E-MAIL TO THE FOLLOWING E-MAIL ADDRESS OR VISIT THE FOLLOWING WEBSITE:"; >>and<<
  - (b) A telephone number, a mailing address, an e-mail address and an internet website address that a resident may use to provide

verbal, written or electronic notice that the resident no longer wishes to receive the business telephone directory~~[[, and]]~~

~~[[ (e) The date on which the directory was delivered and the person responsible for delivering the directory]].~~

(2) A person engaged in the business of publishing business telephone directories in Miami-Dade County shall include on its internet website information that is prominently and conspicuously placed on how a resident can stop delivery of the directories along with a telephone number, mailing address and e-mail address ~~[[and]]~~.

(3) A person engaged in the business of publishing or delivering business telephone directories shall not distribute a business telephone directory to a resident who provides notification that the resident no longer wishes to receive the business telephone directory for a period of five (5) years, unless such resident affirmatively contacts the person to request delivery of a directory.

~~[[ (C) Collection of unwanted or unclaimed business telephone directories. Beginning October 1, 2010, a person engaged in the business of delivering business telephone directories to residents shall return to the location where such directories were delivered between 10 and 15 days after the date of delivery and pick up and recycle all business telephone directories that are unclaimed and remain at or near the place where such directories were delivered.]]~~

(D) Applicability and Enforcement. The provisions of this section shall be applicable in the incorporated and unincorporated areas of Miami-Dade County, and shall be enforced by the County in the unincorporated areas and by the respective municipalities in the incorporated areas.

(E) Penalties. Any person violating any provision of this section shall be punished by a fine not to exceed two hundred fifty dollars (\$250.00) per directory for the first offense and five hundred dollars (\$500.00) per directory for the second offense. Each local business telephone directory

delivered to a resident ~~[[or not picked up and recycled]]~~ in violation of this section shall constitute a separate violation. Any violation of the provisions of this section shall also be enforceable in accordance with the provisions of Chapter 8CC.

**Section 2.** Section 8CC-10 of the Code of Miami-Dade County is hereby amended to read as follows:

Sec. 8CC-10.	Schedule of civil penalties.		
Code Section	Section	Description of Violation	Civil Penalty
	*	*	*
>>21-50<<		>> <u>Violation of any provision of the business telephone directory ordinance</u> <<	
		>> <u>First violation</u> <<	>> <u>\$250.00</u> <<
		>> <u>Second or subsequent violation</u> <<	>> <u>\$500.00</u> <<
	*	*	*

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 4.** It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

RAC

Prepared by:

RAC for JMM

Jess M. McCarty

Prime Sponsor: Commissioner Katy Sorenson

Co-Sponsor: Commissioner Carlos A. Gimenez



MEMORANDUM

GO

Agenda Item No.2(E)

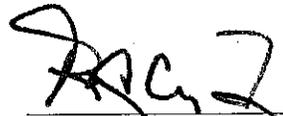
**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** March 9, 2010

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution setting policy for Miami-Dade County requiring that all County retirees who seek re-employment with the county shall be subject to the County's regular hiring process and if hired shall start at the applicable entry level salary

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



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R. A. Cuevas, Jr.  
County Attorney

RAC/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** April 6, 2010

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.  
4-6-10

RESOLUTION NO. \_\_\_\_\_

RESOLUTION SETTING POLICY FOR MIAMI-DADE COUNTY REQUIRING THAT ALL COUNTY RETIREES WHO SEEK RE-EMPLOYMENT WITH THE COUNTY SHALL BE SUBJECT TO THE COUNTY'S REGULAR HIRING PROCESS AND IF HIRED SHALL START AT THE APPLICABLE ENTRY LEVEL SALARY

**WHEREAS**, current Florida law allows retirees from the Florida Retirement System ("FRS") to be employed by FRS employers, including the same employer from which the person retired with certain limitations; and

**WHEREAS**, such re-employment with an FRS employer is sometimes referred to as "double dipping" because the employee collects pension benefits from FRS, and also collects a salary from the FRS employer; and

**WHEREAS**, during the 2009 regular session, the Florida Legislature sought to address FRS "double dipping" by passing HB 479, Chapter 2009-209, Laws of Florida ("HB 479"), which provided that employees who retire with FRS benefits on or after July 1, 2010, are not eligible for re-employment with an FRS employer for six months after retirement, and such retirees will not receive retirement benefits for the seventh through 12th months after retirement; and

**WHEREAS**, up to July 1, 2010, Florida law provides that retirees can return to work after only one calendar month, and such retirees will not receive retirement benefits for the second through 12th months after retirement; and

**WHEREAS**, HB 479 did not impose any limits on the salary an FRS retiree can earn while working for an FRS employer and also receiving FRS retirement benefits; and

**WHEREAS**, some states have made it illegal to collect retirement benefits and return to work at the same job and salary; and

**WHEREAS**, other states have made it illegal to take any public sector job in the same retirement system without forfeiting retirement benefits; and

**WHEREAS**, an appropriate balance can be struck by allowing County retirees to return to County employment, but only if they go through the regular hiring process including job applications, testing and interviews where applicable and are limited to earning an entry-level salary in their respective field, while allowing salary increases in the normal course commensurate with other entry-level employees,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

**Section 1.** It is the policy of Miami-Dade County that retirees of the County who seek re-employment with Miami-Dade County shall be subject to the County's regular hiring process, including job applications, testing and interviews where applicable, and if hired shall start at the applicable entry-level salary, and shall receive salary increases, such as longevity and merit pay in the normal course commensurate with other entry-level employees.

**Section 2.** When necessary to attract and hire qualified applicants for a particular County classification or classifications, such as the need to fill highly technical positions or as a result of an emergency, the Mayor may seek, and this Board may grant exceptions to this policy in advance of hiring for the particular classification or classifications in question. Such exceptions require approval by a 2/3 vote of the Board members present.

**Section 3.** This policy shall not supersede nor change the provisions of any collective bargaining agreement.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of April, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

DF.

Daniel Frastai

5



MEMORANDUM

GO

Agenda Item No. 2(G)

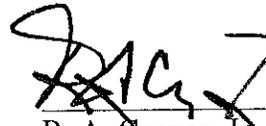
**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** March 9, 2010

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution amending resolution No.  
R-1164-04 relating to water and  
sewer billing

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Senator Javier D. Souto.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/cp

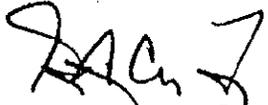


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** April 6, 2010

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.  
4-6-10

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AMENDING RESOLUTION NO. R-1164-04 RELATING TO WATER AND SEWER BILLING; REQUIRING THE MIAMI-DADE WATER AND SEWER DEPARTMENT TO ISSUE A ONE-TIME LIFETIME BILLING ADJUSTMENT WHEN THE WATER CONSUMPTION RATE FOR A SINGLE-FAMILY RESIDENTIAL CUSTOMER EXCEEDS SIX (6) TIMES THE AVERAGE QUARTERLY CONSUMPTION BASED ON THE PAST YEAR'S CONSUMPTION REGARDLESS OF WHETHER OR NOT THE PROPERTY HAS A CONCEALED LEAK

**WHEREAS**, Resolution No. R-1164-04 provides a one time lifetime adjustment for a Miami-Dade Water and Sewer Department quarterly customer who receives a bill that exceeds six (6) times the past year's average quarterly consumption due to a concealed leak; and

**WHEREAS**, an adjustment to the bill for 100% of the excess water and sewer charges above the average consumption is given if the quarterly customer makes the necessary repairs to its plumbing and provides the information required by the Department's Rules and Regulations; and

**WHEREAS**, the Board is aware of instances where a quarterly customer has received an unusually high bill but is not entitled to an adjustment because the customer cannot show that the high bill is due to a concealed leak; and

**WHEREAS**, a quarterly customer that receives an unusually high bill may minimize their costs if they received monthly bills; and

**WHEREAS**, the Miami-Dade Water and Sewer Department has more than 400,000 customers that receive quarterly bills; and

**WHEREAS**, this Board finds it is not economically feasible to convert the Department's billing system to enable all customers to receive monthly bills; and

**WHEREAS**, this Board desires to provide relief to quarterly single-family residential customers that receive a bill that exceeds six (6) times the past year's average quarterly consumption but is unable to show the Department that it is due to a concealed leak; and

**WHEREAS**, adjustments shall be made retroactive to billings rendered on July 1, 2007 for any quarterly single-family residential customer that meets the threshold criteria for an adjustment, disputed the bill and requested an administrative hearing in which the customer did not prevail,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

Section 1. The Miami-Dade Water and Sewer Department shall provide a one-time lifetime billing adjustment to a quarterly single-family residential customer who disputes a bill that exceeds six (6) times the past year's average quarterly consumption whether or not the high bill is due to a concealed leak.

Section 2. The customer seeking an adjustment must be in good standing with the Department which is defined as not having water disconnected for nonpayment or the account placed in collection during the previous 12 months. The Department shall keep track of adjustments to ensure that a quarterly single-family residential customer only receives one lifetime adjustment under this Resolution.

Section 3. The provisions of this Resolution shall be retroactive to billings rendered as of July 1, 2007. Retroactive adjustments shall be given to any quarterly single-family residential customer that received a bill that exceeds six (6) times the past year's average quarterly consumption, disputed the bill and requested an administrative hearing in which the customer did not prevail.

Section 4. The County Mayor shall take appropriate action to implement this Resolution which amends Resolution No. R-1164-04.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                      |                                 |
|----------------------|---------------------------------|
|                      | Dennis C. Moss, Chairman        |
|                      | Jose "Pepe" Diaz, Vice-Chairman |
| Bruno A. Barreiro    | Audrey M. Edmonson              |
| Carlos A. Gimenez    | Sally A. Heyman                 |
| Barbara J. Jordan    | Joe A. Martinez                 |
| Dorrin D. Rolle      | Natacha Seijas                  |
| Katy Sorenson        | Rebeca Sosa                     |
| Sen. Javier D. Souto |                                 |

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of April, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Henry N. Gillman

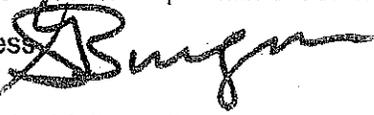
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# Memorandum

MIAMI-DADE  
COUNTY

**Date:** March 9, 2010

**To:** Honorable Carlos A. Gimenez, Chairman  
and Members, Government Operations Committee

**From:** George M. Burgess   
County Manager

**Subject:** Departmental Budget Information

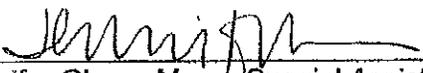
GO

Agenda Item No. 7A Supplement

This supplemental item reflects the correction of position count information. As previously advised, the information provided in these packages is preliminary and as adjustments are made throughout the resource allocation process, updated information will be provided.

The following details the correction of the positions count errors:

- On typewritten page 5 (Americans w/Disabilities Act Coordination), the FY 2009-10 actual filled position count should be 3.
- On typewritten page 26 (Elections), the FY 2007-08 and FY 2008-09 actual filled position count should be 112 and 110, respectively.
- On typewritten page 51 (Government Information Center), the FY 2004-05 through FY 2009-10 actual filled position count should be 51, 134, 182, 199, 224, and 198, respectively.
- On typewritten page 69 (Water and Sewer), the FY 2008-09 actual budgeted position count should be 2,518 and the FY 2009-10 actual filled position count should be 2,768.

  
Jennifer Glazer-Moore, Special Assistant/Director  
Office of Strategic Business Management

Attachment

cmo11010a

JOHN F VALDES  
5590 SW 5 TERR  
MIAMI, FL 33134

COMMISSIONERS AND THE CSD

I AM A LICENCE CAB DRIVER LICENCE BY THE C.S.D. A COUNTY AGENCY THAT ALSO REGULATES MY TAXI CAB AND THE COMPANY ITS AFILIATED WITH. ON DECEMBER 08. 2009, WE HAD A MEETING WHERE IT WAS DISCUSS FOR INTERESTED PARTIES TO WRITE A LETTER OF OUR CONCERNS AND I HAD SEVERAL, ONE IS OF THE AUCTION OF THE MEDALLIONS THERE IS STILL AN ERROR IN THE PART OF THE VALUE STATED IN THE PRIVATE SALE WHICH IS SAID \$176,000 WHERE ACTUALLY THE PRICE WAS \$150,000 AND IT WAS SOLD TO MR LES EISENBERG EARLIER THIS YEAR. TO MY KNOLEDGE THE AUCTION IDEA WAS PRESENTED BY MR, EISENBERG AT ONE OF OUR T.A.G MEETING AND TO MY UNDERSTANDING THIS IS A WAY TO MANIPULATE THE VALUE OF THE MEDALLIONS WHICH STILL WILL FALL IN HIS COMPANY BY GHOST BIDDER WHERE HIS COMPANY WILL STILL HAVE CONTROL.

SECOND. A MEDALLION AUCTION FOR SENIOR DRIVER IS A SLAP IN OUR FACE, MY CONCERN ABOVE STATED OF GHOST BIDDERS AND THE MANIPLULATION OF THE ACTUAL VALUE. IT WOULD BE BETTER REGULATED IF SET AS A LOTTERY ONLY FOR SENIOR DRIVERS.

THIRD IS THE NORTH AND SOUTH MIAMI-DADE SERVICE AREA THE COUNTY WANTS TO REGULATE THE NORTH AND SOUTH CAB BY ODD AND EVEN OR ALTERNATE DAY'S THAT MIGHT WORK STILL NOT ENFORSEABLE IT WOULD BE MORE FEASABLE FOR THE COUNTY IF THE RESTRICTED CABS PAY \$10,000 AND BE ALLOWED TO WORK ANYWHERE EXCEPT AIRPORT OR SEAPORT.

FOURTH. TECHNOLOGY AS NOTED COMPANIES ARE SLOWLY IMPLEMENTING G.P.S CREDIT CARD SWIPES AND OTHER TECHNOLOGY IN TAXI CABS. I AM ONE OF THE FIRST TO HAVE THE TAXIPASS CREDIT CARD SYSTEM INSTALLED AT NO COST TO ME BUT THERE IS BLOCK NOT ALLOWING TAXIPASS TO CONTINUE, WHICH A LARGE NUMBER OF CABS ARE IN A DISADVANTAGE SINCE THE ONLY COMPANY THAT'S BEING RECOMMENDED IS O.P.G WHERE THE DRIVER WILL HAVE TO PAY FOR INSTALATION AND HAVE A PERCENTAGE OF HIS FARE DISCOUNTED WHICH IS NOT FARE SINCE WE STILL HAVE TO PAY FULL PRICE FOR LEASE, GAS, TIRES, REPAIRS AND INSURANCE.

*Exhibit - 7B*

FIFTH.INSURANCE ALL OF US WHO HAS A VEHICLE REGISTERED WITH THE STATE ARE REQUIERED TO HAVE A PIP/PD COVERAGE. THOUGH WHEN INVOLVED IN A CRASH WHILE DRIVING A TAXI CAB YOU WOULD NOT BE COVERED BY YOUR PIP FROM YOUR PERSONAL VEHICLE SINCE YOU ARE REQUIERD TO HAVE INSURANCE FROM YOUR EMPLOYER, AND BEING SELFEMPLOYED WE COME AT A STAYLEMATE NO WIN, SINCE WE ARE NOT EMPLOYEES WE DON'T QUALIFY FOR WORKMANS COMP AND THE TAXICAB, LIMOSINE & PARATRANSIT ASSOCIATION {TLPA} ACCIDENTAL DEATH & DISMEMBERMENT WOULD BE A JOKE SINCE ITS PARTNERSHIP WITH AIG A COMPANY THAT REQUESTED AN ADDITIONAL 9. BILLION DOLLARS TO STAY AFLOAT AND ON THE BEGINING OF MARCH SOLD ITS AMERICAN LIFE INSURANCE Co DIVISION OR ALICO TO METLIFE FOR\$15.5 BILLION ALSO WOULD SELL IT AIA GROUP TO PRUDENTIAL PLC FOR \$35.5 BILLION. WE CAB DRIVERS HAVE A HARD ENOUGH TIME STAYING AFLOAT WE DO NOT WANT TO BE PART OF HELPING AIG IN PAYING BIG BONUSES TO THERE CORUPT CEO'S. ALSO LET IT BE KNOWN AIG, FSB ANDWFI FROM JULY/2003 TO MAY/2006 CHARGED AFRICAN AMERICAN HIGHER BROKER FEES WHERE THEY AIG FSB ANDWFI HAD TO PAY A \$6.1 MILLION SETTLEMENT.

SIXTH.FINANCING THE MEDALLIONS IT'S TRUE NO FINACIAL INSTITUTION WILL TAKE HOLD OF A MEDALLION, SINCE THE CONTROL IS WITH THE CSD AND NOT CONSIDERED A SECURED PROPERTY AS IN NEW YORK MEDALLIONS IF MEDALLIONS CAN BE MADE FREE AND CLEAR AND ALLOWED TO INCORPORATE IT WILL MAKE IT EASIER TO GET FINANCING SINCE IT WILL ALLOW A FINANCIAL INSTITUTION TO OPPERATE AND GET REINBURST FOR THERE INVESTMENTS.

SEVENTH AND FINAL CHAUFFER ISSUES, IT IS TRUE WE LEASEE'S AND SHIFT DRIVER ARE OVER CHARGED LIKE STATED ABOVE WE CAB DRIVERS LEASEE AND COMPANY OPERATORS ARE GOVERNMENT OPPEATED FL STATUE 125.0103 {1} {a} EXCEPT HEREINAFTER PROVIDED, NO COUNTY ,MUNICIPALITY OR OTHER ENTITY OF LOCAL GOVERNMENT SHALL ADOPT OR MAINTAININ EFFECT AN ORDINANCE OR A RULE WHICH HAS THE EFFECT OF IMPOSING PRICE CONTROLS UPON A LAWFUL BUISNESS ACTIVITY WHICH IS NOT FRANCHISED BY OWNED BY OR UNDER CONTRACT WITH THE GOVERNMENTAL AGENCY UNLESS SPECIFIALY PROVIDED BY GENERAL LAW. 125.0103 {1} {b} THE PROVISISION OF THIS SECTION SHALL NOT PREVENT THE ENACTMENT BY LOCAL GOVERNMENTOF PUBLIC SERVICE RATES OTHERWISE AUTHORIZED BY LAW ,INCLUDING WATER, SEWER, SOLID WASTE, PUBLIC TRANSPORTATION, TAXICABS, OR PORT RATES, RATES FOR TOWING AND SO ON.

GENERAL LAW

ARTICLE II LICENSING AND REGULATION OF FOR HIRE VEHICLES  
CHARTER REFERENCES; POWER AND THE AUTHORITY OF THE BOARD OF  
COUNTY COMMISSIONERS TO LICENSE AND REGULATE TAXIS, JITNEYS,  
LIMOUSINES FOR HIRE AND RENTAL CARS ect.

CROSS REFERENCE: AMBULANCE AND MEDICAL TRANSPORTATION  
VEHICLES, CH4 REGULATION OF GROUND TRANSPORTATION BY AVIATION  
DEPT 25-4 TRAFFIC AND MOTOR VEHICLES GENERALLY, CH.30; PARKING OF  
THE TAXICABS, BUSES IN OTHER THAN BUS STOPS OR TAXICAB  
STANDS, 30-388.26; AUTHORITY OF BUS OPERATORS TO STOP ON  
ROADWAY AT BUS STOPS, 30-388.28

WE CAB DRIVERS ADHERE TO THE RULES OF LAW, PRICE CONTROL ON A  
SERVICE RUNNED BY THE GOVERNMENT IS A LOGICAL MOVE WHERE IN  
THESE TOUGH TIMES WE URGE YOU TO HAVE COMPASSION OF OUR NEED  
TO SURVIVE AND RAISE OUR FAMILY WITH PRIDE.

THANK YOU  
JOHN F. VALDES

A handwritten signature in black ink, appearing to read "John F. Valdes", written in a cursive style.

# INFORMATION

## Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 3/9/10 BCC Mtg. Date 3/9/10 Agenda Item # 7B

Subject: TAXI Report

Name: JERRY MOSKOWITZ

Address: 2284 NW 36 ST MIAMI FLA

**Lobbyist Information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:  No:

If yes, please list name: MOSKOWITZ, COEA/CAB  
Organization Firm Client

Have you registered with the Clerk of the Board? Yes:  No:

# INFORMATION

## Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 3/9/10 BCC Mtg. Date 3/9/10 Agenda Item # 7B

Subject: TAXI Report

Name: DIEGO FELICIANO

Address: MIAMI FLA

**Lobbyist Information:** (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes:  No:

If yes, please list name: ~~SPITZ~~  
Organization Firm Client

Have you registered with the Clerk of the Board? Yes:  No:

