MIAMI-DADE COUNTY
FINAL OFFICIAL
Meeting Minutes

Board of County Commissioners

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

Tuesday, May 3, 2011
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Diane Collins, Director
Clerk of the Board Division

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

Members Present:

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 ROLL CALL

1B MOMENT OF SILENCE

Report: *Chairman Martinez called the meeting to order at 9:56 a.m. Prior to the Commission convening in a moment of silence, Chairman Martinez opened the meeting for each Commissioner to comment regarding the death of Osama Bin Laden on May 1, 2011.*

Commissioner Moss noted this should be an occasion that would unify the United States of America (USA). He expressed appreciation to President Barack Obama for the job that was done.

Commissioner Diaz expressed appreciation to the men and women serving in the United States armed forces.

Commissioner Jordan noted she was proud of the USA for what it achieved. She expressed appreciation to Seal Team 6 for conducting the operation that captured Osama Bin Laden. She expressed appreciation to President Obama for bringing closure to the families of the over 3,000 victims on September 11, 2001.

Commissioner Sosa noted she was proud to live in the USA.

The Commission convened in a moment of silence followed by the Pledge of Allegiance.

The County Commission reconvened on May 10, 2011, at 11:08 a.m.

1C PLEDGE OF ALLEGIANCE

1D SPECIAL PRESENTATIONS

1D1

110842 **Special Presentation** **Dennis C. Moss**

PRESENTATION OF THE MIAMI-DADE COUNTY COMMUNITY IMAGE ADVISORY BOARD'S ANNUAL RECOGNITION OF THE "2011 CLEAN UP AND GREEN UP" POSTER CONTEST WINNERS — ***Presented***

1D2

110928 **Proclamation** **Jose "Pepe" Diaz**

PROCLAMATION NATIONAL CORRECTIONS OFFICERS AND EMPLOYEES WEEK — ***Presented***

1D3

110929 **Proclamation** **Bruno A. Barreiro**

PROCLAMATION TO EDUARDO PADRON — ***Withdrawn***

Report: *During consideration of the changes to the agenda, the foregoing proclamation was withdrawn.*

1D4

110930 **Proclamation** **Joe A. Martinez**

PROCLAMATION 25TH ANNIVERSARY OF THE SPCC (SEE AGENDA ITEM NO. 11A11) — ***Presented***

1D5

110967 **Special Presentation** **Barbara J. Jordan**

PRESENTATION BY CHIEF HERMINIO LORENZO, REGARDING THE SWAT MEDIC PROGRAM — ***Presented***

Report: *Mr. Herminio Lorenzo, Fire Chief, Miami-Dade Fire Rescue (MDFR), noted that the County had been working on the SWAT medics program since the 1990s, and that the program was finalized in 2009. He explained that MDFR employees were trained and certified as SWAT paramedics, which required the MDFR employees to possess a police certification. He pointed out that the County needed a memorandum of understanding (MOU) with the Fire Fighter's Union, Local 1403. Mr. Lorenzo noted MDFR had a goal to train 20 employees as SWAT medics.*

Commissioner Jordan expressed appreciation to Mr. Lorenzo, the Miami-Dade Police Department Director, and the labor unions for ensuring that the SWAT medics program training would proceed.

Mr. Lorenzo announced that after 38 years of working as a fire fighter, he would retire May 29, 2011.

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

110964 **Citizen's Presentation** **Bruno A. Barreiro**

CITIZEN'S PRESENTATION BY TOM ALBANO, EXECUTIVE DIRECTOR OF TAKE STOCK IN CHILDREN, RE: TAKE STOCK IN CHILDREN: SCHOLARSHIPS AND MENTORING OPPORTUNITIES — ***Presented***

Report: *Mr. Tom Albano, Executive Director, Miami-Dade College Take Stock In Children, noted the Take Stock In Children (TSIC) program had existed since 1995, and it targeted at-risk students in the public school system. He explained that TSIC recruit students in middle school who had certain characteristics that made them at risk to drop out of school. He noted that TSIC provided students in the program with a volunteer mentor. The mentors met weekly with the at-risk students at the students' schools for half an hour, Mr. Albano explained. He pointed out that TSIC students who graduated high school received a scholarship for four years of tuition at any school in the state of Florida.*

Mr. Albano requested the County help TSIC identify new mentors. He also requested the County help TSIC identify funding for additional scholarships.

Commissioner Barreiro noted he supported TSIC, and that the Department of Human Resources may have a mechanism for County employees to pledge support to TSIC.

1F REPORTS OF OFFICIAL BOARDS

1F1

110530 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - RONALD REAGAN EQUESTRIAN CENTER ADVISORY BOARD

Deferred to May 9, 2011
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing report was deferred to the May 9th Recreation and Cultural Affairs Committee, as requested by the County Manager.*

4/11/2011 7D *Deferred by the Recreation & Cultural Affairs Committee*

1F2

110046 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - LAND ACQUISITION SELECTION COMMITTEE

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	8A	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	8A	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	7B	*Report Received by the Infrastructure and Land Use Committee*

1F3

110166 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - MIAMI-DADE COUNTY ENVIRONMENTAL QUALITY CONTROL BOARD

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	8B	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	8B	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	7C	*Report Received by the Infrastructure and Land Use Committee*

1F4

110357 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - AGRICULTURAL PRACTICES ADVISORY BOARD

Accepted
Mover: Lynda Bell
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *Commissioner Bell asked the County Attorney to prepare an ordinance under her sponsorship that would remove the term limits for serving on the Agricultural Practices Advisory Board.*

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

3/9/2011	8C	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	7D	*Report Received by the Infrastructure and Land Use Committee*

1F5

110552 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - COMMISSION ON DISABILITY ISSUES

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 7B *Report Received by the Internal Mgmt. & Fiscal Responsibility Committee*

1F6

110553 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011- ZOO MIAMI OVERSIGHT BOARD

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 7E *Report Received by the Recreation & Cultural Affairs Committee*

1F7

110554 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - KENDALE LAKES LANDSCAPE AND MAINTENANCE SPECIAL TAXING DISTRICT ADVISORY BOARD

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7M *Report Received by the Infrastructure and Land Use Committee*

1F8

110557 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - PARK AND RECREATION CITIZENS ADVISORY COMMITTEE (PRCAC)

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 7F *Report Received by the Recreation & Cultural Affairs Committee*

1F9

110559 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - LIBRARY ADVISORY BOARD

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 7G *Report Received by the Recreation & Cultural Affairs Committee*

1F10

110596 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - COUNTRY CLUB OF MIAMI COMMUNITY COUNCIL 5

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7I *Report Received by the Infrastructure and Land Use Committee*

1F11

110600 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - FISHER ISLAND COMMUNITY COUNCIL 16

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7K *Report Received by the Infrastructure and Land Use Committee*

1F12

110602 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - KENDALL COMMUNITY COUNCIL 12

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7G *Report Received by the Infrastructure and Land Use Committee*

1F13

110593 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - WESTCHESTER COMMUNITY COUNCIL 10

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7H *Report Received by the Infrastructure and Land Use Committee*

1F14

110599 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - WEST KENDALL COMMUNITY COUNCIL 11

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7J *Report Received by the Infrastructure and Land Use Committee*

1F15

110601 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - NORTH CENTRAL COMMUNITY COUNCIL 8

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7L *Report Received by the Infrastructure and Land Use Committee*

1F16

110545 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - COMMUNITY IMAGE ADVISORY BOARD

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7E *Report Received by the Infrastructure and Land Use Committee*

1F17

110548 **Report**

SUNSET REVIEW OF COUNTY BOARDS FOR 2011 - BUILDING BETTER COMMUNITIES CITIZENS' ADVISORY COMMITTEE

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 7F *Report Received by the Infrastructure and Land Use Committee*

1G MOTION TO SET THE AGENDA AND "PULL LIST"

Report: *County Attorney Cuevas advised that in addition to the County Manager's memorandum entitled, "Changes List for the May 3, 2011 Commission meeting," the following additional changes were requested: that Commissioner Jordan be listed as a co-sponsor on Agenda Items 5C and 5D; that Commissioner Sosa be listed as a co-sponsor on Agenda Item 11A42.*

County Attorney Cuevas advised that the Pull List incorrectly listed Commissioner Bell as a co-sponsor for Agenda Item 7H, and that Commissioner Monestime had asked that he be listed as a co-sponsor for this agenda item.

It was moved by Commissioner Heyman that the Commission approve the foregoing changes to the May 3, 2011, meeting Agenda with the changes listed in the County Manager's memorandum and the additional changes requested by the County Attorney. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

1H OFFICE OF COMMISSION AUDITOR

1I OFFICE OF INTERGOVERNMENTAL AFFAIRS

2 MAYORAL ISSUES

2A MAYORAL VETOES

2B MAYORAL REPORTS

2C OTHER ISSUES

3 CONSENT ITEMS

4 ORDINANCES FOR FIRST READING

4A

110874 **Ordinance** **Bruno A. Barreiro**

ORDINANCE RELATING TO RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT EACH COMMISSIONER MAY SPONSOR SPECIFIED NUMBER OF ACTION ITEMS ON EACH COMMISSION AGENDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Internal Management and Fiscal Responsibility Committee on Tuesday, June 14, 2011, at 2:00 p.m.*

4B

110779 **Ordinance** **Barbara J. Jordan**

ORDINANCE AMENDING CHAPTER 25A OF CODE OF MIAMI-DADE COUNTY TO INCLUDE A FLORIDA INTERNATIONAL UNIVERSITY TRUSTEE ON THE PUBLIC HEALTH TRUST BOARD OF TRUSTEES, MODIFY THE TRUST/UM AOA NEGOTIATING COMMITTEE TO INCLUDE FLORIDA INTERNATIONAL UNIVERSITY AND TO RENAME COMMITTEE, REQUIRE APPROVAL FROM THE BOARD OF COUNTY COMMISSIONERS TO MODIFY BASIC AFFILIATION AGREEMENT WITH FLORIDA INTERNATIONAL UNIVERSITY, PROVIDING FOR PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Public Safety and Healthcare Administration Committee on Tuesday, June 14, 2011, at 9:30 a.m.*

4C

110873 **Ordinance** **Sen. Javier D. Souto, Rebeca Sosa, Esteban L. Bovo, Jr.**

ORDINANCE CREATING SECTION 2-1800A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA REQUIRING SIX PUBLIC MEETINGS BE CONDUCTED AT ACCEPTABLE LOCATIONS AND TIMES IN THE COUNTY WHENEVER THE PROPOSED BUDGET OR PROPOSED BUDGET ORDINANCES PROVIDE FOR NEW OR INCREASED TAXES OR FEES; CODIFYING PROVISIONS OF COUNTY RESOLUTION NO. R-1018-94; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Internal Management and Fiscal Responsibility Committee on Tuesday, June 14, 2011, at 2:00 p.m.*

4D

110836 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE REPEALING SECTION 2-1150 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE RONALD REAGAN EQUESTRIAN CENTER ADVISORY BOARD; PROVIDING SEVERABILITY; INCLUSION IN THE CODE; AND AN EFFECTIVE DATE

Withdrawn

Report: *See Agenda Item 4D Substitute, Legislative File No. 110992.*

4D SUBSTITUTE

110992 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE REPEALING SECTION 2-1150 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE RONALD REAGAN EQUESTRIAN CENTER ADVISORY BOARD; PROVIDING SEVERABILITY; INCLUSION IN THE CODE; AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 110836)

Adopted on first reading
Public Hearing: June 13, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Recreation and Cultural Affairs Committee on Monday, June 13, 2011, at 2:00 p.m.*

4E

110902 **Ordinance** **Sen. Javier D. Souto, Barbara J. Jordan**

ORDINANCE CREATING SECTION 2-30 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO REQUIRE THAT CERTAIN INFORMATION BE POSTED ON THE COUNTY'S WEBSITE REGARDING EMPLOYEES OF THE COUNTY AND PUBLIC HEALTH TRUST WHO EARN IN EXCESS OF $100,000.00 A YEAR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

The motion that this Ordinance be Adopted on first reading failed.
Mover: Sen. Javier D. Souto
Seconder: Lynda Bell
Vote: 4- 7
No: Jordan, Monestime, Edmonson, Heyman, Barreiro, Moss, Diaz
Absent: District 13-Vacant, District 7-Vacant

4F

110781 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE RELATING TO THE RULES OF PROCEDURE OF THE BOARD OF COUNTY COMMISSIONERS; AMENDING SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR PUBLIC MEETINGS ON PROPOSED AMENDMENTS TO THE MIAMI-DADE HOME RULE CHARTER; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Internal Management and Fiscal Responsibility Committee on Tuesday, June 14, 2011, at 2:00 p.m.*

4G

110923 **Ordinance** **Joe A. Martinez**

ORDINANCE AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE CHAIRPERSON OF THE COMMISSION TO ASSUME THE MAYOR'S APPOINTMENT AUTHORITY DURING A MAYORAL VACANCY ON THE OCCASION OF THE COMMISSION ESTABLISHING A FINANCIAL RECOVERY BOARD TO ACT AS THE GOVERNING BODY OF THE PUBLIC HEALTH TRUST IN ACCORDANCE WITH SECTION 25A-9(C)(5) OF THE MIAMI-DADE COUNTY CODE PROVIDING SEVERABILITY INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 10- 1
No: Jordan
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Public Safety and Healthcare Administration Committee on Tuesday, June 14, 2011, at 9:30 a.m.*

4H

110856 **Ordinance**

ORDINANCE AMENDING THE COUNTY'S PROVISIONS REGARDING PENALTIES AND INTEREST ON PUBLIC SERVICE TAXES THAT ARE DELINQUENT TO CONFORM TO STATE LAW; AMENDING SECTION 29-38 OF THE CODE OF MIAMI DADE COUNTY; CLARIFYING THE DIFFERENCE BETWEEN INTEREST AND PENALTIES; PROVIDING FOR INTEREST AND PENALTIES AS PROVIDED IN STATE LAW; MAKING THE PROVISIONS REGARDING INTEREST RETROACTIVE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Finance Department)

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Internal Management and Fiscal Responsibility Committee on Tuesday, June 14, 2011, at 2:00 p.m.*

41

110948 **Ordinance** **Joe A. Martinez, Esteban L. Bovo, Jr.**

ORDINANCE AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING TWO-THIRDS (2/3) VOTE FOR ADOPTION OF DIRECTIVE UNDOING OR MODIFYING ACTION OF THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST; REQUIRING FINANCIAL RECOVERY BOARD'S COMPLIANCE WITH COMMISSION DIRECTIVES; REQUIRING TWO-THIRDS (2/3) VOTE FOR ADOPTION OF DIRECTIVE UNDOING OR MODIFYING ACTION OF THE FINANCIAL RECOVERY BOARD; REQUIRING TWO-THIRDS (2/3) VOTE TO VETO ACTION OF FINANCIAL RECOVERY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted on first reading
Public Hearing: June 14, 2011
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 10- 1
No: Jordan
Absent: District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed ordinance was adopted on first reading and scheduled for a public hearing before the Public Safety and Healthcare Administration Committee on Tuesday, June 14, 2011, at 9:30 a.m.*

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

5A

110711 **Resolution** **Sally A. Heyman,**
Rebeca Sosa

RESOLUTION APPROVING ISSUANCE BY COLORADO EDUCATIONAL AND CULTURAL FACILITIES AUTHORITY OF ITS VARIABLE RATE DEMAND REVENUE BONDS (NATIONAL JEWISH FEDERATION BOND PROGRAM) IN ONE OR MORE SERIES IN AMOUNT NOT TO EXCEED $11,000,000 ON BEHALF OF MIAMI-BEACH JEWISH COMMUNITY CENTER, INC. TO FINANCE CAPITAL PROJECTS LOCATED IN MIAMI-DADE COUNTY FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

Deferred to no date certain
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

It was moved by Commissioner Heyman that this proposed resolution be reconsidered. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Diaz and Monestime were absent; Commission Districts 7 and 13 were vacant).

Commissioner Heyman pointed out that this proposed resolution was not properly noticed and should be deferred to June 7, 2011.

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

4/12/2011 2B *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

5B

110142 **Resolution** **Rebeca Sosa, Sally A. Heyman**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 293 - "HISTORIC PRESERVATION FUND", AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-919-04 TO INCREASE ALLOCATION FROM $10,000,000 TO $10,300,000 AND TO ALLOCATE $1,500,000 TO HISTORIC BILTMORE HOTEL AND COUNTRY CLUB, AFTER PUBLIC HEARING; APPROVING ALLOCATION OF ADDITIONAL $300,000 FROM INTEREST EARNINGS GENERATED FROM INVESTMENT OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROCEEDS; WAIVING ADMINISTRATIVE RULES CONTEMPLATING COMPETITIVE PROCESS; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE INTERLOCAL COOPERATION AGREEMENT AND TO DISBURSE FUNDS AFTER SATISFACTION OF CONDITIONS PRECEDENT

Adopted
Resolution R-275-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 10- 0
Absent: Souto, District 13-
Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

Commissioner Bell noted that reports indicated the Historic Biltmore Hotel and Country Club (Biltmore) owed back payments to the City of Coral Gables. She expressed concern regarding the County providing funds to the Biltmore.

Mr. Jorge Navarrette, Director, Office of Capital Improvement, explained that the City of Coral Gables would be the entity signing the interlocal agreement with the County.

Ms. Dona Spain, Assistant City Manager, City of Coral Gables, noted the funds in this proposed resolution were separate and apart from the funds Biltmore owed the City of Coral Gables, and that this proposed resolution required the Biltmore to do maintenance on the building.

Commissioner Bell asked the County Manager to study the sustainability of the Historic Biltmore Hotel and Country Club and to evaluate whether the County should continue to invest funds in this project.

Commissioner Monestime noted he would not support the County modifying this project another time after today (5/3).

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

2/9/2011	6C	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	6E	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*

4/13/2011 2E *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5C

110782 **Resolution** **Sen. Javier D. Souto, Sally A. Heyman, Barbara J. Jordan, Jose "Pepe" Diaz, Dennis C. Moss, Audrey M. Edmonson**

RESOLUTION CODESIGNATING SW 47TH TERRACE FROM SW 107TH AVENUE TO SW 117TH AVENUE AS "NUBIA WAY"; DIRECTING THE MAYOR OR DESIGNEE TO INSTALL APPROPRIATE SIGNAGE THAT INCLUDES A BRIEF DESCRIPTION OF NUBIA'S STORY, PROVIDES THE CHILD ABUSE HOTLINE TELEPHONE NUMBER AND URGES ANYONE SUSPECTING CHILD ABUSE TO CALL THE HOTLINE TO AVOID ANOTHER TRAGEDY

Adopted
Resolution R-276-11
Mover: Sen. Javier D. Souto
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

Commissioner Souto asked the County Manager to work with the graphic artist doing the signage for "Nubia Way" and to develop a related poster with the child abuse hotline telephone number that could be used in County libraries and parks.

Commissioners Edmonson, Moss, and Diaz asked that they be listed as co-sponsors.

Chairman Martinez asked the County Manager to ensure the Nubia poster for the libraries and parks came before the County Commission for consideration. He questioned whether the County Commission really wanted to commemorate the street where Nubia suffered.

Commissioner Diaz asked the County Manager to provide him with a report regarding the appearance and size of the Nubia signage and poster and to work with him to create similar signs and/or posters for police officers.

Commissioner Heyman noted the purpose for street naming was to help the next generation learn from and remember these people.

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

5D

110834 **Resolution** **Sen. Javier D. Souto, Joe A. Martinez, Jean Monestime, Jose "Pepe" Diaz, Sally A. Heyman, Bruno A. Barreiro, Lynda Bell, Barbara J. Jordan**

RESOLUTION CO-DESIGNATING SW 56 STREET BETWEEN SW 97 AVENUE AND THE PALMETTO EXPRESSWAY AS "OFFICERS ROGER CASTILLO AND AMANDA HAWORTH STREET"

Adopted
Resolution R-277-11
Mover: Sen. Javier D. Souto
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *First Assistant County Attorney Abigail Price Williams read the foregoing proposed*

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

Commissioners Edmonson, Diaz, Moss, Mnestime, Bell, and Sosa asked that they be listed as co-sponsors.

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

5E

110863 **Resolution**

RESOLUTION RELATING TO AN APPLICATION BY ELMER FIGUEROA FOR A CLASS I PERMIT TO INSTALL A WAVE ATTENUATOR IN BISCAYNE BAY AT 4600 NORTH BAY ROAD, MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

Adopted
Resolution R-278-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Souto, District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

5F

110864 **Resolution**

RESOLUTION RELATING TO AN APPLICATION BY FLORIDA INTERNATIONAL UNIVERSITY FOR A CLASS I PERMIT TO DREDGE AND FILL TIDAL WATERS FOR THE REPLACEMENT OF A BOAT RAMP AT 3000 NE 151 STREET, NORTH MIAMI, FLORIDA (Department of Environmental Resources Management)

Adopted
Resolution R-279-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Souto, District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

5G

110573 **Resolution**

RESOLUTION GRANTING PETITION TO CLOSE NW 138 STREET, FROM NW 132 AVENUE TO NW 137 AVENUE; AND PORTIONS OF NW 127 AVENUE, BETWEEN NW 138 STREET AND THEORETICAL NW 153 STREET (ROAD CLOSING PETITION NO. P-884) (Public Works Department)

Adopted
Resolution R-280-11
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

4/13/2011 3N *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5H

110576 **Resolution**

RESOLUTION GRANTING PETITION TO CLOSE NW 138 STREET, FROM NW 137 AVENUE WEST TO APPROXIMATELY 10 FEET EAST OF THE EAST FP&L RIGHT-OF-WAY LINE (ROAD CLOSING PETITION NO. P-883) (Public Works Department)

Adopted
Resolution R-281-11
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

4/13/2011 3O *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5I

110578 **Resolution**

RESOLUTION GRANTING PETITION TO CLOSE NW 162 STREET, FROM NW 137 AVENUE WEST TO APPROXIMATELY 1,220 FEET WEST OF NW 142 AVENUE; NW 142 AVENUE, FROM NW 162 STREET SOUTH FOR APPROXIMATELY 660 FEET; PORTIONS OF NW 137 AVENUE, BETWEEN NW 162 STREET AND CANAL (C-6) RIGHT-OF-WAY (ROAD CLOSING PETITION NO. P- 882) (Public Works Department)

Adopted
Resolution R-282-11
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

4/13/2011 3P *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5J

110758 **Resolution**

RESOLUTION APPROVING THE WAIVER OF PLAT OF HABITAT FOR HUMANITY OF GREATER MIAMI, INC., D-23073, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 52 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY NW 104 STREET, ON THE EAST BY APPROXIMATELY NW 10 AVENUE, ON THE SOUTH BY NW 103 STREET, AND ON THE WEST BY APPROXIMATELY NW 11 AVENUE) (Public Works Department)

Adopted
Resolution R-283-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

5K

110763 **Resolution**

RESOLUTION APPROVING THE PLAT OF MC ESTATES FIRST ADDITION, LOCATED IN THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 56 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY SW 232 STREET, ON THE EAST BY SW 110 AVENUE, ON THE SOUTH BY SW 234 STREET, AND ON THE WEST BY SW 112 AVENUE) (Public Works Department)

Adopted
Resolution R-284-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution. He closed the public hearing after no one appeared wishing to speak.

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

5L

110764 **Resolution**

RESOLUTION APPROVING THE PLAT OF VERANDA SENIOR, LOCATED IN THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 57 SOUTH, RANGE 39 EAST (BOUNDED ON THE NORTH BY APPROXIMATELY SW 282 STREET, ON THE EAST BY SW 150 AVENUE, ON THE SOUTH BY SW 284 STREET, AND ON THE WEST BY SW 152 AVENUE) (Public Works Department) ***Amended***

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution, and the following person appeared before the Commission:

Mr. Graham Pembroke, Howard, Dell & Fernandez, 200 S. Biscayne Boulevard, requested that the County Commission amend this proposed resolution to be effective immediately.

Chairman Martinez closed the public hearing after no other persons appeared wishing to speak.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed resolution as amended to reflect the effective date as May, 3, 2011.

It was moved by Commissioner Moss that the foregoing proposed resolution be adopted as amended to reflect the effective date as May 3, 2011. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 11-0.

The amended version has been assigned Resolution No. R-285-11.

5M

110866 **Resolution** **Dennis C. Moss,**
Lynda Bell,
Sally A. Heyman,
Rebeca Sosa,
Audrey M. Edmonson,
Jose "Pepe" Diaz

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124 - "ECONOMIC DEVELOPMENT FUND" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-914-04 AFTER A PUBLIC HEARING; APPROVING ADDITION OF PROJECT NO. 343 – "PUBLIC INFRASTRUCTURE IMPROVEMENTS ON COUNTY-OWNED LAND ADJACENT TO HOMESTEAD AIR RESERVE BASE" TO APPENDIX A TO RESOLUTION NO. R-914-04 AFTER A PUBLIC HEARING; APPROVING ADDITION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 343 - "PUBLIC INFRASTRUCTURE IMPROVEMENTS ON COUNTY-OWNED LAND ADJACENT TO HOMESTEAD AIR RESERVE BASE" TO APPENDIX A TO RESOLUTION NO. R-134-11; AND WAIVING REQUIREMENTS OF IMPLEMENTING ORDER 3-47 REGARDING ADDING NEW PROJECTS; APPROVING ACCELERATION OF FUNDING FOR PROJECT NO. 343 (Ofc of Economic Development & International Trade)

Adopted
Resolution R-286-11
Mover: Dennis C. Moss
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Chairman Martinez opened the public hearing on the foregoing proposed resolution, and the following persons appeared before the Commission and spoke in support of this proposed resolution:

1. Mr. Jack Lowell, Chairman, Beacon Council, 185 West Sunrise, Coral Gables;
2. Mr. Benny Benitez, Greater Miami Aviation Association, 3841 SW 147 Avenue;
3. Ms. Diana Lewis, Aviation School Director, Miami-Dade College—Homestead Campus, 500 College Terrace, Homestead;
4. Ms. Mary Finlan, Homestead Chamber of Commerce, 455 N Flagler Avenue, Homestead;
5. Mr. Rolando Aedo, Greater Miami Convention and Visitors Bureau, 701 Brickell Avenue Suite 2780.

Chairman Martinez closed the public hearing after no other persons appeared wishing to speak.

Commissioner Moss pointed out that this proposed resolution included safeguards requiring the Beacon Council to obtain Federal approval to hold an air show and requiring the Beacon Council to obtain written commitment from companies in the aviation industry that would sponsor this event.

Commissioners Diaz, Sosa, Edmonson, Heyman, and Bell asked that they be listed as co-sponsors.

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

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

6A RESOLUTIONS

6B POLICY MATTERS FOR DISCUSSION BY THE BOARD

6B1

110654 **Discussion Item** **Joe A. Martinez**

DISCUSSION ITEM REGARDING PUBLIC HEALTH TRUST ADVANCE — ***Presented***

Report: *See Report Under Agenda Item 11A42 AMENDED, Legislative File No. 111607.*

4/4/2011 6B1 *Deferred by the Board of County Commissioners*

6B2

110933 **Discussion Item** **Joe A. Martinez**

NOMINATION AND VOTE ON BCC APPOINTMENTS TO THE FINANCIAL RECOVERY BOARD (SEE AGENDA ITEM NO. 11A42) ***Carried over to May 10, 2011***

Report: *See Report Under Agenda Item 11A42 AMENDED, Legislative File No. 111607.*

6B3

110718 **Discussion Item** **Sen. Javier D. Souto**

DISCUSSION ITEM REGARDING MEEK V. METROPOLITAN DADE COUNTY AND THE VOTING RIGHTS ACT ***Presented***

Report: *Commissioner Souto noted that movements were being made in the community to change the Miami-Dade County Home Rule Charter and Amendment, and that the Voters Rights Act (1965) resulting from the Meek v. Dade County lawsuit was applicable to these movements.*

Assistant County Attorney Randy Duval noted the Meek litigation was a vote dilution claim brought by black and hispanic plaintiffs that challenged the 9 seat at-large commission that existed at that time. He pointed out that Section 2 of the Voting Rights Act looked at the political structure that was in place and how that political structure interacted with the voting behavior of that jurisdiction. He explained that the court concluded that the racially polarized voting behavior that existed allowed the County's at-large structure to dilute the black and Hispanic voting power and their ability to elect their preferred candidate. He further explained that the court found that blacks and Hispanics had a keen hostility in their voting behavior and they would form coalitions with the block voting non-hispanic white community in a way that would cause minority candidates to regularly lose elections. Assistant County Attorney Duval noted the remedy proposed was to go to single member districts.

Assistant County Attorney Duval advised that similar vote dilution claims could be brought with respect to a single member voting district. He pointed out that the remedial plan that was put in place in 1993 did not bind the County Commission in any regard regarding restructuring. He noted that the overriding principle of redistricting was that it was a legislative and political task. Assistant County Attorney Duval concluded that the relevance of the Meek litigation was remote in terms of the limitations it imposed on the Commission. He noted the County could expect to still see racially polarized voting in the community, however, how it played out in single member district or at-large seat schemes were two different scenarios.

Chairman Martinez questioned whether the County had to petition the United States Justice Department before changing from single member districts to at-large districts.

Assistant County Attorney Duval advised that the courts did not retain jurisdiction on this matter, and that the County did not require pre-clearance per Section 5 of the Voting Rights Act. He clarified that the basic criteria for redistricting was to comply with the idea of one person, one vote. He pointed out that the County needed to rebalance the districts to match the 2010 census data, to comply with Section 2 of the Voting Rights Act that required an equal opportunity for protected minorities to participate in the political process and elect their preferred candidate, and to comply with traditional redistricting principles of having compact, contiguous areas that showed respect for administrative and political boundaries. Assistant County Attorney Duval pointed out that the Commission could consider race and ethnicity as boundaries were made, however, the traditional redistricting principles must be the predominant factors.

Chairman Martinez noted he had requested that redistricting boundaries be proposed based on a 13, 11, and 9 single member district County Commission.

Commissioner Jordan suggested the Commission evaluate district boundaries for a 15 single member district County Commission. She explained that the County Commission may need to grow in response to the growth in the size of the community.

Commissioner Moss questioned how the salary for the County Mayor was set.

County Attorney Cuevas advised that the County Commission set the County Mayor's salary.

Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Mangement, noted that the County Mayor's salary was originally tied to the County Manager's salary, however, it has since broke from that tie and the only adjustments to the County Mayor's salary were for cost of living.

Commissioner Moss suggested the County Commission have a discussion regarding the County Mayor holding outside employment.

Commissioner Barreiro asked the County Attorney to determine whether State Statutes had a formula for the salary of the County Mayor and to report his findings to the County Commission.

7 ORDINANCES SET FOR SECOND READING

7A

110938 **Ordinance** **Barbara J. Jordan**

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE ("CSBE") PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 110192 AND 110795] (SEE AGENDA ITEM NO. 11A37) ***Amended***

Report: *See Report Under Agenda Item 7A AMENDED, Legislative File No. 111904.*

4/12/2011	1E2 SUBSTITUTE AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

7A AMENDED

111904 **Ordinance** **Barbara J. Jordan**

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE ("CSBE") PROGRAM; AMENDING SECTION 10-33.02 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NOS. 110192, 110795, 110938)

Adopted as amended
Ordinance 11-22
Mover: Barbara J. Jordan
Seconder: Lynda Bell
Vote: 10- 0
Absent: Martinez, District 13-Vacant, District 7-Vacant

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

Assistant County Attorney David Hope advised that a scrivener's error existed and should be corrected on handwritten page 18 to have number 11 read as follows: "One member of the list of recommended appointees submitted by the National Association of Black Women in Construction."

Commissioner Heyman expressed concern that the County would wait until a fourth violation and finding of non-compliance to suspend, terminate, or debar a firm. She suggested that the County suspend, terminate, or debar a firm after two violations.

Ms. Penelope Townsley, Director, Department of Small Business Development, noted the Community Small Business Enterprise program used progressive penalties and sanctions for program violations. She pointed out that the County would skip to suspending or debarring a firm if the violation is particularly egregious.

Commissioner Jordan requested this proposed ordinance be amended to include the Community Small Business Enterprise Association.

Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended by Commissioner Jordan.

7B

110932 **Ordinance** **Barbara J. Jordan**

ORDINANCE PERTAINING TO THE SMALL BUSINESS ENTERPRISE ("SBE") PROGRAM FOR THE PURCHASE OF GOODS AND SERVICES; AMENDING SECTION 2-8.1.1.1.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, PROVIDING SERVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 110195 AND 110797] (SEE AGENDA ITEM NO. 11A38)

Adopted
Ordinance 11-23
Mover: Barbara J. Jordan
Seconder: Lynda Bell
Vote: 10- 0
Absent: Martinez, District 13-Vacant, District 7-Vacant

4/12/2011 1E3 SUBSTITUTE AMENDED — *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

7C

110918 **Ordinance** **Barbara J. Jordan**

ORDINANCE PERTAINING TO THE COMMUNITY BUSINESS ENTERPRISE ("CBE-A/E") PROGRAM FOR ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, AND SURVEYING AND MAPPING PROFESSIONAL SERVICES; AMENDING SECTION 2-10.4.01 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 110190 AND 110798] (SEE AGENDA ITEM NO. 11A36)

Adopted
Ordinance 11-24
Mover: Barbara J. Jordan
Seconder: Lynda Bell
Vote: 10- 0
Absent: Martinez, District 13-Vacant, District 7-Vacant

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

Commissioner Moss questioned whether the County Commission had any legislation moving forward that would look at conducting a study for minority businesses in the county. He pointed out that the courts in North Carolina recently upheld a portion of minority set aside programs.

Commissioner Edmonson noted she was working on proposing legislation regarding the North Carolina decision, however, she welcomed help from any of her colleagues.

Commissioners Moss and Jordan asked that they be added as a co-sponsors to Commissioner Edmonson's forthcoming legislation.

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

4/12/2011	1E1 SUBSTITUTE AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

7D

110397 **Ordinance** **Joe A. Martinez**

ORDINANCE AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR FURNISHING OF AGENDAS PRIOR TO VOTE AT REGULAR MEETINGS OF THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Adopted
Ordinance 11-25
Mover: Joe A. Martinez
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

3/1/2011		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Public Safety & Healthcare Admin Cmte*
3/1/2011	4C	*Adopted on first reading by the Board of County Commissioners*
4/12/2011	1F1	*Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

7E

110952 **Ordinance** **Joe A. Martinez**

ORDINANCE RELATING TO THE PUBLIC HEALTH TRUST; AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY REGARDING POWERS OF THE PUBLIC HEALTH TRUST; AND PROVIDING FOR PENALTIES, SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 110459]

Deferred to no date certain
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing proposed ordinance was deferred, as requested by the Prime Sponsor.*

4/12/2011	1F2 AMENDED	*Forwarded to BCC with a favorable recommendation as amended from the Public Safety & Healthcare Admin Cmte*

7F

110521 **Ordinance** **Joe A. Martinez**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-223.6 (RU-5A, SEMI-PROFESSIONAL OFFICE DISTRICT), OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); AUTHORIZING DRIVE-THROUGH BANKS ON PARCELS OF ONE ACRE OR MORE UNDER CERTAIN CIRCUMSTANCES UPON APPROVAL AFTER PUBLIC HEARING; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Adopted
Ordinance 11-26
Mover: Joe A. Martinez
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

3/15/2011		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Infrastructure and Land Use Committee*
3/15/2011	4A	*Adopted on first reading by the Board of County Commissioners*
4/13/2011	1F1	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

7G

110343 **Ordinance** **Rebeca Sosa**

ORDINANCE PERTAINING TO ANIMALS; MODIFYING PROCEDURES FOR INVESTIGATING COMPLAINTS CONCERNING DANGEROUS DOGS; AMENDING SECTION 5-22 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *See Report Under Agenda Item 7G AMENDED, Legislative File No. 111906.*

3/1/2011	4D	*Adopted on first reading by the Board of County Commissioners*
3/1/2011		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Public Safety & Healthcare Admin Cmte*
4/12/2011	1F3	*Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

7G AMENDED

111906 **Ordinance** **Rebeca Sosa, Dennis C. Moss**

ORDINANCE PERTAINING TO ANIMALS; MODIFYING PROCEDURES FOR INVESTIGATING COMPLAINTS CONCERNING DANGEROUS DOGS; AMENDING SECTION 5-22 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 110343)

Adopted as amended
Ordinance 11-27
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

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

Commissioner Moss asked that he be listed as a co-sponsor to this proposed resolution.

Commissioner Diaz asked that this proposed ordinance be amended to add the following language to Section 5-22 on handwritten page 4: "the Department shall not respond to anonymous complaints."

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

7H

110895 **Ordinance** **Rebeca Sosa, Jean Monestime**

ORDINANCE AUTHORIZING THE CREATION OF THE MIAMI-DADE COUNTY GREEN BUSINESS CERTIFICATION PROGRAM; PROVIDING FOR PURPOSE, STANDARDS AND CRITERIA, REQUIRED AND RECOMMENDED PRACTICES, SELF-AUDIT APPLICATIONS, AND EVALUATION PROCESS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (SEE ORIGINAL ITEM UNDER FILE NO. 110088) (SEE AGENDA ITEM NO. 9A9) (Office of Sustainability)

Adopted
Ordinance 11-28
Mover: Rebeca Sosa
Seconder: Jean Monestime
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 1G1 AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development & Social Services Committee*

7I

110950 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING CHAPTER 25A OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA RELATING TO COMMITTEE DELIBERATIONS, FUNDING OF FOUNDATIONS AND NON-PROFIT ENTITIES, APPROVAL OF BUDGET REQUESTS AND SUBMISSION OF REPORTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 110234 AND 110745]

Adopted
Ordinance 11-29
Mover: Sen. Javier D. Souto
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/12/2011	1F4 SUB. AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Public Safety & Healthcare Admin Cmte*

7J

110194 **Ordinance**

ORDINANCE REVISING ZONING AND OTHER LAND DEVELOPMENT REGULATIONS PERTAINING TO THE PERRINE COMMUNITY URBAN CENTER DISTRICT ("PERRINE REGULATIONS"), AMENDING SECTIONS 33-284.99.8 AND 33-284.99.9, CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"), PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Department of Planning & Zoning)

Adopted
Ordinance 11-30
Mover: Dennis C. Moss
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

2/15/2011	4I	*Adopted on first reading by the Board of County Commissioners*
2/15/2011		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Infrastructure and Land Use Committee*
3/9/2011	5A	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	1F3	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8 DEPARTMENTAL ITEMS

8A AVIATION DEPARTMENT

8A1A

110463 **Resolution**

RESOLUTION AUTHORIZING SECOND AMENDMENT TO LEASE AND CONCESSION AGREEMENT FOR THE FOODSERVICE CONCESSIONS PROGRAM AT MIAMI INTERNATIONAL AIRPORT BETWEEN MIAMI-DADE COUNTY, FLORIDA AND AREAS USA MIA, LLC., WHICH REVISES THE CONTRACT TERM OF THE AGREEMENT; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SECOND AMENDMENT AND TO EXERCISE ALL OTHER RIGHTS INCLUDING CANCELLATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Adopted
Resolution R-287-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3A *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8A1B

110470 **Resolution**

RESOLUTION AWARDING CONTRACT FOR MISCELLANEOUS ROOFING PROGRAM (MAINTENANCE & REPAIR), BID NO. MDAD-MRP-01-10, TO CONTRACTOR, SUNSHINE ROOFING & SHEET METAL CORPORATION IN AN AMOUNT NOT TO EXCEED $6,015,000; AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AGREEMENT AND TO EXERCISE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

Adopted
Resolution R-288-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3B *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8A1C

110474 **Resolution**

RESOLUTION WAIVING FORMAL BID PROCEDURES AND PROVISIONS OF SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03 (D) OF THE MIAMI-DADE COUNTY HOME RULE CHARTER; FINDING SUCH WAIVER TO BE IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AND APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT TO BDG WORLD HOSPITALITY LLC, D/B/A PALACIO DE LOS JUGOS PROVIDING FOR PAYMENTS TO THE COUNTY OF NINE PERCENT OF CASUAL DINING AND FIFTEEN PERCENT FOR BEER AND WINE GROSS REVENUES, AND FOR A TERM OF EIGHT YEARS, WITH A TWO YEAR OPTION TO RENEW; WAIVING THE PROVISIONS OF R-456-07 AND R-1587-72 AS BEING IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Adopted
Resolution R-289-11
Mover: Barbara J. Jordan
Seconder: Audrey M. Edmonson
Vote: 7- 0
Absent: Barreiro, Souto, Martinez, Diaz, District 13-Vacant, District 7-Vacant

Report: *Commissioner Monestime noted the Miami-Dade Aviation Department (MDAD) normally had Community Small Business Enterprise (CSBE) goals. He pointed out that this proposed resolution did not have a CSBE goal. He noted that an Airport Concession Disadvantaged Business Enterprise (ACDBE) voluntary goal was established. Commissioner Monestime questioned why the ACDBE was not based on requirements from MDAD.*

Mr. Milton Collins, Associate Director for Minority Affairs, MDAD, noted the Federal Aviation Administration imposed a 30 percent goal for the concessions program in the entire airport. He explained that Miami International Airport (MIA) had exceeded the 30 percent goal. He pointed out that the location for this proposed resolution was not a high traffic area and the recommended vendor would have a difficult time meeting the projected revenues, and that imposing a mandatory goal would increase the difficulty.

Commissioner Edmonson questioned whether the ACDBE goal for the baggage wrap project at MIA was being met.

Mr. Collins noted the subcontractor for the baggage wrap project was present working and was being paid every two weeks. He explained that the project had a 30% ACDBE goal, and that it was currently at 26-27%, approximately four months into this project.

Commissioner Edmonson pointed out that the County Commission approved the baggage wrap contract more than four months ago.

Mr. Collins responded to questions from Commissioner Edmonson regarding the delay in starting the baggage wrap project following the County Commission approval of that contract.

Commissioner Edmonson questioned when the subcontractor would sign the baggage wrap agreement.

Mr. Miguel Southwell, Aviation Deputy Director, MDAD, noted MDAD extended the signing of the baggage wrap agreement to June 4, 2011, and that it was expected that the agreement would be signed May 21, 2011.

Commissioner Moss asked the Miami-Dade Aviation Department Director to ensure that the subcontractor agreement for the baggage wrap contract was signed as soon as possible, and that if this agreement was not signed to notify the County Commission.

Commissioner Jordan pointed out that the term for this proposed resolution was for eight years. She expressed concern that the County would not reevaluate the possibility of having an ACDBE goal for eight years. She suggested that this proposed resolution be amended to provide for a study to be conducted after one or two years regarding the feasibility of having an ACDBE goal for the contract in this proposed resolution. Commissioner Jordan questioned what mechanism the County had to track the vendor's annual profits, which could be used to ensure a minimum annual guarantee (MAG) could be established in the future.

Mr. Southwell noted he was concerned that in one to two years this vendor would want additional space since the proposed location was not profitable. He explained that he could provide the Commission with the report Commissioner Jordan wanted.

It was moved by Commissioner Jordan that this proposed resolution be amended to require a study be conducted on the recommended vendor's profits over the first two years of this agreement and for the study to determine whether the County should impose a MAG and a ACDBE goal. This motion was seconded by Commissioner Edmonson.

Commissioner Sosa questioned whether the proposed amendment would impact the vendor's commitment to occupy this undesirable location. She questioned whether the County had included provisions similar to this proposed amendment in other County contracts.

Mr. Southwwell explained that the other County contracts that required a MAG or ACDBE goal had those provisions applied at the beginning of the contract.

Discussion ensued among the Commission regarding Commissioner Jordan's motion to amend.

Commissioner Jordan withdrew her motion to amend.

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

4/14/2011 3C *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8A1D

110721 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE AGREEMENT FOR EXCHANGE OF PROPERTY BETWEEN MIAMI-DADE COUNTY AND CSX TRANSPORTATION, INC., AND AUTHORIZING CONVEYANCE OF TWO EASEMENTS TO CSX TRANSPORTATION INC. (Aviation Department)

Adopted
Resolution R-290-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3D *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8B COMMUNITY ACTION AGENCY

8B1A

110760 **Resolution**

RESOLUTION AUTHORIZING COMMUNITY ACTION AGENCY TO SUBMIT HEAD START/EARLY HEAD START PROGRAM REFUNDING APPLICATION FOR THE APPROXIMATE AMOUNT OF $54 MILLION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND AUTHORIZING THE EXTENSION OF DELEGATE AGENCY CONTRACTS FOR PROGRAM YEAR 2011-2012 (Community Action Agency)

Adopted
Resolution R-291-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3B *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

8B1B

102668 **Resolution**

RESOLUTION APPOINTING THREE COMMUNITY REPRESENTATIVE MEMBERS TO THE COMMUNITY ACTION AGENCY BOARD FOR THE 2-YEAR TERM BEGINNING DECEMBER 2010 (Community Action Agency)

Adopted
Resolution R-292-11
Mover: Audrey M. Edmonson
Seconder: Joe A. Martinez
Vote: 8- 0
Absent: Barreiro, Souto, Diaz, District 13-Vacant, District 7-Vacant

Report: *Chairman Martinez announced, by ballot vote, the following three individuals were appointed to the Community Action Board for the 2-year term beginning December 2010:*

- *Irene Taylor-Wooten*
- *Ilenia Sanchez-Bryson*
- *Beverly King*

12/15/2010	3A	*Forwarded to the BCC by the Chairperson due to lack of a quorum from the Housing & Community Development Committee*
1/20/2011	8B1A	*Deferred by the Board of County Commissioners*
2/9/2011	3A	*No action taken due to lack of a quorum by the Economic Development & Social Services Committee*
3/9/2011	3A	*No action taken due to cancellation of meeting by the Economic Development & Social Services Committee*
4/13/2011	3A	*Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

8C CONSUMER SERVICES DEPARTMENT

8C1A

110507 **Resolution**

RESOLUTION APPROVING APPLICATION FOR FIVE (5) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO QUALITY REHAB TRANSPORTATION, INC. TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-293-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011	1G2	*Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1B

110509 **Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE (1) CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO JUDE DALBERIS D/B/A NATHAN MEDICAL TRANSPORTATION TO PROVIDE COMBINATION WHEELCHAIR AND STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-294-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G3 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1C

110513 **Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE (1) CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PATRIOT TRANSPORTATION, INC. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-295-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G4 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1D

110514 **Resolution**

RESOLUTION APPROVING APPLICATION FOR THREE (3) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO E-L MEDICAL TRANSPORTATION, INC. TO PROVIDE WHEELCHAIR AND COMBINATION WHEELCHAIR/STRETCHER NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-296-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G5 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1E

110515 **Resolution**

RESOLUTION APPROVING APPLICATION FOR ONE (1) CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO AMERICAN HOPE TRANSPORTATION, CORP. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-297-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G6 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1F

110516 **Resolution**

RESOLUTION APPROVING APPLICATION FOR TWO (2) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO EARLY TRANSPORTATION, INC. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-298-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G7 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1G

110627 **Resolution**

RESOLUTION APPROVING APPLICATION FOR TWO (2) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO THROWER MOBILITY TRANSPORTATION SERVICE, CORP. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-299-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G8 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8C1H

110665 **Resolution**

RESOLUTION APPROVING APPLICATION FOR TEN (10) CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO MEDICAL TRANSPORTATION MANAGEMENT, CORP. TO PROVIDE WHEELCHAIR NONEMERGENCY MEDICAL TRANSPORTATION SERVICES (Consumer Services Department)

Adopted
Resolution R-300-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 1G9 *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8D ENVIRONMENTAL RESOURCES MANAGEMENT

8D1A

110326 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR $400,000 IN GRANT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM TO FUND SHORELINE STABILIZATION IN THE MARINE STADIUM BASIN IN BISCAYNE BAY; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS AND TO EXECUTE GRANT AWARD AGREEMENTS AND AMENDMENTS AS REQUIRED; AUTHORIZING THE DISBURSEMENT OF $400,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT SHORELINE STABILIZATION IN THE MARINE STADIUM BASIN IN BISCAYNE BAY THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Adopted
Resolution R-301-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011	4C	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3A	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8D1B

110330 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR $300,000 IN GRANT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM TO FUND SHORELINE STABILIZATION ON TWO SPOIL ISLANDS IN BISCAYNE BAY; AND FURTHER AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS AND TO EXECUTE GRANT AWARD AGREEMENTS AND AMENDMENTS AS REQUIRED; AND FURTHER AUTHORIZING THE DISBURSEMENT OF $300,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT SHORELINE STABILIZATION ON TWO SPOIL ISLANDS LOCATED EAST OF DINNER KEY MARINA IN BISCAYNE BAY THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Adopted
Resolution R-302-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011	4D	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3B	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8D1C

110331 **Resolution**

RESOLUTION AUTHORIZING THE DISBURSEMENT OF $400,000 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO CONDUCT WETLANDS RESTORATION AT OLETA RIVER STATE PARK THROUGH THE COUNTY'S BISCAYNE BAY RESTORATION AND ENHANCEMENT PROGRAM (Department of Environmental Resources Management)

Adopted
Resolution R-303-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011 4E *No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*

4/13/2011 3C *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8D1D

110592 **Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 9.46 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 MARK GREENBERG AND MORGAN STANLEY TRUST, N.A., TRUSTEES AND ROBERT M. GLASSER, TRUSTEE AS SELLERS FOR A PURCHASE PRICE OF $28,400; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM OR THE ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

Adopted
Resolution R-304-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3D *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8D1E

110594 **Resolution**

RESOLUTION ACCEPTING "ASSIGNMENT OF OPTION TO PURCHASE" APPROXIMATELY 4.74 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 IRA S. SILVER TRUSTEE AS SELLER FOR A PURCHASE PRICE OF $20,000; WHICH MAY BE FUNDED FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM OR THE ENVIRONMENTALLY ENDANGERED LANDS ACQUISITION TRUST FUND; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (Department of Environmental Resources Management)

Adopted
Resolution R-305-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3E *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8D1F

110661 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO APPLY FOR, ACCEPT AND EXPEND GRANT FUNDS AND EXECUTE ALL NECESSARY TASK ASSIGNMENTS AND CONTRACTS FOR VARIOUS DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT AND PARK AND RECREATION DEPARTMENT PROJECTS FUNDED THROUGH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION INVASIVE PLANT MANAGEMENT SECTION, TO PROVIDE INVASIVE PLANT CONTROL THROUGHOUT MIAMI-DADE COUNTY (Department of Environmental Resources Management)

Adopted
Resolution R-306-11
Mover: Lynda Bell
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 3F *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8E FINANCE DEPARTMENT

8E1A

110501 **Resolution**

RESOLUTION APPROVING MIAMI-DADE COUNTY'S DEBT MANAGEMENT POLICY (Finance Department)

Adopted
Resolution R-307-11
Mover: Audrey M. Edmonson
Seconder: Lynda Bell
Vote: 10- 1
No: Martinez
Absent: District 13-Vacant, District 7-Vacant

4/12/2011 3A *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8F GENERAL SERVICES ADMINISTRATION

8F1A

110356 **Resolution**

RESOLUTION APPROVING AN AMENDMENT TO LEASE AGREEMENT AT 6100 N.W. 153 STREET, MIAMI LAKES, WITH THE CHILDREN'S PSYCHIATRIC CENTER, INC., N/K/A INSTITUTE FOR CHILD AND FAMILY HEALTH, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR VACANT LAND TO BE UTILIZED FOR THE CONSTRUCTION AND OPERATION OF A FACILITY WHICH WILL PROVIDE HEALTHCARE AND BEHAVIORAL SERVICES TO MIAMI-DADE COUNTY'S CHILDREN AND THEIR FAMILIES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAID AMENDMENT AND EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

Adopted
Resolution R-308-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/12/2011 3B *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

8F1B

110466 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AND ASSIGNMENT OF LEASE AGREEMENT AT 2250 N.W. 82 AVENUE, DORAL, WITH AOA FLEXX, LLC., A DELAWARE LIMITED LIABILITY COMPANY, FOR PREMISES TO BE UTILIZED BY THE STATE OF FLORIDA DEPARTMENT OF HEALTH, MIAMI-DADE COUNTY HEALTH DEPARTMENT FOR ADMINISTRATIVE OFFICES AND STORAGE OF MEDICAL SUPPLIES WITH TOTAL FISCAL IMPACT TO THE STATE OF FLORIDA DEPARTMENT OF HEALTH NOT TO EXCEED $335,309.66 FOR THE FIVE YEAR TERM OF THE LEASE AGREEMENT AND FIVE-YEAR RENEWAL TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

Adopted
Resolution R-309-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3C *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8F1C

110493 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 19 WEST FLAGLER STREET, SUITES 201 - 207, 209, 215 AND 220, MIAMI, WITH BISCAYNE BUILDING, INC., A FLORIDA CORPORATION, FOR PREMISES TO BE UTILIZED BY THE OFFICE OF THE INSPECTOR GENERAL, FOR ADMINISTRATIVE OFFICES WITH A TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED $2,322,158.09 FOR THE FIVE YEAR TERM OF THE LEASE AGREEMENT AND INCLUDING THE ONE FIVE-YEAR RENEWAL OPTION PERIOD; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration)

Adopted
Resolution R-310-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3D *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8G MIAMI-DADE PUBLIC HOUSING AGENCY

8G1A

110766 **Resolution**

RESOLUTION AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (US HUD) FOR THE DISPOSITION OF A VACANT LAND PORTION OF CLAUDE PEPPER TOWER PUBLIC HOUSING DEVELOPMENT TO CONSTRUCT A PARKING LOT FOR THE UNIVERSITY PLAZA ELDERLY FACILITY; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, FOLLOWING US HUD'S APPROVAL, TO EXECUTE A GROUND LEASE WITH UNIVERSITY PLAZA PROPERTIES, INC., A NOT FOR PROFIT FLORIDA CORPORATION; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AMENDMENT TO THE ANNUAL CONTRIBUTIONS CONTRACT; AUTHORIZING THE GRANTING OF AN INGRESS/EGRESS AND TEMPORARY CONSTRUCTION EASEMENT TO UNIVERSITY PLAZA PROPERTIES, INC. OVER A CERTAIN PORTION OF CLAUDE PEPPER TOWER PUBLIC HOUSING DEVELOPMENT FOLLOWING US HUD'S APPROVAL OF DISPOSITION APPLICATION AND GROUND LEASE; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE A LICENSE AGREEMENT WITH UNIVERSITY PLAZA PROPERTIES, INC. FOR THE CONSTRUCTION OF APPROXIMATELY THIRTY-FIVE PARKING SPACES FOR THE RESIDENTS OF CLAUDE PEPPER TOWERS PUBLIC HOUSING DEVELOPMENT AND THEIR GUESTS AND REPAIR OR REPLACEMENT OF SECUIRTY CAMERAS FOLLOWING HUD'S APPROVAL OF THE DISPOSITION APPLICATION AND THE GROUND LEASE (Miami-Dade Public Housing Agency)

Adopted
Resolution R-311-11
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 3D Substitute *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

8H AND 8I **(No items were submitted for these sections.)**

8J **MIAMI-DADE TRANSIT AGENCY**

8J1A

110467 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR $19,514,504 IN PUBLIC TRANSIT BLOCK GRANT PROGRAM FUNDS FOR TRANSIT BUS SERVICE ASSISTANCE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE JPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit)

Adopted
Resolution R-312-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3E *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8J1B

110722 **Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE TRANSIT (MDT) TO SECURE INDEPENDENT, CERTIFIED (MAI, ASA) REAL PROPERTY APPRAISERS TO PERFORM REAL PROPERTY APPRAISALS ON AN AS-NEEDED BASIS, IN ACCORDANCE WITH ESTABLISHED COUNTY APPRAISER SELECTION PROCEDURES, IN AN AMOUNT NOT TO EXCEED A BLANKET AMOUNT OF $100,000 AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS (Miami-Dade Transit)

Adopted
Resolution R-313-11
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *Commissioner Heyman expressed concern regarding the County using an outside property appraiser, however, she pointed out that this was a case of imminent domain and it required the County use an outside appraiser.*

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

4/14/2011 3H *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8J1B SUPPLEMENT

110984 **Supplement**

SUPPLEMENTAL REPORT FOR 8J1B: APPRAISAL PROCESS

Accepted

8J1C

110720 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDING IN THE AMOUNT OF $1,000,000 FOR CONSTRUCTION OF A PEDESTRIAN OVERPASS AT THE UNIVERSITY METRORAIL STATION; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE JPA; AUTHORIZING THE USE AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE JPA; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS (Miami-Dade Transit)

Adopted
Resolution R-314-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3G *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8J1D

110942 **Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO TRANSFER OWNERSHIP OF THE 37 EXISTING BUS PASSENGERS BENCHES AND 33 BUS PASSENGER SHELTERS LOCATED IN THE TOWN OF CUTLER BAY TO THE TOWN OF CUTLER BAY AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 110581] (Miami-Dade Transit Agency)

Amended

Report: *See Report Under Agenda Item 8J1D AMENDED, Legislative File No. 111163.*

4/14/2011 3F Amended *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Regional Transportation Committee*

8J1D AMENDED

111163 **Resolution**

RESOLUTION AUTHORIZING MIAMI-DADE COUNTY TO TRANSFER OWNERSHIP OF THE 37 EXISTING BUS PASSENGERS BENCHES AND 33 BUS PASSENGER SHELTERS LOCATED IN THE TOWN OF CUTLER BAY TO THE TOWN OF CUTLER BAY AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT [SEE ORIGINAL ITEM UNDER FILE NO. 110942] (Miami-Dade Transit)

Adopted as amended
Resolution R-315-11
Mover: Bruno A. Barreiro
Seconder: Lynda Bell
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *Assistant County Attorney Bruce Libhaber advised that this proposed resolution should be amended to delete the fourth WHEREAS clause, on handwritten pages 4 and 5 and to change the "Now, Therefore" paragraph on handwritten page 5 to read as follows: "NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the transfer of the 37 bus passenger benches and 33 bus passenger shelters to the Town of Cutler Bay. The Board hereby authorizes the County Mayor or Mayor's designee to execute the Interlocal Agreement in substantially the same form attached hereto."*

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

8K DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

8K1A

110699 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR TO AMEND THE FY 2009 ACTION PLAN TO REFLECT THE RECAPTURE AND REALLOCATION, OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS; AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS UP TO $50,000 NECESSARY TO CARRY OUT THE ABOVE PROGRAM; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Department of Housing and Community Development)

Adopted
Resolution R-316-11
Mover: Barbara J. Jordan
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/13/2011	1G2	*Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*
4/25/2011		*Legislative notes attached by the Commission Auditor*

8K1B

110685 **Resolution**

RESOLUTION AUTHORIZING THE SALE OF A VACANT LAND PARCEL LOCATED AT LUCY STREET BETWEEN NW 9 AVENUE AND REDLAND ROAD IN FLORIDA CITY (FOLIO #16-7824-002-0110) TO THE FLORIDA CITY COMMUNITY REDEVELOPMENT AGENCY IN ACCORDANCE WITH FLORIDA STATUTE 125.38; AUTHORIZING THE WAIVER OF ADMINISTRATIVE ORDER 8-4 AS IT PERTAINS TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID PROPERTY (Department of Housing and Community Development)

Adopted
Resolution R-317-11
Mover: Lynda Bell
Seconder: Jose "Pepe" Diaz
Vote: 10- 1
No: Martinez
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 3C *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

110951 **Resolution**

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2010-11 FOR THE HOMESTEAD COMMUNITY REDEVELOPMENT AGENCY (SEE ORIGINAL ITEM UNDER FILE NO. 110951) (Office of Strategic Business Management)

Motion to adopt resulted in tie vote

Report: *Commissioner Heyman noted an audit of the Homestead Community Redevelopment Agency (CRA) had some negative findings. She expressed concern that, notwithstanding the audit findings, the fiscal year 2010-11 budget still had high salaries and line items for contributing to special events. Commissioner Heyman noted she would vote "No" to this proposed resolution.*

Commissioner Bell explained that she supported the Homestead CRA, however, she shared the same concerns as Commissioner Heyman. She pointed out that the County was not treating this CRA differently than other CRAs. Commissioner Bell noted the City of Homestead City Council could override any recommendation from any entity hired to serve the City Council. She stressed that CRA funds were tax increment funds and should not be used to support parades and festivals; they should be used to improve the blighted area.

Mr. David Aber, Assistant City Manager, City of Homestead, noted the City of Homestead was under a new administration that was giving attention to items that were not given careful attention by the previous administration.

Commissioner Heyman noted a CRA in Commission District 4 resubmitted its budget after receiving feedback from the County Commission. She questioned whether the City of Homestead CRA would do the same.

Mr. Aber pointed out that the budget in this proposed resolution was passed several months ago by the City of Homestead City Council, and he did not feel he could get them to make changes to the budget. He assured the County Commission that the CRA was looking carefully at these items and would address them in the next year's budget.

Commissioner Bell questioned the impact of the Commission voting on this proposed resolution as presented.

Assistant County Attorney Brenda Neuman advised that the interlocal agreement between the County and the City of Homestead stated that the County Commission had the authority to approve the Homestead CRA budget, but such approval would not be unreasonably withheld. She further advised that the Homestead CRA did not have to wait for County Commission approval to expend funds.

Commissioner Bell clarified that this CRA could continue to operate and expend funds even without County Commission approval of this proposed budget, unless the State of Florida Statutes were changed.

Commissioner Moss noted he wanted the City of Homestead to consider the comments made by the County Commission regarding this proposed resolution.

Chairman Martinez noted CRAs took money from the County by taking money from the Countywide General Fund.

A motion to adopt the foregoing proposed resolution as presented was moved by Commissioner Edmonson and seconded by Commissioner Moss, resulted in a 4-4 tie vote as follows: Commissioners Edmonson, Jordan, Moss and Souto voted "Yes"; Commissioners Bell, Heyman, Sosa and Chairman Martinez voted "No"; Commissioners Barreiro, Diaz and Monestime were absent; and District-7 and District-13 were vacant.

4/12/2011	3F AMENDED	*Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*
4/26/2011		*Legislative notes attached by the Commission Auditor*

8L1B

110478 **Resolution**

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2010-11 FOR THE FLORIDA CITY COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

Adopted
Resolution R-400-11
Mover: Dennis C. Moss
Seconder: Audrey M. Edmonson
Vote: 7- 3
No: Heyman, Bell, Martinez
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *Commissioner Heyman questioned whether the County Commission could deny this proposed resolution and use that denial as leverage to get the Florida City Community Redevelopment Agency (CRA) to change its interlocal agreement with the County.*

Assistant County Attorney Martin Sybllis advised that the interlocal agreement could not be amended unless both parties agreed to amend it. He advised that the CRA was obligated to pay its debts regardless of the action taken by the Commission.

In response to Commissioner Heyman's inquiry regarding the impact of the Commission denying this proposed resolution, Assistant County Attorney Sybllis advised that the County Commission denying this proposed resolution would have no impact on the Florida City CRA budget and operations.

Commissioner Heyman expressed concern regarding the salaries for police and code enforcement officers. She noted the CRA funds would be better spent if they were used on additional loans and redevelopment programs.

Commissioner Moss pointed out that the Florida City CRA had done, and would continue to do, a lot of good work. He requested clarification regarding the major issues found in the audit of this CRA.

Mr. Jorge Fernandez, Coordinator, Office of Strategic Business Management (OSBM), noted the Florida City CRA audit did not have any major findings, however, the audit identified some issues that the City of Florida City agreed to work on.

Commissioner Monestime noted he did not condone the unfavorable findings in the CRA audits. He pointed out, however, that some areas with CRAs would not have seen any business development without the CRA.

Assistant County Attorney Sybllis advised that he had reviewed the interlocal agreement between the County and the Florida City CRA, that it required the Commission to approve the CRA budget, and that the debt service payments were the only part of the budget that the County did not have purview.

Commissioner Bell noted that the Florida City CRA was performing well, and that the only concern from residents was the salaries paid to CRA employees.

Chairman Martinez pointed out that part-time CRA employees received a cost-of-living salary adjustment during a time when cutbacks were being made.

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

It was moved by Commissioner Barreiro that this proposed resolution be reconsidered. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

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

4/12/2011	3G	Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee
4/26/2011		Legislative notes attached by the Commission Auditor

8L1C

110480 **Resolution**

RESOLUTION APPROVING THE WEST PERRINE COMMUNITY REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2010-11 (Office of Strategic Business Management)

Adopted
Resolution R-318-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3H *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

4/26/2011 *Legislative notes attached by the Commission Auditor*

8M PARK AND RECREATION DEPARTMENT

8M1A

110506 **Resolution**

RESOLUTION AUTHORIZING A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR $900,000 IN GRANT FUNDS FOR BLACK CREEK TRAIL SEGMENT A CONSTRUCTION AND FURTHER AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO ACCEPT AND EXPEND THE FUNDS, AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Park & Recreation Department)

Adopted
Resolution R-319-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 3C *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

8M1B

110582 **Resolution**

RESOLUTION APPROVING AMENDMENT NUMBER ONE TO THE PROFESSIONAL SERVICES AGREEMENT WITH URS CORPORATION FOR ZOO MIAMI IMPROVEMENTS, PROJECT NO. A06-PARK-01, GOB, CONTRACT NO. 592500-06-003-1, DELETING A DEDICATED ALLOWANCE FOR SPECIAL PROFESSIONAL SERVICES IN THE AMOUNT OF $500,000 AND INCREASING THE BASIC SERVICES FOR THE SAME AMOUNT, RESULTING IN NO NET INCREASE TO THE PROFESSIONAL SERVICES AGREEMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI DADE COUNTY AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Park & Recreation Department)

Adopted
Resolution R-320-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 3D *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

8N PLANNING AND ZONING DEPARTMENT

8N1A

110187 **Resolution**

RESOLUTION APPROVING THE CORAL VILLA ESTATES CHARRETTE AREA PLAN REPORT (Department of Planning & Zoning)

Adopted
Resolution R-321-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	4B	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	4G	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3G	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8N1B

110584 **Resolution**

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

Adopted
Resolution R-322-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011	3H	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8O PROCUREMENT MANAGEMENT DEPARTMENT

8O1A

110770 **Resolution**

RESOLUTION AUTHORIZING THE APPOINTMENT OF BLAYLOCK ROBERT VAN, LLC; CABRERA CAPITAL MARKETS, LLC; ESTRADA HINOJOSA & COMPANY, INC.; JACKSON SECURITIES, LLC; M. R. BEAL & COMPANY; AND RICE SECURITIES, LLC DBA RICE FINANCIAL PRODUCTS COMPANY TO DIVISION 1; AND BARCLAYS CAPITAL, INC.; CITIGROUP GLOBAL MARKETS, INC.; GOLDMAN, SACHS & CO.; J.P. MORGAN SECURITIES, LLC; JEFFERIES & COMPANY, INC.; LOOP CAPITAL MARKETS, LLC; MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.; MORGAN KEEGAN & COMPANY, INC.; MORGAN STANLEY & COMPANY, INC.; RBC CAPITAL MARKETS, LLC; RAYMOND JAMES & ASSOCIATES, INC.; SAMUEL A. RAMIREZ & COMPANY, INC.; SIEBERT BRANDFORD SHANK & COMPANY, LLC; SOUTHWEST SECURITIES, INC.; AND WELLS FARGO SECURITIES, LLC TO DIVISION 2 OF THE MUNICIPAL BOND UNDERWRITING POOL FOR NEGOTIATED TRANSACTIONS RFQ NO. 751 (Procurement Management Department)

Adopted
Resolution R-323-11
Mover: Jean Monestime
Seconder: Audrey M. Edmonson
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/12/2011 3Q *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8O1B

110751 **Resolution**

RESOLUTION AUTHORIZING AWARD OF COMPETITIVE CONTRACT, AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, AND TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER FOR PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

Adopted
Resolution R-324-11
Mover: Lynda Bell
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

Report: *Commissioner Bell asked the County Manager to meet with her to discuss her questions and concerns regarding the County using temporary employees, including a detailed breakdown of the $15 million spent on temporary personnel over the last three years and a report regarding the County hiring previously laid off employees as temporary employees.*

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

4/12/2011 3P *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

8O1C

110617 **Resolution**

RESOLUTION AUTHORIZING AWARD OF A CONTRACT IN THE AMOUNT OF $313,000 WITH GLOBAL TRADING, INC. AND ELBECO INCORPORATED TO UNIFORM SHIRTS AND PANTS FOR MIAMI-DADE POLICE DEPARTMENT, WAIVING THE REQUIREMENTS OF SECTIONS 2-8.3 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE, PERTAINING TO FORMAL BID PROCEDURES AND BID PROTESTS, BY A TWO-THIRD VOTE OF THE BOARD MEMBERS PRESENT, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT BW9465-0/12 (Procurement Management Department)

Adopted
Resolution R-325-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3M *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8O1D

110490 **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 (Procurement Management Department)

Adopted
Resolution R-326-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3I *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8O1E

110765 **Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR'S OR COUNTY MAYOR'S DESIGNEE ACTIONS, AS AUTHORIZED BY SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY, IN APPROVING EXECUTION OF AN AGREEMENT WITH FLORIDA TRANSPORTATION SYSTEMS, INC IN THE AMOUNT OF $2,516,005 FOR AN AMERICAN RECOVERY AND REINVESTMENT ACT ("ARRA") FUNDED PROJECT TO PURCHASE MEDIUM DUTY BUSES FOR THE CITIES OF HIALEAH AND HIALEAH GARDENS, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN (Procurement Management Department)

Adopted
Resolution R-327-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

8O1F

110854 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. 7400: TIRE LEASING AND RELATED SERVICES FOR MIAMI-DADE TRANSIT, TO MICHELIN NORTH AMERICA, INC, IN THE AMOUNT OF $11,788,000; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACTS AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN (SEE ORIGINAL ITEM 110707) (Procurement Management Department)

Adopted
Resolution R-328-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3O Amended *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

8O1G

110705 **Resolution**

RESOLUTION WAIVING ADMINISTRATIVE ORDER 3-38 TO AWARD CONTRACT NO. CBW7400: TIRE LEASING AND RELATED SERVICES FOR MIAMI-DADE TRANSIT, TO MICHELIN NORTH AMERICA, INC, IN THE AMOUNT OF $1,532,000; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACTS AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Procurement Management Department)

Amended

Report: *See Report Under Agenda Item 8O1G AMENDED, Legislative File No. 111073.*

4/12/2011 3N *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8O1G AMENDED

111073 **Resolution**

RESOLUTION WAIVING THE REQUIREMENTS OF SECTIONS 2-8.3 AND 2-8.4 OF THE MIAMI-DADE COUNTY CODE, PERTAINING TO FORMAL BID PROCEDURES AND BID PROTESTS, BY A TWO THIRD VOTE OF THE BOARD MEMBERS PRESENT AND WAIVING ADMINISTRATIVE ORDER 3-38 TO AWARD CONTRACT NO. CBW7400: TIRE LEASING AND RELATED SERVICES FOR MIAMI-DADE TRANSIT, TO MICHELIN NORTH AMERICA, INC, IN THE AMOUNT OF $1,532,000; AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE THE CONTRACTS AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS [SEE ORIGINAL ITEM UNDER FILE NO. 110705] (Procurement Management Department)

Adopted as amended
Resolution R-329-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *County Attorney Robert Cuevas advised that the Pull List had the wrong title for this proposed resolution.*

It was moved by Commissioner Heyman that the foregoing proposed resolution be adopted as amended to reflect that this proposed resolution would waive competitive bidding for contract number CBW7400-0/15 to Michelin North America, Inc.This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent).

The amended version was assigned Resolution No. R.329-11.

8O1H

110719 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. 9436-2/17: UNIFORMS AND ACCESSORIES FOR MIAMI-DADE TRANSIT, TO GLOBAL TRADING INC. AND IPA CORPORATION, IN THE AMOUNT OF $1,950,000; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE CONTRACTS AND TO EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS CONTAINED THEREIN, AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Procurement Management Department)

Adopted
Resolution R-330-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3L *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

8O1I

110541 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT IN THE AMOUNT OF $5,870,000 WITH THE UNIVERSITY OF MIAMI TO PROVIDE A FORENSIC DRIVING-UNDER-THE-INFLUENCE (DUI) TOXICOLOGY LABORATORY PROGRAM, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. RFP735 (Procurement Management Department)

Adopted
Resolution R-331-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3J *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

8P PUBLIC WORKS DEPARTMENT

8P1A

110575 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $244,513.60 BETWEEN A. BERNAL SERVICES CORP. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERNALLY ILLUMINATED STREET NAME SIGN CONTRACT - COUNTYWIDE (PROJECT MCC 7040 PLAN - CICC 7040-0/07, REQUEST FOR PRICE QUOTATION (RPQ) NO. 20110012) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-332-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3L *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1B

110577 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $230,810.40 BETWEEN BRAILLY ELECTRIC CORP. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERNALLY ILLUMINATED STREET NAME SIGN CONTRACT - COUNTYWIDE (PROJECT MCC 7040 PLAN - CICC 7040-0/07, REQUEST FOR PRICE QUOTATION (RPQ) NO. 20110010) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-333-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3M *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1C

110579 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $299,033.10 BETWEEN P & J STRIPING, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED PAVEMENT MARKINGS INSTALLATION CONTRACT - COUNTYWIDE (PROJECT MCC 7040 PLAN - CICC 7040-0/07, REQUEST FOR PRICE QUOTATION (RPQ) NO. 20100742) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-334-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3N *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1D

110580 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $235,360.18 BETWEEN MAGESCO, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERNALLY ILLUMINATED STREET NAME SIGN CONTRACT - COUNTYWIDE (PROJECT MCC 7040 PLAN – CICC 7040-0/07, REQUEST FOR PRICE QUOTATION (RPQ) NO. 20110011) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-335-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3O *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1E

110710 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT PROVIDING ADDITIONAL FUNDS FOR THE EXISTING JOINT PARTICIPATION AGREEMENT (JPA NO. 250610-1-58-01) FOR LANDSCAPE INSTALLATIONS BETWEEN MIAMI-DADE COUNTY (COUNTY) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), PURSUANT TO AVAILABLE FUNDING, IN THE AMOUNT OF $250,000 (Public Works Department)

Adopted
Resolution R-336-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3P *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1F

110060 **Resolution**

RESOLUTION APPROVING EXECUTION OF A MEMORANDUM OF AGREEMENT AMONG MIAMI-DADE COUNTY, THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF MIAMI TO JOINTLY PARTICIPATE IN THE RELOCATION OF THE EXISTING TAMIAMI CANAL/NW SOUTH RIVER DRIVE SWING BRIDGE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

Adopted
Resolution R-337-11
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	4F	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	4M	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3M	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8P1G

110708 **Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL (RETROACTIVE) OF A CONTRACT BETWEEN MIAMI-DADE COUNTY AND THE REDLAND COMPANY, INC., FOR A PUBLIC WORKS DEPARTMENT PROJECT ENTITLED RICKENBACKER CAUSEWAY SHORELINE AND ROADWAY PROTECTION PROJECT, LOCATED WITHIN COMMISSION DISTRICT 7 (PROJECT NO. 20060470 ESP), EXTENDING THE CONTRACT TIME BY 34 CALENDAR DAYS (Public Works Department)

Adopted
Resolution R-338-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011	3Q	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8P1H

110562 **Resolution**

RESOLUTION AUTHORIZING PAYMENT OF REASONABLE ATTORNEY'S FEES AND COSTS PURSUANT TO CHAPTERS 73.091 AND 73.092, FLORIDA STATUTES; AND APPROVING THE CONTRACT FOR SALE AND PURCHASE OF DESIGNATED PROPERTY KNOWN AS PARCEL 35 IN THE AMOUNT OF $75,600 WITH MIAMI-DADE COUNTY AS PURCHASER AND GROVE GATE CONDOMINIUM ASSOCIATION, INC. AS SELLER, FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO SW 27 AVENUE FROM US 1 TO SOUTH BAYSHORE DRIVE AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-339-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011	3I	*Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1I

110569 **Resolution**

RESOLUTION AUTHORIZING PAYMENT OF REASONABLE ATTORNEY'S FEES AND COSTS PURSUANT TO CHAPTERS 73.091 AND 73.092, FLORIDA STATUTES; AND APPROVING THE CONTRACT FOR SALE AND PURCHASE OF DESIGNATED PROPERTY KNOWN AS PARCEL 31 IN THE AMOUNT OF $528,000 WITH MIAMI-DADE COUNTY AS PURCHASER AND ANDMAR ENTERPRISES, INC. AS SELLER, FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO SW 27 AVENUE FROM US 1 TO SOUTH BAYSHORE DRIVE AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-340-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3J *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1J

110571 **Resolution**

RESOLUTION AUTHORIZING PAYMENT OF REASONABLE ATTORNEY'S FEES AND COSTS PURSUANT TO CHAPTERS 73.091 AND 73.092, FLORIDA STATUTES; AND APPROVING THE CONTRACT FOR SALE AND PURCHASE OF DESIGNATED PROPERTY KNOWN AS PARCEL 16 IN THE AMOUNT OF $207,750 WITH MIAMI-DADE COUNTY AS PURCHASER AND 3031 S.W. 27TH AVE., INC. AS SELLER, FOR RIGHT-OF-WAY NEEDED FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY EXPANSION AND IMPROVEMENTS TO SW 27 AVENUE FROM US 1 TO SOUTH BAYSHORE DRIVE AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (Public Works Department)

Adopted
Resolution R-341-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/14/2011 3K *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*

8P1K

110838 **Resolution**

RESOLUTION RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT, WATERWAYS ASSISTANCE PROGRAM FOR UP TO $500,000 IN GRANT FUNDS PROVIDING MATCHING FUNDING FROM THE BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM TO CONSTRUCT THREE (3) SECTIONS OF THE MIAMI RIVER GREENWAY AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN [SEE AGENDA ORIGINAL ITEM UNDER FILE NO. 110748] (Public Works Department)

Adopted
Resolution R-342-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3S SUBSTITUTE *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8Q SEAPORT DEPARTMENT

8Q1A

110840 **Resolution** **Rebeca Sosa**

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 2 TO THE CRUISE TERMINAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CARNIVAL CORPORATION; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE THE AMENDMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN (Seaport Department)

Adopted
Resolution R-343-11
Mover: Sally A. Heyman
Seconder: Bruno A. Barreiro
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *Note: Pursuant to the County Manager's Memorandum of Changes dated May 03, 2011, this item was reprinted to list Commissioner Rececca Sosa as the Prime Sponsor.*

4/13/2011 3G *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

8R WATER AND SEWER DEPARTMENT

8R1A

110590 **Resolution**

RESOLUTION APPROVING A STORMWATER BILLING AGREEMENT WITH THE TOWN OF MIAMI LAKES FOR THE BILLING OF STORMWATER UTILITY CHARGES BY THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Adopted
Resolution R-344-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3V *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8R1B

110648 **Resolution**

RESOLUTION REJECTING ALL BIDS SUBMITTED IN RESPONSE TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S REQUEST FOR PROPOSALS FOR PROJECT NO. UP10-WASD-01: DESIGN-BUILD SERVICES FOR ON-SITE CHLORINE GENERATION AND EMERGENCY GENERATOR SYSTEMS AT THE JOHN E. PRESTON/HIALEAH AND ALEXANDER ORR WATER TREATMENT PLANTS (Water & Sewer Department)

Deferred to May 17, 2011
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred to the May 17th Board of County Commissioners Meeting, as requested by the County Manager.*

4/13/2011 3W *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8R1C

110671 **Resolution**

RESOLUTION RATIFYING THE ACTIONS OF THE COUNTY MAYOR OR MAYOR'S DESIGNEE AS AUTHORIZED BY SECTION 2-8.2.11 (2)(B) OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING CHANGE ORDERS WITH NON-COMPENSABLE TIME EXTENSIONS FOR TRANS FLORIDA DEVELOPMENT CORP. AND MUNILLA CONSTRUCTION MANAGEMENT LLC, ON CONTRACT NUMBERS W-862(A) AND S-808(A) RESPECTIVELY, RELATED TO THE COUNTY'S 20-YEAR WATER USE PERMIT AND THE HIGH LEVEL DISINFECTION FACILITY LOCATED AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT (Water & Sewer Department)

Adopted
Resolution R-345-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3X *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8R1D

110504 **Resolution**

RESOLUTION APPROVING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF DORAL, IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED TO A PORTION OF PROPERTY LOCATED ALONG N.W. 74 STREET BETWEEN N.W. 102 AND N.W. 104 AVENUE (Water & Sewer Department)

Amended

Report: *See Report Under Agenda Item 8R1D AMENDED, Legislative File No. 111561.*

4/13/2011 3T *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8R1D AMENDED

111561 **Resolution**

RESOLUTION APPROVING EXECUTION OF COUNTY RIGHT OF WAY DEED BY MIAMI-DADE COUNTY, FLORIDA, TO THE CITY OF DORAL, IN ACCORDANCE WITH FLORIDA STATUTE 125.38; WAIVING ADMINISTRATIVE ORDER 8-4 AS IT RELATES TO REVIEW BY THE PLANNING ADVISORY BOARD; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF PROPERTY; AND AUTHORIZING EXECUTION OF A COUNTY DEED TO A PORTION OF PROPERTY LOCATED ALONG N.W. 74 STREET BETWEEN N.W. 102 AND N.W. 104 AVENUE IN SECTION 17 TOWNSHIP 53 RANGE 40 [SEE ORIGINAL ITEM UNDER FILE NO. 110504] (Water & Sewer Department)

Adopted as amended
Resolution R-346-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *Assistant County Attorney Henry Gillman advised that this proposed resolution should be amended to add the following language to the "Now, Therefore" clause on handwritten page 4: "Pursuant to Resolution No. R-974-09, the Board directs the County Mayor or the County Mayor's designee to record the issue and conveyance provided herein and in the public record of Miami-Dade County, Florida, and provide a recorded copy of the issuance to the Clerk of the Board within 30 days of said issuance, and directs the Clerk of the Board to attach and permanently store the recorded copy together with this resolution."*

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

8R1E

110583 **Resolution**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 10-8 AND ADOPTING IMPLEMENTING ORDER 10-8: RULES AND REGULATIONS OF THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN (Water & Sewer Department)

Adopted
Resolution R-347-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 3U *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

9 ADDITIONAL DEPARTMENTAL ITEMS

9A1

110591 **Resolution**

RESOLUTION RATIFYING THE MAYOR OR THE MAYOR'S DESIGNEE'S ACTION IN APPLYING FOR AND ACCEPTING GRANT FUNDS FROM THE ROY AND LEA BLACK FOUNDATIONS/ CONSEQUENCES FOUNDATION FOR THE CREATION OF A PUBLIC, PRIVATELY FUNDED PARTNERSHIP IN THE AMOUNT OF $60,000.00 FOR SERVICE TO JUVENILES THROUGH THE MIAMI-DADE JUVENILE SERVICES DEPARTMENT (JSD); AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO RECEIVE AND EXPEND SAID FUNDS; AUTHORIZING THE EXECUTION OF SUCH CONTRACTS, AGREEMENTS, AND MEMORANDA OF UNDERSTANDING, AND AMENDMENTS AFTER REVIEW BY THE COUNTY ATTORNEY'S OFFICE; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUNDS THAT MAY BECOME AVAILABLE (Juvenile Services Department)

Adopted
Resolution R-348-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3A *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

9A2

110570 **Resolution**

RESOLUTION AUTHORIZING APPROVAL OF TWENTY-THREE (23) GRANT AWARDS IN THE AMOUNT OF $350,000 FROM THE DEPARTMENT OF CULTURAL AFFAIRS' FY 2010-11 SUMMER ARTS & SCIENCE CAMPS FOR KIDS GRANTS PROGRAM TO: AREA PERFORMANCE GALLERY, INC.; ARTS BALLET THEATRE OF FLORIDA, INC.; ARTSOUTH A-NOT-FOR-PROFIT CORPORATION; DIVA ARTS & ENTERTAINMENT, INC.; ENFAMILIA, INC.; FAIRCHILD TROPICAL BOTANIC GARDEN, INC.; GREATER MIAMI YOUTH SYMPHONY OF DADE COUNTY, FLORIDA, INC.; HISTORICAL ASSOCIATION OF SOUTHERN FLORIDA, INC.; MARJORY STONEMAN DOUGLAS BISCAYNE NATURE CENTER, INC.; MIAMI LIGHT PROJECT, INC.; MIAMI STAGE COMPANY/MIAMI CHILDREN'S THEATER INC.; MIAMI-DADE COUNTY PARK AND RECREATION DEPARTMENT; MUSEUM OF CONTEMPORARY ART, INC.; MUSEUM OF SCIENCE, INC. (DBA MIAMI SCIENCE MUSEUM); SHAKE-A-LEG MIAMI, INC.; SOUTH FLORIDA YOUTH SYMPHONY, INC.; THE DAVE AND MARY ALPER JEWISH COMMUNITY CENTER, INC.; THE PLAYGROUND THEATRE, INC.; THE SOUTH FLORIDA BOYS CHOIR, INCORPORATED; THE THOMAS ARMOUR YOUTH BALLET, INC.; THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER MIAMI, INC.; THE ZOOLOGICAL SOCIETY OF FLORIDA; AND UNIVERSITY OF MIAMI, FROST SCHOOL OF MUSIC, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, FOLLOWING COUNTY ATTORNEY APPROVAL OF FORM AND LEGAL SUFFICIENCY AND TO EXERCISE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Department of Cultural Affairs)

Adopted
Resolution R-349-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 3A *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

9A3

110737 **Resolution**

RESOLUTION AUTHORIZING THE APPROVAL OF THIRTY (30) GRANTS FOR A TOTAL OF $166,340 FROM THE DEPARTMENT OF CULTURAL AFFAIRS FY 2010-2011 COMMUNITY GRANTS PROGRAM – THIRD QUARTER WITH (HAYTFO) HAITIAN AMERICAN YOUTH TASK FORCE, INC.; ARCA IMAGES, INC.; ARTE DEL BARRIO INC.; BRAZZ DANCE THEATER, INC. A/F/A FOR THOUGHT LOOM, INC.; CITY OF MIAMI MODEL CITY NET; CITY OF NORTH MIAMI BEACH - LEISURE SERVICES DEPARTMENT; CORAL GABLES CINEMATEQUE, INC.; CREATIVE CHILDREN THERAPY, INC.; CULTURE AND COMMUNITY ASSOCIATION INC.;EARTH LEARNING, INC.;FACUNDO RIVERO PERFORMING ARTS, INC.; FRIENDS OF THE JAPANESE GARDEN, INC.; GOLD COAST RAILROAD MUSEUM, INC.; KRANE, INC.; MARTI PRODUCTIONS INC.; MIAMI BEACH JEWISH COMMUNITY CENTER, INC.; MIAMI RIVER FUND, INC. MIAMI WIND SYMPHONY, INC.; MIAMI WORLD CINEMA CENTER, INC.; MOVING LIVES OF KIDS ART CENTER; NATIONAL ART EXHIBITIONS OF THE MENTALLY ILL, INC.; THE MASTER CHORALE OF SOUTH FLORIDA, INC.; THE MIAMI FOUNDATION, INC. A/F/A FOR BORSCHT CORP; THE MIAMI FOUNDATION, INC. A/F/A FOR NAME PUBLICATIONS, INC.; THE MUSICAL ARTS ASSOCIATION OF MIAMI, INC.; THE SICILIAN CULTURAL AND FILM FESTIVAL INC.; UNIVERSITY OF WYNWOOD. INC.; URGENT, INC.; WOMEN'S INTERNATIONAL FILM & ARTS FESTIVAL, INC.; YOUTH FOR THE ARTS FORUM, INC.; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, FOLLOWING COUNTY ATTORNEY APPROVAL OF FORM AND LEGAL SUFFICIENCY AND TO EXECUTE THE CANCELLATION PROVISIONS CONTAINED THEREIN (Department of Cultural Affairs)

Adopted
Resolution R-350-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 3B *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

9A4

110320 **Resolution**

RESOLUTION RATIFYING THE COUNTY MAYOR OR MAYOR'S DESIGNEE ACTIONS, AS AUTHORIZED BY SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING AGREEMENTS FOR CONTINUING SERVICES UNDER THE COUNTY'S EQUITABLE DISTRIBUTION PROGRAM [SEE ORIGINAL ITEM UNDER FILE NO. 110070] (Office of Capital Improvements)

Adopted
Resolution R-351-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	4C SUB	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
3/9/2011	4I SUB.	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3I SUBSTITUTE	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*
4/25/2011		*Legislative notes attached by the Commission Auditor*

9A5

110081 **Resolution**

RESOLUTION APPROVING THE NEW OVERALL PROGRAM EXPENDITURE LIMIT FOR THE MISCELLANEOUS CONSTRUCTION CONTRACTS PROGRAM (Office of Capital Improvements)

Adopted
Resolution R-352-11
Mover: Audrey M. Edmonson
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

3/9/2011	4J	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	3J	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

9A6

110727 **Resolution**

RESOLUTION DESIGNATING THE 8400 CORAL WAY PARCEL AS A BROWNFIELD AREA, IN COMPLIANCE WITH FLORIDA STATUTES 376.80(2)(B)(1), 376.80(2)(B)(2), 376.80(2)(B)(3), 376.80(2)(B)(4), AND 376.80(2)(B)(5), AND PROVIDING FOR AN EFFECTIVE DATE (Ofc of Economic Development & International Trade)

Deferred to May 17, 2011
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred to the May 17th Board of County Commissioners Meeting, as requested by the County Manager.*

4/13/2011	1G4	*Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*
4/25/2011		*Legislative notes attached by the Commission Auditor*

9A7

110701 **Resolution**

RESOLUTION SUPPORTING WAL-MART STORES EAST, LP FOR A STATE OF FLORIDA BROWNFIELD REDEVELOPMENT BONUS REFUND PURSUANT TO FLORIDA STATUTES § 288.107 WHILE OPTING OUT OF THE LOCAL MATCH AND FURTHER PROVIDING FOR AN EFFECTIVE DATE (Ofc of Economic Development & International Trade)

Deferred to May 17, 2011
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was deferred to the May 17th Board of County Commissioners Meeting, as requested by the County Manager.*

4/13/2011 3E *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

4/25/2011 *Legislative notes attached by the Commission Auditor*

9A8

110468 **Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE MIAMI-DADE COUNTY SCHOOL BOARD FOR THE PROVISION OF DRIVER'S EDUCATION; AND AUTHORIZING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Office of Grants Coordination)

Adopted
Resolution R-353-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 3E *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

9A9

110894 **Resolution**

RESOLUTION APPROVING IMPLEMENTING ORDER 3-55 FOR THE DEVELOPMENT OF A GREEN BUSINESS CERTIFICATION PROGRAM [SEE ORIGINAL ITEM UNDER FILE NO. 110112] [SEE AGENDA ITEM NO. 7H] (Office of Sustainability)

Adopted
Resolution R-354-11
Mover: Rebeca Sosa
Seconder: Jean Monestime
Vote: 10- 1
No: Martinez
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 3F AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Economic Development & Social Services Committee*

9A10

110900 **Resolution** **Joe A. Martinez**

RESOLUTION RESCINDING RESOLUTION NOS. R-875-09 RELATING TO CONVEYANCE OF MIAMI LAKES WEST PARK AND R-876-09 RELATING TO CONVEYANCE OF OTHER LOCAL PARKS; APPROVING INTERLOCAL AGREEMENT WITH TOWN OF MIAMI LAKES (TOWN) FOR CONVEYANCE OF VARIOUS LOCAL PARKS, AWARDING $346,100.00 OF SAFE NEIGHBORHOOD PARKS (SNP) DISCRETIONARY INTEREST EARNINGS TO TOWN, AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE INTERLOCAL AGREEMENT, COUNTY DEEDS AND SNP GRANT AGREEMENT FOR SUCH PARKS WITH TOWN, ALL SUBJECT TO SATISFACTION OF CONDITION PRECEDENT; AND RATIFYING COUNTY MANAGER'S ACTIONS IN DISBURSING BUILDING BETTER COMMUNITIES GENERAL OBLIGATION FUNDS TO TOWN (Office of Capital Improvements)

Adopted
Resolution R-355-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

9A11

110927 **Resolution**

RESOLUTION REJECTING PROPOSALS FOR CONSULTANT SERVICES FOR CONSTRUCTION INSPECTION SERVICES, PROJECT NO. A09-OCI-01, A; AND AND DIRECTING THE MAYOR OR THE MAYOR'S DESIGNEE TO RESOLICIT FOR SERVICES [SEE ORIGINAL ITEM UNDER FILE NO. 110369] (Office of Capital Improvements)

Adopted
Resolution R-356-11
Mover: Barbara J. Jordan
Seconder: Joe A. Martinez
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/13/2011 3K AMENDED *Forwarded to BCC with a favorable recommendation as amended from the Infrastructure and Land Use Committee*

10 AUTHORITIES, BOARDS, COUNCILS AND TRUSTS

11 COUNTY COMMISSION

11A RESOLUTIONS

11A1

110452 **Resolution** **Jose "Pepe" Diaz, Dennis C. Moss**

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO ANALYZE CURRENT LAND USES AND CONDITIONS IN WESTERN MIAMI-DADE COUNTY, IDENTIFY SUCCESSFUL PRACTICES USED IN OTHER PARTS OF THE COUNTRY FOR GREENBELTS, CONDUCT COMMUNITY OUTREACH, DEVELOP A STRATEGIC PLAN, AND INVESTIGATE FUNDING OPPORTUNITIES, WITH THE GOAL OF CREATING A CONTIGUOUS GREENBELT IN WESTERN MIAMI-DADE COUNTY

Adopted
Resolution R-274-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011	6A	*No action taken due to cancellation of meeting by the Infrastructure and Land Use Committee*
4/13/2011	2A	*Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

11A2

110777 **Resolution** **Audrey M. Edmonson,**
Rebeca Sosa,
Dennis C. Moss,
Jean Monestime

RESOLUTION RELATING TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AMENDING DEPARTMENT RULES & REGULATIONS TO CREATE BRIDGE ACCOUNTS FOR TENANT GROUPS OF MULTI-UNIT RENTAL DWELLINGS THAT MEET CERTAIN CONDITIONS [SEE ORIGINAL ITEM UNDER FILE NO. 110439]

Adopted
Resolution R-357-11
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

Report: *Chairman Martinez noted the County Commission needed to adopt a penalty against the landlord who did not pay water and sewer fees.*

Mr. Joe Ruiz, Deputy Director, Water and Sewer Department (WASD), noted the immediate punishment was for the County to place a lien on the property and the County would collect the outstanding debt when the landlord sold the property.

County Attorney Robert Cuevas advised that the Commission could adopt legislation that would impose a penalty on the landlord, however, it would be beyond the scope of the title for this proposed resolution and should be presented in a new item.

Chairman Martinez clarified that unless the County imposed a punitive penalty, then landlords would continue to not pay for water and sewer services.

Commissioner Edmonson asked the Water and Sewer Department Director to meet with her to discuss possible legislation regarding action that could be taken against landlords who collected money from tenants for water and sewer services and did not use that money to pay the tenants' water bills.

Commissioner Jordan questioned how this proposed resolution would apply to a building that had one water meter for multiple housing units.

Mr. Ruiz noted the new construction laws did not allow one meter for multiple housing units. He explained that the total bill for the entire building should be divided evenly by the number of total living units in older constructions that still had the one meter. He clarified that the entire bill needed to be satisfied before water services could be turned on for the entire building.

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

4/13/2011 2B SUB. *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

11A2 SUPPLEMENT

110759 **Supplement**

SUBSTITUTE REPORT: ORDINANCE 10-88 RELATING TO SECTION 32-92 OF THE MIAMI-DADE COUNTY CODE ESTABLISHING COUNTY POLICY FOR TENANTS TO RECEIVE WATER AND SEWER SERVICE THROUGH A BRIDGE ACCOUNT NOT TO EXCEED 6 MONTHS WHERE A RENTAL MULTI-UNIT PROPERTY IS SERVED BY ONE METER AND PROPERTY OWNER'S ACCOUNT IS TERMINATED FOR NON-PAYMENT (County Manager)

Accepted

4/13/2011 2B SUB. SUPP. *Presented by the Infrastructure and Land Use Committee*

11A3

110901 **Resolution** **Audrey M. Edmonson**

RESOLUTION APPROVING THE ALLOCATION OF FY 2010-11 DISTRICT 3 OFFICE BUDGET FUNDS

Adopted
Resolution R-358-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

11A4

110875 **Resolution** **Joe A. Martinez**

RESOLUTION APPROVING THE ALLOCATION OF UNEXPENDED FY 2008-09 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11 AND OFFICE OF THE CHAIR BUDGET FUNDS

Adopted
Resolution R-359-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

11A5

110822 **Resolution** **Sen. Javier D. Souto**

RESOLUTION APPROVING THE ALLOCATION OF FY 2010-11 DISTRICT 10 OFFICE BUDGET FUNDS

Adopted
Resolution R-360-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

11A6

110396 **Resolution** **Sally A. Heyman**

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT A WRITTEN REPORT TO THE BOARD REGARDING THE SOUTH FLORIDA ENVIROMENTAL TASK FORCE AND FLORIDA ENVIRONMENTAL TASK FORCE TRUST FUNDS

Adopted
Resolution R-361-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/8/2011 2A *Deferred by the Public Safety & Healthcare Admin Cmte*

4/12/2011 2A *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

11A7

110729 **Resolution** **Sally A. Heyman, Dennis C. Moss**

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO CONSULT WITH CITY OF HOMESTEAD, AND AFTER SUCH CONSULTATION, PURSUE MAJOR LEAGUE BASEBALL TEAMS TO PLAY SPRING TRAINING GAMES AT HOMESTEAD BASEBALL COMPLEX

Adopted
Resolution R-362-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 2B *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

11A8

110619 **Resolution** **Sally A. Heyman**

RESOLUTION DIRECTING THE PUBLIC HEALTH TRUST TO PREPARE, SUBMIT AND PRESENT REPORTS REGARDING FINANCIAL SUSTAINABILITY AND COST SAVINGS INITIATIVES

Adopted
Resolution R-363-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2B *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

11A9

110778 **Resolution** **Barbara J. Jordan, Dennis C. Moss**

RESOLUTION DIRECTING THE PUBLIC HEALTH TRUST TO DEVELOP A REPORT ON THE FEASIBILITY OF OPERATING JACKSON MEMORIAL HOSPITAL, JACKSON SOUTH COMMUNITY HOSPITAL AND JACKSON NORTH MEDICAL CENTER UNDER SEPARATE HOSPITAL LICENSES AND WITH FREESTANDING PROVIDER STATUS FROM CENTERS FOR MEDICARE AND MEDICAID SERVICES

Adopted
Resolution R-364-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2F *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

11A10

110129 **Resolution** **Joe A. Martinez**

RESOLUTION REQUESTING THE MAYOR TO DESIGNATE THE MIAMI-DADE COUNTY CHIEF ECONOMIST AS THE OFFICIAL LIAISON FOR STAFF SUPPORT TO THE SOCIAL AND ECONOMIC DEVELOPMENT COUNCIL

Adopted
Resolution R-365-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011 2A *No action taken due to lack of a quorum by the Economic Development & Social Services Committee*

3/9/2011 2A *No action taken due to cancellation of meeting by the Economic Development & Social Services Committee*

4/13/2011 2B *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A11

110939 **Resolution** **Joe A. Martinez**

RESOLUTION COMMEMORATING 25TH ANNIVERSARY OF THE STEPHEN P. CLARK CENTER (SEE AGENDA ITEM NO. 1D4)

Adopted
Resolution R-366-11
Mover: Lynda Bell
Seconder: Sally A. Heyman
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

Report: *Chairman Martinez read a proclamation commemorating the 25th Anniversary of the Stephan P. Clark Center.*

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

11A12

110682 **Resolution** **Joe A. Martinez**

RESOLUTION WAIVING REQUIREMENTS OF ADMINISTRATIVE ORDER 3-38 FOR SECURING SPONSORSHIPS AND PURCHASING GOODS AND SERVICES FOR HOSTING THE 7TH ANNUAL JOE A. MARTINEZ HEALTH AND SAFETY EXPO, JUNE 25, 2011

Adopted
Resolution R-367-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2H *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A13

110750 **Resolution** **Joe A. Martinez, Rebeca Sosa, Lynda Bell**

RESOLUTION DIRECTING COUNTY MAYOR OR DESIGNEE TO PREPARE A REPORT WITHIN SIXTY (60) DAYS, OUTLINING THE BEST METHODOLOGY AND IMPLEMENTATION SCHEDULE TO CREATE A VIRTUAL OR PHYSICAL ONE-STOP INFORMATION CENTER FOR OPENING A NEW BUSINESS IN MIAMI-DADE COUNTY

Adopted
Resolution R-368-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 2C *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A14

110752 **Resolution** **Joe A. Martinez, Audrey M. Edmonson**

RESOLUTION DIRECTING THE COUNTY MAYOR TO PREPARE A REPORT ON THE BEST METHODOLOGY AND IMPLEMENTATION SCHEDULE TO CREATE WASTE WATCH PROGRAMS IN CONJUNCTION WITH OR SIMILAR TO THE PROGRAM CONDUCTED BY WASTE MANAGEMENT, INC.

Adopted
Resolution R-369-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2D *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

11A15

110775 **Resolution** **Joe A. Martinez,**
Lynda Bell,
Jose "Pepe" Diaz,
Audrey M. Edmonson,
Sally A. Heyman,
Barbara J. Jordan,
Rebeca Sosa,
Sen. Javier D. Souto,
Dennis C. Moss,
Bruno A. Barreiro,
Jean Monestime

RESOLUTION REQUIRING THE PUBLIC HEALTH TRUST TO DEVELOP A PLAN TO ESTABLISH A COMPREHENSIVE CLINICAL EDUCATION PROGRAM AND CLINICAL PRACTICE IN PARTNERSHIP WITH THE FLORIDA INTERNATIONAL UNIVERSITY HERBERT WERTHEIM COLLEGE OF MEDICINE AND TO SUBMIT SAID PLAN TO THE COMMISSION NO LATER THAN NINETY (90) DAYS FOLLOWING THE EFFECTIVE DATE OF THIS RESOLUTION *Amended*

Report: *Commissioner Jordan suggested this proposed resolution be amended to include a revenue source in the comprehensive plan for the clinical education program and clinical practice.*

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

It was moved by Commissioner Edmonson that the foregoing proposed resolution be adopted as amended include a revenue source in the comprehensive plan for the clinical education program and clinical practice. This motion was seconded by Chairman Martinez, and upon being put to a vote, passed by a vote of 11-0.

The amended version was assigned Resolution No. R-370-11.

4/12/2011 2E *Forwarded to BCC with a favorable recommendation from the Public Safety & Healthcare Admin Cmte*

11A16

110157 **Resolution** **Jean Monestime**

RESOLUTION DIRECTING MAYOR OR MAYOR'S DESIGNEE TO STUDY THE USE OF SERVICES THAT PROVIDE AN ALTERNATIVE CREDIT REPORTING SYSTEM FOR RESIDENTS IN NON-CREDIT-BUILDING CATEGORIES INCLUDING, BUT NOT LIMITED TO THOSE WHERE BILL PAYMENT REPORTING HELPS TO BUILD CREDIT AS A WAY TO PROVIDE AN ADDITIONAL AVENUE TO HOME OWNERSHIP

Adopted
Resolution R-371-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

2/9/2011	2B	*No action taken due to lack of a quorum by the Economic Development & Social Services Committee*
3/9/2011	2B	*No action taken due to cancellation of meeting by the Economic Development & Social Services Committee*
4/13/2011	2D	*Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A17

110700 **Resolution** **Jean Monestime**

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT TO THE BOARD OF COUNTY COMMISSION REGARDING THE COUNTY OR ITS CONTRACTOR'S COMPLIANCE WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S SECTION 3 AND PROCUREMENT REQUIREMENTS FOR THE SCOTT-CARVER HOPE VI REVITALIZATION PROJECT

Adopted
Resolution R-372-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011	2E	*Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A18

110837 **Resolution** **Dennis C. Moss**

RESOLUTION IN SUPPORT OF APPLICATION OF REBUILDING TOGETHER MIAMI-DADE, INC., TO THE STATE OF FLORIDA OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT FOR COMMUNITY CONTRIBUTION TAX CREDIT APPROVAL; CERTIFYING THAT REBUILDING TOGETHER MIAMI-DADE, INC.'S HOME REHABILITATION PROJECTS ARE CONSISTENT WITH THE MIAMI-DADE COUNTY COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP") AND ALL OTHER APPLICABLE COUNTY REGULATIONS

Adopted
Resolution R-373-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

11A19

110402 **Resolution** **Rebeca Sosa,**
Lynda Bell,
Jean Monestime,
Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MAYOR TO PURSUE A MARKETING CAMPAIGN AIMED AT 'REBRANDING' MIAMI-DADE COUNTY AS A "FRIENDLY PLACE TO DO BUSINESS" AND "A GREAT PLACE TO OPEN A NEW BUSINESS"

Adopted
Resolution R-374-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011 2C *No action taken due to cancellation of meeting by the Economic Development & Social Services Committee*

4/13/2011 2F *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A20

110421 **Resolution** **Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE IMMEDIATE WRITTEN NOTICE AND REPORTS TO THE ECONOMIC DEVELOPMENT AND SOCIAL SERVICES COMMITTEE, ITS SUCCESSOR COMMITTEE, AND THE BOARD OF COUNTY COMMISSION REGARDING SIGNIFICANT ISSUES RELATED TO THE MIAMI-DADE PUBLIC HOUSING AGENCY'S ADMINISTRATION OF THE COUNTY'S PUBLIC HOUSING OR OTHER FEDERALLY SUBSIDIZED HOUSING PROGRAMS

Adopted
Resolution R-375-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

3/9/2011 2D *No action taken due to cancellation of meeting by the Economic Development & Social Services Committee*

4/13/2011 2G *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A21

110684 **Resolution** **Rebeca Sosa**

RESOLUTION DIRECTING THAT ANY RESOLUTION AUTHORIZING THE REHABILITATION, IMPROVEMENT OR CONVEYANCE OF COUNTY-OWNED REAL PROPERTY APPROPRIATE FOR OR TO BE USED AS AFFORDABLE HOUSING SHALL INCLUDE DETAILED INFORMATION ON THE PROPERTY AND THE COUNTY'S INVESTMENT AND FUTURE CONTROL

Adopted
Resolution R-376-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 2H *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A22

110696 **Resolution** **Rebeca Sosa**

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE MAYOR'S DESIGNEE TO PERFORM COMMUNITY NEEDS ASSESSMENTS FOR THE EARLY HEAD START AND HEAD START PROGRAM ON AN ANNUAL BASIS, SPECIFYING REPORTING OF SUCH ASSESSMENTS, AND TO UNDERTAKE ADDITIONAL TASKS REGARDING SUCH PROGRAMS *Amended*

Report: *Commissioner Sosa noted the most important part of this proposed resolution was to establish a protocol for compliance with applicable federal regulations as to corrective action for the Head Start and Early Head Start programs.*

Commissioner Jordan pointed out that the Federal guidelines for Head Start and Early Head Start required a comprehensive needs assessment once every three years. She noted this proposed resolution would require an annual comprehensive needs and assessment. She expressed concern regarding the fiscal impact of conducting the comprehensive needs and assessments annually versus once every three years.

Ms. Julie Edwards, Director, Community Action Agency, noted the Head Start program required a community needs assessment be completed in every community once every three years, and that the assessment be updated annually. She noted that the fiscal impact of using an outside consultant to do annual comprehensive needs and analysis would be $30,000.

Commissioner Jordan requested that this proposed resolution be amended to change the requirements for assessments and reviews for Early Head Start and Head Start grantees and make them consistent with the Federal regulations.

Commissioner Sosa noted CAA needed to conduct an in-house review annually.

It was moved by Commissioner Sosa that the foregoing proposed resolution be adopted as amended to change the requirements for assessments and reviews for Early Head Start and Head Start grantees make them consistent with the Federal regulations. This motion was seconded by Commissioner Jordan, and upon being put to a vote, passed by a vote of 9-0. (Commissioners Diaz and Monestime were absent).

The amended version was assigned Resolution No. R-377-11.

4/13/2011 2I *Forwarded to BCC with a favorable recommendation from the Economic Development & Social Services Committee*

11A23

110697 **Resolution** **Rebeca Sosa**

RESOLUTION DECLARING THE MONTH OF APRIL 2011 AS WATER CONSERVATION MONTH IN MIAMI-DADE COUNTY

Adopted
Resolution R-378-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 2F *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

11A24

110843 **Resolution** **Sen. Javier D. Souto**

RESOLUTION WAIVING SECTION 3.05(7)(B) OF MIAMI-DADE WATER AND SEWER DEPARTMENT'S RULES AND REGULATIONS RELATING TO PRIVATE SEWAGE STATION SERVING SINGLE-FAMILY RESIDENCES

Adopted
Resolution R-379-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/13/2011 2G *Forwarded to BCC without a recommendation from the Infrastructure and Land Use Committee*

11A25

110769 **Resolution** **Carlos A. Gimenez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, TO BE HELD ON TUESDAY, [□□], 2011, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER THE HOME RULE CHARTER SHALL BE AMENDED TO: SPECIFY THE EXCLUSIVE PROCESS, FORM, CONTENT, AND METHOD FOR CERTIFICATION OF CITIZEN INITIATIVE, REFERENDUM, RECALL, AND CHARTER AMENDMENT PETITIONS, REPEAL ALL PROVISIONS IN CURRENT ORDINANCES AND RESOLUTIONS THAT REGULATE CITIZEN INITIATIVE, REFERENDUM, RECALL, AND CHARTER AMENDMENT PETITIONS, AND PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL NOT ADOPT ANY RESOLUTION OR ORDINANCE THAT REGULATES SUCH PETITIONS [SEE ORIGINAL ITEM UNDER FILE NO. 110667]

Denied
Mover: Joe A. Martinez
Seconder: Dennis C. Moss
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/4/2011 14A4 *4 Day Rule Invoked by the Board of County Commissioners*

11A26

110771 **Resolution** **Carlos A. Gimenez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO REQUIRE THE BOARD TO CREATE BY ORDINANCE A TASK FORCE TO STUDY AND PROPOSE A CHARTER AMENDMENT TO ABOLISH THE CURRENT THIRTEEN COMMISSION DISTRICTS AND CREATE A NEW TWO-TIERED ELECTORAL SYSTEM COMPRISED OF THE MINIMUM NUMBER OF AT-LARGE AND SINGLE MEMBER COMMISSIONER DISTRICTS NECESSARY TO PROVIDE MEANINGFUL COUNTYWIDE AND LOCAL PERSPECTIVE WITH SUCH PROPOSAL TO BE PLACED ON THE NEXT COUNTYWIDE ELECTION BALLOT AFTER APPROVAL BY A FEDERAL COURT [SEE ORIGINAL ITEM UNDER FILE NO. 110666]

Denied
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

4/4/2011 14A5 *4 Day Rule Invoked by the Board of County Commissioners*

11A27

110657 **Resolution** **Carlos A. Gimenez, Rebeca Sosa**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A PRIMARY ELECTION TO BE HELD ON TUESDAY, [ ], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT: EACH COUNTY COMMISSIONER SHALL DEVOTE FULL-TIME SERVICE TO THE OFFICE OF COUNTY COMMISSIONER AND HOLD NO OTHER EMPLOYMENT; NO LONGER RECEIVE THEIR CURRENT $6,000 ANNUAL SALARY, BUT RECEIVE INSTEAD THE STATE STATUTORY FORMULA, ADJUSTED ANNUALLY BASED ON THE COUNTY'S POPULATION (CURRENTLY APPROXIMATELY $92,097); SHALL SERVE NO MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS IN OFFICE; AND SHALL BE PROHIBITED FROM LOBBYING THE BOARD FOR 5 YEARS AFTER LEAVING OFFICE

Denied
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

3/24/2011 Special Item No. 6 *No Action Taken by the Board of County Commissioners*

4/4/2011 14A6 *4 Day Rule Invoked by the Board of County Commissioners*

11A28

110668 **Resolution** **Carlos A. Gimenez**

RESOLUTION CALLING A COUNTYWIDE SPECIAL ELECTION IN MIAMI-DADE COUNTY, FLORIDA, IN CONJUNCTION WITH A PRIMARY ELECTION TO BE HELD ON TUESDAY, [ ], FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF MIAMI-DADE COUNTY THE QUESTION OF WHETHER TO AMEND THE HOME RULE CHARTER TO PROVIDE THAT THE COUNTY SHALL NOT ENTER INTO CONTRACTS FOR LOBBYING SERVICES WHICH DO NOT ALSO PROHIBIT THE LOBBYISTS FROM LOBBYING THE COUNTY ON BEHALF OF OTHER ENTITIES DURING THE TERM OF THE CONTRACT

Denied
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

3/24/2011	Special Item No. 10	*No Action Taken by the Board of County Commissioners*
4/4/2011	14A7	*4 Day Rule Invoked by the Board of County Commissioners*

11A29

110780 **Resolution** **Audrey M. Edmonson**

RESOLUTION APPROVING THE CITY OF MIAMI CODESIGNATION OF NW 23RD STREET FROM NW 10TH AVENUE TO NW 14TH AVENUE AS "MARIANO VAZQUEZ WAY"

Adopted
Resolution R-380-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

11A30

110680 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION DECLARING ONE 2001 CHEVROLET BLAZER AND ONE 2004 DODGE INTREPID SURPLUS AND AUTHORIZING THEIR DONATION TO VICTORY FOR YOUTH CORP.

Adopted
Resolution R-381-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011	2F	*Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A31

110681 **Resolution** **Jose "Pepe" Diaz**

RESOLUTION DECLARING ONE 2003 CHEVROLET BLAZER SURPLUS AND AUTHORIZING ITS DONATION TO FAITHFUL HOME SERVICES, INC.

Adopted
Resolution R-382-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2G *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A32

110712 **Resolution** **Barbara J. Jordan**

RESOLUTION DECLARING ONE 1997 NABI BUS AND ONE 2002 BLUE BIRD BUS SURPLUS AND AUTHORIZING THEIR DONATION TO PORTRAIT OF EMPOWERMENT, INC.

Adopted
Resolution R-383-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2C *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A33

110677 **Resolution** **Dennis C. Moss**

RESOLUTION DECLARING ONE 2001 DODGE VAN SURPLUS AND AUTHORIZING ITS DONATION TO INTERNATIONAL CHILDS ALLIANCE, INC.

Adopted
Resolution R-384-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2D *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A34

110679 **Resolution** **Dennis C. Moss**

RESOLUTION DECLARING ONE 2001 BLUE BIRD BUS AND ONE 2002 BLUE BIRD BUS SURPLUS AND AUTHORIZING THEIR DONATION TO IGLESIA CRISTIANA EL BUEN SAMARITANO, INC.

Adopted
Resolution R-385-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2E *Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee*

11A35

110946 **Resolution** **Audrey M. Edmonson**

RESOLUTION REAPPOINTING TODD A. RUDERMAN AND APPOINTING EUGENE LAMONDO TO BOARD OF COMMISSIONERS FOR N.W. 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY (SEE ORIGINAL ITEM UNDER FILE NO. 110520)

Adopted
Resolution R-386-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2A AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

11A36

110905 **Resolution** **Barbara J. Jordan**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-32 AND AUTHORIZING IMPLEMENTING ORDER 3-32: COMMUNITY BUSINESS ENTERPRISE ("CBE-A/E") PROGRAM FOR THE PURCHASE OF PROFESSIONAL ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, OR SURVEYING AND MAPPING SERVICES [SEE ORIGINAL ITEM UNDER FILE NOS. 110386 AND 110799] (SEE AGENDA ITEM NUMBER 7C)

Adopted
Resolution R-387-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2K SUBSTITUTE AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

11A37

110907 **Resolution** **Barbara J. Jordan**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-22 AND AUTHORIZING IMPLEMENTING ORDER 3-22: COMMUNITY SMALL BUSINESS ENTERPRISE ("CSBE") PROGRAM FOR THE PURCHASE OF CONSTRUCTION SERVICES [SEE ORIGINAL ITEM UNDER FILE NOS. 110384 AND 110794] (SEE AGENDA ITEM NO. 7A)

Amended

Report: *See Report Under Agenda Item 11A37, Legislative File No. 111905.*

4/12/2011 2J SUBSTITUTE AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

11A37 AMENDED

111905 **Resolution** **Barbara J. Jordan**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-22 AND AUTHORIZING IMPLEMENTING ORDER 3-22: COMMUNITY SMALL BUSINESS ENTERPRISE ("CSBE") PROGRAM FOR THE PURCHASE OF CONSTRUCTION SERVICES (SEE ORIGINAL ITEM UNDER FILE NOS. 110384, 110794, 110907)

Adopted as amended
Resolution R-388-11
Mover: Barbara J. Jordan
Seconder: Lynda Bell
Vote: 9- 0
Absent: Sosa, Martinez, District 13-Vacant, District 7-Vacant

Report: *The foregoing proposed resolution was originally adopted when the Commission set the Agenda (see Agenda Item 1G).*

It was moved by Commissioner Jordan that this resolution be reconsidered. This motion was seconded by Commissioner Edmonson, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Martinez and Sosa were absent; Commission Districts 7 and 13 were vacant).

Commissioner Jordan requested this proposed resolution be amended to include the Community Small Business Enterprise (CSBE) Association.

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

Commissioner Moss questioned how long the County needed to conduct the CSBE disparity study.

Ms. Penelope Townsley, Director, Department of Small Business Development, noted the timeframe for completing the CSBE disparity study was dependent on several variables. She pointed out that the analysis for the previous disparity study took one year.

Commissioner Edmonson clarified that the disparity study could take longer than one year if the County did not have all the necessary data in place.

Commissioner Moss noted the County needed to move forward as quickly as possible on the CSBE disparity study.

Commissioner Jordan suggested that all interested commissioners hold a Government in the Sunshine meeting to further discuss the disparity study.

Note: Pursuant to the County Manager's Memorandum of Changes dated May 3, 2011, a scrivener's error was noted and corrected to add the language "National Association of "'Black" Women in Construction" after the word UPPAC on handwritten page 85, fourth line from the bottom (number 7, line 8).

11A38

110909 **Resolution** **Barbara J. Jordan**

RESOLUTION RESCINDING ADMINISTRATIVE ORDER 3-41 AND AUTHORIZING IMPLEMENTING ORDER 3-41: SMALL BUSINESS ENTERPRISE ("SBE") PROGRAM FOR THE PURCHASE OF GOODS AND SERVICES [SEE ORIGINAL ITEM UNDER FILE NOS. 110390 AND 110796] (SEE AGENDA ITEM NO. 7B)

Adopted
Resolution R-389-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/12/2011 2L SUBSTITUTE AMENDED *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Internal Mgmt. & Fiscal Responsibility Committee*

11A39

110876 **Resolution** **Dennis C. Moss, Lynda Bell**

RESOLUTION URGING THE UNITED STATES DEPARTMENT OF JUSTICE, THE FEDERAL BUREAU OF INVESTIGATION, THE DEPARTMENT OF HOMELAND SECURITY, THE UNITED STATES ATTORNEY'S OFFICE FOR THE SOUTHERN DISTRICT OF FLORIDA, THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, THE FLORIDA HIGHWAY PATROL, AND THE OFFICE OF THE MIAMI-DADE STATE ATTORNEY TO TAKE ALL NECESSARY AND PROPER ACTIONS TO RETURN NABIL SULAIMAN TO MIAMI-DADE COUNTY TO FACE TRIAL IN CONNECTION WITH THE DEATH OF AKIL LARUE OLIVER

Adopted
Resolution R-390-11
Mover: Dennis C. Moss
Seconder: Lynda Bell
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *Commissioner Moss noted Mr. Akil LaRue Oliver was killed on November 10, 2010, and one of the arrested suspects, after posting bond, used his passport to flee the country. He explained that this proposed resolution would urge the appropriate law enforcement agencies to return this suspect to Miami-Dade County for trial.*

Ms. LaQuita Oliver, 14812 SW 116 Avenue, expressed appreciation to the Commission for this proposal to keep attention on bringing Mr. Nabil Sulaiman to justice.

Commissioner Bell asked that she be listed as a co-sponsor. She expressed concern that Mr. Sulaiman was able to flee the country.

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

11A40

110539 **Resolution** **Sally A. Heyman, Carlos A. Gimenez**

RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO PREPARE AMENDMENT TO CRANDON PARK MASTER PLAN, FOR BOARD CONSIDERATION, WHICH WOULD ALLOW ADVERTISING AND PROMOTION ON CRANDON PARK DURING ONE-DAY EVENTS SPONSORED BY NOT-FOR-PROFIT ENTITIES; TO PRESENT SUCH AMENDMENT TO BOARD WITHIN SEVENTY (70) DAYS; AND TO PROVIDE REQUIRED NOTICE

Adopted
Resolution R-391-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

4/11/2011 2A *Forwarded to BCC with a favorable recommendation from the Recreation & Cultural Affairs Committee*

11A41

110954 **Resolution** **Joe A. Martinez, Lynda Bell**

RESOLUTION TERMINATING INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND MIAMI-DADE COUNTY, FLORIDA, FOR THE PROVISION OF INSPECTOR GENERAL SERVICES THROUGH THE OFFICE OF THE MIAMI-DADE COUNTY INSPECTOR GENERAL

Withdrawn
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the foregoing proposed resolution was withdrawn, as requested by the County Manager.*

11A42

110949 **Resolution** **Joe A. Martinez, Jose "Pepe" Diaz, Rebeca Sosa**

RESOLUTION IMPLEMENTING AN ASSISTIVE MEASURE, PURSUANT TO SECTION 25A-9(C)(5) OF THE MIAMI-DADE COUNTY CODE, IN THE FORM OF ESTABLISHING A FINANCIAL RECOVERY BOARD TO HELP RESOLVE THE FINANCIAL SUSTAINABILITY CONDITIONS THREATENING THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, SETTING TERM OF THE RECOVERY BOARD, AND DEFINING THOSE RECOVERY BOARD ACTIONS SUBJECT TO COMMISSION VETO AUTHORITY (SEE AGENDA ITEM NO. 6B2)

Amended

Report: *See Report Under Agenda Item 11A42 AMENDED, Legislative File No. 111607.*

11A42 AMENDED

111607 **Resolution** **Joe A. Martinez,**
Jose "Pepe" Diaz,
Rebeca Sosa

RESOLUTION IMPLEMENTING AN ASSISTIVE MEASURE, PURSUANT TO SECTION 25A-9(C)(5) OF THE MIAMI-DADE COUNTY CODE, IN THE FORM OF ESTABLISHING A FINANCIAL RECOVERY BOARD TO HELP RESOLVE THE FINANCIAL SUSTAINABILITY CONDITIONS THREATENING THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, SETTING TERM OF THE RECOVERY BOARD, AND DEFINING THOSE RECOVERY BOARD ACTIONS SUBJECT TO COMMISSION VETO AUTHORITY [SEE ORIGINAL ITEM UNDER FILE NO. 110949]

Adopted as amended
Resolution R-392-11
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 8- 2
No: Jordan, Monestime
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *Chairman Martinez explained that the County Commission amended Section 25A of the Miami-Dade County Code approximately one year ago, and pursuant to those amendments the County Commission could form a temporary financial recovery board (FRB) with seven members to resolve the financial sustainability conditions threatening the Public Health Trust (PHT). He pointed out that Commissioner Sosa had established a hospital governance task force that would submit recommendations to the County Commission. Chairman Martinez requested Commissioner Diaz, Chairman of the Public Safety & Healthcare Administration Committee, hold public hearings in different locations across the county to learn what the community wanted from Jackson Memorial Hospital. He suggested the Commission members nominate individuals to the financial recovery board who had qualifications other than being civic leaders.*

Regarding the composition of the seven member financial recovery board, Chairman Martinez noted that the Chair of the Miami-Dade Delegation would make one appointment, that the AFL-CIO President would make one appointment, that the County Mayor would make one appointment, and that the County Commission would make four appointments. He nominated Mr. Marcus Lapciuc and Mr. Daryl Sharpton and he presented each nominee's qualifications. Chairman Martinez suggested the Commission allow both the Univeristy of Miami (UM) and Florida International University (FIU) to nominate one person to fill the two remaining Commission appointments. He noted that the Chairman of the UM Board of Trustees had nominated Mr. Jose Arriola, and that the Chairman of the FIU Board of Trustees had nominated Mr. Jorge Arrizurieta.

Commissioner Sosa nominated Mr. Stephan Nuell, and she presented his qualifications.

Commissioners Edmonson and Diaz noted they supported Commissioner Sosa's nomination.

Commissioner Sosa noted she supported the financial recovery board having only seven members.

Chairman Martinez noted commissioners could propose alternative methods regarding how to fill the four County Commission appointments on the FRB. He clarified that UM and FIU would need to appoint members of the FRB for those two entities to be represented on the FRB.

Commissioner Sosa noted FIU was already represented since it had contractual agreements with JMH. She explained that PHT members on the Financial Recovery Board should be completely disconnected from day-to-day operations at JMH and the PHT while serving on the FRB to allow them to make the right decisions. Commissioner Sosa suggested that Agenda Item 11A42 be amended to incorporate the Hospital Governance Task Force (HGTF) letter to Chairman Martinez and members of the County Commission dated May 2, 2011.

Commissioner Jordan expressed concern regarding the method being used to nominate FRB members. She clarified that the Chairman had provided the commissioners a summary on the people he was nominating, however, the commissioners did not have summaries for the people they would nominate. She expressed concern that the Commission was rushing to identify four people, and that a unilateral decision had been made to shift two Commission appointments to UM and FIU. Commissioner Jordan noted that entities with a

contractual agreement, like UM and FIU, with JMH and the PHT should not be included on the Financial Recovery Board. She suggested that the Commission follow a process that allowed all commissioners to submit names and resumes of nominees for the FRB, that the County Commission vote on all nominees, and that all commissioners be provided the same information at the same time for FRB nominees.

Commissioner Jordan noted this meeting was the first opportunity the County Commission could discuss the selection of the new Chief Executive Officer (CEO) at JMH. She suggested that the County Commission allow the new JMH CEO time to get the job done before forming the FRB.

Commissioner Jordan explained that her daughter was in critical condition in 2009, and that she was able to call the JMH CEO at that time, who had a medical background. She noted that the JMH CEO asked some pointed questions that enabled her daughter to get the proper treatment to survive. Commissioner Jordan clarified that whoever was the CEO at JMH should have similar medical knowledge and expertise. She noted she was disappointed with the PHT for allowing politics to interfere with the selection of the new CEO.

Chairman Martinez pointed out that he sent a memorandum on April 15, 2011, that detailed what he intended to propose at this meeting. He noted that his proposal needed a majority from the commission to be adopted. He clarified that each Commissioner had the opportunity to nominate appointees. Chairman Martinez noted the new JMH CEO supported the County Commission creating the smaller FRB.

Commissioner Moss noted he was not prepared to vote regarding the creation of the FRB. He explained that he needed a better understanding on why the PHT was dysfunctional, and why the PHT could not continue. He suggested that the Commission meet on another date to consider who to nominate to the FRB, if Agenda Item 11A42 was adopted.

Commissioner Monestime noted he supported the creation of the FRB. He explained that the problems at JMH were primarily management and secondary governance. He questioned whether the County had exhausted all other options for assisted measures in Chapter 25A of the Code of Miami-Dade County. He questioned how the PHT could cooperate with the FRB if the PHT was dissolved with the creation of the FRB. Commissioner Monestime pointed out that the County Commission should allow the new JMH CEO time to get the job done before forming the FRB. He noted the Commission should not rush into creating the FRB. He explained that the County Commission should not allow UM and FIU to appoint members to the Financial Recovery Board on the grounds that UM and FIU would have a conflict of interest. Commissioner Monestime clarified that UM and FIU representatives serving on the PHT was different than UM and FIU representatives serving on the FRB; and that two votes could impact the outcome of a vote much easier on the seven member FRB than they could the 17 member PHT. He expressed concern regarding the requirement for a 2/3 majority of the County Commission to override any action by the FRB, and regarding the ability of the FRB to aquire, sell, convey, mortgage, encumber title, destroy, replace, and abandon real estate.

Chairman Martinez noted the County Commission was not allowing the PHT or the FRB to do their jobs unless a 2/3 majority of the Commission was required to override decisions made by those bodies.

Commissioner Monestime noted the public should be uncomfortable if the County Commission, as an elected body, gave additional power to the FRB, as an appointed body. He explained that the County Commission needed to give the new JMH CEO the opportunity to demonstrate why the PHT appointed him.

Commissioner Heyman noted she supported creating the FRB. She pointed out that she sat on the PHT and that the financial struggles at JMH was a consistent issue in every committee meeting and decision. She explained that she would also support requiring a 2/3 majority vote by the County Commission to override FRB decisions. Commissioner Heyman expressed concern that this proposed resolution would eliminate the PHT and replace it with the FRB. She explained that the letter from the HGTF made her want to wait to appoint members to the FRB.

Chairman Martinez noted the Commission would not nominate and appoint members to the FRB at today's (5/3) meeting.

Commissioner Heyman noted that no one appointed to the FRB should be a stakeholder at JMH, which included FIU. She pointed out that the FRB should be comprised of appointees that represented the diversity of the community. She suggested that Agenda Item 11A42 be amended to allow for the PHT to continue existing as an advisement body for the FRB.

Commissioner Diaz noted the County Commission could not afford to delay implementing this assistive measure at JMH.

Pursuant to Commissioner Diaz's request for an overview of Section 25A-9 of the Miami-Dade County Code, Assistant County Attorney Valda Clark Christian advised that the intent of Section 25A-9 was to promote the financial sustainability of the PHT. She explained that certain conditions would trigger the County Commission to take advantage of the designated assistive measures. She pointed out that the only assistive measure that the County Commission had not implemented was the formation of a FRB. Assistant County Attorney Christian advised that during the time period that the FRB was in place it would be the governing body of the PHT. She clarified that the current PHT Board of Trustees would be dissolved, however, the PHT would still exist.

Following Commissioner Diaz's comments stressing the importance of the County Commission immediately acting on the JMH financial crisis, Commissioner Edmonson noted UM and FIU should not appoint members of the FRB as it was a conflict of interest. She noted she would support the requirement for a 2/3 majority vote by the County Commission to override FRB decisions. She explained that she wanted politics removed from the decision making at JMH, and that the FRB should be comprised of experts.

Commissioner Barreiro noted the County Commission should not create the FRB at this time. He explained that the new CEO should be given four to six months to fix the issues at JMH.

Chairman Martinez explained that the intent of Agenda Item 11A42 was to create a smaller, nimbler governing body at JMH that could turn the financial situation around.

Commissioner Bell noted that the Commission needed to approve Agenda

Item 11A42 to bring a change to JMH, and that only a change would bring different results at JMH. She explained that she would support the requirement for a 2/3 majority vote by the County Commission to override FRB decisions.

Responding to Commissioner Monestime's inquiry regarding the FRB's ability to dissolve the PHT, Assistant County Attorney Christian advised that the FRB would have the powers and authority laid out in Section 25A-9, which were the same powers and authority held by the current PHT Board of Trustees. She advised that the decision to dissolve the PHT would come before the County Commission, and that the FRB could not dissolve the PHT on its own.

Commissioner Monestime questioned whether the County Commission would need a 2/3 majority vote to override a decision by the FRB to sell or dissolve JMH.

Assistant County Attorney Christian advised that the FRB could not sell real estate without prior approval by the County Commission, and that the County Commission would also have veto authority over the actual action to sell JMH. She clarified that the 2/3 majority requirement for the County Commission to override a FRB decision had not yet been approved by the County Commission.

Commissioner Souto noted the County Commission operated JMH, and the PHT was accountable to them, and that the Commission needed to stay in control of JMH. He stressed the County Commission needed to be careful regarding how the FRB was established.

Assistant County Attorney Christian advised the FRB would step in and assume the role of the PHT, and as such, the FRB would hold all the powers and duties customarily held or designated to the PHT. She advised that the authority of the FRB was limited similar to the authority of the PHT. She clarified that the County Commission would set the health care policy.

Commissioner Souto stressed that the public needed to clearly understand that the County Commission was the highest authority at JMH.

Assistant County Attorney Christian clarified that the motion on the floor was to adopt this proposed resolution as amended to incorporate the Healthcare Governance Task Force recommendations. She advised that sections 2 and 4 of this proposed resolution spoke to the nominations for the FRB, and she questioned whether Chairman Martinez wanted to amend that language.

Chairman Martinez amended Agenda Item 11A42 to withdraw sections 2 and 4.

Following discussion among the Commission regarding the date to nominate and appoint members to the FRB, Chairman Martinez suggested the County Commission reconvene on May 10, 2011, to nominate and appoint members to the FRB.

Commissioner Moss questioned whether the amendment to this proposed resolution would apply to every member of the FRB.

Assistant County Attorney Christian advised that the proposed amendment to incorporate the HGTF recommendations would apply to every member of this

FRB, regardless of the entity that appointed them.

Commissioner Heyman pointed out that Section 3 of this proposed resolution required the Mayor, Chair of the Miami-Dade Legislative Delegation, and President of the South Florida AFL/CIO to provide their designations for Recovery Board membership ("Designees") to the Clerk of the Board within two (2) days following the effective date of this Resolution. She explained that the Commission could improve diversity on the FRB if the Commission knew who these entities had appointed.

Commissioner Jordan recommended that, in the absence of the County Mayor, the nominee receiving the fifth highest total votes fill the FRB position that would have been appointed by the Mayor.

Hearing no other questions or comments, the Commission voted on this proposed resolution as amended to incorporate the Healthcare Governance Task Force recommendations, and to delete sections 2 and 4.

Chairman Martinez noted the Commission would meet on May 10, 2011, at 11:00 AM to vote on FRB nominees. He urged the Commission to vote for FRB members based on qualifications. He noted commissioners should submit FRB nominees to the Clerk of the Board.

Commissioner Moss questioned whether the Commission would not accept FRB members to be connected with JMH or the PHT. He pointed out that the Commission voted to amend Agenda Item 11A42 to incorporate the HGTF recommendations, which included excluding people with any conflict from FRB membership.

Chairman Martinez conducted a straw vote to know if it was the will of the Commission to preclude FRB members from being connected with JMH, UM, FIU, and the PHT, and upon being put to a vote, a majority of commissioners present voted in favor of precluding FRB members from being connected with JMH, UM, FIU, and the PHT.

Chairman Martinez clarified that conflict of interest was defined as personal gain.

Mr. Kennedy Rosario, Investigator, Commission on Ethics and Public Trust (COE), noted the COE general counsel opined that the FRB was an ad hoc board and the County's Code of Ethics Ordinance would not apply to FRB members. He explained that an assistant county attorney advised him that the County Commission could amend Agenda Item 11A42 to include specific language applying the Code of Ethics Ordinance to the FRB.

Chairman Martinez questioned how the FRB would be considered an ad hoc board; it would be the governing board for JMH.

It was moved by Commissioner Sosa that Agenda Item 11A42 be reconsidered. This motion was seconded by Chairman Martinez, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Sosa that Agenda Item 11A42 be amended to incorporate the County Code of Ethics Ordinance in its entirety. This motion was seconded by Chairman Martinez.

County Attorney Cuevas expressed concern that the County had one ordinance that provided for creating the FRB and Chapter 25A in the Code of Miami-Dade County. He advised that nothing in the ordinance that allowed the assistive measure to create the FRB spoke to conflict of interest. He advised that the motion on the floor would be a statement of policy that the nominees for the FRB would not have a conflict of interest. County Attorney Cuevas advised that the Commission could not made the FRB members subject to the Code of Ethics without amending the ordinance that provided for creating the FRB.

Commissioner Moss questioned how the statement of policy that the nominees for the FRB could not have a conflict of interest would impact JMH, FIU and UM employees, as well as former members of the PHT.

County Attorney Cuevas advised that this policy could preclude those persons from voting on certain items that could directly affect them.

Commissioner Moss suggested that nearly every decision would impact JMH, FIU, UM, and the PHT. He requested clarification regarding who could be appointed.

Following discussion between Chairman Martinez and Commissioner Moss regarding conflicts of interest for FRB members, Commissioner Jordan expressed concern that the Commission would nominate people to the FRB that would make that board a smaller board of what already existed, and that the FRB would lose focus of its intent and give the same results as the PHT.

Commissioner Sosa withdrew her motion to amend Agenda Item 11A42

The Commission proceeded to vote on Agenda Item 11A42 as amended to incorporate the Healthcare Governance Task Force recommendations, and to delete sections 2 and 4.

Chairman Martinez clarified that the Commission did not want FRB members to be connected with UM and FIU. He pointed out that the Mayor, Chair of the Miami-Dade Legislative Delegation, and President of the South Florida AFL/CIO would each appoint one person to the FRB; and that the County Commission did not have authority to reject those appointees.

County Attorney Cuevas advised the County Commission could decline to ratify the appointments made by the Mayor, Chair of the Miami-Dade legislative Delegation, and the President of the South Florida ALF/CIO. He clarified that if the County Commission declined to ratify their appointments, then they would make another appointment.

Chairman Martinez pointed out that the Clerk of the Board would notify the Chair of the Miami-Dade Legislative Delegation, and President of the South Florida AFL/CIO that their appointees to the FRB should be people who have no contractual obligations or conflicts of interest with the PHT and JMH. He clarified that Union members and employees would not be eligible to serve on the FRB.

Commissioner Heyman expressed concern regarding the suggestion that two of the four seats the County Commission could appoint would be allocated to UM and FIU. She noted that UM and FIU representatives should be ex-officio members of the FRB. Commissioner Heyman explained that the FRB should be a concise, task oriented, financial decision making body, which was

different from the PHT. She clarified that the FRB responsibilities were significantly more than the PHT.

Chairman Martinez pointed out that the PHT had its own code of conflict and code of ethics.

County Attorney Cuevas clarified that he understood the intent of the language from the HGTF letter that was amended into this proposal was the FRB members would be subject to the conflict of interest code as it applied to voting, not board membership.

Chairman Martinez clarified that the issue regarding conflict of interest as it applied to board membership was a policy decision brought up by several commissioners during discussion today (5/3/11). He explained that the County Commission needed to know who could be recommended for FRB membership.

Commissioner Sosa clarified that she didn't want UM or FIU employees sitting on the FRB, however, she could support an FRB member appointed to represent each university.

Commissioner Monestime noted the FRB needed to be held to a higher standard, specifically to not have members with conflicting interests. He pointed out that board members appointed by an entity that does business with the PHT would represent the interests of the appointing entity. He expressed concern that such board members would still face a conflict of interest.

Comissioner Jordan concurred with Commissioner Monestime regarding holding the FRB to a higher standard, and regarding board members appointed by UM and FIU having a conflict of interest.

Chairman Martinez noted, as a Commissioner, he negotiated on behalf of the citizens, and he had to set aside all personal preferences. He questioned whether the concerns regarding conflict of interest could be resolved if the County Commission was required to approve the AOA and the basic affiliation agreement. He clarified that these two agreements were the ones that negotiated payments between UM, FIU, and JMH.

Assistant County Attorney Valda Clark Christian advised that the medical staff bylaws was another issue that the Commission may want to consider for direct approval by the County Commission. She pointed out that current language in Chapter 25A-9 of the Code pertaining to the UM angle of the operating agreement that changed how the currently sitting board of trustees had a committee that covers negotiations. She explained that this language narrowed the size of the committee that would negotiate, however, that negotiating committee would present the results of its negotiations to the FRB.

Assistant County Attorney Christian advised that the language incorporated through the earlier amendment was broad; it spoke to the perception of a conflict of interest, as opposed to a natural conflict. She pointed out that the earlier amendment also spoke to personal interests, as opposed to stakeholder interests.

Chairman Martinez conducted a straw vote regarding the will of the Board to exclude UM and FIU employees and board of trustees members from serving on the FRB. A majority of Commission members present voted to exclude UM and FIU employees and board of trustees members from serving on the FRB.

In response to Chairman Martinez's request for a definition of a stakeholder, County Attorney Cuevas advised that a stakeholder was a person who did business with that entity, and that persons sitting on the board of trustees were stakeholders.

Chairman Martinez questioned whether AFL-CIO union members or persons who represented ALF-CIO would be considered stakeholders.

County Attorney Cuevas advised that a stakeholder was an entity or a person who had some interest in the business of the FRB.

Chairman Martinez clarified that the definition of a stakeholder and the issue of conflict of interest needed to be resolved for the Clerk of the Board of County Commissioners to notify the other entities that would appoint FRB members who the Commission would ratify.

County Attorney Cuevas advised that any union members with a collective bargaining agreement with the PHT would have a conflict of interest as a member of the FRB.

Chairman Martinez noted, for the record, that as a matter of policy the Commission would not ratify any appointment to the FRB that appointed a union member from one of the unions that had a collective bargaining agreement with the PHT.

Commissioner Monestime questioned whether any person appointed to the FRB by UM, FIU, and AFL-CIO would have an inherent conflict of interest by virtue of being appointed by an entity that did business with the PHT and JMH. He pointed out that the sole purpose of the FRB should be the future of JMH.

County Attorney Cuevas advised the language "absence of perceptions of conflicts" made it broader than stakeholders.

Commissioner Monestime noted the County Commission should be concerned with appointing people who would represent the interests of the community. He expressed concern that people appointed by a specific entity would represent the interests of that entity.

Chairman Martinez noted the Commission would reconvene this meeting on May 10, 2011, at 11:00 A.M. to nominate and vote on FRB members.

Chairman Martinez asked the County Attorney to send a memorandum to each Commissioner of his opinion on who could and could not be appointed to serve on the Jackson Memorial Hospital Financial Recovery Board.

MAY 10, 2011

County Attorney Robert Cuevas advised that this meeting was the reconvening of the May 3, 2011, County Commission meeting. He advised that the Commission was reconvening on the issue of Agenda Item 6B2.

Pursuant to Commissioner Jordan's request, County Attorney Cuevas advised that Mr. Jose Arriola had resigned as a member of the University of Miami Board of Trustees.

Chairman Martinez noted the South Florida AFL-CIO had appointed Joaquin Delcueto.

Commissioner Diaz questioned whether the Commission on Ethics and Public Trust and the Inspector General would be allowed to investigate the FRB.

County Attorney Cuevas advised the Commission on Ethics and Public Trust and the Inspector General could investigate the FRB.

Commissioner Heyman questioned whether the County Commission would make five appointments, and that one would be an interim FRB member for the County Mayor.

Chairman Martinez clarified the Commission would make only four appointments.

By ballot vote, the Commission appointed the following individuals to the Financial Recovery Board:

1. Mr. Jose Arriola;
2. Mr. Marc Lapciuc;
3. Mr. Stephen Nuell; and
4. Mr. Daryl Sharpton.

11 B ADDITIONAL BUDGET ALLOCATIONS

11B1

111016 **Report**

ALLOCATION OF (FY) 2010/11 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 1)

Approved
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocation was made from fiscal year (FY) 2010/11 District 1 Discretionary Reserve Funds as requested by Commissioner Jordan.*

$500 to Back Bone Cultural Group, Inc. (In support of the Ghana Business and Trade Workshop)

11B2

111017 **Report**

ALLOCATION OF (FY) 2010/11 DISTRICT OFFICE FUNDS (DISTRICT 2)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocation was made from fiscal year (FY) 2010/11 District 2 Office Funds as requested by Commissioner Monestime.*

$163.82 for expenses related to the "Earth Day District 2 Clean Up" event held on April 22, 2011

11B3

111018 **Report**

ALLOCATION OF (FY) 2010/11 OFFICE ACCOUNT FUNDS (DISTRICT 4)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocations were made from fiscal year (FY) 2010/11 District 4 Office Account Funds as requested by Commissioner Heyman.*

$500 to Shake-A-Leg Miami
$1,000 to The Dialysis Food Foundation of South Florida
$500 to Center for Folk and Community Art
$5,000 to Association of Retarded Citizens of South Florida
$3,000 to Miami Dade Parks & Recreation (Greynolds Park Loving Event 5/15/11)
$1,200 to Keystone Point Homeowners Association
$1,000 to Miami-Dade Police Intracoastal Explorer Post
$1,000 to North Miami Beach Police Explorers
$300 to CHARLEE of Dade County

11B4

111019 **Report**

REIMBURSEMENT FROM COMMUNITY-BASED ORGANIZATION - OFFICE ACCOUNT FUNDS (DISTRICT 4)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocations were reimbursed from Community Based Organization – District 4 Office Account Funds as requested by Commissioner Heyman.*

$100 from Legal Services of Greater Miami
$1,500 from Miami Foundation
$200 from SAVE Foundation
$175 from Dade County PBA Love F und
$360 from Simon Wiesenthal Center
$425 from Highland Oaks Middle School
$1,000 from Pelican Harbor Seabird Station
$120 from JCS Marzah Mitzvah
$75 from NCJW
$1,000 from Lighthouse for the Blind
$60 from Sunny Isles Beach Community School
$1,100 from ML Krop High School PTSA
$720 from MAR Jewish Community Center
$100 from Planned Parenthood
$1,000 from Susan G. Komen Race for the Cure
$50 from Helen B. Bentley Family Health
$375 from National Council Jewish Women

For the record, Commissioner Heyman asked to rescind her allocation on April 4, 2011, to Legal Services of Greater Miami in the amount of $500.00.

For the record, Commissioner Heyman asked to be reimbursed $202.61 for expenses associated with various District 4 events from District 4 Office Account.

11B5

111020 **Report**

ALLOCATION OF (FY) 2010/11 OFFICE BUDGET FUNDS (DISTRICT 8)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocations were made from fiscal year (FY) 2010/11 District 8 Office Budget Funds as requested by Commissioner Bell.*

Up to $1,000 to the District 8 Egg Hunt that took place on April 21, 2011, which was partially funded by community sponsors, such as the Miami-Dade Police Department (South District) office
Up to $2,000 for the District 8 Movie Night Events which was partially funded by community sponsors, such as the Parks Foundation
Up to $400 for the District 8 Mother's Day Senior Center Tour

11B6

111021 **Report**

ALLOCATION OF CARRY-OVER FUNDS (DISTRICT 9)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocations were made from District 9 Carry-Over Funds as requested by Commissioner Moss.*

$2,500 to M.U.J.E.R., Inc., for operational support
$500 to The National Black Railroader's Historical Society, Inc., for the 1st Annual Black Railroader's Reunion Juneteenth Jubilee

11B7

111022 **Report**

ALLOCATION OF (FY) 2010/11 OFFICE BUDGET FUNDS (DISTRICT 12)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

Report: *The following funding allocations were made from fiscal year (FY) 2010/11 District 12 Office Budget Funds as requested by Commissioner Diaz.*

$650 to Miami-Dade Parks & Recreation Department (c/o Palm Springs North Civic Association)
$10,000 to Village of Virginia Gardens Youth Club
$1,750 to PBA Love Fund
$1,300 to Miami-Dade Parks & Recreation Departrment (c/o Community Performing Arts Association, Inc.)
$3,500 to Here's Help, Inc.
$2,000 to The Miami Symphony Orchestra
$5,000 to Liga Contra El Cancer
$750 to ASIS International
$20,000 to Annual District 12 Spring Festival-Sponsored Event

12 COUNTY MANAGER

13 COUNTY ATTORNEY

13A1

110793 **Resolution**

RESOLUTION AUTHORIZING CERTAIN SETTLEMENT IN COUNTY EMINENT DOMAIN PROCEEDINGS BY COUNTY ATTORNEY IN THE AMOUNT OF PAYMENT OF FUTURE IMPACT FEES NOT TO EXCEED $3,060,000.00 IN CONNECTION WITH THE ACQUISITION OF LAND FOR THE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS TO 87TH AVENUE FROM NW 154TH STREET TO NW 186TH STREET IN MIAMI-DADE COUNTY, FLORIDA AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (County Attorney's Office)

Adopted
Resolution R-393-11
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

13A2

110903 **Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE THE SETTLEMENT AGREEMENT SETTLING ALL LEGAL CLAIMS AND COUNTERCLAIMS BETWEEN MIAMI-DADE COUNTY, ON THE ONE HAND, AND FISCAL OPERATIONS, INC., FISCAL FUNDING, INC., CALVIN GRIGSBY, AND JOHN TIDDES, ON THE OTHER HAND (County Attorney's Office)

Adopted
Resolution R-394-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

13A3

110906 **Resolution**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING SETTLEMENT AGREEMENT AMONG THE CHAPTER 7 BANKRUPTCY ESTATE OF AEROTHRUST CORPORATION THROUGH ITS TRUSTEE IN BANKRUPTCY, PNC BANK, AEROTHRUST HOLDINGS, LLC, AND MIAMI-DADE COUNTY THROUGH BOTH OF ITS AVIATION DEPARTMENT AND DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT FOR RESOLUTION OF BANKRUPTCY ISSUES ARISING OUT OF AEROTHRUST'S CHAPTER 7 BANKRUPTCY PROCEEDING; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SUCH SETTLEMENT AGREEMENT AND TO TAKE ALL ACTIONS REQUIRED TO EFFECT THE TERMS THEREOF (County Attorney's Office)

Adopted
Resolution R-395-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

14 ITEMS SUBJECT TO 4-DAY RULE

14A1

110947 **Resolution** **Joe A. Martinez**

RESOLUTION DECLARING THE WEEK OF MAY 8 - MAY 14 OF 2011 AND EVERY YEAR HEREINAFTER AS "FOOD ALLERGY AWARENESS WEEK"

Adopted
Resolution R-396-11
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

14A2

110982 **Resolution**

RESOLUTION APPROVING EXECUTION OF AMENDMENT NUMBER TWO TO A NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT WITH CAMP DRESSER & MCKEE, INC. FOR AGREEMENT NO. 06CDAM005: WATER FACILITIES MASTER PLAN UPDATE; EXTENDING THE DURATION OF THE AGREEMENT BY ONE YEAR (Water & Sewer Department)

Adopted
Resolution R-397-11
Mover: Sally A. Heyman
Seconder: Audrey M. Edmonson
Vote: 9- 0
Absent: Monestime, Diaz, District 13-Vacant, District 7-Vacant

14A3

110999 **Ordinance**

ORDINANCE PERTAINING TO ZONING; AMENDING SECTIONS 33-1 AND 33-13 OF THE CODE OF MIAMI-DADE COUNTY (CODE); PROVIDING FOR MOBILE FOOD SERVICE OPERATIONS SPECIAL EVENTS; PROVIDING COUNTY MANAGER'S REPORT ON IMPLEMENTATION OF ORDINANCE WITHIN ONE YEAR OF EFFECTIVE DATE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

Forwarded to the full Board by BCC Chairperson
Mover: Joe A. Martinez
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: District 13-Vacant, District 7-Vacant

Report: *During consideration of the changes to the agenda, the Board by motion duly made, seconded and carried, suspended the provisions of Rule 5.05(b)(1) relating to sponsorship of items so as to allow the County Manager to sponsor this first reading ordinance and to place this ordinance on today's agenda as an add on, be waived out of committee, and scheduled for public hearing and second reading at the BCC meeting of May 17, 2011.*

14B1

110981 **Report**

CONFLICT WAIVER REQUEST - GREENBERG TRAURIG (Clerk of the Board)

4 Day Rule Invoked

Report: *Commissioner Edmonson invoked the 4-Day Rule.*

15 CLERK OF THE BOARD

15A RESOLUTIONS

15A1

110868 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN VIZCAYA IN KENDALL COMMUNITY DEVELOPMENT DISTRICT AND MIAMI-DADE COUNTY TO PROVIDE SERVICES TO VIZCAYA IN KENDALL COMMUNITY DEVELOPMENT DISTRICT IN ACCORDANCE WITH SECTION 197.3632, FLORIDA STATUTES, UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS (Office of Property Appraiser)

Adopted
Resolution R-398-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15A2

110869 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF THE INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN CITY OF CORAL GABLES AND MIAMI-DADE COUNTY TAX COLLECTOR AND MIAMI-DADE OFFICE OF THE PROPERTY APPRAISER TO PROVIDE SERVICES TO THE CITY IN ACCORDANCE WITH SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS (Office of Property Appraiser)

Adopted
Resolution R-399-11
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15B REPORTS

15B1

110867 **Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON MAY 3, 2011 (Clerk of the Board)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15B2

110870 **Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD
JANUARY 13, 2011 (SPECIAL BCC MEETING)
FEBRUARY 1, 2011 (REGULAR BCC MEETING)
FEBRUARY 1, 2011 (WEST PERRINE CRA MEETING)
MARCH 3, 2011 (CDMP)
APRIL 13, 2011 (SPECIAL BCC MEETING) (Clerk of the Board)

Approved
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15B3

110871 **Report**

CERTIFICATE OF COUNTY CANVASSING BOARD FOR THE AVENTURA SPECIAL MAIL BALLOT ELECTION HELD ON APRIL 12, 2011 (Clerk of the Board)

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15C COUNTY ADVISORY BOARD APPOINTMENTS

15C1

110872 **Report**

APPOINTMENT OF FRANK ASTOR TO THE HEALTH COUNCIL OF SOUTH FLORIDA, INC. (Clerk of the Board)

Accepted
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

15C2

121590 **Report**

APPOINTMENT OF LIA DOMINIQUE ANDRESS TO THE COMMUNITY ACTION AGENCY

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C3

121591 **Report**

APPOINTMENT OF JEFFREY RYNOR TO THE VIZCAYA MUSEUM & GARDENS TRUST

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C4

121592 **Report**

APPOINTMENT OF HOWARD ROSS TO COMMUNITY COUNCIL 2 SUB AREA 22

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C5

121593 **Report**

APPOINTMENT OF FRANCESCA MENES TO THE COMMISSION ON STATUS FOR WOMEN

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C6

121594 **Report**

APPOINTMENT OF VICTOR BAO TO THE CULTURAL AFFAIRS COUNCIL

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C7

121595 **Report**

APPOINTMENT OF CHARLES LOPEZ TO THE NARANJA LAKE CRA

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C8

121596 **Report**

APPOINTMENT OF JUDITH CHORLOG TO THE COMMISSION ON HUMAN RIGHTS

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C9

121597 **Report**

APPOINTMENT OF KENT CROOK TO THE CLIMATE CHANGE ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C10

121598 **Report**

APPOINTMENT OF NICK VICERA TO THE ASIAN AMERICAN ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C11

121599 **Report**

APPOINTMENT OF ABBIE CUELLAR TO THE HISPANIC AFFAIRS ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C12

121600 **Report**

APPOINTMENT OF GERALDINE LAZARRE TO THE BLACK AFFAIRS ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C13

121601 **Report**

APPOINTMENT OF JUAN RIZZA TO THE BOARD OF RULES AND APPEALS

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C14

121602 **Report**

APPOINTMENT OF PEDRO RODRIGUEZ TO THE COMMISSION ON DISABILITY ISSUES

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C15

121603 **Report**

REAPPOINTMENT OF SHARON K. JOHNSON TO THE COMMISSION FOR WOMEN

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C16

121604 **Report**

REAPPOINTMENT OF MARA ZAPATA TO THE COMMISSION FOR WOMEN

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C17

121605 **Report**

APPOINTMENT OF JOSE VILLALOBOS TO THE VIZCAYA MUSEUM & GARDENS TRUST

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C18

121606 **Report**

APPOINTMENT OF HARLENE KENNEDY TO THE COMMUNITY RELATIONS BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C19

121607 **Report**

APPOINTMENT OF RAUL AGUILA TO THE ART IN PUBLIC PLACES

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C20

121608 **Report**

APPOINTMENT OF MARIA MITCHELL TO THE COMMUNITY IMAGE ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C21

121609 **Report**

APPOINTMENT OF JOYCE PRICE TO THE COMMUNITY ACTION AGENCY

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C22

121610 **Report**

APPOINTMENT OF PATRICK MORRIS TO THE CBO ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C23

121611 **Report**

APPOINTMENT OF JOSE VILLALOBOS TO THE JAY MALINA INTERNATIONAL TRADE CONSORTIUM

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C24

121612 **Report**

APPOINTMENT OF CHRISTINA GOMEZ-PINA TO THE HISPANIC AFFAIRS ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C25

121613 **Report**

APPOINTMENT OF RICK HERNANDEZ TO THE BISCAYNE BAY SHORELINE DEVELOPMENT REVIEW COMMITTEE

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15C26

121614 **Report**

APPOINTMENT OF MANNY WONG TO THE ASIAN AMERICAN ADVISORY BOARD

Accepted
Mover: Rebeca Sosa
Seconder: Joe A. Martinez
Vote: 9- 0
Absent: Moss, Diaz, District 13-Vacant, District 7-Vacant

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS

16 ITEMS SCHEDULED FOR THURSDAY

16A

111025 **Report**

NON AGENDA REPORT

Report: *Chairman Martinez announced that the Board would not recess for lunch and that lunch would be provided by the Office of the Chair.*

It was moved by Commissioner Martinez that the Board suspend those provisions of Rule 5.05 of the Board of County Commissioners' Rules of Procedures relating to the Mayor's ability to sponsor items so as to allow the County Manager to sponsor such items until the vacancy in the Office of the Mayor is filled. This suspension would not be applicable to matters which can only be placed on the agenda by the Mayor as provided in the Home Rule Charter (e.g., written recommendations to waive competitive bidding). This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Martinez that the Board suspend those provisions of Rule 5.05(b)(1) of its Rules and Procedures relating to sponsorship of items so as to allow the County Manager to sponsor this ordinance as prepared by the Department of Planning and Zoning; to waive the same Rule to allow this proposed ordinance (Agenda Item 14A3) to be placed on the May 3, 2011 County Commission Agenda; and to waive Rule 4.01(j)1 of the committee requirement to allow Agenda Item 14A3 to be placed on the May 17, 2011 County Commission Agenda and set for public hearing on second reading at 9:30 am. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Edmonson that the Board extend the existing contracts providing for funding for Community-Based Organizations to September 30, 2011, and that the County Administration provide the County Commission with recommended revisions for future contracts to allocate funding to Community Based Organizations. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Diaz and Monestime were absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Martinez that the County Administration execute agreements with the three municipalities created since the implementation of the PTP surtax providing funding consistent with the municipal distribution with said funding coming from the County's 80 percent; to provide that these agreements be contingent upon the three applicable municipalities agreeing to a voluntary dismissal of any claims it may have as well as an executed release; to direct the County Administration to bring the appropriate amendments to the County Code necessary to ensure that successor interlocal agreements with all municipalities contain provisions to protect the funding for regional transportation services in the event of future incorporations; and to provide for the consideration of other amendments to municipal MOE requirements. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Barriero that the County Commission reconsider Agenda Item 15B1 (Legislative File No. 110649) which was adopted at the April 4, 2011, County Commission meeting. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; County Commission Districts 7 and 13 seats were vacant).

It was moved by Commissioner Barreiro that the County Commission adopt Agenda Item 15B1 as amended to reschedule the public hearing and second reading on Agenda Item 14A3 (Legislative File No. 110757) to May 17, 2011, at 9:30 a.m.; and waive the six weeks and four weeks requirements to allow this ordinance to be heard on May 17th. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 seats were vacant).

Chairman Martinez noted he would submit an appropriate memorandum waiving the Board's rules and procedures to allow this proposed ordinance to be heard on May 17, 2011.

16A1

110757 **Ordinance** **Bruno A. Barreiro**

ORDINANCE RELATING TO ROAD IMPACT FEES; AMENDING SECTION 33E-6.1 OF THE CODE OF MIAMI-DADE COUNTY (CODE); DELAYING BY ONE YEAR THE SCHEDULED PERCENTAGE INCREASE OF THE ROAD IMPACT FEE; PROVIDING RETROACTIVE APPLICATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to the full Board by BCC Chairperson
Mover: Bruno A. Barreiro
Seconder: Rebeca Sosa
Vote: 10- 0
Absent: Diaz, District 13-Vacant, District 7-Vacant

Report: *It was moved by Commissioner Barriero that the County Commission reconsider Agenda Item 15B1 (Legislative File No. 110649) which was adopted at the April 4, 2011, County Commission meeting. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; County Commission Districts 7 and 13 seats were vacant).*

It was moved by Commissioner Barreiro that the County Commission adopt Agenda Item 15B1 as amended to reschedule the public hearing and second reading on Agenda Item 14A3 (Legislative File No. 110757) to May 17, 2011, at 9:30 a.m.; and waive the six weeks and four weeks requirements to allow this ordinance to be heard on May 17th. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 seats were vacant).

Chairman Martinez noted he would submit an appropriate memorandum waiving the Board's rules and procedures to allow this proposed ordinance to be heard on May 17, 2011.

3/31/2011		*Requires Municipal Notification by the Board of County Commissioners to the Infrastructure and Land Use Committee*
4/1/2011		*Tentatively scheduled for a public hearing by the Board of County Commissioners to the Infrastructure and Land Use Committee*
4/4/2011	14A3	*Adopted on first reading by the Board of County Commissioners*
4/11/2011		*Municipalities notified of public hearing by the Board of County Commissioners to the Infrastructure and Land Use Committee*

112328 **Report**

NON AGENDA ITEMS

Report: *Chairman Martinez noted the County Commission need to suspend Ordinance 11-15 until the Mayoral vacancy was filled.*

It was moved by Commissioner Sosa that the May 19, 2011, Board of County Commissioners Zoning Hearing be cancelled. This motion was seconded by Commissioner Heyaman, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Diaz and Monestime were absent; Commission Districts 7 and 13 were vacant).

It was moved by Commissioner Edmonson that the Board extend the existing contracts providing for funding for Community-Based Organizations to September 30, 2011, and that the County Administration provide the County Commission with recommended revisions for future contracts to allocate funding to Community Based Organizations. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 9-0 (Commissioners Diaz and Monestime were absent; Commission Districts 7 and 13 were vacant).

Chairman Martinez suggested each Commissioner meet with the Budget Director for an explanation regarding the changes that need to be made to the way the County funded Community Based Organizations.

Chairman Martinez noted a movement in Tallahassee was gaining momentum and it would mandate that the County distribute People's Transportation Plan (PTP) sur-tax funds to the three cities that had incorporated since the inception of the PTP. He clarified that these PTP funds would come from the 80% of all PTP sur-tax funds that went to the County, and that the projected fiscal impact would be $5 million. Chairman Martinez pointed out that the interlocal agreement between the County and the municipalities in the county regarding the distribution of PTP funds would expire in one year. He suggested that the County voluntarily approve the distribution of these funds to avoid a mandate from the State of Florida Legislature.

Commissioner Barreiro expressed concern that this movement was contrary to the agreement when the PTP commenced that no municipalities incorporated after the PTP's inception would receive PTP funds for their individual use.

Commissioner Jordan questioned how the $5 million fiscal impact would impact the Miami-Dade Transit Agency (MDT).

Ms. Jennifer Glazer-Moon explained that the County would account for the $5 million during the budget development process for MDT in Fiscal Year 2011-12. She noted the County would try to mitigate the fiscal impact by restructuring routes and make the service impact as small as possible. She pointed out that the County's portion of PTP funds was supporting regional transportation, and that the County had no Unincorporated Municipal Service Areas (UMSA) projects. Ms. Glazer-Moon noted that future incorporations would not have any money accrue to them.

Commissioner Sosa questioned whether the County absorbed the cost for everyone who received the golden and patriot passports for free fare on MDT buses and railcars.

Ms. Glazer-Moon noted the County adsorbed the entire cost.

Commissioner Sosa asked the Office of Strategic Business Management Director to evaluate the possibility of municipalities absorbing part of the cost

for regional services provided through the Peoples Transportation Plan.

Commissioner Barreiro pointed out that the areas that have incorporated since the inception of the PTP did receive improvements from the PTP while they were part of UMSA.

Chairman Martinez asked the County Manager to provide the County Commission with a report regarding the total annual dollar value of the Patriot Passport, Golden Passport, Student Pass, and other Miami-Dade Transit discounts.

It was moved by Commissioner Martinez that the County Administration execute agreements with the three municipalities created since the implementation of the PTP surtax providing funding consistent with the municipal distribution with said funding coming from the County's 80 percent; to provide that these agreements be contingent upon the three applicable municipalities agreeing to a voluntary dismissal of any claims it may have as well as an executed release; to direct the County Administration to bring the appropriate amendments to the County Code necessary to ensure that successor interlocal agreements with all municipalities contain provisions to protect the funding for regional transportation services in the event of future incorporations; and to provide for the consideration of other amendments to municipal MOE requirements. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 10-0 (Commissioner Diaz was absent; Commission Districts 7 and 13 were vacant).

Chairman Martinez asked the County Attorney to immediately apprise Assistant County Attorney Jess McCarty and the Office of Intergovernmental Affairs Director that the County Commission approved the execution of agreements with the three municipalities created since the implementation of the PTP surtax to provide funding consistent with the municipal distribution with said funding coming from the County's 80 percent, and to instruct Assistant County Attorney McCarty and the OIA Director to lobby for the withdrawal of proposed State of Florida legislation with this same intent.

19 ADJOURNMENT

Report: *There being no other business to come before the Board, the meeting was recessed to May 10, 2011, at 11:00 a.m.*

There being no other business to come before the Commission, the meeting adjourned at 11: 21 a.m. on May 10, 2011.

Joe A. Martinez, Chairman

ATTEST: HARVEY RUVIN, CLERK

By: Diane Collins, Deputy Clerk