



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, February 6, 2007
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Mary Smith-York, Commission Reporter, 305-375-1598



FINAL OFFICIAL

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

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

I MINUTES PREPARED BY:

Report: *Mary Smith-York, Commission Reporter, 305-375-1598*

1A MOMENT OF SILENCE

Report: *Chairman Barreiro asked that a moment of silence be held followed by the Pledge of Allegiance. He also asked that Senior Assistant County Attorney Cuevas be remembered in prayer during his bereavement for his father's passing.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: County Manager George Burgess, Senior Advisor to the County Manager Cynthia Curry, Assistant County Manager Alina Hudak, Assistant County Manager Alex Munoz, County Attorney Murray Greenberg, and Deputy Clerks Kay Sullivan, Diane Collins, and Mary Smith-York.*

During roll call following the break, the Clerk stated a memorandum was received from Commissioner Souto announcing his late arrival at the second session due to a doctor's appointment.

1D REPORTS OF OFFICIAL BOARDS

1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)

1E1

070244 Citizen's Presentation Bruno A. Barreiro

CITIZEN'S PRESENTATION BY RONNI LITZ JULIEN RE: *Presented*
TRANS FAT FREE CAMPAIGN

Report: *Ms. Ronni Litz Julien, Boat 10, 102nd Street, Bay Harbor Island, appeared before the Board and presented a PowerPoint presentation to illustrate "Why Trans Fats Should Be Banned from Miami Restaurants" as part of the Trans Fats Free Campaign.*

Commissioner Sorenson spoke in support of legislation banning trans fats from restaurants within Miami-Dade County.

Ms. Julien advised that Burger King planned to phase out trans fats from its menu by 2008, and that McDonald's and most of the national chains also had plans to follow suit.

In response to Commissioner Jordan's inquiry regarding schools, Ms. Julien noted the school system would be the next stop for her campaign.

Commissioner Heyman noted Ms. Julien was requested to make a presentation before the Dade League of Cities and to meet with Ms. Miriam Singer, Director of the Department of Procurement Management, concerning future bid proposals.

Commissioners Souto and Rolle spoke in support of the foregoing item and emphasized the importance of developing the legislation regarding banning trans fats in restaurants.

Commissioner Sosa noted she would co-sponsor legislation regarding this item and commended Ms. Julien on her use of radio broadcasts to publicize this campaign. She stated that more emphasis should be placed on the educational process to help parents and families understand the need. Commissioner Sosa suggested entities impacted by the recommended trans fats partial phase out process be recognized for adhering to that process.

Commissioner Rolle advised that he would also co-sponsor legislation to ban trans fats from restaurants in Miami-Dade County. He noted legal counsel had advised of the difficulty local governments encountered when attempting to regulate restaurants.

Chairman Barreiro spoke in support of this item.

1E2

070243 Citizen's Presentation

Dorrin Rolle

CITIZEN'S PRESENTATION BY STANLEY PRICE RE: THE
OAKS PROJECT AT 13814 N.E. 3RD CT., CITY OF NORTH
MIAMI

Presented

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Report: *Mr. Stanley Price, 200 S. Biscayne Boulevard, attorney for The Oaks Project, appeared before the Board and presented a brief overview regarding permitting and inspection issues caused by the project accessing two (2) municipal jurisdictions: the City of North Miami and Unincorporated Miami-Dade County. He noted the City of North Miami filed an application to annex the unincorporated area into the City in 2004-05. Following a summation of the historical background, Mr. Price asked that the County Manager be authorized to enter into an interlocal agreement with the City of North Miami.*

Mr. Charles Danger, Director, Miami-Dade Building Department, noted that common practice when such situations occurred was to enter into an agreement with the municipality and allow the inspections to be done. However, in this case, the issue was how to determine where jurisdiction on the completed structure (i.e. police, fire, solid waste, etc.).

In response to Mr. Danger's comment that only one (1) lot was involved, Mr. Price explained that each project stood independent of each other on five lots. He pointed out that a separate site plan approval was obtained from the City of North Miami for that portion under its jurisdiction, and from the County for that portion in unincorporated Miami-Dade County. Mr. Price stated none of the buildings crossed jurisdictional lines and were independent projects.

Assistant County Attorney Joni Armstrong-Coffey advised that an interlocal agreement that delegated from County to City or from City to County was possible. She noted the responsibility long-term for the Certificate of Occupancy and the opinion of staff would occur after construction was completed at the request of the County and City Commissions.

Commissioner Rolle asked that the County Attorney craft an interlocal agreement between the County and the City of North Miami.

In response to Commissioner Sorenson's inquiry regarding the moratorium on annexation, Ms. Armstrong-Coffey stated the interlocal agreement would be limited to allowing the plans review inspection and to determining jurisdiction for services.

Pertaining to Commissioner Sorenson's request for the current status of the moratorium, Assistant County Manager Alina Hudak advised that a workshop was being scheduled regarding this issue.

Commissioners Diaz commented that the Board members were aware of a moratorium on incorporations only; not on annexations.

Commissioner Heyman asked the County Manager to locate copies of the study conducted in July 2006 regarding Annexation and Incorporation, and have it redistributed to individual Commissioners for review pertaining to the moratorium.

Commissioner Jordan emphasized the need to discuss, during the workshop, the overlay parcels remaining after proposed incorporations and annexations were separated out.

Commissioner Seijas explained the circumstances causing the delay in scheduling the workshop and advised that two workshops would be scheduled at the next Governmental Operations and Environment Committee meeting, one regarding Mitigation, and the other Annexation and Incorporation.

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

Report: Assistant County Attorney noted that in addition to the County Manager's change sheet, the following additional changes were requested:

- Agenda Item AO1A be withdrawn;
- A scrivener's error existing in 4E Substitute be corrected to list Commissioner Heyman as the sponsor rather than Commissioner Sosa;
- A brief oral report by the County Attorney be added under Agenda Item 13; and
- Agenda Item 8E1A Supplement be added.

In response to Commissioner Souto's inquiry regarding distribution of the County's Home Rule Charter, Mr. Greenberg noted the new Charter was currently available online and hard copies had been distributed to individual Commissioners upon their request.

Commissioner Souto asked the County Attorney to provide members of the Commission with copies of the Miami-Dade County Charter in small booklets as soon as possible.

Chairman Barreiro requested the GSA Department to prioritize the printing of the Charter on small booklets.

Commissioner Seijas asked that the Charter booklets list the persons/affiliations responsible for writing and developing the Miami-Dade Charter.

Following the foregoing discussion, Mr. Greenberg advised that in addition to the First Reading, Public Hearing, and Second Readings, the following items were on the Pull List to be heard: 8A1D, 8A1C, 8A1E, 8A1G, 8A1H, 8A1I, 8B8A, 8B1A, 8B8A SUPPLEMENT, 8B1A SUPPLEMENT 2, 8D1A, 8F1A, 8G1A, 8J1A, 8K1A, 8O1B, 11A3, 11A4, 11A8, 11C1, 12A1, 12A3, 12B2, 13A1, 14A1, 14A2, AND 14A3.

It was moved by Commissioner Heyman that the Board accept today's (2/6) agenda and "Pull List" as presented by the County Attorney. This motion was seconded by Commissioner Martinez.

Each Commissioner asked to be listed as co-sponsors of Agenda Item 14A2.

It was moved by Commissioner Sosa that the Board adopt Agenda Item 14A2 as amended to read "...urging the United States to go against any legislation that changes the funding formula and reduces funding to the Section 8 program for Miami-Dade County..." This motion was seconded by Commissioner Edmonson.

Seeing that several Commissioners wished to speak on this issue, Chairman Barreiro requested that Item 14A2 remain on the Pull List for further discussion.

Hearing no further comment or objection, the Board by motion duly made, seconded, and carried by a unanimous vote, adopted today's agenda with the additional changes as requested by the County Manager and Commission members.

1G OFFICE OF COMMISSION AUDITOR**1H** OFFICE OF INTERGOVERNMENTAL AFFAIRS**2** MAYORAL ISSUES**2A** MAYORAL VETOES**2B** MAYORAL REPORTS**3** CONSENT ITEMS**4** ORDINANCES FOR FIRST READING

4A

070183 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TUSCANY VILLAS WEST MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: March 6, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

There being no discussion regarding this matter, the Board proceeded to vote.

4B

070184 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MC ESTATES MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: March 6, 2007
Mover: Jose "Pepe" Diaz
Seconder: Audrey M. Edmonson
Vote: 12- 0
Absent: Seijas*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

There being no discussion regarding this matter, the Board proceeded to vote.

4C

070185 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS GROVE AT WATERSTONE MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted on first reading
Public Hearing: March 6, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 11- 0
Absent: Seijas
Absent, OCB: Souto*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

4D

070187 Ordinance

ORDINANCE PERTAINING TO DISPOSITION OF COUNTY SURPLUS PROPERTY; AMENDING SECTION 2-11.2.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE); ESTABLISHING A DEFINITION FOR AND PROCESS FOR DISPOSITION OF RETIRED COUNTY ANIMAL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Miami-Dade Police Department)

*Adopted on first reading
Public Hearing: March 13, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Budget and Finance Committee on March 13, 2007 at 2:00 p.m.

4E

070249 Ordinance Sally A. Heyman

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO ALLOW FOR THE USE OF SURTAX FUNDS FOR CONTRACTS IN SUPPORT OF THE ADMINISTRATION OF THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST WITHOUT APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS FOR CONTRACTS WHICH DO NOT EXCEED ONE THOUSAND DOLLARS (\$1000); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

4E SUBSTITUTE

070364

Ordinance

Sally A. Heyman

ORDINANCE AMENDING SECTION 29-124 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO ALLOW FOR THE USE OF SURTAX FUNDS FOR CONTRACTS IN SUPPORT OF THE ADMINISTRATION OF THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST WITHOUT APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS FOR CONTRACTS WHICH DO NOT EXCEED TWENTY FIVE THOUSAND DOLLARS (\$25,000); PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070249]

*Adopted on first reading
Public Hearing: March 14, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 10- 2
No: Edmonson, Sosa
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Transit Committee on March 14, 2007 at 2:00 p.m.

4F

070178

Ordinance

ORDINANCE PERTAINING TO SEAPORT OPERATIONS AND SECURITY; AMENDING SECTIONS 28A-5.2; 28A-5.3 AND 28A-6.3 OF THE CODE OF MIAMI-DADE COUNTY; EXTENDING THE LENGTH OF SEAPORT IDENTIFICATION CARDS NOT TO EXCEED FOUR YEARS; REPEALING REQUIREMENT THAT AN APPLICANT FOR A SEAPORT IDENTIFICATION CARD PROVIDE A COPY OF THE APPLICANT'S SOCIAL SECURITY CARD; PROVIDING ADDITIONAL REQUIREMENTS RELATED TO CHANGES IN OWNERSHIP OF COMPANIES HOLDING STEVEDORE PERMITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE (Seaport Department)

*Adopted on first reading
Public Hearing: March 14, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Transit Committee on March 14, 2007 at 2:00 p.m.

4G

070156 **Ordinance** **Sen. Javier D. Souto**

ORDINANCE AMENDING SECTION 15-5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO SOLID WASTE DISPOSAL; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading
Public Hearing: March 13, 2007
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

The foregoing proposed ordinance was adopted on first reading and scheduled for public hearing before the Governmental Operations & Environment Committee on March 13, 2007 at 9:30 a.m.

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

5A

063628 **Ordinance** **Bruno A. Barreiro**

ORDINANCE RELATING TO COUNTY COMMISSION COMMITTEES; AMENDING RULE 4.01(A) OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO ALLOW MORE THAN SIX COMMITTEES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Amended

Report: *See Agenda Item 5A Amended; Legislative File No. 070636.*

- 12/19/2006** *4 Day Rule Invoked by the Board of County Commissioners*
- 1/9/2007** *Adopted on first reading by the Board of County Commissioners*
- 1/18/2007** *Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Internal Mgmt. & Fiscal Responsibility Committee*
- 1/25/2007** *Deferred by the Board of County Commissioners*

5A Amended

070636

Ordinance

Bruno A. Barreiro

ORDINANCE RELATING TO COUNTY COMMISSION COMMITTEES; AMENDING RULE 4.01(A) OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO ALLOW MORE THAN SIX COMMITTEES, AND RULE 4.01(C) OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY TO DELETE LIMITATION ON SERVICE AS COMMITTEE CHAIRPERSON OR VICE-CHAIRPERSON; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 063628]

*Adopted as amended
Ordinance 07-07
Mover: Jose "Pepe" Diaz
Second: Carlos A. Gimenez
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro opened the public hearing, and seeing no person appear wishing to be heard, the public hearing was closed.

The Board adopted the foregoing proposed ordinance as amended to delete any limitation on service as committee chairperson or vice-chairperson as requested by Commissioner Sorenson.

5B

070145

Resolution

Sen. Javier D. Souto

RESOLUTION CODESIGNATING SW 112TH AVENUE FROM SW 40TH STREET (BIRD ROAD) TO SW 56TH STREET (MILLER ROAD) AS COMMANDER OSVALDO RAMIREZ AVENUE

*Adopted
Resolution R-118-07
Mover: Sen. Javier D. Souto
Second: Joe A. Martinez
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Chairman Barreiro opened the public hearing, and seeing no person appear wishing to be heard, the public hearing was closed.

There being no discussion regarding this matter, the Board proceeded to vote.

5C

063329 Resolution

RESOLUTION PERTAINING TO BUILDING BETTER COMMUNITIES BOND PROGRAM BY APPROVING AFTER PUBLIC HEARING SIGNIFICANT MODIFICATION TO PROJECT NO. 330 - "IMPROVEMENTS TO THE WOLFSONIAN-FIU" IDENTIFIED IN EXHIBIT A TO RESOLUTION NO. R-919-04 (Cultural Affairs Council)

Adopted
Resolution R-119-07
Mover: Bruno A. Barreiro
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Chairman Barreiro opened the public hearing, and seeing no person appear wishing to be heard, the public hearing was closed.

There being no discussion regarding this matter, the Board proceeded to vote.

12/12/2006 *Deferred by the Infrastructure and Land Use Committee*

1/16/2007 *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5C SUPPLEMENT

070113 Supplement

SUPPLEMENTAL INFORMATION RE: SUBSTANTIAL MODIFICATION OF BUILDING BETTER COMMUNITIES PROJECT NO. 330- THE WOLFSONIAN- FLORIDA INTERNATIONAL UNIVERSITY (FIU)

Accepted
Mover: Bruno A. Barreiro
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *(See report under Agenda Item 5C; Legislative File No. 063329.)*

1/16/2007 *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

5D

063328 Resolution

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES BOND PROGRAM PROJECT NO. 46-"MIAMI METROZOO" IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-913-04 AFTER A PUBLIC HEARING; AND APPROVING TERMS OF AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE A GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE ZOOLOGICAL SOCIETY OF FLORIDA FOR A MIAMI METROZOO PROJECT AND EXERCISING CANCELLATION PROVISIONS THEREIN (Park & Recreation Department)

Adopted

Resolution R-120-07

Mover: Dennis C. Moss

Seconder: Dorrin D. Rolle

Vote: 13- 0

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

Chairman Barreiro opened the public hearing, and seeing no person appear wishing to be heard, he closed the public hearing.

Commissioner Gimenez asked that a process be established pertaining to overages in the General Obligations Bond Program (GOB), identifying who would get the funds when.

Commissioner Jordan suggested County staff take a look at those projects already in the pipeline and bring back recommendations for the Commission's review and approval of how priorities were set.

Commissioner Rolle recalled the Board's approval of the purchase of the health center on Miami Beach with GOB funds, he asked that a process be established to determine which capital projects were prioritized to receive funding. Commissioner Rolle asked that this process be documented in writing and brought back to the Board for its consideration.

Chairman Barreiro asked the County Manager to create a process outlining a structured committee process for designating bond overages to capital projects.

County Manager Burgess acknowledged the Commission's requests and noted he would develop a structured process. He further advised that recommendations of this type were heard by the Citizens' Advisory Committee for the GOB, the Commission's Committee, and ultimately the County Commission. Mr. Burgess explained that project prioritization adjustments were done periodically due to environmental variables, which required full Board's approval.

Commissioner Diaz asked that the County Manager also provide the Board with a complete breakdown analysis report of actual costs related to the "Miami Metrozoo" project.

It was moved by Commissioner Gimenez that no additional projects be approved for GOB funding until a process had been established and was in place. This motion was seconded by Commissioner Seijas for discussion.

Commissioner Moss concurred with his colleagues' concerns and spoke in support of the foregoing motion. He noted the proposed zoo project would impact District 9 as well as the entire County..

Following discussion among Commissioners and staff regarding request made a year earlier for the establishment of a structured process, Mr. Roger Hernstadt, Director, Office of Capital Improvements, explained that projects were expedited based on their readiness to move forward earlier than the originally scheduled timeline. He noted that occasionally projects were brought forth as a result of the opportunity becoming available to take advantage of a lower cost. Mr. Hernstadt stated a set of criteria was developed and could be put into a process outlining each situation that would expedite a project for the Board's approval.

Commissioner Martinez recalled he previously requested the Clerk to provide Commissioners with a list of the directives made during Board meetings. He asked Ms. Kay Sullivan, Director, Clerk of the Board, to provide

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Commissioner Rolle with a copy of all directives he had made since the start of this process.

Commissioner Jordan expounded upon the creation of this process to capture directives issued by Commission members. She asked that the provision of status of completion continue to be included with the list of directives.

Commenting that the Commission served the entire County rather than individual districts, Commissioner Sosa recommended the process include a system that expedited funding for projects that provided Countywide benefits and initiated projects in targeted underserved areas.

Commissioner Rolle expressed concern regarding the distribution interest generated from bonds. He stated he previously requested staff to identify a process for the distribution, by district or project, of accrued GOB interest. He stated such a process would ensure equal distribution to inner-city projects.

There being no further questions or comments regarding this matter, the Board voted to approve the motion made earlier by Commissioner Gimenez that no further projects be approved for funding until a process was in place.

12/12/2006 Deferred by the Infrastructure and Land Use Committee

12/13/2006 Withdrawn by the Intergov., Recreation & Cultural Affairs Cmte.

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

5D SUPPLEMENT

070114 Supplement

SUPPLEMENTAL INFORMATION RE: METROZOO AMAZON AND BEYOND, GOB PROJECT 46

Accepted
Mover: Dennis C. Moss
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent: Seijas

Report: (See report under Agenda Item 5D; Legislative File No. 063328.)

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

5E

070125 Resolution Natacha Seijas

RESOLUTION GRANTING PETITION TO CLOSE ALL ROADS WITHIN THE PLAT OF COUNTRY CLUB OF MIAMI ESTATES SECTION ONE, RECORDED IN PLAT BOOK 75, PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, EXCEPT THE EAST 150 FEET OF GUY DEL RUSSO PARKWAY AND CONVEYING SAID ROADS TO COUNTRY CLUB OF MIAMI ESTATES IMPROVEMENT ASSOCIATION, INC, A HOMEOWNERS ASSOCIATION IN ACCORDANCE TO FLORIDA STATUTE 336.125 (ROAD CLOSING PETITION NO. P-820)

Amended

Report: See Agenda Item 5E Amended; Legislative Files No. 071074.

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

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5E Amended

071074

Resolution

Natacha Seijas

RESOLUTION GRANTING PETITION TO CLOSE ALL ROADS WITHIN THE PLAT OF COUNTRY CLUB OF MIAMI ESTATES SECTION ONE, RECORDED IN PLAT BOOK 75, PAGE 6, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, EXCEPT THE EAST 150 FEET OF GUY DEL RUSSO PARKWAY AND CONVEYING SAID ROADS TO COUNTRY CLUB OF MIAMI ESTATES IMPROVEMENT ASSOCIATION, INC, A HOMEOWNERS ASSOCIATION IN ACCORDANCE TO FLORIDA STATUTE 336.125 (ROAD CLOSING PETITION NO. P-820) [SEE ORIGINAL ITEM UNDER FILE NO. 070125]

Adopted as amended

Resolution R-121-07

Mover: Natacha Seijas

Seconder: Joe A. Martinez

Vote: 13- 0

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

As requested by Commissioner Seijas, Assistant County Attorney Thomas Goldstein read into the record a summary of the amendments requested for petition accompanying the foregoing resolution:

- 1) the County Manager's memo should reflect that the tax assessment on privatized roads and rights-of-way be treated as common area allocated to individual property owners at no additional value;
- 2) the County Deed should reflect an expanded and more detailed legal description;
- 3) the Agreement should reflect an expanded legal description; and
- 4) Exhibit C should be deleted.

Chairman Barreiro opened the public hearing and the following individual(s) appeared:

Mr. Gary Dumas, 19365 E. St. Andrews Drive, Miami, appeared before the Board in support of the Petitioner, Country Club of Miami Estates Improvement Association, Inc. He displayed a graphic illustration of the proposed road closings and provided a historical overview of the petition process. Responding to Commissioner Sorenson's inquiries, Mr. Dumas provided the following responses:

- the County would convey the roads to the Country Club of Miami Estates subdivision;
- the Homeowner's Association (HOA) of the subdivision would hold the roads/rights-of-way in trust for the benefit of the affected homeowners;
- the HOA would levy/collect assessments and be responsible for the maintenance/repair of the roadways; and
- there would be only one point of entry/exit.

Commissioner Sorenson spoke in opposition to the foregoing resolution and expressed concern with setting a precedent were it approved. She explained that the County wanted to alleviate traffic congestion by including grids/through streets within developments, but the foregoing resolution would exacerbate the problem.

Regarding Commissioner Sorenson's concerns related to traffic, safety, and precedence, County Manager George Burgess responded: this subdivision currently had no through traffic and would not impact traffic flow; fire and rescue vehicles could easily access and navigate the area; and other self-contained subdivisions with privately-owned roads currently existed within the County.

Following Mr. Burgess' presentation, Commissioner Sorenson stated she would support the foregoing resolution with reservations.

Commissioner Gimenez stated he supported this resolution. He asked who would be responsible for paying the \$135,058 in property taxes referenced in the third paragraph of the County Manager's memorandum (handwritten page 3).

In response to Commissioner Gimenez' inquiry, Assistant County Attorney Goldstein reiterated the amendment to the County Manager's memorandum

as stated earlier.

There being no further discussion regarding this matter, the Board proceeded to vote.

5F

063274 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS OAKS AT NORTH MIAMI MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-08
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Seijas*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

- 12/5/2006 Adopted on first reading by the Board of County Commissioners
- 12/5/2006 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners
- 1/25/2007 Deferred by the Board of County Commissioners

5G

063278 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS LUXOR ESTATES MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-09
Mover: Dennis C. Moss
Seconder: Sen. Javier D. Souto
Vote: 12- 0
Absent: Seijas*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

- 12/5/2006 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners
- 12/5/2006 Adopted on first reading by the Board of County Commissioners
- 1/25/2007 Deferred by the Board of County Commissioners

5H

063279 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS CALI GREENS MULTIPURPOSE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-10
Mover: Dennis C. Moss
Second: Rebeca Sosa
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

- 12/5/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*
- 12/5/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/25/2007** *Deferred by the Board of County Commissioners*

5I

063280 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS MIRASOL SUBDIVISION STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-11
Mover: Joe A. Martinez
Second: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

- 12/5/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/5/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*
- 1/25/2007** *Deferred by the Board of County Commissioners*

511

062766 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLL PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS MIRASOL SUBDIVISION STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

*Adopted
Resolution R-122-07
Mover: Joe A. Martinez
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Hearing no discussion regarding this matter, the Board proceeded to vote.

1/25/2007 *Deferred by the Board of County Commissioners*

5J

063350 Ordinance

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS TETRASTAR MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Public Works Department)

*Deferred to February 20, 2007
Mover: Barbara J. Jordan
Seconder: Katy Sorenson
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Commissioner Jordan asked that the foregoing proposed ordinance be deferred to the next Commission meeting.

Hearing no comments or objections, the Board proceeded to vote.

12/19/2006 *Adopted on first reading by the Board of County Commissioners*

12/19/2006 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

1/25/2007 *Deferred by the Board of County Commissioners*

5J1

063445 Resolution

RESOLUTION ADOPTING PRELIMINARY ASSESSMENT ROLLS PROVIDING FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN BOUNDARIES OF A SPECIAL TAXING DISTRICT KNOWN AS TETRASTAR MULTIPURPOSE MAINTENANCE AND STREET LIGHTING SPECIAL TAXING DISTRICT IN ACCORDANCE WITH PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND ORDINANCE NO. (Public Works Department)

Deferred to February 20, 2007
Mover: Barbara J. Jordan
Seconder: Katy Sorenson
Vote: 13- 0

Report: (See report under Agenda Item 5J; Legislative File No. 063350.)

1/25/2007 Deferred by the Board of County Commissioners

5K

063693 Ordinance

ORDINANCE GRANTING PETITION OF DOWN UNDER DORAL, LLC, ("DOWN UNDER DORAL" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING NORTH DADE COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

Adopted
Ordinance 07-12
Mover: Jose "Pepe" Diaz
Seconder: Carlos A. Gimenez
Vote: 12- 0
Absent: Seijas

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

1/25/2007 Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners

1/25/2007 Adopted on first reading by the Board of County Commissioners

5L

063708 Ordinance

ORDINANCE GRANTING PETITION OF D.R. HORTON, ("D.R. HORTON" OR "PETITIONER") FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT; CREATING AND ESTABLISHING MAJORCA ISLES COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"); PROVIDING FOR NAME, POWERS AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; ACCEPTING PROFFERED DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE (Public Works Department)

*Adopted
Ordinance 07-13
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro opened the public hearing and the following individual(s) appeared:

Mr. Alan Kurzcher (phonetic), appeared before the Board on behalf of the Petitioner, and noted for the record that four units would be set aside to provide affordable housing units within the development.

Seeing no other individual(s) to appear, Chairman Barreiro closed the public hearing.

*Commissioner Jordan commended the developer for voluntarily setting aside units designated for affordable housing.
In response to Commissioner Moss' inquiry as to whether the designation of those affordable housing units would be incorporated into the covenant, Mr. Kurzcher advised that it would be provided in the covenant.*

There being no further discussion regarding this matter, the Board proceeded to vote.

1/25/2007 *Adopted on first reading by the Board of County Commissioners*

1/25/2007 *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*

5M

063303 Ordinance

ORDINANCE APPROVING LOAN IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000 FROM STATE DEPARTMENT OF TRANSPORTATION (FDOT) FOR PURPOSE OF PAYING A PORTION OF THE COST OF CONSTRUCTING A VIADUCT ROADWAY PROJECT ON BEHALF OF THE AVIATION DEPARTMENT; PROVIDING THAT SUCH LOAN SHALL BE SECURED BY THE COUNTY'S COVENANT TO BUDGET AND APPROPRIATE FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE COUNTY SUMS SUFFICIENT TO PAY THE DEBT SERVICE UNDER THE LOAN, SUBJECT TO REIMBURSEMENT TO THE COUNTY OF SUCH SUMS FROM LEGALLY AVAILABLE AVIATION DEPARTMENT FUNDS; APPROVING THE CONSTRUCTION OF VIADUCT BY FDOT; APPROVING FORM OF RELATED LOAN AGREEMENT AND LUMP SUM LOCALLY FUNDED AGREEMENT AND THEIR EXECUTION AND DELIVERY BY FINANCE DIRECTOR; AND PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH SUCH LOAN AND VIADUCT PROJECT; PROVIDING SEVERABILITY AND EFFECTIVE DATE (Aviation Department)

*Adopted
Ordinance 07-14
Mover: Carlos A. Gimenez
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

- 11/28/2006** *Adopted on first reading by the Board of County Commissioners*
- 11/28/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners*
- 12/14/2006** *Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee*
- 1/25/2007** *Deferred by the Board of County Commissioners*

5N

063392 Ordinance

ORDINANCE APPROVING ISSUANCE OF TAX EXEMPT NOTES IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,000,000 AND LENDING THE PROCEEDS TO THE PERFORMING ARTS CENTER FOUNDATION OF GREATER MIAMI FOR PURPOSE OF FUNDING CERTAIN CAPITAL COSTS OF THE CARNIVAL CENTER FOR THE PERFORMING ARTS; APPROVING ISSUANCE OF TAX EXEMPT NOTES PURSUANT TO SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986; AUTHORIZING NEGOTIATED SALE OF THE NOTES; APPROVING COUNTY GUARANTY OF SUCH TAX EXEMPT NOTES; APPROVING FORMS OF LOAN AGREEMENT AND GUARANTY; AUTHORIZING FINANCE DIRECTOR WITHIN CERTAIN PARAMETERS TO APPROVE FINAL LOAN AND GUARANTY TERMS AND TO NEGOTIATE AND FINALIZE ANY OTHER RELATED AGREEMENTS; AND PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH SUCH LOAN AND GUARANTY, SEVERABILITY AND EFFECTIVE DATE (Finance Department)

Deferred to February 13, 2007

Mover: Natacha Seijas

Seconder: Jose "Pepe" Diaz

Vote: 13- 0

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Commissioner Sosa expressed concern that the County Manager's recommendations for the foregoing project resembled the process the County experienced with the Parrot Jungle. She spoke in support of the Performing Arts Center (PAC) but indicated she was opposed to the County guaranteeing a loan obtained by the PAC Foundation to pay back funds it borrowed from the County.

Commissioner Martinez explained that his previous request to defer this item was to allow for review by the Mayor in accordance with the restructuring of the County. He spoke in opposition to approving this ordinance.

It was moved by Commissioner Souto that the foregoing proposed ordinance be deferred and referred to the Budget and Finance and the Recreation and Cultural Arts Committees for review. This motion was seconded by Commissioner Diaz, and upon being put to a vote, failed to carry by a vote of 6 to 7. (Chairman Barreiro and Commissioners Gimenez, Heyman, Martinez, Moss, Sorenson and Jordan voted No).

Commissioner Jordan asked the County Manager to provide her with a breakdown of the amount of revenue raised by the PAC Foundation for the purpose of funding the operational costs of the Carnival Center for the Performing Arts. She asked that this report also identify funding shortfalls.

In response to Commissioner Jordan's inquiry regarding operations being funded by the Trust, Mr. Michael Hardy, President, Performing Arts Center, stated the Foundation's net revenues for this year were \$2.2 million, which was given to the Trust to assist with the operating budget. He noted the preliminary target for the next fiscal year was to increase that amount to \$3.5 million and explained the process used to generate this revenue. Pertaining to the question as to whether the revenue contributed by the Trust sufficiently covered operations costs, Mr. Hardy noted the County had supplemented the operating budget this year in the amount of \$3.7 million. He pointed out that a 20-year agreement provided that the County would support the operations with proceeds from the Convention Development Tax (CDT).

It was then moved by moved by Commissioner Jordan that the foregoing proposed ordinance be adopted as presented. This motion was seconded by Commissioner Heyman, and upon being put to a vote, failed to carry by a vote of 6-7 (Chairman Barreiro and Commissioners Edmonson, Martinez, Rolle, Seijas, Sosa and Souto voted No).

Following lengthy discussion among Board members, Commissioner Seijas expressed concern that several alternatives needed to be explored before approving this item.

Chairman Barreiro explained the reasons why this matter should be referred to the Budget and Finance Committee only and not the Recreation and Cultural Arts Committee.

It was moved by Commissioner Seijas that the foregoing proposed ordinance be deferred and referred to the Budget and Finance Committee for review.

FINAL OFFICIAL

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

- 12/5/2006** Adopted on first reading by the Board of County Commissioners
- 12/5/2006** Scheduled for a public hearing by the Board of County Commissioners before the Board of County Commissioners
- 12/14/2006** Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee
- 1/25/2007** Deferred by the Board of County Commissioners

5N SUPPLEMENT

063585 Supplement

SUPPLEMENTAL INFORMATION REGARDING THE PROCEEDS TO PERFORMING ARTS CENTER FOUNDATION OF GREATER MIAMI LOAN AGREEMENT

*Deferred to February 13, 2007
Mover: Natacha Seijas
Seconded: Jose "Pepe" Diaz
Vote: 13- 0*

Report: See report under Agenda Item 5N; Legislative File No. 063392.

- 12/14/2006** Forwarded to BCC with a favorable recommendation from the Internal Mgmt. & Fiscal Responsibility Committee
- 1/25/2007** Deferred by the Board of County Commissioners

50

063684 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF CUTLER RIDGE VENTURE, LLC, D-22610, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 56 SOUTH, RANGE 40 EAST (SW 211 STREET AND SW 112 AVENUE) (Public Works Department)

*Deferred to February 20, 2007
Mover: Katy Sorenson
Seconded: Sally A. Heyman
Vote: 11- 0
Absent: Souto, Seijas*

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

Following Commissioner Sorenson's motion to defer the foregoing resolution, Chairman Barreiro opened the public hearing and the following individual(s) appeared:

Mr. Vincent Damien, 80 SW 8 Street, attorney representing the applicant, appeared before the Board and noted the original application was submitted for this 2700 square foot office building development in August 2005. He advised that the applicant had complied with all requirements, obtained all permits, and had extended \$300,000 in improvements to the property. Mr. Damien requested the Board to not defer this resolution today.

Commissioner Sorenson explained that because this issue involved part of a Charette, she needed additional information from staff regarding how the County would share the community's plan for the areas protected.

Commissioner Sorenson asked that the Department of Planning & Zoning Director meet with the applicant's attorney, Mr. Vincent Damien (phonetic), to ensure this project conformed to the plans for the area prior to the BCC meeting on February 20, 2007.

- 1/25/2007** Deferred by the Board of County Commissioners

5P

070186 Resolution

RESOLUTION APPROVING THE WAIVER OF PLAT OF MURO INVESTMENTS, INC., D-22537, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 55 SOUTH, RANGE 40 EAST (SW 180 STREET AND SW 103 AVENUE) (Public Works Department)

*Adopted
Resolution R-123-07
Mover: Dennis C. Moss
Seconder: Jose "Pepe" Diaz
Vote: 11- 0
Absent: Souto, Seijas*

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

Chairman Barreiro opened the public hearing and seeing no one to appear, closed the public hearing.

Hearing no discussion regarding this matter, the Board proceeded to vote.

6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

7 ORDINANCES SET FOR SECOND READING

7A

070165 Ordinance Barbara J. Jordan

ORDINANCE CREATING AN AFFORDABLE HOUSING TRUST FUND; CREATING A BOARD OF TRUSTEES; PROVIDING LEGISLATIVE INTENT AND PURPOSE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063065 AND 070006] [SEE AGENDA ITEM NO. 12B4]

Amended

Report: (SEE AGENDA ITEM 7A AMENDED; LEGISLATIVE FILE NO. 070697.)

1/16/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Community Empowerment & Econ. Revitalization Cmte.

FINAL OFFICIAL

7A AMENDED

070697

Ordinance

Barbara J. Jordan

ORDINANCE CREATING AN AFFORDABLE HOUSING TRUST FUND; CREATING A BOARD OF TRUSTEES; PROVIDING LEGISLATIVE INTENT AND PURPOSE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 063065, 070006 AND 070165]

Adopted as amended

Ordinance 07-15

Mover: Barbara J. Jordan

Seconder: Katy Sorenson

Vote: 10- 1

No: Barreiro

Absent: Souto, Seijas

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record

Responding to Commissioner Martinez' inquiry regarding funding, Commissioner Jordan stated it was her intent that the Trust would be funded from resources generated through the pay-in provision by developers.

Discussion ensued among Board members and staff regarding the distribution of funds, fiscal impact to the County, and the make up of the proposed Affordable Housing Trust Board. Commissioner Diaz recommended that membership on this Trust Board exclude individuals affiliated with any entities that might create a conflict of interest.

Commissioner Jordan referred to handwritten page 13, and noted the process for appointing members to the Trust Board resulted from an amendment recommended by Commissioner Martinez.

Commissioner Sosa expressed concern with creating this Trust Fund as a source of revenue and spoke in opposition to the Miami-Dade Housing Finance Authority appointing a member to the Trust Board. She recommended eliminating or consolidating the existing Advisory Boards with a more defined conflict-of-interest provision.

In response, Commissioner Jordan stated the Community Affordable Housing Strategies Alliance Task Force (CAHSA) would sunset in April 2007 and the Affordable Housing Advisory Board (AHAB) was created to research the use of Surtax funds and its membership included developers who obtained contracts through the AHAB.

In response to Commissioner Diaz' concern regarding whether the Metro-Miami Action Plan (MMAP) would receive certain benefits resulting from its membership on this Board, County Attorney Greenberg advised that there would be no problem with the foregoing ordinance as presented. He noted that if a conflict developed, a recusal should be done for that item.

Commissioner Edmonson expressed concern, as Chair of the Economic Development and Human Services Committee (EDHS), and suggested this item be referred for Committee review.

Chairman Barreiro noted several Commission members had expressed concern regarding the foregoing resolution in terms of membership and reports by the Task Force, and recommended it be referred back to the Committee for review.

Further discussion ensued concerning where affordable housing funds would be held if this ordinance were not approved. Assistant County Attorney Smith advised that no Trust currently existed. He noted that a provision in the Workforce Housing Ordinance referred back to the foregoing item that would provide the Trust Fund.

Commissioner Heyman expressed concern with delaying this item further and recalled four public workshops and two committee hearings had been held regarding the foregoing ordinance. She recommended the Board either approve this item today and revise it later or deny it.

Commissioner Sosa concurred with Commissioner Heyman's comments that ordinance could be amended after it was approved.

7B AMENDED

070902

Ordinance

Dorrin Rolle,
Barbara J. Jordan

ORDINANCE PERTAINING TO COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) PROGRAM; AMENDING DEFINITION OF CSBE; AMENDING DEFINITION OF CONTRACTING PARTICIPATION LEVEL; INCREASING PERMITTED MAXIMUM AGGREGATE NET WORTH FOR CSBE OWNERS; INCREASING SIZE STANDARDS FOR CSBES; INCREASING CONTRACTING PARTICIPATION LEVELS FOR CSBE PROGRAM; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 070902]

*Adopted as amended
Ordinance 07-16*

Mover: Dorrin D. Rolle

Seconder: Audrey M. Edmonson

Vote: 11- 0

Absent: Souto, Seijas

Report: County Attorney Murray Greenberg read the foregoing proposed ordinance into the record and noted a scrivener's error in the fourth line of the Title should be corrected to delete the word "increasing" and to insert the word "deleting."

Commissioner Gimenez' concern with deleting the permitted maximum aggregate net worth for Community Small Business Enterprise (CSBE) owners.

Ms. Marsha Jackman, Director, Department of Business Development (DBD), addressed Commissioner Gimenez' concern and explained that personal income tax information for individuals along with that of their businesses/affiliates would be used to determine eligibility for classification as CSBE.

Discussion ensued among Board members acknowledging the good intent of the foregoing ordinance and exploring measures to ensure that only qualified businesses obtained CSBE benefits. Included in the discussion was the issue of firms graduating from the CSBE classification. Commissioner Moss noted the importance of creating an opportunity for CSBE firms to survive outside the security of this program once they had graduated.

Commissioner Jordan commented that a business needed at least three years after graduation before a profit margin would be realized. She requested that the foregoing ordinance be amended to include language providing that the firms were given the opportunity to become sustainable.

Commissioner Gimenez asked that an amendment also be made to include language providing that the net worth of \$1,500,000 be for any of the owners.

The Board adopted the foregoing ordinance as amended to include the language in Sec. 10-33.02 (2):

- "A Certified CSBE that graduates out of the program shall continue to submit financial information as to cumulative gross revenue and bonding capacity to DBD annually for 3 years thereafter in order to further the County's ability to assess the effectiveness of the program."; and
- "No firm shall be certified as a CSBE where the aggregate net worth of all its owners is more than one million five hundred thousand dollars (\$1,500,000). Representations as to gross revenues and net worth of owners shall be subject to audit."

7C

063582 Ordinance

ORDINANCE REPEALING SECTION 2-704 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE MIAMI-DADE COUNTY FLOOD MANAGEMENT TASK FORCE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Environmental Resources Management)

*Adopted
Ordinance 07-17
Mover: Rebeca Sosa
Seconder: Audrey M. Edmonson
Vote: 10- 0
Absent: Souto, Martinez, Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Infrastructure and Land Use Committee*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

7D

063393 Ordinance Barbara J. Jordan

ORDINANCE PERTAINING TO AFFORDABLE HOUSING PROGRAMS; AMENDING SECTION 29-7, CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DOCUMENTARY SURTAX; AMENDING SECTION 17-102, PERTAINING TO ESTABLISHMENT OF THE LOCAL HOUSING ASSISTANCE PROGRAM; AMENDING SECTION 17-103, PERTAINING TO ADMINISTRATION AND IMPLEMENTATION OF MIAMI-DADE COUNTY'S LOCAL HOUSING ASSISTANCE PROGRAM; AMENDING SECTION 17-105, PERTAINING TO LOCAL HOUSING PARTNERSHIP; AMENDING SECTION 17-106, PERTAINING AFFORDABLE HOUSING ADVISORY BOARD POWERS AND DUTIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 8G1A] (Miami-Dade Housing Agency)

Amended

Report: *(SEE AGENDA ITEM 7D AMENDED; LEGISLATIVE FILE NO. 070890.)*

- 12/5/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/5/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7D AMENDED

070890

Ordinance

Barbara J. Jordan

ORDINANCE PERTAINING TO AFFORDABLE HOUSING PROGRAMS; AMENDING SECTION 29-7, CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DOCUMENTARY SURTAX; AMENDING SECTION 17-102, PERTAINING TO ESTABLISHMENT OF THE LOCAL HOUSING ASSISTANCE PROGRAM; AMENDING SECTION 17-103, PERTAINING TO ADMINISTRATION AND IMPLEMENTATION OF MIAMI-DADE COUNTY'S LOCAL HOUSING ASSISTANCE PROGRAM; AMENDING SECTION 17-105, PERTAINING TO LOCAL HOUSING PARTNERSHIP; AMENDING SECTION 17-106, PERTAINING TO AFFORDABLE HOUSING ADVISORY BOARD POWERS AND DUTIES; AND PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 063393] (Miami-Dade Housing Agency)

*Reconsidered**Mover: Barbara J. Jordan**Seconder: Rebeca Sosa**Vote: 9- 0**Absent: Rolle, Souto, Martinez, Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Chairman Barreiro commented that temporarily relocating the Documentary Surtax and State Housing Initiative Partnership (SHIP) single-family programs to the Housing Finance Authority (HFA) could have been accomplished without including it in the ordinance.

In response, Assistant County Attorney Steven Hope noted the Board currently allowed only the Miami-Dade Housing Agency (MDHA) to administer those programs and any change required a modification to the ordinance.

The Board adopted the foregoing ordinance as amended to delete the phrase "...Documentary Surtax Guidelines and Operating Procedures..." from handwritten page 6, (g); and to delete the phrase "...and Housing Opportunities for Persons with AIDS Programs..." from handwritten page 8, (c), as requested by Ms. Patricia Braynon, Executive Director, Housing Finance Authority.

*****SPECIAL NOTE:** *On Thursday, February 8, 2007, Commissioner Diaz presented a motion to reconsider and to change his vote to "No" on the foregoing proposed ordinance. Commissioner Martinez seconded this motion, and upon being put to a vote, passed by a vote of 10-0, (Commissioners Heyman, Seijas and Souto were absent). (SEE MEETING KEY 2229 {2/8/2007})" □ Ordinance □ 7D AMENDED*

7D SUPPLEMENT

063497 Supplement

SUPPLEMENTAL INFORMATION ON TRANSFER OF DOCUMENTARY SURTAX AND SHIP SINGLE-FAMILY HOMEOWNERSHIP AND REHABILITATION PROGRAMS FROM THE MDHA TO HFA

Accepted
Mover: Barbara J. Jordan
Seconder: Rebeca Sosa
Vote: 9- 0
Absent: Rolle, Souto, Martinez, Seijas

Report: *(See report under Agenda Item 7D Amended; Legislative File No. 070890.)*

12/5/2006 Presented by the Board of County Commissioners

1/16/2007 Report Received by the Community Empowerment & Econ. Revitalization Cmte.

7E

062384 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO HOME DEPOT USA, INC., A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

Adopted
Ordinance 07-19
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

12/19/2006 Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.

12/19/2006 Adopted on first reading by the Board of County Commissioners

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

7E SUPPLEMENT

070363 Supplement

SUPPLEMENTAL INFORMATION ON THE ORDINANCES GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION [SEE AGENDA ITEM NOS. 7E THRU 7S]

Accepted
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas

Report: *(See report under Agenda Item 7E; Legislative File No. 062384.)*

7F

062386 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO BRAMAN CADILLAC (PAINT SHOP), A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-20
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7G

062388 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO CIGARETTE RACING TEAM, LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-21
Mover: Sally A. Heyman
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7H

062389 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO R.K.M.R., INC., D/B/A HIGH TECH ELECTRONICS, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-22
Mover: Rebeca Sosa
Seconder: Sally A. Heyman
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7I

062390 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO LEASA INDUSTRIES CO., INC., AN EXPANDED BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-23
Mover: Dorrin D. Rolle
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7J

062391 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO WORLD WIDE CONCESSIONS BAYSIDE D/B/A CHILI'S AT BAYSIDE, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-24
Mover: Bruno A. Barreiro
Seconder: Barbara J. Jordan
Vote: 12- 0
Absent: Seijas*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.
- 12/19/2006** Adopted on first reading by the Board of County Commissioners
- 1/16/2007** Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

7K

062392 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO CARL'S FURNITURE, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-25
Mover: Barbara J. Jordan
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: County Attorney Greenberg read the foregoing proposed ordinance into the record.

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.
- 12/19/2006** Adopted on first reading by the Board of County Commissioners
- 1/16/2007** Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

7L

062393 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO CLINTON HOTEL INVESTORS, LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-26
Mover: Barbara J. Jordan
Seconder: Bruno A. Barreiro
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7M

062394 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO CL-1, LLC D/B/A BIG WASH, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-27
Mover: Audrey M. Edmonson
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7N

062396 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO PUBLIX SUPERMARKETS, INC., A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-28
Mover: Rebeca Sosa
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7O

063410 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO TRINITY AIR CONDITIONING, LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-29
Mover: Katy Sorenson
Seconder: Audrey M. Edmonson
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7P

063411 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO FORTUNE STONE, INC., A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-30
Mover: Dorrin D. Rolle
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7Q

063424 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO TOWN CENTER 0-L1, LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted
Ordinance 07-31
Mover: Barbara J. Jordan
Seconder: Dorrin D. Rolle
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7R

063425 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO UNITED PARCEL SERVICE, INC., A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted**Ordinance 07-32**Mover: Dorrin D. Rolle**Seconder: Rebeca Sosa**Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*
- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7S

063467 Ordinance

ORDINANCE GRANTING ENTERPRISE ZONE AD VALOREM TAX EXEMPTION TO DDR MIAMI AVENUE LLC, A NEW BUSINESS LOCATED IN THE ENTERPRISE ZONE; PROVIDING SCOPE AND TERMS OF EXEMPTION; PROVIDING SEVERABILITY, EFFECTIVE DATE AND EXPIRATION DATE (Office of Community and Economic Development)

*Adopted**Ordinance 07-33**Mover: Audrey M. Edmonson**Second: Sally A. Heyman**Vote: 12- 1**No: Seijas*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

Responding to Commissioner Seijas' concern with the use of the phrase "...to be determined..." in the foregoing ordinance, Mr. Rick Glasgow, Assistant to the Director, Office of Community and Economic Development (OCED), explained the phrase served as a placeholder until the development occurred. He explained that application was made in March 2006 to secure the company and ensure its entitlement to tax exemption benefits prior to the Commission's ability to grant the tax exemption's sunset on June 30, 2006.

Ms. Erika Wright, 2 S. Biscayne Boulevard, Miami, appeared before the Board and provided a brief overview of the foregoing request for Ad Valorem Tax Exemption for the DDR Miami Avenue LLC (DDR)/Shops at Midtown Miami development project.

In response to Chairman Barreiro's concern that this development did not qualify for Ad Valorem Tax Exemption since it was a CRA, Ms. Wright stated although that restriction did apply to the ordinance, this application was submitted before the CRA was created. She further noted DDR was seeking exemption only from the tangible personal property taxes.

Hearing no further comments or concerns regarding this matter, the Board proceeded to vote.

12/19/2006 *Adopted on first reading by the Board of County Commissioners*

12/19/2006 *Scheduled for a public hearing by the Board of County Commissioners before the Community Empowerment & Econ. Revitalization Cmte.*

1/16/2007 *Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.*

7T

063578 Ordinance

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-36.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO ADMINISTRATIVE ADJUSTMENT PROCEDURE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE AGENDA ITEM NO. 7U] (Department of Planning & Zoning)

*Adopted
Ordinance 07-34
Mover: Dorrin D. Rolle
Seconded: Rebeca Sosa
Vote: 12- 1
No: Martinez*

Report: *County Attorney Greenberg read the foregoing proposed ordinance into the record.*

There being no discussion regarding this matter, the Board proceeded to vote.

- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Infrastructure and Land Use Committee*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

7U

063579 Ordinance

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-314 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA PERTAINING TO DIRECT APPLICATIONS AND APPEALS TO THE COUNTY COMMISSION FOR INFILL HOUSING; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Planning & Zoning)

*Deferred to February 20, 2007
Mover: Katy Sorenson
Seconded: Carlos A. Gimenez
Vote: 8- 0
Absent: Edmonson, Heyman,
Souto, Martinez, Seijas*

Report: *On Tuesday, February 6, 2007, it was moved by Commissioner Sosa that the Board adopt the foregoing proposed ordinance as presented. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a vote of 11-1, (Commissioner Martinez voted "No" and Commissioner Seijas was absent).*

On Thursday, February 8, 2007, Commissioner Sorenson presented a motion to reconsider and defer the foregoing proposed ordinance to the February 20, 2007, Board meeting. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 8-0, (Commissioners Edmonson, Heyman, Martinez, Seijas and Souto were absent).

Commissioner Sorenson stated the notification of the public hearing to the community councils was not sufficient. Therefore, the deferral would allow more time to notify the community councils of the foregoing proposed ordinance.

- 12/19/2006** *Adopted on first reading by the Board of County Commissioners*
- 12/19/2006** *Scheduled for a public hearing by the Board of County Commissioners before the Infrastructure and Land Use Committee*
- 1/16/2007** *Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee*

8

DEPARTMENTAL ITEMS

8A AVIATION DEPARTMENT

8A1A

063657 Resolution

RESOLUTION RELATING TO KENDALL-TAMIAMI EXECUTIVE AIRPORT; APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND LACROSS AVIATION GROUP, LLC, FOR CONSTRUCTION OF AVIATION FACILITIES AT SUCH AIRPORT; AUTHORIZING COUNTY MANAGER TO EXECUTE SUCH AGREEMENT AND EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

*Adopted
Resolution R-124-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1B

063692 Resolution

RESOLUTION RELATING TO KENDALL-TAMIAMI EXECUTIVE AIRPORT; APPROVING DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ADVANCED REAL ESTATE HOLDING, LLC FOR CONSTRUCTION OF AIRCRAFT HANGARS AND A FUEL FARM AT SUCH AIRPORT; AUTHORIZING COUNTY MANAGER TO EXECUTE SUCH AGREEMENT AND EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN (Aviation Department)

*Adopted
Resolution R-125-07
Mover: Sally A. Heyman
Seconder: Carlos A. Gimenez
Vote: 11- 0
Absent: Souto, Seijas*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1C

063658 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; APPROVING WAIVER OF LANDLORD'S LIEN AS TO CERTAIN FUEL FARM PROPERTY TO BE INSTALLED ON THE CURRENT LEASEHOLD OF OPA-LOCKA FLIGHTLINE, LLC IN FAVOR OF EPIC AVIATION, LLC, D/B/A AIR BP AVIATION SERVICES, THE PROVIDER OF THE EQUIPMENT; AUTHORIZING COUNTY MANAGER TO EXECUTE THE WAIVER OF LIEN DOCUMENTS AFTER REVIEW BY THE COUNTY ATTORNEY (Aviation Department)

Adopted
Resolution R-126-07
Mover: Joe A. Martinez
Seconder: Dennis C. Moss
Vote: 12- 1
No: Sorenson

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Mr. Miguel Southwell, Assistant Director, Miami-Dade Aviation Department, addressed Commissioner Diaz' concern regarding security of the fuel pump advising that the fuel pump would be located in a restricted area.

Chairman Barreiro asked the County Manager to work with the County Attorney to develop the appropriate language permitting first responders to gain access to fuel contained at all Miami-Dade County airports.

There being no further discussion on this matter, the Board proceeded to vote.

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1D

070042 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; RATIFYING COUNTY MANAGER'S EXECUTION OF JOINT PARTICIPATION AGREEMENT NUMBER 42155319401 BETWEEN THE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE COUNTY'S RECEIPT OF A STATE FUND GRANT IN THE AMOUNT OF \$140,000 FOR TAXIWAY AND APRON MILLING AND OVERLAY PROJECT (Aviation Department)

Adopted
Resolution R-127-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1E

063710 Resolution

RESOLUTION RATIFYING ACTIONS OF COUNTY MANAGER PURSUANT TO PROVISIONS OF ORDINANCE NO. 95-64, IN EXECUTING FIRST AMENDMENT TO THE INTERNATIONAL WASTE HAULING AND DISPOSAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BFI WASTE SYSTEMS OF NORTH AMERICA, INC. (Aviation Department)

*Deferred to February 20, 2007
Mover: Natacha Seijas
Seconder: Carlos A. Gimenez
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Responding to Commissioner Rolle's inquiry regarding the length of this contract, Mr. Jose Abreu, Director, Miami-Dade Aviation Department stated this current contract was for five (5) years and could be extended if the County wished to do so.

Assistant County Attorney Abigail Price-Williams advised that the contract allowed the Department to exercise options to extend and negotiate the price up to five percent of the Consumer Price Index (CPI). She stated the activity exceeded contract limits and the Department was now requesting approval of the agreement, the extensions, and the improvement in the price.

Commissioner Seijas spoke in opposition to the foregoing item and recommended it be deferred. She stated the process set forth in the County's Expedite Ordinance had not been followed in this case.

County Manager George Burgess acknowledged Commissioner Seijas' request and noted this item would be deferred to the Airport and Tourism Committee with a more comprehensive explanation. He concurred with Commissioner Gimenez that the item not be referred to the Committee as no substantial changes were needed. He agreed that it should be brought back for the Board's review on February 20, 2007.

Hearing no further questions or comments, the Board proceeded to defer the foregoing proposed resolution.

1/18/2007 Forwarded to BCC without a recommendation from the Regional Transportation Committee

8A1E SUPPLEMENT

070382 Supplement

SUPPLEMENTAL INFORMATION RE: AGENDA ITEM 8A1E, FIRST AMENDMENT TO AGREEMENT BETWEEN MIAMI-DADE COUNTY AND BFI WASTE SYSTEMS OF NORTH AMERICA, INC.

*Deferred to February 20, 2007
Mover: Natacha Seijas
Seconder: Carlos A. Gimenez
Vote: 13- 0*

(Aviation Department)

Report: *(See report under Agenda Item 8A1E; Legislative File No. 063710.)*

FINAL OFFICIAL

8A1F

070044 Resolution

RESOLUTION RATIFYING ACTIONS OF COUNTY MANAGER PURSUANT TO PROVISIONS OF ORDINANCE NO. 95-64, IN EXECUTING CHANGE ORDER MDAD -1 (FINAL) TO THE NORTH TERMINAL DEVELOPMENT CONTRACT WITH ALLIED CONTRACTORS, INC., FOR DECISION ONE OFFICES RELOCATION/AA PASSENGER SERVICES OFFICES RELOCATION, PROJECT NO. B776H AT MIAMI INTERNATIONAL AIRPORT, WHICH INCREASES THE CONTRACT AMOUNT BY \$2,049.30 (Aviation Department)

*Adopted
Resolution R-128-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1G

070073 Resolution

RESOLUTION AUTHORIZING COUNTY MANAGER TO EXECUTE CHANGE ORDER NO. 3 TO PROJECT NO. I112A PUBLIC ADDRESS SYSTEM INFRASTRUCTURE (PASI) PROJECT AT MIAMI INTERNATIONAL AIRPORT, WITH PRO SOUND, INC., TO PROVIDE A PUBLIC ADDRESS AND FIRE ANNUNCIATION SYSTEM FOR CONCOURSE E-SATELLITE AND CONCOURSE G; INCREASING THE CONTRACT AMOUNT BY \$276,483.82 (Aviation Department)

*Adopted
Resolution R-129-07
Mover: Jose "Pepe" Diaz
Seconder: Sally A. Heyman
Vote: 7- 0
Absent: Edmonson, Sosa,
Sorenson, Moss, Souto, Seijas*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8A1H

070174 Resolution

RESOLUTION RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT AT MIAMI INTERNATIONAL AIRPORT, RATIFYING THE COUNTY MANAGER'S EXECUTION OF SETTLEMENT AGREEMENTS WITH CENTRAL FLORIDA EQUIPMENT RENTAL, INC., DYNALECTRIC FLORIDA, HONEYWELL, INC., LOTSPEICH COMPANY, INC., MASONRY ARTS, INC., MACGREGOR (USA) INC., NR WINDOWS, INC., AND THORNTON CONSTRUCTION COMPANY, INC., FOR THE PERIOD AUGUST 1, 2006 THROUGH DECEMBER 31, 2006, PURSUANT TO RESOLUTION NO. R-224-06 (Aviation Department)

*Adopted
Resolution R-130-07
Mover: Barbara J. Jordan
Seconder: Carlos A. Gimenez
Vote: 7- 0
Absent: Edmonson, Sosa,
Sorenson, Moss, Souto, Seijas*

8A11

070237 Resolution

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; APPROVING ASSIGNMENT OF DEVELOPMENT LEASE BY RENAISSANCE AIRPARK CORPORATION TO AVE. LLC; APPROVING THE CANCELLATION OF SUCH DEVELOPMENT LEASE AND EXECUTION OF AN AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE ASSIGNEE, AVE, LLC; FINDING AND DETERMINING THAT THE PREMISES FOR SUCH LEASES CONSTITUTE AIRPORT FACILITIES WHOSE LEASE MAY BE NEGOTIATED; RATIFYING AND APPROVING AGREEMENT FOR WATER AND SANITARY SEWAGE FACILITIES BETWEEN THE COUNTY AND RENAISSANCE AIRPARK CORPORATION APPLICABLE TO SUCH PREMISES AND APPROVING ITS ASSIGNMENT TO AVE, LLC; AUTHORIZING COUNTY MANAGER TO EXECUTE ADDITIONAL DOCUMENTS UPON APPROVAL OF THE COUNTY ATTORNEY TO EFFECT THE PURPOSES OF THE AGREEMENT; AUTHORIZING COUNTY MANAGER TO EXECUTE THE AMENDED AND RESTATED DEVELOPMENT LEASE AGREEMENT WITH AVE, LLC., AND TO EXERCISE THE TERMINATION PROVISIONS THEREOF (Aviation Department)

Amended

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

Commissioner Heyman requested clarification regarding the difference between the execution and commencement dates.

Assistant County Attorney Thomas (Tim) Abbott explained that the commencement date provided the developer with a period of up to three-years to address any unforeseen problems occurring after the execution date. In response to Commissioner Seijas' inquiry as to whether the agreement contained language enforcing a legitimate commencement, timeframes, and course of action for violations, Mr. Abbott answered yes. He read into the record the proposed amendments to incorporate the following language into the Development Lease Agreement between the County and AVE, LLC (as Lessee):

Section 1.1, handwritten page 46, paragraph 4, line 13: "...55 years from the day on which construction of the last improvement has been completed, in conformance with the development schedule set forth in Exhibit C, unless otherwise extended as set forth herein, termination date. Provided, however, that the extension of the development schedule shall be limited as set forth in Section 5.3; connection with the foregoing, the making such last improvements shall be deemed to have occurred upon receipt of the DCO or CO for such last improvement..."

Section 5.3, handwritten page 67, paragraph 1, line 2: "Provided, however, that notwithstanding the collective extension that may be permitted to the development schedule that may be provided in this agreement, the development schedule shall not be extended in any event for more than 60 months beyond the initial ten year period within which all development initially scheduled in Exhibit C to be completed."

It was moved by Commissioner Jordan that the foregoing proposed resolution be adopted as amended as stated by Assistant County Attorney Abbott. This motion was seconded by Commissioner Diaz, and upon being put to a vote, passed by a vote of 12-0 (Commissioner Souto was absent).

The amended version has been assigned Resolution No. R-131-07.

8B **COMMUNITY ACTION AGENCY**

8B1A

063104 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND APPROXIMATELY \$1,068,000 IN UNITED STATES DEPARTMENT OF AGRICULTURE (U.S.D.A.), OLDER AMERICANS ACT (OAA) TITLE III, AND STATE LOCAL SERVICE PROVIDER (LSP) FUNDS THROUGH THE ALLIANCE FOR AGING FOR THE CONTINUED OPERATION OF THE MIAMI-DADE COMMUNITY ACTION AGENCY'S MEALS FOR THE ELDERLY PROGRAM; AUTHORIZING THE COUNTY MANAGER TO EXECUTE AND AMEND SUCH CONTRACTS AND AGREEMENTS AS REQUIRED; AND TO APPLY FOR, RECEIVE AND EXPEND ADDITIONAL FUTURE FUNDS SHOULD THEY BECOME AVAILABLE UNDER THIS PROGRAM FOR THIS PURPOSE (Community Action Agency)

Adopted
Resolution R-132-07
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Rolle

- 11/15/2006* Deferred by the Community Outreach, Safety & Healthcare Admin Cmte
- 12/13/2006* Carried over Due to Lack of a Quorum by the Community Outreach, Safety & Healthcare Admin Cmte
- 1/17/2007* Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

8B1A SUPPLEMENT

063631 **Supplement**

SUPPLEMENTAL INFORMATION FOR THE MIAMI-DADE
COMMUNITY ACTION AGENCY'S MEALS FOR THE
ELDERLY PROGRAM

Accepted as amended

Report: County Attorney Greenberg read the foregoing proposed supplemental information item into the record.

Commissioner Rolle recused himself from this discussion due to a conflict of interest.

Commissioner Martinez asked the County Manager to provide him with a breakdown of expenditures, including how the funds were divided, and where they were designated.

Commissioner Sosa noted a correction was needed on page six of this report, and asked the County Administrative staff to revisit the protocol for distribution of meals to each District to address deficiencies.

Assistant County Manager Mae Bryant advised that the Alliance for Aging (Alliance) provided the funding and made funding decisions regarding distribution. She noted the Community Action Agency (CAA) received funding from the Alliance and directed as to what areas to serve.

Chairman Barreiro asked the County Manager to provide a report listing the cost per meal so the Board could identify deficiencies in funding.

In response to Commissioner Martinez' inquiry as to how the Alliance selected providers to fund, Ms. Julie Edwards, Interim Executive Director, Community Action Agency, explained the process employed by the Alliance to identify needs in the community from the census data and applications submitted for funding. She advised that she would research and bring back the criteria used by the Alliance to determine which providers would be funded.

Commissioner Diaz asked Assistant County Manager Dr. Mae Bryant to meet with him to review and discuss the complete process for the CAA meals for the elderly program.

Following several Commissioners comments regarding errors contained within this Supplement, Ms. Edwards noted the necessary corrections.

An unidentified speaker appeared and was informed there was no public hearing for this item.

It was moved by Commissioner Diaz that the foregoing proposed resolution be accepted with the following amendments:

- Page 6 (Handwritten Page 7), Rafael Villaverde Senior Center should reflect District 5;
- Page 2 (Handwritten Page 3), Holland Hall should reflect District 6;
- Page 6 (Handwritten Page 7), Goodlet Park Senior Center should reflect Districts 12 & 13; and
- Page 5 (Handwritten Page 6), Casa Devon's address should read 11250 SW 197 Street.

This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 12-0 (Commissioner Rolle was absent due to a conflict of interest).

1/17/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

8B1A SUPPLEMENT 2

063704 **Supplement**

SECOND SUPPLEMENT TO THE MIAMI-DADE
COMMUNITY ACTION AGENCY'S MEALS FOR THE
ELDERLY PROGRAM

Accepted
Mover: Jose "Pepe" Diaz
Seconder: Rebeca Sosa
Vote: 12- 0
Absent: Rolle

1/17/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

8D **ENVIRONMENTAL RESOURCES MANAGEMENT**

8D1A

070052 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$6,377,861.60 BETWEEN SOUTHEASTERN ENGINEERING CONTRACTORS, INC. AND MIAMI-DADE COUNTY FOR THE BUILDING BETTER COMMUNITIES / GENERAL OBLIGATION BOND PROJECT ENTITLED THE BELEN PUMP STATION DRAINAGE IMPROVEMENT PROJECT SW / NW 118 AVENUE TO SW / NW 122 AVENUE AND FROM NW 6 STREET TO SW 7 STREET, IN COMMISSION DISTRICT 12 (PROJECT NO. 1-70102 GOB; 2005GOB1001R) (Department of Environmental Resources Management)

*Adopted**Resolution R-133-07**Mover: Jose "Pepe" Diaz**Seconder: Dorrin D. Rolle**Vote: 11- 0**Absent: Sorenson, Martinez*

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

Mr. Carlos Espinosa, Director, Department of Environmental Resources Management (DERM), provided a detailed overview of the foregoing resolution. He stated the cost of this project had increased after being re-bid due to the specialized work involved and increased prices for materials. Mr. Espinosa indicated that the amount reflected in this resolution was probably the best deal the County would be able to obtain.

Commissioner Jordan expressed concern that the only bid received for the rebid was a \$400,000 increased bid from the company that submitted the lowest bid during the initial solicitation. She inquired about the Department's plans to look into using internal staff to perform a portion of the work to reduce the cost of this project.

In response, Mr. Espinosa advised that due to the specialized type of work and the equipment it required, it would not be feasible for County forces to perform it. He stated the contractor indicated that the rising costs for materials was being fueled by increased demand generated by the high rate of construction underway countywide.

In response to Commissioner Rolle's inquiry regarding whether costs were underestimated often, Mr. Espinosa advised that this situation was rare because of the large pumps and the specialized nature of this project. Pertaining to staff's ability to estimate this type of job, Mr. Espinosa noted that only a few pumps of this size existed locally, which limited staff's ability to compare prices for the estimate.

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

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

8E

FINANCE DEPARTMENT

8E1A

070012 Resolution

RESOLUTION AUTHORIZING ISSUANCE OF NOT TO EXCEED \$250,000,000 CAPITAL ASSET ACQUISITION SPECIAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TO BE PAYABLE SOLELY FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES THAT COUNTY COVENANTS TO BUDGET AND APPROPRIATE ANNUALLY; DELEGATING TO FINANCE DIRECTOR, WITHIN CERTAIN LIMITATIONS, AUTHORITY TO FINALIZE TERMS AND DETAILS OF BONDS, INCLUDING SECURING CREDIT, LIQUIDITY AND RESERVE FACILITIES, IF ANY; PROVIDING CERTAIN COVENANTS AND OTHER REQUIREMENTS; FINDING NECESSITY FOR NEGOTIATED SALE; APPROVING FORM AND AUTHORIZING EXECUTION AND DELIVERY OF RELATED AGREEMENTS, WITHIN CERTAIN PARAMETERS, INCLUDING DISTRIBUTION AND USE OF PRELIMINARY AND FINAL OFFICIAL STATEMENTS; AUTHORIZING SELECTION OF CERTAIN AGENTS; AUTHORIZING COUNTY OFFICIALS TO TAKE ALL NECESSARY ACTIONS IN CONNECTION WITH ISSUANCE, SALE, AND DELIVERY OF BONDS AND OTHER RELATED MATTERS; AND PROVIDING FOR SEVERABILITY (Finance Department)

Deferred to February 20, 2007

Mover: Sally A. Heyman

Second: Joe A. Martinez

Vote: 13- 0

1/18/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Internal Mgmt. & Fiscal Responsibility Committee

8F GENERAL SERVICES ADMINISTRATION

8F1A

063576 Resolution

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH CHEVRON ENERGY SOLUTIONS COMPANY, A DIVISION OF CHEVRON USA, INC., IN THE AMOUNT OF \$16,125,350.00, FOR TGK SMOKE EVACUATION CHASE REPAIRS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Amended

Report: *See Agenda Item 8F1A Amended; Legislative File No. 070481.*

12/13/2006 Carried over Due to Lack of a Quorum by the Community Outreach, Safety & Healthcare Admin Cmte

1/17/2007 Forwarded to the BCC by the Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

8F1A Amended

070481 Resolution

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT WITH CHEVRON ENERGY SOLUTIONS COMPANY, A DIVISION OF CHEVRON USA, INC., IN THE AMOUNT OF \$16,125,350.00, FOR TGK SMOKE EVACUATION CHASE REPAIRS; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 063576] (General Services Administration Department)

Adopted as amended

Resolution R-134-07

Mover: Rebeca Sosa

Seconder: Carlos A. Gimenez

Vote: 10-3

No: Rolle, Barreiro, Martinez

Report: County Attorney Greenberg read the foregoing proposed resolution into the record.

In response to Commissioner Heyman's concern regarding the previous cost projections, Assistant County Manager Roger Carlton conceded that a better estimate showing a more realistic number could have been achieved. He pointed out that after being evaluated by staff and the consultants, there did not appear to be a way to complete this entire project for less money. Mr. Carlton assured the Commission that Phase One would be closely monitored and only upon failure to pass the smoke test would Phase Two be initiated.

In response to Commissioner Jordan's inquiry of who would monitor the work being done on the chasers, Ms. Wendi Norris, Director, General Services Administration (GSA), stated County Project Managers were monitoring the entire project and overseeing each test.

Responding to Commissioner Martinez' inquiries, Mr. Timothy Ryan, Director, Miami-Dade Department of Corrections and Rehabilitation, stated the fire watch was still in force and since the inmates could be evacuated to a different area, they were not in danger. As to whether this project was urgently needed, Mr. Ryan advised that the obligation to the Unsafe Structures Board required that the project be completed by June 2008.

Mr. Jose Perez, Division Director, Design and Construction, GSA, advised that the original energy program, performed by Chevron Energy Solution, was to replace the smoke event system. He noted this project was to address the chasers.

Ms. Norris pointed out that a new \$6.8 million smoke evacuation system was installed initially which facilitated detection of insufficient pressure due to holes in the chasers. The bid solicitation was developed following an independent fire engineer's determination of where the holes were located.

Addressing Commissioner Rolle's concern that this resolution requested funding three times the original estimate, Ms. Norris advised that the original estimate was provided by a combination of Chevron and independent fire engineers.

Commissioner Gimenez asked the County Manager to investigate the use of proceeds from General Obligation Bond to fund the Turner Guilford Knight Correction Center (TGK) smoke evacuation chase repairs contract.

Commissioner Sosa asked the County Manager to provide the Commission with a report announcing the intent to proceed with Phase B of this project; and that a request for Board approval be provided prior to commencement of Phase C.

The Board adopted the foregoing proposed resolution as amended to include the following language: "...provided, however, that the County Manager is hereby authorized to proceed with Phase A and, upon prior status report to this Board explaining the need thereof, Phase B. The Manager's exercise of Phase C shall require further resolution of this Board."

8G1A

070022 Resolution

RESOLUTION APPROVING FORM OF MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE HOUSING AGENCY AND THE HOUSING FINANCE AUTHORITY; APPROVING RETROACTIVELY ITS EXECUTION; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXERCISE AMENDMENT, MODIFICATION, RENEWAL, CANCELLATION AND TERMINATION CLAUSES OF SUCH MEMORANDUM OF UNDERSTANDING [SEE AGENDA ITEM NO. 7D] (Miami-Dade Housing Agency)

Adopted
Resolution R-135-07
Mover: Barbara J. Jordan
Seconder: Katy Sorenson
Vote: 11- 1
No: Diaz
Absent: Seijas

Report: *(See additional report under companion Agenda Item 7D Amended; Legislative File No. 070890.)*

County Attorney Greenberg read the foregoing proposed resolution into the record.

In response to Commissioner Heyman's concerns, Ms. Kris Warren, Director, Miami-Dade Housing Agency (MDHA) confirmed that the Memorandum of Understanding (MOU) contained the necessary safeguards against misrepresentation by the agency.

Commissioner Diaz pointed out that this resolution should be referred to the Committee due to the large number of issues that required intense review. He expressed concern regarding items coming before the Board after the action had taken place.

Commissioner Jordan asked the County Manager to bring before the Board a report outlining actions resulting from a review of the County's state funded housing programs, before transferring those programs back under the Miami-Dade Housing Agency's jurisdiction.

Commissioner Moss asked the County Manager to examine the procedures used by the Housing Finance Agency to identify useful practices for speeding up loan turnaround time that could be adopted by the Miami-Dade Housing Agency.

Commissioners Sorenson and Edmonson spoke in support of this resolution.

In response to Commissioner Edmonson's question as to whether a permanent transfer would be cost effective, Ms. Warren stated a cost analysis could be done further into the process to make that determination.

There being no further discussion, the Board proceeded to vote.

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8G1B

070023 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION IN APPLYING FOR COMMUNITY WORKFORCE HOUSING INNOVATION PILOT (CWHIP) PROGRAM LOAN FUNDS FROM THE FLORIDA HOUSING FINANCE CORPORATION (FHFC); AUTHORIZING THE COUNTY MANAGER TO RECEIVE, EXPEND AND EXECUTE CONTRACTS AND AGREEMENTS AS ARE REQUIRED, AND TO FILE AND EXECUTE NECESSARY AMENDMENTS TO THE APPLICATION; RATIFYING, APPROVING AND CONFIRMING THE COUNTY MANAGER'S ACTION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF MIAMI AND WAGNER SQUARE I, LLC ESTABLISHING THE MIAMI-DADE WAGNER SQUARE CWHIP PARTNERSHIP FOR THE PURPOSE OF APPLYING FOR, RECEIVING, AND EXPENDING FORGIVEABLE CWHIP PROGRAM LOAN FUNDS; AUTHORIZING THE MANAGER TO EXECUTE REQUIRED CONTRACTS, AGREEMENTS, MOUS, RESTRICTIVE COVENANTS, LOAN AGREEMENTS, AND AMENDMENTS, AFTER APPROVAL BY THE COUNTY ATTORNEY, AS REQUIRED BY THE CWHIP PROGRAM; AND AUTHORIZING THE COUNTY MANAGER TO APPLY FOR, RECEIVE AND EXPEND ANY ADDITIONAL CWHIP FUNDS THAT MAY BECOME AVAILABLE (Miami-Dade Housing Agency)

Withdrawn

Mover: Sally A. Heyman

Seconder: Joe A. Martinez

Vote: 13- 0

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8H and 8I [No items were submitted for these sections.]

8J MIAMI-DADE TRANSIT AGENCY

8J1A

070036 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY IN THE AMOUNT OF \$833,196 IN FISCAL YEAR 2006 INFRASTRUCTURE PROTECTION PROGRAM GRANT FUNDS FOR PROTECTION OF CRITICAL TRANSIT INFRASTRUCTURE AT DESIGNATED LOCATIONS AT BOTH METRORAIL STATIONS AND METROBUS TERMINALS; AND AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND FUNDS AS SPECIFIED IN THE GRANT AGREEMENT (Miami-Dade Transit Agency)

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8J1B

070053 Resolution

RESOLUTION AUTHORIZING A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDS FROM ITS COMMUTER ASSISTANCE PROGRAM IN THE AMOUNT OF \$285,000 FOR THE OPERATION OF THE DADE-MONROE EXPRESS TRANSIT SERVICE; AND AUTHORIZING THE COUNTY MANAGER TO RECEIVE AND EXPEND FUNDS AS SPECIFIED IN THE SJPA (Miami-Dade Transit Agency)

Adopted
Resolution R-136-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8K OFFICE OF COMMUNITY & ECONOMIC DEVELOPMENT

8K1A

070020 Resolution

RESOLUTION AUTHORIZING AN EXTENSION OF THE DEVELOPMENT DEADLINES FOR THE BAHAMIAN VILLAGE PROJECT FROM DECEMBER 2006 WITH COMPLETION IN DECEMBER 2007, TO AUGUST 2007 WITH COMPLETION IN AUGUST 2008 (Office of Community and Economic Development)

Adopted
Resolution R-137-07
Mover: Barbara J. Jordan
Seconder: Carlos A. Gimenez
Vote: 13- 0

Report: Commissioner Jordan expressed concern that the "housing" component was removed from the foregoing proposed resolution and noted she understood this was done because of "economic development." She further noted her opinion was that the City of Coral Gables should have obliged the move towards mixed-use development.

There being no further discussion, the Board proceeded to vote.

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8K1B

070021 Resolution

RESOLUTION APPROVING CHANGE OF PROJECT SCOPE AND EXTENSION OF THE DEVELOPMENT DEADLINES FOR THE BAHAMIAN VILLAGE PROJECT FROM AUGUST 2007 WITH COMPLETION IN AUGUST 2008, TO AUGUST 2007 WITH COMPLETION IN DECEMBER 2009 (Office of Community and Economic Development)

Adopted
Resolution R-138-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8K1C

070046 Resolution

RESOLUTION RECOMMENDING THAT CONFIDENTIAL PROJECT #07-00117 BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT #07-00117 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$90,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2008, 2009, 2010, 2011, 2012, 2013 OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF CONFIDENTIAL PROJECT #07-00117 APPLICATION WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT #07-00117 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT #07-00117 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9(C); AND PROVIDING FOR AN EFFECTIVE DATE (Office of Community and Economic Development)

*Adopted
Resolution R-139-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8L OFFICE OF STRATEGIC BUSINESS MANAGEMENT

8L1A

070013 Resolution

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2006-07 FOR SOUTH MIAMI COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

*Adopted
Resolution R-140-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8L1B

070018 Resolution

RESOLUTION APPROVING THE BUDGET FOR FISCAL YEAR 2006-07 FOR HOMESTEAD COMMUNITY REDEVELOPMENT AGENCY (Office of Strategic Business Management)

*Adopted
Resolution R-141-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

8M and 8N **[No items were submitted for these sections.]**

80 **PROCUREMENT MANAGEMENT DEPARTMENT**

801A

070135 **Resolution**

RESOLUTION APPROVING AWARD OF CONTRACT NO. 1178-2/09-OTR TO SUPERIOR UNIFORM GROUP, INC. FOR THE PURCHASE OF UNIFORMS AND ACCESSORIES FOR THE MIAMI-DADE TRANSIT DEPARTMENT, AND AUTHORIZING THAT A PORTION OF CONTRACT USE PROCEEDS FROM THE CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS IN SUPPORT OF THE IMPLEMENTATION OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) (Procurement Management Department)

Withdrawn

1/25/2007 Deferred by the Board of County Commissioners

801B

070027 **Resolution**

RESOLUTION WAIVING FORMAL BID PROCEDURES FOR THE PURCHASE OF GOODS AND SERVICES AND AUTHORIZING THE COUNTY MANAGER TO AWARD SAME, WITH AUTHORITY TO EXERCISE OPTIONS-TO-RENEW ESTABLISHED THEREUNDER (Procurement Management Department)

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

8P **PUBLIC WORKS DEPARTMENT**

8P1A

063690 **Resolution**

RESOLUTION APPROVING A WORK ORDER IN THE AMOUNT OF \$125,555.07 BETWEEN DAVID PLUMMER & ASSOCIATES, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED DESIGN OF BIKE LANES ALONG SW 48 STREET, FROM SW 82 AVENUE TO SW 117 AVENUE (PROJECT # 20060213) (Public Works Department)

*Adopted
Resolution R-142-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8P1B

063691 Resolution

RESOLUTION APPROVING A PROJECT AWARD RECOMMENDATION IN THE AMOUNT OF \$1,151,000.00 BETWEEN H & J ASPHALT, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED RESURFACING CONTRACT (PROJECT – CICC 7360-0/08 RPQ NO. 20060328) (Public Works Department)

Adopted
Resolution R-143-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

8P1C

070029 Resolution

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF NW 11 STREET LYING BETWEEN NW 72 AVENUE AND 650 FEET WEST OF NW 72 STREET IN GOVERNMENT LOT 2, BETWEEN TOWNSHIP 53 AND 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

Adopted
Resolution R-144-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

8P1D

070037 Resolution

RESOLUTION AUTHORIZING THE CONVEYANCE OF NINE (9) RIGHT-OF-WAY PARCELS AND THE EXECUTION OF THREE (3) PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENTS AND ONE (1) AERIAL EASEMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD IMPROVEMENTS TO STATE ROAD 826 (PALMETTO EXPRESSWAY) AND STATE 836 (DOLPHIN EXPRESSWAY) FROM NW 87 AVENUE TO NW 57 AVENUE (Public Works Department)

Adopted
Resolution R-145-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

8R WATER AND SEWER DEPARTMENT

8R1A

070048 Resolution

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY ("USGS") TO CONDUCT A GROUNDWATER STUDY OF THE FLORIDAN AQUIFER AT THE NORTH DISTRICT WASTEWATER TREATMENT PLANT (Water & Sewer Department)

Adopted
Resolution R-146-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/16/2007 Forwarded to BCC with a favorable recommendation from the Infrastructure and Land Use Committee

FINAL OFFICIAL

11A4

063621 Resolution Joe A. Martinez

RESOLUTION DIRECTING THE COUNTY MANAGER TO UTILIZE THE EXPERTISE OF THE HOUSING FINANCE AUTHORITY TO CREATE HOMEOWNERSHIP OPPORTUNITIES FOR VERY LOW, LOW, AND MODERATE INCOME FAMILIES PILOT PROGRAM TO ASSIST ONE HUNDRED (100) FAMILIES TO ACHIEVE HOMEOWNERSHIP OPPORTUNITIES; REQUIRING A REPORT

Carried over to February 8, 2007

Report: (See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).

12/18/2006 Forwarded to BCC with a favorable recommendation from the Affordable Housing Ad Hoc Committee

1/16/2007 Forwarded to BCC with a favorable recommendation from the Community Empowerment & Econ. Revitalization Cmte.

11A5

070149 Resolution Dorrin D. Rolle

RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE THE FEASIBILITY OF ESTABLISHING A PROGRAM THAT WOULD ASSIST COUNTY EMPLOYEES TO TAKE ADVANTAGE OF THE HOUSING MARKET IN MIAMI-DADE COUNTY; REQUIRING A REPORT FROM THE COUNTY MANAGER [SEE ORIGINAL ITEM UNDER FILE NO. 070124]

*Adopted
Resolution R-149-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Community Empowerment & Econ. Revitalization Cmte.

11A6

070152 Resolution Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MANAGER TO EXPLORE THE VIABILITY OF CREATING A DEDICATED FUNDING SOURCE TO SUPPORT AN EMPLOYER ASSISTED HOUSING PROGRAM THAT PROVIDES INCENTIVES TO EMPLOYERS OR DIRECT ASSISTANCE TO EMPLOYEES AS RECOMMENDED BY THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE TASK FORCE [SEE ORIGINAL ITEM UNDER FILE NO. 070011]

*Adopted
Resolution R-150-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Community Empowerment & Econ. Revitalization Cmte.

FINAL OFFICIAL

11A7

070153 Resolution Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MANAGER TO STUDY THE FEASIBILITY OF INCREASING THE AMOUNT OF ASSISTANCE AVAILABLE UNDER THE RENTAL ASSISTANCE PROGRAM FOR RESIDENTS WHOSE SOCIAL SECURITY INCOME PAYMENT APPLICATIONS ARE IN PENDING STATUS, AS RECOMMENDED BY THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE [SEE ORIGINAL ITEM UNDER FILE NO. 070007]

*Adopted
Resolution R-151-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Community Empowerment & Econ. Revitalization Cmte.

11A8

070157 Resolution Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP A COMPREHENSIVE HOUSING INTERVENTION AND MASTER PLAN AS RECOMMENDED BY THE COMMUNITY AFFORDABLE HOUSING STRATEGIES ALLIANCE TASKFORCE [SEE ORIGINAL ITEM UNDER FILE NO. 070017]

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

1/16/2007 Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Community Empowerment & Econ. Revitalization Cmte.

11A9

063537 Resolution Rebeca Sosa

RESOLUTION APPROVING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH VARIETY CHILDREN'S HOSPITAL, D/B/A MIAMI CHILDREN'S HOSPITAL, INC. FOR ENROLLMENT AND PARTICIPATION IN THE 340B DRUG PRICING PROGRAM TO MAKE THE HOSPITAL ELIGIBLE FOR DISCOUNT OUTPATIENT DRUG PRICING BENEFITING INDIGENT, UNINSURED AND UNDER-INSURED MIAMI-DADE COUNTY RESIDENTS

*Adopted
Resolution R-152-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

12/13/2006 Carried over Due to Lack of a Quorum by the Community Outreach, Safety & Healthcare Admin Cmte

1/17/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

11B ADDITIONAL BUDGET ALLOCATIONS

11B1

070421 Report

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 1)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2006/07 District 1 Discretionary Reserve funds as requested by Commissioner Jordan.*

\$6,000 to Community Relations Trust Fund (Black History Month Exhibit)
\$1,250 to Sant La Haitian Neighborhood Center
\$2,500 to Hands On Miami

For the record, Commissioner Jordan rescinded the \$2,500 allocation made at the Board of County Commission Meeting of December 16, 2006, to Dade County Public Schools and re-allocated the same amount (\$2,500) to Teach for America (to sponsor one teacher in District 1)

11B2

070422 Report

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 2)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocation was made from fiscal year (FY) 2006/07 District 2 Discretionary Reserve Funds as requested by Commissioner Rolle.*

\$5,000 to Excel Academy Charter School

11B3

070423 Report

REIMBURSEMENT FROM (FY) 2006/07 COMMUNITY BASED ORGANIZATION FUNDS (DISTRICT 4)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocations were reimbursed from District 4 Community Based Organization – Office Funds as requested by Commissioner Heyman.*

\$2,000 from Romero Britto Foundation
\$100 from Highland Oaks Middle School
\$100 from Girl Scout Troupe 802
\$180 from Hebrew Academy
\$500 from American Cancer Society
\$35 from Women's History Coalition of Miami-Dade
\$500 from Humane Society of Greater Miami
\$500 from Best Buddies
\$1,000 from Lawyers for Children of America

FINAL OFFICIAL

11B4

070424 Report

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 4)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2006/07 District 4 Discretionary Reserve Funds as requested by Commissioner Heyman.*

- \$5,000 to Department of Environmental Resource Management (Baynanza)*
- \$2,000 to Florida Immigrant Advocacy Center*
- \$1,000 to South Florida Golf Foundation*
- \$2,500 to Metro Dade Fire Fighters Charities (Fifth Annual Stacey K. Williams Memorial Golf Tournament)*
- \$1,000 to Sickle Cell Disease Association of America Miami-Dade County Chapter, Inc. (28th Annual 5K Walk/Run for Sickle Cell Disease)*
- \$5,000 to Jackson Public Health Trust (Mammography Care-A-Van)*
- \$2,500 to Beth Torah Adath Yeshurn Congregation*

11B5

070425 Report

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 6)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2006/07 District 6 Discretionary Reserve Funds as requested by Commissioner Sosa.*

- \$2,000 to Kinloch Park Middle School PTA*
- \$800 to West Miami Middle School PTSA*
- \$12,500 to Little Havana Activities & Nutrition Centers of Dade County, Inc. – specifically to provide elderly meals for the seniors that attend St. Dominic’s Senior Center*

11B6

070426 Report

ALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 7)

Approved
Mover: Dennis C. Moss
Seconder: Barbara J. Jordan
Vote: 13- 0

Report: *The following funding allocations were made from fiscal year (FY) 2006/07 District 7 Discretionary Reserve Funds as requested by Commissioner Gimenez.*

- \$20,000 to Little Havana Activities and Nutrition Center for Elderly Meals Programs at Carroll Manor, Mildred Pepper and Smathers Centers*
- \$300 to St. Agatha Home and School Association for Annual Fashion Show*
- \$3,000 to Center for Folk and Community Art for District 7 programs*
- \$10,000 to Coconut Grove Collaborative for programmatic support*

11B7

070427 ReportALLOCATION OF (FY) 2006/07 DISTRICT DISCRETIONARY
RESERVE FUNDS (DISTRICT 9)*Approved**Mover: Dennis C. Moss**Seconder: Barbara J. Jordan**Vote: 13- 0*

Report: *The following funding allocations were made from fiscal year (FY) 2006/07 District 9 Discretionary Reserve Funds as requested by Commissioner Moss.*

\$10,000 to Miami-Dade Police Department Athletic League for the "Sunset Serenade" event

\$2,500 to Theta Rho Sigma Chapter, Phi Beta Sigma Fraternity, Inc., for their Annual College Tour

\$300 to Dade County Farm Bureau for their 2nd Annual Women's Luncheon Honoring Denisse Schnebly

\$1,250 to Sant La to sponsor a table for their Annual Fundraising Dinner

\$1,000 to Community Health of South Dade, Inc., for the Robert Baily/Glen Rice Celebrity Fundraising Golf Tournament

11C REPORTS

12A2

070078 Resolution

RESOLUTION RETROACTIVELY APPROVING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SALES SURTAX FUNDS BY THE PUBLIC WORKS DEPARTMENT AND THE OFFICE OF THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (County Manager)

*Adopted
Resolution R-154-07
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/18/2007 Forwarded to BCC with a favorable recommendation from the Regional Transportation Committee

12A3

063656 Resolution

RESOLUTION AUTHORIZING THE ALLIANCE FOR HUMAN SERVICES TO ADMINISTER AND MANAGE MIAMI-DADE COUNTY'S COMMUNITY-BASED ORGANIZATION FUNDING PROCESS; ACCEPTING THE FUNDING PRIORITIES, FUNDING LEVELS AND FUNDING PROCESSES RECOMMENDED BY THE ALLIANCE FOR HUMAN SERVICES FOR THE FY 2007-2010 COMMUNITY BASED ORGANIZATION FUNDING PROCESS; AUTHORIZING A THREE YEAR FUNDING CYCLE FOR FY 2007-2010; AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE AGREEMENTS (County Manager)

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

1/17/2007 Forwarded to the BCC by BCC Chairperson due to lack of a quorum from the Community Outreach, Safety & Healthcare Admin Cmte

12B1

070051 Report

WATER SHORTAGE WARNING ISSUED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (County Manager)

*Accepted
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

1/16/2007 Report Received by the Infrastructure and Land Use Committee

12B2

063485 Report

STATUS OF THE PEOPLE'S TRANSPORTATION PLAN (PTP) PRO FORMA - DECEMBER 2006 (County Manager)

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

12/14/2006 Deferred by the Regional Transportation Committee

1/18/2007 Report Received by the Regional Transportation Committee

12B3

070019 Report

REPORT ON FINDING OF NECESSITY STUDY FOR SOUTH MIAMI HEIGHTS AREA (County Manager)

Accepted
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

1/16/2007 Report Received by the Community Empowerment & Econ. Revitalization Cmte.

12B4

070199 Report

REPORT RE: AFFORDABLE HOUSING TRUST FUND [SEE AGENDA ITEM NO. 7A] (County Manager)

Accepted
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0

13 COUNTY ATTORNEY

13B1

070413 Report

ORAL REPORT REGARDING OUTSIDE COUNSEL (County Attorney)

Carried over to February 8, 2007

Report: *(See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).*

14 ITEMS SUBJECT TO 4-DAY RULE

14A1

070254 Resolution

Natacha Seijas

RESOLUTION DECLARING MAY AS MONTH OF COMMEMORATION OF CUBA AND THE CUBAN-AMERICAN EXPERIENCE IN MIAMI-DADE COUNTY

Adopted
Resolution R-155-07
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 13- 0

14A2

070334

Resolution

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

RESOLUTION URGING CONGRESS TO VOTE AGAINST ANY *Amended*
LEGISLATION THAT REDUCES FUNDING FOR THE
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM
("SECTION 8"); AND FURTHER URGING CONGRESS TO
ENACT APPROPRIATE LEGISLATION THAT INCREASES
FUNDING TO THE SECTION 8 PROGRAM

Report: See Agenda Item 14A2 Amended; Legislative File No. 070482.

FINAL OFFICIAL

14A2 AMENDED

070482

Resolution

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

RESOLUTION URGING CONGRESS TO VOTE AGAINST ANY LEGISLATION THAT CHANGES THE FUNDING FORMULA TO AND REDUCES FUNDING FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ("SECTION 8") FOR MIAMI-DADE COUNTY [SEE ORIGINAL ITEM UNDER FILE NO. 070334]

*Adopted as amended
Resolution R-156-07
Mover: Joe A. Martinez
Seconder: Rebeca Sosa
Vote: 13- 0*

Report: *County Attorney Greenberg read the foregoing proposed resolution into the record.*

In response to Commissioner Moss' request for information regarding the Section 8 Program, Ms. Kris Warren, Director, Miami-Dade Housing Agency, noted Congress was prepared to cut the County's Section 8 budget by a total of \$9.6 million. She explained that the \$17.9 million reflected as excess dollars in MDHA accounts was noted in the Miami Herald article and reported to the U.S. Housing and Urban Development (HUD) in error. Ms. Warren stated no excess cash existed in the MDHA bank account. Pertaining to Commissioner Jordan's inquiry regarding whether Congress had revised the amount of the budget cut, Ms. Warren stated the County would correct the numbers in the financial management system.

County Manager George Burgess confirmed that no changes had been made regarding the Quality Neighborhood Improvement Project (QNIP) process in terms of identifying projects for approval.

There being no further questions or comments, the Board voted to adopt the foregoing resolution as amended to insert the following language to Section 1: "...changes the funding formula to and reduces funding to the Section 8 Program for Miami-Dade County"; and to delete the provisions in Section 2 relating to "....the United States Congress enacting legislation to increase funding to the Section 8 program....."

14A3

070290 Resolution Carlos A. Gimenez

RESOLUTION DIRECTING COUNTY ATTORNEY TO INVESTIGATE THE IMPACT OF THE PROPOSED 300 GROVE BAY RESIDENCE DEVELOPMENT ON VIZCAYA MUSEUM AND GARDENS

Carried over to February 8, 2007

Report: (See the February 8, 2007, Board meeting minutes, Legistar Meeting Key No. 2229).

15 CLERK OF THE BOARD

15A RESOLUTIONS

15B1

070202 Report

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON FEBRUARY 6, 2007 (Clerk of the Board)

*Accepted
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

15B2

070203 Report

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD:
OCTOBER 10, 2006 (REGULAR BCC MEETING)
JANUARY 9, 2007 (SPECIAL BCC MEETING) (Clerk of the Board)

*Approved
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

15B3

070204 Report

APPROVAL OF MIAMI-DADE PROPERTY APPRAISER PERSONAL PROPERTY CUT-OUT SUMMARY SHEETS (Clerk of the Board)

*Approved
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

15B4

070245 Report

APPROVAL OF CERTIFICATE OF COUNTY CANVASSING BOARD FOR MIAMI-DADE COUNTY SPECIAL ELECTION, CHARTER AMENDMENT, HELD ON JANUARY 23, 2007 (Clerk of the Board)

*Approved
Mover: Sally A. Heyman
Seconder: Joe A. Martinez
Vote: 13- 0*

15C COUNTY ADVISORY BOARD APPOINTMENTS

15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT

15D1

070205 Report

BALLOT APPOINTMENT OF MEMBERS TO THE PUBLIC LIBRARY ADVISORY BOARD *Withdrawn*
MS. ZELDA GLAZER
MR. YONEL MARTIZ CARDENAS (Clerk of the Board)

15E MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY RESERVE FUNDS

16 ITEMS SCHEDULED FOR THURSDAY

16A SPECIAL PRESENTATIONS (Scheduled for 8:00 a.m.)

16A1

070201 Service Awards Bruno A. Barreiro

SERVICE AWARDS CEREMONY FOR THE FOLLOWING EMPLOYEES: *Presented*
MARSHA JACKMAN - DBD - 30 - YEARS
JACOBO MIZRAHY - DBD - 30 - YEARS
MARCOS REGALADO - DHS - 30 - YEARS
EDDIE R. LAW - MDT - 30 - YEARS
JOSEPH H. RUSSELL - MDT - 30 YEARS
GWENDOLYN M. SMITH - PROPERTY APPRAISAL - 30 YEARS
TONY ETIENNE - SOLID WASTE - 30 YEARS

16A2

070238 Commendation Audrey M. Edmonson

PRESENTATION OF COMMENDATIONS TO THE FOLLOWING NAMES: *Presented*
1. GERALDINE AARON
2. ANTHONY COPELAND
3. DERRICK JOSEPH
4. RONALD COLLIER
5. AMOS FRANCOIS
6. JAMES SHAWGER
7. XAVIER GREEN
8. DAVID STAPLES

16A3

070239 Proclamation Audrey M. Edmonson

PRESENTATION OF A PROCLAMATION TO GREATER MIAMI SERVICE CORPS DAY *Presented*

FINAL OFFICIAL

16A4

070242 Congratulatory Audrey M. Edmonson
 Certificate

PRESENTATION OF CONGRATULATORY CERTIFICATES *Presented*
1. ESSAY AND ART CONTEST WINNERS

16A5

070246 Certificate of Dennis C. Moss
 Appreciation

CERTIFICATE OF CERTIFICATES OF APPRECIATION TO *Presented*
THE FOLLOWING:
1. DISTRICT 9 ANNUAL TURKEY DRIVE 2006

16A6

070247 Proclamation Sen. Javier D. Souto

PRESENTATION OF A PROCLAMATION TO DR. ANTONIO *Presented*
JORGE

16A7

070261 Proclamation Sen. Javier D. Souto

PRESENTATION OF A PROCLAMATION TO THE SOCIAL *Presented*
AND ECONOMIC DEVELOPMENT COUNCIL FOR MIAMI
DADE COUNTY

16A8

070361 Proclamation Rebeca Sosa

PRESENTATION OF A PROCLAMATION TO MR. *Not presented*
ALEXANDER MORERA

16A9

070368 Proclamation Audrey M. Edmonson

PRESENTATION OF A PROCLAMATION TO MR. VICTOR *Presented*
BAUTISTA

16B POLICY MATTERS FOR DISCUSSION BY THE BOARD

16C ZONING AGENDA (Scheduled for 9:30 a. m.)

Report: *The official minutes of the February 8, 2007, zoning meeting are on file in the Office of the Clerk of the Board of County Commissioners.*

071527 Report

NON-AGENDA ITEMS REPORT

Report: 1) Commissioner Seijas, on behalf of the County Commission, made a special presentation to former Chairman Joe A. Martinez and Vice Chairman Dennis C. Moss in recognition and appreciation for their excellent leadership and service.

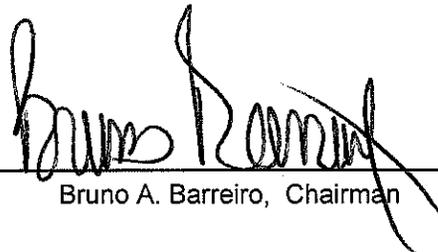
Chairman Barreiro and Vice Chairwoman Jordam expressed their appreciation to Commissioners Martinez and Moss for their guidance and vowed to follow the standards set for the Commission.

2) Commissioner Martinez congratulated the Major Ruben Galindo and staff of the Miami-Dade Police Department's Aviation Station for a job well done in security enforcement.

19

ADJOURNMENT

Report: Having concluded its consideration of today's agenda, the Board recessed its session until Thursday, February 8, 2007 at 9:30 a.m.



Bruno A. Barreiro, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk