



**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 17, 2009  
As Advertised

Harvey Ruvin, Clerk  
Board of County Commissioners

Kay Sullivan, Director  
Clerk of the Board Division

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



---

**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.

---

**1 MINUTES PREPARED BY**

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

**1A ROLL CALL**

**Report:** *The following staff members were present: County Manager George Burgess, Assistant County Manager Alina Hudak, and Special Assistant to the County Manager Jennifer Glazer-Moon; County Attorney Robert Cuevas, First Assistant County Attorney Abigail Price-Williams, Assistant County Attorneys Peter Tell, James Kracht, Gerald Sanchez, Daniel Frastai, Martin Sybblis, Thomas Robertson; and Deputy Clerks Kay Sullivan, Diane Collins, and Scott Rappleye.*

**1B MOMENT OF SILENCE**

**Report:** *Chairman Moss called the meeting to order at 9:46 a.m. The County Commission convened in a moment of silence followed by the Pledge of Allegiance.*

**1C PLEDGE OF ALLEGIANCE**

**1D REPORTS OF OFFICIAL BOARDS**

**1E CITIZEN'S PRESENTATIONS (5 MINUTES MAXIMUM)**

1E1

**090121 Citizen's Presentation Dennis C. Moss**

CITIZEN PRESENTATION BY DR. SANFORD L. ZIFF AND MR. GUSTAVO ALFREDO NOGUERA, BEETHOVEN SOCIETY OF MIAMI-DADE REGARDING THE LUDWIG VAN BEETHOVEN FIFTH SYMPHONY'S 200TH INTERNATIONAL ANNIVERSARY CELEBRATION. *Presented*

**Report:** *Mr. Gustavo Alfredo Noguera, Founder and Executive Director, Beethoven Society of Miami-Dade, requested support for a monthly Chamber Music Concert Series related to Beethoven's Fifth Symphony that would be free to the public. He explained that concerts would be performed in each Commission district at a cost of \$1,500 each and that supermarket chains had expressed interest in co-sponsoring these concerts. Mr. Noguera mentioned the Miami-Dade College School of Architecture was interested in enhancing the Beethoven Promenade at the Brickell Metrorail Station and that a proposal to extend the promenade to the Miami River would be presented at the March 11, 2009, Transit, Infrastructure and Roads Committee meeting.*

*Dr. Sanford Ziff, Honorary Chairman and Advisor, Beethoven Society of Miami-Dade, mentioned that the opening notes of Beethoven's Fifth Symphony were played at the Brickell Metrorail Station each time a Metrorail train came to the station. He explained that the Society sent a letter to President Barack Obama requesting that a special celebration for Beethoven's Fifth Symphony be held. Dr. Ziff mentioned his desire that the Beethoven Promenade at the Brickell Metrorail Station become a landmark.*

1E2

**090189 Citizen's Presentation Carlos A. Gimenez**

PRESENTATION REGARDING THE KIDNEY FOUNDATION *Presented*

**Report:** *Ms. Diane Nunez, South Florida Regional Manager, Kidney Foundation, noted 26 million Americans had chronic kidney illnesses. She mentioned that the Miami Kidney Walk was the main fundraising event for the Foundation to provide free tests to the community, to provide awareness of what causes kidney disease, and to provide direct aid to unemployed persons with kidney disease.*

*Ms. Ashley Boxer, Special Events Coordinator, Kidney Foundation, noted the Walk was Sunday, March 8, 2009, at Crandon Park. She expressed appreciation to the County and Commissioner Gimenez for their support and invited Commissioners to attend the Walk. Ms. Boxer noted Miami-Dade County was the top corporate sponsor in 2008 raising \$30,000 and the goal for this year's walk was to raise \$35,000.*

1E3

**090191      Citizen's Presentation      Sally A. Heyman**

EMILY MARQUEZ-DULIN, EXECUTIVE DIRECTOR OF THE HUMANE SOCIETY OF GREATER MIAMI/ADOPT-A-PET, RE: THE 2009 PURINA WALK FOR THE ANIMALS **Presented**

**Report:** *Ms. Emily Marquez-Dulin, Executive Director, Humane Society of Greater Miami (HSGM), noted Commissioner Heyman would be the Grand Marshall of the 2009 Purina Walk for the Animals on February 21, 2009. She pointed out that Commissioner Heyman helped create the partnership between the HSGM and the Miami-Dade Animal Services Department. Ms. Marquez-Dulin noted the Commission approved legislation that allowed the HSGM to provide low cost and free spay and neuter operations to animals in the County, as well as provide services to the inner city.*

*Ms. Stephanie Thomas, Special Events Manager, HSGM, noted University of Miami President Donna Shalala would be the Leader of the Pack at the 2009 Purina Walk for the Animals, which was an event that generated 3,000 participants and their pets. She expressed appreciation to the Commissioners for their support.*

*Ms. Marquez-Dulin, asked the Commission to assist the HSGM with publicizing this Walk.*

1E4

**090301      Citizen's Presentation      Joe A. Martinez**

LYDIA MUNIZ RE: BIG BROTHERS & BIG SISTERS **Presented**

**Report:** *Mr. Pedro Munilla, Director, Big Brothers & Big Sisters (BBBS) noted he became a big brother six years ago because of his experience in the Pedro Pan project.*

*Mr. Gale Nelson, Vice-President of Programs, BBBS, explained mentoring children was a good investment; the cost to incarcerate a child versus mentoring a child was \$30,000 to incarcerate and \$1,500 to mentor.*

*Ms. Valencia Morse, recounted her experience being mentored in the BBBS program and being a big sister.*

*Ms. Lydia Muniz, President and Chief Executive Officer, BBBS, requested the Commission invest in the mission of BBBS.*

*Commissioner Martinez pointed out BBBS was a program that helped prevent problematic behavior, as opposed to enforcing justice for problematic behavior.*

*Commissioner Martinez noted he would donate \$5,000 to BBBS from Commission District 11 funds. He encouraged each Commissioner to support BBBS.*

*Chairman Moss noted he would donate to the organization.*

1E5

090343 Citizen's Presentation Dorrin D. Rolle

OTIS PITTS AND JORGE CARVAHAL RE: ECONOMIC CRISIS Presented  
(NEIGHBOR'S SUPERMARKET)

**Report:** *Mr. Otis Pitts, President, Peninsula Developers LLC, said the economic downturn prompted the closure of Jorge and Jerry's Grocery at the Edison Marketplace by Mr. Jorge Carvahal. The store was the anchor business at the Marketplace and provided 68 jobs, said Mr. Pitts. He noted that the Marketplace was an economic catalyst in the community with 81,000 square feet of retail space and over 140 jobs. Mr. Pitts requested the County provide Mr. Carvahal the support he needed to reopen the store.*

*Commissioner Rolle noted he sponsored Resolution No. R-87-09, which was adopted by the Commission on January 22, 2009, which provided support to local businesses. He inquired whether the \$200,000 from Fiscal Year 2009 Community Development Block Grant (CDBG) funds allocated by District 2 could be rescinded and allocated to the Edison Marketplace.*

*Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Management, noted that CDBG staff would meet with Commissioner Rolle to discuss the allocation of funds to the Edison Marketplace.*

*Commissioner Rolle noted the City of Miami was willing to help in efforts to address the economic crisis. He mentioned that Mr. Rick Beasley, Executive Director, South Florida Workforce, would inform the community that both the County and the City of Miami were working to prevent the further elimination of jobs.*

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

**Report:** County Attorney Robert Cuevas advised that in addition to the County Manager's memorandum entitled, "Changes List for the February 17, 2009 Commission meeting", the following changes to today's agenda were requested: Items 11A24 and 14A4 were add-on items; Commissioner Gimenez requested Items 8F1B and 11A10 be added to the Pull List; Commissioner Sosa also requested Item 11A10 be added to the Pull List; Commissioner Heyman requested Item 11A2 be added to the Pull List; Commissioner Jordan requested the deferral of Item 4D; and Commissioner Sosa requested to be listed as a co-sponsor to Item 11A24.

The following additional requests were also made: Commissioner Jordan requested Item 7B deferred and sent back to the April 14, 2009 Budget, Planning and Sustainability Committee meeting to incorporate revisions; Commissioner Martinez requested that Item 14A1 be four-day ruled; Commissioner Heyman requested an addendum be added to 11A2; Commissioner Barreiro requested to be added to the Pull List for Item 11A12; Commissioners Jordan, Barreiro, Gimenez, Heyman, Edmonson, Sorenson, Martinez, Rolle, Diaz and Seijas requested to be listed as co-sponsors to Item 11A24, and Commissioner Seijas requested Item 11A20 be added to the Pull List.

County Attorney Cuevas advised that the items to be considered in today's meeting were those listed on the printed final agenda, along with the additions, deferrals, withdrawals, and scrivener's errors noted in the County Manager's Changes Memorandum plus items previously mentioned by the County Attorney. He noted the Commission would approve all of those items by a single vote, setting the agenda; except ordinances on first reading, public hearings, ordinances on second reading, and the "Pull List" Items.

It was moved by Commissioner Diaz that the County Manager's Memorandum entitled "Changes for the February 17, 2009 BCC Meeting," be approved with the additional changes noted by County Attorney Cuevas. This motion was seconded by Commissioner Sosa and upon being put to a vote, passed unanimously by those members present.

**1G**      **OFFICE OF COMMISSION AUDITOR****1H**      **OFFICE OF INTERGOVERNMENTAL AFFAIRS****1I**      **SPECIAL PRESENTATIONS****2**      **MAYORAL ISSUES****2A**      **MAYORAL VETOES****2B**      **MAYORAL REPORTS**

2B1

090355

Report

Mayor

APPROVAL OF DEPARTMENTAL AGENDA ITEMS

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

**3**

**CONSENT ITEMS**

3J1A

090171

Resolution

RESOLUTION RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL ENDOWMENT FOR THE ARTS FOR \$145,764 IN GRANT FUNDING TO SUPPORT STUDIO ENHANCEMENTS AND OPERATING COSTS ASSOCIATED WITH THE ARTIST VILLAGE PROGRAM AT THE DEERING ESTATE AT CUTLER; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECEIVE AND EXPEND FUNDS, AND TO FILE AND EXECUTE CONTRACTS AND AMENDMENTS AS REQUIRED (Park & Recreation Department)

*Adopted*  
*Resolution R-108-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

**4**

**ORDINANCES FOR FIRST READING**

4A

083556

Ordinance

Barbara J. Jordan

ORDINANCE AMENDING SECTION 10-38 OF THE CODE OF MIAMI-DADE COUNTY FLORIDA TO PROVIDE FOR USE OF HEARING EXAMINERS TO CONDUCT DEBARMENT PROCEEDINGS; PROVIDING PREREQUISITES AND PROCEDURES; ABOLISHING DEBARMENT COMMITTEE; CLARIFYING ELIGIBILITY FOR SEEKING DEBARMENT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND EFFECTIVE DATE

*Deferred to no date certain*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

**Report:** *During consideration of changes to today's (2/17) agenda, the Board deferred the foregoing proposed ordinance submitted for first reading as requested in the February 17, 2009, County Manager's Memorandum entitled, "Changes for the February 17, 2009 BCC Meeting."*

**12/16/2008** *Tentatively scheduled for a public hearing by the Board of County Commissioners to the Budget and Finance Committee*

**12/16/2008** *Deferred by the Board of County Commissioners*

4B

090292

Ordinance

Rebeca Sosa

ORDINANCE CREATING SECTION \_\_\_\_\_ OF THE CODE OF MIAMI-DADE COUNTY, CREATING COMPUTER AND ELECTRONICS PROGRAM, ESTABLISHING GUIDELINES FOR COLLECTION OF DONATED COMPUTERS AND ELECTRONICS AND DISTRIBUTION TO ELIGIBLE RECIPIENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: March 10, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the March 10, 2009, Government Operations Committee at 9:30 a.m.*

4C

090295

Ordinance

County Commission

ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF HOMESTEAD, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 6.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE AND UTILITY TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING THAT THE ORDINANCE WILL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF CERTAIN EVENTS; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: April 14, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the April 14, 2009, Budget, Planning & Sustainability Committee at 2:00 p.m.*

4D

090317

Ordinance

Barbara J. Jordan

ORDINANCE DEFINING AUTHORITY OF MAYOR OR DESIGNEE TO AWARD CONTRACTS WITHOUT COMMISSION APPROVAL; LIMITING SUCH AUTHORITY TO CONTRACTS WITH TERMS NOT EXCEEDING ONE YEAR INCLUDING ALL RENEWALS AND EXTENSIONS; AMENDING SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Withdrawn  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

**Report:** *During consideration of changes to today's (2/17) agenda, the Board withdrew the foregoing proposed ordinance submitted for first reading as requested by the sponsor Commissioner Jordan.*

4E

**090316 Ordinance Rebeca Sosa**

ORDINANCE PROVIDING RELIEF FROM COUNTY CIVIL PENALTIES RELATING TO CONTINUING VIOLATIONS TO ADDRESS ECONOMIC CRISIS; ESTABLISHING GRACE PERIOD FOR THE IMPOSITION OF CIVIL PENALTIES RELATED TO CONTINUING VIOLATIONS; AMENDING SECTION 8CC-4 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: March 10, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the March 10, 2009, Budget, Planning & Sustainability Committee at 2:00 p.m.*

4F

**090289 Ordinance Dorrin D. Rolle**

ORDINANCE RELATING TO VEHICLES FOR-HIRE; AMENDING SECTIONS 31-82; 31-303 AND 31-602 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, AMENDING THE EXCLUSION PERIOD FOR CONVICTIONS INVOLVING TRAFFICKING IN NARCOTICS; REQUIRING THAT CHAUFFEURS NOTIFY CONSUMER SERVICES DEPARTMENT WITHIN SPECIFIED TIME PERIOD OF CONVICTION OF CRIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: March 10, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the March 10, 2009, Government Operations Committee at 9:30 a.m.*

4G

**090269 Ordinance Barbara J. Jordan**

ORDINANCE CREATING THE COMMUNITY ACTION AGENCY BOARD, SETTING FORTH PURPOSE, COMPOSITION OF BOARD, SPECIFYING POWERS, DUTIES, AND RESPONSIBILITIES, PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND EFFECTIVE DATE

*Adopted on first reading  
Public Hearing: April 15, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the April 15, 2009, Housing and Community Development Committee at 9:30 a.m.*

4H

**090242 Ordinance**

ORDINANCE RELATING TO THE PARK AND RECREATION DEPARTMENT AGREEMENTS WITH PROGRAMMING PARTNERS AND COMMUNITY BASED NOT-FOR-PROFIT ORGANIZATIONS; AMENDING ARTICLE II OF CHAPTER 26 OF THE CODE OF MIAMI-DADE COUNTY ALLOWING NEGOTIATION AND RENEWAL OF AGREEMENTS WITH COMMUNITY-BASED NOT-FOR-PROFIT ORGANIZATIONS AND PROGRAMMING PARTNERS; CORRECTING SCRIVENER ERRORS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Park & Recreation Department)

*Adopted on first reading  
Public Hearing: March 9, 2009  
Mover: Jose "Pepe" Diaz  
Seconder: Carlos A. Gimenez  
Vote: 11- 0  
Absent: Souto, Seijas*

**Report:** *The Board adopted the foregoing proposed ordinance on first reading and scheduled the public hearing before the March 9, 2009, Recreation, Culture and Tourism Committee at 9:30 a.m.*

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

5A

**090063 Resolution**

RESOLUTION RELATING TO AN APPLICATION BY ERNESTO CAMBO FOR A CLASS I PERMIT TO REINFORCE AND ELEVATE ONE HUNDRED FIVE (105) LINEAR FEET OF AN EXISTING SEAWALL TO AN ELEVATION OF PLUS FIVE POINT ZERO (+5.0) FEET NATIONAL GEODIC VERTICAL DATUM (NGVD) AND REPLACE AN EXISTING MARGINAL WOOD DOCK WITH A MARGINAL CONCRETE DOCK AT 4255 LAKE ROAD, MIAMI, MIAMI-DADE COUNTY, FLORIDA (Department of Environmental Resources Management)

*Deferred to no date certain*  
*Mover: Audrey M. Edmonson*  
*Seconder: Natacha Seijas*  
*Vote: 12- 1*  
*No: Martinez*

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

*The public hearing was opened and the following persons appeared before the Commission:*

*Mr. David Freedman, Attorney, Coffey Burlington, 2699 S. Bayshore Drive, Miami, representing Bay Point Property Owners Association, Inc., appeared in opposition to the foregoing proposed resolution. He noted a restrictive covenant that no homeowner may alter the existing seawall without the consent of other waterfront homeowners. Mr. Freedman indicated that a seawall and a berm behind the seawall handled flood control. The berm had been cut and a concrete slab poured resulting in water flowing over the seawall, said Mr. Freedman. He noted that Mr. Ernesto Cambo's request to elevate the seawall was rejected by a community vote since it would destroy the symmetry of other adjacent seawalls. Mr. Freedman said that the City of Miami passed an ordinance elevating seawalls north of the Rickenbacker Causeway from +2.5 to +5 without neighborhood notification. He referenced a tidal data study conducted by the Rosenstil School at the University of Miami and Engineer Ed Swaykon, which determined that at no time, did the water level rise sufficiently to cause a flood control or erosion problem. Mr. Freedman mentioned the study also indicated the existing elevation of the seawall cap did not pose any health, safety or welfare risk and elevating the seawall would serve no purpose. The City of Miami corrected its ordinance stating that it did not intend to impair contract rights, said Mr. Freedman. He urged the Commission not to issue the Class 1 Permit altering the seawall height.*

*Mr. Francis Mitchell, City of Miami Public Works Department, indicated that the Department would not issue the permit unless the Homeowners Association agreed to the change. He noted flooding only occurred during the winter and summer solstice and did not present a safety issue.*

*Ms. Eileen Perillo, 4375 Lake Road, Miami, Marine Committee Chair, Bay Point Property Owners Association, Inc., noted the seawall was designed with a deliberate uniformity and a berm to protect from flooding. She mentioned that water had never risen more than a few inches over the seawall cap. Ms. Perillo stated that all homeowners, including Mr. Cambo, were aware of community regulations and covenants.*

*Mr. Brent Pickard, 790 Lake Road, Miami, Secretary, Bay Point Property Owners Association, Inc., indicated the Association was never notified of this hearing or the hearing for the Department of Environmental Resources Management variance where it was determined that ownership of submerged land was not required. He referenced Florida Statute Chapter 720, which stated the area dedicated to the use of members was common area of the Association, and under the providence of the Association. Mr. Pickard noted that property owners declined the request to extend the seawall and mentioned other available options including; building a tiered seawall; raising the concrete slab; or building a dock. He urged the Commission to honor the Florida Statutes and not to encroach upon community property.*

*Mr. Freedman noted Mr. Cambo's request to elevate the seawall higher than the neighbors' seawalls and to build into common areas has been a four-year battle. He requested the Commission to uphold the covenants of the Association and to deny the request for a Class I permit to elevate the existing seawall.*

*Mr. Augusto Maxwell, attorney representing Mr. Cambo, Akerman Senterfitt Attorneys at Law, 1 SE 3 Avenue, Miami, noted County staff had unanimously recommended the proposed property improvement. He noted the permit was appropriate as flooding currently occurred on the property and dock. Mr. Maxwell said this was a simple issue with clear criteria under the Code, and he urged the Board to issue the permit.*

*Hearing no other persons wishing to speak on this matter, the public hearing was closed.*

*In response to Commissioner Edmonson, Mr. Cambo, property owner, 4255 Lake Road, Miami, indicated he was aware of the restrictive covenant and probably would not have purchased the property had he been aware of the flooding. Mr. Cambo indicated the property flooded more than had been suggested and electrical service to the dock presented a life safety hazard. He noted the Federal Emergency Management Agency's instructions were to build to current code by elevating the seawall to five feet.*

*In response to questions from Commissioner Edmonson regarding the frequency of the flooding on his property; and whether he had rescinded a previous court petition, Mr. Cambo said flooding occurred thirty times a year (twice a day for 15-20 days) to the entire backyard. He noted erosion was occurring under the seawall and flooding was affecting other property owners as well. Concerning the previous court petition, Mr. Cambo said the litigation involved striking down the restrictive covenant to allow homeowners to build seawalls to code.*

*Mr. Carlos Espinosa, Director, Department of Energy and Resource Management (DERM), responded to questions from Commissioner Edmonson regarding the granting of code variances. He explained that the variance appeal was the result of a community request for a public hearing and not due to the merits of the case. The application would not have come before the Commission; however, the public hearing request escalated it to that level, said Mr. Espinosa. He indicated that staff disclosed deed restrictions and property issues related to this request. Mr. Espinosa noted normally Class I permit applications required approval from the homeowners association.*

*Mr. Espinosa advised the Association's recommendation was not being upheld because the request to raise the cap met the five foot height criteria and sea level would continue to rise. He noted the request adhered to County guidelines; however, construction permits and zoning approval were required from the City of Miami prior to issuing County permits.*

*In response to Commissioner Edmonson's inquiry regarding the impact elevating the seawall would have on surrounding property values, Mr. Espinosa noted he was not able to address this issue.*

*Responding to Commissioner Edmonson's comment regarding the restrictive covenant with the applicant's property, Mr. Maxwell noted that just because these covenants were legal or made sense in the past did not mean that this was the case today. He said the variance was necessary since everyone with waterfront properties owned the waterway and was an old legal structure that did not exist in most communities today. The pending DERM permit with staff recommendations outlined on page 35 analysed 27 different factors and the effect on property values was not included and was outside the jurisdiction of this permit, said Mr. Maxwell. He noted the DERM application did not*

FINAL OFFICIAL

*consider covenants or zoning and was supported by DERM because the requested five feet was considered an appropriate flood level criteria.*

*Commissioner Edmonson requested results of the neighborhood vote to which Ms. Perillo responded that three quarters of the Association were against approval of the application. She mentioned that letters from neighbors against the seawall elevation were available.*

*In response to Commissioner Diaz' inquiry regarding the proximity of the property to Key Biscayne and adjustments to sea levels, Mr. Espinosa noted the property was quite a distance from Key Biscayne; however, he acknowledged that 2.7 feet was a low height and that sea level had been rising over time; and wind driven waves or surges could break the berm.*

*Responding to questions from Commissioner Diaz regarding the flooding frequency, Mr. Cambo stated flooding occurred twice a day for 15 days annually. He noted the Association did not notify him of any potential flooding or adverse impact to the property.*

*Commissioner Diaz spoke in support of the foregoing proposed resolution due to life safety and liability concerns related to electrocution. He noted the flooding issue would only get worse and he pointed out occasions when Miami Beach was flooded due to the tidal surge.*

*Responding to Commissioner Seijas, Mr. Freedman said alternative options available to Mr. Cambo included 1) raising the slab, 2) building a wooden deck on top of the slab, or 3) building a tiered seawall. He noted these methods could be utilized to resolve the problem within Mr. Cambo's property, not the common areas.*

*Following questions to Mr. Freedman and Mr. Maxwell, Commissioner Seijas noted that a decision had to be made based upon the knowledge acquired from today's (2/17) hearing and the photographs presented to the Commission did not support property flooding.*

*Mr. Maxwell indicated that the Association had not met the burden of proof and had not brought any substantive evidence to justify the denial of this request.*

*Responding to Commissioner Heyman's inquiry regarding the Commission's options, Assistant County Attorney Peter Tell advised that the County Code specifically allowed applications for Class 1 Permits to come before the Commission prior to obtaining the City of Miami Zoning approval. He noted Mr. Cambo had a procedural right for a public hearing and the City of Miami's action could not be determined. Mr. Tell further indicated that Mr. Cambo could also obtain approval from the City of Miami prior to receiving consideration from the County.*

*In response to Commissioner Heyman's inquiry regarding flooding consequences caused to neighboring property owners when one homeowner raised their property level, Mr. Raul Pino, Public Works Department, indicated that the Department did not address this issue as it fell under DERM's purview.*

*Mr. Espinosa said flooding could be a problem in certain areas based upon when the neighborhood was developed, and properties built over 40 years ago were at lower levels than required today to prevent flooding. He noted the*

applicant's house was above the flood elevation level and was protected because of the eight-foot berm.

Commissioner Heyman noted her concern for continuity and the consequences to other areas. She indicated that the Homeowner Association must protect the integrity of the property's structure and buffer area when making its decision.

Commissioner Sorenson noted that the neighborhood needed to collaborate on the design of a new wall to protect homes and address the flooding issue.

Commissioner Barreiro expressed concern regarding the the homeowner's ability to utilize the resources of the water and the benefit of increased property values associated with a seawall and dock. He indicated the need for limits on infringement of property owner's rights when issues of aesthetics were involved. Commissioner Barreiro also noted the adverse affects of rising sea level on the present seawall.

Commissioner Sosa mentioned the damage flooding caused to property structures, and expressed concern regarding declining property values resulting from disclosure of potential flooding.

Responding to Commissioner Sosa's inquiry whether the Property Association's Board supported the seawall increase to five feet in 2005, Mr. Pickard indicated that the proposal to increase the seawall level was defeated by the waterfront property owners.

Commissioner Sosa mentioned that the community must resolve this problem and reach consensus on the appropriate seawall that would both solve the problem and beautify the community. She noted that the Association should not delay Mr. Cambo's request to protect his property and to develop a mutually agreeable solution.

Mr. Espinosa responded to Commissioner Jordan's request for other alternatives and the erosion issue. He noted the goal was to prevent environmental issues and other problems caused by rising waters encroaching into people's yards. Mr. Espinosa said no other alternatives were available at this point; however, DERM would evaluate any proposal submitted taking into consideration specific electrical requirements. He noted he was not aware if erosion was occurring under the berm.

In response to Commissioner Jordan's inquiry regarding the number of homeowners who were affected, Mr. Maxwell indicated that among the 55 waterfront properties, some homeowners wanted to make the improvements while others wanted to preserve the aesthetic value of the property.

Mr. Cambo pointed out that at high tide the water rose over the bulkhead of all waterfront properties.

Commissioner Jordan said the City of Miami did not require the County's vote in order to make its determination, and the applicant could present the DERM report to the City of Miami. Commissioner Jordan noted she would second a motion to defer this proposed resolution.

Commissioner Gimenez said he believed that all waterfront property owners experienced problems and the seawall should be redesigned uniformly throughout the community and paid for by the entire Association since they

were all owners.

*In response to Commissioner Martinez' question whether the 55 homeowners were subject to fines or liens when they did not meet the County's official flood criteria or minimum standards, Mr. Espinosa replied that it was a criteria and not a violation.*

*Commissioner Martinez commented that funding was requested for beach erosion but not for these situations and to consider using federal funds. He proposed seawall elevation should not be mandated as not everyone would be willing to incur this expense. Commissioner Martinez pointed out this was either a safety or an esthetic issue and could be voted either way.*

*Commissioner Edmonson noted that erosion would eventually affect the entire community and the homeowners should work together to reach a consensus regarding a seawall that would be acceptable to the majority of its residents. She noted she felt the Commission should not impose a mandate for 55 homeowners based on the desire of only one person.*

*Commissioner Edmonson requested the foregoing proposed resolution be deferred.*

*Upon conclusion of the foregoing discussion, the Commission by motion duly made, seconded and carried, voted to defer the foregoing proposed resolution.*

5B

**090275                      Resolution**

RESOLUTION EXPRESSING MIAMI-DADE COUNTY'S  
INTENT TO USE THE UNIFORM METHOD COLLECTING  
NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED  
WITHIN THE BOUNDARIES OF THE MIAMI-DADE FIRE  
AND RESCUE SERVICE DISTRICT; STATING A NEED FOR  
SUCH LEVY; PROVIDING FOR NOTIFICATION OF THIS  
RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE  
(Miami-Dade Fire and Rescue Department)

*Amended*

**Report:** See Report Under Agenda Item 5B AMENDED, Legislative File No. 090600.

**2/3/2009**      Time Sensitive by the Board of County Commissioners

5B AMENDED

**090600 Resolution**

RESOLUTION EXPRESSING MIAMI-DADE COUNTY'S INTENT TO USE THE UNIFORM METHOD COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE BOUNDARIES OF THE MIAMI-DADE FIRE AND RESCUE SERVICE DISTRICT; STATING A NEED FOR SUCH LEVY; PROVIDING FOR NOTIFICATION OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 090275] (Miami-Dade Fire and Rescue Department)

*Adopted as amended*

*Resolution R-109-09*

*Mover: Natacha Seijas*

*Seconder: Dorrin D. Rolle*

*Vote: 8- 2*

*No: Barreiro, Gimenez*

*Absent: Sosa, Souto, Martinez*

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

Chairman Moss opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

It was moved by Commissioner Seijas that the foregoing proposed resolution be adopted. This motion was seconded by Commissioner Rolle.

Commissioner Jordan questioned the County's official policy regarding language, noting today's (2/17) public hearing regarding a proposed fire suppression assessment was advertised only in English. She expressed concern that failure to advertise the hearing in three languages could prevent the entire community from understanding the issue relating to the levying of funds. Commissioner Jordan suggested the Commission discuss the need for a policy regarding tri-lingual announcements relating to levying.

Assistant County Manager Alina Hudak noted she was not aware of the answer to this question; however, she mentioned that the hearing was advertised four times as required.

Chief Herminio Lorenzo, Miami-Dade Fire and Rescue Department (MDFRD), indicated that the hearing was advertised only in English according to State requirements.

Chairman Moss suggested the Commission determine, from a policy standpoint, whether items required to be advertised pursuant to Florida Statutes, could be advertised in three languages.

In response to questions from Commissioners Sorenson and Heyman, County Attorney Robert Cuevas and Assistant County Attorney James Kracht clarified that today's action was only an authorizing vote for this year, and was not to obtain an actual fee increase.

Commissioner Heyman expressed concern that the fire assessment option would be monitored by the Fire Department. She noted the Department handles fires and medical emergencies, not financial matters; and monitoring the assessment and collection should be done by actuary personnel.

Ms. Jennifer Glazer-Moon, Budget Director, Office of Strategic Business Management, indicated that the Fire Department would monitor the process of the intent to collect, not the actual collections. She noted a staff committee comprised of representatives from the Office of Strategic Business Management, the Property Appraiser Office and the Fire Department would develop an analysis, and their recommendations would be incorporated as part of the Mayor's FY 2009-10 proposed budget.

Responding to Commissioner Sosa's inquiry regarding the rationale for advertising the hearing in English when other matters were advertised in three languages, Ms. Hudak advised that the advertisement followed Statutory requirements.

Commissioner Sosa expressed concern that the public could blame the Commission for the lack of information.

In response to Commissioner Diaz' inquiries regarding the proposed

FINAL OFFICIAL

assessment, Assistant County Attorney Kracht explained that upon its adoption, a copy of this proposed resolution would be forwarded to the Property Appraiser, Tax Collector, and Department of Revenue by March 10, 2009. He advised that the effective date of the assessment would be decided later. Mr. Kracht noted the assessment would be included in the tax notice if a special assessment was adopted in June for the Miami-Dade Fire and Rescue Service District. He noted the assessment would not be automatically placed on the tax roll and that it would require Commission approval.

Commissioner Jordan offered an amendment that any further notices on this resolution be disseminated in English, Spanish and Creole.

Commissioner Seijas accepted the amendment and requested that any future notices which were advertised for any item be disseminated in English, Spanish and Creole.

Hearing no other questions or comments, the Commission proceeded to vote on the foregoing proposed resolution as amended to require that subsequent advertisements regarding the levying of fire suppression assessments referred to in this proposed resolution be published in English, Spanish, and Creole.

5C

090270 Resolution Joe A. Martinez

RESOLUTION CODESIGNATING S.W. 18TH STREET BETWEEN 137TH AVENUE AND 142ND AVENUE AS "ELYSA K. MESTRIL STREET"

Adopted  
Resolution R-110-09  
Mover: Joe A. Martinez  
Seconder: Jose "Pepe" Diaz  
Vote: 12- 0  
Absent: Souto

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

Chairman Moss opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

5D

090059 Resolution

RESOLUTION APPROVING THE PLAT OF MAXWELL WOODS, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 55 SOUTH, RANGE 40 EAST (BOUNDED ON THE NORTH BY SW 118 TERRACE, ON THE EAST BY APPROXIMATELY SW 92 AVENUE, ON THE SOUTH BY SW 120 STREET, AND ON THE WEST BY APPROXIMATELY SW 94 AVENUE) (Public Works Department)

Adopted  
Resolution R-111-09  
Mover: Katy Sorenson  
Seconder: Sally A. Heyman  
Vote: 8- 0  
Absent: Sosa, Gimenez, Souto, Martinez, Seijas

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

Chairman Moss opened the public hearing on the foregoing proposed resolution. Hearing no persons wishing to speak on this matter, the public hearing was closed.

5E

**090293                      Resolution**

RESOLUTION PERTAINING TO TEMPORARY MORATORIUM FOR PROPERTIES BEING UTILIZED AS MOBILE HOME PARKS IN UNINCORPORATED MIAMI-DADE COUNTY; DETERMINING WHETHER OR NOT THE MORATORIUM SHOULD BE TERMINATED; DIRECTING THE IMPLEMENTATION OF THE STRATEGIES RECOMMENDED IN THE MOBILE HOME PARK REPORTS DATED FEBRUARY 19, 2008 AS ORDERED BY RESOLUTION R-1161-07 AND MAY 6, 2008 AS ORDERED BY RESOLUTION R-167-08 AND OCTOBER 21, 2008 AS ORDERED BY RESOLUTION R-567-08 AND FEBRUARY 17, 2009 AS ORDERED BY RESOLUTION R-1115-08 TO MITIGATE THE IMPACT OF REDEVELOPMENT ON PROPERTIES IN THE STUDY AREA DESCRIBED IN RESOLUTION R-1161-07 (Department of Planning & Zoning)

*Amended*

**Report:** See Report Under Agenda Item 5E AMENDED, Legislative File No. 091459.

5E AMENDED

**091459                      Resolution**

RESOLUTION PERTAINING TO TEMPORARY MORATORIUM FOR PROPERTIES BEING UTILIZED AS MOBILE HOME PARKS IN UNINCORPORATED MIAMI-DADE COUNTY; DETERMINING WHETHER OR NOT THE MORATORIUM SHOULD BE TERMINATED; DIRECTING THE IMPLEMENTATION OF THE STRATEGIES RECOMMENDED IN THE MOBILE HOME PARK REPORTS DATED FEBRUARY 19, 2008 AS ORDERED BY RESOLUTION R-1161-07 AND MAY 6, 2008 AS ORDERED BY RESOLUTION R-167-08 AND OCTOBER 21, 2008 AS ORDERED BY RESOLUTION R-567-08 AND FEBRUARY 17, 2009 AS ORDERED BY RESOLUTION R-1115-08 TO MITIGATE THE IMPACT OF REDEVELOPMENT ON PROPERTIES IN THE STUDY AREA DESCRIBED IN RESOLUTION R-1161-07 [SEE ORIGINAL ITEM UNDER FILE NO. 090293] (Department of Planning & Zoning)

*Adopted as amended  
Resolution R-144A-09  
Mover: Jose "Pepe" Diaz  
Seconder: Joe A. Martinez  
Vote: 12- 0  
Absent: Souto*

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

Chairman Moss opened the public hearing on the foregoing proposed resolution and the following persons appeared:

Ms. Alyce Gowdy Wright, Director, South Florida Jobs with Justice, provided an overview of the progress made by mobile home residents, their homeowners' associations and the County Administration who had been working to address permanent solutions to homelessness upon closure of mobile home parks. She noted that representatives of seven mobile home park associations were present and this issue affected more than 30,000 residents. Ms. Wright expressed appreciation to Mr. Marc C. LaFerrier, Director, Department of Planning and Zoning, on proposed amendments to the Comprehensive Development Master Plan which would prevent closure of every mobile home park in the County within the next ten years. She noted forty parks were affected by the moratorium and it would be a disastrous decision to end the moratorium. Ms. Wright indicated that additional time was needed to develop long-term solutions including zoning categories, amendments to the Comprehensive Development Master Plan, the Dade Delegation working on pending State legislation and exit planning strategies to prevent homelessness.

Hearing no other persons wishing to speak on this matter, the public hearing was closed.

It was moved by Commissioner Diaz that the temporary moratorium for properties being utilized as mobile home parks be extended for four months. This motion was seconded by Commissioner Martinez.

County Attorney Robert Cuevas clarified that the foregoing proposed resolution was being adopted as amended to continue the temporary moratorium on the issuance of building permits for properties being utilized as mobile home parks in Miami-Dade County until June 2, 2009.

Commissioner Sosa asked the Department of Planning and Zoning Director to develop a plan to give existing and future owners of mobile homes, pursuant to the conditions in Section 1 of Resolution no. R-442-08, the right of first refusal to purchase or lease the property on which their homes were located.

Commissioner Diaz noted the purpose of the extension was to consider options for parcialization, purchase and other alternatives.

Hearing no further questions or comments the Commission proceeded to vote on this proposed resolution as amended to continue the temporary moratorium for properties being utilized as mobile home parks until June 2, 2009.

## **6 CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS**

## **7 ORDINANCES SET FOR SECOND READING**

7A

090057

Ordinance

Audrey M. Edmonson

ORDINANCE RELATING TO VEHICLES FOR-HIRE;  
AMENDING CHAPTER 31, ARTICLE II OF THE CODE OF  
MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT  
WHEELCHAIR ACCESSIBLE TAXICABS SERVING  
DESIGNATED AREAS MAY OPERATE COUNTYWIDE WITH  
CERTAIN EXCEPTIONS; REQUIRING THAT ACCESSIBLE  
TAXICABS UTILIZE SPECIFIED DISPATCH SYSTEM  
WITHIN SPECIFIED TIME PERIOD; PROVIDING  
SEVERABILITY, INCLUSION IN THE CODE, AND AN  
EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO.  
083249]

*Amended*

**Report:** See Report Under Agenda Item 7A AMENDED, Legislative File No.  
090607.

**12/10/2008** Forwarded to BCC with a favorable recommendation with committee amendment(s) from  
the Economic Development and Human Services Committee

**1/22/2009** Deferred by the Board of County Commissioners

7A AMENDED

090607

Ordinance

Audrey M. Edmonson

ORDINANCE RELATING TO VEHICLES FOR-HIRE; AMENDING CHAPTER 31, ARTICLE II OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT WHEELCHAIR ACCESSIBLE TAXICABS SERVING DESIGNATED AREAS MAY OPERATE COUNTYWIDE WITH CERTAIN EXCEPTIONS; REQUIRING THAT ACCESSIBLE TAXICABS UTILIZE SPECIFIED DISPATCH SYSTEM WITHIN SPECIFIED TIME PERIOD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 090057]

*Adopted as amended  
Ordinance 09-11  
Mover: Audrey M. Edmonson  
Second: Jose "Pepe" Diaz  
Vote: 12-0  
Absent: Martinez*

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

*Pursuant to Commissioner Edmonson's request, Assistant County Attorney Gerald Sanchez advised the foregoing proposed ordinance was being amended to add the following language to Section 31-82.(5):*

*"Notwithstanding the foregoing, a for-hire license holder who is unable to make the payment of \$10,000 to the County by July 1, 2009, may, upon payment of a minimum of \$2,500 by July 1, 2009, request from the Consumer Services Department Director an additional period of time, not to exceed 18 months, within which to pay the remaining balance."*

*Commissioner Jordan questioned how service gaps would be addressed as taxis were removed from service in underserved areas upon adoption of this ordinance.*

*Ms. Cathy Grimes Peel, Director, Consumer Services Department, said currently 9 wheelchair accessible taxis were affected by this ordinance and its service area. She noted lottery applications for 10 wheelchair accessible taxis (5 North and 5 South) would be accepted in June and these vehicles would be subsequently placed into service.*

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

7B

**083241 Ordinance**

ORDINANCE PERTAINING TO AIRPORT ZONING REGULATIONS; AMENDING SECTION 33-363.1 OF THE CODE OF MIAMI-DADE COUNTY PERTAINING TO USES PERMITTED ON OPA-LOCKA AIRPORT LANDS IN THE GP GOVERNMENT PROPERTY ZONING DISTRICT; CREATING SECTION 33-363.2 PERTAINING TO SITE PLAN REVIEW STANDARDS; PROVIDING FOR DEVELOPMENT CRITERIA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER LEG. FILE NO. 082712] (Department of Planning & Zoning)

*Deferred to April 14, 2009*  
*Mover: Jose "Pepe" Diaz*  
*Second: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

**Report:** *During consideration of changes to today's (2/17) agenda, the Board deferred the foregoing proposed ordinance to the April 14, 2009, Budget, Planning & Sustainability Committee meeting as requested in the February 17, 2009, County Manager's Memorandum entitled, "Changes for the February 17, 2009 BCC Meeting."*

**12/11/2008** Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

**1/22/2009** Deferred by the Board of County Commissioners

**8 DEPARTMENTAL ITEMS****8A AVIATION DEPARTMENT**

8A1A

**083511 Resolution**

RESOLUTION WAIVING FORMAL BID PROCEDURES AND PROVISIONS OF SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03 (D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES, AND APPROVING AGREEMENT WITH HONEYWELL INTERNATIONAL, INC. FOR BUILDING MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$65,041,042.22 AND FOR A TERM OF TEN YEARS; WAIVES THE PROVISIONS OF R-130-06 AS IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO NEGOTIATE A MUTUALLY ACCEPTABLE INDEMNIFICATION PROVISION, SUBJECT TO RATIFICATION BY THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE TERMINATION PROVISIONS THEREOF (Aviation Department)

*Amended*

**Report:** *See Report Under Agenda Item 8A1A Amended, Legislative File No. 090586.*

**12/11/2008** Forwarded to BCC with a favorable recommendation from the Airport and Tourism Committee

**1/22/2009** Deferred by the Board of County Commissioners

8A1A AMENDED

090586 Resolution

RESOLUTION WAIVING FORMAL BID PROCEDURES AND PROVISIONS OF SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03 (D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES, AND APPROVING AGREEMENT WITH HONEYWELL INTERNATIONAL, INC. FOR BUILDING MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$65,041,042.22 AND FOR A TERM OF TEN YEARS; WAIVES THE PROVISIONS OF R-130-06 AS IN THE BEST INTERESTS OF MIAMI-DADE COUNTY; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE TERMINATION PROVISIONS THEREOF [SEE ORIGINAL ITEM UNDER FILE NO. 083511] (Aviation Department)

Adopted as amended  
Resolution R-112-09  
Mover: Jose "Pepe" Diaz  
Seconder: Barbara J. Jordan  
Vote: 11- 0  
Absent: Martinez, Seijas

**Report:** Pursuant to Commissioner Diaz' request, the Board by motion duly made, seconded and carried, voted to adopt the foregoing proposed resolution as amended to delete "subject to ratification by the Board of County Commissioners" on handwritten page 7.

8A1A SUPPLEMENT

090298 Supplement

SUPPLEMENT TO AWARD RECOMMENDATION TO HONEYWELL INTERNATIONAL, INC. FOR BUILDING MANAGEMENT SYSTEM (BMS) AT MIAMI INTERNATIONAL AIRPORT AND GENERAL AVIATION AIRPORTS

Accepted

**8B thru 8E** [No items were submitted for these sections.]

**8F** GENERAL SERVICES ADMINISTRATION

8F1A

090042 Resolution

RESOLUTION AUTHORIZING SETTLEMENT WITH MIDTOWN TOWING, INC., IN THE AMOUNT OF \$71,000, TO SETTLE A PRE-SUIT BREACH OF CONTRACT CLAIM IN REGARDS TO A TOWING SERVICES CONTRACT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Adopted  
Resolution R-113-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto

8F1B

**090257 Resolution**

RESOLUTION AUTHORIZING REJECTION OF ALL BIDS; WAIVING THE BID PROTEST PROCESS; WAIVING OF COMPETITIVE BIDDING; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER FROM A BEST AND FINAL BIDDING PROCESS FOR THE CONSTRUCTION OF THE NEW ARCOLA LAKES BRANCH LIBRARY, GSA CONTRACT NO. W70259, IN AN AMOUNT NOT TO EXCEED \$3,313,933.00, FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONTAINED THEREIN (General Services Administration Department)

*Adopted  
Resolution R-114-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

**Report:** *Commissioner Gimenez asked the Inspector General to participate in negotiating and the monitoring of the contract for the construction of the new Arcola Lakes Branch Library.*

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

**8G  
thru  
8N**

**[No items were submitted for these sections.]**

**8O**

**PROCUREMENT MANAGEMENT DEPARTMENT**

8O1A

**090274 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR NON-COMPETITIVE CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR THE COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES (Procurement Management Department)

*Adopted  
Resolution R-115-09  
Mover: Rebeca Sosa  
Seconder: Dorrin D. Rolle  
Vote: 12- 0  
Absent: Martinez*

**Report:** *Commissioner Jordan questioned the status of pending litigation with Scott Health and Safety to which Assistant County Attorney Daniel Frastai advised the litigation was proceeding to trial and was currently in the discovery process.*

*Chief Herminio Lorenzo, Director, Miami-Dade Fire and Rescue Department, responded to Commissioner Diaz's request for clarification regarding the Draeger Self Contained Breathing Apparatuses equipment. He noted this equipment had been in use for over ten years with no defects of major consequence. The proposed contract extension was to provide maintenance on existing Draeger equipment, said Chief Herminio.*

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

801B

**090280 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES [SEE SUBSTITUTE ITEM UNDER FILE NO. 090346] (Procurement Management Department)

*Withdrawn*

**Report:** See Report Under Agenda Item 801B Substitute, Legislative File No. 090346.

801B SUBSTITUTE

**090346 Resolution**

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR COMPETITIVELY BID CONTRACTS AWARDED UNDER THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE'S DELEGATED AUTHORITY FOR THE PURCHASE OF GOODS AND SERVICES [SEE ORIGINAL ITEM UNDER FILE NO. 090280] (Procurement Management Department)

*Adopted  
Resolution R-116-09  
Mover: Dorrin D. Rolle  
Seconder: Dennis C. Moss  
Vote: 12- 0  
Absent: Martinez*

**Report:** Commissioner Barreiro inquired whether the expenditure of \$300,000 was for continuous stock pinfeed paper to which Mr. Angel Petisco, Interim Director, Enterprise Technology Services Department confirmed this was correct. Mr. Petisco also explained that less than \$20,000 of this amount was used for the Payroll Attendance Record paper.

*Commissioner Sorenson asked the Procurement Management Department Director to explore the possibility of the County purchasing laundry equipment and linens to eliminate the need to rent linen for the Community Action Agency.*

*Miriam Singer, Director, Procurement Management, noted staff would explore additional opportunities for other County departments utilizing similar services and report back to the Commission.*

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

- 9        ADDITIONAL DEPARTMENTAL ITEMS**
- 10      AUTHORITIES, BOARDS, COUNCILS AND TRUSTS**
- 11      COUNTY COMMISSION**
- 11A     RESOLUTIONS**

11A1

**090120 Resolution Carlos A. Gimenez**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 7

*Adopted  
Resolution R-117-09  
Mover: Jose "Pepe" Diaz  
Seconded: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

11A2

**090278 Resolution Sally A. Heyman**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 4

*Amended*

**Report:** See Report Under Agenda Item 11A2 Amended, Legislative File No. 091036.

11A2 Amended

**091036 Resolution Sally A. Heyman**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 4 [SEE ORIGINAL ITEM UNDER FILE NO. 090278]

*Adopted as amended  
Resolution R-118-09  
Mover: Jose "Pepe" Diaz  
Seconded: Rebeca Sosa  
Vote: 11- 0  
Absent: Souto, Martinez*

**Report:** Commissioner Heyman noted that an addendum list regarding the foregoing proposed resolution was presented to the Clerk of the Board.

*It was moved by Commissioner Diaz that the foregoing proposed resolution be adopted as amended to add the following allocations from the District 4 Discretionary Reserve fund:*

- Master Chorale of South Florida, \$1,000;
- Stop Hunger, Inc., \$1,000;
- Wildlife Research Team Inc., \$500;
- Planned Parenthood, \$2,500;
- The Fit Miami Foundation, \$2,500;
- Women's International Film & Arts Festival, \$1,000;
- Special Olympics of Miami-Dade County, \$2,500;
- Greater Miami Jewish Federation, \$5,000;
- City of North Miami Beach – Leisure Services Department, \$4,712.70.

*This motion was seconded by Commissioner Sosa.*

FINAL OFFICIAL

11A3

**090276**                      **Resolution**                      **Natacha Seijas**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 13

*Adopted*  
*Resolution R-119-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

11A4

**090106**                      **Resolution**                      **Joe A. Martinez**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 11

*Adopted*  
*Resolution R-120-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

11A5

**090321**                      **Resolution**                      **Barbara J. Jordan**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT 1 DISCRETIONARY RESERVE FUNDS AND RESCINDING PREVIOUS ALLOCATION TO THE EF EDUCATIONAL TOURS

*Adopted*  
*Resolution R-121-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

11A6

**090217**                      **Resolution**                      **Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION THAT PROVIDES ADDITIONAL FLEXIBILITY IN MAKING PARTIAL PAYMENTS OF PROPERTY TAXES

*Adopted*  
*Resolution R-122-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

*2/10/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A7

**090138**                      **Resolution**                      **Katy Sorenson,**  
**Sally A. Heyman,**  
**Rebeca Sosa**

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO FULLY FUND BISCAYNE BAY COASTAL WETLANDS PROJECTS

*Adopted*  
*Resolution R-123-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

*2/10/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget, Planning and Sustainability Committee*

FINAL OFFICIAL

11A8

**090133**                      **Resolution**                      **Katy Sorenson,**  
**Sally A. Heyman,**  
**Rebeca Sosa**

RESOLUTION ENDORSING THE GOVERNOR'S GOAL OF HAVING FLORIDA DERIVE 20 PERCENT OF ITS ENERGY FROM RENEWABLE ENERGY SOURCES BY THE YEAR 2020 WITH AN EMPHASIS ON SOLAR AND WIND ENERGY; URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION CREATING AN AGGRESSIVE RENEWABLE PORTFOLIO STANDARD THAT WILL REQUIRE 20 PERCENT OF FLORIDA ENERGY TO BE GENERATED BY RENEWABLE RESOURCES BY 2020

*Adopted*  
*Resolution R-124-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

*2/10/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Budget, Planning and Sustainability Committee*

11A9

**090335**                      **Resolution**                      **Dennis C. Moss,**  
**Audrey M. Edmonson,**  
**Sally A. Heyman,**  
**Barbara J. Jordan,**  
**Joe A. Martinez,**  
**Katy Sorenson,**  
**Dorrin D. Rolle**

RESOLUTION EXPRESSING STRONG CONCERNS REGARDING SB 630 AND SIMILAR LEGISLATION THAT WOULD IMPOSE A MORATORIUM ON THE COLLECTION OF IMPACT FEES BY LOCAL GOVERNMENTS; URGING THE FLORIDA LEGISLATURE NOT TO PASS SUCH LEGISLATION [SEE ORIGINAL ITEM UNDER FILE NO. 090250]

*Adopted*  
*Resolution R-125-09*  
*Mover: Dennis C. Moss*  
*Seconder: Sally A. Heyman*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *Commissioner Rolle asked that he be listed as a co-sponsor to the foregoing proposed resolution.*

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

*2/10/2009 Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Budget, Planning and Sustainability Committee*

11A9 SUPPLEMENT

**090326**                      **Supplement**

SUPPLEMENTAL INFORMATION REGARDING SB 630 AND SIMILAR LEGISLATION THAT WOULD IMPOSE A MORATORIUM ON THE COLLECTION OF IMPACT FEES BY LOCAL GOVERNMENTS

*Presented*

*2/10/2009 Presented by the Budget, Planning and Sustainability Committee*

11A9 SUPPLEMENT #2

**090351 Supplement**

SUPPLEMENTAL INFORMATION TO AGENDA ITEM NO. **Presented**  
11A9, PERTAINING TO SB 630 AND SIMILAR  
LEGISLATION--POLICY ANALYSIS OF SENATE BILL 360

11A10

**083681 Resolution Barbara J. Jordan**

RESOLUTION URGING THE U.S. DEPARTMENT OF **Amended**  
HOMELAND SECURITY NOT TO DEPORT LYGLENSON  
LEMORIN AND FURTHER URGING THE MIAMI-DADE  
COUNTY CONGRESSIONAL DELEGATION TO INTERVENE  
ON LEMORIN'S BEHALF

**Report:** See Report Under Agenda Item 11A10 AMENDED, Legislative File  
No. 091102.

**2/12/2009** Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the  
Health, Public Safety & Intergovernmental Cmte

11A10 AMENDED

**091102**

**Resolution**

**Barbara J. Jordan**

RESOLUTION URGING THE U.S. DEPARTMENT OF HOMELAND SECURITY NOT TO DEPORT THOSE WHO HAVE BEEN FOUND INNOCENT IN A TRIAL AND ARE LEGAL RESIDENTS OF THE UNITED STATES AND FURTHER URGING THE MIAMI-DADE COUNTY CONGRESSIONAL DELEGATION TO INTERVENE ON THEIR BEHALF [SEE ORIGINAL ITEM UNDER FILE NO. 083681]

*Adopted as amended*

*Resolution R-126-09*

*Mover: Barbara J. Jordan*

*Seconder: Audrey M. Edmonson*

*Vote: 9-3*

*No: Heyman, Gimenez, Souto*

*Absent: Martinez*

**Report:** Commissioner Gimenez noted that he was uncomfortable voting in favor of the foregoing proposed resolution since he did not have sufficient knowledge about the case; the particulars of the individual; or information which Immigration and National Security (INS) had obtained.

Commissioner Sosa noted she could not support this proposed resolution since it was associated with a particular name rather than a general item.

Commissioner Jordan indicated that this resolution would urge the Department of Homeland Security not to deport Mr. Lyglenson Lemorin, a legal resident of the United States, who was acquitted of all charges in the first of the Liberty City Seven trials. She noted this was an injustice since Mr. Lemorin was acquitted of all charges.

Commissioner Heyman noted the Federal Bureau of Investigation and Department of Homeland Security (DHS) found that Mr. Lemorin offered material support in advance of a terrorist attack. She expressed concern regarding challenging DHS material findings, which was the foundation for Mr. Lemorin's deportation. Commissioner Heyman expressed concern over the disparity in nationality and immigration policies; however, she noted this was a deportation act as it specifically applied to the DHS, which had a different standard of evidentiary hearings, and the deportation was specifically related to Mr. Lemorin's offering material support in advancing a terrorist attack.

Commissioner Seijas expressed concern regarding this proposed resolution citing a specific name, and proposed an amendment to the resolution removing the specific name and only describing the situation.

Commissioner Jordan accepted the amendment proposed by Commissioner Seijas. She also reiterated that Mr. Lemorin was found innocent by the legal system, would not be re-tried and as a legal resident of the United States should not be deported.

In response to Commissioner Seijas' inquiry, Assistant County Attorney Martin Sybblis advised that the proposed amended language could be incorporated into this proposed resolution.

Commissioner Souto noted his respect for federal agencies and said he felt the Commission should not become involved in this issue.

Commissioner Sosa noted that she had offered the same amendment in committee to remove the specific name and that was accepted by Commissioner Jordan.

Commissioner Gimenez indicated that he would not support the proposed amendment. He noted this was a federal issue; complete details were not available; and he would not be able to vote on a blanket criminality statement. Commissioner Gimenez pointed out that the burden of proof was greater in criminal cases than it was in immigration cases, and it was harder for the prosecution to prove its case in a criminal case.

Commissioner Diaz spoke in support of the amendment to this proposed resolution, noting that Mr. Lemorin was being deported on an immigration charge after he was not found guilty on a more stringent criminal charge.

County Attorney Cuevas clarified that the burden of proof was more difficult

*in a criminal case.*

*Hearing no further questions or comments, the Commission proceeded to vote on this proposed resolution as amended to change the title of this proposed resolution to read as follows: "Resolution urging the U.S. Department of Homeland Security not to deport those who have been found innocent in a trial and are legal residents of the United States and further urging the Miami-Dade County Congressional Delegation to intervene in their behalf" and to amend the text of this proposed resolution to delete all references to "Lydlenson Lemorin" and to modify the language of this proposed resolution where "Lydlenson Lemorin" appeared to reflect the intent of the amended title.*

*Commissioner Seijas indicated her appreciation for the adoption of this amendment, noting that Homeland Security could detain those who were non-native born US citizens at any time.*

11A11

090357

Resolution

Barbara J. Jordan,  
Dorin D. Rolle,  
Rebeca Sosa

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION MAKING IT A CAPITAL OFFENSE TO KILL OR INJURE SOMEONE WITH AN AK-47 OR OTHER SEMI-AUTOMATIC ASSAULT WEAPON [SEE ORIGINAL ITEM UNDER FILE NO. 090224]

*Deferred to no date certain*  
*Mover: Barbara J. Jordan*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *Commissioner Sorenson inquired whether the foregoing proposed resolution was advocating the death penalty for anyone using an AK-47 to either wound or kill a person, to which Assistant County Attorney Martin Sybblis noted that it would provide for that possibility.*

*County Attorney Robert Cuevas advised that a capital offense was normally punishable by death unless an exception was made by the Legislature...He noted this proposed resolution supported the death penalty.*

*Commissioner Sorenson noted she could not advocate for the death penalty even though she believed a need existed for stronger penalties.*

*Commissioner Jordan said she sponsored this proposed resolution because assault weapons were used with the intent to kill. She noted that a jury would decide on the death penalty issue.*

*Commissioner Souto noted self-defense was not mentioned in this proposed resolution, and people would do whatever was necessary to defend their homes.*

*Commissioner Gimenez expressed concern regarding other crimes that would become capital offenses and subject to the death penalty with the adoption of this resolution. As an alternative, he suggested increasing the minimum sentence for use of an assault weapon in the commission of a crime*

*Following Commissioner Gimenez's questions to Assistant County Attorney Sybblis and County Attorney Cuevas regarding crimes other than murder for which the death penalty could be imposed, County Attorney Cuevas noted staff needed to review the criminal statutes to determine whether the death penalty could be imposed for crimes other than murder.*

*Commissioner Barreiro spoke in support of this proposed resolution, noting anyone who discharged an AK-47 firearm had an intent to kill.*

*Commissioner Jordan deferred this item due to the ambiguity in answers to presented questions.*

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

**2/12/2009** Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Health, Public Safety & Intergovernmental Cmte

11A12

090214

Resolution

Barbara J. Jordan,  
Sally A. Heyman,  
Dorrin D. Rolle,  
Katy Sorenson

RESOLUTION URGING THE U.S. CONGRESS TO REINSTATE THE FEDERAL ASSAULT WEAPONS BAN; URGING THE FLORIDA LEGISLATURE TO IMPOSE A STATE ASSAULT WEAPONS BAN; AND ALTERNATIVELY URGING THE FLORIDA LEGISLATURE TO LIFT THE PREEMPTION ON LOCAL GOVERNMENTS' REGULATING ASSAULT WEAPONS IN FLORIDA AND ALLOW LOCAL GOVERNMENTS TO IMPOSE AN ASSAULT WEAPONS BAN

*Adopted*  
*Resolution R-127-09*  
*Mover: Barbara J. Jordan*  
*Seconder: Dorrin D. Rolle*  
*Vote: 8- 4*  
*No: Barreiro, Sosa, Souto, Diaz*  
*Absent: Martinez*

**Report:** *Commissioner Sorenson asked that she be listed as a co-sponsor to the foregoing proposed resolution.*

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

**2/12/2009** *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A13

090223

Resolution

Barbara J. Jordan,  
Sally A. Heyman,  
Dorrin D. Rolle,  
Katy Sorenson

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO PASS LEGISLATION REQUIRING ALL GUN SALES REGARDLESS OF VENUE OR TYPE TO BE REGISTERED WITH LAW ENFORCEMENT WITHIN 14 DAYS OF PURCHASE, REQUIRING FIREARM OWNERS TO REPORT LOST OR STOLEN FIREARMS TO LAW ENFORCEMENT & CREATING A FIREARMS REGISTRATION SYSTEM AND DATABASE AVAILABLE ONLY TO LAW ENFORCEMENT

*Adopted*  
*Resolution R-128-09*  
*Mover: Barbara J. Jordan*  
*Seconder: Dennis C. Moss*  
*Vote: 11- 1*  
*No: Diaz*  
*Absent: Martinez*

**Report:** *Commissioner Sorenson asked that she be listed as a co-sponsor to the foregoing proposed resolution.*

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

**2/12/2009** *Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

FINAL OFFICIAL

11A14

**090319 Resolution Bruno A. Barreiro**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO DEFINE IN STATUTE THE TERMS "IMPOUNDMENT" AND "IMMOBILIZATION"; SET IN STATUTE A FEE SCHEDULE FOR VEHICLE IMPOUNDMENT AND IMMOBILIZATION; AND PROVIDE IN STATUTE REQUIREMENTS AND STANDARDS FOR PRIVATE COMPANIES AND PERSONS ENGAGED IN THE BUSINESS OF PROVIDING IMMOBILIZATION SERVICES

*Adopted  
Resolution R-129-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/12/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A15

**090245 Resolution Sally A. Heyman**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ALLOW PROCEEDS FROM THE EXISTING \$5 SURCHARGE ON CIVIL PENALTIES FOR VIOLATING ANIMAL CONTROL AND CRUELTY ORDINANCES TO BE USED FOR ANIMAL SHELTER OPERATING EXPENSES

*Adopted  
Resolution R-130-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/12/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A16

**090229 Resolution Rebeca Sosa**

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO COVER ADDITIONAL HOSPITAL STAYS FOLLOWING LABOR AND/OR CHILDBIRTH WHEN LABOR WAS STRESSFUL ON THE MOTHER AND CHILD

*Adopted  
Resolution R-131-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/12/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A17

**090131 Resolution Rebeca Sosa**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROHIBIT TALKING, TEXT MESSAGING OR OTHERWISE USING WIRELESS COMMUNICATION DEVICES, INCLUDING CELLULAR TELEPHONES AND PERSONAL DIGITAL ASSISTANTS, WHILE DRIVING UNLESS OPERATED WITH A HEADSET OR HANDS-FREE DEVICE

*Adopted  
Resolution R-132-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/12/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

FINAL OFFICIAL

11A18

**090213                      Resolution                      Rebeca Sosa**

RESOLUTION COMMENDING THE FLORIDA LEGISLATURE FOR REQUIRING INSURANCE COMPANIES TO PROVIDE COVERAGE FOR AUTISM BEHAVIORAL THERAPY; URGING THE LEGISLATURE TO REQUIRE INSURANCE COMPANIES TO EXTEND COVERAGE TO OTHER DEVELOPMENTAL DISABILITIES; FURTHER URGING THE LEGISLATURE TO PASS LEGISLATION REQUIRING A PHYSICIAN TO REFER A CHILD TO AN APPROPRIATE SPECIALIST FOR AUTISM SCREENING WHEN A PARENT OR GUARDIAN REPORTS THAT A MINOR EXHIBITS SYMPTOMS OF AUTISM

*Adopted  
Resolution R-133-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/12/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Health, Public Safety & Intergovernmental Cmte*

11A19

**083682                      Resolution                      Dorrin D. Rolle**

RESOLUTION URGING CONGRESS TO ACT QUICKLY TO PASS AN ECONOMIC STIMULUS PACKAGE THAT INCLUDES LOCAL GOVERNMENT INFRASTRUCTURE FUNDING

*Adopted  
Resolution R-134-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

*2/11/2009 Forwarded to BCC with a favorable recommendation from the Transit, Infrastructure & Roads Committee*

11A20

**090221**

**Resolution**

**Rebeca Sosa**

RESOLUTION URGING THE STATE LEGISLATURE TO PASS  
A LAW TO MODIFY SECTION 718.116, FLORIDA STATUTES,  
TO PROTECT CONDOMINIUM ASSOCIATIONS AND  
REQUIRE PAYMENTS BY FIRST MORTGAGE LENDERS OF  
CONDOMINIUM ASSOCIATION ASSESSMENTS AND DUES

*Adopted*

*Resolution R-135-09*

*Mover: Rebeca Sosa*

*Seconder: Dennis C. Moss*

*Vote: 12- 0*

*Absent: Martinez*

**Report:** In response to Commissioner Seijas' inquiry whether the home purchaser would be responsible for past condominium association assessments owed on a property, Assistant County Attorney Thomas Robertson advised that mortgage companies that currently purchased a property at foreclosure sale or accepted a deed in-lieu of foreclosure were responsible for payment of 6 months back assessments or 1% of the loan value. He noted that subsequent purchasers who purchased through the mortgage company were not responsible for any other existing assessments and the association would write off the loss. Assistant County Attorney Robertson indicated that this resolution would make the mortgage company responsible for assessments owed beyond the first six months and anyone buying through the mortgage company would receive clear title. He noted that the association would lose the 6 months assessments through this resolution and the lender would be responsible and pass the cost to the buyer.

Responding to Commissioner Seijas' concern regarding the lack of prior notification to the buyer regarding these potential costs, Commissioner Sosa, sponsor of this proposed resolution, noted that delinquent dues were currently being divided among the property owners in good standing. She indicated that this burden should be assumed by the institution that was acquiring the property and not by existing association members. Commissioner Sosa said this proposed resolution would remove the cap on the payment of back assessments and placed the responsibility for the payment of these assessments on banking institutions.

Assistant County Attorney Robertson indicated that the proposed legislation shifted the responsibility from the first six months to more than six months.

Commissioner Seijas questioned whether more exposure to the buyer was an unintended consequence to which Assistant County Attorney Robertson said that the buyer would have to pay what the mortgage company had paid at the time of closing. He noted that the mortgage company would probably not have the ability to pass this fee on to the buyer in today's market and would merely keep the charge as a loss.

Commissioner Sosa pointed out that that this shifting of the burden of costs to the remaining units was negatively affecting the financial stability of associations.

Commissioner Barreiro questioned whether a lender who owned a majority of units in an association would have the ability to vote on issues concerning building standards and maintenance fees.

In response to Commissioner Barreiro's question, Assistant County Attorney Robertson said he had not researched the Statutes to determine whether any prohibition existed that would prevent a first lender being on the association board and voting on issues concerning building standards and maintenance fees.

Commissioner Barreiro expressed concern that lenders could take the position that it was in their interest to lower costs at the expense of the owners who were in compliance.

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

2/11/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Housing & Community Development Committee

FINAL OFFICIAL

11A21

090318 Resolution Bruno A. Barreiro

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROVIDE AN ANNUAL DEDICATED FUNDING SOURCE FOR THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY THROUGH A NEW \$2 RENTAL CAR SURCHARGE

*Adopted  
Resolution R-136-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

2/13/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Government Operations Committee

11A22

090172 Resolution Joe A. Martinez,  
Jose "Pepe" Diaz,  
Carlos A. Gimenez,  
Rebeca Sosa

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE PROACTIVELY TO ADDRESS THE NEXT POSSIBLE MORTGAGE CRISIS BY REQUIRING BANKS THAT RECEIVE FEDERAL BAILOUT FUNDS TO RESTRUCTURE OPTION ADJUSTABLE RATE MORTGAGES AND OTHER UNCONVENTIONAL MORTGAGES THAT WERE USED DURING THE RECENT REAL ESTATE BOOM

*Adopted  
Resolution R-137-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

2/13/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Government Operations Committee

11A23

090185 Resolution Joe A. Martinez,  
Jose "Pepe" Diaz,  
Rebeca Sosa

RESOLUTION URGING THE U.S. CONGRESS AND THE FLORIDA LEGISLATURE TO REQUIRE BANKS RECEIVING BAILOUT FUNDS TO PAY HOMEOWNERS' ASSOCIATION DUES WHERE APPLICABLE ON FORECLOSED HOMES

*Adopted  
Resolution R-138-09  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

2/13/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Government Operations Committee

FINAL OFFICIAL

11A24

090365

Resolution

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

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT  
TO CUT FUNDS FOR MEALS AND RELATED SERVICES TO  
THE ELDERLY

*Adopted*  
*Resolution R-139-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

FINAL OFFICIAL

11A25

090370

Resolution

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

RESOLUTION URGING THE FLORIDA LEGISLATURE NOT  
TO PASS H.J.R. 905 OR SIMILAR LEGISLATION THAT  
WOULD PROPOSE TO EMBED IN THE FLORIDA  
CONSTITUTION REVENUE CAPS ON LOCAL  
GOVERNMENTS

*Adopted*  
*Resolution R-140-09*  
*Mover: Rebeca Sosa*  
*Seconder: Dorrin D. Rolle*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** Commissioner Sosa said the State was seeking to impose a revenue cap on local governments but not on state government, and she expressed concern regarding local government addressing increasing expenses while revenues were capped. Commissioner Sosa noted that an equitable system needed to be developed.

Commissioner Diaz inquired whether the Home Rule Charter would allow the State to impose a revenue cap to which County Attorney Robert Cuevas indicated that it would require a Statewide Constitutional Amendment.

Commissioner Barreiro noted that a revenue cap should not be imposed by the State; however if implemented, it should be imposed upon themselves as well.

Commissioner Seijas indicated that House Joint Resolution 905 (H.J.R. 905) was offensive and if passed, she would propose legislation that anyone associated with the Dade Delegation could not lobby the County.

Commissioner Sorenson noted that taking away revenue and local control was the wrong approach at this time when public investment was needed to assist in the economic recovery. She suggested that Representative Flores be asked to act in the best interest of her community.

Commissioner Heyman questioned the Dade Delegation's liaison in Tallahassee not being proactive on this issue.

In response to Commissioner Diaz' request on how this proposal originated, Mr. Joe Rasco, Executive Director, Office of Intergovernmental Affairs, explained that it came unexpectedly as Governor Crist presented additional measures to further cut property taxes. He also confirmed that the Governor was seeking to place a cap on local tax revenue.

Commissioner Gimenez concurred with Commissioner Seijas's desire to prohibit State or Federal officials from lobbying the County, just as the County should not be lobbying municipalities. He indicated his support to co-sponsor legislation proposed by Commissioner Seijas regarding this issue.

Commissioner Barreiro suggested the County support a State cap if this were to pass.

Chairman Moss indicated that the actions of one member did not indicate the support of the entire Delegation. He noted that the County needed its ability to spend and it was not the appropriate time to be suggesting a revenue cap.

Commissioner Sosa mentioned that the State did not have money to distribute and was actively pursuing legislation that would control local government spending.

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

## **11B ADDITIONAL BUDGET ALLOCATIONS**

11B1

**090411 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 1)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 1 Discretionary Reserve funds as requested by Commissioner Jordan.*

*\$320 to St. James AME (to purchase a table for event honoring Commissioner Edmonson)*

*\$1,500 to Food for the Poor (1/2 of the amount needed to build a house in Haiti)*

*\$600 to Carnival Center Trust (Reimburse P-card for the purchase of tickets for District One community groups to attend the "Liberty City" performance)*

11B2

**090412 Report**

ALLOCATION OF (FY) 2008/09 OFFICE OPERATING  
BUDGET FUNDS (DISTRICT 3)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocation was made from fiscal year (FY) 2008/09 District 3 Office Operating Budget Funds as requested by Commissioner Edmonson.*

*\$30,000 to Neighbors and Neighbors Association, Inc.*

11B3

**090413 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 3)

*Approved*

*Mover: Carlos A. Gimenez*

*Second: Dennis C. Moss*

*Vote: 12- 0*

*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 3 Discretionary Reserve Funds as requested by Commissioner Edmonson.*

*\$5,000 to Miami-Dade Crime Stoppers, Inc., Re: External reward for Liberty City drive by shooting*

*\$5,000 to Curley's House of Style, Inc.*

*\$3,000 to Florida Memorial University Re: Study-Abroad Program*

*\$2,500 to Artistic Awakenings, Inc. Re: Wynwood Community Easter Egg Hunt*

*\$2,500 to ASPIRA of Florida, Inc. Re: Support for Youth Development Programs*

*\$1,500 to Parks Foundation of Miami Re: 21st Annual in the Company of Women Awards*

*\$1,300 to Food for the Poor, Inc. Re: Seeds of Hope ½ House*

*\$1,000 to Beta Tau Zeta ROYAL Association, Inc.*

*\$750 to The Haitian Heritage Museum*

*\$500 to South Florida AFL-CIO*

*\$500 to National Kidney Foundation Re: Mailyn Sola-Castellanos*

*\$300 to Miami Alumnae Chapter Delta Sigma Theta Sorority, Inc. Re: Jabberwock 2009*

*\$100 to Arvida Middle School Re: Kris Reig*

*\$100 to Youth Co-Op Chapter School Re: Daniela Jimenez*

11B4

**090414 Report**

REIMBURSEMENT FROM COMMUNITY-BASED  
ORGANIZATION - COUNTY SERVICES RESERVE FUNDS  
(DISTRICT 4)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Second: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

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

*\$1,600 from Fairchild Botanical Tropical Gardens*  
*\$1,800 from AIPAC*  
*\$50 from South Florida AFL-CIO*  
*\$15 from SIB Democratic Club*  
*\$30 from Women's Fund*  
*\$360 from Miami Beach Jewish Community Center*  
*\$250 from Miami Children's Hospital Foundation*  
*\$1,000 from Children's Home Society*  
*\$1,000 from Voices for Children*  
*\$2,000 from Fairchild Botanical Tropical Gardens*  
*\$3,000 from Voices for Children*  
*\$1,000 from Children's Home Society*  
*\$100 from American Diabetes Association*

11B5

**090415 Report**

ALLOCATION OF (FY) 2008/09 COUNTY SERVICES  
RESERVE FUNDS (DISTRICT 5)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Second: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 5 County Services Reserve Funds as requested by Commissioner Barreiro.*

*\$1,000 to The John Adams Center for the Advancement of Democracy*  
*\$1,500 to Parks Foundation of Miami Dade*

*For the record, Commissioner Barreiro read the following:*  
*"Rescind two FY 2008-09 allocations provided to the Miami River Commission, \$16,000 for Programmatic Support and \$100,000 for support to scavenger boat projects on the Miami River and re-allocate for FY 2008-09 \$16,000 to Miami River Funds, Inc., for Programmatic Support and \$100,000 to Miami River Fund, Inc., for support to scavenger boat projects on the Miami River"*

11B6

**090416 Report**

ALLOCATION OF (FY) 2008/09 COUNTY SERVICES  
RESERVE FUNDS (DISTRICT 8)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 8 County Services Reserve Funds as requested by Commissioner Sorenson.*

*\$5,000 to American Civil Liberties Union of Miami for their work pertaining to immigration rights*  
*\$2,000 to New Theatre*

11B7

**090417 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY  
RESERVE FUNDS (DISTRICT 9)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 9 Discretionary Reserve Funds as requested by Chairman Moss.*

*\$1,000 to South Dade Male Chorus Union for Black & White Ball*  
*\$650 to Miami Killian Senior High School Army JROTC Program*  
*\$1,000 to Albany State University National Alumni Association Miami Chapter for National Conference*  
*\$400 to World Trade Center of Miami c/o Port of Miami for the 2009 Annual State-of-the Ports Briefing*  
*\$3,000 to Neighbors 4 Neighbors to support the Serrano Family*  
*\$5,000 to Homestead Merchants Association for the 2009 Mardi Gras Festival*  
*\$500 to Miami Coalition of Christians & Jews to support the 57th Humanitarian Awards Gala*  
*\$200 to Cathedral House, Inc., for the 2nd Annual "All Male Chef Review"*  
*\$1,000 to Sanctuary of Moses for operational support*  
*\$2,500 to Police Athletic League, Inc., for community youth programs*  
*\$2,500 to Humane Society of Greater Miami for the Purina Walk for the Animals 2009*  
*\$7,500 to Miami-Dade Crime Stoppers for the Liberty City Shootings*  
*\$826 to South Dade Soil & Water Conservation District for the "Arbor Day" 4th Grade Forsters of FLA.*  
*\$10,000 to UCOMB of South Dade, Inc., for operational support*  
*\$2,500 to Miami-Dade League of Cities to sponsor the March 5th Board Meeting*  
*\$5,000 to Big Brothers Big Sisters for operational support*

11B8

**090418 Report**

ALLOCATION OF (FY) 2008/09 DISTRICT DISCRETIONARY RESERVE FUNDS (DISTRICT 12)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocations were made from fiscal year (FY) 2008/09 District 12 Discretionary Reserve Funds as requested by Vice-Chairman Diaz.*

- \$5,000 to American Cancer Society*
- \$1,000 to National Kidney Foundation*
- \$3,600 to Doral Middle School PTSA*
- \$12,500 to Miami Springs Optimist Club for Virginia Gardens Fishing Tournament*
- \$5,000 to Switchboard of Miami, Inc.*
- \$5,000 to Citizens Crime Watch*
- \$3,000 to Big Brothers Big Sisters*
- \$5,000 to Drug Free Youth In Town*
- \$1,000 to Miami International Film Festival*
- \$3,600 to Ronald Reagan PTSA*

11B9

**090419 Report**

ALLOCATION OF (FY) 2008/09 OFFICE BUDGET FUNDS (DISTRICT 12)

*Approved*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**Report:** *The following funding allocation was made from fiscal year (FY) 2008/09 District 12 Office Budget Funds as requested by Vice-Chairman Diaz.*

- \$500 to Univision Radio – Three Kings Parade*
- \$353.06 from District 12 Office Budget to reimburse purchasing card expenses related to Valentines Day Events*

**11C REPORTS**

**12 COUNTY MANAGER**

12A1

**090256 Resolution**

RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE SETTLEMENT AGREEMENT SETTLING ALL LEGAL CLAIMS AND COUNTERCLAIMS BETWEEN MIAMI-DADE COUNTY AND JOSEPH MIDDLEBROOKS & ASSOCIATES, INC., IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) IN CONNECTION WITH THE AGREEMENT DATED APRIL 9, 2003 (County Manager, County Attorney)

*Adopted*  
*Resolution R-141-09*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

12B1

**090129 Report**

REPORT ON AUTHORIZED NEGOTIATIONS AND SETTLEMENTS OF ENFORCEMENT ACTIONS OF VIOLATIONS AGAINST MIAMI-DADE COUNTY RESULTING FROM THE OPERATION OF THE COUNTY'S WATER AND SEWER SYSTEM (County Manager)

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

**13 COUNTY ATTORNEY**

**14 ITEMS SUBJECT TO 4-DAY RULE**

14A1

**090336 Resolution**

RESOLUTION APPROVING THE TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SECOND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND GRANT AGREEMENT WITH THE MIAMI ART MUSEUM OF DADE COUNTY ASSOCIATION, INC. IN THE AMOUNT OF \$8.4 MILLION TO FUND PRE-DESIGN, PLANNING, PRELIMINARY ENGINEERING AND RELATED COSTS ASSOCIATED WITH THE DEVELOPMENT OF THE MUSEUM AT MUSEUM PARK [SEE ORIGINAL ITEM UNDER FILE NO. 090212] (County Manager)

*4 Day Rule Invoked*

**Report:** *During consideration of changes to today's (2/17) agenda, Commissioner Martinez 4 day ruled this proposed resolution.*

**2/9/2009** *Forwarded to the BCC by the BCC Chairperson with favorable recommendation with committee amendments from the Recreation, Culture & Tourism Committee*

14A2

**090349 Resolution Dennis C. Moss**

RESOLUTION APPROVING THE TERMS OF AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE A BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND GRANT AGREEMENT WITH GOLD COAST RAILROAD MUSEUM, INC. IN THE AMOUNT OF \$489,132 TO FUND THE EXTENSION OF THE MUSEUM'S TRACK SYSTEM AND THE ADDITION OF ASSOCIATED EQUIPMENT [SEE ORIGINAL ITEM UNDER FILE NO. 090261]

*Adopted*  
*Resolution R-142-09*  
*Mover: Dennis C. Moss*  
*Seconder: Carlos A. Gimenez*  
*Vote: 11- 0*  
*Absent: Heyman, Martinez*

**2/11/2009** *Forwarded to BCC with a favorable recommendation with committee amendment(s) from the Transit, Infrastructure & Roads Committee*

14A3

**090239 Resolution Carlos A. Gimenez**

RESOLUTION WAIVING MIAMI-DADE WATER AND SEWER DEPARTMENT'S REQUIREMENT FOR INSTALLATION OF A 12-INCH WATER MAIN EXTENSION FOR A DENTIST OFFICE AT 504 BILTMORE WAY

*Adopted  
Resolution R-143-09  
Mover: Carlos A. Gimenez  
Seconder: Rebeca Sosa  
Vote: 11- 0  
Absent: Heyman, Martinez*

2/13/2009 Forwarded to the BCC by the BCC Chairperson with a favorable recommendation from the Government Operations Committee

14A4

**090364 Resolution Dorrin D. Rolle**

RESOLUTION APPROVING THE ALLOCATION OF FY 2008-2009 DISTRICT DISCRETIONARY RESERVE FUNDS OF DISTRICT 2

*Adopted  
Resolution R-144-09  
Mover: Dorrin D. Rolle  
Seconder: Jose "Pepe" Diaz  
Vote: 12- 0  
Absent: Martinez*

**15 CLERK OF THE BOARD**

**15B REPORTS**

15B1

**090284 Report**

PROPOSED PUBLIC HEARING DATES FOR ORDINANCES SUBMITTED FOR FIRST READING ON FEBRUARY 17, 2009 (Clerk of the Board)

*Approved  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

15B2

**090285 Report**

COUNTY COMMISSION MINUTES FOR APPROVAL BY THE BOARD  
NOVEMBER 6, 2008 (CDMP)  
NOVEMBER 6, 2008 (ZONING MEETING)  
NOVEMBER 20, 2008 (CDMP)  
DECEMBER 2, 2008 (REGULAR MEETING)  
DECEMBER 18, 2008 (CDMP) (Clerk of the Board)

*Approved  
Mover: Jose "Pepe" Diaz  
Seconder: Rebeca Sosa  
Vote: 12- 0  
Absent: Souto*

15B3

**090286 Report**

RESOLUTION NO. 08-298 OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO EQUALIZE FUNDING BASED ON POPULATION IN ORDER TO PROVIDE EACH JURISDICTION OF FLORIDA, INCLUDING SOUTH FLORIDA, WITH ITS FAIR SHARE OF THE STATE FUNDS; DIRECTING CITY OF FORT LAUDERDALE LOBBYISTS TO ADVOCATE FOR SOUTH FLORIDA'S FAIR SHARE OF STATE FUNDING AND TO FORWARD A COPY OF THIS RESOLUTION TO THE OFFICES AND OFFICIALS DESIGNATED HEREIN (Clerk of the Board)

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

**15C COUNTY ADVISORY BOARD APPOINTMENTS**

15C1

**090287 Nomination**

RE-APPOINTMENT OF FRED STOCK TO THE HEALTH COUNCIL OF SOUTH FLORIDA, INC. (Clerk of the Board)

*Appointed*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

15C2

**090372 Report**

RE-APPOINTMENT TO THE MIAMI-DADE ASIAN AMERICAN ADVISORY BOARD SHAWN KHOSRAVI

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C3

**090373 Report**

RE-APPOINTMENT TO THE MIAMI-DADE MANATEE PROTECTION PLAN REVIEW ALBERTO LAMADRID

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C4

**090374 Report**

RE-APPOINTMENT TO THE MIAMI-DADE EQUAL OPPORTUNITY BOARD ROSARIO SAAVEDRA-ROMAN

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

FINAL OFFICIAL

15C5

**090375 Report**

RE-APPOINTMENT TO THE PERFORMING ARTS CENTER  
TRUST BOARD OF DIRECTORS JAY PONS

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C6

**090376 Report**

APPOINTMENT TO THE MIAMI-DADE COMMUNITY  
BASED ORGANIZATION (CBO) ADVISORY BOARD  
PATRICK G. MORRIS

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C7

**090377 Report**

APPOINTMENT TO THE MIAMI-DADE COMMUNITY  
ACTION AGENCY BOARD OF DIRECTORS KAMETRA  
DRIVER

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C8

**090379 Report**

APPOINTMENT TO THE MIAMI-DADE HISPANIC AFFAIRS  
ADVISORY BOARD MAGALI ABAD

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C9

**090380 Report**

APPOINTMENT TO THE MIAMI-DADE CLIMATE CHANGE  
ADVISORY TASK FORCE JANE GILBERT

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C10

**090381 Report**

APPOINTMENT TO THE MIAMI-DADE AFFORDABLE  
HOUSING ADVISORY BOARD LINDA JULIEN

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**FINAL OFFICIAL**

15C11

**090382 Report**

RE-APPOINTMENT TO THE MIAMI-DADE BUILDING  
BETTER COMMUNITIES CITIZEN'S ADVISORY BOARD  
SYLVIA PERSON

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C12

**090383 Report**

APPOINTMENT TO THE MIAMI-DADE DOMESTIC  
VIOLENCE OVERSIGHT BOARD STATE REPRESENTATIVE  
DOROTHY BENDROSS MINDINGAL

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C13

**090384 Report**

APPOINTMENT TO THE MIAMI-DADE COMMISSION ON  
DISABILITY ISSUES MANOEL G. OLIVEIRA

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C14

**090385 Report**

APPOINTMENT TO THE MIAMI-DADE SMALL BUSINESS  
ADVISORY BOARD KATHY E. EMERY

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C15

**090386 Report**

RE-APPOINTMENT TO THE MIAMI-DADE COMMUNITY  
ACTION AGENCY RICHARD BROWN-MORILLA

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C16

**090387 Report**

APPOINTMENT TO THE MIAMI-DADE JAY MALINA  
INTERNATIONAL TRADE CONSORTIUM GERALD K.  
SCHWARTZ

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C17

**090400 Report**

APPOINTMENT TO THE MIAMI-DADE CULTURAL AFFAIRS  
COUNCIL JORGE LUIS LOPEZ

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C18

**090401 Report**

RE-APPOINTMENT TO THE MIAMI-DADE BUILDING  
BETTER COMMUNITIES CITIZENS ADVISORY  
COMMITTEE ELIO ALFONSO

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

15C19

**090402 Report**

RE-APPOINTMENT TO THE MIAMI-DADE COUNTY  
COMMUNITY ACTION AGENCY JULIO CARRERA

*Appointed*  
*Mover: Carlos A. Gimenez*  
*Seconder: Dennis C. Moss*  
*Vote: 12- 0*  
*Absent: Martinez*

**15D COUNTY ADVISORY BOARD APPOINTMENTS BY BALLOT**

15D1

**090288 Nomination**

BALLOT APPOINTMENT OF NOMINATIONS TO THE  
CHILDREN'S TRUST BY THE GOVERNOR  
PAMELA GODWIN LILLARD (INCUMBENT)  
JOSEE GREGOIRE (INCUMBENT)  
JOSEPH P. GEORGE, JR.  
HON. DAVID KRANE  
PRAKASH S. KUMAR  
OMAR MALONE  
DR. JOHNATHAN W. ROSE, PH.D. (Clerk of the Board)

*Withdrawn*

**Report:** See Report Under Agenda Item 15D1 Substitute, Legislative File No.  
090356.

15D1 SUBSTITUTE

**090356                      Nomination**

BALLOT APPOINTMENT OF NOMINATIONS TO THE  
 CHILDREN'S TRUST BY THE GOVERNOR  
 PAMELA GODWIN LILLARD (INCUMBENT)  
 JOSEE GREGOIRE (INCUMBENT)  
 JOSEPH P. GEORGE, JR.  
 HON. DAVID KRANE  
 PRAKASH S. KUMAS  
 OMAR MALONE  
 DR. JOHNATHAN W. ROSE, PH.D.  
 WILLY BEZOLD  
 MARCUS A. CHRISTIAN (Clerk of the Board)

*Appointed by ballot vote*

**Report:** *The foregoing ballot to nominate candidates for appointment to the Children's Trust, by the Governor, resulted in the following selections:*

- Ms. Pamela Godwin Lillard*
- Ms. Josee Gregoire*
- Mr. Joseph George, Junior*
- Mr. David Krane*
- Mr. Jonathan Rose, Ph.D.*
- Mr. Omar Malone*
- Mr. Marcus Christian*

**15E                      MAYOR'S REQUEST FOR ALLOCATIONS FROM DISCRETIONARY OR IN-KIND RESERVE FUNDS**

15E1

**090272                      Report**

MAYOR'S ALLOCATION FROM (FY) 2008/09  
 DISCRETIONARY RESERVE FUNDS (Clerk of the Board)

*Approved*  
*Mover: Jose "Pepe" Diaz*  
*Seconder: Rebeca Sosa*  
*Vote: 12- 0*  
*Absent: Souto*

**16                      ITEMS SCHEDULED FOR THURSDAY**

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

16A1

**090128                      Service Awards                      Dennis C. Moss**

SERVICE AWARDS PRESENTATIONS: *Presented*

- ROY VAZQUEZ - AVIATION - 30 YEARS
- KAREN FORSHEE - CAA - 30 YEARS
- MARIA R. CONNALLY - GSA - 30 YEARS
- VIOLA I. WILFORK - GSA - 35 YEARS
- JOYCE A. COWARD - HUMAN RESOURCES - 30 YEARS
- TOMMIE J. PORTER - MDT - 30 YEARS
- THOMAS E. BLACK - WASD - 30 YEARS
- DAVID W. BRIDGES - WASD - 30 YEARS
- EARLENE J. BROWN - WASD - 30 YEARS
- NANCY K. CHIO - WASD - 30 YEARS
- ROBIN L. JACKSON - WASD - 30 YEARS
- NEREIDA MARTINEZ - WASD - 30 YEARS

16A2

**090297                      Certificate of                      Dennis C. Moss**  
**Appreciation**

CERTIFICATES OF APPRECIATION FOR THE RICHMOND  
GIANTS, JR. MIDGET 2008, NATIONAL CHAMPIONS

16A3

**090344                      Certificate of                      Dennis C. Moss**  
**Appreciation**

CERTIFICATES OF APPRECIATION TO THE MEMBERS OF  
THE GREATER GOULDS OPTIMIST CLUB RAMS FOOTBALL  
TEAM

**16B                      POLICY MATTERS FOR DISCUSSION BY THE BOARD**

16B1

090322

Discussion Item

Dennis C. Moss

POLICY DISCUSSION CONCERNING THE LOCAL  
ECONOMY BETWEEN THE BOARD AND VARIOUS  
BUSINESS LEADERS: MR. BARRY JOHNSON, GREATER  
MIAMI CHAMBER OF COMMERCE; MR. FRANK NERO,  
BEACON COUNCIL; AND MR. WILLIAM TALBERT,  
GREATER MIAMI CONVENTION AND VISITORS BUREAU

*Presented*

## FINAL OFFICIAL

**Report:** Chairman Moss noted that it was important for the Board to discuss items affecting the community and had invited several guests to share information.

Mr. Frank Nero, President and Chief Executive Officer, Beacon Council, noted the unemployment rate was 7% in December 2008, which was an increase of 1.5% from November 2008 and 3.1% from December 2007. He pointed out net job growth stopped in March 2008. Miami-Dade County experienced other periods of relatively high unemployment with a peak of 7.8% after the September 11, 2001 terrorist attacks and a low of 3.8% in recent years, said Mr. Nero. He noted the County's unemployment rate last year was 5.3%. Mr. Nero mentioned the decline was primarily a result of a 15.2% decline in the construction industry resulting in a loss of 18,000 jobs. He also pointed out that retail, financial services, professional business services, hospitality, and wholesale trade were other declining industries, while hospitals, federal government, professional and technical services, management of companies, and food services were experiencing growth. Mr. Nero indicated that job declines were greater than job growth and he expressed concern about continued increases in the unemployment rate. He noted that updated employment data would be provided to the Board in his regular monthly emails.

Mr. Barry Johnson, Chief Executive Officer, Greater Miami Chamber of Commerce (GMCC), noted international trade was at an all-time high with \$90.2 billion dollars revenue in 2008; however, he questioned whether international trade would continue at the same rate next year with falling commodities prices and the global credit crisis. Mr. Johnson noted Miami-Dade had more small businesses than any other County in the United States, with the exception of Los Angeles and Orange Counties. He mentioned that the GMCC was holding a Small Business Summit on September 27, 2009.

Mr. Bill Talbert, President, Greater Miami Convention and Visitors Bureau (GMCVB), noted record high overnight and international visitors. He pointed out a decrease in domestic visitors in the fourth quarter of 2008. The County was resistant to domestic recessions; however, no destination was resistant to global recessions, said Mr. Talbert. He noted a positive tourism outlook with increased air traffic and mentioned that American Airlines had invested \$500,000 in the "Miami: Where Worlds Meet program." Mr. Talbert emphasized the importance of maintaining relationships and advertisements with established international markets. He noted benefits of hosting the International Pow Wow in May 2009, the National Football League Super Bowl and Pro Bowl in February 2010.

Commissioner Sorenson requested Mr. Nero further explain hospital growth since the Public Health Trust was currently losing money.

Mr. Nero indicated that baby boomers were driving growth and private hospitals were attracting international clients for health care. The local and national health care industries were experiencing growth and could grow even more if they could hire additional qualified nursing and support staff, said Mr. Nero. He noted that Jackson Memorial Hospital's issues were funding related and not due to a lack of clients. Private hospitals were receiving paying clients where Jackson provided the majority of its services to those without insurance, said Mr. Nero.

Commissioner Sorenson noted that the Commission must capitalize on the private sector in order to subsidize the public needs.

Commissioner Gimenez inquired about the long-term effects of job loss in the construction industry to which Mr. Nero responded that there was a fear that as existing construction projects were completed, that this number would dramatically increase. He noted his support for the Stimulus package for public works projects to provide additional infrastructure dollars and job creation. Mr. Nero mentioned that individuals who were unemployed were not buying and the retail sector was hurting. Consumer confidence would increase as the construction industry rebounds, said Mr. Nero.

Responding to Commissioner Gimenez' inquiry regarding the County's relative position in relation to other communities, Mr. Talbert said every market had experienced declines. He noted Miami-Dade County maintained its number three ranking during 2007 and 2008; however, hotel occupancy rates increased from six to four. He pointed out the County was maintaining its overall position even though numbers were down across the board. Mr. Talbert mentioned that occupancy was down 12 percent for January and this level would continue until the economy recovered. He noted attendance at signature events would likely decline; however, incremental business from events such as the World Baseball Classic and the McDonalds High School Classic would help reduce the effects of declines.

Commissioner Gimenez asked whether the GMVCB received funding from Miami-Dade Tourism Development Tax (TDT) to which Mr. Talbert responded affirmatively. He indicated a decrease of 12 percent in TDT funding was projected for the balance of the current fiscal year and no projections for next year. Mr. Talbert noted the situation would improve once the global economic crisis turned around. He mentioned that the economy in Brazil, the County's leading international feeder market, was strong and was a good indicator of positive news.

Responding to Commissioner Diaz' inquiry regarding marketing strategies to ensure visitors would return to Miami, Mr. Nero indicated that their strategy was to increase outreach to the business community. The Beacon Council must remain aggressive in the marketplace especially with its targeted markets (Europe, Spain, France, Brazil and parts of the northeastern United States), and promote a comprehensive marketing campaign such as "Live, Work and Play" in Miami-Dade, said Mr. Nero. He mentioned that the Beacon Council was seeking two to two and a half million dollars to continue its mission. Mr. Nero indicated that the economy was resilient and not dependent on a single industry or any particular geographic area for its growth. He noted Miami-Dade County was impacted by the recession later than other parts of the Country; therefore, the County must remain aggressive, and address construction concerns so that the business community would not be negatively impacted for long.

Commissioner Souto asked the Social and Economic Development Council to report to the Commission on a monthly basis to provide commissioners with an update and advice on how to move forward during the current financial crisis.

Commissioner Souto emphasized the importance of promoting Miami-Dade County as a global location that was a safe, beautiful, green tourist destination; and asked Mr. Talbert to provide the Commission with monthly tourism updates. He also asked Mr. Talbert to utilize all available resources to promote the upcoming Miami International Agriculture and Livestock Exposition at Tropical Park.

**FINAL OFFICIAL**

*Commissioner Barreiro noted the Commission needed to streamline its processes and recapture growth as investors were not spending until reductions in unemployment and devaluation occurred.*

*Commissioner Jordan indicated that hospitals were among growth markets; and private hospitals must accept their fair share of indigent patients, which would provide relief to the Public Health Trust.*

*In response to Commissioner Jordan's request, Ms. Cynthia Curry, Senior Advisor, County Manager's Office, provided an update on the Neighborhood Stabilization Program (NSP). She noted the program was approved for 62.2 million dollars and awaiting return of the agreement for review. Ms. Curry indicated that a portion of these funds were to be utilized for the acquisition and rehabilitation of foreclosed homes.*

*Commissioner Jordan noted the NSP was an opportunity to begin purchasing properties and establishing construction jobs.*

*Commissioner Jordan asked Ms. Jennifer-Glazer-Moon, Special Assistant to the County Manager, to provide the Commission with a detailed report indicating how Federal Stimulus funding could be used. She recommended that this funding not be used to restore revenues lost through the millage rate roll back and the amendment to the Homestead Exemption.*

*Ms. Moon indicated that the County was heavily involved in Stimulus funding efforts and was presently performing appropriate reviews. She expressed concern regarding methods to accept funding for infrastructure development while the operating budget was not keeping pace with the ability to maintain new projects. Ms. Moon mentioned that opportunities to assist over 70 different community industries were being reviewed. She noted that the County was proactive with its economic stimulus efforts and that capital projects were underway.*

*Commissioner Sosa noted the County needed to take one-step at a time and it was essential to work cooperatively with the Chamber of Commerce and the Beacon Council. She indicated that the Commission must proceed very cautiously so as not to damage the image of Miami-Dade County. Commissioner Sosa questioned the County's position in relation to other areas based upon the December statistics.*

*Mr. Talbert informed the Commission of several positive news articles which had appeared in the Travel Section of the New York Times over the last five weeks relating to Miami-Dade County.*

*Mr. Nero noted that Miami-Dade County was doing better than other counties. He indicated that areas to the north of Miami-Dade County were experiencing difficulties such as higher unemployment and larger market drops in key industries. Mr. Nero emphasized the importance of Miami-Dade County remaining aggressive and continuing marketing efforts.*

*Commissioner Sosa noted greater support from the banking industry was necessary for businesses' survival and growth. She mentioned positive effects of the Second Chance Act, which provided federal assistance to local governments. Commissioner Sosa said private and public hospitals were slated to receive Stimulus funding and noted the importance of private hospitals providing services to non-paying patients in order to relieve pressure from Jackson Memorial.*

Chairman Moss commented that this discussion was productive and that it should continue at another meeting when more Commission members were present. He commented that future dialogues should be more focused on specific questions and fewer speeches, and include participation from other segments of the community such as the business community to develop workable solutions.

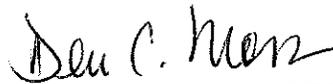
## 16C ZONING AGENDA (Scheduled for 9:30 a. m.)

092275 Report

### NON AGENDA ITEMS

**Report:** Chairman Moss and members of the County Commission recognized County Attorney Robert Cuevas; First Assistant County Attorney Abigail Price-Williams and Assistant County Attorneys Hugo Benitez, Ron Bernstein, Joni Armstrong-Coffey, Craig Collier, Robert Duvall, Wifredo Ferrer, Henry Gillman, Thomas Goldstein, Eduardo Gonzalez, Debra Herman, Dennis Kerbel, Lee Kraftchick, Thomas Logue, Jeffrey Poppel, Doug Rice, Eduardo Sanchez, and Erica Zaron for being recognized as top government attorneys in the "2009 South Florida Legal Guide."

## 19 ADJOURNMENT



Dennis C. Moss, Chairman

ATTEST: HARVEY RUVIN, CLERK



By: Kay Sullivan, Deputy Clerk