



MEMORANDUM

CIOIC
Agenda Item No. 6(A)

TO: Honorable Chairwoman Raquel A. Regalado,
and Members, County Infrastructure,
Operations, and Innovations Committee (CIOIC)

DATE: April 9, 2024

FROM: Honorable Juan Fernandez-Barquin
Clerk of the Court and Comptroller

SUBJECT: Approval of Commission
Committee Minutes

Basia Pruna, Director
Clerk of the Board Division

The following Clerk's Summary of Minutes are submitted for approval:

- June 15, 2023
- October 11, 2023
- February 13, 2024

BP/dmcb

Attachment(s)

MDC001



**MIAMI-DADE COUNTY
CLERK'S SUMMARY OF MINUTES**

**County Infrastructure, Operations and
Innovations Committee**

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

June 15, 2023

9:00 AM

Juan Fernandez-Barquin
Clerk of the Court and Comptroller

Basia Pruna, Director
Clerk of the Board Division

Selena Brogdon
Commission Reporter
(305) 375-1475



**CLERK'S SUMMARY OF
Meeting Minutes
County Infrastructure, Operations and
Innovations Committee**

Raquel A. Regalado [7] Chairwoman; Micky Steinberg [4] Vice Chairwoman;
Commissioners Keon Hardemon [3], Kionne L. McGhee [9], and Anthony Rodríguez
[10]

Thursday, June 15, 2023

9:00 AM

Commission Chambers

Members Present: Keon Hardemon, Kionne L. McGhee, Raquel A. Regalado, Micky Steinberg.

Members Absent: Anthony Rodriguez.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Selena Brogdon, Commission Reporter*
(305) 375-1475

1A INVOCATION AS PROVIDED IN RULE 5.05
(H)

1B **ROLL CALL**

Report: *Prior to Roll Call, Chairwoman Regalado announced that Service Awards would no longer be conducted during Committee meetings.*

Chairwoman Regalado called the County Infrastructure, Operations, and Innovations (CIOIC) Committee meeting to order at 9:22 a.m.

In addition to Committee members, the following staff members were present:

Chief Operations Officer, Jimmy Morales, Office of the Mayor

Chief Community Service Officer, Morris Copeland, Office of the Mayor

Assistant County Attorneys Eduardo W. Gonzalez, Jorge Martinez-Esteve, and Dennis Kerbel, and

Deputy Clerks Sandra Petithomme and Jose Soto, Clerk of the Board.

MOTION TO SET THE AGENDA

Chairwoman Regalado requested Agenda Items 2A, 2B, 2C, 2D and 2G be bifurcated. Additionally, she announced that Commissioner Steinberg had requested Agenda Item 3E be bifurcated; and Commissioner McGhee asked to pull Agenda Item 2H.

It was moved by Commissioner McGhee that the Committee consider Agenda Items 2E, 2F, 2J, 2K, 2L, 3A, 3B, 3C, 3D, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M 3N, 3O, 3P 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X and 6A simultaneously. This motion was seconded by Commissioner Hardemon and upon being put to a vote, passed by a vote of 4-0. (Commissioner Rodriguez was absent).

SPECIAL NOTE: Agenda Items 2E, 2F, 2J, 2K, 2L, 3A, 3B, 3C, 3D, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M 3N, 3O, 3P 3Q, 3R, 3S, 3T, 3U, 3V, 3W, and 3X were forwarded to the Board of County Commissioners (Board/BCC) with a favorable recommendation; and Agenda Item 6A was approved.

Assistant County Attorney Eduardo Gonzalez advised, pursuant to the changes memo, Agenda Item 2I would be deferred to no date certain with

the setting of the agenda. He also noted that all public hearing items (Agenda Items 1G1, 1G2, 1G2 Substitute, and 1G3) could not be considered because they were not advertised for today's (6/15) meeting.

Chairwoman Regalado clarified that there was insufficient time to properly advertise the public hearings because the meeting date had been rescheduled from Tuesday (6/13) to today (6/15). She announced that all public hearing items would be scheduled for the next available Committee cycle to ensure adequate time for public notice advertising.

Assistant County Attorney Eduardo Gonzalez announced that the administration had requested Agenda Items 3M and 3P be waived to the June 21, 2023 Board of County Commissioners (Board) meeting.

1C PLEDGE OF ALLEGIANCE

Report: *Following a moment of silence, Vice Chairwoman Steinberg led the Pledge of Allegiance.*

1D **REASONABLE OPPORTUNITY FOR THE
PUBLIC TO BE HEARD AS PROVIDED IN
RULE 6.06**

Report: *Chairwoman Regalado opened the reasonable opportunity for the public to be heard, and asked the speakers to limit their comments to one (1) minute.*

The following persons appeared before the Committee:

Mr. Nicholas Rodriguez, 200 South Biscayne Boulevard, Miami, Florida Law Offices of Bercow, Radell, Fernandez, Larkin, and Tapanes, appeared on behalf of 12351 Holdings, LLC. Mr. Rodriguez noted his client had proposed over 1,500 truck parking spaces in the subject area. He spoke in opposition to Agenda Item 2D and explained several reasons why this proposed resolution was inefficient and urged the Committee members to maintain the current 10-acre minimum requirement.

The following persons appeared before the Committee and spoke in support of the Agenda Item 2D:

Ms. Mayelin Monet, 17455 West Okeechobee Road, Miami, Florida, represented Okeechobee Trucking Services, Inc.,

Mr. William Coro, 17455 West Okeechobee Road, Miami, Florida

Lenier Betancourt, 17455 West Okeechobee Road, Miami, Florida

Mr. Alexis Palao, 17455 West Okeechobee Road, Miami, Florida

Mr. Wesley Coro, 17455 West Okeechobee Road, Miami, Florida

Ms. Isabella Orrego, 7986 SW 195 Street, Miami, Miami, Florida

Mr. Anthony Bustamante, 770 Ponce De Leon Blvd, Miami, Florida

Mr. Miguel De Grandy, 701 Brickell Avenue, Miami, Florida, appeared on behalf of White Rock Quarries, and spoke in opposition of Agenda Item

2D. He indicated the additional need for truck parking was addressed in 2020, where the Planning Advisory Board (PAB) recommended a minimum of 20 acres. Mr. De Grandy noted in October of 2020 the Board of County (BCC) amended the master plan to allow for commercial storage of vehicles on properties of 10 acres or less and urged the committee to vote against Agenda Item 2D.

Ms. Kerri Barsh, Attorney, 333 S.E. 2 Avenue, Miami, Florida addressed the environmental issues and referenced the 2020 Evaluation and Appraisal Report (EAR) amendment. She highlighted the subject property was identified as a wetland by the Department of Environmental Resources Management (DERM). Ms. Barsh indicated the Board's final amendment to the EAR intended to balance commercial vehicle storage needs or provide the ability to have adequate setbacks from adjacent wetlands and floodplain protections. She emphasized reducing the minimum acreage by 80% called into question the extent to which an approved drainage system was sustainable and cost-effective on the two-acre truck parking site. In closing, Ms. Barsh requested that the existing regulation be fully implemented.

Mr. Thomas Robertson, Bercow Radell Fernandez Larkin and Tapanes, 200 South Biscayne Boulevard, Miami, Florida, representing 12351 Holdings, expressed opposition to Agenda Item 2D citing concerns about the setbacks and drainage. Mr. Robertson reviewed the calculations used to determine truck parking spaces and voiced his support for maintain the 10-acre provision.

Ms. Emily Balter, 200 South Biscayne Boulevard, Miami, Florida, addressed Agenda Item 2H. She referenced Miami-Dade County's Ordinance No. 22-148 regarding the approved comprehensive plan amendment application filed by Aligned Real Estate Holdings, LLC. Ms. Balter pointed out that the ordinance questioned the County Attorney's Office (CAO)'s authority to commence litigation defending a decision of the Board of County Commissioners (Board/BCC) and noted pursuant to the county's charter and code, the CAO had the authority to defend the County without needing separate authorization. Ms. Balter cited several instances where the CAO had done so in the past, such as the case when the CAO filed an action to defend the official approval of the South Dade Logistics and Technology District as part of standard practice and policy. She contended this action reflected the County Attorney's sound legal judgment that the

county's review and approval process for the application were correct. Ms. Balter expressed concern about Agenda Item 2H, which directs the CAO to abstain from initiating, joining, or pursuing any legal action supporting the approval and to refrain from defending against any legal action opposing it. She indicated the proposed legislation was inconsistent with the precedence set by the County Attorney's Office of defending third-party challenges to CDMP approvals.

Mr. Marcelo Balladares 16171 SW 73 Street, Miami, Florida spoke on behalf of the National Parks Conservation Association and in support of Agenda Item 2H. He stated transparency of the public process was essential, especially regarding changes that had a significant effect on the local environment. Mr. Balladares indicated commissioners needed to be aware of decisions being made on their behalf and urged the Committee members to approve Agenda Item 2H.

Dr. Stephanie Clements 6840 S.W. 45 Lane, Miami, Florida Education and Advocacy Director, Tropical Audubon Society, spoke in support of Agenda Item 2H. She noted that as the Advocacy Director she worked to educate and empower South Floridians to engage in the civic process. Ms. Clements indicated she recently was made aware that the County Attorney's Office joined a lawsuit against the State of Florida that would support a private development that many members of the community opposed. She opined that defending any private project against State Statute and without the Board of County Commissioners' approval was not a responsible use of county resources and urged the Committee members to support Agenda Item 2H.

Ms. Amanda Prieto, 13390 SW 91 Terrace, Miami, Florida Senior Programs Director, Miami Water Keeper spoke in support of Agenda Item 2H. She suggested the land use issue could be resolved by entering into a compliance agreement or conducting a public hearing.

Mr. Jeff Bercow, 200 South Biscayne Boulevard, Miami, Florida voiced his concerns about the implications associated with Agenda Item 2H. He argued that the proposed compliance/settlement agreement aimed to overturn a decision by the Miami-Dade Commission and its veto override, specifically regarding the South Dade Logistics approval. Mr. Bercow pointed out that approving the proposed resolution would establish a risky precedent, making it challenging for private

applicants to navigate the process if a single commissioner disagreed with the outcome. He further suggested that the legislation could be misused to weaponize the compliance process, dissuading future CDMP applications.

Ms. Lauren Jonaitis, 915 NW First Avenue, Miami, Florida, Senior Conservation Director, Tropical Audubon Society spoke in support of Agenda Item 2H. She cited Section 163.3184 of the Florida Statutes related to the Department of Economic Opportunity (DEO) and its notification to the County regarding the application's failure to meet the 180 day deadline, necessitating a second public hearing and the Board's determination to adopt the amendment. Ms. Jonaitis stated that Miami-Dade County was duplicating resources unnecessarily by not adhering to the DEO's prior decision, and urged the Committee members to support Agenda Item 2H.

Mr. Pedro Gassant, Holland & Knight, LLP, 701 Brickell Avenue, Miami, Florida spoke in opposition to Agenda Item 2H. He stated that the proposed resolution would undermine confidence in the comprehensive plan process and result in a waste of resources. Mr. Gassant detailed the extensive process, including multiple public hearings by the BCC regarding the Urban Development Boundary (UDB) application, which was ultimately overridden by a 2/3 majority vote. He expressed concern that despite this process, the resolution was back before a committee. Mr. Gassant clarified that Holland & Knight would not take any action to reverse the prior decision or negate previous efforts of the Compliance Settlement Agreement.

Mr. Paul J. Schwiep, 6850 S. Cartee Road, Palmetto Bay, Florida appeared on behalf of Friends of the Everglades and spoke in support of Agenda Item 2H. In his outline of events, Mr. Schwiep reported the applicant requested multiple deferrals, which both the Department of Economic Opportunity (DOE) and Florida Governor De Santis deemed were invalid due to delays with the approval process caused by the applicant. He opined the legal fees should be paid by the developer and the applicant, not Miami-Dade taxpayers.

Mr. Michael Wanek, 20520 SW 190 Street, Miami, Florida, Redland Homes and Farms Association spoke in support of Agenda Item 2H. He highlighted water quality issues in Districts 8 and 9, expressing concern about septic tank and sewer leakage into Biscayne Bay. Mr. Wanek requested testing of the

water in the area.

Mr. Jorge Zaldivar, 19500 SW 188 Street, Miami, Florida, noted he was a farmer in the Redland areas and raised concerns regarding the canals. He spoke in support of Agenda Item 2H and referenced a book entitled "Know Your State" by Thomas Joseph "T.J." Brooks published in 1944.

Mr. Alfred Arcidi, 22840 SW 167 Avenue, Miami, Florida spoke in support of Agenda Items 2D and 2H. He noted more parking was needed for truckers. In connection to Agenda Item 2D, Mr. Arcidi opined the County Attorney's Office should not initiate litigation with tax dollars.

Ms. Victoria Vital, 4201 SW 60 Place, Miami, Florida Hold the Line Coalition spoke in support of Agenda Item 2H, and emphasized the environment was the best defense against storm surge and flooding.

Mr. Travis Cole, 11287 South Dixie Highway, Miami, Florida Owner of Sunny Land Auto Tag Agency, spoke in favor of Agenda Item 3V.

Mr. Joe De La Viesco, 18655 South Dixie Highway, Cutler Bay, Miami, Florida President, JV Tag Agency and the Florida Association of Motorist Service Providers, Inc. (FAMSP) spoke in support of Agenda Item 3V.

Mr. Allen Lynch 30708 South Dixie Highway, Miami, Florida South Dade Auto Tag Agency spoke in support of Agenda Item 3V.

Ms. Christina Cowart, owner of Cowart Tag Agency 20 West 49 Street, Suite B, Hialeah, Florida Owner, spoke in support of Agenda Item 3B.

Ms. Keely Weyker, Engagement and Outreach, Everglades Foundation 18001 Old Cutler Road, Palmetto Bay, Florida spoke in support of Agenda Item 2H.

Mr. Bruce Chesney, 6905 SW 101 Street, Miami, Florida spoke in support of Agenda Item 3V and stated the last fee increase of the auto tag agency industry was 16 years ago. He noted it was difficult to sustain businesses without a fee adjustments.

There being no other persons appearing to speak, Chairwoman Regalado closed the reasonable opportunity to be heard.

Chairwoman Regalado recognized Commissioners Garcia and Cohen Higgins presence at today's (6/15) meeting.

1E SPECIAL PRESENTATION(S)

1F DISCUSSION ITEM(S)

1G PUBLIC HEARING(S)

1G1

230622 Ordinance

Juan Carlos Bermudez,

Kevin Marino Cabrera, Sen. Rene Garcia

ORDINANCE RELATING TO CAMPAIGN FINANCE REPORTS; AMENDING SECTION 12-7 OF THE CODE OF MIAMI DADE COUNTY, FLORIDA; ESTABLISHING MINIMUM STANDARDS FOR THE MUNICIPAL PUBLICATION OF CANDIDATE CAMPAIGN FINANCE REPORTS; REQUIRING MUNICIPALITIES TO PUBLISH MUNICIPAL CANDIDATE CAMPAIGN FINANCE REPORTS ON THE MUNICIPALITY'S WEBSITE; REQUIRING MUNICIPALITIES TO CERTIFY COMPLIANCE WITH SUCH REQUIREMENTS WITHIN A SPECIFIED TIMEFRAME; PROVIDING SEVERABILITY, INCLUSION IN AND EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

Not Considered; Public Hearing Rescheduled

1G2

230828 Ordinance

Kevin Marino Cabrera

ORDINANCE RELATED TO PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS; AMENDING SECTION 2-2081 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING PACE CONSUMER DISCLOSURES; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE MORE VIGOROUS ENFORCEMENT MEASURES RELATED TO PACE AND CONSUMER PROTECTION AND TO CONDUCT AN EDUCATIONAL CAMPAIGN; REQUIRING REPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Not Considered; Public Hearing Rescheduled

1G2 Substitute

231229 Ordinance

Kevin Marino Cabrera

ORDINANCE RELATED TO PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS; AMENDING SECTION 2-2081 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING PACE CONSUMER DISCLOSURES; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE MORE VIGOROUS ENFORCEMENT MEASURES RELATED TO PACE AND CONSUMER PROTECTION AND TO CONDUCT AN EDUCATIONAL CAMPAIGN; REQUIRING REPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 230828]

Not Considered; Public Hearing Rescheduled

1G3

230953 Ordinance

Raquel A. Regalado

ORDINANCE RELATING TO ENVIRONMENTAL PROTECTION; AMENDING SECTION 24-43.4 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); REVISING STANDARDS FOR CALCULATING FEASIBLE DISTANCE TO CONNECT TO PUBLIC SANITARY SEWERS AND PUBLIC WATER MAINS FOR SUBDIVISION AND BUILDING PERMIT APPLICATIONS UNDER CERTAIN CONDITIONS; PROVIDING EXCEPTIONS FROM CONNECTION REQUIREMENTS FOR BUILDING PERMITS FOR CERTAIN REPAIRS, INCLUDING REPAIRS REQUIRED AS PART OF A BUILDING RECERTIFICATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Not Considered; Public Hearing Rescheduled

2 COUNTY COMMISSION

2A

231164 Resolution**Kevin Marino Cabrera**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (1) CREATE A PROGRAM FOR A PAID, OPTIONAL EXPEDITED REVIEW OF WATER AND SEWER EXTENSIONS, (2) INCLUDE, IN THE COUNTY MAYOR'S MEMORANDUM RELATED TO INFORMATION FOR THE FIRST BUDGET HEARING FOR FISCAL YEAR 2023-2024 PROPOSED COUNTY BUDGET IF NOT ALREADY INCLUDED IN COUNTY MAYOR'S PROPOSED BUDGET, ANY APPLICABLE FEES FOR SUCH PROGRAM IN THE IMPLEMENTING ORDERS OF RATES, FEES AND CHARGES FOR EACH COUNTY DEPARTMENT OR STATE AGENCY THAT TAKES PART IN THE REVIEW OF SUCH PLANS AND TO ALLOW FOR ANNUAL ADJUSTMENTS, (3) ON OR BEFORE AUGUST 25, 2023 PROVIDE WRITTEN REPORT SETTING FORTH EXPEDITED PROGRAM, AND (4) PROVIDED APPLICABLE FEES ARE ADOPTED FOR FISCAL YEAR 2023-2024 COUNTY BUDGET, IMPLEMENT THE EXPEDITED PROGRAM ON OCTOBER 1, 2023

Forwarded to BCC with a favorable recommendation

Mover: Steinberg

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

Report: *In response to Commissioner Steinberg's question about the program's operation and oversight, Ms. Lourdes Gomez, Director, Department of Regulatory and Economic Resources (RER), explained that the resolution aimed to establish an optional paid expedited review for the water and sewer extensions permitting process. She stressed that this expedited service depended on staff availability for review. Ms. Gomez mentioned that occasionally, expedited reviews were declined due to staff unavailability. She also noted that RER made efforts to recruit engineers across departments during the summer to facilitate these expedited reviews.*

Mr. Jimmy Morales, Chief Operations Officer, Office of the Mayor, spoke about the increase in permit applications over the past three (3) years, and the County's efforts to recruit more engineers, noting there may be a need to increase fees to expedite permits.

Hearing no further questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

2B

231199 Resolution**Kevin Marino Cabrera,****Danielle Cohen Higgins***Amended*

RESOLUTION AMENDING IMPLEMENTING ORDER 3-34, FORMATION AND PERFORMANCE OF COMPETITIVE SELECTION COMMITTEES, AND IMPLEMENTING ORDER 2-13, GUIDELINES AND PROCEDURES REGARDING LEGAL OPINIONS WITH RESPECT TO COUNTY COMPETITIVE PROCESSES; REQUIRING SELECTION COMMITTEES TO BE COMPOSED OF FIVE VOTING MEMBERS, INCLUDING AN ASSISTANT OR DEPUTY DIRECTOR FROM THE RELEVANT USER DEPARTMENT, FOR CONTRACT AWARDS FOR PROFESSIONAL SERVICES OR WITH AN ESTIMATED VALUE EQUAL TO OR EXCEEDING 10,000,000.00 AND COMPOSED OF THREE VOTING MEMBERS FOR ALL OTHER CONTRACT AWARDS BELOW \$10,000,000.00; PROVIDING APPLICABLE DEADLINES AND TIMEFRAMES FOR RELEVANT EVENTS IN THE PROCESS OF FORMING SELECTION COMMITTEES AND EVALUATING PROPOSALS; PROVIDING THAT COMPOSITION OF SELECTION COMMITTEES SHALL BE PRIMARILY DETERMINED BASED ON THE APPROPRIATE EXPERTISE REQUIRED FOR EACH PROCUREMENT; PROVIDING THAT SELECTION COMMITTEES SHALL INCLUDE THREE ALTERNATE MEMBERS; PROVIDING THAT COUNTY EMPLOYEES SHALL ONLY BE ENTITLED TO RECEIVE ANY APPLICABLE ADMINISTRATIVE LEAVE FOR SERVICE AS A VOTING MEMBER OF A SELECTION COMMITTEE UPON COMPLETION OF ALL SELECTION COMMITTEE RESPONSIBILITIES; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

Report: *See Agenda Item 2B Amended, Legislative File No. 231335 for the final amended version.*

2B AMENDED

231335 Resolution Kevin Marino Cabrera,

Danielle Cohen Higgins, Marleine Bastien, Sen. Rene Garcia
RESOLUTION AMENDING IMPLEMENTING ORDER 3-34,
FORMATION AND PERFORMANCE OF COMPETITIVE
SELECTION COMMITTEES, AND IMPLEMENTING
ORDER 2-13, GUIDELINES AND PROCEDURES
REGARDING LEGAL OPINIONS WITH RESPECT TO
COUNTY COMPETITIVE PROCESSES; REQUIRING
SELECTION COMMITTEES TO BE COMPOSED OF FIVE
VOTING MEMBERS, INCLUDING AN ASSISTANT OR
DEPUTY DIRECTOR FROM THE RELEVANT USER
DEPARTMENT, FOR CONTRACT AWARDS FOR
PROFESSIONAL SERVICES OR WITH AN ESTIMATED
VALUE EQUAL TO OR EXCEEDING 10,000,000.00 AND
COMPOSED OF THREE VOTING MEMBERS FOR ALL
OTHER CONTRACT AWARDS BELOW \$10,000,000.00;
PROVIDING APPLICABLE DEADLINES AND
TIMEFRAMES FOR RELEVANT EVENTS IN THE
PROCESS OF FORMING SELECTION COMMITTEES AND
EVALUATING PROPOSALS; PROVIDING THAT
COMPOSITION OF SELECTION COMMITTEES SHALL
BE PRIMARILY DETERMINED BASED ON THE
APPROPRIATE EXPERTISE REQUIRED FOR EACH
PROCUREMENT; PROVIDING THAT SELECTION
COMMITTEES SHALL INCLUDE THREE ALTERNATE
MEMBERS; PROVIDING THAT COUNTY EMPLOYEES
SHALL ONLY BE ENTITLED TO RECEIVE ANY
APPLICABLE ADMINISTRATIVE LEAVE FOR SERVICE
AS A VOTING MEMBER OF A SELECTION COMMITTEE
UPON COMPLETION OF ALL SELECTION COMMITTEE
RESPONSIBILITIES; AND AUTHORIZING COUNTY
MAYOR OR COUNTY MAYOR'S DESIGNEE TO
EXERCISE ANY AND ALL RIGHTS CONFERRED
THEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 231199]

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Steinberg

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

Report: *Chairwoman Regalado highlighted the necessity for procurement reform to maintain control and determine the types of procurements Miami-Dade County should accept, especially contracts not specific to the County. She expressed concern about restrictions limiting the number of people eligible to serve on Selection Committees (SC) and noted these committees were established to provide recommendations to the Board of County Commissioners (BCC) separate from administrative and staff recommendations. Chairwoman Regalado stressed the need to modify conflict rules for SCs to allow qualified individuals to serve and raised concerns that the proposed amendments might prolong the process by incorporating recommendations from both Miami-Dade departmental staff and Selection Committees.*

Additionally, she questioned the Mayor's authority to discard Requests for Proposals (RFPs) at any time.

Commissioner Cabrera expressed his support for adjusting the number of Selection Committee members based on the value of procurement contracts. He pointed out the importance of selection committee members possessing relevant knowledge and expertise in the subject matter of the contracts.

Commissioner Cohen Higgins expressed her support for the second amendment and highlighted the Sunshine meetings held to develop a comprehensive procurement reform. However, she mentioned being unclear about the implications of the change from the first amendment.

Ms. Namita Uppal, Director, Strategic Procurement Department, expressed her support for the changes proposed in Implementing Order (IO) 3-4. She stated the proposed changes included reducing the Selective Committee members from five (5) to three (3), among other things, which she indicated was a positive step towards expediting the process. Ms. Uppal highlighted the complexities of procurement, emphasizing the need to coordinate with various departments and clients to complete awards. She stressed the importance of setting deadlines for each individual involved in the process to enhance efficiency. Ms. Uppal committed to implementing these proposed deadlines upon approval and providing progress reports in the future. She expressed eagerness to streamline the procurement process for all stakeholders.

Mr. Jimmy Morales, Chief Operations Officer, Office of the Mayor explained that the original intent of using the Small Business Department (SBD) was to ensure the committees reflected the needs of various communities.

Commissioner Higgins commented on her efforts to draft legislation to review lower-priced contracts. She clarified that Ms. Uppal's authority extended only to issuing the RFP and did not cover other departments overseeing business requirements. For accountability, Commissioner Higgins proposed implementing a database detailing expertise, skills, and conflict of interest information. She explained that the database should be managed by procurement departments, not the Small Business Development (SBD) Department, with one person accountable for procurement issues.

Chairwoman Regalado announced that Ms. Uppal would report back to the Committee within six (6) to 12 months to provide a progress update detailing whether the current approach was ineffective, and if alternative strategies should be explored.

At Commissioner McGhee's request, Ms. Namita Uppal reviewed the role of the SBD in the Selective Committee process. Ms. Uppal clarified that the SBD maintained a database of potential candidates and was responsible for identifying suitable individuals to serve on Selection Committees. She explained the SBD established Selection Committees comprising five (5) members for contracts exceeding \$1 million and prepared a memorandum of prospective candidates, which was forwarded to the Mayor's Office for Committee appointment.

Mr. Gary Hartfield, Director, SBD, clarified that SBD maintained a database used to create a pool of certified and trained individuals for serving on Selection Committees. He emphasized that SBD staff ensured compliance with IO mandates regarding the ethnicity and gender composition of each Selection Committee. Additionally, SBD ensured transparency in the creation of the SCs by determining eligibility. Mr. Hartfield explained that the SBD also verified that individuals serving on the SCs did not hold a dominant role over other employees.

Commissioner McGhee requested clarification regarding the difference between the Strategic Procurement Department (SPD) and SBD.

Mr. Hartfield clarified that once the SBD established the Selection Committee, all further responsibilities were handed over to Procurement and submitted to the Office of the Inspector General (OIG) for conflict of interest reviews. He expressed his concern regarding comments suggesting that SBD's involvement caused delays and reiterated that after SBD selected members, SPD took over the process. Mr. Hartfield indicated that the only delays experienced by SBD were due to conflicts, which required collaboration with the OIG to find alternative members.

Commissioner McGhee highlighted the roles of procurement and SBD, noting procurement focused on opportunity, while SBD focused on both opportunity and access. He emphasized that the proposed legislation aimed to enhance opportunity by eliminating barriers to access. Commissioner

McGhee commented on the accessibility issues which were confirmed by disparity reports, and noted the SBD, promoted equity.

Regarding the proposed amendments, Commissioner McGhee indicated his support for the second proffered amendment. He argued that the first amendment, by removing SBD's role in ensuring access and increasing opportunities, would contradict the principle of equality in procurement. Commissioner McGhee spoke about unequal treatment in the County's procurement process and reiterated his support for the second amendment concerning scoring guidelines.

Chairwoman Regalado clarified that the goal was to streamline and expedite the process by consolidating all procedures within one department, thereby ensuring accountability. She expressed confidence that Procurement could adhere to the same standards as SBD and perform effectively. However, she emphasized the option to revert to the previous system if necessary.

Commissioner McGhee recommended only the second proffered amendment be accepted.

Chairwoman Regalado stated she preferred to move forward with both the amendments as stated, noting, this issue could be re-addressed at the full Board of County Commissioners meeting.

Commissioner Hardemon proposed bifurcating the proposed amendments and raised concerns about the imbalance in the Selective Committee's scoring system, highlighting how heavily it relied on recommendations from County-hired experts. To address this, he suggested hiring an expert to forecast a project's minimum annual guarantee and advocated for the Committee to minimize influence from these experts, focusing instead on individual merits to reduce bias. He proposed various measures, such as bringing experts before the Board, concealing alternate identities, and randomly selecting three members for scoring while keeping the identities of two (2) alternates hidden. Commissioner Hardemon suggested randomizing the scoring process, prioritizing the results of three (3) members and two (2) alternates to ensure impartiality. He pointed out the experts' lack of standardized guidelines and proposed hiring them in advance to provide annual guarantees for prospective companies. Commissioner Hardemon opined that the Committee's decisions were unduly swayed by expert recommendations, leading to the

overlooking of better-suited companies. He suggested a blended approach where five (5) members would be randomly selected to calculate scores, using a randomized process.

Commissioner Cabrera noted a lack of volunteers for the Selection Committee, despite offering incentives like Administrative Leave and a stipend. This shortage led to smaller Committees for contracts under \$10 million. Stressing the need to streamline the process, he advocated for implementing deadlines to prevent delays. Commissioner Cabrera expressed concern over past procurements taking over two (2) years, emphasizing the need for a faster process. In closing, he noted additional incentives were being explored to attract members and requested that the amendment be withdrawn.

Chairwoman Regalado requested Ms. Namita Uppal, Director, Strategic Procurement Department to provide a data report detailing how the information of potential Selection Committee members was provided to procurement and how long it took to finalize the process.

Ms. Uppal explained the challenges in providing the requested information. She clarified that the process, which involved manual effort from staff, spanned from the request stage to the appointment. Ms. Uppal attributed the longer timeframe due to the absence of a database for extracting information and noted that proposals, along with the list of selected Committee members, were submitted to the Office of the Commission Auditor to identify potential conflicts of interest. She pointed out that the Miami-Dade Commission on Ethics and Public Trust's notified staff of conflicts and the removal of a candidate from the list, which then restarted the selection process for choosing an alternate.

Chairwoman Regalado requested Ms. Namita Uppal, Director, Strategic Procurement Department (Spd), to prepare and provide a report detailing how long it takes to get a response to requests made for a Selection Committee. She asked for the report to include data for the past two (2) years and to be submitted to the Board of County Commissioners (BCC) prior to the item being considered by the BCC.

Chairwoman Regalado agreed to hold the amendment but needed more information prior to the Board meeting.

Mr. Hartfield informed Chairwoman Regalado that it took about six (6) days to forward the created Selection Committee list to the Mayor's Office for approval. He noted that the list was typically returned within five (5) days and assured Chairwoman Regalado that he would provide the data related to the process.

Commissioner McGhee asked how Commissioner Hardemon's proposed randomization of the selection process would be enforced, suggesting it should have been implemented earlier. He also asked if he could instruct the County Attorney to collaborate with SBD on developing the necessary enforcement mechanism. Commissioner McGhee emphasized that participation, not implementation, was the main concern. He proposed introducing a participation mechanism aligned with the role and mission of the Selection Committee and concluded that he saw no need to transfer responsibility from one department to another since implementation was not an issue.

Commissioner Cabrera clarified that the proposed resolution did not transfer responsibility. However, in light of Chairwoman Regalado's intention to hold the amendment until the proposed legislation was considered by the BCC, he explained that the proposed resolution set deadlines for background checks and the various entities, including the County Attorney's Office.

Commissioner Hardemon maintained that the county's procurement system required reform to prevent manipulation by those acting in their own interests. He acknowledged that businesses contributed to delays, but stressed that delays regarding directives from the commission should be avoided.

Chairwoman Regalado added a clause to her proposed amendment to specify that Sunshine Meetings within the "Cone of Silence" were permitted, open to the public, and properly noticed as required by law, and requested that the Cone of Silence language be included in the RFP. She emphasized that private meetings were not permitted and urged that there should be no delay in approving Sunshine meetings when the law was clear. Chairwoman Regalado pointed out that Sunshine meetings could help identify issues of public interest and make public meetings more efficient.

Commissioner Steinberg emphasized the importance

of streamlining the process while maintaining its integrity. She agreed with Commissioner Hardemon to hold the first amendment for discussion before the full Board. Commissioner Steinberg proposed a one-year post-review to assess the system's effectiveness and provide feedback if adjustments were needed.

There being no further comments or questions, the Committee members proceeded to vote on the proposed ordinance, as amended to add the following sentence on page 12 after the last sentence in the section titled "Scoring Guidelines" and on page 16 after the first sentence in the section titled "Presentations of Responsiveness Opinion to the Board": "In addition if any of the deadlines established in this implementing order are missed then the County Mayor shall disclose missed deadlines and the department that missed the relevant deadline in the County Mayor's memorandum contained in the agenda package where the related matter is presented to the Board for consideration."

Chairwoman Regalado suggested consolidating all procurement reform items into one agenda item for review by the full Board, rather than presenting them separately.

Assistant County Attorney Jorge Martinez-Esteve responded to Chairwoman Regalado's suggestion by explaining that during a Sunshine meeting, it was decided that the stipend issue was tied to labor matters requiring Union agreement through the Collective Bargaining Agreement (CBA) process; and advised including this component could potentially delay the entire item.

2C

**231201 Resolution Kevin Marino Cabrera,
Marleine Bastien, Juan Carlos Bermudez, Sen. Rene
Garcia, Oliver G. Gilbert, III**

RESOLUTION ESTABLISHING COUNTY POLICY TO
CREATE, PROMOTE, EXPAND AND FOSTER A MORE
EFFICIENT, HOLISTIC, CUSTOMER FRIENDLY AND
COORDINATED PERMITTING PROCESS; DIRECTING
THE COUNTY MAYOR OR COUNTY MAYOR'S
DESIGNEE TO ESTABLISH A CENTRALIZED ONLINE
WEB-BASED PORTAL AND COUNTY FACILITY AND
LOCATION TO ADDRESS PERMITTING ISSUES
INVOLVING MULTIPLE COUNTY DEPARTMENTS,
SYSTEMS AND REVIEWS AND OFFER SUPPORTING
CUSTOMER APPOINTMENT SERVICES ACROSS PLAN
REVIEW AND PERMIT TYPES; AND REQUIRING A
REPORT

*Forwarded to BCC with a favorable
recommendation*

Mover: Steinberg

Seconder: Hardemon

Vote: 4-0

Absent: Rodriguez

Report: *Chairwoman Regalado recognized the work done
on the foregoing proposed resolution over the past
few years and noted a report would be provided on
the findings.*

*Hearing no further questions or comments, the
Committee members proceeded to vote on the
foregoing resolution, as presented.*

2D

230073 Resolution**Sen. Rene Garcia**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) TO DECREASE THE MINIMUM ACREAGE REQUIRED FOR COMMERCIAL VEHICLE STORAGE IN CERTAIN AGRICULTURE AND OPEN LAND-DESIGNATED AREAS AND TO PREPARE LEGISLATION TO AMEND THE APPLICABLE COUNTY ZONING AND ENVIRONMENTAL CODE PROVISIONS TO THE EXTENT NECESSARY TO IMPLEMENT SUCH CDMP CHANGE

*Tabled as amended
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodriguez*

Report: *Commissioner Garcia raised concerns about truck parking in District 13, noting that the proposed resolution was severely restrictive with recommendations to reduce available parking space from 10 acres to two (2) acres. He reviewed a proposed amendment which would require the Administration to return with a new negotiated term agreement ranging from five (5) to 10 acres, but noted the amendment before the Committee allowed staff to review the two (2) to 10 acres and return with recommendations.*

Chairwoman Regalado clarified that any private citizen could propose an amendment to the Comprehensive Development Master Plan (CDMP), distinguishing it from Administrative amendments. She noted that the Board of County Commissioners (Board) decision did not prevent a private citizen from requesting a CDMP amendment. She informed Commissioner Garcia that despite legislation being adopted two years ago, no permits had been issued due to unresolved issues with the Department of Environmental Resources Management (DERM). She cautioned against moving forward without issuing the first permit, as it would send a negative message. Chairwoman Regalado suggested issuing the permits first, finalizing the previously adopted legislation, and then assessing the need and legality of parking. She expressed concern that despite the legislation's approval, parking remained illegal due to the lack of permits. Commissioner Regalado opined that it would be a premature act for staff to analyze and amend legislation not yet in effect.

Responding to Chairwoman Regalado's request for guidance on how to proceed in light of the numerous deferrals, Assistant County Attorney James Edwin Kirtley, Jr. explained in the event the foregoing proposed resolution were to be deferred

again, the agenda item would be tabled, essentially restarting the process. He noted if the item was not advanced favorably for the Board's consideration, that the foregoing proposed resolution could be advanced with no recommendation, but would require a unanimous vote from committee members to do so.

Commissioner Garcia suggested approving the amendment and then tabling the item to allow for further work toward a suitable resolution.

Attorney Kirtley, Jr. clarified that it was not necessary to approve the amendment to table the item.

There being no further questions or comments, by motion duly made and seconded, the foregoing proposed resolution was tabled with the Committee amendments.

2E

231181 Resolution Danielle Cohen Higgins, Kevin Marino Cabrera, Marleine Bastien, Juan Carlos Bermudez

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO: (1) IMPLEMENT PAID ADMINISTRATIVE LEAVE FOR NON-BARGAINING COUNTY EMPLOYEES WHO SERVE ON SELECTION COMMITTEES; (2) IMPLEMENT THIS PAID LEAVE FOR BARGAINING UNIT EMPLOYEES WHO SERVE ON SELECTION COMMITTEES BY OBTAINING THE WRITTEN CONSENT OF THE APPLICABLE COLLECTIVE BARGAINING AGENTS; (3) NEGOTIATE THE INCLUSION OF THIS PAID LEAVE IN THE COUNTY'S COLLECTIVE BARGAINING AGREEMENTS; (4) PROPOSE AMENDMENTS TO LEAVE MANUAL CONSISTENT WITH THIS RESOLUTION; AND (5) PROVIDE A REPORT

*Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodriguez*

2F

231182 Resolution **Danielle Cohen Higgins,**
Marleine Bastien, Juan Carlos Bermudez, Kevin Marino
Cabrera

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AMEND THE REPORT ISSUED EVERY SIX MONTHS PURSUANT TO RESOLUTION NO. R-847-22 TO INCLUDE INFORMATION RELATING TO THE STATUS OF COMPANIES THAT DAMAGE MIAMI-DADE WATER AND SEWER DEPARTMENT'S SEWER PIPES DURING CONSTRUCTION; AND TO CONTINUE TO PROVIDE SUCH REPORT TO THE BOARD EVERY SIX MONTHS

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodriguez

2G

231185 Resolution **Danielle Cohen Higgins**

RESOLUTION AMENDING RESOLUTION NO. R-718-17 AND RESOLUTION NO. R-627-19 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMMENCE PLANNING FOR RE-PROCUREMENT OF REPLACEMENT CONTRACTS NO LATER THAN TWO YEARS PRIOR TO THE EXPIRATION OF EXISTING CONTRACTS, DIRECT COUNTY USER DEPARTMENTS TO TIMELY PROVIDE COUNTY PROCUREMENT STAFF DRAFT CONTRACTUAL SCOPES OF SERVICES AND SPECIFICATIONS NO LATER THAN TWO YEARS BEFORE THE EXPIRATION OF SUCH CONTRACTS AND DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ON A QUARTERLY BASIS TO IDENTIFY IN WRITING TO THE COMMISSION AUDITOR THOSE CONTRACTS THAT ARE SET TO EXPIRE NO LATER THAN TWO YEARS PRIOR TO EXPIRATION; DIRECTING THAT SOLICITATIONS FOR REPLACEMENT CONTRACTS BE ADMINISTERED AND MANAGED SO THAT SOLICITATIONS ARE ADVERTISED AND BIDS OR PROPOSALS RECEIVED NO LATER THAN ONE YEAR PRIOR TO EXPIRATION OF EXISTING CONTRACTS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NOTIFY THE BOARD OF REPLACEMENT PROCUREMENTS THAT ARE EXTENDED, DELAYED OR NOT IN COMPLIANCE WITH TIMEFRAMES SET FORTH HEREIN

Amended
Mover: Regalado
Seconder: McGhee
Vote: 4-0
Absent: Rodriguez

Report: *See Agenda Item 2G Amended, Legislative File No. 231350 for the final amended version.*

2G AMENDED

231350 Resolution **Danielle Cohen Higgins,**
Marleine Bastien, Kevin Marino Cabrera, Sen. Rene
Garcia, Roberto J. Gonzalez

RESOLUTION AMENDING RESOLUTION NO. R-718-17 AND RESOLUTION NO. R-627-19 TO DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO COMMENCE PLANNING FOR RE-PROCUREMENT OF REPLACEMENT CONTRACTS NO LATER THAN TWO YEARS PRIOR TO THE EXPIRATION OF EXISTING CONTRACTS, DIRECT COUNTY USER DEPARTMENTS TO TIMELY PROVIDE COUNTY PROCUREMENT STAFF DRAFT CONTRACTUAL SCOPES OF SERVICES AND SPECIFICATIONS NO LATER THAN TWO YEARS BEFORE THE EXPIRATION OF SUCH CONTRACTS AND DIRECT THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE ON A QUARTERLY BASIS TO IDENTIFY IN WRITING TO THE COMMISSION AUDITOR THOSE CONTRACTS THAT ARE SET TO EXPIRE NO LATER THAN TWO YEARS PRIOR TO EXPIRATION; DIRECTING THAT SOLICITATIONS FOR REPLACEMENT CONTRACTS BE ADMINISTERED AND MANAGED SO THAT SOLICITATIONS ARE ADVERTISED AND BIDS OR PROPOSALS RECEIVED NO LATER THAN ONE YEAR PRIOR TO EXPIRATION OF EXISTING CONTRACTS; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NOTIFY THE BOARD OF REPLACEMENT PROCUREMENTS THAT ARE EXTENDED, DELAYED OR NOT IN COMPLIANCE WITH TIMEFRAMES SET FORTH HEREIN [SEE ORIGINAL ITEM UNDER FILE NO. 231185]

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: McGhee

Seconder: Regalado

Vote: 4-0

Absent: Rodriguez

Report: *Chairwoman Regalado outlined the initial steps of a Request for Proposal (RFP), starting with inviting current providers to extend their services. She clarified that if the extension was not accepted, staff from the Strategic Procurement Department (SPD) would then issue a solicitation for other companies.*

Ms. Namita Uppal, SPD Director, noted the department had initiated the competitive process two (2) years prior, highlighting the differences for sole source situations.

Chairwoman Regalado requested the foregoing proposed resolution be amended to add a clause to offer an extension to existing providers before advertising the RFP for open competition. In response to Commissioner Steinberg's inquiry regarding how departments would ensure timely information sharing; Ms. Uppal explained staff would conduct training on scope of work development and involve the Department Director

and Chief of Operations, especially if there were delays by the administration.

Assistant County Attorney Eduardo W. Gonzalez read into the record the proposed amendment offered by Commissioner Regalado as follows:

In section 5 where it directs the County Mayor to notify the board about replacement contracts to specify whether there is a sole source issue if there is not enough competition, to place this information in the notification of the Board; additionally procurement has reached out to the industry and reported that they do not intend to Bid.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing resolution, as amended to direct the County Mayor or County Mayor's designee to notify the Board, in writing, when any replacement procurement subject to this resolution, fails to meet the one (1) year deadline set forth in section 4 above, or if any replacement procurement is in jeopardy of not being completed prior to the expiration of the existing contract.

2H

231200 Resolution Danielle Cohen Higgins

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DE SIGNEE TO TAKE ALL STEPS NECESSARY FOR THIS BOARD TO ENTER INTO A COMPLIANCE AGREEMENT PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, TO RESOLVE THE PENDING CHALLENGES TO ORDINANCE NO. 22-148, WHICH APPROVED THE COMPREHENSIVE PLAN AMENDMENT APPLICATION FILED BY ALIGNED REAL ESTATE HOLDINGS LLC AND OTHERS TO EXPAND THE URBAN DEVELOPMENT BOUNDARY (THE "ALIGNED AMENDMENT"); AND DIRECTING THE COUNTY ATTORNEY'S OFFICE TO REFRAIN FROM INSTITUTING, JOINING, OR PURSUING ANY LEGAL ACTION SUPPORTING THE ALIGNED AMENDMENT, AND TO REFRAIN FROM DEFENDING AGAINST ANY LEGAL CHALLENGE OPPOSING THE ALIGNED AMENDMENT

Tabled
Mover: McGhee
Seconder: Hardemon
Vote: 3-1
No: Steinberg
Absent: Rodriguez

Report: *Chairwoman Regalado expressed her concerns regarding the foregoing item, noting that the County Attorney's Office complied with the will of the Board in a specific litigation case. Additionally she questioned how the foregoing proposed resolution would affect ongoing litigation, particularly regarding noticing and public hearings. She cautioned committee members that this issue pertained to the process and the State's challenge against it, emphasizing the county's ability to maintain its established procedures. Chairwoman Regalado noted that moratoriums were common and rules could be changed at any time. Chairwoman Regalado noted that moratoriums were common and rules could be changed at any time. She highlighted the potential for litigation if the County Attorney's Office doesn't uphold the Board's decision regarding retroactive rule changes.*

Commissioner McGhee suggested that today's decision could set a dangerous precedent by allowing the minority to overturn rules already approved by the supermajority.

Commissioner McGhee inquired about the County Attorney's Office (CAO) removing its position of legal sufficiency and withdrawing from defending requests made by the Board of County Commissioners (Board/BCC).

Assistant County Attorney (ACA) Dennis Kerbel clarified that the proposed legislation did not speak to the CAO's opinions related to legal sufficiency.

He noted however, the CAO's role was to legally represent and defend the BCC; and in the event the CAO defended a policy adopted by the Board that was later changed, the CAO would cease the litigation at the Board's direction. ACA Kerbel advised that he was not aware of any instruction from the Board to withdraw from litigation.

Commissioner McGhee voiced his concerns about the impact of the foregoing proposed resolution and stated he could not support the item as currently presented. He advised his colleagues that he would make a motion to reject and to lay the foregoing proposed resolution on the table at the appropriate time.

Chairwoman Regalado expressed concern about the litigation stemming from the BCC allegedly erroneously allowing a public hearing on a Comprehensive Development Master Plan (CDMP) application.

ACA Attorney Kerbel outlined two main aspects of the issue. Firstly, there was a challenge to the merits of the underlying amendment, which was being handled by the Division of Administrative Hearings, initiated by two entities disputing the underlying decision. Secondly, the Department of Economic Opportunity (DEO) determined that the BCC's adoption of the amendment was not final, which was a procedural call. ACA Kerbel clarified that to defend the BCC's action, which they believed to be final and legally sound, the CAO had to contest the DEO's determination of improper action. He noted this involved statutory interpretation and procedural matters, with the CAO's office arguing against the DEO's findings because the statute did not prescribe the remedy they suggested, though it did offer a different remedy if time constraints were an issue. Despite attempts to persuade the DEO otherwise, the DEO remained firm in their stance, therefore, the CAO decided the only recourse to defend the BCC's supermajority vote was to sue the DEO for a declaratory judgment to establish the correct interpretation of the statute. Additionally, ACA Kerbel informed the committee members that the State's interpretation of the statute could impact future actions by the BCC.

Commissioner Cohen Higgins stressed the importance of accurately reflecting the intent behind the proposed resolution. She noted that the resolution did not accuse the County of any wrongdoing but instead recommended entering into a compliance agreement. Commissioner Cohen

Higgins stated she was not informed about the subject application being litigated and noted the subject area was located in her Commission District. She emphasized her commitment to advocating for residents and community members opposing the application and suggested the Board discuss whether to proceed with litigation before exploring alternative solutions. Commissioner Cohen Higgins clarified that the foregoing proposed resolution did not prevent the applicants from pursuing their lawsuit and highlighted that commissioners often advocated for their districts; and policies could be reversed due to differing opinions. She proposed moving forward with the compliance agreement to stop the litigation and presenting the item to the full Board for its consideration.

Chairwoman Regalado emphasized that while the Board had the authority to change its decisions collectively, she clarified that zoning and property rights were distinct. She noted that changes to the Comprehensive Development Master Plan (CDMP) or undoing zoning rights could significantly affect individuals. Chairwoman Regalado stressed that altering a zoning decision approved by a supermajority vote would constitute a significant change in property rights and likely result in litigation against the County. Chairwoman Regalado suggested that reaching a Compliance Agreement might affect how the County current public hearing rules were interpreted.

ACA Kerbel clarified that the Compliance Agreement related to the merits of the item and refrained from speculating on the legal actions the DEO may pursue.

Commissioner Hardemon pointed out the County Attorneys' Office performed their due diligence in the attempt to uphold the Board's decision.

Discussion ensued between Chairwoman Regalado and Commissioner Hardemon regarding the Board's authority to change its position/decision.

Commissioner Cohen Higgins inquired as to the process, if the courts ruled in favor of the DEO.

ACA Kerbel advised in the scenario that all appeals were exhausted and the judge determined the DEO was correct, then the CAO would comply with the court's decision to return the application to the Board for a hearing to finalize.

There being no further questions or comments, by motion duly made and seconded, the foregoing proposed resolution was tabled.

2I

231033 Resolution Eileen Higgins
 RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ESTABLISH A PRE-PERMITTED DESIGN PROGRAM FOR ACCESSORY DWELLING UNITS AND GUESTHOUSES IN MIAMI-DADE COUNTY; INVITE PRIVATE AND NON-PROFIT SECTOR PARTNERS TO DEVELOP SUCH PRE-PERMITTED DESIGNS AS PART OF THE PROGRAM; INCLUDE ANY NECESSARY FUNDING FOR SUCH PROGRAM IN THE FISCAL YEAR 2023-2024 BUDGET; AND PROVIDE A REPORT
*Deferred to no date certain
 Mover: McGhee
 Seconder: Hardemon
 Vote: 4-0
 Absent: Rodríguez*

2J

231203 Resolution Eileen Higgins, Juan Carlos Bermudez, Sen. Rene Garcia, Roberto J. Gonzalez
 RESOLUTION PERTAINING TO MIAMI-DADE COUNTY'S POLICY ON ARTIFICIAL INTELLIGENCE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP GUIDING PRINCIPLES FOR THE USE OF ARTIFICIAL INTELLIGENCE BY COUNTY DEPARTMENTS AND EMPLOYEES; CONDUCT A THOROUGH ARTIFICIAL INTELLIGENCE STUDY; ASSESS THE EXTENT TO WHICH THE ADVENT OF ARTIFICIAL INTELLIGENCE WILL CREATE ADDITIONAL STAFFING REQUIREMENTS; AND PUBLISH REGULAR WRITTEN REPORTS TO THE BOARD
*Forwarded to BCC with a favorable recommendation
 Mover: McGhee
 Seconder: Hardemon
 Vote: 4-0
 Absent: Rodríguez*

2K

231167 Resolution Raquel A. Regalado
 RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) ON AN EXPEDITED BASIS TO ALLOW ALL PROPERTIES WITHIN THE DOUGLAS ROAD METRORAIL STATION METROPOLITAN URBAN CENTER TO BE DEVELOPED IN ACCORDANCE WITH THE STANDARDS APPLICABLE TO OTHER COUNTY URBAN CENTERS
*Forwarded to BCC with a favorable recommendation
 Mover: McGhee
 Seconder: Hardemon
 Vote: 4-0
 Absent: Rodríguez*

2L

231226 Resolution

Raquel A. Regalado

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AN APPLICATION TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN ("CDMP") ON AN EXPEDITED BASIS TO AUTHORIZE ADDITIONAL DEVELOPMENT BONUSES FOR VOLUNTARY CONVEYANCES OF LAND FOR RIGHT-OF-WAY FOR PUBLIC TRANSPORTATION PROJECTS

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3 DEPARTMENT(S)

3A

231104 Resolution

RESOLUTION APPROVING SELECTION OF BANC OF AMERICA PUBLIC CAPITAL CORPORATION TO PROVIDE CAPITAL IN AN AMOUNT NOT TO EXCEED \$145,000,000.00 FOR LEASE/PURCHASE OF VEHICLES AND EQUIPMENT TO BE UTILIZED BY MULTIPLE MIAMI-DADE COUNTY DEPARTMENTS AND TO PAY FINANCING COSTS; APPROVING TERMS OF RELATED COMMITMENT LETTER; WAIVING PROVISIONS OF RESOLUTION NO. R-130-06, AS AMENDED; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO CONSUMMATE THE LEASE/PURCHASE, INCLUDING ENTERING INTO RELATED AGREEMENTS AND DOCUMENTS WITH TERMS CONSISTENT WITH THOSE SET FORTH IN THE COMMITMENT LETTER (Finance Department)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3B

230986 Resolution

RESOLUTION APPROVING CONTRACT AWARD OF TWO PROFESSIONAL SERVICES AGREEMENTS TO PEREZ & PEREZ ARCHITECTS PLANNERS, INC. AND EXP US SERVICES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR COUNTYWIDE INFRASTRUCTURE INVESTMENT PROGRAM (CIIP) FOR THE REHABILITATION AND RENOVATION SERVICES OF ISD MANAGED COURTHOUSES AND JUDICIAL FACILITIES, ISD PROJECT NO. A20-ISD-04, CONTRACT NO. A20-ISD-04 (A-B), IN AN AMOUNT NOT TO EXCEED \$1,650,000.00 PER AGREEMENT, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$150,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS, TO APPROVE THE CONTINGENCY EXPENDITURE LIMITED TO 10 PERCENT OF THE BASE CONTRACT AMOUNT, AND TO EXERCISE ALL PROVISIONS CONTAINED IN THE AGREEMENTS (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3C

231029 Resolution

RESOLUTION APPROVING CONTRACT AWARD OF TWO PROFESSIONAL SERVICES AGREEMENTS TO MILLER LEGG & ASSOCIATES INC. AND A.D.A ENGINEERING, INC., TO PROVIDE PROFESSIONAL SERVICES FOR COUNTYWIDE INFRASTRUCTURE INVESTMENT PROGRAM (CIIP) FOR THE REHABILITATION SERVICES OF ISD MANAGED SURFACE LOTS/PARKING LOTS, ISD PROJECT NO. E20-ISD-03, CONTRACT NO. E20-ISD-03 (A-B), IN AN AMOUNT NOT TO EXCEED \$1,650,000.00 PER AGREEMENT, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$150,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENTS, TO APPROVE THE CONTINGENCY EXPENDITURE LIMITED TO 10 PERCENT OF THE BASE CONTRACT AMOUNT, AND TO EXERCISE ALL PROVISIONS CONTAINED IN THE AGREEMENTS (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3D

230994 Resolution

RESOLUTION APPROVING CONTRACT AWARD OF PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ARCADIS U.S., INC. FOR PROFESSIONAL BOND ENGINEERING SERVICES FOR DEPARTMENT OF SOLID WASTE MANAGEMENT, CONTRACT NO. 18393-DSWM22-BE , ISD PROJECT NO. E22-DSWM-01, IN AN AMOUNT NOT TO EXCEED \$5,655,600.00 INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$565,560.00 FOR A FIVE YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT, AND EXERCISE ALL PROVISIONS CONTAINED THEREIN INCLUDING CANCELLATION, RENEWAL, AND EXTENSION PROVISIONS (Solid Waste Management Department)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3E

231054 Resolution

RESOLUTION REJECTING ALL PROPOSALS RECEIVED IN RESPONSE TO REQUEST FOR PROPOSALS NO. EVN0000117 FOR HAULOVER MARINA FRONT RESTAURANT (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Steinberg
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

Report: *Commissioner Steinberg indicated her support for the foregoing proposed resolution and urged staff to make the necessary changes so that the Request for Proposals (RFP) could be re-solicited in an expedited manner.*

Hearing no further questions or comments the Committee proceeded to vote on the foregoing resolution, as presented.

3F

231072 Resolution

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$2,163,400.00 FOR A MODIFIED CONTRACT AMOUNT OF \$5,224,050.00 FOR CONTRACT NO. R-BB-19002 FOR THE PURCHASE OF FACILITIES MANAGEMENT AND PRODUCTS SOLUTIONS FOR MULTIPLE COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, EXTENSION OR CANCELLATION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodriguez

3G

231080 Resolution

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$373,000.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$1,373,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00646 FOR THE PURCHASE OF LIQUID LEVEL CONTROL SYSTEMS, PARTS, REPAIRS AND INSTALLATION SERVICES FOR THE WATER AND SEWER DEPARTMENT (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodriguez

3H

231081 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-01566, TO E-BUILDER, INC. FOR THE PURCHASE OF A CAPITAL PROJECTS AND CONSTRUCTION MANAGEMENT SOLUTION SOFTWARE FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$7,911,862.00 FOR THE INITIAL FIVE-YEAR TERM, AND ONE, FIVE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACTS, INCLUDING ANY RENEWAL, CANCELLATION AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodriguez

3I

231085 Resolution

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$5,772,020.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$15,709,020.00 FOR PREQUALIFICATION POOL NO. RTQ-00580 FOR THE PURCHASE OF HYDRAULIC PARTS, SUPPLIES, AND REPAIRS FOR THE INTERNAL SERVICES AND WATER AND SEWER DEPARTMENTS (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3J

231086 Resolution

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000109, FOR MULTIPLE DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$1,432,000.00 FOR THE PURCHASE OF MANUFACTURED (MODULAR) BUILDINGS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3K

231102 Resolution

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$2,600,000.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$3,600,000.00 FOR GROUP 4 OF PREQUALIFICATION POOL NO. RTQ-02124 FOR THE PURCHASE OF TELECOM SERVICES, EQUIPMENT, AND MATERIALS FOR THE INFORMATION TECHNOLOGY DEPARTMENT (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3L

231107 Resolution

RESOLUTION APPROVING ADDITIONAL EXPENDITURE AUTHORITY UP TO \$6,074,000.00 FOR A TOTAL MODIFIED PREQUALIFICATION POOL AMOUNT OF \$7,074,000.00 FOR PREQUALIFICATION POOL NO. RTQ-01354 FOR THE PURCHASE OF INVASIVE VEGETATION CONTROL SERVICES FOR THE REGULATORY AND ECONOMIC RESOURCES DEPARTMENT

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

(Strategic Procurement)

3M

231122 Resolution

RESOLUTION APPROVING THE AWARD OF CONTRACT NO. RFP-02293 TO TMG UTILITY ADVISORY SERVICES, INC. DBA TMG CONSULTING FOR THE PURCHASE OF PROFESSIONAL SERVICES TO UPGRADE THE ORACLE CUSTOMER INFORMATION SYSTEM FOR THE WATER AND SEWER DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$4,786,400.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

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

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

Report: *The Clerk of the Board received notice that the foregoing proposed resolution was advanced to the June 21, 2023 BCC meeting.*

3N

231123 Resolution

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$9,895,009.00 FOR A MODIFIED CONTRACT AMOUNT OF \$37,301,009.00 FOR CONTRACT NO. 060B2490021 FOR THE PURCHASE OF COMMERCIAL OFF-THE-SHELF SOFTWARE FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3O

231124 Resolution

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000022 FOR THE WATER AND SEWER DEPARTMENT FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$30,000,000.00 FOR THE PURCHASE OF PIPELINE INSPECTION SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; PROVIDED THAT ANY CONTRACT AWARD UNDER THE POOL EXCEEDING \$5,000,000.00 IS RATIFIED BY THE BOARD (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3P

231136 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000016, CROSS-CONNECTION CONTROL PROGRAM MANAGEMENT SERVICES, TO HYDROCORP, LLC FOR THE PURCHASE OF CROSS-CONNECTION CONTROL PROGRAM MANAGEMENT SERVICES FOR THE MIAMI-DADE WATER AND SEWER DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$22,689,275.00 FOR THE INITIAL FIVE-YEAR TERM AND ONE, THREE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, CANCELLATION, AND EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodriguez

Report: *The Clerk of the Board received notice that the foregoing proposed resolution was advanced to the June 21, 2023 BCC meeting.*

3Q

231145 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000140 TO MIAMI PARTNERS, LLC (GROUPS 1 AND 2) IN AN AMOUNT NOT TO EXCEED \$2,469,888.00, AND GLOBAL TRADING, INC.(GROUPS 3 AND 4) IN AN AMOUNT NOT TO EXCEED \$1,809,513.00, AND ESTABLISHMENT OF A POOL (GROUP 6) IN AN AMOUNT NOT TO EXCEED \$500,000.00, FOR THE PURCHASE OF ENGRAVED BADGES AND INSIGNIAS FOR MULTIPLE COUNTY DEPARTMENTS WITH A CUMULATIVE AMOUNT NOT TO EXCEED \$4,779,401.00 FOR A FIVE-YEAR TERM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THE CONTRACT AWARD TO THE RECOMMENDED VENDORS, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Secunder: Hardemon

Vote: 4-0

Absent: Rodriguez

3R

231154 Resolution

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000469, FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$102,752,000.00 FOR THE PURCHASE OF OEM/OE PARTS, SERVICES, SHOP SUPPLIES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; PROVIDED THAT ANY CONTRACT AWARD UNDER THE POOL EXCEEDING \$5,000,000.00 IS RATIFIED BY THE BOARD (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3S

231165 Resolution

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0000246 FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$118,154,000.00 FOR THE PURCHASE OF FURNITURE (OFFICE AND NON-OFFICE); AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; PROVIDED THAT ANY CONTRACT AWARD UNDER THE POOL EXCEEDING \$5,000,000.00 IS RATIFIED BY THE BOARD (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3T

231183 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. RFP-01690 TO INCAPSULATE, LLC FOR THE PURCHASE OF A CUSTOMER RELATIONSHIP MANAGEMENT SOLUTION FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$31,497,460.00 FOR THE INITIAL FIVE-YEAR TERM, PLUS ONE ADDITIONAL FIVE-YEAR OPTION TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY RENEWAL, CANCELLATION, OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3U

231101 Resolution

Sen. Rene Garcia

RESOLUTION APPROVING EXTENSION OF 2023 REAL AND PERSONAL PROPERTY TAX ROLLS AND ISSUANCE OF TAX BILLS PRIOR TO COMPLETION OF THE VALUE ADJUSTMENT BOARD HEARINGS (Tax Collector's Office)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3V

231168 Resolution

Raquel A. Regalado

RESOLUTION AMENDING IMPLEMENTING ORDER 4-83 RELATING TO RULES, REGULATIONS AND FEE SCHEDULE FOR BRANCH AUTO TAG AGENCIES AND FEES PAID BY AGENCIES TO THE COUNTY (Tax Collector's Office)

Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Hardemon
Vote: 4-0
Absent: Rodríguez

3W

231106 Resolution

RESOLUTION APPROVING THE EXECUTION OF AMENDMENT NUMBER ONE TO DESIGN-BUILD CONTRACT NO. 19PKCOF002, PROJECT NO. DB18-WASD-02, BETWEEN MIAMI-DADE COUNTY AND POOLE & KENT COMPANY OF FLORIDA FOR A PROJECT ENTITLED "DESIGN-BUILD SERVICES FOR THE CONSTRUCTION OF THE SDWWTP AND THE CDWWTP SLUDGE THICKENING AND DEWATERING BUILDINGS; INCREASING THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$13,950,070.00 AND EXTENDING THE CONTRACT TERM 437 DAYS FOR THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT (SDWWTP) AND 380 DAYS FOR THE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT (CDWWTP)"; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS OF SECTION 2-8.2.12(4)(D) AND (E) RELATED TO ACCELERATION OF CERTAIN WATER AND SEWER DEPARTMENT CONTRACTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

3X

231151 Resolution

RESOLUTION AWARDED A CONTRACT (CONTRACT S-984) TO RIC-MAN INTERNATIONAL, INC. WITH A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$6,765,755.75 AND A TOTAL CONTRACT TERM OF 400 CALENDAR DAYS PLUS A 40-CALENDAR DAY CONTINGENCY PERIOD FOR THE PROVISION OF WATER AND WASTEWATER SERVICES TO COMMERCIAL PROPERTIES-GREEN TECH CORRIDOR – BASIN S-2, PHASE 1, EAST SIDE OF NW 27TH AVENUE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO UTILIZE MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE, SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, TO MANAGE CONTRACT S-984; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: McGhee

Seconder: Hardemon

Vote: 4-0

Absent: Rodríguez

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

230943 Report

APPROVAL OF THE CLERK'S SUMMARY OF MINUTES
FOR THE COUNTY INFRASTRUCTURE, OPERATIONS
AND INNOVATIONS COMMITTEE MEETING(S):

- JANUARY 12, 2023 (Clerk of the Board)

Approved

Mover: McGhee

Secunder: Hardemon

Vote: 4-0

Absent: Rodríguez

7 REPORT(S)

8 ADJOURNMENT

Report: *There being on further business to come before the
County Infrastructure, Operations, and Innovations
Committee, the meeting was adjourned at 11:52 p.m.*



MIAMI-DADE COUNTY
CLERK'S SUMMARY OF MINUTES

**County Infrastructure, Operations and
Innovations Committee**

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

October 11, 2023

9:00 AM

Juan Fernandez-Barquin
Clerk of the Court and Comptroller

Basia Pruna, Director
Clerk of the Board Division

Judy Marsh
Commission Reporter
(305) 375-1967



**CLERK'S SUMMARY OF
Meeting Minutes
County Infrastructure, Operations and
Innovations Committee**

Raquel A. Regalado [7] Chairwoman; Micky Steinberg [4] Vice Chairwoman;
Commissioners Keon Hardemon [3], Kionne L. McGhee [9], and Anthony Rodríguez
[10]

Wednesday, October 11, 2023

9:00 AM

Commission Chambers

Members Present: Keon Hardemon, Kionne L. McGhee, Raquel A. Regalado, Anthony Rodríguez, Micky Steinberg.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Judy Marsh, Commission Reporter, (305) 375-1967*

**1A INVOCATION AS PROVIDED IN RULE
5.05 (H)**

1B **ROLL CALL**

Report: *In addition to the Committee members, the following staff members were present:*

Assistant County Attorneys Eduardo Gonzalez, Dennis Kerbel, James Eddie Kirtley, and Christopher Wahl; and

Deputy Clerks Zorana Milton and Judy Marsh, Clerk of the Board (COB) Division, Miami-Dade Clerk of the Courts.

Commissioner Danielle Cohen Higgins was also in attendance.

Chairwoman Regalado convened the meeting at 9:09 a.m.

MOTION TO SET THE AGENDA

Assistant County Attorney Christopher Wahl advised pursuant to the changes memo, Commissioner Garcia (prime sponsor) had requested deferral of Agenda Items 1G2, 2B and 2B Substitute to no date certain. Additionally, he noted the administration had requested that Agenda Item 3G be forwarded to the October 17, 2023 Board of County Commissioners (Board) meeting.

Chairwoman Regalado acknowledged Commissioner Cohen Higgins' presence at today's meeting to speak on Agenda Item 2C and inquired if the Committee members wished to pull any items for discussion.

Commissioner Steinberg requested to pull Agenda Items 3B, 3D, 3E and 3J.

Commissioner McGhee requested to pull Agenda Item 2C.

It was moved by Commissioner Rodriguez that the County Infrastructure, Operations and Innovations Committee (CIOIC) approve the agenda, with the aforementioned changes; and Agenda Items 2A, 2B, 3A, 3C, 3F, 3G, 3H, 3I, 3J; and 6A be considered simultaneously. This motion was seconded by Commissioner Steinberg, and upon being put to a vote, passed by a vote of 4-0 (Commissioner Hardemon was absent).

SPECIAL NOTE: *Agenda Items 2A, 2B, 3A, 3C, 3F,*

3G, 3H, 3I, and 3J were forwarded to the Board of County Commissioners (Board/BCC) with a favorable recommendation; and Agenda Item 6A was approved.

1C PLEDGE OF ALLEGIANCE

Report: *Commissioner Steinberg led the invocation followed by the Pledge of Allegiance.*

1D **REASONABLE OPPORTUNITY FOR THE
PUBLIC TO BE HEARD AS PROVIDED IN
RULE 6.06**

Report: *Chairwoman Regalado opened the reasonable opportunity to be heard and the following persons appeared before the Committee:*

1.) Mr. Alfred Arcidi, 22840 SW 167 Avenue, Miami, Florida, spoke in opposition of Agenda Item 2C and cautioned about CDMP changes that would allow commercial activity that was not related to agriculture. He noted he would support the resolution if changes were made.

2.) Mr. Ra Schooley, 16311 SW 173 Avenue, Miami, Florida, spoke in opposition of Agenda Item 2C. Ms. Pat Milone, 29325 SW 202 Avenue, Miami, Florida, spoke in opposition of Agenda Item 2C and expressed concern regarding any changes to the CDMP related to agriculture.

3.) Ms. Mary Waters, 13600 SW 229 Street, Miami, Florida, spoke in opposition of Agenda Item 2C. She expressed concern that the proposed charrette lacked structure, and suggested that it be organized with representation from groups and associations.

4.) Mr. Aldo Muirragui, Service Employees International Union (SEIU) Local 32BJ, spoke in support of Agenda Item 3J.

5.) Ms. Sarah Lasseur, 21250 NW 14 Place, Miami, Florida, spoke in support of Agenda Item 3J.

6.) Ms. Yvette Gomez, 19000 SW 190 Street, Miami, Florida spoke in support of Agenda Item 2C and requested the charrette process include a cost analysis to determine the expenses related to operating a farm.

7.) Ms. Kettle Lineas, 955 NW 199 Street, Miami, Florida, a security officer at Miami International Airport (MIA) for Allied Universal, spoke in support of Agenda Item 3J.

8.) Ms. Mayra Vergara, 14453 SW 106 Terrace, Miami, Florida, thanked the Committee members for listening to what was occurring in the Redlands area as it related to noise and music.

Seeing no one else come forward to speak,

1G2

231493 Ordinance Sen. Rene Garcia

ORDINANCE RELATING TO COMMUNITY COUNCILS AND ZONING IN THE UNINCORPORATED AREA; WAIVING BOARD MEMBER RESIDENCY REQUIREMENT OF SECTION 20-43(A)(1) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, FOR SUSANA GINORIS, AND APPOINTING HER TO THE MIAMI-DADE COUNTY COMMUNITY COUNCIL AND COMMUNITY ZONING APPEALS BOARD 5; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

Deferred to no date certain
Mover: Rodriguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon

Report: *Assistant County Attorney Eduardo Gonzalez read the title of the foregoing proposed ordinance into the record.*

Chairwoman Regalado opened the public hearing and the following persons appeared before the Committee in opposition of the foregoing proposed ordinance:

1.) Mr. Tony Recio, 2800 Ponce-de-Leon Boulevard, Coral Gables, Florida, appeared on behalf of Antillean Marine Shipping Corporation, and gave a PowerPoint presentation regarding the Port of Miami River highlighting the residential development. He expressed concerns regarding compatibility with the Comprehensive Development Master Plan (CDMP) and ability to navigate on the Miami River and requested an opportunity to bring the foregoing legislation back to the Miami River Commission for review.

Chairwoman Regalado recommended Mr. Recio discuss the issues with Commissioner Cabrera, the District Commissioner, prior to the November 7, 2023 Board of County Commissioners meeting; and noted the Miami River Commission had submitted a letter in support of the proposed ordinance.

2.) Mr. Mark Bailey, Miami River Marine Group, 3033 NW North River Drive, Miami, Florida, noted the ordinance conflicted with the Miami River Corridor Urban Infill Plan and residential housing was incompatible with the overall industrial area. Mr. Bailey stated there had been no county-sponsored public workshops regarding the proposed change.

3.) Mr. Yonnathan Vera, 9995 SW 66 Street, Miami, Florida, Antillean Marine Shipping Corporation, noted Antillean was a staple in the community and

anything in the water would threaten Antillean's operations and the employment of many people.

4.) Mr. Alfred Arcidi, 22840 SW 167 Avenue, Miami, Florida, stated it was critical to protect marine industrial businesses as the redevelopment of industrial areas to residential would result in job loss.

5.) Mr. Ra Schooley, 16311 SW 173 Avenue, Miami, Florida, contended that industrial businesses should be maintained in the Miami River. The following speakers appeared in support of the foregoing proposed ordinance:

6.) Mr. Jose Bared, owner, Jones Boat Yard, 3399 NW South River Drive, Miami, Florida pointed out that residential uses were already allowed by the Board of County Commissioners (Board).

7.) Ms. Tracy Slavens, LSN Law, 3800 NE 1 Avenue, Miami, Florida, representing Jones Boat Yard, echoed Mr. Bared's comments regarding residential uses. She reviewed the proposed ordinance's requirement regarding water-dependent uses and the definition of water-dependent uses in the CDMP; and submission of any project to the Miami River Commission. Ms. Slavens pointed out that the registered speakers did not own property within the Palmer Lake Metropolitan Urban Center (PLMUC) District and were not part of this zoning district or subject to the proposed changes, and referred to letters from property owners on NW South River Drive within the PLMUC District who were in support of the foregoing ordinance. She indicated that she would submit other letters in support of the ordinance and continue working with the speakers to resolve their issues prior to the ordinance being submitted to the Board for second reading.

There being no one other persons appearing to speak Chairwoman Regalado closed the public hearing.

Commissioner Hardemon referred to Section 33-284.99.59 of the foregoing ordinance related to uses, and inquired why residential uses were prohibited on one side of the Miami River but allowed on the other side.

Assistant County Attorney James Kirtley explained that it was a policy decision on whether to allow residential uses on one or both sides of the Miami River. He stated there may be ramifications to the

area that staff could address; however, it was permissible under the CDMP.

Commissioner Hardemon remarked that the foregoing proposed ordinance allowed for marine and residential uses on the Tamiami side and he questioned whether this had raised any issues regarding the Miami River side.

Assistant County Attorney Kirtley stated he was unaware of any issues.

Mr. Nathan Kogon, Assistant Director, Department of Regulatory and Economic Resources, Development Services, explained that the Tamiami Canal and the Miami River both permitted industrial and marine uses when the original charrette was created. He noted last year an amendment added the residential component to the Tamiami River component and there had not been any developments under this new ordinance. Mr. Kogon opined the foregoing ordinance was consistent with the CDMP as it maintained the mandated water-dependent uses on the ground floor and to be used as part of any residential development. He noted this would make the Miami River and the Tamiami River equitable.

Commissioner Hardemon asked about the status of the properties that were located within the section of the Miami River that were being discussed and Mr. Kogon stated the foregoing ordinance would not preclude those properties from continuing with marine or industrial uses. He noted should a property owner wish to develop a marine or industrial use, and not a residential use, they still had the right to develop in that manner. Mr. Kogon explained that residential use was a market-rate choice should the property owner wish to develop in addition to marine use. He noted he would research the property use prior to the second reading of the ordinance.

Responding to Chairwoman Regalado's inquiry regarding the next steps, Mr. Kogon stated if the ordinance was adopted by the Board, the next development stage would be an administrative site plan review by Zoning and the Department of Environmental Resources Management (DERM) staff. He noted the administrative site plan review (ASPR) would also be presented to the Miami River Commission (MRC) for their review.

Commissioner Steinberg stated she was inclined to support the item and inquired whether DERM had

any concerns.

Ms. Lisa Spadafina, Director, Department of Environmental Resources Management, stated DERM had no issues providing the work was consistent with the manatee protection plan and the applicant obtained their Class 1 permits.

Chairwoman Regalado said the Committee had been presented with a recommendation from staff and the MRC. She noted the District Commissioner, Commissioner Cabrera, was not present at today's (10/11) meeting and stated that while she was amenable to meeting with the speakers, the concerns raised should be addressed with Commissioner Cabrera.

Commissioner Steinberg asked about the difference between the original ordinance and the substitute version.

Assistant County Attorney Kirtley explained that the substitute item added the requirement that each of the proposed developments would undergo ASPR approval with the County and would be presented to the MRC on an individualized basis for their input. He stated the only caveat was if the MRC could not provide input within sixty (60) days, they could still proceed with the County process to ensure the County's ASPR process was not unnecessarily delayed.

Commissioner Rodriguez urged the speakers who had concerns to contact Commissioner Cabrera prior to the foregoing ordinance being presented to the Board.

There being no further discussion, the Committee proceeded to vote on the foregoing proposed ordinance, as presented.

SPECIAL NOTE: The Prime Sponsor requested a deferral to no date certain.

1G3

231337 Ordinance**Kionne L. McGhee***Withdrawn*

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1, 33-8, AND 33-14.1 AND ARTICLE XXXIII OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF USE (C.U.); EXEMPTING CERTAIN USES PERMITTED IN THE AGRICULTURAL (AU) ZONING DISTRICT FROM C.U. REQUIREMENTS AND CLARIFYING C.U. AND FLOODPLAIN REVIEW REQUIREMENTS FOR USES IN THE AU DISTRICT; REVISING DEFINITIONS; REVISING REQUIREMENTS FOR AQUACULTURE AND FOR USES THAT ARE ANCILLARY TO AGRICULTURAL USES, INCLUDING FARM STANDS, WINERIES, BREWERIES, AND DISTILLERIES, AND AGRITOURISM; AUTHORIZING MOBILE FOOD SERVICE OPERATIONS IN THE AU DISTRICT SUBJECT TO CERTAIN CONDITIONS; REVISING REGULATIONS FOR PARKING AND OUTDOOR STORAGE OF EQUIPMENT AND VEHICLES IN THE AGRICULTURAL (AU) ZONING DISTRICT AND FOR OTHER USES THAT ARE ANCILLARY TO AND DIRECTLY SUPPORTIVE OF AGRICULTURE; AMENDING DIVISION 2 OF ARTICLE III OF CHAPTER 24; ALLOWING HANDLING OF FOOD AND DRINK ON AGRICULTURAL PROPERTIES WHEN SERVED BY ONSITE DOMESTIC WELL SYSTEM AND ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM UNDER CERTAIN CONDITIONS; DELEGATING AUTHORITY TO THE DIRECTOR TO APPROVE CERTAIN FORM COVENANTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *See Agenda Item 1G3 Substitute; Legislative File No. 231937*

1G3 Supplement

231775 Supplement

FISCAL IMPACT STATEMENT TO ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1, 33-8, AND 33-14.1 AND ARTICLE XXXIII OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF USE (C.U.); EXEMPTING CERTAIN USES PERMITTED IN THE AGRICULTURAL (AU) ZONING DISTRICT FROM C.U. REQUIREMENTS AND CLARIFYING C.U. AND FLOODPLAIN REVIEW REQUIREMENTS FOR USES IN THE AU DISTRICT; REVISING DEFINITIONS; REVISING REQUIREMENTS FOR AQUACULTURE AND FOR USES THAT ARE ANCILLARY TO AGRICULTURAL USES, INCLUDING FARM STANDS, WINERIES, BREWERIES, AND DISTILLERIES, AND AGRITOURISM; AUTHORIZING MOBILE FOOD SERVICE OPERATIONS IN THE AU DISTRICT SUBJECT TO CERTAIN CONDITIONS; REVISING REGULATIONS FOR PARKING AND OUTDOOR STORAGE OF EQUIPMENT AND VEHICLES IN THE AGRICULTURAL (AU) ZONING DISTRICT AND FOR OTHER USES THAT ARE ANCILLARY TO AND DIRECTLY SUPPORTIVE OF AGRICULTURE; AMENDING DIVISION 2 OF ARTICLE III OF CHAPTER 24; ALLOWING HANDLING OF FOOD AND DRINK ON AGRICULTURAL PROPERTIES WHEN SERVED BY ONSITE DOMESTIC WELL SYSTEM AND ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM UNDER CERTAIN CONDITIONS; DELEGATING AUTHORITY TO THE DIRECTOR TO APPROVE CERTAIN FORM COVENANTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

1G3 Supplement No. 2

231776 Supplement

SOCIAL EQUITY STATEMENT TO ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1, 33-8, AND 33-14.1 AND ARTICLE XXXIII OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF USE (C.U.); EXEMPTING CERTAIN USES PERMITTED IN THE AGRICULTURAL (AU) ZONING DISTRICT FROM C.U. REQUIREMENTS AND CLARIFYING C.U. AND FLOODPLAIN REVIEW REQUIREMENTS FOR USES IN THE AU DISTRICT; REVISING DEFINITIONS; REVISING REQUIREMENTS FOR AQUACULTURE AND FOR USES THAT ARE ANCILLARY TO AGRICULTURAL USES, INCLUDING FARM STANDS, WINERIES, BREWERIES, AND DISTILLERIES, AND AGRITOURISM; AUTHORIZING MOBILE FOOD SERVICE OPERATIONS IN THE AU DISTRICT SUBJECT TO CERTAIN CONDITIONS; REVISING REGULATIONS FOR PARKING AND OUTDOOR STORAGE OF EQUIPMENT AND VEHICLES IN THE AGRICULTURAL (AU) ZONING DISTRICT AND FOR OTHER USES THAT ARE ANCILLARY TO AND DIRECTLY SUPPORTIVE OF AGRICULTURE; AMENDING DIVISION 2 OF ARTICLE III OF CHAPTER 24; ALLOWING HANDLING OF FOOD AND DRINK ON AGRICULTURAL PROPERTIES WHEN SERVED BY ONSITE DOMESTIC WELL SYSTEM AND ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM UNDER CERTAIN CONDITIONS; DELEGATING AUTHORITY TO THE DIRECTOR TO APPROVE CERTAIN FORM COVENANTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

1G3 Substitute

231937 Ordinance

Kionne L. McGhee

Amended

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1, 33-8, AND 33-14.1 AND ARTICLE XXXIII OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF USE (C.U.); EXEMPTING CERTAIN USES PERMITTED IN THE AGRICULTURAL (AU) ZONING DISTRICT FROM C.U. REQUIREMENTS AND CLARIFYING C.U. AND FLOODPLAIN REVIEW REQUIREMENTS FOR USES IN THE AU DISTRICT; REVISING DEFINITIONS; REVISING REQUIREMENTS FOR AQUACULTURE AND FOR USES THAT ARE ANCILLARY TO AGRICULTURAL USES, INCLUDING FARM STANDS, WINERIES, BREWERIES, AND DISTILLERIES, AND AGRITOURISM; AUTHORIZING MOBILE FOOD SERVICE OPERATIONS IN THE AU DISTRICT SUBJECT TO CERTAIN CONDITIONS; REVISING REGULATIONS FOR PARKING AND OUTDOOR STORAGE OF EQUIPMENT AND VEHICLES IN THE AGRICULTURAL (AU) ZONING DISTRICT AND FOR OTHER USES THAT ARE ANCILLARY TO AND DIRECTLY SUPPORTIVE OF AGRICULTURE; AMENDING DIVISION 2 OF ARTICLE III OF CHAPTER 24; ALLOWING HANDLING OF FOOD AND DRINK ON AGRICULTURAL PROPERTIES WHEN SERVED BY ONSITE DOMESTIC WELL SYSTEM AND ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM UNDER CERTAIN CONDITIONS; DELEGATING AUTHORITY TO THE DIRECTOR TO APPROVE CERTAIN FORM COVENANTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 231337]

Report: *(See Agenda Item 1G3 Substitute Amended; Legislative File No. 232050)*

1G3 Substitute Amended

232050 Ordinance**Kionne L. McGhee**

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1, 33-8, AND 33-14.1 AND ARTICLE XXXIII OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF USE (C.U.); EXEMPTING CERTAIN USES PERMITTED IN THE AGRICULTURAL (AU) ZONING DISTRICT FROM C.U. REQUIREMENTS AND CLARIFYING C.U. AND FLOODPLAIN REVIEW REQUIREMENTS FOR USES IN THE AU DISTRICT; REVISING DEFINITIONS; REVISING REQUIREMENTS FOR AQUACULTURE AND FOR USES THAT ARE ANCILLARY TO AGRICULTURAL USES, INCLUDING FARM STANDS, WINERIES, BREWERIES, AND DISTILLERIES, AND AGRITOURISM; AUTHORIZING MOBILE FOOD SERVICE OPERATIONS IN THE AU DISTRICT SUBJECT TO CERTAIN CONDITIONS; REVISING REGULATIONS FOR PARKING AND OUTDOOR STORAGE OF EQUIPMENT AND VEHICLES IN THE AGRICULTURAL (AU) ZONING DISTRICT AND FOR OTHER USES THAT ARE ANCILLARY TO AND DIRECTLY SUPPORTIVE OF AGRICULTURE; AMENDING DIVISION 2 OF ARTICLE III OF CHAPTER 24; ALLOWING HANDLING OF FOOD AND DRINK ON AGRICULTURAL PROPERTIES WHEN SERVED BY ONSITE DOMESTIC WELL SYSTEM AND ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM UNDER CERTAIN CONDITIONS; DELEGATING AUTHORITY TO THE DIRECTOR TO APPROVE CERTAIN FORM COVENANTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEMS UNDER FILE NOS. 231337, 231937]

Forwarded to BCC with a favorable recommendation with committee amendments following public hearing

Mover: McGhee

Secunder: Rodriguez

Vote: 3-2

No: Steinberg, Regalado

Report: *Assistant County Attorney Eduardo Gonzalez read the title of the foregoing proposed ordinance into the record.*

Chairwoman Regalado opened the public hearing and the following individuals appeared in support of the foregoing proposed ordinance:

1.) Ms. Jessica Gonzalez, El Toro Loco Farm and El Toro Loco Churrascaria, 13800 SW 8 Street, Miami, Florida, appeared on behalf of the Miami Agritourism Farms Association (MAFA).

2.) Mr. Aldo Espinosa, El Toro Loco Farm and El Toro Loco Restaurants, 13800 SW 8 Street, Miami, Florida, appeared on behalf of the Miami Agritourism Farms Association (MAFA).

- 3.) *Mr. Victor Guzman, 18407 SW 154 Street, Miami, Florida, owner of By Brothers.*
- 4.) *Ms. Maribel Lemus, 8700 SW 100 Street, Miami, Florida, owner of Gateway Farms and Royd's LLC.*
- 5.) *Mr. Carlos Villendas (no address provided).*
- 6.) *Mr. Ivan Izquierdo, 13701 SW 88 Street, Miami, Florida, spoke on behalf of By Brothers and MAFA. He stated the foregoing ordinance adhered to State law and farmers would benefit from agritourism.*
- 7.) *Mr. Nelson Guzman, 14311 SW 187 Avenue, Miami, Florida, referred to Resolution R-436-07 which directed the County Manager to conduct a fact-finding mission and develop strategies to promote agritourism and diversify agriculture in Miami-Dade County.*
- 8.) *Ms. Mercedes Guzman, 18407 SW 154 Street, Miami, Florida, submitted photographs of over 15 farms in Florida and nationally that showcased successful integration of agritourism into their business models.*
- 9.) *Ms. Daniela Guzman, 14311 SW 187 Avenue, Miami, Florida, owner, Honey Bee Farm.*
- 10.) *Ms. Lilly Real, Attorney, 3186 West Flagler Street, Miami, Florida, appeared on behalf of two clients who had an interest in agritourism. She noted this would bring education and entertainment to children and families.*
- 11.) *Mr. Juan Denis, 14285 SW 181st Terrace, Miami, Florida.*
- 12.) *Mr. Fernando Mendoza (no address provided).*
- 13.) *Mr. Carlos Nunez, 8845 SW 21st Terrace, Miami, Florida.*
- 14.) *Mr. Fernando Martinez, 4520 Granada Boulevard, Coral Gables, Florida, appeared on behalf of Redland Koi Gardens, and requested the foregoing ordinance be modified to include smaller area farms.*
- 15.) *Mr. Simon Ferro, 2525 Ponce de Leon Boulevard, Miami, Florida, appeared on behalf of Mr. Fernando Martinez, owner, Redland Koi Gardens, offered a friendly amendment to Section 8(a)(b) of the foregoing ordinance related to rural*

event venue to include properties of at least 2.5 gross in the ordinance.

The following individuals appeared in opposition of the foregoing proposed ordinance:

1.) Ms. Barbara Glancy, 21100 SW 300 Street, Miami, Florida.

2.) Ms. Missy Melaney, 25990 SW 222 Avenue, Miami, Florida.

3.) Ms. Aanastasia (phonetic) Marrero, 14311 SW 187 Avenue, Miami, Florida.

4.) Mr. Michael Wanek, Wanek Farms, 20520 SW 190 Street, Miami, Florida, suggested that a comprehensive analysis be conducted to determine the impact of the foregoing ordinance on issues such as water quality canals and environment; residents' quality of life and public exposure to potential health, injury or sanitation risk factors. He also suggested that discussions be held with stakeholders, farmers, venue operators, and residents as proposed in Agenda Item 2C.

5.) Mr. Alfred Arcidi, 22840 SW 167 Avenue, Miami, Florida, commented that the University of Florida agriculture study concluded that agriculture would no longer be viable in Miami-Dade County by 2030, and noted the foregoing proposed ordinance removed the Certificate of Use (CU) which the County used to ensure that bona-fide farming was occurring on agricultural land.

6.) Mr. Ra Schooley, 16311 SW 173 Avenue, Miami, Florida, noted the ordinance did not mirror State statute's requirement that residents had the right to quiet and peace and the County's mitigation of off-site impacts.

7.) Ms. Stephanie Del Pino, 280 and SW 182 Avenue, Homestead, Florida expressed concerns regarding her home, family and future as local Redland residents.

8.) Mr. Robert Barnes, 23847 SW 147 Avenue, Miami, Florida, spoke about the lack of supervision and urged the Committee to vote "no."

9.) Ms. Debie Lee, 23847 SW 147 Avenue, Homestead, Florida spoke about the loud noises, fire trucks, ambulances and police traffic; and illegal vendors.

- 10.) Ms. Amanda Diffée, 24040 SW 157 Avenue, Homestead, Florida.
- 11.) Mr. Diego Hurtado, 20011 SW 128 Street, Miami, Florida.
- 12.) Ms. Mary Waters, 13600 SW 229 Street, Redland, Florida, asked the Committee to recommend denial of the ordinance to the Board of County Commissioners.
- 13.) Ms. Mayra Vergara, 14453 SW 106 Terrace, Miami, Florida.
- 14.) Ms. Yvette Gomez, 19000 SW 190 Street, Miami, Florida, expressed concern that the foregoing legislation would negatively impact her property value.
- 15.) Ms. Belkis Alvarez, President, Miami Countryside Agritourism Association (MCAA).
- 16.) Ms. Pat Milone, 29325 SW 202 Avenue, Redland, Florida urged the Committee to reject this proposal.
- 17.) Ms. Jocelyn Guilfoyle, Executive Director, Dade County Farm Bureau (DCFB), 3075 SE 7 Place, Homestead, Florida, thanked the commissioners for removing the truck parking additions, clarifying the CU requirements and the alternative to septic tanks and cleanup of the outdated language in the foregoing ordinance. She expressed concerns regarding the necessities of certain non-agricultural expansions based on the number of changes in the ordinance. Ms. Guilfoyle reported that the DCFB supported bonafide agricultural tourism and educating the public about agriculture; and opined all operations should be good neighbors.
- 18.) Ms. Jeannette Varela, owner, Casa Tranquila Miami, 17175 SW 232 Street, Miami, Florida suggested the item be modified and the Cus removed.

There being no other persons appearing wishing to speak, Chairwoman Regalado closed the public hearing.

Chairwoman Regalado asked Assistant County Attorney Dennis Kerbel to review the Miami-Dade County's implementation of the Florida Statute related to agritourism.

Assistant County Attorney Kerbel advised the foregoing ordinance exceeded the State Statute's requirement of what was allowed by the County. He noted under the definition of State law, agritourism only applied to land classified by the Property Appraiser as agriculture, and did not allow for construction of new structures primarily to house the general public. Assistant County Attorney Kerbel stated to the extent that the Statute preempted local regulation it was only applicable to a repurposing of the farm. He advised that the County Attorneys' interpretation had consistently been that the certificate of use (CU) requirements for any of these uses was the County's enforcement method of what was allowed under State law for agritourism which was substantial off-site impacts such as traffic, noise, pollution and storm water discharge. Assistant County Attorney Kerbel opined that the County's current regulations were consistent with the Statute; and the proposed ordinance would go further and allow the construction of new structures for agritourism purposes but would subject those to the standard County review, including Cus.

Chairwoman Regalado expressed her concerns as to whether there should be expansion of the Comprehensive Development Master Plan (CDMP), and asked Assistant County Attorney Kerbel to address this issue.

Assistant County Attorney Kerbel advised the foregoing ordinance would be tested for consistency against the County's CDMP as it exceeded the minimum requirements of State law. He opined that it was legally sufficient for the Board of County Commissioners (Board) to interpret whether the additional allowances were consistent with the CDMP's provisions for agritourism. Assistant County Attorney Kerbel noted the CDMP referred to, but did not define, agritourism.

Responding to Chairwoman Regalado's inquiry regarding carve-outs for other parts of Miami-Dade County, if the Committee were to augment the definition of agritourism and recommend approval of the proposed ordinance to the Board; Assistant County Attorney Kerbel advised the CDMP required consistency with the zoning code; however, the zoning code could be more restrictive. He referred to Commissioner Rodriguez's proposed floor amendment which was distributed to the Committee members and opined that based on the current draft, it would only permit expanded outdoor amusements, mobile food service

operations and construction of new facilities outside of the Urban Development Boundary (UDB).

Chairwoman Regalado asked Ms. Lourdes Gomez, Director, Department of Regulatory and Economic Resources, to discuss the positive aspects of the proposed ordinance.

Ms. Lourdes Gomez, Director, Department of Regulatory and Economic Resources (RER), spoke on the following positive aspects outlined in Agenda Item 1G3 Substitute Supplement:

~ The policy decision to require Cus and other applicable permit based on the location inside the Urban Development Boundary (UDB), to the extent that the Board wished to enable mobile food trucks in an agricultural area;

~ Exempt hearings before the Environmental Quality Control Board (EQCB); and

~ The removal of CU for actual agricultural uses.

Ms. Gomez expressed concern regarding the removal of the height exemption for aquaculture, citing concerns about compatibility with the surrounding areas; the removal of CU for wineries, breweries and distilleries; the expansion of amusement allowances; the definition of food service; and the removal of CU for rural event venues.

Chairwoman Regalado asked Mr. Nathan Kogan, Assistant Director, Department of Regulatory and Economic Resources, Development Services, to address the impact of uses within the proposed ordinance as it related to the CDMP.

Mr. Kogan stated the amusement type uses was inconsistent with the CDMP's interpretive text for agriculture of the Land Use Element (LUE), and inconsistent with the CDMP compatibility standards pursuant to the LUE. He noted should the Board wish to examine other potential uses within the agricultural area, it would be appropriate to discuss that issue within the confines of the comprehensive plan to guide the Zoning ordinance and navigate in the appropriate manner. Mr. Kogan pointed out that staff wanted to develop an ordinance that was objective and removed ambiguity. He noted one of the ambiguities was related to the bonafide farm designations by the Property Appraiser, and staff designating farms solely upon observation.

Chairwoman Regalado commented on the County's actions possibly being in violation with the rest of the State, as agriculture was determined by the Property Appraiser, a Constitutional Officer.

Mr. Kogon suggested analyzing the CDMP and the State preemptions. He noted if staff needed to make adjustments to facilitate a different outcome, such changes could be done within the CDMP and the ordinance could be modified appropriately.

In response to Commissioner Regalado's inquiry regarding a complementary use and the proposed percentages and their impacts, Ms. Gomez explained new structures were being constructed on land that did not meet the genuine criteria, which was contrary to State law allowance. She expressed concern regarding the potential allowance for ancillary use with up to 49 percent (49%) of the property being used for amusement purposes which was beyond the scope of the State law and the bonafide agriculture area, particularly since the department recently received the agricultural lands study that was commissioned in 2022. Ms. Gomez noted the ancillary allowances posed questions regarding the impact the proposed ordinance could have in undermining agriculture production.

Assistant County Attorney Kerbel acknowledged that up to 49 percent (49%) of the property could be used; however, he clarified that the Miami-Dade County Code defined ancillary in relation to the primary use, and the ancillary uses must be less than two acres.

Commissioner Regalado referenced comments made by one of the speakers regarding the different rules related to agricultural and non-agricultural properties situated on properties five (5) acres in size versus those situated on less than five (5) acres and asked if staff had an issue with the reduction.

Mr. Kogon stated staff would need to review this issue to determine whether this type of use could fit on such a small property. He noted the Code was less restrictive when properties were 100 percent (100 %) agriculture, and if a property was determined to be bonafide agriculture by the Property Appraiser and was legitimately used as such, the department generally wanted to be less restrictive.

Commissioner McGhee inquired whether the foregoing proposed legislation would permit the

construction of a strip club featuring mechanical bulls in the agricultural areas near Krome in the agricultural areas.

Assistant County Attorney Kerbel advised that under the County Code, adult entertainment uses were only allowed in the IU-1 zoning district, and new ones would not be permitted as a result of the foregoing proposed ordinance.

Commissioner McGhee spoke about his personal experiences living in the Redlands. He spoke about his commitment to protecting the farmlands. He clarified the intent of the foregoing proposed ordinance was to protect farmlands by introducing a mechanism (agritourism) to prevent overdevelopment. Commissioner McGhee spoke about farmers' rights to utilize their properties to showcase how farming benefited the community and pointed out that farming was on the decline locally and nationally due to government regulations. He opined that agritourism allowed for a small ancillary position to produce more crops and products that were needed to save farming and explained that the proposed ordinance would enable the County to combat overdevelopment in the Redland area and allocate funds necessary to preserve farms, especially as agricultural lands were dwindling and artificial obstacles were being imposed on farmers. Commissioner McGhee presented a video featuring Florida's Commissioner of Agriculture, Wilton Simpson, advocating for agritourism to the current Florida Legislature.

Commissioner McGhee commented that farms in Miami-Dade County were under attack, and highlighted the need for additional income to resist overdevelopment in these communities.

In response to Commissioner McGhee's inquiry whether the foregoing proposed ordinance was illegal, Assistant County Attorney Kerbel opined the legislation was legally sufficient with the CDMP, and if challenged, was defensible. He further opined the Board could interpret the CDMP in a manner that was consistent with the proposed ordinance which was a different interpretation than staff's interpretation.

Following further questions to Assistant County Attorney Kerbel regarding provisions related to the agritourism statute and new structures, Commissioner McGhee reiterated that the agritourism statute did not prevent the building

code from permitting new structures for agritourism purposes as long as they complied with the County's regulations. Assistant County Attorney Kerbel confirmed the statute allowed the County to establish rules for such structures.

In response to Commissioner McGhee's comments that Lee County's Code allowed new structures or buildings to be submitted to the Building Code for approval before being erected, Assistant County Attorney Kerbel advised that while he had not had an opportunity to review the Code; he was aware that staff had reviewed other codes.

Mr. Kogon advised the Committee members that staff had not researched Lee County's Zoning Code. Commissioner McGhee read Section 2 of Florida Senate Bill 1186, related to agritourism into the record. Ms. Gomez confirmed that the County's current laws aligned with the Florida Senate Bill 1186, and the County had not prohibited any agritourism activity on bonafide land.

Discussion ensued between Commissioner McGhee and Assistant County Attorney Kerbel regarding permitted ancillary use as detailed in the foregoing proposed ordinance.

Assistant County Attorney Kerbel commented on the importance of ancillary use and advised that the foregoing legislation would allow agritourism as an ancillary use to a farm, which generally met the definition of the Florida Statute but did not require that farm to be classified as agriculture by the Property Appraiser.

In response to Commissioner McGhee's inquiry whether the ancillary portion would include parking, Assistant County Attorney Kerbel advised that ancillary uses would require parking and deferred to staff for further clarification.

Mr. Kogon and Ms. Gomez confirmed that the ancillary portion would include parking.

Commissioner McGhee concluded his comments by stating the foregoing proposed ordinance would protect the community from overdevelopment and help with the tax base to save farms.

Chairwoman Regalado stated that while she did not have an issue with ensuring compliance with the state statute and codifying best practices to comply; she was concerned about staff's determination regarding agriculture and inquired whether

Commissioner McGhee was willing to remove this determination from the proposed legislation.

Commissioner McGhee stated he had been working with Ms. Gomez and Mr. Kogon and had removed the issues that were raised, including the trucking and the CU. He noted that he would discuss the agriculture issue with Ms. Gomez, Mr. Kogon, and the County Attorney.

Chairwoman Regalado inquired whether Commissioner McGhee would consider a deferral on the proposed ordinance to address the concerns raised by staff.

Commissioner McGhee offered to meet with Chairwoman Regalado in a Sunshine meeting to discuss issues of concern; however, he noted that he would continue discussions with the administration, Assistant County Attorney Kerbel, Chairwoman Regalado, and any other commissioner who would like to meet in a Sunshine meeting to address these issues.

Chairwoman Regalado recognized the merits of the proposed ordinance including the changes to the EQCB requirements and the elimination of the Cus for agricultural uses. Despite these benefits however, she indicated that she would be willing to meet with Commissioner McGhee in a Sunshine meeting to further discuss the foregoing ordinance; because she could not support the ordinance in its present form as it related to the designation of agriculture by staff as opposed to the State of Florida; and the removal of Cus for wineries, breweries and distilleries and exemption from liquid waste.

Commissioner Cohen Higgins spoke in opposition of the foregoing ordinance. She stated that while she was not a Committee member; the issue was important as she also represented the Redlands, farmers and agritourism owners. Commissioner Cohen Higgins thanked Commissioner McGhee for making substantial changes to the proposed ordinance but noted the changes were insufficient as it did not create nor permit agritourism in Miami-Dade County and the County currently had a thriving agritourism business and industry. She added that the foregoing legislation was exempting certain structures that had already been built on these properties and was contrary to State law. Commissioner Cohen Higgins remarked that business owners were using agriculture-zoned land and transforming them into agritourism spaces

which was permissible, but simultaneously constructing structures to bolster the entertainment aspect. She advised that according to Florida Statutes, agritourism activities did not encompass the construction of these structures and expressed concern that the proposed ordinance was shifting an area already under significant threat to one with amusement parks. Commissioner Cohen Higgins said the Board must decide on the future of the area and commissioners needed to be consistent in their message as to whether they were supporting farmers. She opined the Board was united in supporting bonafide farmers and the agritourism industry, and expressed concern regarding the lack of Cus, building structures to grow agritourism, the safety of residents and the safety of families visiting farms.

Commissioner Cohen Higgins referred to Agenda Item 2C on today's (10/11) agenda under her sponsorship related to a proposed charrette for building a comprehensive plan for the future of the Redlands, and noted this item was in response to the foregoing proposed ordinance. She stated that she supported agritourism; however, her primary concern was ensuring the Board was adopting policies that promoted the safety of residents and balancing the interests of bonafide farmers who were producing crops that were being sold to residents. Commissioner Cohen Higgins commented on organizations that were opposed to the foregoing ordinance and noted the ordinance should have been crafted in a careful, methodical and inclusive manner. She expressed concern regarding the lack of community meetings, Sunshine meetings with colleagues, and the lack of input from community farmers, and suggested allowing the charrette process to proceed, bringing the groups that were present at today's meeting together and submitting a comprehensive plan to the Board for the Redlands.

Commissioner Cohen Higgins stated the CDMP could be amended to create a business district where the intent of the ordinance could be accomplished through a different mechanism that simultaneously protected those that were concerned. She suggested commissioners proceed cautiously based on the agricultural study that indicated that by 2030 agriculture land would be significantly compromised if the County was not careful.

Commissioner Cohen Higgins recognized Commissioner McGhee's desire to allow additional streams of income but noted if the proposed

ordinance was adopted it would be an incentive for people to purchase cheap land, avoid taxes, make a lot of money and threaten the agricultural industry significantly, which was the second largest economic producer in Miami-Dade County.

Commissioner Steinberg thanked Commissioner McGhee for sponsoring the foregoing proposed ordinance and his commitment to continue working with staff; however, she noted that she was hesitant about forwarding this item to the Board based on staff's concerns.

Chairwoman Regalado mentioned that she and many commissioners had agriculture designations in their commission districts and they would be impacted by the foregoing ordinance. She concurred with Commissioner Cohen Higgins' suggestion regarding the CDMP amendment and creating a business district.

Commissioner Rodriguez spoke about the Board's commitment to protecting the agriculture and agritourism community; and commented that his proposed floor amendment addressed other Agricultural District (AU) areas throughout the county and cities.

Chairwoman Regalado spoke in support of the foregoing ordinance being addressed through an amendment to the CDMP as property owners would be notified and allowed input at a public meeting to discuss the change to the CDMP and the impact on zoning. She noted if the Board proceeded with the foregoing proposed ordinance as presented, affected property owners would not be notified and another commissioner could bring an item to remove the carve-out.

Commissioner Rodriguez asked if Commissioner McGhee would the proffered amendment and stated that while he was inclined to support the legislation today; he was unsure of his support at the Board meeting. Commissioner Rodriguez expressed his support for protection for farmers and commended Commissioner Cohen Higgins for sponsoring Agenda Item 2C. He noted the foregoing proposed ordinance brought a sense of urgency to get something accomplished.

Commissioner McGhee accepted the proffered amendment.

Pursuant to the amendment proffered by Commissioner Rodriguez, Assistant County

Attorney Dennis Kerbel advised that the foregoing proposed ordinance would be amended to provide that outdoor amusements, mobile food service operations, and other construction of new or original facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public for ancillary agritourism uses is only permitted outside of the urban development boundary.

Commissioner Hardemon stated that while he did not agree with many components of the proposed legislation, he concurred with Commissioner Rodriguez's comments regarding the item creating a sense of urgency. Commissioner Hardemon indicated his support for forwarding the proposed ordinance to the Board for consideration, but noted it required additional work and significant improvement.

Chairwoman Regalado accepted Commissioner McGhee's offer to meet with him in a Sunshine meeting to discuss concerns regarding the foregoing proposed ordinance, and concurred with her colleagues regarding the urgency of the matter. She spoke about the need to forward vetted items to the Board for consideration and voiced her concerns that the proposed legislation would undermine Agenda Item 2C, which was sponsored by Commissioner Cohen Higgins.

Following questions to Assistant County Attorney Kerbel regarding the Board's deferral process, Commissioner Hardemon suggested Commissioner McGhee consider extending the timeframe in which the foregoing ordinance would be heard so the Committee could have meaningful discussion and make corrections to the ordinance through Sunshine meetings before it was presented to the Board.

Assistant County Attorney Kerbel advised that the foregoing proposed ordinance would normally be heard at the first meeting in November 2023. Commissioner McGhee asked about the procedure to schedule the second reading of the proposed ordinance to facilitate sufficient time to meet with Mr. Kogon and Ms. Gomez.

Assistant County Attorney Kerbel advised that Board Chairman Gilbert III determined which Board meeting the foregoing proposed ordinance would be considered. He stated the normal course would be for the ordinance to be considered at the next meeting in November; however, it could be

accompanied by a motion to request that it not be set for second reading until a different time.

Commissioner Cohen Higgins expressed concern that the public hearing on the proposed ordinance may not be reopened to discuss the changes that would be made to the ordinance when it came before the Board. She suggested deferring the item today, making amendments and allowing the public to speak on it.

Chairwoman Regalado agreed with Commissioner Cohen Higgins suggestion and stated that she would prefer the item be deferred to allow more time to work with staff and the commissioners. She noted she did not have a problem with enactment of the State statute, and pointed out that a full analysis of the unintended consequence of the ordinance had not been conducted. Chairwoman Regalado suggested deferring the proposed ordinance until 2024.

Commissioner McGhee requested the second reading for the foregoing proposed ordinance be held at the December 2023 at a Board meeting.

There being no further questions or comments, the Committee proceeded to vote on the foregoing ordinance, as amended.

NOTE: Assistant County Attorney Dennis Kerbel noted Commissioner Rodriguez' proposed amendment as follows:

- "to provide that outdoor amusements, mobile food service operations, and other construction of new or original facilities intended primarily to house, shelter, transport, or otherwise accommodate members of the general public for ancillary agritourism uses is only permitted outside of the urban development boundary."

Commissioner McGhee requested the second reading for the foregoing proposed ordinance be held in December 2023 at a Board of County Commissioners' meeting.

1G4

231521 Ordinance **Anthony Rodriguez** *Withdrawn*
ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REGULATIONS PERTAINING TO THE SIZE OF UTILITY SHEDS PERMITTED ON RESIDENTIAL LOTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *See Agenda Item 1G4 Substitute; Legislative File No. 231925*

1G4 Substitute

231925 Ordinance **Anthony Rodriguez** *Amended*
ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REGULATIONS PERTAINING TO THE SIZE OF UTILITY SHEDS PERMITTED ON RESIDENTIAL LOTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 231521]

Report: *(See Agenda Item 1G4 Substitute Amended; Legislative File No. 232048)*

1G4 Substitute Amended

232048 Ordinance**Anthony Rodriguez**

ORDINANCE RELATING TO ZONING IN THE UNINCORPORATED AREA; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING REGULATIONS PERTAINING TO THE SIZE OF UTILITY SHEDS PERMITTED ON RESIDENTIAL LOTS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEMS UNDER FILE NOS. 231521, 231925]

Forwarded to BCC with a favorable recommendation with committee amendments following public hearing
Mover: Rodriguez
Second: Regalado
Vote: 4-0
Absent: McGhee

Report: *Assistant County Attorney Eduardo Gonzalez read the title of the foregoing proposed ordinance into the record.*

Chairwoman Regalado opened the public hearing. There being no one appearing wishing to speak, the public hearing was closed.

Assistant County Attorney James Eddie Kirtley read into the record the following floor amendment proffered by Chairwoman Regalado:

- "On page MDC008, a new subparagraph (1)(3) shall be added to require that, prior to the issuance of a building permit for a utility shed, the property owner shall furnish the County with a fully executed declaration of use, or other legal instrument acceptable to the Director, promising that the utility shed will not be used for living quarters or other habitable purposes. The remaining sub-paragraphs that follow shall be renumbered accordingly."

Additionally, Assistant County Attorney Kirtley noted the proffered amendment added the requirement that the declaration of use be furnished promising that the shed would not be used for living, which was consistent with the definition of sheds now that they could not be used for such purposes.

Commissioner Rodriguez accepted Chairwoman Regalado's proposed amendment.

In response to Commissioner Steinberg's inquiry regarding the impact of the foregoing proposed ordinance on smaller properties, Mr. Nathan Kogon, Assistant Director, Development Services, Department of Regulatory and Economic Resources (RER), stated the proposed ordinance would help smaller lots to obtain more size and the sheds could never be greater than 400 square feet.

Commissioner Steinberg stated her intent to meet with staff to obtain further clarification prior to the proposed ordinance being considered by the Board of County Commissioners.

There being no further questions or comments, the Committee proceeded to vote on the foregoing ordinance, as amended.

2 COUNTY COMMISSION

2A

231885 Resolution Marleine Bastien

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO ORGANIZE A CHARRETTE AND FACILITATE THE PREPARATION OF AN UPDATED CHARRETTE REPORT REGARDING FUTURE GROWTH AND DEVELOPMENT AND PUBLIC INFRASTRUCTURE NEEDS OF THE NORTH CENTRAL AREA LOCATED IN AN UNINCORPORATED PORTION OF DISTRICT 2 IN MIAMI-DADE COUNTY

*Forwarded to BCC with a favorable recommendation
Mover: McGhee
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon*

2B

231522 Resolution Sen. Rene Garcia

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH BENCOR TO PROVIDE CERTAIN RETIREMENT BENEFITS THROUGH A SPECIAL PAY PLAN FOR COUNTY EMPLOYEES

*Deferred to no date certain
Mover: Rodriguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon*

Report: *The Prime Sponsor is requesting a deferral to no date certain.*

2B Substitute

231972 Resolution

Sen. Rene Garcia

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH BENCOR TO PROVIDE CERTAIN RETIREMENT BENEFITS THROUGH A SPECIAL PAY PLAN FOR COUNTY EMPLOYEES BY ACCESSING A COMPETITIVELY SOLICITED CONTRACT BETWEEN BENCOR AND ANOTHER PUBLIC ENTITY; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RETURN CONTRACT AWARD TO BOARD WITHIN 30 DAYS [SEE ORIGINAL ITEM UNDER FILE NO. 231522]

Deferred to no date certain

Mover: Rodríguez

Seconder: Steinberg

Vote: 4-0

Absent: Hardemon

Report: *The Prime Sponsor is requesting a deferral to no date certain.*

2C

231906 Resolution Danielle Cohen Higgins

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A CHARRETTE FOR THE AGRICULTURAL COMMUNITY IN THE REDLAND AND AROUND KROME AVENUE TO CONSIDER (1) ALLOWING FOR EXPANDED AGRITOURISM ACTIVITIES AND OTHER APPROPRIATE USES AND (2) DEFINING THE BOUNDARIES OF THE REDLAND; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT

Forwarded to the BCC by the BCC Chairman with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 5-0

Report: *Assistant County Attorney Eduardo Gonzalez read the title of the foregoing proposed resolution into the record.*

Commissioner Cohen Higgins explained the intent of the foregoing proposed resolution and requested that if the resolution was adopted by the Board of County Commissioners (Board) the charrette be conducted in an organized manner, and representatives of the interested groups be appointed to boards or appropriate entities relating to the charrette. She noted the foregoing item was in direct response to Agenda Item IG3 Substitute to allow the community to have a voice in the future of the area.

Commissioner McGhee stated he supported the foregoing resolution moving forward but clarified the community was in support of Agenda Item IG3 Substitute relating to agritourism. He noted he met with the stakeholders and staff, and looked forward to meeting with Commissioner Cohen Higgins in a Sunshine meeting to discuss ways on making agritourism beneficial for all of Miami-Dade County.

Commissioner Cohen Higgins requested the foregoing resolution be considered at the October 17, 2023 Board meeting.

Pursuant to Commissioner Cohen Higgins' request, Chairwoman Regalado asked that the appropriate memorandum be prepared requesting that the Board's Rules of Procedure be waived to allow the foregoing resolution to be forwarded to the October 17, 2023 Board meeting for consideration.

In response to Commissioner McGhee's comments about the foregoing item being placed on the October 17, 2023 Board agenda, Assistant County Attorney Christopher Wahl clarified the foregoing

proposed resolution would direct the County Mayor to hold a charrette within a time-certain, and the waiver request would allow the item to be considered at the October 17, 2023 Board meeting.

NOTE: Pursuant to Commissioner Cohen Higgins' request, Chairwoman Regalado asked that the appropriate memorandum be prepared requesting that the Board's Rules of Procedure be waived to allow the foregoing resolution to be forwarded to the October 17, 2023 BCC meeting for consideration.

The Clerk of the Board received an email from the County Attorney's Office regarding the Board of County Commissioners (BCC) Chairperson Gilbert, III's approval of the request to waive the BCC'S Rules of Procedure to allow the foregoing resolution to be heard at the October 17, 2023 Board meeting.

3 DEPARTMENT(S)

3A

231380 Resolution Juan Carlos Bermudez

RESOLUTION APPROVING AN EASEMENT FOR CANAL MAINTENANCE BETWEEN JAKDAK HOLDING ENTERPRISES, INC., AND MIAMI-DADE COUNTY IN EXCHANGE FOR THE RELEASE OF A CANAL MAINTENANCE EASEMENT AND A PORTION OF CANAL RIGHT-OF-WAY LOCATED ADJACENT/WEST OF 8935 NW 35 LANE IN MIAMI-DADE COUNTY; APPROVING DISCLAIMERS FOR THE RELEASE OF A CANAL MAINTENANCE EASEMENT AND A PORTION OF CANAL RIGHT-OF-WAY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE DISCLAIMERS AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS TRANSACTION; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AN EASEMENT FOR AND ON THE BEHALF OF MIAMI-DADE COUNTY (Regulatory and Economic Resources)

*Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon*

3B

231841 Resolution

RESOLUTION APPROVING AWARD OF A LEGACY CONTRACT NO. L7662-2/32 TO EQUINIX, INC. FOR THE PURCHASE OF INTERNET ACCESS, COLOCATION, AND MANAGED ROUTER SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN A TOTAL AMOUNT NOT TO EXCEED \$6,113,340.00 FOR THE INITIAL FIVE-YEAR TERM AND TWO, TWO-YEAR OPTIONS TO RENEW; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWAL OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Secunder: Regalado
Vote: 4-1
No: Steinberg

Report: *Earlier in the meeting, Commissioner Steinberg noted that she pulled Agenda Items 3B, 3D and 3E to vote "no."*

There being no questions or comments, the Committee proceeded to vote on the foregoing resolutions, as presented.

3C

231852 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0000277 TO SHANNON CHEMICAL CORPORATION FOR THE PURCHASE OF SODIUM POLYPHOSPHATE FOR THE WATER AND SEWER DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$7,557,534.00 FOR A FIVE-YEAR TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Secunder: Steinberg
Vote: 4-0
Absent: Hardemon

3D

231853 Resolution

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; APPROVING SUPPLEMENTAL AGREEMENT NO. 7 TO CONTRACT NO. SS8667-1/18 FOR ENTERPRISE ASSET MANAGEMENT (EAM) SOFTWARE FOR THE INFORMATION TECHNOLOGY DEPARTMENT TO EXTEND THE CONTRACT FOR FIVE YEARS WITH ADDITIONAL EXPENDITURE AUTHORITY OF \$9,419,037.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Regalado
Vote: 4-1
No: Steinberg

Report: *Earlier in the meeting, Commissioner Steinberg noted that she pulled Agenda Items 3B, 3D and 3E to vote "no."*

There being no questions or comments, the Committee proceeded to vote on the foregoing resolutions, as presented.

3E

231856 Resolution

Oliver G. Gilbert, III

RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS OF SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1(B) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING EXERCISE OF A TWO-YEAR OPTION TO RENEW WITH ADDITIONAL EXPENDITURE AUTHORITY OF \$250,000.00 FOR CONTRACT NO. BW-10199 WITH CHANGE AGENTS TRAINING, LLC FOR AN INNOVATION TRAINING PROGRAM FOR THE INFORMATION TECHNOLOGY DEPARTMENT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO SECTION 2-8.1(B) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Regalado
Vote: 4-1
No: Steinberg

Report: *Earlier in the meeting, Commissioner Steinberg noted that she pulled Agenda Items 3B, 3D and 3E to vote "no."*

There being no questions or comments, the Committee proceeded to vote on the foregoing resolutions, as presented.

3F

231862 Resolution

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-01761 GROUP NO. 2 LOCATION OF UNDERGROUND UTILITIES FOR THE WATER AND SEWER DEPARTMENT TO USIC LOCATING SERVICES, LLC IN A TOTAL AMOUNT NOT TO EXCEED \$3,429,360.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon

3G

231866 Resolution

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$11,500,000.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$29,222,928.00 FOR CONTRACT NO. RFP-00254 FOR THE PURCHASE OF WASTE CARTS, RECYCLING CARTS, CART PARTS AND RELATED PRODUCTS AND SERVICES FOR THE DEPARTMENT OF SOLID WASTE MANAGEMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to the BCC by the BCC Chairman with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon

Report: *Assistant County Attorney Christopher Wahl noted the Administration requested the foregoing proposed resolution be forwarded to the October 17, 2023 BCC meeting.*

3H

231720 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. ONE TO CONTRACT S-914R BETWEEN AARYA CONSTRUCTION & DESIGN, INC. AND MIAMI-DADE COUNTY FOR CD 1.11 GENERAL ELECTRICAL DESIGN – SUBSTATIONS 9, 10, 11 AND 12, WHICH: (1) INCREASES THE TOTAL CONTRACT AMOUNT BY \$853,741.23, THEREBY BRINGING THE TOTAL AWARD UP FROM \$5,491,790.00 TO \$6,345,531.23, AND (2) INCREASES THE CONTRACT DURATION BY 298 DAYS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon

3I

231831 Resolution

RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI BEACH FOR A 10-YEAR TERM TO ALLOW THE CITY TO PARK CITY VEHICLES BETWEEN JUNE 1 AND NOVEMBER 30 AT THE MIAMI-DADE WATER AND SEWER DEPARTMENT’S CAROL CITY YARD LOCATED AT 3801 N.W. 181 STREET, MIAMI GARDENS, FLORIDA, IN THE EVENT OF AN IMPENDING HURRICANE, AT NO COST TO THE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SUCH AGREEMENT AND EXERCISE ALL PROVISIONS CONTAINED THEREIN (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon

3J

231883 Resolution

RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$75,617,000.00 FOR A TOTAL MODIFIED CONTRACT AWARD OF \$319,874,947.00 TO UNIVERSAL PROTECTION SERVICE, LLC. DBA ALLIED UNIVERSAL SECURITY SERVICES FOR CONTRACT NO. RFP-00217 FOR THE PURCHASE OF SECURITY GUARD SERVICES FOR THE INTERNAL SERVICES DEPARTMENT; APPROVING SUPPLEMENTAL AGREEMENT NO. 10 FOR TIERS 1, 2, AND 3, RESPECTIVELY, TO INCREASE CONTRACT RATES AND REVISE DEDUCTIONS TO SUBCONTRACTOR PAYMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Regalado
Vote: 5-0

Report: *In response to Commissioner Steinberg's inquiry regarding the foregoing proposed resolution being in the form of a bid waiver for \$75 million, Ms. Namita Uppal, Director, Strategic Procurement Department, explained this was an additional expenditure authority on an existing competitively-awarded contract.*

Commissioner Rodriguez stated he was supportive of the foregoing resolution; however, he questioned why it was filed late.

Ms. Uppal assured the Committee members that she would research why the item was filed late and provide a response prior to the next Board of County Commissioners meeting.

Chairwoman Regalado suggested the memorandum be drafted differently to explain the situation.

Ms. Uppal welcomed the opportunity to work with Chairwoman Regalado to review the Code to determine instances in which it should be called a bid waiver.

Chairwoman Regalado requested the County Attorney's Office to place a hold on the legislation she would be working on with Ms. Uppal.

There being no further questions or comments, the Committee proceeded to vote on the foregoing

ordinance, as presented.

3K

231725 Resolution

RESOLUTION WAIVING COMPETITIVE BIDDING REQUIREMENTS UNDER IMPLEMENTING ORDER 3-38 APPROVING: (A) SUPPLEMENTAL AGREEMENT NO. 5 WITH RSM US LLP; (B) SUPPLEMENTAL AGREEMENT NO. 4 WITH CHERRY BEKAERT, LLP; (C) SUPPLEMENTAL AGREEMENT NO. 5 WITH MARCUM, LLP; (D) SUPPLEMENTAL AGREEMENT NO. 5 WITH CROWE, LLP; AND (E) SUPPLEMENTAL AGREEMENT NO. 4 WITH C BORDERS-BYRD CPA, LLC TO EXTEND THE TERMS OF CONTRACT NOS. RFP-00294A, RFP-00294B, RFP-00294C, RFP-00294D, AND RFP-00328, RESPECTIVELY, FOR SIX MONTHS WITH THE EXISTING TERMS AND CONDITIONS, AND AUTHORIZE ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT NOT TO EXCEED \$2,188,325.00 FOR A TOTAL MODIFIED CONTRACT AWARD AMOUNT OF \$17,537,242.00 FOR EXTERNAL INDEPENDENT AUDITING SERVICES FOR MULTIPLE DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SUPPLEMENTAL AGREEMENTS AND EXERCISE ALL PROVISIONS OF THE CONTRACTS, INCLUDING ANY CANCELLATION OR EXTENSION PROVISIONS, PURSUANT TO COUNTY CODE SECTION 2-8.1 AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

*Forwarded to BCC with a favorable recommendation
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon*

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

231787 Report

APPROVAL OF THE CLERK'S SUMMARY OF MINUTES FOR THE COUNTY INFRASTRUCTURE, OPERATIONS AND INNOVATIONS COMMITTEE MEETING(S):

- MARCH 14, 2023
- APRIL 11, 2023 (Clerk of the Board)

*Approved
Mover: Rodríguez
Seconder: Steinberg
Vote: 4-0
Absent: Hardemon*

7 REPORT(S)

8 ADJOURNMENT

Report: *There being no further business to come before the County Infrastructure, Operations and Innovations Committee, the meeting was adjourned at 12:49 p.m.*



MIAMI-DADE COUNTY
CLERK'S SUMMARY OF MINUTES

**County Infrastructure, Operations and
Innovations Committee**

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

February 13, 2024

9:00 AM

Juan Fernandez-Barquin
Clerk of the Court and Comptroller

Basia Pruna, Director
Clerk of the Board Division

Diana Hernández
Commission Reporter
(305) 375-5185



**CLERK'S SUMMARY OF
Meeting Minutes
County Infrastructure, Operations and
Innovations Committee**

Raquel A. Regalado [7] Chairwoman; Micky Steinberg [4] Vice Chairwoman;
Commissioners Keon Hardemon [3], Kionne L. McGhee [9], and Anthony Rodríguez
[10]

Tuesday, February 13, 2024

9:00 AM

Commission Chambers

Members Present: Raquel A. Regalado, Anthony Rodriguez, Micky Steinberg.

Members Absent: None.

Members Late: Keon Hardemon 9:20:00 AM.

Members Excused: None.

Members Absent County Business: Kionne L. McGhee

1 MINUTES PREPARED BY:

Report: *Diana Hernández, Commission Reporter
(305) 375-5185*

**1A INVOCATION AS PROVIDED IN RULE 5.05
(H)**

Report: *Chairwoman Regalado observed a moment of
silence.*

1B **ROLL CALL**

Report: *Prior to the Roll Call, Deputy Clerk Diana Hernández announced that Commissioner McGhee had submitted a written notice of absence from today's (2/13) County Infrastructure, Operations and Innovations Committee (CIOIC) meeting.*

Chairwoman Regalado convened the County Infrastructure, Operations, and Innovations Committee (CIOIC) meeting at 9:14 a.m.

In addition to the Committee members, the following staff members were present: Miami-Dade Chief Administrative Officer, Office of the Mayor, Carladenise Edwards; Assistant County Attorneys Debra Herman, Eduardo W. Gonzalez and Dennis A. Kerbel; and Deputy Clerks Diana Hernández and Zorana Milton.

MOTION TO SET OF AGENDA

Assistant County Attorney Eduardo Gonzalez announced the agenda items to be considered at today's (2/13) meeting would be those listed on the final printed agenda.

In response to Chairwoman Regalado's inquiry as to whether there were any items to be pulled for further discussion, Commissioner Steinberg requested Agenda Item 3D be bifurcated.

It was moved by Commissioner Rodriguez that today's (2/13) agenda be approved, and Agenda Items 3A, 3B and 3C be considered simultaneously.

This motion was seconded by Chairwoman Regalado and, upon being put to a vote, passed by a vote of 3-0. (Commissioners Hardemon and McGhee were absent.)

NOTE: Agenda Items 3A, 3B, and 3C were forwarded to the Board of County Commissioners with a favorable recommendation.

1C **PLEDGE OF ALLEGIANCE**

Report: *Commissioner Rodriguez led the Pledge of Allegiance.*

1D **REASONABLE OPPORTUNITY FOR THE
PUBLIC TO BE HEARD AS PROVIDED IN
RULE 6.06**

Report: *Chairwoman Regalado opened the reasonable opportunity for the public to be heard, and seeing no one come forward to speak, closed the reasonable opportunity to be heard.*

1E **SPECIAL PRESENTATION(S)**

1F **DISCUSSION ITEM(S)**

1G **PUBLIC HEARING(S)**

1G1

232396 Ordinance

Eileen Higgins

Withdrawn

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE METROMOVER SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS CERTAIN PRIVATE PROPERTY AND A ROAD RIGHT-OF-WAY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *See Agenda Item 1G1 Substitute; Legislative File No. 240192.*

1G1 Substitute

240192 Ordinance

Eileen Higgins

ORDINANCE RELATING TO THE RAPID TRANSIT SYSTEM-DEVELOPMENT ZONE; AMENDING SECTION 33C-2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE METROMOVER SUBZONE OF THE RAPID TRANSIT ZONE TO ENCOMPASS CERTAIN PRIVATE PROPERTY AND A ROAD RIGHT-OF-WAY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 232396]

Forwarded to BCC by the BCC Chairperson with a favorable recommendation following a public hearing
Mover: Rodriguez
Seconder: Regalado
Vote: 3-0
Absent: Hardemon
Absent,OCB: McGhee

Report: *Assistant County Attorney Eduardo G. Gonzalez read the title of the foregoing proposed ordinance into the record.*

Chairwoman Regalado opened the public hearing, and the following individual appeared before the Committee:

- Ms. Maggie Snyder, 444 SW 2 Avenue Miami, Florida, appeared on behalf of the City of Miami, and requested the continuance or denial of the items in order to resolve the conflict regarding the Rapid Transit Zone (RTZ) and its amendments for expansion, between the City of Miami and Miami-Dade County.

Seeing no other individuals appearing wishing to speak, Chairwoman Regalado closed the public hearing.

Chairwoman Regalado voiced her disagreement with the statements made by Ms. Snyder and stated the County was looking forward to set a day for a meeting with the City of Miami.

Hearing no other questions or comments, the Committee members proceeded to vote on the foregoing proposed ordinance, as presented.

2 COUNTY COMMISSION

3 DEPARTMENT(S)

3A

240087 Resolution

RESOLUTION AUTHORIZING ESTABLISHMENT OF PREQUALIFICATION POOL EVN0001568 FOR MULTIPLE COUNTY DEPARTMENTS FOR A FIVE-YEAR TERM IN A TOTAL AMOUNT UP TO \$28,082,305.00 FOR SECURITY EQUIPMENT, ACCESSORIES, SUPPLIES, AND SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS; PROVIDED THAT ANY CONTRACT AWARD UNDER THE POOL EXCEEDING \$5,000,000.00 IS RATIFIED BY THE BOARD (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodriguez
Seconder: Regalado
Vote: 4-0
Absent,OCB: McGhee

3B

240141 Resolution

Raquel A. Regalado

RESOLUTION APPROVING AWARD OF CONTRACT NO. EVN0002189 TO FLORIDA WOOD RECYCLING, INC. FOR THE PURCHASE OF GREEN WASTE PROCESSING AND BENEFICIAL USE SERVICES FOR THE NORTH ZONE FOR THE DEPARTMENT OF SOLID WASTE MANAGEMENT IN A CUMULATIVE AMOUNT NOT TO EXCEED \$6,081,250.00 FOR A THREE-YEAR TERM WITH TWO, TWO-YEAR OPTIONS TO RENEW; REJECTING ALL BIDS RECEIVED FOR GREEN WASTE PROCESSING AND BENEFICIAL USE SERVICES FOR THE SOUTH ZONE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD TO THE RECOMMENDED VENDOR, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION, RENEWALS OR EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation
Mover: Rodriguez
Seconder: Regalado
Vote: 4-0
Absent,OCB: McGhee

3C

240142 Resolution

RESOLUTION WAIVING COMPETITIVE BIDDING PROCEDURES AND AUTHORIZING A NON-COMPETITIVE PURCHASE PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO EXTEND THE CONTRACT TERM BY TWO YEARS WITH ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$200,000.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$354,183.00 FOR CONTRACT NO. BW-10189 FOR BUILDING EFFICIENCY 305 (BE305) CHALLENGE TRAINING FOR THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SUPPLEMENTAL AGREEMENT AND EXERCISE ALL PROVISIONS, INCLUDING ANY CANCELLATION OR EXTENSIONS, CONTAINED PURSUANT TO COUNTY CODE SECTION 2- 8.1 AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: Rodriguez

Seconder: Regalado

Vote: 4-0

Absent,OCB: McGhee

3D

240160 Resolution

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN AN AMOUNT UP TO \$1,190,000.00 FOR A TOTAL MODIFIED CONTRACT AMOUNT OF \$4,335,229.00 FOR CONTRACT NO. 81141902VITA18-ACS FOR THE PURCHASE OF IT RESEARCH & ADVISORY SERVICES FOR THE INFORMATION TECHNOLOGY DEPARTMENT ON BEHALF OF MULTIPLE COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT, INCLUDING ANY CANCELLATION OR EXTENSIONS, PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38 (Strategic Procurement)

Forwarded to BCC with a favorable recommendation

Mover: Rodriguez

Seconder: Regalado

Vote: 4-0

Absent,OCB: McGhee

Report: *Assistant County Attorney Eduardo G. Gonzalez read the title of the foregoing proposed resolution into the record.*

Chairwoman Regalado inquired if this item was related to the Miami-Dade County Integrated Financial Resources Management System (INFORMS).

In response to Vice Chairwoman Steinberg's inquiry regarding the benefits of additional expenditure in this contract, Mr. Jorge Mederos, Assistant Director, Information Technology Department (ITD), indicated the additional expenditure would provide the County with access to various industry experts that offered insights and solutions across many areas of ITD, and multiple County departments. He explained the experts would provide actionable advice on developing strategies, selecting technologies, and implementing them effectively while ensuring that the County's technology portfolio was consistent with the latest industry's best practices.

Chairwoman Regalado concurred with Mr. Mederos' comments, and stated that while the foregoing proposed resolution fell under the purview of ITD, it would benefit multiple County departments by providing access to research and data instead of having to expend money on consultants' contracts.

Hearing no other questions or comments, the Committee members proceeded to vote on the foregoing proposed resolution, as presented.

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

7 REPORT(S)

8 ADJOURNMENT

Report: *There being no further business to come before the County Infrastructure, Operations, and Innovations County Committee, the meeting adjourned at 9:22 a.m.*