

City of Miami

City Hall
3500 Pan American Drive
Miami, FL 33133
www.ci.miami.fl.us



Meeting Agenda

Thursday, July 7, 2005

9:00 AM

REGULAR

City Hall Commission Chambers

City Commission

Manuel A. Diaz, Mayor
Joe Sanchez, Chairman
Angel González, Vice Chairman
Johnny L. Winton, Commissioner District Two
Tomas Regalado, Commissioner District Four
Jeffery L. Allen, Commissioner District Five
Joe Arriola, City Manager
Jorge L. Fernandez, City Attorney
Priscilla A. Thompson, City Clerk

ANY PERSON WHO ACTS AS A LOBBYIST PURSUANT TO CITY OF MIAMI ORDINANCE NO. 11469, CODIFIED IN CHAPTER 2, ARTICLE VI OF THE CITY CODE, MUST REGISTER WITH THE CITY CLERK, PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, AND COMMITTEES AND THE CITY COMMISSION. A COPY OF SAID ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK, CITY HALL.

PURSUANT TO SECTION 4(g)(5) OF THE CHARTER OF MIAMI, FLORIDA, THE MAYOR MAY VETO CERTAIN ITEMS APPROVED BY THE CITY COMMISSION WITHIN TEN CALENDAR DAYS FOLLOWING THE COMMISSION ACTION. THE COMMISSION MAY, AFTER THE VETO OCCURS, OVERRIDE SUCH VETO BY A FOUR-FIFTHS VOTE OF THE COMMISSIONERS THEN PRESENT.

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THIS PRINTED AGENDA IS DISTRIBUTED AT LEAST FIVE DAYS BEFORE THE MEETING, AND THE MATERIAL IN CONNECTION WITH EACH ITEM APPEARING ON THE AGENDA IS AVAILABLE FOR INSPECTION DURING BUSINESS HOURS AT THE OFFICE OF THE CITY CLERK IN CITY HALL.

ANY PERSON WHO SEEKS TO ADDRESS THE CITY COMMISSION ON ANY ITEM APPEARING IN THE FOLLOWING PORTIONS OF THIS AGENDA: "CONSENT AGENDA", "PUBLIC HEARINGS", OR "PUBLIC DISCUSSION" IS INVITED TO DO SO AND SHALL AS SOON AS POSSIBLE INFORM THE CITY CLERK OF HIS/HER DESIRE TO SPEAK, GIVING THE CITY CLERK HIS/HER NAME. AT THE TIME THE ITEM IS HEARD, THAT PERSON SHOULD APPROACH THE MICROPHONE AND WAIT TO BE RECOGNIZED BY THE PRESIDING OFFICER.

* * * * *

Formal action may be taken on any item discussed or added to this Agenda. Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Any person with a disability requiring auxiliary aids and services for meetings may call the City Clerk's Office, 250-5360, with requests at least two business days before the meeting date.

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The City Commission has established a policy that the lunch recess will begin at the conclusion of deliberations of the agenda item being considered at Noon; further, that Commission meetings shall adjourn (a) at the conclusion of deliberation of the agenda item being considered at 10:00 p.m., unless the time is extended by unanimous agreement of the members of the city commission then present or (b) at the conclusion of the regularly scheduled agenda, whichever occurs first. This rule does not apply when the city commission is engaged in its annual budget hearings (Ordinance 12586).

CONTENTS

Items may be heard in the numbered sequence or as announced by the Commission

PR - PRESENTATIONS AND PROCLAMATIONS**MV - MAYORAL VETOES****AM - APPROVING MINUTES****CA - CONSENT AGENDA**

Item 1 which is comprised of items CA.1 through CA.11 may be heard in the number sequence or as announced by the Commission

M - MAYOR'S ITEMS**D1 - DISTRICT 1 ITEMS****D2 - DISTRICT 2 ITEMS****D3 - DISTRICT 3 ITEMS****D4 - DISTRICT 4 ITEMS****D5 - DISTRICT 5 ITEMS****PH - PUBLIC HEARINGS**

10:30 A.M.-PH.3-Convey 40 Parcels Of Land to Rockwood Properties,LLC

10:30 A.M.-PH.4-Transfer 29th Yr Closed Out ESG Funds to Camillus House

10:30 A.M.-PH.5-Transferring Funds To Little Havana Activities

EM - EMERGENCY ORDINANCES**SR - SECOND READING ORDINANCES****FR - FIRST READING ORDINANCES****RE - RESOLUTIONS****BC - BOARDS AND COMMITTEES****DI - DISCUSSION ITEMS**

9:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE**PRESENTATIONS AND PROCLAMATIONS****PR.1 05-00646 CEREMONIAL ITEM**

Name of Honoree	Presenter	Protocol Item
Riverside Clean-up Volunteers		
Kabir Khatani	Chairman Sanchez	Certificate of Appreciation
Matt Tilghman	Chairman Sanchez	Certificate of Appreciation
Will Stein	Chairman Sanchez	Certificate of Appreciation
David Miranda	Chairman Sanchez	Certificate of Appreciation
Ajay Uppalari	Chairman Sanchez	Certificate of Appreciation
David Serota	Chairman Sanchez	Certificate of Appreciation
Bradley Gampel	Chairman Sanchez	Certificate of Appreciation
Officers Jose "Pepito" Pastor & Luis "Luisito Pla"	Commissioner Regalado	Salute
Jorge A. Plasencia	Commissioner Winton	Commendation

MAYORAL VETOES

(Pursuant to Section 4(g)(5) of the charter of Miami, Florida, Item(s) vetoed by the Mayor shall be placed by the city clerk as the first substantive item(s) for the commission consideration.)

APPROVING THE MINUTES OF THE FOLLOWING MEETING:

Regular Meeting of June 9, 2005

CONSENT AGENDA

Unless a member of the City Commission wishes to remove a specific item from this portion of the agenda, Items CA.1 through CA.11 constitute the Consent Agenda. These resolutions are self-explanatory and are not expected to require additional review or discussion. Each item will be recorded as individually numbered resolutions, adopted unanimously by the following motion.

"...that the Consent Agenda comprised of items CA.1 through CA.11 be adopted..."

The Presiding Officer or City Clerk shall state the following: "Before the vote on adopting items included in the Consent Agenda is taken, is there anyone present who is an objector or proponent that wishes to speak on any item in the Consent Agenda. Hearing none, the vote on the adoption of the Consent Agenda will now be taken.

- CA.1** **05-00531** **RESOLUTION**
*Department of
Parks and
Recreation* A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF SOUTH FLORIDA MAINTENANCE SERVICES, INC., THE LOWEST AND MOST RESPONSIVE BIDDER, RECEIVED ON APRIL 25, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-029, FOR TURF GRASS MAINTENANCE SERVICES FOR HADLEY PARK FOOTBALL FIELD, FOR THE DEPARTMENT OF PARKS AND RECREATION, FOR A ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR UP TO THREE (3) ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$25,140, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$100,560; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 0010000.580302.6.340.
- CA.2** **05-00589** **RESOLUTION**
*Department of
Police* A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF SUNSET FEED AND SUPPLY, INC., RECEIVED ON APRIL 20, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-050, FOR THE PROVISION OF HORSE FEED AND SUPPLEMENTS, FOR THE DEPARTMENT OF POLICE, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR UP TO THREE (3) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$19,956.93, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$99,784.65; ALLOCATING FUNDS FROM THE POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.710.
- CA.3** **05-00590** **RESOLUTION**
*Department of
Purchasing* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID FROM VARIOUS VENDORS, FOR THE PROVISION OF PETROLEUM-DIESEL FUEL, PURSUANT TO SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE BID NOS. D104018B1 AND 05-A-120F, EFFECTIVE THROUGH MAY 31, 2006, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS BY THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED CONTRACT BASIS, AT THE FIRM MARKUP ABOVE THE OIL PRICE INFORMATION SERVICE WEEKLY FUEL PRICE AS LISTED ON THE ATTACHED TABULATIONS, IN THE

ESTIMATED, BUT NOT LIMITED AMOUNT OF \$500,000, SUBJECT TO NECESSARY INCREASES BY THE CITY OF MIAMI; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGETS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES, FOR SAID PURCHASES, AS NEEDED, SUBJECT TO THE AVAILABILITY OF FUNDS AND/OR BUDGETARY APPROVAL.

CA.4 05-00591

*Bayfront Park
Management Trust*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE EXECUTIVE DIRECTOR OF THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST") TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH CHRISTMAS DESIGNERS, INC., FOR THE PURCHASE, INSTALLATION, REMOVAL, BULB REPLACEMENT AND SECURE STORAGE OF A 50-FOOT HOLIDAY TREE FOR PLACEMENT IN BAYFRONT PARK, FOR A FIVE-YEAR PERIOD, AT A FIRST-YEAR COST NOT TO EXCEED \$81,103.90 AND FOR THE SUBSEQUENT YEARS (SECOND YEAR THROUGH FIFTH YEAR), AT AN ANNUAL COST NOT TO EXCEED \$18,420, PLUS A CONTINGENCY AMOUNT OF \$23,800.41, FOR A TOTAL CONTRACT AMOUNT NOT EXCEED \$178,584.31; ALLOCATING FUNDS FROM THE TRUST'S OPERATING AND CAPITAL IMPROVEMENT BUDGETS.

CA.5 05-00592

*Department of
Capital
Improvement
Programs/Transportation*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING A GRANT TO THE MIAMI MUSEUM OF SCIENCE & PLANETARIUM TO SUPPORT THE DEVELOPMENT OF A NEW SCIENCE MUSEUM AND PLANETARIUM FACILITY IN THE CITY OF MIAMI-OWNED BICENTENNIAL PARK, IN THE AMOUNT OF \$700,000, APPROVED BY A REFERENDUM OF THE VOTERS IN NOVEMBER, 2001, AS A SPECIFIED PROJECT IN THE HOMELAND DEFENSE NEIGHBORHOOD IMPROVEMENT BOND PROGRAM; ALLOCATING SAID FUNDS FROM B-78502, CAPITAL IMPROVEMENT PROJECT NO. 333143 ENTITLED "MUSEUM OF SCIENCE - DEVELOPMENT IN BICENTENNIAL PARK;" AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT CO-OPERATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

CA.6 05-00593

*Department of
Economic
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND CENTENNIAL EXPRESS INCORPORATED ("LESSOR"), FOR THE CITY'S USE OF APPROXIMATELY 1,326 SQUARE FEET OF WAREHOUSE/OFFICE SPACE WITHIN THE PROPERTY LOCATED AT 1251 NORTHWEST 36TH STREET, MIAMI, FLORIDA, SAID AGREEMENT TO PROVIDE FOR: (A) AN INITIAL ONE-YEAR TERM TO COMMENCE ON THE DATE OF EXECUTION OF THE LEASE BY LESSOR AND LESSEE; (B) AN INITIAL MONTHLY RENT OF \$1,105; (C) LESSEE TO PAY FOR ITS OWN ELECTRICAL CONSUMPTION AND TELEPHONE; AND (D) AN OPTION TO RENEW FOR TWO SUCCESSIVE TWO-YEAR TERMS, SUBJECT TO THE NEGOTIATION OF RENT, WITH OTHER TERMS AND

CONDITIONS AS MORE PARTICULARLY SET FORTH IN THE AGREEMENT; AUTHORIZING THE CITY MANAGER TO APPROVE AND EXECUTE NON-SUBSTANTIVE AMENDMENTS TO THE AGREEMENT AS NEEDED.

CA.7 05-00594

*Department of
Economic
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE LEASE AGREEMENT BETWEEN THE CITY OF MIAMI AND BISCAYNE BAY RESTAURANT (D/B/A RUSTY PELICAN) TO PROVIDE FOR: (1) AN EXTENSION OF THE BASE TERM TO EXPIRE ON OCTOBER 1, 2027, WITH TWO (2) FIVE-YEAR OPTIONS TO RENEW; (2) BASE RENT TO INCREASE TO \$360,000, PER YEAR COMMENCING ON THE EXECUTION DATE OF THE AMENDMENT; (3) PERCENTAGE RENT TO INCREASE UPON THE EARLIER OF (I) COMPLETION OF THE REQUIRED CAPITAL IMPROVEMENTS OR (II) TWENTY-FOUR (24) MONTHS AFTER ISSUANCE OF THE FIRST BUILDING PERMIT, TO 7% OF GROSS REVENUES FROM \$0 - \$12,000,000, ANNUALLY AND 8% OF GROSS REVENUES OVER \$12,000,000, ANNUALLY; AND (4) CONSTRUCTION OF CAPITAL IMPROVEMENTS BY LESSEE, AT ITS SOLE COST, WITH A COST OF NOT LESS THAN \$3,000,000, INCLUDING SOFT COSTS, WITH TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN THE AMENDMENT.

CA.8 05-00595

*Department of
Fire-Rescue*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO MOTOROLA INC., PURSUANT TO RESOLUTION NO. 04-0730, ADOPTED NOVEMBER 18, 2004, FOR THE PURCHASE OF ADDITIONAL PORTABLE AND MOBILE RADIOS AND ACCESSORIES, FOR THE DEPARTMENTS OF FIRE-RESCUE AND PUBLIC WORKS, UTILIZING PALM BEACH COUNTY CONTRACT NO. 02C-6CR, EFFECTIVE THROUGH OCTOBER 17, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY PALM BEACH COUNTY, IN AN AMOUNT NOT TO EXCEED \$235,777.80, INCREASING THE CONTRACT FROM \$56,244 TO \$292,021.80; ALLOCATING FUNDS FOR SAID INCREASE, FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAMS II AND III, ACCOUNT CODE NO. 110111.280910.6.840, IN THE AMOUNT NOT TO EXCEED \$32,552, FROM ACCOUNT NO. 1100143.280911.6.840, IN THE AMOUNT NOT TO EXCEED \$154,959 AND FROM PUBLIC WORKS ACCOUNT NO. 001000.311002.6.840, IN THE AMOUNT NOT TO EXCEED \$48,266.80; AMENDING RESOLUTION NO. 04-0730, TO REFLECT SAID INCREASE AND THE ADDITION OF THE DEPARTMENT OF PUBLIC WORKS AS RECIPIENTS OF SAID RADIOS.

CA.9 05-00596*Department of
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF TWO BANDIT CHIPPERS, MODEL 1890 AND TWO BANDIT STUMP GRINDERS, MODEL 3200, FROM FLORIDA COAST EQUIPMENT AND ONE SKID-STEER LOADER BOBCAT, MODEL S-185, FROM BOBCAT OF METRO DADE, INC., INCLUDING ALL OPTIONS AND MAINTENANCE, PURSUANT TO REQUEST FOR PROPOSALS NO. 04-05-073, DATED MAY 11, 2005, FOR THE DEPARTMENT OF PUBLIC WORKS, OPERATIONS DIVISION, IN AN AMOUNT NOT TO EXCEED \$169,400.60; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ACCOUNT NO. 352296, B-30156.

CA.10 05-00597*Office of the City
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY YVONNE DAVIS, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$60,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF YVONNE DAVIS V. CITY OF MIAMI, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 02-15726 CA (27), UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.651.

CA.11 05-00606*Office of the City
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A "PROJECT CIVIC ACCESS" AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND THE UNITED STATES OF AMERICA, DEPARTMENT OF JUSTICE, UNDER THE AMERICANS WITH DISABILITIES ACT, SUBJECT TO THE TERMS AND CONDITIONS OF THE AGREEMENT.

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

VICE CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

DISTRICT 3

CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1

05-00598

DISCUSSION ITEM

A PRESENTATION FROM THE MIAMI NEIGHBORHOODS
UNITED-PARKS COMMITTEE REGARDING PARK SPACE
THROUGHOUT THE CITY OF MIAMI.

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN

PUBLIC HEARINGS**PH.1 05-00599***Department of
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "BARNARD-PENT SUBDIVISION," A REPLAT IN THE CITY OF MIAMI OF THE PROPERTY DESCRIBED IN "ATTACHMENT 1," SUBJECT TO SATISFACTION OF ALL CONDITIONS REQUIRED BY THE PLAT AND STREET COMMITTEE AS SET FORTH IN "EXHIBIT A," ATTACHED AND INCORPORATED, AND THE PROVISIONS CONTAINED IN SECTION 55-8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND ACCEPTING THE DEDICATIONS SHOWN ON THE PLAT; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE PLAT; AND PROVIDING FOR THE RECORDATION OF THE PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

PH.2 05-00601*Department of
Economic
Development***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DECLARING SURPLUS AND APPROVING THE SALE OF THE CITY-OWNED PROPERTY LOCATED AT 1360 NORTHWEST 8TH COURT, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, TO MKJ REALTY, A LIMITED LIABILITY CORPORATION OF THE STATE OF FLORIDA; FURTHER ESTABLISHING EIGHTY-FIVE THOUSAND DOLLARS (\$85,000) AS THE AMOUNT TO BE PAID TO THE CITY OF MIAMI ("CITY") BY THE AFOREMENTIONED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM AND TO EXECUTE ALL NECESSARY DOCUMENTS TO CONSUMMATE SUCH TRANSACTION IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENT, WHICH TERMS MAY BE AMENDED BY THE CITY MANAGER AS MAY BE NECESSARY IN ORDER TO MEET THE BEST INTERESTS OF THE CITY.

10:30 A.M.**PH.3 05-00602**

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CONVEYANCE, WITH PARCEL REVERTER PROVISIONS, OF CERTAIN CITY-OWNED PARCELS OF LAND, DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO ROCKWOOD PROPERTIES, LLC., FOR THE DEVELOPMENT OF FORTY (40) SINGLE FAMILY AFFORDABLE UNITS, TWENTY-ONE (21) TO BE SUBSIDIZED BY THE CITY OF MIAMI FOR ELIGIBLE LOW INCOME PERSONS; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, FOR SAID PURPOSE.

PH.4 05-00613

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 29TH YEAR CLOSED OUT EMERGENCY SHELTER GRANT FUNDS, IN THE TOTAL AMOUNT OF \$77,708.37; ALLOCATING SAID FUNDS TO CAMILLUS HOUSE, INC., FOR THE REHABILITATION OF EMERGENCY SHELTER BUILDINGS FOR THE HOMELESS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCY FOR SAID PURPOSE.

PH.5 05-00614

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 30TH YEAR COMMUNITY DEVELOPMENT GRANT FUNDS, IN THE AMOUNT OF \$15,000, FROM THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT COMMERCIAL CODE COMPLIANCE PROGRAM; ALLOCATING SAID FUNDS, TO LITTLE HAVANA ACTIVITIES & NUTRITIONAL CENTERS OF DADE COUNTY, INC., FOR PUBLIC FACILITIES AND IMPROVEMENT ACTIVITIES, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCY FOR SAID PURPOSE.

ORDINANCES - EMERGENCY

(Note: This item is being presented as an emergency measure on the grounds of urgent public need for the preservation of peace, health, safety and property of the City of Miami, and upon further grounds of the necessity to make the required and necessary payments to its employees and officers, payment of its debts, necessary and required purchases of goods and supplies and to generally carry on the functions and duties of municipal affairs)

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| EM.1 | 05-00615 | <u>ORDINANCE</u> | EMERGENCY ORDINANCE |
| | <i>Office of the City
Attorney</i> | (4/5THS VOTE)
AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION,
AMENDING CHAPTER 54 OF THE CITY OF MIAMI, FLORIDA, AS
AMENDED, ENTITLED "STREETS AND SIDEWALKS" BY AMENDING
SECTION 54-6.3(F) TO CLARIFY THE CIRCUMSTANCES UNDER WHICH
INDEMNIFICATION, HOLD HARMLESS AND INSURANCE ARE REQUIRED
BY THIS SECTION; CONTAINING A REPEALER PROVISION, A
SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE
EFFECTIVE DATE. | |
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| EM.2 | 05-00616 | <u>ORDINANCE</u> | EMERGENCY ORDINANCE |
| | <i>Office of the City
Attorney</i> | (4/5THS VOTE)
AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION,
AMENDING CHAPTER 54 OF THE CODE OF THE CITY OF MIAMI,
FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS" BY
AMENDING SECTION 54-1, CLARIFYING THE DEFINITION OF "SPECIAL
EVENT," THROUGH THE USE OF CORRECTED PUNCTUATION;
CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND
PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE. | |

ORDINANCES - SECOND READING

Note: Any proposed ordinance listed as an item for second reading in this section may be adopted as an emergency measure upon being so determined by the City Commission.

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| SR.1 | 05-00485 | <u>ORDINANCE</u> | SECOND READING |
| | <i>Department of
Public Works</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 54/ARTICLE V/SECTION 54-190 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS/BASE BUILDING LINES/NONSTANDARD STREET WIDTHS," BY MODIFYING THE WIDTH OF THE NORTH SIDE OF NORTHEAST 16TH STREET BETWEEN NORTHEAST 2ND AVENUE AND BISCAYNE BOULEVARD, MIAMI, FLORIDA; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. | |
| | | DATE: JUNE 9, 2005
MOVER: VICE CHAIRMAN GONZÁLEZ
SECONDER: COMMISSIONER ALLEN
VOTE: AYES: 4 - COMMISSIONER GONZÁLEZ, SANCHEZ, REGALADO AND ALLEN
ABSENT: 1 - COMMISSIONER WINTON
ACTION: PASSED ON FIRST READING | |
| SR.2 | 05-00617 | <u>ORDINANCE</u> | SECOND READING |
| | <i>Office of the City
Attorney</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 37 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "OFFENSES-MISCELLANEOUS," TO AMEND SECTION 37-7, ENTITLED "SEX OFFENDER RESIDENCY PROHIBITION, TO ADD A 'KNOWN AS' DESIGNATION ENTITLED "LAUREN'S LAW" CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. | |
| | | DATE: JUNE 23, 2005
MOVER: VICE CHAIRMAN GONZÁLEZ
SECONDER: COMMISSIONER ALLEN
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN
ACTION: PASSED ON FIRST READING | |

ORDINANCES - FIRST READING

Note: Any proposed ordinance listed as an item for first reading in this section may be adopted as an emergency measure upon being so determined by the City Commission.

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| FR.1 | 05-00603 | <u>ORDINANCE</u> | FIRST READING |
| | <i>Department of
Public Works</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 12613, ADOPTED NOVEMBER 18, 2004, FURTHER AMENDED PURSUANT TO ORDINANCE NO. 12656, ADOPTED FEBRUARY 24, 2005, EXTENDING THE TERM OF THE FRANCHISE AGREEMENT WITH PIVOTAL UTILITY HOLDINGS, INC., D/B/A FLORIDA CITY GAS, PREVIOUSLY NUI UTILITIES, INC., D/B/A NUI CITY GAS COMPANY OF FLORIDA, D/B/A FLORIDA CITY GAS ("FRANCHISEE"), UNTIL THE EARLIER OF 1) FEBRUARY 28, 2006, OR 2) THE DATE IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF ANY SUBSEQUENT FRANCHISE AGREEMENT ENTERED INTO BY THE CITY OF MIAMI AND THE FRANCHISEE; AUTHORIZING THE CITY MANAGER TO EXECUTE A FRANCHISE EXTENSION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. | |
| FR.2 | 05-00604 | <u>ORDINANCE</u> | FIRST READING |
| | <i>Department of
Conferences,
Conventions and
Public Facilities</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 53/ARTICLE 1/ SECTION 53.1(B) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STADIUMS AND CONVENTION CENTERS/ IN GENERAL/ TICKET SURCHARGE ON PAID ADMISSIONS TO EVENTS/ RATE OF SURCHARGE," BY INCREASING THE RATE OF SURCHARGE PAYMENT ON PAID ADMISSIONS AT CERTAIN CITY OF MIAMI FACILITIES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE. | |
| FR.3 | 05-00605 | <u>ORDINANCE</u> | FIRST READING |
| | <i>Department of
Planning</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE VI/SECTION 62-156 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "SCHEDULE OF FEES," BY CREATING A NEW SUBSECTION 62-156(D) ENTITLED "MANNER OF FEE PAYMENT;" ADDING A PROVISION THAT SETS FORTH THE REQUISITE MANNER OF PAYMENT BY CERTIFIED CHECK, CASHIER'S CHECK, OR MONEY ORDER FOR THE COLLECTION OF CERTAIN SPECIFIED FEES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. | |

RESOLUTIONS

- RE.1** **05-00607** **RESOLUTION**
*Office of Strategic
Planning,
Budgeting, and
Performance* A RESOLUTION OF THE MIAMI CITY COMMISSION COMPUTING A PROPOSED MILLAGE RATE, AS DESIGNATED HEREIN, FOR THE CITY OF MIAMI ("CITY"), FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; DIRECTING THE CITY MANAGER TO SUBMIT SAID PROPOSED MILLAGE RATE TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER AND THE TAX COLLECTOR TOGETHER WITH THE DATE, TIME AND PLACE OF THE PUBLIC HEARING AT WHICH THE CITY COMMISSION WILL CONSIDER THE PROPOSED MILLAGE RATE AND THE CITY'S TENTATIVE BUDGET FOR SAID FISCAL YEAR, AS DESIGNATED HEREIN.
- RE.2** **05-00608** **RESOLUTION**
*Downtown
Development
Authority* A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") TO ESTABLISH A PROPOSED MILLAGE RATE OF ONE-HALF (1/2) MILL FOR THE DOWNTOWN DEVELOPMENT DISTRICT OF THE CITY OF MIAMI, FLORIDA, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006; AUTHORIZING AND DIRECTING COMMUNICATION OF SAID PROPOSED MILLAGE RATE TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER AND TAX COLLECTOR TOGETHER WITH THE DATE, TIME AND PLACE OF THE PUBLIC HEARINGS, AS STATED HEREIN, AT WHICH THE MIAMI CITY COMMISSION WILL CONSIDER THE PROPOSED MILLAGE RATE AND THE DDA TENTATIVE BUDGET FOR SAID FISCAL YEAR.
- RE.3** **05-00610** **RESOLUTION**
*Department of
Fire-Rescue* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF MIAMI, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005, IN ACCORDANCE WITH THE CITY OF MIAMI FIVE-YEAR PLAN; PROVIDING FOR NEW DEFINITIONS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING FOR SEPTEMBER 8, 2005, AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.
- RE.4** **05-00611** **RESOLUTION**
*Department of Solid
Waste* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF MIAMI, FLORIDA; DESCRIBING THE METHOD OF ASSESSING SOLID WASTE COSTS AGAINST PROPERTY LOCATED WITHIN THE CITY OF MIAMI; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING FOR SEPTEMBER 8, 2005; AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

RE.5 05-00612*Department of
Finance***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE ISSUANCE OF CITY OF MIAMI, FLORIDA, HEALTH FACILITIES AUTHORITY ("AUTHORITY") REVENUE REFUNDING BONDS (MIAMI JEWISH HOME AND HOSPITAL FOR THE AGED, INC. PROJECT) SERIES 2005 ("SERIES 2005 BONDS"), IN THE AMOUNT NOT TO EXCEED \$25,800,000, FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED ("IRS CODE"); FURTHER APPROVING THE MINUTES OF THE PUBLIC HEARING HELD ON JUNE 3, 2005, BY THE AUTHORITY WITH RESPECT TO SAID SERIES 2005 BONDS AND THE REFUNDING OF RELATED BONDS, IN ACCORDANCE WITH THE IRS CODE, AS STATED HEREIN.

BOARDS AND COMMITTEES

BC.1 **03-0234**
*Office of the City
 Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE MIAMI STREET CODESIGNATION REVIEW COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:**NOMINATED BY:**

Chairman Joe Sanchez

DATE: **DECEMBER 18, 2003****ACTION:** **DEFERRED****DATE:** **FEBRUARY 12, 2004****ACTION:** **DEFERRED****DATE:** **JUNE 24, 2004****ACTION:** **DEFERRED****DATE:** **SEPTEMBER 9, 2004****ACTION:** **DEFERRED****DATE:** **NOVEMBER 18, 2004****ACTION:** **DEFERRED****DATE:** **DECEMBER 9, 2004****ACTION:** **DEFERRED****DATE:** **JANUARY 13, 2005****ACTION:** **DEFERRED**

BC.2 **05-00057**
*Office of the City
 Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE ORANGE BOWL ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:**NOMINATED BY:**

Commissioner Tomas Regalado

Commissioner Tomas Regalado

DATE: **MARCH 10, 2005****ACTION:** **DEFERRED****DATE:** **MAY 12, 2005****ACTION:** **DEFERRED**

BC.3 05-00316

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE URBAN DEVELOPMENT REVIEW BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Chairman Joe Sanchez

DATE: MAY 12, 2005

ACTION: DEFERRED

BC.4 05-00317

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE VIRGINIA KEY BEACH PARK TRUST FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Vice Chairman Angel González

DATE: MAY 12, 2005

ACTION: DEFERRED

BC.5 05-00321

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE PLANNING ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chairman Joe Sanchez

Commissioner Tomas Regalado

DATE: MAY 12, 2005

ACTION: DEFERRED

BC.6 **05-00411***Office of the City
Clerk***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE PARKS ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:**NOMINATED BY:**

Chairman Joe Sanchez

Vice Chairman Angel González

DATE: JUNE 9, 2005**ACTION: DEFERRED****BC.7** **05-00474***Office of the City
Clerk***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COMMITTEE ON BEAUTIFICATION AND ENVIRONMENT FOR TERMS AS DESIGNATED HEREIN.

BC.8 **05-00492***Office of the City
Clerk***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE GENERAL EMPLOYEES' AND SANITATION EMPLOYEES' RETIREMENT TRUST FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:**NOMINATED BY:**

Ron Thompkins

AFSCME Local 871

Caridad Montero

AFSCME Local 871

Rose Gordon

AFSCME Local 1907

Waldeman Lee

AFSCME Local 1907

BC.9 **05-00493**

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE NUISANCE ABATEMENT BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chairman Joe Sanchez

Commissioner Tomas Regalado

BC.10 **05-00494**

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE WATERFRONT ADVISORY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chairman Angel González

Commissioner Johnny Winton

BC.11 **05-00502**

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE ZONING BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Commissioner Jeffery Allen

BC.12 05-00511

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE OCCUPATIONAL LICENSE EQUITY STUDY COMMISSION FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chairman Angel González

Chairman Joe Sanchez

Commissioner Tomas Regalado

Commissioner Jeffery Allen

Mayor Manuel Diaz

Mayor Manuel Diaz

BC.13 05-00559

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CONFIRMING THE APPOINTMENT OF AN INDIVIDUAL AS A MEMBER OF THE OFF-STREET PARKING BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Thomas B. Jelke, PhD

Off-Street Parking Board

BC.14 05-00583

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chairman Angel González

Vice Chairman Angel González

Chairman Joe Sanchez

Commissioner Tomas Regalado

Commissioner Tomas Regalado

BC.15 05-00586

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Commissioner Tomas Regalado

DISCUSSION ITEMS

NOTE: Legislation may result from City Commission consideration of any Commission Discussion item.

This portion of the agenda is separately designated as being available for the purpose of providing and securing City Commission information, direction, and guidance in significant pending and concluded matters, including matters not specifically set forth in this section.

It is anticipated that no input from anyone other than the City personnel is needed or expected while the City Commission is considering any matter in this portion of the Agenda; accordingly, no member of the public may address the City Commission during this time.

DI.1	05-00609	<u>DISCUSSION ITEM</u>
	<i>Office of Strategic Planning, Budgeting, and Performance</i>	DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET OUTLOOK.