

City of Miami

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



Meeting Agenda

Thursday, November 17, 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.

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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.21 may be heard in the number sequence or as announced by the Commission

PA - PERSONAL APPEARANCES**M - MAYOR'S ITEMS****D1 - DISTRICT 1 ITEMS****D2 - DISTRICT 2 ITEMS****D3 - DISTRICT 3 ITEMS****D4 - DISTRICT 4 ITEMS****D5 - DISTRICT 5 ITEMS****SS - SPECIALLY SCHEDULED ITEMS****PH - PUBLIC HEARINGS**

10:30 A.M. - PH.6 - Transferring 31st Yr. CDBG Funds from the Building Dept. - Unsafe Structures

10:30 A.M. - PH.7 - Amending the Citizen Participation Plan

10:30 A.M. - PH.8 - Authorizing the Extension and Rollover of Accounts

10:30 A.M. - PH.9 - Extending the Boundaries for the Model City - Floral Park Improvement Project

10:30 A.M. - PH.10 - Allocation of Funds - Downtown Miami Partnership, Inc.

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****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 MEETINGS:

Planning and Zoning Meeting of February 27, 2003

Regular Meeting of April 10, 2003

Regular and Planning and Zoning Meetings of October 27, 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.21 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.21 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 05-01063

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY GUILLERMO QUINTANA, ALEXANDER QUINTANA, AND CHRISTOPHER QUINTANA, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$39,000 EACH 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 GUILLERMO, ALEXANDER AND CHRISTOPHER QUINTANA V. ANGEL TRAVIESO, ET AL., IN THE UNITED STATES DISTRICT COURT, CASE NO. 04-21540-CIV-GOLD, UPON EXECUTING A GENERAL RELEASE OF 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.2 05-01097

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF FINANCE TO ISSUE A CHECK PAYABLE TO THE TRUST ACCOUNT OF RONALD J. COHEN, P.A., IN THE AMOUNT OF \$191,125, IN FULL SETTLEMENT OF ANY AND ALL CLAIMS FOR ATTORNEYS' FEES AND COSTS FOR THE REPRESENTATION OF POLICE OFFICER ELIEZER LOPEZ, BY HARRY SOLOMON, ESQUIRE, IN THE CASE OF THE UNITED STATES OF AMERICA VS. ELIEZER LOPEZ, UNITED STATES DISTRICT COURT, CASE NO. 01-208-CR-GOLD; ALLOCATING FUNDS FROM THE CITY OF MIAMI SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

CA.3 05-01098

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF FINANCE TO ISSUE A CHECK PAYABLE TO THE TRUST ACCOUNT OF RONALD J. COHEN, P.A., IN THE AMOUNT OF \$79,667.50, IN FULL SETTLEMENT OF ANY AND ALL CLAIMS FOR ATTORNEYS' FEES AND COSTS FOR THE REPRESENTATION OF POLICE OFFICER JORGE GARCIA, BY JOHN W. THORNTON, ESQUIRE, IN THE CASE OF THE UNITED STATES OF AMERICA VS. JESUS AGUERO, ET AL., UNITED STATES DISTRICT COURT, CASE NO. 02-20174-CR-ALTONAGA; ALLOCATING FUNDS

FROM THE CITY OF MIAMI SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

CA.4 05-01241

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A CONTRIBUTION IN THE AMOUNT OF \$10,000, TO THE MIAMI-DADE COUNTY ASSOCIATION OF CHIEFS OF POLICE, AS FINANCIAL SUPPORT TO HOST 300 LAW ENFORCEMENT PROFESSIONALS AT THE 2005 MIAMI-DADE CHIEFS EXECUTIVE BOARD MEETING, TO BE HELD IN DECEMBER, 2005, IN MIAMI, FLORIDA; ALLOCATING FUNDS FROM THE DEPARTMENT OF POLICE GENERAL OPERATING BUDGET ACCOUNT NO. 001000.290101.6.690.

CA.5 05-01242

*Department of
Conferences,
Conventions and
Public Facilities*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("LESSEE") AND MARTIN LUTHER KING ECONOMIC DEVELOPMENT CORPORATION, A NOT FOR PROFIT CORPORATION, ("LESSOR"), FOR THE USE OF APPROXIMATELY 1,022 SQUARE FEET OF OFFICE SPACE, LOCATED AT 6100 NORTHWEST 7TH AVENUE, SUITE 6140-A MIAMI, FLORIDA, TO RELOCATE THE OPERATION OF THE MODEL CITY NEIGHBORHOOD ENHANCEMENT TEAM, WITH SAID AGREEMENT TO PROVIDE FOR THE FOLLOWING: 1) A FIVE-YEAR TERM COMMENCING NO LATER THAN FOUR (4) MONTHS AFTER LESSEE ISSUES NOTICE TO PROCEED WITH CONSTRUCTION OF THE PREMISES TO LESSOR AND LESSEE PHYSICALLY OCCUPIES THE PREMISES, WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL TWO-YEAR TERMS SUBJECT TO THE MUTUAL CONSENT OF THE PARTIES; 2) LESSEE SHALL PAY RENT FOR THE TERM AT A RATE OF \$8.45 PER SQUARE FOOT, OR \$719.66 PER MONTH, WITH RENT FOR ADDITIONAL TERMS TO BE ADJUSTED ANNUALLY BASED ON INCREASES IN THE CONSUMER PRICE INDEX NOT TO EXCEED THREE PERCENT (3%); 3) LESSEE TO PROVIDE LESSOR WITH CONSTRUCTION FUNDING IN THE AMOUNT OF \$59,000, TO BE USED FOR CONSTRUCTION OF THE PREMISES; 4) LESSOR TO PROVIDE LESSEE WITH COMPLETE CONSTRUCTION OF THE PREMISES; 5) SHOULD LESSOR'S PROPERTY BE DEMOLISHED AS PART OF ITS REDEVELOPMENT PROJECT, LESSOR SHALL, AT ITS SOLE COST AND EXPENSE, RELOCATE LESSEE TO COMPARABLE PREMISES WITHIN PROPERTY IT OWNS AND LESSEE SHALL HAVE RIGHT OF FIRST REFUSAL FOR A NEW LEASE IN THE RELOCATED PREMISES; AND 6) LESSOR TO PAY ALL COMMON AREA OPERATING CHARGES AND PROVIDE FIVE (5) RESERVED PARKING SPACES FOR LESSEE, WITH ADDITIONAL TERMS AND CONDITIONS MORE PARTICULARLY SET FORTH IN SAID AGREEMENT; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 145001.251113.6.620.

CA.6 **05-01243***Department of
Fire-Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE CITY MANAGER'S APPROVAL OF THE FINDINGS AND RECOMMENDATIONS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 04-05-097, THAT THE FIRM MOST QUALIFIED TO PROVIDE MEDICAL DIRECTION SERVICES FOR EMERGENCY MEDICAL SERVICE, IS THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY D/B/A JACKSON HEALTH SYSTEM ("THE TRUST"); AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE TRUST, TO PROVIDE THE AFOREMENTIONED SERVICES, FOR THE DEPARTMENT OF FIRE-RESCUE, FOR A TERM OF THREE YEARS, AT A FIRST-YEAR COST NOT TO EXCEED \$203,588, AT A SECOND-YEAR COST NOT TO EXCEED \$209,420, AND AT A THIRD-YEAR COST NOT TO EXCEED \$215,427, WITH AN OPTION TO RENEW FOR TWO ADDITIONAL TWO-YEAR PERIODS, WITH INCREMENTAL ANNUAL INCREASES AFTER THE INITIAL THREE-YEAR PERIOD LIMITED TO THE RECENT YEAR'S ANNUAL INCREASE OF THE CONSUMER PRICE INDEX, BUT NO MORE THAN 5% PER YEAR; ALLOCATING FUNDS FROM THE DEPARTMENT OF FIRE-RESCUE GENERAL OPERATING BUDGET, ACCOUNT NO. 001000.280601.6.270, FOR THE CURRENT FISCAL YEAR 2005-2006, WITH FUTURE FISCAL YEAR FUNDING, SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.7 **05-01244***Department of
Employee Relations***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT") WITH MERCY MEDICAL DEVELOPMENT D/B/A MERCY OUTPATIENT CENTER, FOR THE PROVISION OF SWORN POLICE ANNUAL PHYSICAL EXAMINATION SERVICES, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS, PURSUANT TO RESOLUTION NO. 04-0617, ADOPTED SEPTEMBER 23, 2004, IN AN ANNUAL AMOUNT NOT TO EXCEED \$98,268, INCREASING THE TOTAL ANNUAL AMOUNT FROM \$415,240 TO \$513,508; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$98,268, FROM THE GENERAL OPERATING BUDGET OF THE DEPARTMENT OF POLICE, ACCOUNT CODE NO. 001000.290201.6.260; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; AMENDING RESOLUTION NO. 04-0617, TO REFLECT SAID INCREASE.

CA.8 **05-01245***Department of
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE PURCHASE OF TWO (2) 2006, 25' CONTENDER VESSELS WITH TWIN YAMAHA ENGINES, TRAILERS AND OTHER ACCESSORIES, AS LISTED IN "EXHIBIT A," ATTACHED AND INCORPORATED, AS AUTHORIZED UNDER THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI AND THE STATE OF FLORIDA COUNTER-DRUG PROCUREMENT PROGRAM, ESTABLISHED AND MAINTAINED PURSUANT TO THE NATIONAL DEFENSE

AUTHORIZATION ACT SECTION 1122, KNOWN AS THE "1122 PROGRAM," FROM CONTENDER BOATS, INC., FOR THE DEPARTMENT OF POLICE, IN AN AMOUNT NOT TO EXCEED \$179,311.02; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM III, FISCAL YEAR 2004, ACCOUNT CODE NO. 110143.280911.6.840, IN THE AMOUNT OF \$89,655.51 AND FROM THE POLICE GENERAL FUND, ACCOUNT CODE NO. 001000.290301.6.830, IN THE AMOUNT OF \$89,655.51.

CA.9 05-01246

*Department of
Purchasing*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID OF JULES BROS' UNIFORMS, INC., THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, RECEIVED ON SEPTEMBER 14, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-081, FOR THE PROVISION OF UNIFORMS, ON AN AS-NEEDED CONTRACT BASIS, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED CITYWIDE BY VARIOUS USER DEPARTMENTS AND AGENCIES, FOR AN INITIAL TWO (2) YEAR PERIOD WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, AT AN ESTIMATED ANNUAL AMOUNT OF \$130,000, FOR FISCAL YEAR 2005-2006; ALLOCATING FUNDS, IN THE AMOUNT OF \$130,000, FOR FISCAL YEAR 2005-2006, FROM THE GENERAL OPERATING BUDGETS AND GRANTS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.10 05-01247

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BIDS OF MAR-VEL INTERNATIONAL, INC., AUSTIN'S DIVING CENTER, AND DIVERS UNLIMITED, INC., RECEIVED ON AUGUST 22, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-107, FOR THE PURCHASE OF DIVING EQUIPMENT, FOR THE DEPARTMENT OF POLICE, FOR A TOTAL CONTRACT AWARD AMOUNT NOT TO EXCEED \$104,730.98; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM, FISCAL YEAR 2003, ACCOUNT CODE NO. 110111.280910.6.840.

CA.11 05-01249

*Department of
Building*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION INCREASING THE CONTRACT AWARDED TO LASON SYSTEMS, INC., PURSUANT TO RESOLUTION NO 01-1281, ADOPTED DECEMBER 13, 2001, FOR THE BUILDING DEPARTMENT, IN AN ANNUAL AMOUNT NOT TO EXCEED \$20,000, INCREASING THE TOTAL ANNUAL CONTRACT AMOUNT FROM \$25,000 TO \$45,000; ALLOCATING FUNDS FOR SAID INCREASE FROM ACCOUNT NO. 421001.560402.6.289, IN THE AMOUNT NOT TO EXCEED \$8,500 AND FROM ACCOUNT NO. 21001.560302.6.340, IN THE AMOUNT NOT TO EXCEED \$11,500; AMENDING RESOLUTION NO. 01-1281, TO REFLECT SAID INCREASE.

CA.12 05-01250

*Department of
Purchasing*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID OF A NATIONWIDE MEDICAL WASTE MANAGEMENT, INC., THE ONLY RESPONSIVE AND RESPONSIBLE BIDDER, RECEIVED ON

SEPTEMBER 12, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-072, FOR THE PROVISION OF DISPOSAL SERVICES FOR BIO-HAZARDOUS WASTE CITYWIDE, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED CITYWIDE BY VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED CONTRACT BASIS, FOR AN INITIAL TWO (2) YEAR PERIOD WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, AT AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$16,482, FOR FISCAL YEAR 2005-2006; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$16,482, FOR FISCAL YEAR 2005-2006, FROM THE GENERAL OPERATING BUDGETS AND GRANTS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.13 05-01251

*Department of
Fire-Rescue*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF ONE (1) MIR3 EMERGENCY NOTIFICATION SYSTEM, INCLUDING MAINTENANCE SUPPORT SERVICES AND TRAINING, FROM FOUR POINTS TECHNOLOGY, UTILIZING THE EXISTING GENERAL SERVICES ADMINISTRATION CONTRACT NO. GS-35F-0553P, EFFECTIVE THROUGH MAY 25, 2009, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY GENERAL SERVICES ADMINISTRATION, FOR THE DEPARTMENT OF FIRE-RESCUE, IN AN AMOUNT NOT TO EXCEED \$206,809.82; ALLOCATING FUNDS FROM THE URBAN AREA SECURITY INITIATIVE ("UASI") GRANT PROGRAM III, PROJECT NO. 110143, ACCOUNT CODE NO. 280911.6.840, IN THE AMOUNT OF \$86,734.82, AND THE UASI IV GRANT AWARD, SUBJECT TO THE ACCEPTANCE OF A GRANT AWARD AND THE APPROPRIATION OF SAID AWARD, IN THE AMOUNT OF \$120,075.

CA.14 05-01252

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T.) PROGRAM," CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, IN THE AMOUNT OF \$85,000; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

CA.15 05-01253

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "CRIMINAL JUSTICE RECORD IMPROVEMENT PROJECT," AND APPROPRIATING FUNDS FOR THE OPERATION OF THE SAME IN THE TOTAL AMOUNT OF \$25,863, CONSISTING OF A GRANT FROM THE MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES, IN THE AMOUNT OF \$19,397, AND REQUIRED MATCHING FUNDS, FROM THE CITY OF MIAMI, IN THE AMOUNT NOT TO EXCEED \$6,466; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$6,466, FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690001, WITH

SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND TREASURY'S "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

CA.16 05-01254

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "SCHOOL RESOURCE OFFICER PROJECT," AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME IN THE TOTAL AMOUNT OF \$66,505, CONSISTING OF A GRANT FROM THE MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES, IN THE AMOUNT OF \$49,879, REQUIRED MATCHING FUNDS, FROM THE CITY OF MIAMI, IN THE AMOUNT NOT TO EXCEED \$16,626; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$16,626, FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690001, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND TREASURY'S "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

CA.17 05-01255

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A SPECIAL REVENUE FUND ENTITLED: "VICTIMS OF CRIME ACT," CONSISTING OF A GRANT FROM THE STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL, TASK FORCE ON DOMESTIC AND SEXUAL VIOLENCE, IN THE AMOUNT OF \$35,450, AND IN-KIND SERVICES FROM THE CITY OF MIAMI DEPARTMENT OF POLICE, IN THE AMOUNT OF \$8,863, FOR THE REQUIRED MATCH, FOR A TOTAL AMOUNT OF \$44,313; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

CA.18 05-01256

*Bayfront Park
Management Trust*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE CIVIL ACTIONS AGAINST CONCORDE CRUISES, INC., ("LICENSEE") TO PROSECUTE, PROTECT AND PRESERVE THE INTERESTS OF THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST") INCLUDING, BUT NOT LIMITED TO, ANY ACTION AUTHORIZED BY LAW OR IN EQUITY TO OBTAIN ANY RELIEF OR REMEDY FOR RECOVERY OF DAMAGES SUSTAINED BY THE TRUST IN RELATION TO THE LICENSEE'S BREACH OF A USE AGREEMENT EXECUTED ON JUNE 25, 1997, AND ITS SUBSEQUENT AMENDMENTS.

CA.19 05-01257

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA.

CA.20 05-01258**RESOLUTION**

*Department of
Capital
Improvement
Programs/Transportation*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT A REIMBURSEMENT GRANT IN THE AMOUNT OF \$1,000,000, AND TO EXECUTE THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") PROJECT AGREEMENT, PROJECT NO. DA-MI-05-88, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE CAPITAL PROJECT NO. B-30310, ENTITLED "BICENTENNIAL PARK SHORELINE STABILIZATION - PHASE III;" APPROPRIATING FUNDS FOR ITS OPERATION, ALLOCATING FUNDS IN THE AMOUNT OF \$1,000,000, FROM CAPITAL IMPROVEMENT PROJECT FUND NO. 331418, ENTITLED "BICENTENNIAL PARK IMPROVEMENTS," FOR THE REQUIRED MATCH, AND AUTHORIZING THE CITY MANAGER TO PROVIDE ALL NECESSARY DOCUMENTS IN ORDER TO IMPLEMENT ACCEPTANCE OF AND COMPLIANCE WITH SAID GRANT.

CA.21 05-01259**RESOLUTION**

*Department of
Capital
Improvement
Programs/Transportation*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI-DADE COUNTY ("COUNTY"), TO PROVIDE FOR THE DESIGN, CONSTRUCTION, ADMINISTRATION AND MAINTENANCE OF CERTAIN CAPITAL IMPROVEMENTS TO THE RIGHTS-OF WAY SURROUNDING THE PERFORMING ARTS CENTER, WHICH IS A PART OF THE PERFORMING ARTS CENTER STREET IMPROVEMENTS PROJECT, B-30361, AND TO AUTHORIZE PAYMENT TO THE COUNTY FOR THE PERFORMANCE OF THE IMPROVEMENTS, IN THE MAXIMUM AMOUNT OF \$741,000, ON A REIMBURSEMENT BASIS; ALLOCATING FUNDS FROM THE COMMUNITY REDEVELOPMENT AGENCY OMNI TAX INCREMENT FUND, ENTITLED "CONSTRUCTION IN PROGRESS," ACCOUNT CODE NO. 686001.590320.6.860, FOR SAID PURPOSE.

END OF CONSENT AGENDA

PERSONAL APPEARANCES

Note: Legislation may result from City Commission consideration of any personal appearance.

- PA.1** **05-01260** **DISCUSSION ITEM**
MS. ANA H. RUBIO, ATHLETIC DIRECTOR OF SWITCH HITTER
BASEBALL, INC. TO ADDRESS THE COMMISSION REGARDING
FIELD SHORTAGE, AND DISCUSS POSSIBLE SOLUTIONS.
- PA.2** **05-01363** **DISCUSSION ITEM**
REPRESENTATIVE(S) FROM THE JACKSON MEMORIAL
FOUNDATION TO ADDRESS THE CITY COMMISSION REGARDING
WAIVING ALL FEES AT THE COCONUT GROVE CONVENTION
CENTER FOR THEIR JACKSON MEMORIAL FOUNDATION GALA 2006
EVENT ON JANUARY 14, 2006.

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

M.1

05-01261

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WAIVING THE FEES FOR THE USE OF THE COCONUT GROVE EXPO CENTER, THE PARKING AREA AND OTHER COSTS, IN AN AMOUNT NOT TO EXCEED \$15,000, RELATED TO THE "WORLD AIDS DAY CONFERENCE," TO BE HELD ON DECEMBER 1 AND DECEMBER 2, 2005, AT THE COCONUT GROVE EXPO CENTER, LOCATED AT 2700 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA.

DISTRICT 1

VICE CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2**COMMISSIONER JOHNNY L. WINTON**

- D2.1** **05-01113** **RESOLUTION**
- A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATIONS OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE, PURSUANT TO SECTIONS 2-1251 AND 35-221 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO INCREASE THE AMOUNT OF THE EXISTING SIGN PRODUCTION PROJECT WITH IMAGE RESOURCE GROUP, INC., FROM \$165,000 TO \$195,000, TO APPROVE SIGN CLEANING AND MAINTENANCE SERVICES, IN AN AMOUNT NOT TO EXCEED \$6,030, AND TO ALLOCATE AND TO DISBURSE A TOTAL AMOUNT NOT TO EXCEED \$201,030, FROM THE COCONUT GROVE BUSINESS DISTRICT IMPROVEMENT TRUST FUND ACCOUNT NO. 0172770906, TO IMAGE RESOURCE GROUP, INC., FOR THE PROJECT ENTITLED "COCONUT GROVE STREETScape"; AUTHORIZING THE DEPARTMENT OF OFF-STREET PARKING ("DOSP") TO MAKE SUCH ALLOCATION AND DISBURSEMENTS FOR SAID PROJECT; AUTHORIZING AND DIRECTING DOSP TO NEGOTIATE AND TO EXECUTE ANY NECESSARY AGREEMENTS AND DOCUMENTS. SUBJECT TO APPROVAL BY THE RISK MANAGEMENT ADMINISTRATOR AND THE CITY ATTORNEY, FOR SAID PURPOSES .
- D2.2** **05-01262** **RESOLUTION**
- A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF FISCAL YEAR 2005-2006 COCONUT GROVE PARKING SURCHARGE FUNDS, IN THE AMOUNT OF \$252,437 FROM CAPITAL PROJECT NO. 341330, B-30249, TO THE CITY OF MIAMI'S DEPARTMENT OF OFF-STREET PARKING ("DOSP"), IN ACCORDANCE WITH SECTIONS 35-221, 35-222 AND 35-224 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CODE") FOR DEPOSIT INTO THE COCONUT GROVE BUSINESS DISTRICT IMPROVEMENT TRUST FUND ACCOUNT NO. 1000024642463; FURTHER DIRECTING SAID FUNDS BE USED BY DOSP EXCLUSIVELY FOR THE PURPOSES SET FORTH IN CODE SECTIONS 35-221, 35-222 AND 35-224 GOVERNING THE USE OF COCONUT GROVE PARKING SURCHARGE FUNDS AND AFTER REVIEW AND RECOMMENDATION BY THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE.

DISTRICT 3

CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN

SPECIALLY SCHEDULED ITEM

SS.1 05-01051

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), OFFICIALLY ACCEPTING THE ATTACHED CITY CLERK'S CERTIFICATION OF THE CANVASS AND DECLARATION OF THE RESULTS OF THE CITY OF MIAMI GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 15, 2005, FOR THE ELECTION OF MAYOR, COMMISSIONER DISTRICT 3 AND COMMISSIONER DISTRICT 5.

PUBLIC HEARINGS**PH.1 05-01263***Department of
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION WAIVING BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE, PURSUANT TO SECTION 18-92 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, AND APPROVING THE ACQUISITION OF A CAMERA SYSTEM, CONSISTING OF A POLE CAMERA KIT, VIDEO FIBERSCOPE KIT, AND AN UNDER DOOR CAMERA KIT, FOR THE DEPARTMENT OF POLICE, FROM TACTICAL ELECTRONICS AND MILITARY SUPPLY, LLC, IN AN AMOUNT NOT TO EXCEED \$68,000; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM II, FISCAL YEAR 2003, ACCOUNT CODE NO. 110111.280910.6.840.

PH.2 05-01264*Department of
Conferences,
Conventions and
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AND DIRECTING THE CITY MANAGER TO CONVEY IN "AS IS" CONDITION, THE REAL PROPERTY LOCATED AT 142 NORTHWEST 11 STREET, MIAMI, FLORIDA, AS LEGALLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO THE SOUTHEAST OVERTOWN/PARK WEST REDEVELOPMENT DISTRICT, COMMUNITY REDEVELOPMENT AGENCY, WITHIN WHOSE REDEVELOPMENT AREA THE PROPERTY LIES; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED AND ALL OTHER NECESSARY DOCUMENTS TO EFFECTUATE SAID CONVEYANCE.

PH.3 05-01265*Department of
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED " GALLERY ART", 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.4 05-01269*Department of
Fire-Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING THAT IT IS PRACTICABLE AND MOST ADVANTAGEOUS FOR THE CITY OF MIAMI TO WAIVE COMPETITIVE SEALED BIDDING PROCEDURES; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE UNIVERSITY OF MIAMI CENTER FOR RESEARCH IN MEDICAL EDUCATION, FOR THE DEPARTMENT OF FIRE-RESCUE, TO CONTINUE WITHOUT INTERRUPTION OF THE DELIVERY OF THE EMERGENCY RESPONSE TO TERRORISM TRAINING FOR THE MIAMI URBAN AREA'S FIRST RESPONDERS, INCLUDING EQUIPMENT, COURSE DELIVERY, OUTCOMES ASSESSMENT AND QUALITY IMPROVEMENT, EFFECTIVE UNTIL FEBRUARY 28, 2007, TO COINCIDE WITH THE END OF THE 2005 URBAN AREA SECURITY INITIATIVE ("UASI") GRANT PROGRAM IV, WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS TO COINCIDE WITH ANY AND ALL APPROVED EXTENSIONS OF THE UASI 2005 GRANT, AT A TOTAL AMOUNT NOT TO EXCEED \$350,000; ALLOCATING FUNDS FROM THE UASI GRANT PROJECT ACCOUNT, SUBJECT TO BUDGETARY APPROVAL.

PH.5 05-01321*Department of
Conferences,
Conventions and
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGERS EMERGENCY FINDING; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTIONS 18-89 AND 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AUTHORIZING AN AWARD OF A CONTRACT TO SHORELINE FOUNDATION INC., FOR THE PURCHASE AND INSTALLATION OF 49,538 SQUARE FEET OF HIGH QUALITY FIBERGLASS DECKING, WHICH WILL REPLACE THE EXISTING CUSTOM IPE HARDWOOD, OF WHICH APPROXIMATELY 55% WAS DAMAGED OR LOST AS A RESULT OF HURRICANE WILMA, IN AN AMOUNT NOT TO EXCEED \$1,129,466.40; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NOS. 326011 AND 326015, B-30150.

10:30 A.M.**PH.6 05-01266**

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 31st PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, IN THE AMOUNT OF \$200,000, FROM THE CITY OF MIAMI BUILDING DEPARTMENT-UNSAFE STRUCTURES; ALLOCATING SAID FUNDS TO THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR THE DEMOLITION OF UNSAFE STRUCTURES.

PH.7 05-01267

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE CITIZEN PARTICIPATION PLAN ("PLAN"), PREVIOUSLY APPROVED BY RESOLUTION NO. 04-0114, ADOPTED FEBRUARY 26, 2004, AND SUBSTITUTING IT WITH THE PLAN, ATTACHED AND INCORPORATED; UPDATING THE PLAN TO COMPLY WITH THE CODE OF FEDERAL REGULATION 24 CFR 91.105, WHICH MANDATES THAT A THIRTY (30) DAY COMMENT PERIOD IS REQUIRED PRIOR TO A SCHEDULED PUBLIC HEARING WHEN CHANGES IN FUNDING ALLOCATIONS ARE MADE AND/OR WHEN THE FOLLOWING UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("U.S. HUD") REQUIRED DOCUMENTS ARE ORIGINALLY DRAFTED (PRIOR TO SUBMISSION TO U.S. HUD) AND/OR ARE AMENDED: THE CONSOLIDATION PLAN, ANNUAL ACTION PLAN, CITIZEN PARTICIPATION PLAN AND THE FAIR HOUSING PLAN; AND INCLUDING A RELOCATION STRATEGY COMPONENT.

PH.8 05-01354

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE EXTENSION AND ROLLOVER OF ACCOUNTS OF PREVIOUSLY APPROVED ACTIVITIES/PROJECTS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED, THAT WERE NOT COMPLETED DURING FISCAL YEAR 2004-2005 THAT ENDED SEPTEMBER 30, 2005, TO THE CURRENT FISCAL YEAR 2005-2006, ENDING SEPTEMBER 30, 2006; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE, IF NECESSARY, ANY REQUIRED DOCUMENTS TO AMEND THE EXISTING AGREEMENTS, WITH SAID AGENCIES.

PH.9 05-01355

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 05-0342, ADOPTED MAY 26, 2005, AND RESOLUTION NO. 05-0380, ADOPTED JUNE 9, 2005, EXTENDING THE PROJECT BOUNDARIES FOR THE MODEL CITY-FLORAL PARK IMPROVEMENT PROJECT, FROM NORTHWEST 43RD STREET TO NORTHWEST 57TH STREET, MIAMI, FLORIDA.

PH.10 05-01356

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING RESOLUTION NO. 05-0382, ADOPTED JUNE 9, 2005, AND RESOLUTION NO. 05-0477, ADOPTED JULY 28, 2005, BY CHANGING "ATTACHMENTS A " OF EACH RESOLUTION TO REFLECT THAT FUNDS, IN THE TOTAL AMOUNT OF \$120,000, ALLOCATED TO DOWNTOWN MIAMI PARTNERSHIP, INC., ("DMP") AS SPECIFIED IN "ATTACHMENTS A AND B," ATTACHED AND INCORPORATED, BE CHANGED TO STATE "FOR THE IMPLEMENTATION OF AN URBAN NEIGHBORHOOD JOB CREATION PROGRAM WHICH WILL PROVIDE REHABILITATION OF BUILDING EXTERIORS AND JOB CREATION OPPORTUNITIES FOR CITY OF MIAMI RESIDENTS;" FURTHER AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, AS SPECIFIED IN "ATTACHMENT C," ATTACHED AND INCORPORATED, IN THE AMOUNT OF \$500,000; ALLOCATING SAID FUNDS TO DMP FOR THE CONSTRUCTION COSTS ASSOCIATED WITH AN URBAN NEIGHBORHOOD JOB CREATION PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCY, FOR SAID PURPOSE.

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 | 05-01039 | <u>ORDINANCE</u> | SECOND READING |
| | | <p>AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2/ ARTICLE XI/ DIVISION 2 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "ADMINISTRATION/BOARDS, COMMITTEES, COMMISSIONS/STANDARDS FOR CREATION AND REVIEW OF BOARDS GENERALLY" AND DIVISION 3 OF SAID CHAPTER AND ARTICLE OF THE CITY CODE ENTITLED "MAYOR'S INTERNATIONAL COUNCIL" TO PROVIDE SEPARATE QUORUM REQUIREMENTS FOR THE MAYOR'S INTERNATIONAL COUNCIL; MORE PARTICULARLY BY AMENDING SECTIONS 2-887 AND 2-923(F) OF THE CITY CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.</p> | |
| | | DATE: | SEPTEMBER 22, 2005 |
| | | ACTION: | DEFERRED |
| | | DATE: | OCTOBER 27, 2005 |
| | | ACTION: | CONTINUED |
| | | DATE: | NOVEMBER 3, 2005 |
| | | MOVER: | COMMISSIONER ALLEN |
| | | SECONDER: | VICE CHAIRMAN GONZÁLEZ |
| | | VOTE: | AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN |
| | | ACTION: | PASSED ON FIRST READING |
| SR.2 | 05-01139 | <u>ORDINANCE</u> | SECOND READING |
| | | <p>AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 54/ARTICLE IX, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "STREETS AND SIDEWALKS/COCONUT GROVE SPECIAL EVENTS DISTRICT" BY CREATING A NEW SECTION 54-344, SUPPLEMENTAL BANNER FEE PROVISION, TO SAID CITY CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.</p> | |
| | | DATE: | OCTOBER 27, 2005 |
| | | ACTION: | CONTINUED |
| | | DATE: | NOVEMBER 3, 2005 |
| | | MOVER: | COMMISSIONER WINTON |
| | | SECONDER: | VICE CHAIRMAN GONZÁLEZ |
| | | 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.

- | FR.1 | 05-01231 | <u>ORDINANCE</u> | FIRST READING |
|-------------|--|--|----------------------|
| | <i>Office of the City
Attorney</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2/ARTICLE XI, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "ADMINISTRATION, BOARDS, COMMITTEES, COMMISSIONS," BY ADDING A NEW DIVISION ESTABLISHING THE COMMUNITY TECHNOLOGY ADVISORY BOARD ("BOARD"), BY SETTING FORTH THE BOARD'S PURPOSE, POWERS AND DUTIES; PROVIDING FOR COMPOSITION AND APPOINTMENTS AND PROCEDURES, TERMS OF OFFICE, VACANCIES, MEMBERSHIP QUALIFICATIONS, ATTENDANCE REQUIREMENTS, OFFICERS, OATH, QUORUM AND VOTING, MEETINGS, SPECIFICALLY DESIGNATED PERSONNEL BY THE CITY MANAGER TO ACT AS LIAISON TO THE BOARD, COUNSEL, BUDGET APPROVAL AND ANNUAL REPORT; PROVIDING FOR SUNSET REVIEW, MORE PARTICULARLY BY AMENDING SECTION 2-892, OF THE CITY CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE. | |
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| FR.2 | 05-01288 | <u>ORDINANCE</u> | FIRST READING |
| | <i>Office of the City
Attorney</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE VII/SECTION 62-189 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ZONING AND PLANNING/HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD/PROCEEDINGS," BY CHANGING THE QUORUM REQUIREMENTS FROM FIVE MEMBERS TO FOUR; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE. | |
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| FR.3 | 05-01042 | <u>ORDINANCE</u> | FIRST READING |
| | <i>City Manager's
Office</i> | AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 13, ARTICLE I, ENTITLED "DEVELOPMENT IMPACT AND OTHER RELATED FEES," OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE") BY CLARIFYING REFERENCES TO THIS ARTICLE I; UPDATING FINDINGS, INTENT AND AUTHORITY RELATING TO IMPACT FEES; DELETING, AMENDING AND ADDING NEW DEFINITIONS; PROVIDING FOR APPLICABILITY OF IMPACT FEES TO ALL NEW RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT EXCEPT FOR DEMINIMIS DEVELOPMENT AND GOVERNMENTAL USES; PROVIDING FOR IMPOSITION OF NEW IMPACT FEE SCHEDULES TO BUILDING PERMITS SUBMITTED AFTER A SPECIFIED DATE; ESTABLISHING NEW IMPACT FEE BENEFIT DISTRICTS AND SUBDISTRICTS; PROVIDING FOR AN AFFORDABLE HOUSING IMPACT FEE DEFERRAL PROGRAM; ESTABLISHING NEW IMPACT FEE SCHEDULES FOR POLICE, FIRE-RESCUE, GENERAL SERVICES AND PARKS AND RECREATION IMPACT FEES; PROVIDING CERTAIN REQUIREMENTS FOR COLLECTION, ACCOUNTING AND EXPENDING | |

IMPACT FEES AND REQUIRING ANNUAL REVIEW AND TRIENNIAL UPDATE OF IMPACT FEES; CLARIFYING LANGUAGE RELATING TO ADMINISTRATIVE FEES AND BONDING OF CAPITAL IMPROVEMENTS; PROVIDING AN ADMINISTRATIVE PETITION PROCESS FOR DETERMINATIONS OF IMPACT FEES DUE, AFFORDABLE HOUSING DEFERRAL, REFUNDS AND CREDITS; CLARIFYING LANGUAGE RELATED TO CITY COMMISSION AND JUDICIAL REVIEW; CLARIFYING LANGUAGE RELATED TO IMPACT FEES AS ADDITIONAL AND SUPPLEMENTAL REQUIREMENT; PROVIDING FOR COLLECTION BY ALTERNATIVE METHODS; RETAINING PREVIOUS IMPACT FEE SCHEDULES AND SUBAREAS FOR IMPOSITION ON BUILDING PERMIT APPLICATIONS SUBMITTED PRIOR TO A SPECIFIED DATE; AND CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

DATE: SEPTEMBER 22, 2005

ACTION: DISCUSSED

DATE: OCTOBER 27, 2005

ACTION: CONTINUED

DATE: NOVEMBER 3, 2005

ACTION: CONTINUED

RESOLUTIONS

- RE.1** **05-00921** **RESOLUTION**
*Department of
Capital
Improvements
Program* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), UPDATING THE MULTI-YEAR CAPITAL PLAN BY APPROPRIATING NEW FUNDING AND CONTINUING PREVIOUSLY APPROVED CAPITAL PROJECTS FOR FISCAL YEAR 2006.
- RE.2** **05-01268** **RESOLUTION**
*Bayfront Park
Management Trust* A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE SALARY OF THE EXECUTIVE DIRECTOR OF THE BAYFRONT PARK MANAGEMENT TRUST IN THE ANNUAL AMOUNT OF \$106,000.
- RE.3** **05-01270** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH PIRTLE CONSTRUCTION COMPANY, FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES, FOR THE "JOSE MARTI PARK GYMNASIUM, PROJECT NO. B-35857," IN AN AMOUNT NOT TO EXCEED \$4,060,000, CONSISTING OF \$60,000, FOR PRE-CONSTRUCTION SERVICES AND A GUARANTEED MAXIMUM PRICE FOR STAGE I OF CONSTRUCTION SERVICES, AS DESCRIBED IN "EXHIBIT 1," IN AN AMOUNT NOT TO EXCEED \$4,000,000; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE A GUARANTEED MAXIMUM PRICE FOR STAGE II OF CONSTRUCTION SERVICES SUBJECT TO SUBSEQUENT APPROVAL BY THE CITY COMMISSION; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. 333142, B-35857, FOR SAID PURPOSE.
- RE.4** **05-01271** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF CAPITAL IMPROVEMENTS AND TRANSPORTATION TO ISSUE WORK ORDER NO. 2, IN SUBSTANTIALLY THE ATTACHED FORM, TO HDR ENGINEERING, INC., FOR SPECIALTY PROGRAM MANAGEMENT SERVICES FOR FEMA-REQUIRED ADMINISTRATION, MONITORING AND REPORTING OF HURRICANE DEBRIS REMOVAL, PURSUANT TO THE PROFESSIONAL SERVICES AGREEMENT EFFECTIVE AUGUST 1, 2005, PURSUANT TO RESOLUTION NO. 05-0534, ADOPTED SEPTEMBER 8, 2005, IN AN AMOUNT NOT TO EXCEED \$2,200,000; ALLOCATING FUNDS FROM THE DESIGNATED HURRICANE RECOVERY ACCOUNT NO. 800005, FOR SAID PURPOSE.
- RE.5** **05-01272** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), FOR THE DESIGN AND CONSTRUCTION OF A PORTION OF CAPITAL IMPROVEMENT PROJECT NO. B-30337 "BISCAYNE BOULEVARD RECONSTRUCTION, BETWEEN NORTHEAST

14TH AND NORTHEAST 15TH STREETS," IN CONNECTION WITH THE PERFORMING ARTS CENTER OPENING AND THE COMMUNITY REDEVELOPMENT AGENCY'S STREETScape PROJECT, WITH FDOT COMMITTING TO REIMBURSE THE CITY OF MIAMI THE COST OF DESIGN AND CONSTRUCTION, IN THE LUMP SUM OF \$1,650,000, IN FISCAL YEAR 2007-2008; ALLOCATING FUNDS FROM CAPITAL PROJECT NO. 341330, B-30337, FOR SAID PURPOSE, UNTIL THE SCHEDULED FISCAL YEAR 2007-2008 FDOT REIMBURSEMENT.

RE.6 05-01275

*Department of
Capital
Improvement
Programs/Transportation*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH PIRTLE CONSTRUCTION COMPANY, FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE "LITTLE HAITI PARK CULTURAL COMPLEX, PROJECT NO. B-30295," IN AN AMOUNT NOT TO EXCEED \$5,060,000, CONSISTING OF \$60,000, FOR PRE-CONSTRUCTION SERVICES AND A GUARANTEED MAXIMUM PRICE FOR STAGE I OF CONSTRUCTION SERVICES AS DESCRIBED IN "EXHIBIT 1," IN AN AMOUNT NOT TO EXCEED \$5,000,000; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE A GUARANTEED MAXIMUM PRICE FOR STAGE II OF CONSTRUCTION SERVICES, SUBJECT TO SUBSEQUENT APPROVAL BY THE CITY COMMISSION; ALLOCATING FUNDS FROM B-30295, CAPITAL IMPROVEMENT PROJECT NO. 331412, FOR SAID PURPOSE.

RE.7 05-01362

*Department of
Conferences,
Conventions and
Public Facilities*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE CIVIL ACTIONS AGAINST LATIN AMERICAN GOURMET RESTAURANT, INC. ("MANAGEMENT"), TO PROSECUTE, PROTECT, AND PRESERVE THE INTERESTS OF THE CITY OF MIAMI ("CITY") INCLUDING, BUT NOT LIMITED TO, ANY ACTION AUTHORIZED AT LAW OR IN EQUITY TO OBTAIN POSSESSION OF CITY-OWNED PROPERTY AND ANY RELIEF OR REMEDY FOR RECOVERY OF DAMAGES SUSTAINED BY THE CITY RELATED TO MANAGEMENT'S BREACH OF THE MANAGEMENT AGREEMENT DATED MAY 29, 1992, AS AMENDED.

BOARDS AND COMMITTEES

BC.1 **05-00787**
*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COMMISSION ON THE STATUS OF WOMEN FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chairman Angel González

Vice Chairman Angel González

Chairman Joe Sanchez

Chairman Joe Sanchez

Commissioner Tomas Regalado

Commissioner Tomas Regalado

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Jeffery Allen

Commissioner Jeffery Allen

Mayor Manuel Diaz

BC.2 **05-01216**
*Office of the City
Clerk*

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Commissioner Winton

Chairman Sanchez

Chairman Sanchez

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 05-00927 DISCUSSION ITEM
Office of Strategic Planning, Budgeting, and Performance / Department of Finance DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET OUTLOOK.

DATE: SEPTEMBER 8, 2005

ACTION: WITHDRAWN

DATE: OCTOBER 27, 2005

ACTION: CONTINUED

DATE: NOVEMBER 3, 2005

ACTION: DEFERRED