

# **City of Miami**

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



## **Meeting Agenda**

**Thursday, December 15, 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*  
*Michelle Spence-Jones, 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.20 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.3 - Transferring Funds from CD to Sunshine For All, Inc.

10:30 A.M. - PH.4 - Transferring HOPWA Funds from Movers, Inc. to CD

10:30 A.M. - PH.5 - Transferring 31st yr. CDBG Funds from Haitian American Foundation, Inc. to CD

**SR - SECOND 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      05-01464      CEREMONIAL ITEM**

<b>Name of Honoree</b>	<b>Presenter</b>	<b>Protocol Item</b>
Sylvia Scheider	Mayor Diaz	Salute
Eduardo E. Diaz	Commissioner Regalado	Certificate of Appreciation
Al Arias	Commissioner Regalado	Certificate of Appreciation

**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 May 1, 2003

Regular and Planning/Zoning Meetings of November 3, 2005

Regular and Planning and Zoning Meetings of November 17, 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.20 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.20 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      05-00714**

*Office of the City  
Attorney*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE DIRECTOR OF FINANCE TO PAY FLORIDA PARAPLEGIC ASSOCIATION, INC., DENNY WOOD AND DAMIAN GREGORY ATTORNEYS FEES AND COSTS OF \$92,000, AND DIRECTING THE CITY MANAGER TO MAKE REPAIRS AND MODIFICATIONS TO THE PARKS, BUILDINGS, STREETS AND SIDEWALKS WITHIN THE MAINTENANCE JURISDICTION OF THE CITY OF MIAMI TO COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES, IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, FOR THE CASE OF FLORIDA PARAPLEGIC ASSOCIATION, INC., ET AL VS. CITY OF MIAMI, IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, MIAMI DIVISION, CASE NO. 03-21039-CIV-GOLD, UPON DISMISSING THAT CLAIM SUBJECT TO A SETTLEMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM; ALLOCATING FUNDS FOR THE PAYMENT OF \$92,000 OF ATTORNEYS FEES AND COSTS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.661.

**CA.2      05-01401**

*Department of  
Fire-Rescue*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "STATE OF FLORIDA EMS MATCHING GRANT M5091 AWARD (FISCAL YEAR 2005-2006) FUND," AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, TO SUPPORT THE PRE-HOSPITAL ACTIVITIES AND OTHER EMERGENCY MEDICAL SERVICES ITEMS, IN THE AMOUNT OF \$66,619, CONSISTING OF A GRANT, IN THE AMOUNT OF \$50,189, FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMERGENCY MEDICAL SERVICES ("EMS"), "FLORIDA EMS GRANT PROGRAM FOR EMS ORGANIZATIONS," WITH REQUIRED MATCHING FUNDS FROM THE CITY OF MIAMI ("CITY"), IN THE AMOUNT NOT TO EXCEED \$16,730; ALLOCATING FUNDS FROM THE CITY'S SPECIAL REVENUE FUNDS, PROJECT NO. 105000.280502, FRANCHISE TAX RESCUE SERVICES, FOR THE PERIOD BEGINNING MAY 23, 2005 THROUGH JUNE 30, 2006; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS ACCEPTABLE TO THE RISK MANAGEMENT

ADMINISTRATOR AND THE CITY ATTORNEY TO IMPLEMENT ACCEPTANCE OF AND COMPLIANCE WITH SAID GRANT.

**CA.3        05-01405**

*Department of  
Public Works*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT A RIGHT-OF-WAY DEED, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE EXTENSION OF NORTH BAYSHORE DRIVE, MIAMI, FLORIDA, FROM BISCAYNE BAY OF MIAMI, LLC; APPROVING AND AUTHORIZING THE RECORDATION OF SAID RIGHT-OF-WAY DEED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE CITY MANAGER TO DIRECT THE CITY ADMINISTRATION TO AMEND THE CITY OF MIAMI MUNICIPAL ATLAS TO DESIGNATE THE PROPERTY IDENTIFIED IN SAID RIGHT-OF-WAY DEED, AS AN OFFICIAL PUBLIC ROADWAY; FURTHER AUTHORIZING THE CITY MANAGER TO DIRECT THE CITY ADMINISTRATION TO NOTIFY THE MIAMI-DADE COUNTY PROPERTY APPRAISER OF THE CHANGE IN STATUS AND OWNERSHIP OF THE PROPERTY IDENTIFIED IN SAID RIGHT-OF-WAY DEED.

**CA.4        05-01407**

*Department of  
Public Works*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MIAMI AND ENVIRONMENTAL PERFORMANCE SYSTEMS, INC., IN SUBSTANTIALLY THE ATTACHED FORM, TO INCLUDE ADDITIONAL WORK REQUIRED FOR THE PROJECT ENTITLED "INLET RETROFIT FOR WAGNER CREEK BASIN PROJECT, B-30221," INCREASING THE CONTRACT SUM IN AN AMOUNT NOT TO EXCEED \$50,000, INCREASING THE CONTRACT AMOUNT FROM \$196,480 TO \$ 246,480; ALLOCATING FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000, FOR SAID INCREASE FROM PUBLIC WORKS GENERAL OPERATING BUDGET ACCOUNT CODE NO. 001000.311003.6.340.

**CA.5        05-01408**

*Department of  
Fire-Rescue*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "STATE OF FLORIDA EMS MATCHING GRANT M5090 AWARD (FISCAL YEAR 2005-2006) FUND," AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, TO SUPPORT THE PRE-HOSPITAL ACTIVITIES AND OTHER EMERGENCY MEDICAL SERVICES ITEMS, IN THE AMOUNT OF \$209,765, CONSISTING OF A GRANT, IN THE AMOUNT OF \$157,324, FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMERGENCY MEDICAL SERVICES ("EMS"), "FLORIDA EMS GRANT PROGRAM FOR EMS ORGANIZATIONS," WITH REQUIRED MATCHING FUNDS FROM THE CITY OF MIAMI ("CITY"), IN THE AMOUNT NOT TO EXCEED \$52,441; ALLOCATING FUNDS FROM THE CITY'S SPECIAL REVENUE FUNDS, PROJECT NO. 105000.280502, FRANCHISE TAX RESCUE SERVICES, FOR THE PERIOD BEGINNING MAY 23, 2005 THROUGH JUNE 30, 2006; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS ACCEPTABLE TO THE RISK

MANAGEMENT ADMINISTRATOR AND THE CITY ATTORNEY TO IMPLEMENT ACCEPTANCE OF AND COMPLIANCE WITH SAID GRANT.

**CA.6      05-01409**

*Department of  
Fire-Rescue*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT AND EXTENSION TO THE SOUTH FLORIDA URBAN SEARCH AND RESCUE TASK FORCE MEMORANDUM OF AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH EACH PARTICIPATING AGENCY, AS STATED IN "EXHIBIT A," ATTACHED AND INCORPORATED, FOR THE PURPOSE OF EXTENDING THE PERFORMANCE PERIOD BEYOND DECEMBER 31, 2005, UNTIL A NEW MEMORANDUM OF AGREEMENT IS DEVELOPED AND SIGNED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE STATE OF FLORIDA AND THE CITY OF MIAMI OR UNTIL TERMINATED BY ANY PARTY UPON 30 DAYS WRITTEN NOTICE.

**CA.7      05-01410**

*Department of  
Police*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF FLORIDA BULLET, INC., PURSUANT TO BID NO. 04-05-105, DATED AUGUST 1, 2005, FOR THE PURCHASE OF AMMUNITION SUPPLY FOR TRAINING DEPARTMENT PERSONNEL, FOR THE DEPARTMENT OF POLICE, IN THE ANNUAL AMOUNT OF \$37,542.50, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$150,170; ALLOCATING FUNDS FROM THE POLICE DEPARTMENT GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.703.

**CA.8      05-01411**

*Department of  
Police*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF MOTOROLA, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO INVITATION FOR BIDS NO. 04-05-095, RECEIVED ON AUGUST 1, 2005, FOR THE PURCHASE AND INSTALLATION OF SEVENTY-ONE (71) MOBILE DIGITAL COMPUTERS AND OTHER RELATED EQUIPMENT FOR POLICE PATROL VEHICLES, FOR THE DEPARTMENT OF POLICE, IN A TOTAL AMOUNT NOT TO EXCEED \$631,179.23; ALLOCATING FUNDS FROM THE COPS MORE 98 GRANT, ACCOUNT CODE NO. 142025.290512.6.840

**CA.9 05-01412**

*Department of  
Parks and  
Recreation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF COMMERCIAL ENERGY SPECIALISTS, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, PURSUANT TO INVITATION FOR BIDS NO. 04-05-122, RECEIVED OCTOBER 5, 2005, FOR THE PROVISION OF BULK LIQUID CHLORINE AND STORAGE TANK RENTAL FOR SWIMMING POOLS IN THE PARKS OF THE CITY OF MIAMI, FOR THE DEPARTMENT OF PARKS AND RECREATION, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$38,080, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$152,320; ALLOCATING FUNDS FROM THE DEPARTMENT OF PARKS AND RECREATION GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.580301.6.704.

**CA.10 05-01413**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO TERMINATE THE CONTRACT WITH AUGUST CONSTRUCTION COMPANY, INC., FOR DEFAULT ON THE RIVERVIEW STORMWATER PUMP STATION UPGRADES PROJECT, B-50650 ("PROJECT"); FURTHER AUTHORIZING THE CITY MANAGER TO OBTAIN PRICING FOR COMPLETION OF THE WORK, TO HOLD SAID CONTRACTOR LIABLE FOR THE COSTS INCURRED IN HAVING THE PROJECT COMPLETED, AND TO PROCEED WITH ACTION AGAINST SAID CONTRACTOR'S, PERFORMANCE AND PAYMENT BOND.

**CA.11 05-01414**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO TERMINATE THE CONTRACT WITH AUGUST CONSTRUCTION COMPANY, INC., FOR DEFAULT ON THE RIVERVIEW STORMWATER PUMP STATION MODIFICATIONS PROJECT, B-5625, AND TO HOLD SAID CONTRACTOR LIABLE FOR THE COSTS INCURRED TO OBTAIN ALL OUTSTANDING WARRANTIES AND MANUALS.

- CA.12**      **05-01415**      **RESOLUTION**  
*Department of  
Capital  
Improvement  
Programs/Transportation*      A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO TERMINATE THE CONTRACT WITH ONE CROW, INC., FOR DEFAULT ON THE OVERTOWN STORMWATER PUMP STATION UPGRADES PROJECT, B-50654 ("PROJECT"); FURTHER AUTHORIZING THE CITY MANAGER TO OBTAIN PRICING FOR COMPLETION OF THE WORK, TO HOLD SAID CONTRACTOR LIABLE FOR THE COSTS INCURRED IN HAVING THE PROJECT COMPLETED, AND TO PROCEED WITH ACTION AGAINST THE CONTRACTOR'S, PERFORMANCE AND PAYMENT BOND.
- CA.13**      **05-01416**      **RESOLUTION**  
*Department of  
Capital  
Improvement  
Programs/Transportation*      A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A LOCALLY-FUNDED JOINT PARTICIPATION AGREEMENT, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT"), AND A MEMORANDUM OF AGREEMENT WITH FDOT AND THE FLORIDA DEPARTMENT OF FINANCIAL SERVICES, DIVISION OF TREASURY ("TREASURY"), IN SUBSTANTIALLY THE ATTACHED FORM(S), FOR FDOT TO CONSTRUCT STREETScape IMPROVEMENTS ALONG NORTHEAST 2ND AVENUE FROM NORTHEAST 13TH TO NORTHEAST 14TH STREETS, MIAMI, FLORIDA, AS PART OF CAPITAL IMPROVEMENT PROJECT NO. B-30361 "PAC SUPER BLOCK STREETScape PROJECT," AND TO AUTHORIZE PAYMENT TO THE TREASURY ON BEHALF OF FDOT IN AN AMOUNT NOT TO EXCEED \$264,525; ALLOCATING FUNDS FROM THE COMMUNITY REDEVELOPMENT AGENCY OMNI TAX INCREMENT FUND, ENTITLED "CONSTRUCTION IN PROGRESS," ACCOUNT CODE NO. 686001.590320.6.860, B-30361, FOR SAID PURPOSE.
- CA.14**      **05-01418**      **RESOLUTION**  
*Department of  
Finance*      A RESOLUTION OF MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE RECOMMENDATIONS AND FINDINGS OF THE CITY MANAGER AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT AND A JOINDER, IN SUBSTANTIALLY THE ATTACHED FORM(S), FOR THE CITY OF MIAMI ("CITY"), TO BECOME A MEMBER OF THE FLORIDA INTERGOVERNMENTAL FINANCE COMMISSION ("FIFC"); AUTHORIZING THE CITY MANAGER TO DESIGNATE THE CITY'S REPRESENTATIVE TO FIFC; FURTHER AUTHORIZING AND DIRECTING THE CITY MANAGER TO NEGOTIATE ANY BORROWINGS THROUGH FIFC ON BEHALF OF THE CITY, TO BE PRESENTED TO THE CITY COMMISSION FOR FINAL CONSIDERATION.
- CA.15**      **05-01419**      **RESOLUTION**  
*Department of  
Employee Relations*      A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 04-05-085, THAT THE MOST QUALIFIED FIRMS TO PROVIDE AND ADMINISTER THE PROMOTIONAL EXAMINATION PROCESSES FOR THE CLASSIFICATIONS OF POLICE SERGEANT AND POLICE

LIEUTENANT, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS, ARE, IN RANK ORDER: (1) EB JACOBS, LLC, AND (2) IO SOLUTIONS, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH EB JACOBS, LLC., THE TOP-RANKED FIRM, FOR AN INITIAL TERM OF TWO YEARS, AT A FIRST TWO-YEAR PERIOD COST NOT TO EXCEED \$346,319, WITH AN OPTION TO RENEW FOR TWO ADDITIONAL TWO-YEAR PERIODS, AT A COST NOT TO EXCEED \$363,634.95, FOR THE FIRST TWO-YEAR PERIOD EXTENSION AND AT A COST NOT TO EXCEED \$381,816.69, FOR THE SECOND TWO-YEAR PERIOD EXTENSION; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGET OF THE DEPARTMENT OF POLICE, ACCOUNT CODE NO. 001000.290601.6.270, FOR THE CURRENT FISCAL YEAR, WITH FUTURE FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, SHOULD NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRM; DIRECTING THAT THE NEGOTIATED AGREEMENT BE PRESENTED TO THE CITY COMMISSION FOR CONSIDERATION.

**CA.16 05-01438**

*Department of  
Police*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF FUNDS TO THE LAW ENFORCEMENT TRAINING TRUST FUND, IN AN AMOUNT NOT TO EXCEED \$90,000; ALLOCATING SAID FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NOS. 690001, 690002 AND 690003, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF THE TREASURY AND JUSTICE'S, "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055, AS AMENDED.

**CA.17 05-01439**

*Department of  
Police*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO RD WINDOW AND CARPET CLEANING, INC., PURSUANT TO RESOLUTION NO. 02-1155, ADOPTED OCTOBER 29, 2002, FURTHER AMENDED BY RESOLUTION NO. 03-517, ADOPTED MAY 22, 2003, FOR THE PROVISION OF CUSTODIAL SERVICES FOR THE DEPARTMENT OF POLICE, IN AN ANNUAL AMOUNT NOT TO EXCEED \$15,143.30, INCREASING THE TOTAL ANNUAL CONTRACT AMOUNT FROM \$317,462 TO \$332,605.30, FOR THE LAST ONE-YEAR TERM OF THE CONTRACT; ALLOCATING FUNDS FOR SAID INCREASE, FROM THE DEPARTMENT OF POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.340; AMENDING RESOLUTION NO. 03-517, TO REFLECT SAID INCREASE.

**CA.18 05-01277***Department of  
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE FUNDING OF THE POLICE ATHLETIC LEAGUE PROGRAM, TO ASSIST WITH EXPENSES RELATED TO THE OPERATION OF THE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$100,000; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690001, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH FLORIDA STATUTES, CHAPTER 932.7055, AS AMENDED.

**CA.19 05-01443***Department of  
Capital  
Improvement  
Programs/Transportation***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE THE FINDINGS OF THE EVALUATION COMMITTEE PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 04-05-112, THAT THE FIRMS MOST QUALIFIED TO PROVIDE DESIGN SERVICES, FOR THE COLLEGE OF POLICING, PROJECT NO. B-72910, ARE, IN RANK ORDER: (1) SPILLIS CANDELA DMJM, AND (2) ZYSCOVICH, INC; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT") WITH SPILLIS CANDELA DMJM, THE TOP-RANKED FIRM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM IN THE EVENT NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRM; DIRECTING THE CITY MANAGER TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION AND APPROVAL.

**CA.20      05-01465***Department of  
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF TWO (2) FP-5 FLAMELESS POTHOLE PATCHERS (ASPHALT PATCH EQUIPMENT), WITH OPTIONS, FROM BERGKAMP INC., FOR THE DEPARTMENT OF PUBLIC WORKS, OPERATIONS DIVISION, UTILIZING AN EXISTING CONTRACT NO., ITB-DOT-02/03-9045-LG, P0387, EFFECTIVE FEBRUARY 28, 2005 THROUGH FEBRUARY 27, 2007, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS, WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE PROCUREMENT OF TWO (2) FREIGHTLINER M2 CABS AND CHASSIS (ASPHALT PATCH TRUCKS) WITH OPTIONS, FROM FREIGHTLINER OF TAMPA, LLC, UTILIZING AN EXISTING BID NO. 05-13-0822, EFFECTIVE OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2006, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS, FROM THE FLORIDA SHERIFF'S ASSOCIATION, FLORIDA ASSOCIATION OF COUNTIES, AND FLORIDA FIRE CHIEFS ASSOCIATION, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$207,230; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ACCOUNT NO. 352296, B-30156.

**END OF CONSENT AGENDA**

**PERSONAL APPEARANCE**

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

**PA.1**      **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.  
**DATE:**                      **NOVEMBER 17, 2005**  
**ACTION:**                    **NO ACTION TAKEN**

**MAYOR AND COMMISSIONER'S ITEMS****CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****M.1****05-01420****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A COST REIMBURSEMENT SUBCONTRACTOR AGREEMENT ("AGREEMENT") WITH MIAMI/MIAMI-DADE WEED & SEED, INC. ("WEED & SEED"), IN AN AMOUNT NOT TO EXCEED \$15,000; ALLOCATING SAID FUNDS FROM THE MAYOR'S SPECIAL REVENUE ACCOUNT NO. \_\_\_\_\_, TO BE LATER REIMBURSED THROUGH A GRANT BY WEED & SEED, IN WHOLE OR IN PART FROM FEDERAL FUNDS, FOR THE PERFORMANCE OF SERVICES BY THE CITY THROUGH THE MAYOR'S OFFICE, FOR THE MIAMI-DADE PROJECT SAFE NEIGHBORHOODS COLLABORATIVE ("PROJECT"), DURING 2005-2006; AUTHORIZING AND DIRECTING THE CITY MANAGER TO UNDERTAKE THE NECESSARY PROCEDURES TO ACCEPT THE GRANT REIMBURSEMENT AND TO PROVIDE AND TO EXECUTE ANY OTHER DOCUMENTS AND AGREEMENTS, AS ACCEPTABLE TO THE RISK MANAGEMENT ADMINISTRATOR AND THE CITY ATTORNEY, TO UNDERTAKE AND TO COMPLY WITH THE PROJECT FOR SAID PURPOSES.

**DISTRICT 1**

**VICE CHAIRMAN ANGEL GONZÁLEZ**

**DISTRICT 2****COMMISSIONER JOHNNY L. WINTON**

- D2.1**      **05-01421**      **RESOLUTION**
- A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATIONS OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE, PURSUANT TO SECTIONS 2-1251 AND 54-341(D) AND (E) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CODE"): (1) WAIVING THE 120-DAY APPLICATION SUBMISSION DEADLINE AND APPROVING THE APPLICATION FOR EVENTS OCCURRING IN THE COCONUT GROVE SPECIAL EVENTS DISTRICT, FOR THE 2005 KING MANGO STRUT, (2) AWARDED A GRANT IN THE AMOUNT OF \$11,388.12, OF WHICH \$2,500, WILL BE USED TO CONTINUE TO PROVIDE ENTERTAINMENT AFTER THE PARADE WITHIN THE COCONUT GROVE SPECIAL EVENTS DISTRICT, AND 3) AUTHORIZING AND DIRECTING THE DEPARTMENT OF OFF-STREET PARKING ("DOSP") TO DISBURSE FUNDS IN THE TOTAL AMOUNT OF \$11,388.12, FROM THE COCONUT GROVE SPECIAL EVENTS AND MARKETING TRUST FUND, ACCOUNT NO. 1000000860261, IN SUPPORT OF THE 2005 KING MANGO STRUT, PURSUANT TO SECTIONS 2-1251 AND 54-343(4) OF THE CODE; FURTHER AUTHORIZING AND DIRECTING DOSP TO EXECUTE ANY NECESSARY DOCUMENTS FOR SAID PURPOSES.
- D2.2**      **05-01440**      **RESOLUTION**
- A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTIONS 2-1251 AND 54-341(C) AND (E) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CODE"), WAIVING THE TWO EVENTS PER MONTH RESTRICTION FOR EVENTS OCCURRING IN THE COCONUT GROVE SPECIAL EVENTS DISTRICT DURING JANUARY, 2006; FURTHER AUTHORIZING AND DIRECTING THE DEPARTMENT OF OFF-STREET PARKING TO EXECUTE ANY NECESSARY DOCUMENTS, FOR SAID PURPOSES.

**DISTRICT 3****CHAIRMAN JOE SANCHEZ**

- D3.1**      **05-01462**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A WAIVER OF THE RENTAL FEE FOR USE OF THE COCONUT GROVE EXPO CENTER BY THE LITTLE HAVANA ACTIVITIES & NUTRITION CENTER OF DADE COUNTY, INC., FOR THE ELDERLY CHRISTMAS PARTY ON THURSDAY, DECEMBER 22, 2005, FROM 11 A.M. TO 2 P.M.
- D3.2**      **05-01463**      **RESOLUTION**  
DISCUSSION REGARDING THE BOSTON MARKET ORANGE BOWL YOUTH FOOTBALL LEAGUE CHAMPIONSHIP TO BE HELD DECEMBER 17 AND DECEMBER 18, 2005 AT THE ORANGE BOWL.

**DISTRICT 4**

**COMMISSIONER TOMAS REGALADO**

**DISTRICT 5**

**COMMISSIONER MICHELLE SPENCE-JONES**

**SPECIALLY SCHEDULED ITEM**

**SS.1      05-01428**

*Office of the City  
Attorney*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ELECTING AND REAPPOINTING JORGE L. FERNANDEZ AS CITY ATTORNEY OF THE CITY OF MIAMI, FLORIDA, TO HOLD OFFICE AS PROVIDED FOR IN THE CITY CHARTER.

**PUBLIC HEARINGS****PH.1      05-01423      ORDINANCE      PUBLIC HEARING***Department of  
Public Works*

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 54/ARTICLE IV/SECTION 54-124 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS/NAMING OF STREETS AND NUMBERING OF BUILDING/NAMES OF AVENUES," BY CHANGING THE NAME OF SOUTHEAST 1 AVENUE BETWEEN SOUTHEAST 8 STREET AND SOUTHEAST 12 STREET, MIAMI, FLORIDA, TO BRICKELL PLAZA; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE TO THE HEREIN DESIGNATED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

**PH.2      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.

**DATE:                      NOVEMBER 17, 2005****ACTION:                    CONTINUED**

**10:30 A.M.****PH.3      05-01425**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF FUNDS, IN THE AMOUNT OF \$13,500, FROM THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT; ALLOCATING SAID FUNDS TO SUNSHINE FOR ALL, INC., THEREBY INCREASING THEIR CONTRACT FOR THE 31ST COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR, FROM \$10,000 TO \$23,500, TO CONTINUE TO PROVIDE HOME DELIVERED MEALS TO THE HOMEBOUND ELDERLY RESIDING IN DISTRICT 4; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE EXISTING AGREEMENT, WITH SAID AGENCY, FOR SAID PURPOSE.

**PH.4      05-01426**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 31ST YEAR HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS FUNDS, IN THE AMOUNT OF \$30,000, FROM MOVERS, INC.; ALLOCATING SAID FUNDS TO THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR THE LONG TERM RENTAL ASSISTANCE PROGRAM, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED.

**PH.5      05-01432**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 31st YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS, IN THE AMOUNT OF \$41,000, FROM HAITIAN AMERICAN FOUNDATION, INC.; ALLOCATING SAID FUNDS TO THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT FOR PUBLIC SERVICE ACTIVITIES, AS SPECIFIED IN ATTACHMENT "A," ATTACHED AND INCORPORATED.

**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.

<b>SR.1</b>	<b>05-01042</b>	<b><u>ORDINANCE</u></b>	<b>SECOND READING</b>
<i>City Manager's Office</i>		<p>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.</p> <p><b>DATE:                   SEPTEMBER 22, 2005</b></p> <p><b>ACTION:               DISCUSSED</b></p> <p><b>DATE:                   OCTOBER 27, 2005</b></p> <p><b>ACTION:               CONTINUED</b></p> <p><b>DATE:                   NOVEMBER 3, 2005</b></p> <p><b>ACTION:               CONTINUED</b></p>	

**DATE:** NOVEMBER 17, 2005  
**MOVER:** COMMISSIONER WINTON  
**SECONDER:** VICE CHAIRMAN GONZÁLEZ  
**VOTE:** AYES: 4 - COMMISSIONER WINTON, SANCHEZ,  
 REGALADO AND ALLEN  
 NOES: 1 - COMMISSIONER GONZÁLEZ  
**ACTION:** PASSED ON FIRST READING WITH MODIFICATIONS

**SR.2 05-01231**

*Office of the City  
Attorney*

**ORDINANCE**

**SECOND READING**

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.

**DATE:** NOVEMBER 17, 2005  
**MOVER:** COMMISSIONER WINTON  
**SECONDER:** VICE CHAIRMAN GONZÁLEZ  
**VOTE:** AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,  
 SANCHEZ AND ALLEN  
 ABSENT: 1 - COMMISSIONER REGALADO  
**ACTION:** PASSED ON FIRST READING



**RESOLUTIONS****RE.1        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., FOR THE APPLICABLE ITEMS FOR WHICH EACH VENDOR IS THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER, PURSUANT TO INVITATION FOR BIDS NO. 04-05-107, RECEIVED AUGUST 22, 2005, FOR THE PURCHASE OF DIVING EQUIPMENT FOR THE DEPARTMENT OF POLICE, FOR A TOTAL CONTRACT AWARD AMOUNT NOT TO EXCEED \$119,823.14; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM, FISCAL YEAR 2003, ACCOUNT CODE NO. 110111.280910.6.840.

**DATE:                    NOVEMBER 17, 2005****ACTION:                CONTINUED****RE.2        05-01427***Department of  
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF TEXAS AQUATIC HARVESTING, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER PURSUANT TO INVITATION FOR BIDS, DATED SEPTEMBER 26, 2005, FOR THE PROJECT ENTITLED "CITYWIDE CANAL AND WATERWAY MAINTENANCE, 2ND BIDDING, B-30255," FOR A TWO-YEAR PERIOD, IN THE TOTAL AMOUNT NOT TO EXCEED \$1,924,960, AS SET FORTH ON THE FORMAL BID DOCUMENT, ATTACHED AND INCORPORATED, WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE-YEAR PERIODS ; ALLOCATING FUNDS FROM PUBLIC WORKS GENERAL FUNDS ACCOUNT NO. 001000.311003.6.340; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**RE.3        05-01429***Department of  
Economic  
Development***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), REDUCING THE NUMBER OF AFFORDABLE HOUSING UNITS REQUIRED TO BE BUILT BY WAGNER SQUARE, LLC., THE CURRENT OWNER OF THE PROPERTY FORMERLY OWNED BY THE CITY OF MIAMI AND KNOWN AS THE CIVIC CENTER SITE, LOCATED AT 1700 NORTHWEST 14TH AVENUE, MIAMI, FLORIDA ( "PROPERTY"), FROM 74 TO 52 AFFORDABLE HOUSING UNITS, WHICH NUMBER INCLUDES 24 WORKFORCE HOUSING UNITS, TO BE SOLD AS STATED HEREIN; AUTHORIZING THE CITY MANAGER EXECUTE THE AMENDED DECLARATION OF RESTRICTIONS, IN SUBSTANTIALLY THE ATTACHED FORM, AND TO EXECUTE SUCH OTHER DOCUMENTS AS MAY BE REQUIRED FOR IMPLEMENTATION OF THIS RESOLUTION, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

**RE.4      05-01417**

*Department of  
Public  
Facilities/Asset  
Management*

**RESOLUTION**

A RESOLUTION OF THE CITY OF MIAMI COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDING; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTION 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA; AUTHORIZING AN AWARD OF A CONTRACT TO MARINA POWER, INC., FOR THE PURCHASE OF SLIP UTILITY PEDESTALS, ELECTRICAL POWER TRANSFORMERS AND FIRE SUPPRESSION STATIONS, FOR DINNER KEY MARINA AND MIAMARINA, WHICH WERE DESTROYED OR LOST AS A RESULT OF HURRICANE WILMA, IN AN AMOUNT NOT TO EXCEED \$62,412; ALLOCATING FUNDS FROM THE HURRICANE WILMA ACCOUNT CODE 800007.350603.6.670.

**RE.5      05-01445**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE CONTRACT WITH MCM CORPORATION, FOR THE PROJECT ENTITLED "FLAGLER STREET MARKETPLACE STREETScape, B-40667," IN AN AMOUNT NOT TO EXCEED \$2,047,474.18, INCREASING THE CONTRACT FROM \$9,112,046.50 TO \$11,159,520.68, FOR ADDITIONAL WORK ; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NOS. 341139, 341140, 341184, 341330 AND FROM THE HURRICANE WILMA ACCOUNT NO. 800007.999301.6.860, FOR SAID PURPOSE.

**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**

**DATE:**            **JULY 7, 2005**

**ACTION:**        **DEFERRED**

**DATE:**            **OCTOBER 27, 2005**

**ACTION:**        **CONTINUED**

**DATE:**            **NOVEMBER 3, 2005**

**ACTION:**        **DEFERRED**

**BC.2**      **05-00411**  
*Office of the City  
Clerk*

**RESOLUTION**

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

APPOINTEES:

NOMINATED BY:

Chairman Joe Sanchez

Vice Chairman González

Vice Chairman González

Commission At-Large

DATE: JUNE 9, 2005  
ACTION: DEFERRED

DATE: JULY 7, 2005  
ACTION: DEFERRED

DATE: OCTOBER 27, 2005  
ACTION: CONTINUED

DATE: NOVEMBER 3, 2005  
ACTION: DEFERRED

**BC.3**      **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.

DATE: JULY 7, 2005  
ACTION: DEFERRED

DATE: OCTOBER 27, 2005  
ACTION: CONTINUED

DATE: NOVEMBER 3, 2005  
ACTION: DEFERRED

**BC.4**      **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

DATE: JULY 7, 2005  
ACTION: DEFERRED

DATE: OCTOBER 27, 2005  
 ACTION: CONTINUED  
 DATE: NOVEMBER 3, 2005  
 ACTION: DEFERRED

**BC.5 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

DATE: JULY 7, 2005  
 ACTION: DEFERRED  
 DATE: OCTOBER 27, 2005  
 ACTION: CONTINUED  
 DATE: NOVEMBER 3, 2005  
 ACTION: DEFERRED

**BC.6 05-00785**  
*Office of the City Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE (BIC) FOR TERMS AS DESIGNATED HEREIN.

**VOTING MEMBER APPOINTEES:**

**NOMINATED BY:**

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

**NON VOTING MEMBER APPOINTEES:**

**NOMINATED BY:**

Commissioner Johnny Winton

Commissioner Johnny Winton

Commissioner Johnny Winton

**DATE: OCTOBER 27, 2005**

**ACTION: CONTINUED**

**DATE: NOVEMBER 3, 2005**

**ACTION: DEFERRED**

**BC.7 05-00795**

*Office of the City Clerk*

**RESOLUTION**

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

APPOINTEE:

NOMINATED BY:

Commissioner Michelle Spence-Jones

**DATE: OCTOBER 27, 2005**

**ACTION: CONTINUED**

**DATE: NOVEMBER 3, 2005**

**ACTION: DEFERRED**

**BC.8 05-00796**

*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/CATEGORIES:

NOMINATED BY:

(Architectural Historian)

Vice Chairman Angel González

(Alternate seat)

Vice Chairman Angel González

(Restoration Architect)

Chairman Joe Sanchez

(Architect)

Commissioner Tomas Regalado

**DATE: OCTOBER 27, 2005**  
**ACTION: CONTINUED**

**DATE: NOVEMBER 3, 2005**  
**ACTION: DEFERRED**

**BC.9 05-00833**  
*Office of the City Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION CONFIRMING THE APPOINTMENT OF CERTAIN INDIVIDUALS AS MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY (DDA) BOARD OF DIRECTORS FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

Carlos Migoya  
 Sergio Rok  
 Loretta Cockrum  
 Jorge Perez

NOMINATED BY:

DDA Board of Directors  
 DDA Board of Directors  
 DDA Board of Directors  
 DDA Board of Directors

**DATE: OCTOBER 27, 2005**  
**ACTION: CONTINUED**

**DATE: NOVEMBER 3, 2005**  
**ACTION: DEFERRED**

**BC.10 05-00850**  
*Office of the City Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE URBAN DEVELOPMENT REVIEW BOARD (UDRB) FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chairman Angel González  
 Vice Chairman Angel González  
 Commissioner Johnny Winton  
 Commissioner Johnny Winton  
 Chairman Joe Sanchez

Chairman Joe Sanchez  
 Commissioner Tomas Regalado  
 Commissioner Tomas Regalado  
 Commissioner Michelle Spence-Jones  
 Commissioner Michelle Spence-Jones

**DATE: OCTOBER 27, 2005**

**ACTION: CONTINUED**

**DATE: NOVEMBER 3, 2005**

**ACTION: DEFERRED**

**BC.11 05-01364**  
*Office of the City  
 Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE FINANCE COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chairman Joe Sanchez  
 Vice Chairman Angel González  
 Commissioner Michelle Spence-Jones  
 Commissioner Johnny Winton

**BC.12 05-01365**  
*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

**BC.13      05-01366**

*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:**

- Chairman Joe Sanchez
- Vice Chairman Angel González
- Commissioner Michelle Spence-Jones
- Mayor Manuel A. Diaz
- Mayor Manuel A. Diaz

**BC.14      05-01367**

*Office of the City  
Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS REGULAR MEMBERS AND ONE ALTERNATE MEMBER OF THE CODE ENFORCEMENT BOARD FOR TERMS AS DESIGNATED HEREIN.

**APPOINTEES:**

**NOMINATED BY:**

- Vice Chairman Angel González  
(Regular Member, term expires February 12, 2006)
- Commissioner Johnny Winton  
(Regular Member, term expires February 12, 2006)
- Chairman Joe Sanchez  
(Regular Member, term expires February 13, 2007)
- Commissioner Michelle Spence-Jones  
(Regular Member, term expires February 12, 2006)
- Commission At-Large  
(Regular Member, term expires February 13, 2007)
- Commission At-Large  
(Alternate Member, term expires February 13, 2007)

**BC.15**      **05-01368**

*Office of the City  
Clerk*

**RESOLUTION**

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

**APPOINTEES:**

**NOMINATED BY:**

- Vice Chairman Angel González
- Commissioner Johnny Winton
- Chairman Joe Sanchez
- Commissioner Michelle Spence-Jones
- Mayor Manuel Diaz

**BC.16**      **05-01369**

*Office of the City  
Clerk*

**RESOLUTION**

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

**APPOINTEES:**

**NOMINATED BY:**

- Vice Chairman Angel González
- Commissioner Johnny Winton
- Commissioner Johnny Winton
- Chairman Joe Sanchez
- Commissioner Michelle Spence-Jones

**BC.17**      **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

**DATE:                    NOVEMBER 17, 2005**

**ACTION:                DEFERRED**

**BC.18**      **05-01461**

*Office of the City  
Clerk*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION CONFIRMING THE CITY MANAGER'S APPOINTMENT OF CERTAIN INDIVIDUALS AS MEMBERS OF THE MODEL CITY COMMUNITY REVITALIZATION DISTRICT TRUST FOR TERMS AS DESIGNATED HEREIN.

**APPOINTEES:**

**NOMINATED BY:**

Roy Willis  
(for unexpired term ending May 9, 2006)

City Manager Joe Arriola

Crystal Connor-Lane, Esq.  
(for unexpired term ending May 9, 2006)

City Manager Joe Arriola

Ronda Vangates  
(for unexpired term ending March 14, 2006)

City Manager Joe Arriola

**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**
- DATE:              **NOVEMBER 17, 2005**  
ACTION:           **DEFERRED**
- DI.2**      **05-01099**      **DISCUSSION ITEM**  
*Office of the City Attorney*      ANNUAL REPORT OF ACCOMPLISHMENTS AND PROJECTIONS FOR THE OFFICE OF THE CITY ATTORNEY.
- DI.3**      **05-01457**      **DISCUSSION ITEM**  
*Office of the City Attorney*      DISCUSSION AND POSSIBLE RESOLUTION REGARDING A POSSIBLE SETTLEMENT IN THE MATTER OF NATIONAL ADVERTISING V. CITY OF MIAMI. (BILLBOARD LITIGATION).