



City of Miami Marked Agenda City Commission

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

Manuel A. Diaz, Mayor
Arthur E. Teele, Jr., Chairman
Joe Sanchez, Vice Chairman
Angel González, Commissioner District One
Johnny L. Winton, Commissioner District Two
Tomas Regalado, Commissioner District Four
Joe Arriola, City Manager
Alejandro Vilarello, City Attorney
Priscilla A. Thompson, City Clerk

Thursday, January 22, 2004

9:00 AM

City Hall Commission Chambers

CONTENTS

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

PR - PRESENTATIONS AND PROCLAMATIONS

MV - MAYORAL VETOES

CA - CONSENT AGENDA

M - MAYOR'S ITEMS

D1 - DISTRICT 1 ITEMS

D2 - DISTRICT 2 ITEMS

D3 - DISTRICT 3 ITEMS

D4 - DISTRICT 4 ITEMS

D5 - DISTRICT 5 ITEMS

TIME CERTAIN

4:00 P.M. - D5.1

PH - PUBLIC HEARINGS

EM - EMERGENCY ORDINANCES

SR - SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

RE - RESOLUTIONS**BC - BOARDS AND COMMITTEES****DI - DISCUSSION ITEMS****PART B****PZ - PLANNING AND ZONING ITEMS****9:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE**

Present: Commissioner González, Commissioner Regalado, Commissioner Sanchez and Commissioner Teele

Absent: Commissioner Winton

On the 22nd day of January, 2004, the City Commission of the City of Miami, Florida, met at its regular meeting place in City Hall, 3500 Pan American Drive, Miami, Florida, in regular session. The meeting was called to order at 9:13 a.m. by Chairman Arthur E. Teele, Jr., recessed at 12:18 p.m., reconvened at 3:01 p.m. and adjourned at 10:00 p.m.

ALSO PRESENT:

Joe Arriola, Chief Administrator/City Manager
Alejandro Vilarello, City Attorney
Priscilla A. Thompson, City Attorney
Sylvia Scheider, Assistant City Clerk

PRESENTATIONS AND PROCLAMATIONS**PR.1 04-00021 PRESENTATION**

Name of Honoree	Presenter	Protocol Item
1. Jose Sanchez	Chairman Teele & Comn.	Resolution of Condolence
Jack Horkheimer (withdrawn)	Commissioner Winton	Proclamation
2. FTAA Volunteers		
Goodwill Ambassadors	Commissioner Regalado	Certificate
Community Relations Board	Brenda Shapiro, CRB Chair	
Rev. Willie Leonard	Commissioner Regalado	Certificate (in absentia)
Linda Romero	Commissioner Regalado	Certificate
Sam Feldman	Commissioner Regalado	Certificate
Helena Del Monte	Commissioner Regalado	Certificate
Teresa Zorrilla-Clark	Commissioner Regalado	Certificate
Jack Blumenfeld	Commissioner Regalado	Certificate
Willy Calviño	Commissioner Regalado	Certificate
Miguel De La O	Commissioner Regalado	Certificate (in absentia)
Ada Rojas	Commissioner Regalado	Certificate
3. Law Enforcement Officials		
Major Juanita Walker	Commissioner Regalado	Certificate
Major Thomas Roell	Commissioner Regalado	Certificate
Lt. Steven Caceres	Commissioner Regalado	Certificate
Lt. Mario Garcia	Commissioner Regalado	Certificate
Edward Harris	Commissioner Regalado	Certificate (in absentia)

04-00021- cover page .pdf, 04-00021- protocol program .pdf

4. Chairman Teele thanked the City Manager and the Chief of Police for their support of the Community Relations Board.

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.)

No Action Taken

There were no vetoes from the Mayor.

CONSENT AGENDA

CA.1 03-0395 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID OF WASTE MANAGEMENT OF DADE COUNTY, FOR THE PROVISION OF VACTOR TRUCK DEBRIS HAULING FOR THE DEPARTMENT OF MUNICIPAL SERVICES, DIVISION OF PUBLIC WORKS, ON AN AS-NEEDED CONTRACT BASIS, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN AMOUNT NOT TO EXCEED \$128,179.04, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$256,358.08; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGET OF THE DIVISION OF PUBLIC WORKS, ACCOUNT CODE NO. 001000.311003.6.340.

03-0395- cover memo.pdf, 03-0395- award recommendation form.pdf, 03-0395 - award sheet.pdf, 03-0395- tabulation sheet.pdf, 03-0395- bid security list.pdf

R-04-0032

This Matter was Adopted on the Consent Agenda.

CA.2 03-0396 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) ACCEPTING THE BID OF PETRO HYDRO, INC., FOR THE PROJECT ENTITLED "N.W. 14th STREET PROJECT, B-5686," IN A PROPOSED AMOUNT OF \$1,527,968.35; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 341183, IN THE AMOUNT OF \$1,527,968.35 , FOR CONSTRUCTION COSTS, PLUS \$100,000 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$1,627,968.35, AS SET FORTH IN THE TABULATION FOR BIDS DOCUMENT AND THE PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

03-0396- cover memo.pdf, 03-0396-budgetary impact analysis.pdf, 03-0396-exhibi 1-tabulation of bids.pdf, 03-0396-exhibi 2- project fact sheet.pdf, 03-0396-exhibi 3- contract.pdf

Deferred

This item was DEFERRED to the Commission meeting currently scheduled for February 26, 2004.

CA.3 03-0398

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 03-419, ADOPTED MAY 8, 2003, AWARDED TO GURRI MATUTE, P.A., CHANGING THE NAME OF THE PROJECT ENTITLED "GIBSON PARK IMPROVEMENTS - PHASE I, B-3305" TO "GIBSON PARK IMPROVEMENTS, B-30305;" AND IDENTIFYING SAFE NEIGHBORHOOD PARKS BONDS, CAPITAL IMPROVEMENTS PROGRAM PROJECT NO. 331419 AS AN ADDITIONAL FUNDING SOURCE TO COVER SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DEPARTMENT OF CAPITAL IMPROVEMENTS.

03-0398- cover memo.pdf, 03-0398- previous legislation.pdf

R-04-0033

This Matter was Adopted on the Consent Agenda.

CA.4 03-0400

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER'S ENGAGEMENT OF EDWARDS & KELCEY INC., SELECTED FROM THE LIST OF PRE-APPROVED GENERAL ENGINEERING FIRMS APPROVED BY RESOLUTION NO. 02-144, ADOPTED FEBRUARY 14, 2002, FOR DESIGN DEVELOPMENT, PREPARATION OF BIDDING AND CONSTRUCTION DOCUMENTS AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE PROJECT ENTITLED "SW 16 TERRACE ROAD RECONSTRUCTION PROJECT, B-4698" IN DISTRICT 4, IN AN AMOUNT NOT TO EXCEED \$76,634, BASED ON (1) THE SCOPE OF SERVICES AND SCHEDULE REQUIRED FOR THE PROJECT, AS SET FORTH IN THE WORK ORDER AUTHORIZATION, ATTACHED AND INCORPORATED, AND (2) TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT WITH EDWARDS & KELCEY INC., EXECUTED PURSUANT TO RESOLUTION NO. 02-144; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AUTHORIZATION IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$76,634, FOR SAID SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI FROM CAPITAL IMPROVEMENTS PROJECT NO. 341206 ENTITLED "DISTRICT 4 STREETS AND TRAFFIC CIRCLES."

03-0400- cover memo.pdf, 03-0400- memo from CIP.pdf, 03-0400- budgetary impact analysis.pdf, 03-0400- letter .pdf, 03-0400-previous assignment of service agreement.pdf, 03-0400- previous service agreement.pdf, 03-0400-previous corporate resolution.pdf, 03-0400- previous legislation.pdf, 03-0400-previous attachment A.pdf, 03-0400- estimated construction cost.pdf, 03-0400-negotiation.pdf, 03-0400- comparative.pdf, 03-0400-exhibit 1- work order authorization .pdf, 03-0400-exhibit 2- proposal.pdf, 03-0400-exhibit 3- scope of services.pdf, 03-0400-exhibit 4- chart.pdf

R-04-0034

This Matter was Adopted on the Consent Agenda.

CA.5 03-0401**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF GANCEDO TECHNOLOGIES, INC., FOR THE PROJECT ENTITLED "CORAL WAY BEAUTIFICATION UPLIGHTING PHASE I, B-6450-A," IN THE PROPOSED AMOUNT NOT TO EXCEED \$673,031; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 341213, IN THE AMOUNT NOT TO EXCEED \$673,031 FOR CONTRACT COSTS PLUS \$102,476 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN THE AMOUNT NOT TO EXCEED \$775,507, AS SET FORTH ON THE FORMAL BID DOCUMENT AND THE PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

03-0401- cover memo.pdf, 03-0401- budgetary impact analysis.pdf, 03-0401-exhibit 1- formal bid.pdf, 03-0401- exhibit 2- fact sheet.pdf, 03-0401- exhibit 3- contract.pdf

R-04-0035

This Matter was Adopted on the Consent Agenda.

CA.6 03-0402**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY OR PERMITTED AGAINST CATERING BY DAVID LYNN, INC. ("CONTRACTOR") TO PROTECT, PRESERVE AND DEFEND THE INTERESTS OF THE CITY OF MIAMI ("CITY") INCLUDING BUT NOT LIMITED TO ANY ACTION AUTHORIZED BY LAW OR IN EQUITY TO OBTAIN ANY RELIEF OR TO REMEDY ANY LOSSES OR DAMAGES SUSTAINED BY THE CITY RELATED TO THE CONTRACTOR'S BREACHES OF THE CONCESSION AGREEMENT APPROVED BY RESOLUTION NO. 98-138, ADOPTED FEBRUARY 10, 1998.

03-0402- cover memo.pdf

R-04-0036

This Matter was Adopted on the Consent Agenda.

CA.7 03-0403 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO REGOSA ENGINEERING INC., PURSUANT TO RESOLUTION NO. 03-859, ADOPTED JULY 24, 2003, FOR THE PROJECT ENTITLED "OLD VIRGINIA KEY BEACH PARK RENOVATIONS AND REPAIRS, B-3282A," IN AN AMOUNT NOT TO EXCEED \$126,000, INCREASING THE CONTRACT AMOUNT FROM \$1,108,179 TO \$1,234,179, TO COVER COSTS OF ADDITIONAL WORK AND MATERIALS REQUIRED; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 333130; AMENDING RESOLUTION NO. 03-859 TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

03-0403- cover memo.pdf, 03-0403- justification memo.pdf, 03-0403- budgetary impact analysis.pdf, 03-0403- formal bid.pdf, 03-0403- letter from CIP.pdf, 03-0403- previous legislation.pdf, 03-0403- exhibit 1- 1st amendment to contract.pdf, 03-0403- exhibit 2- contract.pdf

R-04-0037

This Matter was Adopted on the Consent Agenda.

CA.8 03-0420 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM NUMBER ONE TO THE AGREEMENT FOR WATER AND SANITARY SEWAGE FACILITIES FOR THE "OLD VIRGINIA KEY BEACH PARK RENOVATIONS AND REPAIRS, PROJECT #B-3282, ID #17967 BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI (" AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, REPLACING PARAGRAPH FIVE (5) AND ADDING PARAGRAPH THIRTY-THREE (33) TO THE EXISTING AGREEMENT.

03-0420- cover memo.pdf, 03-0420- justification memo.pdf, 03-0420- letter from CIP.pdf, 03-0420- letter .pdf, 03-0420- map.pdf, 03-0420- letter from DERM.pdf, 03-0420- previous agreement.pdf, 03-0420- pre agreement attachments.pdf, 03-0420- previous unity of title.pdf, 03-0420- pre unity of title attachment, 03-0420- previous covenant.pdf, 03-0420- pre covenant attachments.pdf, 03-0420- exhibit 1- addendum # 1 .pdf

R-04-0038

This Matter was Adopted on the Consent Agenda.

CA.9 04-00018 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS AND TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE FLORIDA INLAND

NAVIGATION DISTRICT ("FIND") ("DISTRICT") FOR THE CONTRIBUTION OF FUNDS IN THE TOTAL AMOUNT OF \$ 700,000 ON A REIMBURSEMENT BASIS FOR USE IN CONNECTION WITH THE " BICENTENNIAL PARK SHORELINE STABILIZATION - PHASE I PROJECT, B-3293"

04-00018- cover memo .pdf, 04-00018- budgetary impact analysis .pdf, 04-00018-exhibit 1- project agreement .pdf, 04-00018-exhibit 2- project cost estimate .pdf, 04-00018-exhibit 3- matching funds certification.pdf, 04-00018-exhibit 4- payment reimbursement form.pdf, 04-00018-exhibit 5- project completion certification.pdf, 04-00018-exhibit 6- quarterly status report.pdf, 04-00018-exhibit 7- project schedule.pdf, 04-00018-exhibit 8- logo.pdf

R-04-0039

This Matter was Adopted on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Joe Sanchez

SECONDED: Tomas Regalado

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

COMMISSIONER ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

D2.1 04-00022 DISCUSSION ITEM

DISCUSSION CONCERNING EXPENSE ALLOWANCE FOR CITY COMMISSIONERS.

04-00022- email .pdf

Deferred

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioner Winton absent, to DEFER Item D2.1.

DISTRICT 3

VICE CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1 03-0332 DISCUSSION ITEM

PRESENTATION BY THE CITY OF MIAMI COMMUNITY RELATIONS BOARD.

cover memo.pdf, 03-0332 CRB report - 2.pdf

Discussed

Presentation made by Community Relations Board Chairperson Brenda Shapiro.

DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR

4:00 P.M.**1 04-00023 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BUENA VISTA EAST HISTORIC DISTRICT COMMUNITY CHARRETTE REPORT; AND DIRECTING REQUESTING THE ALLOCATION OF FUNDS FOR STREETScape IMPROVEMENTS FOR THE BUENA VISTA EAST HISTORIC DISTRICT SUBJECT TO THE REVIEW OF COSTS ESTIMATES BY THE DEPARTMENTS OF PUBLIC WORKS, CAPITAL IMPROVEMENTS AND TRANSPORTATION AS SET FORTH IN THE STREETScape IMPROVEMENTS REPORT; DIRECTING THE DEPARTMENTS OF PUBLIC WORKS, CAPITAL IMPROVEMENTS AND TRANSPORTATION TO PREPARE A PLAN OF ACTION FOR IMPLEMENTATION OF THE PROJECT IN TWO PHASES: PHASE I: INFRASTRUCTURE, LIMESTONE PYLONS AND TRAFFIC CALMING; AND PHASE II: STREET TREES AND STREET LIGHTING.

R-04-0044**MOVED:** Tomas Regalado**SECONDED:** Joe Sanchez**Motion that this matter be Adopted PASSED by the following vote.****AYES:** Commissioner González, Regalado, Sanchez and Teele**ABSENT:** Commissioner Winton

Direction to the Administration: by Chairman Teele to come back in 60 days with a specific plan related to all components of the Buena Vista East Historic Community Charrette plan and without further Commission action, to begin implementation of certain components consistent with the plan immediately.

Note for the Record: Chairman Teele further stated that he is prepared to commit available bond funds, if there are elements that are beyond the budget of the Transportation Department's budget. He further suggested that the Buena Vista group look into other avenues of funding such as Community Development funding under the Historic funding category.

PUBLIC HEARING**PH.1 03-0270 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 DETERMINATION THAT COMPETITIVE BIDDING PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS, WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ACQUISITION OF SURETY/ EXTENDED WARRANTY SUPPORT SERVICES FOR THE CITY OF MIAMI'S NX5800 CLEARPATH SYSTEM, FROM UNISYS CORPORATION ("UNISYS") FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH UNISYS, FOR SAID SERVICES, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL ONE-YEAR PERIOD, IN AN ANNUAL AMOUNT NOT TO EXCEED \$388, 497; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 001000.460101.6 .670, SUBJECT TO BUDGETARY APPROVAL.

03-0270- cover memo.pdf, 03-0270- budgetary impact analysis.pdf, 03-0270- memos from ITD.pdf, 03-0270- public notice.pdf, 03-0270- legislation.pdf, 03-0270- exhibit 1- service agreement.pdf, 03-0270- exhibit 2- support service addendum.pdf, 03-0270- exhibit 3- support services schedule.pdf, 03-0270- exhibit 4- insurance requirements.pdf

Withdrawn

Item was WITHDRAWN by City Manager Joe Arriola.

PH.2 03-0271 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 DETERMINATION THAT COMPETITIVE BIDDING PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS, WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ACQUISITION OF SURETY/ EXTENDED WARRANTY SUPPORT SERVICES FOR THE CITY OF MIAMI'S CLU6000 TAPE BACKUP SYSTEM FROM UNISYS CORPORATION ("UNISYS"), FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH UNISYS, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL ONE-YEAR PERIOD, AT AN ANNUAL AMOUNT NOT TO EXCEED \$110, 671; ALLOCATING FUNDS FROM ACCOUNT CODE 001000.460101.6.670, SUBJECT TO BUDGETARY APPROVAL.

03-0271- cover memo.pdf, 03-0271- budgetary impact analysis.pdf, 03-0271- memos from ITD.pdf, 03-0271- public notice.pdf, 03-0271- legislation.pdf, 03-0271- exhibit 1- service agreement.pdf, 03-0271- exhibit 2- support services addendum.pdf, 03-0271- exhibit 3- support services schedule.pdf, 03-0271- exhibit 4- insurance requirements.pdf

Withdrawn

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to WITHDRAW consideration of Items PH.1 and PH.2 at the request of City Manager Joe Arriola.

ORDINANCES - EMERGENCY**EM.1 03-0408****ORDINANCE****Emergency Ordinance**

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED "2004 STATE CHALLENGE HOMELESS GRANT" AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$6,606.36, CONSISTING OF A GRANT RECEIVED FROM THE STATE OF FLORIDA, STATE CHALLENGE GRANT PROGRAM FOR THE PORTION OF THE CITY OF MIAMI'S HOMELESS PROGRAM MATCHING FUNDS REQUIREMENTS TO PROVIDE OUTREACH, ASSESSMENT, PLACEMENT AND TRANSPORTATION SERVICES TO THE HOMELESS WITHIN THE CITY OF MIAMI, FLORIDA, FOR A PERIOD OF SIX MONTHS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE; FURTHER AUTHORIZING THE ALLOCATION OF SAID FUNDS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

03-0408- cover memo.pdf

12473**MOVED: Joe Sanchez****SECONDED: Angel González**

Motion that this matter be Adopted as an emergency measure, waiving the requirement for two separate readings PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele**ABSENT: Commissioner Winton**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to instruct the City Manager to perform a comprehensive study of problems associated with increasing homeless individuals in the City of Miami and to come back with a status report within 90 days at the Commission meeting currently scheduled for April 22, 2004.

Direction to the City Manager: by Chairman Teele to provide him with a copy of the minutes of the Homeless Trust meetings and the names of the City representatives on the Trust.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to designate Commissioner Regalado as the City of Miami Commission representative on the Homeless Trust for the next 90 days.

EM.2 03-0409**ORDINANCE****Emergency Ordinance**

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 12279, THE ANNUAL APPROPRIATIONS ORDINANCE TO INCREASE CERTAIN OPERATIONAL AND BUDGETARY APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2003,

CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE.

03-0409- cover memo.pdf, 03-0409- appropriation adjustments.pdf

12474

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Adopted as an emergency measure, waiving the requirement for two separate readings **PASSED** by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

EM.3 03-0410

ORDINANCE

Emergency Ordinance

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 12420, THE ANNUAL APPROPRIATIONS ORDINANCE TO INCREASE CERTAIN OPERATIONAL AND BUDGETARY APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2004, CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE.

03-0410- cover memo.pdf, 03-0410- appropriation adjustments.pdf, 03-0410- table of organization.pdf

12476

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Adopted as an emergency measure, with modifications, waiving the requirement for two separate readings **PASSED** by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to request the City Manager to make a full presentation in connection with the mission of the Neighborhood Enhancement Team (NET) Offices, including the physical facilities, budget plan, scope of services, the role, etc. at the Commission meeting currently scheduled for February 26, 2004.

ORDINANCES - SECOND READING

SR.1 03-0342a

ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING SECTION 22-12 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO PROVIDE FOR A FIVE YEAR RESIDENTIAL SOLID WASTE FEES FREEZE AT \$325, COMMENCING FISCAL YEAR 2003-2004 AND ENDING FISCAL YEAR 2008-2009; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

03-0342a- memo.pdf

12475**MOVED: Joe Sanchez****SECONDED: Tomas Regalado****Motion that this matter be Adopted PASSED by the following vote.****AYES: Commissioner González, Regalado, Sanchez and Teele****ABSENT: Commissioner Winton**

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to instruct the City Manager to develop a media and comprehensive information program, including direct mail, to explain to homeowners by means of a four panel pamphlet that includes graphs to show the effects of the freeze on the solid waste fees, what the savings are, how much the City pays to the County, what the fees would have been and what it is, and how much the savings is going to be over the next five years.

ORDINANCES - FIRST READING

FR.1 04-00001 ORDINANCE Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS AND THE CULTURAL AFFAIRS COUNCIL FOR PROMOTIONAL MATERIALS FOR THE ICHIMURA MIAMI-JAPAN GARDEN ON WATSON ISLAND, IN THE AMOUNT OF \$2,080; AUTHORIZING THE APPROPRIATION OF SAID GRANT FUNDS INTO DEPARTMENTAL REVENUE PROJECT NO. 050101 .143; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

04-00001- cover memo.pdf

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Sanchez and Teele

ABSENT: Commissioner Regalado and Winton

Direction to the City Manager: by Chairman Teele to provide a status report by the next meeting, with input from the Parks Departments of Law, Capital Improvement Projects (CIP) , and Parks on a comprehensive approach to the renovations of the Ichimura Miami-Japan Garden on Watson Island.

FR.2 04-00020 ORDINANCE Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "FY'2004 MIAMI-DADE COUNTY SURTAX FUND" TO PROVIDE MULTI-FAMILY HOUSING REHABILITATION FOR PROPERTIES WITH EXPIRING CONTRACTS FOR SECTION 8 PROJECT BASED HOUSING UNITS TO INCREASE AVAILABILITY OF DECENT AFFORDABLE HOMEOWNERSHIP AND RENTAL HOUSING UNITS, AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$1,000,000, TO SAID FUND, CONSISTING OF A GRANT RECEIVED FROM MIAMI-DADE COUNTY; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR IMPLEMENTATION OF THE GRANT; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

04-00020- cover memo .pdf, 04-00020- letter from MDCED .pdf, 04-00020- funding recommendations MDCED .pdf

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Sanchez and Teele

ABSENT: Commissioner Regalado and Winton

RESOLUTIONS**RE.1 03-0186 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, APPROVING THE ACQUISITION OF SOFTWARE LICENSES AND ANNUAL SOFTWARE SUBSCRIPTIONS FOR THE NX5800 CLEARPATH AND CLU6000 TAPE BACKUP SYSTEMS, FROM UNISYS CORPORATION, FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY, UTILIZING EXISTING STATE OF FLORIDA CONTRACT NO. 252-000-03-1, EFFECTIVE THROUGH JULY 31, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO RENEW THE LICENSES AND SUBSCRIPTIONS FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN AMOUNT NOT TO EXCEED \$171,851 FOR THE FIRST YEAR, AND IN AN ANNUAL AMOUNT NOT TO EXCEED \$106,576, FOR EACH EXTENSION PERIOD; ALLOCATING FUNDS FROM GENERAL FUND ACCOUNT CODE NO. 001000.460101.6.670, SUBJECT TO BUDGETARY APPROVAL.

03-0186- cover memo.pdf, 03-0186- budgetary impact analysis.pdf, 03-0186- IT Hardware contract.pdf, 03-0186- award under state of Florida.pdf, 03-0186- legislation.pdf

Withdrawn

The City Attorney WITHDREW item RE.1 on behalf of the City Manager.

BOARDS AND COMMITTEES

BC.1 03-0316 RESOLUTION

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

APPOINTEES: NOMINATED BY:

Max Cruz Commissioner Tomas Regalado

Maritza Gutierrez Commissioner Tomas Regalado

03-0316-cover memo.doc

R-04-0040

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to appoint Max Cruz and Maritza Gutierrez as members of the Orange Bowl Advisory Board.

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to waive the residency requirements in Section 2-884 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to the appoint Max Cruz and Maritza Gutierrez as members of the Orange Bowl Advisory Board.

BC.2 04-00010 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE OVERSIGHT COMMITTEE FOR THE SOUTHEAST OVERTOWN/PARK WEST AND OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCIES FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES: NOMINATED BY:

Juan F. D'Arce, Jr. Commissioner Angel González

Tony Crapp, Sr. Commissioner Tomas Regalado

David Marco Vice Chairman Joe Sanchez

04-00010-cover memo.doc

R-04-0041

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to appoint Tony Crapp, Sr. as a member of the Oversight Committee for the Southeast Overtown/IPark West and Omni Redevelopment District Community Redevelopment Agencies.

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to appoint Juan D'Arce, Jr. as a member of the Oversight Committee for the Southeast Overtown/IPark West and Omni Redevelopment District Community Redevelopment Agencies.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to appoint David Marco as a member of the Oversight Committee for the Southeast Overtown/IPark West and Omni Redevelopment District Community Redevelopment Agencies.

DISCUSSION ITEMS**DI.1 04-00014 DISCUSSION ITEM**

DISCUSSION CONCERNING THE CONCERNS RAISED BY THE AREA HOMEOWNER ASSOCIATION ON THE OPERATIONS AND MAINTENANCE OF THE HADLEY PARK FACILITIES.

04-00014- cover memo.pdf, 04-00014 - park report.pdf

Discussed

Direction to the City Manager: by Chairman Teele to meet with Mr. Herschell Haynes and representatives of the homeowners association regarding pending concerns on the operation and maintenance of Hadley Park.

Direction to the City Manager: by Chairman Teele to encourage parks directors to attend college classes and related training.

DI.2 04-00017 DISCUSSION ITEM

DISCUSSION CONCERNING AN UPDATE ON THE MARLINS STADIUM PROPOSAL.

04-00017- cover memo

Deferred

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Commissioners Sanchez and Winton absent, that Item DI.2 be DEFERRED to the next Commission Meeting, which is currently scheduled for February 12, 2004.

PART B

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, with Commissioner Winton absent, to CONTINUE consideration of items PZ.6, PZ.8 AND PZ.30 to the Commission meeting currently scheduled for February 26, 2004.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, with Commissioner Winton absent, to CONTINUE consideration of items PZ.21 and PZ.22 to the Commission meeting currently scheduled for February 12, 2004.

A motion was made by Commissioner Regalado, seconded by Commissioner González, with Vice Chairman Sanchez abstaining and Commissioner Winton absent, to CONTINUE consideration of item PZ.7 to the Commission meeting currently scheduled for February 26, 2004.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Commissioner Winton absent, to RECONSIDER previous motion to continue Item PZ.30.

The following items shall not be considered before 3:00 pm.

PZ.1 03-0412 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 9, 13, AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **ONYX PROJECT**, TO BE LOCATED AT APPROXIMATELY 665 AND 721 NORTHEAST 25 STREET, AND 720 NORTHEAST 26 STREET, MIAMI, FLORIDA, TO BE COMPRISED OF A 27-STORY RESIDENTIAL BUILDING CONSISTING OF 118 MULTIFAMILY RESIDENTIAL UNITS, RECREATIONAL AMENITIES, AND A SEVEN-STORY PARKING GARAGE WITH APPROXIMATELY 170 TOTAL PARKING SPACES.

REQUEST: Major Use Special Permit for the Onyx Project

LOCATION: Approximately 665 and 721 NE 25 Street and 720 NE 26 Street

APPLICANT(S): Biscayne Bay Lofts, LLC

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on December 17, 2003 by a vote of 6-0.

*See supporting documentation.

PURPOSE: This will allow a mixed-use multifamily residential development.

03-0412 Fact Sheet.PDF, 03-0412 Analysis.PDF, 03-0412 Zoning Map.PDF, 03-0412 Aerial Map.pdf, 03-0412 PAB Reso.PDF, 03-0412 Application & Supp Docs.PDF, 03-0412 Plans.PDF, 03-0412 Legislation.PDF, 03-0412 Exhibit A. PDF, 03-0412 Exhibits B&C.PDF

R-04-0043

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.2 03-0413

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 13, AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **TUSCAN PLACE PROJECT**, TO BE LOCATED AT APPROXIMATELY 501 NORTHWEST 7 AVENUE, 600, 658, AND 670 NORTHWEST 6 STREET, 621, 625, 635, 637, AND 647 NORTHWEST 5 STREET, MIAMI, FLORIDA, TO BE COMPRISED OF TWO RESIDENTIAL TOWERS CONSISTING OF 374 MULTIFAMILY RESIDENTIAL UNITS, RECREATIONAL AMENITIES, AND A PARKING GARAGE WITH APPROXIMATELY 515 TOTAL PARKING SPACES.

REQUEST: Major Use Special Permit for the Tuscan Place Project

LOCATION: Approximately 501 NW 7 Avenue; 600, 658 & 670 NW 6 Street; and 621, 625, 635, 637 & 647 NW 5 Street

APPLICANT(S): Trinity Resources International, LLC, Owner and Gatehouse Development Corp., Contract Purchaser

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD:

Recommended approval with conditions* on December 16, 2003 by a vote of 7-0.

MIAMI RIVER COMMISSION: Unanimously recommended approval.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on December 17, 2003 by a vote of 6-0.

ZONING BOARD: Recommended approval of special exceptions to City Commission on December 15, 2003 by a vote of 8-1.

*See supporting documentation.

PURPOSE: This will allow a mixed-use multifamily residential development.

03-0413 MUSP Fact Sheet.PDF, 03-0413 MUSP Analysis.PDF, 03-0413 Zoning Map.PDF, 03-0413 Aerial Map.pdf, 03-0413 River Comm Recomm. PDF, 03-0413 HEPB Reso.PDF, 03-0413 PAB Reso.PDF, 03-0413 MUSP Application & Supp Docs.PDF, 03-0413 Sp Ex Fact Sheet.PDF, 03-0413 Sp Ex Analysis.PDF, 03-0413 ZB Reso.PDF, 03-0413 Sp Ex Application & Supp Docs .PDF, 03-0413 Plans.PDF, 03-0413 Legislation.PDF, 03-0413 Exhibit A.PDF, 03-0413 Exhibit B.PDF, 03-0413 Exhibit C.PDF, 03-0413 - River Commission. pdf

R-04-0045

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

Direction to the Administration: by Chairman Teele to work with the Department of Economic Development to research information on jobs that can be created in order to open the door to developers who may voluntarily want to make a commitment to hire people from neighborhoods such as Wynwood, Allapattah, Overtown, Little Havana, Little Haiti, etc., for work on major use special permits.

PZ.3 03-0421

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH

ATTACHMENT, GRANTING A SPECIAL EXCEPTION AS LISTED IN ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, CONDITIONAL PRINCIPAL USES, 22 AND ARTICLE 4, SECTION 2504, HIRING HALL, TO ALLOW A HIRING HALL OR LABOR POOL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 5624 NORTHWEST 2 AVENUE, SUITE C

REQUEST: Special Exception Requiring City Commission Approval

LOCATION: Approximately 5624 NW 2 Avenue, Suite C

APPLICANT(S): First Staffing, Corp

APPLICANT(S) AGENT: Hernan Torres, President

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Approval with conditions*.

PUBLIC WORKS DEPARTMENT: No comments.

PLAT & STREET COMMITTEE: No comments.

ZONING BOARD: Recommended approval with a condition* to City Commission on December 15, 2003 by a vote of 8-0.

*See supporting documentation.

PURPOSE: This will allow a hiring hall or labor pool.

03-0421 Fact Sheet.PDF, 03-0421 Analysis.PDF, 03-0421 Zoning Map.PDF, 03-0421 Aerial Map.pdf, 03-0421 ZB Reso.PDF, 03-0421 Application & Supp Docs.PDF, 03-0421 Plans.PDF, 03-0421 Legislation.PDF

R-04-0046

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

PZ.4 03-0422

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF A PUBLIC RIGHT-OF-WAY, BEING THE PORTION OF A ROADWAY (SOUTHWEST 2 COURT) BETWEEN SOUTHWEST 17 ROAD AND I-95.

REQUEST: Official Vacation and Closure of a Public Right-of-Way

LOCATION: Approximately a Roadway (SW 2 Court) Between SW 17 Road and I-95

APPLICANT(S): Century Homebuilders, LLC

APPLICANT(S) AGENT: Ines Marrero-Priegues, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PUBLIC WORKS DEPARTMENT: See supporting documentation.

PLAT & STREET COMMITTEE: See supporting documentation.

ZONING BOARD: Recommended denial to City Commission on December 15, 2003 by a vote of 5-4.

PURPOSE: This will allow a unified development site.

03-0422 Fact Sheet.PDF, 03-0422 Public Works Analysis.PDF, 03-0422 PZ Analysis.PDF, 03-0422 Zoning Map.PDF, 03-0422 Aerial Map.pdf, 03-0422 ZB Reso.PDF, 03-0422 Application & Supp Docs.PDF, 03-0422 Legislation.PDF, 03-0422 Exhibit A.PDF

Continued

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioner Winton absent, to CONTINUE consideration of Item PZ.4 to 6 p.m. at the Commission Meeting currently scheduled on February, 26, 2004 ; further instructing the applicant and the attorneys to meet with area residents to negotiate a real compromise and to come back with a written agreement of said negotiation.

Direction to the City Attorney and City Administration: by Chairman Teele to provide a legal opinion from the City Attorney regarding whether or not the City may close the street (SW. 2 nd Ct., between SW 17 Rd and I-95) and authorize the plat; further requesting that the Administration supplement the record with a report relating to the current road and the capacity for a fire apparatus to go in and out of the area.

PZ.5 03-0379

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF A PUBLIC RIGHT-OF-WAY, BEING THE PORTION OF EASEMENTS BOUNDED APPROXIMATELY NORTHWEST 14 STREET, S.R. 836, NORTHWEST 10 AVENUE AND WAGNER CREEK.

REQUEST: Official Vacation and Closure of a Public Right-of-Way

LOCATION: Approximately NW 14 Street, SR 836, NW 10 Avenue and Wagner Creek

APPLICANT(S): University of Miami, Department of Real Estate

APPLICANT(S) AGENT: Vicky Garcia-Toledo, Esquire

FINDINGS:

PUBLIC WORKS DEPARTMENT: See supporting documentation.

PLAT & STREET COMMITTEE: See supporting documentation.

ZONING BOARD: Recommended approval to City Commission on November 24, 2003 by a vote of 9-0.

PURPOSE: This will allow a unified development site.

03-0379 Fact Sheet.PDF, 03-0379 Public Works Analysis.PDF, 03-0379 Zoning Map.PDF, 03-0379 Aerial Map.pdf, 03-0379 ZB Reso.PDF, 03-0379 Application & Supp Docs.PDF, 03-0379 Legislation.PDF, 03-0379 Exhibit A.PDF, 03-0379 Exhibit B.PDF

R-04-0047

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.6 03-0386

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL, AFFIRMING OR REVERSING THE DECISION OF THE ZONING BOARD, THEREBY DENYING OR GRANTING A VARIANCE FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, TO ALLOW A FRONT YARD SETBACK OF 5'0" (20'0" REQUIRED) FOR A SINGLE FAMILY RESIDENCE FOR THE PROPERTY LOCATED AT APPROXIMATELY 1840 MICANOPY AVENUE.

REQUEST: Appeal of a Zoning Board Decision of a Variance to Allow a Front Yard Setback

LOCATION: Approximately 1840 Micanopy Avenue

APPLICANT(S): Jose R. Bochetti, on behalf of Groveland, LLC

APPELLANT(S): Jose R. Bochetti, on behalf of Groveland, LLC

APPELLANT(S) AGENT: Lucia A. Dougherty, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions* of the variance and approval with conditions* of the appeal.

ZONING BOARD: Denied the variance on November 24, 2003 by a vote of 9-0.

*See supporting documentation.

PURPOSE: The approval of this appeal will allow a single family residence with less front setback than required.

03-0386 Fact Sheet.PDF, 03-0386 Appeal Letter.PDF, 03-0386 Analysis.PDF, 03-0386 Zoning Map.PDF, 03-0386 Aerial Map.pdf, 03-0386 ZB Reso.PDF, 03-0386 Application & Supp Docs.PDF, 03-0386 Plans.PDF, 03-0386 Legislation.PDF, 03-0386 Exhibit A.PDF

Continued

This item was **CONTINUED** to the meeting currently scheduled for **February 26, 2004**.

PZ.7 03-0380

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL BY THE TOWER RESIDENCES CONDO ASSOCIATION, JEFF STEWART AND RESIDENTS OF THE RITZ CARLTON CONDOMINIUM, AFFIRMING OR REVERSING THE DECISION OF THE PLANNING AND ZONING DIRECTOR ISSUED ON SEPTEMBER 11, 2003, THEREBY APPROVING WITH CONDITIONS OR DENYING THE CLASS II SPECIAL PERMIT NO. 03-0009, TO ALLOW NEW CONSTRUCTION OF A TOWER AT THE GRAND BAY HOTEL FOR THE PROPERTY LOCATED AT APPROXIMATELY 2675 SOUTH BAYSHORE DRIVE.

REQUEST: Appeal of a Zoning Board Decision of a Class II Special Permit Appeal for a New Construction of a Tower

LOCATION: Approximately 2675 S Bayshore Drive

APPELLANT(S): Tower Residences Condo Association, Jeff Stewart (Resident of the Ritz Carlton Condominium) and Other Residents of the Condominium at 3400 SW 27 Avenue

APPELLANT(S) AGENT: Anthony J. O'Donnell, Jr., Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial of the appeal and uphold the director's decision.

ZONING BOARD: Denied the Class II Special Permit appeal on November 3, 2003 by a vote of 6-0.

PURPOSE: The approval of this appeal will not allow a new construction of a tower at the Grand Bay Hotel.

03-0380 Fact Sheet.PDF, 03-0380 Appeal Letter to CC.PDF, 03-0380 ZB Reso .PDF, 03-0380 E-mail to Appellant.PDF, 03-0380 Code Enforcement Violations .PDF, 03-0380 Appeal Letter to ZB.PDF, 03-0380 Class II Special Permit.PDF, 03-0380 UDRB Reso.PDF, 03-0380 Misc Letters.PDF, 03-0380 Class II Referral.PDF, 03-0380 Letter from Applicant & Misc Docs.PDF, 03-0380 Misc Docs.PDF, 03-0380 Warranty Deeds.PDF, 03-0380 Legislation.PDF, 03-0380 - conflict.pdf

Continued

This item was CONTINUED to the meeting currently scheduled for February 26, 2004.

PZ.8 03-0188

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL FILED BY RIVERHOUSE PIER I LIMITED ("APPELLANTS"), AND REVERSING OR AFFIRMING A DECISION OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), WHICH DESIGNATED EAST COAST FISHERIES LOCATED AT 40 SOUTHWEST NORTH RIVER DRIVE AS A HISTORIC SITE.

REQUEST: Appeal of a Historic and Environmental Preservation Board Decision of a Historic Designation

LOCATION: Approximately 40 SW North River Drive

APPLICANT(S): Planning and Zoning Department

APPELLANT(S): RiverHouse Pier I Limited

APPELLANT(S) AGENT: Santiago D. Echemendia, Esquire and Bob De La Fuente, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial of the appeal and uphold the decision of the Historic and Environmental Preservation Board.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD: Approved the designation on September 16, 2003 by a vote of 9-0.

PURPOSE: The approval of this appeal will not result in the historic designation of this property.

03-0188 Fact Sheet.PDF, 03-0188 Appeal Letter.PDF, 03-0188 HEPB Reso. PDF, 03-0188 Class II Special Permit.PDF, 03-0188 Designation Report.PDF, 03-0188 Q&A Historic Designation.PDF, 03-0188 Legislation a.PDF, 03-0188 Exhibit A Fact Sheet.PDF, 03-0188 Exhibit B HEPB Reso.PDF, 03-0188 Legislation b.PDF, 03-0188 Exhibit A Fact Sheet.PDF, 03-0188 Exhibit B HEPB Reso.PDF, 03-0188 Exhibit C Designation Report.PDF

Continued

This item was CONTINUED to the meeting currently scheduled for February 26, 2004.

PZ.9 03-0190

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL FILED BY J&J FLORIDA PROPERTIES, INC. ("APPELLANTS"), AND REVERSING OR AFFIRMING A DECISION OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), WHICH DESIGNATED THE WOLPERT APARTMENTS LOCATED AT 2500-2512 BISCAYNE BOULEVARD AS A HISTORIC SITE.

REQUEST: Appeal of a Historic and Environmental Preservation Board Decision of a Historic Designation

LOCATION: Approximately 2500-2512 Biscayne Boulevard

APPLICANT(S): Planning and Zoning Department

APPELLANT(S): David Z. Solkol, President

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial of the appeal and uphold the decision of the Historic and Environmental Preservation Board.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD: Approved the designation on July 15, 2003 by a vote of 9-0.

PURPOSE: The approval of this appeal will not result in the historic designation of this property.

03-0190 Fact Sheet.PDF, 03-0190 Appeal Letter.PDF, 03-0190 HEPB Reso. PDF, 03-0190 Designation Report.PDF, 03-0190 Q&A Historic Designation. PDF, 03-0190 Legislation a.PDF, 03-0190 Exhibit A Fact Sheet.PDF, 03-0190 Exhibit B HEPB Reso.PDF, 03-0190 Legislation b.PDF, 03-0190 Exhibit A Fact Sheet.PDF, 03-0190 Exhibit B HEPB Reso.PDF, 03-0190 Exhibit C Designation Report.PDF

Continued

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioners Winton and Regalado absent, that Item PZ.9 be CONTINUED to the Commission Meeting currently scheduled for February 12, 2004, at a time certain of 3 p.m.

PZ.10 03-0070

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 940 SOUTHWEST 29 COURT, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL."

REQUEST: To Amend Ordinance No. 10544, from "Duplex Residential" to " Medium Density Multifamily Residential" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 940 SW 29 Court

APPLICANT(S): Miami-Dade County Housing Agency

APPLICANT(S) AGENT: Rene Rodriguez, Director

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on June 18, 2003 by a vote of 7-0.

ZONING BOARD: See companion File ID 03-0071.

PURPOSE: This will allow a unified commercial development site.

03-0070 SR Fact Sheet.PDF, 03-0070 Analysis.PDF, 03-0070 Land Use Map. PDF, 03-0070 & 03-0071 Aerial Map.pdf, 03-0070 PAB Reso.PDF, 03-0070 Application & Supp Docs.PDF, 03-0070 SR Legislation.PDF, 03-0070 FR Fact Sheet.pdf, 03-0070 FR Legislation.pdf

12477

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado and Sanchez

NOES: Commissioner Teele

ABSENT: Commissioner Winton

PZ.11 03-0071

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 40 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM R-2 TWO-FAMILY RESIDENTIAL TO R-3 MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL FOR THE PROPERTY LOCATED AT APPROXIMATELY 940 SOUTHWEST 29 COURT.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to R-3 Multifamily Medium Density Residential to Change the Zoning Atlas

LOCATION: Approximately 940 SW 29 Court

APPLICANT(S): Miami-Dade Housing Agency

APPLICANT(S) AGENT: Rene Rodriguez, Director

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: See companion File ID 03-0070.

ZONING BOARD: Recommended approval to City Commission on September 8, 2003 by a vote of 6-2.

PURPOSE: This will allow a unified commercial development site.

03-0071 SR Fact Sheet.PDF, 03-0071 Analysis.PDF, 03-0071 Zoning Map.PDF, 03-0070 & 03-0071 Aerial Map.pdf, 03-0071 ZB Reso.PDF, 03-0071 Application & Supp Docs.PDF, 03-0071 SR Legislation.PDF, 03-0071 Exhibit A .PDF, 03-0071 FR Fact Sheet.pdf, 03-0071 FR Legislation.pdf

12478

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado and Sanchez

NOES: Commissioner Teele

ABSENT: Commissioner Winton

PZ.12 03-0074

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 4 OF THE CITY CODE OF THE CITY OF MIAMI, FLORIDA, ENTITLED ALCOHOLIC BEVERAGES, BY AMENDING SECTION 11 IN ORDER TO MODIFY PROVISIONS RELATED TO NOTICE WITHIN ENTERTAINMENT DISTRICTS.

REQUEST: To Amend Chapter 4 of the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PURPOSE: This will modify provisions related to notice within entertainment districts.

03-0074 SR Fact Sheet.PDF, 03-0074 SR Legislation.PDF

12479

MOVED: Joe Sanchez

SECONDED: Tomas Regalado

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.13 03-0296

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6 SPECIAL DISTRICTS, IN ORDER TO AMEND SECTION 627 ENTITLED SD-27 FEC CORRIDOR OVERLAY DISTRICT, TO ADD A NEW SUB-DISTRICT 627.2 ENTITLED BUENA VISTA YARD WEST, ADDING AN INTENT STATEMENT, CREATING SPECIAL DISTRICT REQUIREMENTS AND LIMITATIONS ON USES AND ADDING DESIGN GUIDELINES.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on November 5, 2003 by a vote of 9-0. See companion File ID 03-0296a.

PURPOSE: This will add a new sub-district 627.2 entitled Buena Vista Yard West to the western half of the FEC Buena Vista Yard, add an intent statement, create special district requirements and limitations on uses, and add design guidelines.

03-0296 SR Fact Sheet.PDF, 03-0296 PAB Reso.PDF, 03-0296 SR Legislation .PDF, 03-0296 Exhibit A FINAL.pdf, 03-0296 Exhibit B FINAL.pdf, 03-0296 FR Fact Sheet.pdf, 03-0296 FR Legislation.pdf

12480**MOVED:** Joe Sanchez**SECONDED:** Angel González**Motion that this matter be Adopted PASSED by the following vote.****AYES:** Commissioner González, Regalado, Sanchez and Teele**ABSENT:** Commissioner Winton**PZ.14 03-0296a****ORDINANCE****Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING PAGE NO. 21 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING THE ZONING CLASSIFICATION FOR THE FEC BUENA VISTA YARD FROM I INDUSTRIAL AND C-2 GENERAL COMMERCIAL TO SD-27.2 BUENA VISTA YARD WEST; SAID PROPERTY MORE PARTICULARLY KNOWN AS A PORTION OF LAND CONSISTING OF APPROXIMATELY 30.57 ACRES IN AREA.

REQUEST: To Amend Ordinance No. 11000, from I Industrial and C-2 General Commercial to SD-27.2 Buena Vista Yard West to Change the Zoning Atlas

LOCATION: A Portion of Land Consisting of Approximately 30.57 Acres in Area

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on November 5, 2003 by a vote of 9-0. See companion File ID 03-0296.

PURPOSE: This will change the zoning classification for the western half of the FEC Buena Vista Yard from I Industrial and C-2 General Commercial to SD-27.2 Buena Vista Yard West.

03-0296a SR Fact Sheet.PDF, 03-0296a Analysis.PDF, 03-0296a Zoning Map.PDF, 03-0295 & 03-0295a Aerial Map.pdf, 03-0296a PAB Reso.PDF, 03-0296a SR Legislation.PDF, 03-0296a Exhibit A.PDF, 03-0296a FR Fact Sheet.pdf, 03-0296a FR Legislation.pdf

12481**MOVED:** Angel González**SECONDED:** Joe Sanchez**Motion that this matter be Adopted PASSED by the following vote.**

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.15 03-0245

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 10, ENTITLED "SIGN REGULATIONS," TO MODIFY AND CLARIFY PROVISIONS RELATED TO SIGNAGE REQUIREMENTS AND LIMITATIONS, TO ADD JUMBO-TRON SIGNS CONDITIONALLY, TO ADD NEW RESTRICTIONS, AND TO MODIFY PROVISIONS RELATED TO AWNING SIGNS; FURTHER AMENDING ARTICLE 25 ENTITLED "DEFINITIONS," TO ADD NEW DEFINITIONS.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission with a condition* on October 22, 2003 by a vote of 6-0.

*See supporting documentation.

PURPOSE: This will modify and clarify provisions related to signage requirements and limitations, to add jumbo-tron signs conditionally, to add new restrictions, and to modify provisions related to awning signs.

03-0245 SR Fact Sheet.PDF, 03-0245 Analysis.PDF, 03-0245 PAB Reso.pdf, 03-0245 SR Legislation.PDF, 03-0245 FR Fact Sheet.pdf, 03-0245 FR Legislation DRAFT.pdf

Withdrawn

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed, with Commissioner Regalado voting "No" and Commissioner Winton absent, that Item PZ. 15 be WITHDRAWN (at the request fo the City Administration).

PZ.16 03-0297

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLES 4 AND 9, IN ORDER TO MODIFY PROVISIONS RELATED TO PARKING REGULATIONS, AND MORE SPECIFICALLY TO INTRODUCE A NEW SUBSECTION 917.10 TO ALLOW FOR EXEMPTIONS FOR PROVISION OF PARKING FOR ADAPTIVE RE-USE OF EXISTING STRUCTURES WITH PARKING DEFICIENCIES LOCATED WITHIN THE FIRE STATION NO. 2 MOTION PICTURE AND MEDIA DISTRICT.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on November 5, 2003 by a vote of 9-0.

PURPOSE: This will allow for adaptive re-use of existing structures without having to provide additional parking.

03-0297 SR Fact Sheet.PDF, 03-0297 PAB Reso.PDF, 03-0297 SR Legislation .PDF, 03-0297 FR Fact Sheet.pdf, 03-0297 FR Legislation.pdf

12482

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.17 03-0298

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLES 6 AND 9, IN ORDER TO ADJUST THE PAYMENT AMOUNT FOR CONTRIBUTIONS INTO THE CITY OF MIAMI'S AFFORDABLE HOUSING TRUST FUND.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on November 5, 2003 by a vote of 9-0.

PURPOSE: This will adjust the payment amount for contributions into the City of Miami's Affordable Housing Trust Fund.

03-0298 SR Fact Sheet.PDF, 03-0298 PAB Reso.PDF, 03-0298 SR Legislation .PDF, 03-0298 FR Fact Sheet.pdf, 03-0298 FR Legislation.pdf

Continued

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and

was passed unanimously, with Commissioner Winton absent, to CONTINUE Item PZ.17 to the Commission Meeting currently scheduled for February 12, 2004, in order to provide Commissioner Winton the opportunity to review the use of the Affordable Housing Trust Fund.

PZ.18 03-0278

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY INCLUDING A NEW SECTION 55-15; AUTHORIZING THE CITY MANAGER TO WAIVE RIGHT OF WAY CLOSURE FEES IN CERTAIN INSTANCES.

REQUEST: To Amend Section 55-15 of the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PUBLIC WORKS DEPARTMENT: Recommended approval.

PURPOSE: This will authorize the City Manager to waive right-of-way closure fees in certain instances.

03-0278 Cover Memo.PDF, 03-0278 SR Legislation DRAFT.PDF, 03-0278 FR Legislation DRAFT.pdf

12483

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.19 03-0416a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 1001 NORTHWEST 7 STREET, MIAMI, FLORIDA, FROM "INDUSTRIAL" TO "RESTRICTED COMMERCIAL."

REQUEST: To Amend Ordinance No. 10544, from "Industrial" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1001 NW 7 Street

APPLICANT(S): Royal Atlantic Developers, LLP and 1001 NW 7th Street Properties, Inc

APPLICANT(S) AGENT: Lucia A. Dougherty, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Unanimously recommended approval to City Commission.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 17, 2003 by a vote of 5-1. See companion File ID 03-0416b.

PURPOSE: This will allow a unified commercial development site for the proposed Royal Atlantic Major Use Special Permit Project.

03-0416a FR Fact Sheet.PDF, 03-0416a Analysis.PDF, 03-0416a Land Use Map.PDF, 03-0416, 03-0416a & 03-0416b Aerial Map.pdf, 03-0416a River Comm Recomm.PDF, 03-0416a PAB Reso.PDF, 03-0416a Application & Supp Docs.PDF, 03-0416a FR Legislation DRAFT.PDF, 03-0416a - submission Winston.pdf, 03-0416a - submission Kinsella.pdf, 03-0416a - submission Jubilee signatures.pdf, 03-0416a - submission River Commission.pdf, 03 - 0416a submission - signatures opposed.pdf, 03-0416a - submission Dickman.pdf, 03 - 0416a submission - Spring Garden.pdf, 03-0416a - submission Grafton.pdf, 03-0416a - submission drawing.pdf, 03-0416a - submission maps.pdf

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado and Sanchez

NOES: Commissioner Teele

ABSENT: Commissioner Winton

PZ.20 03-0416b

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 24 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM SD-4 WATERFRONT INDUSTRIAL TO C-1 RESTRICTED COMMERCIAL FOR THE PROPERTY LOCATED AT

APPROXIMATELY 1001 NORTHWEST 7 STREET.

REQUEST: To Amend Ordinance No. 11000, from SD-4 Waterfront Industrial to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 1001 NW 7 Street

APPLICANT(S): Royal Atlantic Developers, LLP and 1001 NW 7th Street Properties, Inc

APPLICANT(S) AGENT: Lucia A. Dougherty, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Unanimously recommended approval to City Commission.

ZONING BOARD: Recommended approval to City Commission on December 15, 2003 by a vote of 9-0. See companion File ID 03-0416a.

PURPOSE: This will allow a unified commercial development site for the proposed Royal Atlantic Major Use Special Permit Project.

03-0416b FR Fact Sheet.PDF, 03-0416b Analysis.PDF, 03-0416b Zoning Map. PDF, 03-0416, 03-0416a & 03-0416b Aerial Map.pdf, 03-0416b School Brd Recomm.PDF, 03-0416B River Comm Recomm.PDF, 03-0416b ZB Reso.PDF, 03-0416b Application & Supp Docs.PDF, 03-0416b FR Legislation.PDF, 03-0416b Exhibit A.PDF

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado and Sanchez

NOES: Commissioner Teele

ABSENT: Commissioner Winton

PZ.21 03-0295

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 3160, 3170, 3180 AND 3190 OAK AVENUE, MIAMI, FLORIDA, FROM "SINGLE FAMILY RESIDENTIAL" TO " DUPLEX RESIDENTIAL."

REQUEST: To Amend Ordinance No. 10544, from "Single Family Residential" to "Duplex Residential" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3160, 3170, 3180 and 3190 Oak Avenue

APPLICANT(S): Angel A. Gonzalez, Julian Guilarte, Augusto J. Gil, Robert C. Brazofsky and M. Trading & Investments, Inc, Owners

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval on November 19, 2003 by a vote of 5-4. See companion File ID 03-0295a.

PURPOSE: This will allow a duplex-residential development site.

03-0295 FR Fact Sheet.PDF, 03-0295 Analysis.PDF, 03-0295 Land Use Map.PDF, 03-0295 & 03-0295a Aerial Map.pdf, 03-0295 School Brd Recomm.PDF, 03-0295 PAB Reso.PDF, 03-0295 Application & Supp Docs.PDF, 03-0295 FR Legislation DRAFT.PDF

Continued

This item was CONTINUED to the meeting currently scheduled for February 12, 2004.

PZ.22 03-0295a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 46 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM R-1 SINGLE-FAMILY RESIDENTIAL TO R-2 TWO-FAMILY RESIDENTIAL FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3160, 3170, 3180 AND 3190 OAK AVENUE.

REQUEST: To Amend Ordinance No. 11000, from R-1 Single-Family Residential to R-2 Two-Family Residential to Change the Zoning Atlas

LOCATION: Approximately 3160, 3170, 3180 and 3190 Oak Avenue

APPLICANT(S): Angel A. Gonzalez, Julian Guilarte, Augusto J. Gil, Robert C. Brazofsky and M. Trading & Investments, Inc, Owners

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on December 15, 2003 by a vote of 9-0. See companion File ID 03-0295.

PURPOSE: This will allow a two-family residential development site.

03-0295a FR Fact Sheet.PDF, 03-0295a Analysis.PDF, 03-0295a Zoning Map. PDF, 03-0295 & 03-0295a Aerial Map.pdf, 03-0295a ZB Reso.PDF, 03-0295a Application & Supp Docs.PDF, 03-0295a FR Legislation.PDF, 03-0295a Exhibit A.PDF

Continued

This item was CONTINUED to the meeting currently scheduled for February 12, 2004.

PZ.23 03-0414b

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 42 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM R-2 TWO-FAMILY RESIDENTIAL TO C-1 RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2701 SOUTHWEST 27 COURT.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 2701 SW 27 Court

APPLICANT(S): G.B. Real Estate Ventures, LLC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on November 24, 2003 by a vote of 9-0.

PURPOSE: This will allow a unified commercial development site for the proposed Tower Twenty Seven Major Use Special Permit Project.

03-0414b FR Fact Sheet.PDF, 03-0414b Analysis.PDF, 03-0414b Zoning Map.PDF, 03-0414b Aerial Map.pdf, 03-0414b ZB Reso.PDF, 03-0414b Application & Supp Docs.PDF, 03-0414b FR Legislation.PDF, 03-0414b Exhibit A.PDF

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.24 03-0397

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE 0.78 ACRE PARCEL NAMED "PROPOSED TRACT B" LOCATED WITHIN THE AREA APPROXIMATELY TO THE NORTHWEST OF WATSON ISLAND, MIAMI, FLORIDA, FROM "RECREATION" TO "RESTRICTED COMMERCIAL."

REQUEST: To Amend Ordinance No. 10544, from "Recreation" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Watson Island Tract B

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 3, 2003 by a vote of 5-3. See companion File ID 03-0397a, 03-0397b and 03-0397c.

PURPOSE: This will allow a unified commercial development site.

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.25 03-0397a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AMENDING PAGE NO. 22 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION OF THE 0.78 ACRE PARCEL NAMED "PROPOSED TRACT B" LOCATED WITHIN THE AREA APPROXIMATELY TO THE NORTHWEST OF WATSON ISLAND, MIAMI, FLORIDA, FROM PR PARKS AND RECREATION TO C-1 RESTRICTED COMMERCIAL.

REQUEST: To Amend Ordinance No. 11000, from PR Parks and Recreation to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Watson Island Tract B

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 3, 2003 by a vote of 5-3. See companion File ID 03-0397, 03-0397b and 03-0397c.

PURPOSE: This will allow a unified commercial development site.

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.26 03-0397b

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE 0.79 ACRE PARCEL NAMED "PROPOSED TRACT C" LOCATED WITHIN THE AREA APPROXIMATELY AT THE NORTHWEST OF WATSON ISLAND, MIAMI, FLORIDA; FROM "RESTRICTED COMMERCIAL" TO "RECREATION."

REQUEST: To Amend Ordinance No. 10544, from "Restricted Commercial" to "Recreation" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Watson Island Tract C

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 3, 2003 by a vote of 7-1. See companion File ID 03-0397, 03-0397a and 03-0397c.

PURPOSE: This will allow a unified recreational site.

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.27 03-0397c

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AMENDING PAGE NO. 22 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION FROM C-1 RESTRICTED COMMERCIAL TO PR PARKS AND RECREATION, OF THE 0.79 ACRE PARCEL NAMED "PROPOSED TRACT C" LOCATED WITHIN THE AREA APPROXIMATELY AT THE NORTHWEST OF WATSON ISLAND.

REQUEST: To Amend Ordinance No. 11000, from C-1 Restricted Commercial to PR Parks and Recreation to Change the Zoning Atlas

LOCATION: Watson Island Tract C

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 3, 2003 by a vote of 7-1. See companion File ID 03-0397, 03-0397a and 03-0397b.

PURPOSE: This will allow a unified recreational site.

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.28 03-0417

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6 IN ORDER TO AMEND SECTION 601 TO ADD A NEW SPECIAL SUB-DISTRICT ENTITLED SD-1.1 KING HEIGHTS ORCHARD VILLA SPECIAL DISTRICT, ADDING AN INTENT STATEMENT AND CREATING SPECIAL DISTRICT REQUIREMENTS.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 17, 2003 by a vote of 6-0. See companion File ID 03-0417a.

PURPOSE: This will add a new special sub-district entitled SD-1.1 King Heights Orchard Villa Special District.

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

Direction to the Administration: by Chairman Teele to include a copy of the resolution from the Model City Trust as part of the supporting documentation before Item PZ.28 comes back for Second Reading. Chairman Teele further instructed the Acting President of the Model City Trust to further provide a staff recommendation on Model City Trust items.

PZ.29 03-0417a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING PAGE NO. 12 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING THE ZONING CLASSIFICATION FOR ONLY THOSE PROPERTIES THAT ARE CURRENTLY ZONED R-3 AND GENERALLY BOUNDED BY NORTHWEST 62 STREET TO THE NORTH, NORTHWEST 17 AVENUE TO THE WEST, NORTHWEST 12 AVENUE TO THE EAST, INCLUDING THOSE PROPERTIES FRONTING ON 12 AVENUE, AND ON NORTHWEST 58 STREET TO THE SOUTH, MIAMI, FLORIDA, (EXCLUDING ALL R-2 ZONED PROPERTIES WITHIN THIS AREA) FROM R-3 MULTIFAMILY MEDIUM DENSITY RESIDENTIAL TO SD -1.1 KING HEIGHTS ORCHARD VILLA SPECIAL DISTRICT.

REQUEST: To Amend Ordinance No. 11000, from R-3 Multifamily Medium-Density Residential to SD-1.1 King Heights Orchard Villa Special District to Change the Zoning Atlas

LOCATION: Approximately NW 62 Street to the North, NW 17 Avenue to the West, NW 12 Avenue to the East, Including Those Properties Fronting on 12 Avenue, and on NW 58 Street to the South (Excluding All R-2 Zoned Properties Within This Area)

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 17, 2003 by a vote of 6-0. See companion File ID 03-0417.

PURPOSE: This will add a new special sub-district entitled SD-1.1 King Heights Orchard Villa Special District to those properties listed above.

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

PZ.30 03-0419

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING PAGE NO. 25 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION FROM PR PARKS AND RECREATION TO R-3 MULTIFAMILY MEDIUM DENSITY RESIDENTIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 1390 NORTHWEST 24 AVENUE.

REQUEST: To Amend Ordinance No. 11000, from PR Parks and Recreation to R-3 Multifamily Medium Density Residential to Change the Zoning Atlas

LOCATION: Approximately 1390 NW 24 Avenue

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 17, 2003 by a vote of 5-1.

PURPOSE: This will allow a unified commercial development site.

MOVED: Angel González

SECONDED: Joe Sanchez

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

PZ.31 03-0247

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTERS 2 AND 62 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION AND ZONING AND PLANNING," TO ABOLISH THE EXISTING PLANNING ADVISORY BOARD AND ZONING BOARD, AND SUBSTITUTE IN LIEU THEREOF A NEW BOARD TO BE KNOWN AS THE CITY OF MIAMI PLANNING AND ZONING BOARD, SET FORTH THE BOARD'S PURPOSE, POWERS, AND DUTIES, AND PROVIDE FOR COMPOSITION AND APPOINTMENTS, TERMS OF OFFICE AND VACANCIES; MEMBERSHIP ELIGIBILITY REQUIREMENTS; OFFICERS; OATH; QUORUM AND VOTING; MEETINGS; ATTENDANCE REQUIREMENTS; COUNSEL; AND PROVIDING FOR SUNSET REVIEW; MORE PARTICULARLY BY AMENDING SECTION 2-892, AND SECTIONS 62-1 THROUGH 62-35 AND 62-156 THROUGH 62-159 AND CREATING NEW SECTIONS 62-61 THROUGH 62-129 TO SAID CODE.

REQUEST: To Amend Chapters 2 and 62 of the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PURPOSE: This will abolish the existing Planning Advisory Board and Zoning Board, and substitute in lieu thereof a new board to be known as the City of Miami Planning and Zoning Board.

03-0247 FR Fact Sheet.PDF, 03-0247 FR Legislation DRAFT.PDF, 03-0247-backup.pdf, 03-0247-legislation.pdf

Withdrawn

A motion was made by Commissioner Regalado, seconded by Commissioner González, with Commissioner Winton absent, to have a non-binding straw vote to not merge the Planning Advisory Board and the Zoning Board: Raised hands in favor: Commissioners Regalado, González, and Chairman Teele. Did not raise hand: Vice Chairman Sanchez.

A motion was subsequently made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Commissioners Sanchez and Winton absent, that Item PZ.31 be WITHDRAWN.

PZ.32 03-0418

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, BY AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE FUTURE LAND USE AND THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCORPORATE REVISIONS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE "1995 EVALUATION AND APPRAISAL REPORT ON THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN" AND TO MEET THE REQUIREMENTS OF RULE 9J-5, FLORIDA ADMINISTRATIVE CODE; FURTHER AMENDING THE GOALS, OBJECTIVES, AND POLICIES OF THE FUTURE LAND USE ELEMENT BY DELETING AN OBJECTIVE AND POLICIES RELATED TO INTERGOVERNMENTAL COORDINATION AND TRANSFERRING THEM INTO THE INTERGOVERNMENTAL COORDINATION ELEMENT.

REQUEST: To Amend Ordinance No. 10544 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 17, 2003 by a vote of 6-0.

PURPOSE: This will update the Miami Comprehensive Neighborhood Plan in accordance with state requirements.

MOVED: Tomas Regalado

SECONDED: Angel González

Motion that this matter be Passed on First Reading **PASSED** by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

PZ.33 04-00002

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS

AMENDED, ENTITLED "HISTORIC PRESERVATION" TO RETAIN JURISDICTION OVER ARCHEOLOGICAL ZONES AND SITES WITHIN THE CITY; TO CLARIFY OR AMEND CERTAIN DEFINITIONS; TO PROVIDE FOR AN INTERIM PROTECTION MEASURE THAT WOULD PRESERVE A PROPERTY PROPOSED FOR DESIGNATION FOR A PERIOD OF TIME NOT TO EXCEED ONE HUNDRED TWENTY DAYS; FURTHER CLARIFYING CRITERIA FOR CERTIFICATES OF APPROPRIATENESS; ADJUSTING THE MAILED NOTICE OF PUBLIC HEARINGS TO OWNER; PROVIDING THAT SPECIAL CERTIFICATE OF APPROPRIATENESS DECISIONS MADE BY THE BOARD IN MAJOR USE SPECIAL PERMITS ARE ADVISORY TO THE CITY COMMISSION; ALLOWING THE PRESERVATION OFFICER THE ABILITY TO GRANT AN EXTENSION OF TIME FOR A CERTIFICATE OF APPROPRIATENESS; AND MODIFYING THE FEE TO APPEAL A BOARD DECISION; CHANGING THE CODE REFERENCES FOR UNSAFE STRUCTURES.

REQUEST: To Amend Chapter 23 of the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PURPOSE: This will enable the City to retain jurisdiction over archeological zones, provide for an interim protection measure for properties proposed for designation, and enact certain "housekeeping" measures.

NOTES: This is a companion to File ID 04-00002a.

04-00002 - submission house pix-1.pdf

MOVED: Joe Sanchez

SECONDED: Tomas Regalado

Motion that this matter be Passed on First Reading with modifications PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Winton absent, to direct the City Manager to instruct the Administration to do a survey of all historically designated properties in the City and begin working with the Dade Heritage Trust in drafting language that can be placed on markers and/or plaques in those buildings for the education of residents and tourists, said markers to contain historical data such as when the building was built, if it was occupied by a family or a business, etc., and to mention the fact that the building is a historical building. Chairman Teele further requested that the Administration work with the Community Development Department and the Dade Heritage Trust to apply for Community Development Block Grant (CDBG) funds for purposes of carrying out this program.

Note for the Record: Chairman Teele suggested that the Administration publish an annual list of historically designated sites within the City.

PZ.34 04-00002a ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62, ARTICLE VII OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD" BY PROVIDING THAT THE BOARD MAY INCLUDE PALEONTOLOGICAL SITES ON A HISTORIC SURVEY, AND THAT PERSONNEL ASSIGNED TO THE BOARD WILL INCLUDE AN ARCHEOLOGICAL STAFF MEMBER OR CONSULTANT AND CORRECTING NAME OF PLANNING AND ZONING DEPARTMENT.

REQUEST: To Amend Chapter 62 of the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PURPOSE: This will provide for an archeological staff member or consultant to assist the City to add paleontological sites to historic surveys, and to enact certain "housekeeping" measures.

NOTES: This is a companion to File ID 04-00002.

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Passed on First Reading PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

NA.1 04-00062 DISCUSSION ITEM

Discussion regarding Martin Luther King holiday being one of two holidays when there is no garbage pickup.

NA.2 04-00064 DISCUSSION ITEM

Vice Chairman Sanchez expressed his concerns related to Community Development issues.

Discussed

Brief discussion between Vice Chairman Sanchez and Barbara Rodriguez.

NA.3 04-00055 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO APPOINT AN ADVISORY AND OVERSIGHT COMMITTEE ("COMMITTEE") TO THE BOARD OF DIRECTORS ("BOARD") OF THE LITTLE HAITI EDISON FEDERAL CREDIT UNION ("CREDIT UNION") OF NOT LESS THAN THREE (3) NOR MORE THAN SEVEN (7) PERSONS FROM GOVERNMENT AND PRIVATE SECTORS TO INCLUDE

BUT NOT BE LIMITED TO PROVIDING: (1) A REVIEW OF ALL GOVERNMENT DOLLARS ("DONATED GOVERNMENT FUNDS") THAT HAVE BEEN INFUSED INTO THE CREDIT UNION TO SUPPORT OPERATION OF THE CREDIT UNION, (2) A RECOMMENDATION FOR THE AMOUNT OF DONATED GOVERNMENT FUNDS NECESSARY FOR THE CREDIT UNION TO BECOME SELF-SUFFICIENT IN THE NEXT 3 YEARS, (3) A SURVEY OF SIMILARLY SITUATED CREDIT UNIONS IN THE SOUTH FLORIDA AREA THAT HAVE RECEIVED DONATED GOVERNMENT FUNDS AND THE AMOUNTS RECEIVED, AND (4) A PLAN FOR SELF-SUFFICIENCY WITHIN THREE (3) YEARS, APPROVED BY THE BOARD OF DIRECTORS, AND APPROVED AND AUTHORIZED BY THE NATIONAL CREDIT UNION ADMINISTRATION ("NCUA"), WHICH PLAN IS ANALYZED AND REVIEWED BY THE NCUA TO BE FULLY COMPLIANT WITH APPLICABLE REGULATIONS; INSTRUCTING THE CITY ATTORNEY TO PROVIDE LEGAL ADVICE TO THE COMMITTEE; FURTHER DIRECTING THE CITY MANAGER TO PRESENT A THREE-YEAR PLAN FOR SELF-SUFFICIENCY TO THE BOARD AND THE CITY COMMISSION AT THE MARCH 12, 2004 CITY COMMISSION MEETING; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE NCUA UNDER SEAL.

04-00055 - petition.pdf

R-04-0042

MOVED: Joe Sanchez

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Sanchez and Teele

ABSENT: Commissioner Regalado and Winton

Direction to the City Clerk: by Chairman Teele to transmit a copy of Resolution establishing an Advisory and Oversight Committee to the Board of Directors of the Little Haiti Edison Federal Credit Union to the National Credit Union Administration.

NA.4 04-00065 DISCUSSION ITEM

Mr. Brian Dennis, from Brothers of the Same Mind, thanked the Commission, for allowing said organization to work with the community and the City of Miami Police Department during the Martin Luther King,

Discussed

NA.5 04-00066 DISCUSSION ITEM

City of New York's ordinance related to lead paint removal.

Discussed

Direction to the City Attorney and City Administration: by Chairman Teele to obtain a copy of the City of New York ordinance related to lead paint removal.

NA.6 04-00057 ORDINANCE

Draft

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING

CHAPTER 2/ARTICLE II, SECTION 2-33 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED ADMINISTRATION/ MAYOR AND CITY COMMISSION; MORE PARTICULARLY BY AMENDING SECTION 2-33, ENTITLED ORDER OF BUSINESS AND RULES OF PROCEDURE, TO REQUIRE THE UNANIMOUS CONCURRENCE OF ALL COMMISSIONERS PRESENT BUT NOT LESS THAN FOUR (4) AFFIRMATIVE VOTES FOR APPROVAL OF ANY ITEM PERTAINING TO THE ESTABLISHMENT OF A RESCUE MISSION, THE CONTINUATION OF A RESCUE MISSION, OR ACTION RELATING TO A RESCUE MISSION, AS WELL AS ANY VOTE ON A RESCUE MISSION ARISING PURSUANT TO THE ZONING ORDINANCE OR COMPREHENSIVE PLAN; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Angel González

SECONDED: Tomas Regalado

Motion that this matter be Passed on First Reading **PASSED** by the following vote.

AYES: Commissioner González, Regalado and Teele

ABSENT: Commissioner Sanchez and Winton

A motion was made by Commissioner González, seconded by Commissioner Sanchez, and passed unanimously, with Commissioner Winton absent, to instruct the City Attorney to draft appropriate legislation to require the unanimous concurrence of all Commissioners present for approval of any item pertaining to the establishment of a rescue mission in the City of Miami. (Subsequently, the ordinance above was **PASSED** on First Reading).

NA.7 04-00067

DISCUSSION ITEM

Directing the Manager to bring forth an amendment to Ordinance 12453, adopted on December 18, 2003.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Commissioner Winton absent, to direct the City Manager to bring forth an amendment to Ordinance 12453, which was adopted on December 18, 2003, which provided an alternative method for property owners to vacate and close alleys abutting residential parcels of land zoned R-1 and/or R-2 only; to amend said ordinance to include commercially zoned parcels and bring said amendment before the Commission for consideration as soon as possible; further proposing to waive Planning and Zoning application fees, in the amount of \$2,500.

NA.8 04-00058

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN ADDITIONAL POSITION FOR AN ASSISTANT CITY ATTORNEY; THE AMOUNT NOT TO EXCEED \$35,000, PLUS THE COST OF BENEFITS AND EMOLUMENTS TO BE ADDED TO THE BUDGET OF THE CITY ATTORNEY FOR THE BALANCE OF FISCAL YEAR 2003-2004.

R-04-0048

MOVED: Tomas Regalado

SECONDED: Angel González

Motion that this matter be Adopted **PASSED** by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

NA.9 04-00054 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ROLLOVER OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$5,000, TO 55 YEARS & UP, INC. TO PROVIDE SOCIAL SERVICE ACTIVITIES IN DISTRICT 4; ALLOCATING FUNDS FROM THE 2003 DISTRICT 4 OFFICE BUDGET NON-DEPARTMENTAL ACCOUNT CODE NO. 001000.920919.6.930, SUBJECT TO BUDGETARY APPROVAL.

R-04-0049

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

Direction to the City Manager: by Chairman Teele to brief him on the parks foundation account.

NA.10 04-00061 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT IN AN AMOUNT NOT TO EXCEED \$1,500 TO BE EXPENDED TO FACILITATE THE WEED AND SEED, INC. "FIRST LEAD AWARENESS SYMPOSIUM FOR MEDICAL PROFESSIONALS" WHICH PROVIDES EDUCATION AS IT RELATES TO EXISTING LEAD HAZARDS, EXPOSURE CHANNELS, ITS IMPACT ON INFANT CHILDREN ALONG WITH PREVENTION AND TREATMENT TO BE HELD SATURDAY, FEBRUARY 7, 2004; FROM THE DISTRICT 5 SPECIAL EVENTS ACCOUNT CODE NO. 001000.921054.6.289, FURTHER DIRECTING THAT THIS ALLOCATION BE MADE TO THE CONFERENCES, CONVENTIONS AND PUBLIC FACILITIES DEPARTMENT TO ASSIST WITH THE RENTAL COST OF THE CITY OWNED FACILITY AND OTHER EXPENDITURES.

R-04-0050

MOVED: Tomas Regalado

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

NA.11 04-00068 DISCUSSION ITEM

2004 Latin Billboard Awards - Request for placement of banners throughout the City to promote the show.

Motion

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, with Commissioner Winton absent, to authorize the City Manager to direct the Administration to work with Telemundo Broadcasting and the promoter of the Latin Billboard Awards, which will be held at the Miami Arena in April, 2004, regarding the placement of banners throughout the City to promote the show and consider co-sponsoring said event in order to waive banner permit fees as permitted by City Code.

NA.12 04-00069**DISCUSSION ITEM**

Request from Coconut Grove Special Events and Marketing Committee regarding request for waiver of the 120-day notice requirement and waiver of the 120-day complete application requirement for the Homestead Miami Speedway Indyfest to be held on February 26, 2004.

Motion

A motion was made by Commissioner Regalado, seconded by Commissioner Gonzalez, and was passed unanimously, with Commissioner Winton absent, to grant a waiver of the 120-day notice requirement for the Homestead Miami Speedway Indyfest to be held on February 26, 2004; and further to grant a waiver of the 120-day complete application requirement; said waiver requests at the request of the Coconut Grove Special Events and Marketing Committee.

NA.13 04-00060**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY TO ALLOW THE CITY OF MIAMI TWO ADDITIONAL EARLY VOTING SITES FOR THE MARCH 9, 2004 PRESIDENTIAL PRIMARY; TO EXPEDITE SAID SITES TO BE: CARRIE P. MEEK CENTER AT CHARLES HADLEY PARK LOCATED AT 1300 NORTHWEST 50TH STREET, MIAMI, FLORIDA, AND CITY HALL LOCATED AT 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA; ALLOCATING FUNDS FROM CITY CLERK'S OFFICE BUDGET PROFESSIONAL SERVICES ACCOUNT CODE NO. 001000.220101.6340.270.

R-04-0051

MOVED: Tomas Regalado

SECONDED: Angel González

Motion that this matter be Adopted PASSED by the following vote.

AYES: Commissioner González, Regalado, Sanchez and Teele

ABSENT: Commissioner Winton

Direction to the City Manager: by Chairman Teele to schedule an update of this issue on the agenda for the Commission Meeting currently scheduled for February 12, 2004.