



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, February 12, 2004

9:00 AM

City Hall Commission Chambers

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

PR - PRESENTATIONS AND PROCLAMATIONS

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BC - BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS**EXECUTIVE SESSIONS**

TIME CERTAIN

2:30 P.M. - NATIONAL ADVERTISING CO. VS. CITY OF MIAMI

2:40 P.M. - MARK'S CLASSIC CORP., RICHARD AND SUNNY MANAGAN, ET. AL. VS. CITY OF MIAMI

2:50 P.M. - DEBRA OHANIAN AND WETS BEACH RESTAURANT, INC. VS. CITY OF MIAMI

PART B**PZ - PLANNING AND ZONING ITEMS****9:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE**

Present: Commissioner González, Commissioner Winton, Vice Chairman Sanchez, Commissioner Regalado and Chairman Teele

On the 12th day of February, 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 9:24 a.m. by Chairman Arthur E. Teele, Jr., recessed at 12:04 p.m., reconvened at 3:01 p.m., recessed at 3:15 in order for the Commission to meet in Executive Session for Item ES.3, reconvened at 3:46 p.m. and adjourned at 5:09 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 04-00110 CEREMONIAL ITEM**

Name of Honoree	Presenter	Protocol It
Mayor Diaz & Commissioners	Community Blood Centers Dr. Bruce Lenes, Medical Director Dr. Charles Rouault, President & CEO Mr. Juan Kouri, Vice President of Operations	Plaques
Washington Mutual Coconut Grove Arts Festival	Mayor Diaz	Proclamation
Table of Brotherhood	Chairman Teele	Certificates of Appreciation
Jack Horkheimer	Commissioner Winton	Proclamation
Julio Avel (not presented)	Commissioner Regalado	Proclamation
Miami Benefit Club	Commissioner Regalado	Certificate of Appreciation
Alina Argote	Commissioner Regalado	Certificate of Appreciation
Gilma Espana	Commissioner Regalado	Certificate of Appreciation
Henry Fernandez	Commissioner Regalado	Certificate of Appreciation
Vanessa Gonzalez	Commissioner Regalado	Certificate of Appreciation

Samuel Navarro	Commissioner Regalado	Certificate of Appreciation
Ramon Rodriguez	Commissioner Regalado	Certificate of Appreciation
Michel Rosny	Commissioner Regalado	Certificate of Appreciation
Heriberto Alonso	Commissioner Regalado	Certificate of Appreciation
Ricardo Echevarria	Commissioner Regalado	Certificate of Appreciation
Haydee Regueyra	Commissioner Regalado	Salute

04-00110-cover page.pdf, 04-00110-protocol program.pdf

Presented

1. **Dr. Bruce Lenos, Medical Director of the Community Blood Centers, recognized the Mayor, Commissioners and citizens of the City of Miami for their generous blood donations; presented the Mayor and each Commissioner with a plaque of appreciation. Commissioner Winton recognized Dr. Lenos' great work at Blood Centers.**
2. **Mayor Diaz proclaimed the coming weekend as Washington Mutual Coconut Grove Arts Festival weekend.**
3. **Jack Horkheimer was recognized by Commissioner Winton for his television show on astronomy, "Star Gazer" and for his work as promoter of the Miami planetarium/museum.**
4. **Certificates of appreciation were distributed by Commissioner Regalado to The Miami Benefit Club, Alina Argote, Gilma Espana, Henry Fernandez, Vanessa Gonzalez, Samuel Navarro, Ramon Rodriguez, Michel Rosny, Heriberto Alonso, Ricardo Echevarria, and Haydee Regueyra.**
5. **Chairman Teele presented a proclamation to members of "A Table of Brotherhood" who had signed a covenant to respect the teachings of Martin Luther King: Corky Dozier, Pastor Valarie Grace, Him Howe, Reverend Donna Schaper, Gail Seay, The Honorable Judge Fred Seraphin, Rev. Gaston E. Smith, and Dwayne Wynn.**

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 Mayoral vetoes to consider.

APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:

Regular and Planning and Zoning Meetings of December 18, 2003

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

Motion to Approved PASSED unanimously.

Regular Meeting of January 8, 2004

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion to Approved PASSED unanimously.

CONSENT AGENDA**CA.1 04-00025 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING THE ALLOCATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$52,631.25, TO THE MIAMI-DADE COUNTY ASSOCIATION OF CHIEFS OF POLICE, COURT OVERTIME REDUCTION PROJECT; ALLOCATING FUNDS FROM THE LOCAL LAW ENFORCEMENT BLOCK GRANT VIII PROGRAM, ACCOUNT CODE NO. 142023.290546.6.270.

04-00025- cover memo.pdf, 04-00025- budgetary impact analysis.pdf

R-04-0053

This Matter was Adopted on the Consent Agenda.

CA.2 04-00026 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED FINANCING OF PROTRACTED, COMPLEX INVESTIGATIONS FOR THE DEPARTMENT OF POLICE, IN AN AMOUNT NOT TO EXCEED \$350,000; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690001, SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH FLORIDA STATUTES, CHAPTER 932.7055, AS AMENDED.

04-00026-cover memo.pdf, 04-00026-affidavit.pdf, 04-00026-budgetary impact analysis.pdf

R-04-0054

This Matter was Adopted on the Consent Agenda.

CA.3 04-00027 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, APPROVING THE ALLOCATION OF ADDITIONAL FUNDS, IN THE AMOUNT OF \$255,275, TO CONTINUE FUNDING THE OPERATIONS AND OTHER RELATED EXPENSES AS INCURRED BY THE FORFEITURE FUND DETAIL FOR THE DEPARTMENT OF POLICE; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690003, SUCH EXPENDITURES HAVING BEEN CERTIFIED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF TREASURY "GUIDE TO EQUITABLE SHARING."

04-00027-cover memo.pdf, 04-00027-affidavit.pdf, 04-00027-budgetary impact analysis.pdf

R-04-0055

This Matter was Adopted on the Consent Agenda.

CA.4 04-00028 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE LEASE AGREEMENT ("LEASE"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH GOLDEN SANDS ALLAPATTAH CORPORATION ("LESSOR"), TO EXTEND THE TERM OF THE LEASE FOR A ONE-YEAR PERIOD AT A RATE OF \$14.50 PER SQUARE FOOT WITH THE OPTION TO RENEW THE LEASE FOR FOUR SUCCESSIVE ONE-YEAR TERMS, EACH WITH FURTHER ANNUAL INCREASES CALCULATED BASED UPON INCREASES IN THE CONSUMER PRICE INDEX ("CPI"), BUT NOT TO EXCEED A MAXIMUM ANNUAL INCREASE OF THREE PERCENT (3%), AND WITH ALL OTHER TERMS AND CONDITIONS TO REMAIN THE SAME AS SET FORTH IN THE LEASE; FURTHER ALLOCATING FUNDS FROM THE FOLLOWING ACCOUNT CODES: RENTAL, 001000.290201.6.610 AND ELECTRICITY (OVERTIME AIR CONDITIONING) 001000.290201.6.540.

04-00028-cover memo.pdf, 04-00028-budgetary impact analysis.pdf, 04-00028-previous legislation.pdf, 04-00028-exhibit.pdf

R-04-0056

This Matter was Adopted on the Consent Agenda.

CA.5 04-00029

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF WEATHERTROL MAINTENANCE CORP., TO PROVIDE AIR CONDITIONING MAINTENANCE AND REPAIR SERVICES AT THE COCONUT GROVE EXHIBITION CENTER FOR THE DEPARTMENT OF MUNICIPAL SERVICES, DIVISION OF PUBLIC FACILITIES, ON AN AS-NEEDED CONTRACT BASIS, FOR A TWO-YEAR PERIOD WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$36,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$144,000; ALLOCATING FUNDS FROM THE COCONUT GROVE EXPO CENTER GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 415000.350201.6.340.

04-00029-cover memo.pdf, 04-00029-background information.pdf, 04-00029-award recommendation form.pdf, 04-00029-award sheet.pdf, 04-00029-tabulation sheets.pdf, 04-00029-bid security list.pdf

R-04-0057

This Matter was Adopted on the Consent Agenda.

CA.6 04-00030

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID FROM EVANS ENVIRONMENTAL AND GEOSCIENCES TO: REMOVE UNDERGROUND STORAGE TANKS, CONDUCT SOURCE REMOVAL ACTIVITIES, CONDUCT SITE ASSESSMENTS, AND PREPARE A REPORT FOR TANK CLOSURE ASSESSMENT/SOURCE REMOVAL FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT, AS REQUIRED BY

THE DEPARTMENT OF ENVIRONMENTAL RESOURCE MANAGEMENT, AT AN AMOUNT NOT TO EXCEED \$130,868; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT, ACCOUNT CODE NO. 311062.819901.6.270.

04-00030-cover memo.pdf, 04-00030-background information.pdf, 04-00030-award recommendation form.pdf, 04-00030-award sheet.pdf, 04-00030-tabulation sheets.pdf, 04-00030-bid security list.pdf

R-04-0058

This Matter was Adopted on the Consent Agenda.

CA.7 04-00031

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO MEDTRONIC PHYSIO-CONTROL CORPORATION, SOLE SOURCE PROVIDER, PURSUANT TO RESOLUTION NO. 02-980, ADOPTED SEPTEMBER 11, 2002, IN AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$5,224.85, FROM \$34,104 TO \$39,328.85, TO INCLUDE MAINTENANCE SERVICES FOR ADDITIONAL PHYSIO-CONTROL CARDIAC LIFE SUPPORT EQUIPMENT ACQUIRED FOR THE DEPARTMENT OF FIRE-RESCUE; ALLOCATING FUNDS FOR SAID INCREASE FROM THE DEPARTMENT OF FIRE-RESCUE ACCOUNT CODE NO. 001000.280601.6.270, SUBJECT TO BUDGETARY APPROVAL; AMENDING RESOLUTION NO 02-980 TO REFLECT SAID INCREASE.

04-00031-cover memo.pdf, 04-00031-budgetary impact analysis.pdf, 04-00031-terms and conditions.pdf, 04-00031-technical service agreement.pdf, 04-00031-previous legislation.pdf, 04-00031-pre. technical service agreement.pdf, 04-00031-notice of award.pdf, 04-00031-increase sole source.pdf

R-04-0059

This Matter was Adopted on the Consent Agenda.

CA.8 04-00032

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT WITH A+ MINI STORAGE, PURSUANT TO RESOLUTION NO. 02-140, ADOPTED FEBRUARY 14, 2002, IN AN AMOUNT NOT TO EXCEED \$10,256, FROM \$39,744 TO \$50,000 ANNUALLY, TO PROVIDE A SECURED, AIR-CONDITIONED, SELF-STORAGE FACILITY FOR THE DEPARTMENT OF POLICE; ALLOCATING FUNDS FROM THE DEPARTMENT OF POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 01000.290201.6.610.

04-00032- cover memo.pdf, 04-00032- budgetary impact analysis.pdf, 04-00032- previous legislation.pdf, 04-00032- increase of contract.pdf

R-04-0060

This Matter was Adopted on the Consent Agenda.

CA.9 04-00033 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A BOAT SHOW AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH NMMA BOAT SHOWS, INC. FOR USE OF DOCKAGE SPACE AT MIAMARINA AT BAYSIDE FROM FEBRUARY 8 THROUGH FEBRUARY 19, 2004, FOR PRESENTATION OF THE STRICTLY SAIL VENUE OF THE MIAMI INTERNATIONAL BOAT SHOW, UNDER THE TERMS AND CONDITIONS OF THE AGREEMENT.

04-00033-cover memo.pdf, 04-00033-exhibit-agreement.pdf

R-04-0061

This Matter was Adopted on the Consent Agenda.

CA.10 04-00036 DISCUSSION ITEM

ACCEPTING A REPORT FROM THE CIVIL SERVICE BOARD.

04-00036-cover page.pdf, 04-00036-board actions.pdf

This Matter was Adopted on the Consent Agenda.

CA.11 04-00046 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI-DADE COUNTY ("COUNTY") FOR THE CITY OF MIAMI'S ("CITY") CONTRIBUTION TO THE DREDGING OF THE MIAMI RIVER AT A COST TO THE CITY IN AN AMOUNT NOT TO EXCEED \$6,000,000, OVER A FOUR-YEAR PERIOD; ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$1,000,000, FOR THE FIRST YEAR FROM CAPITAL IMPROVEMENTS PROJECT NO. 311083; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS TO THE AGREEMENT WITHOUT THE NECESSITY TO OBTAIN FURTHER CITY COMMISSION APPROVAL TO ACCOMMODATE FUNDING CONTRIBUTIONS FROM OTHER PARTIES, ALLOWING FOR MODIFICATIONS TO "ATTACHMENT A" TO THE AGREEMENT, IF SUCH MODIFICATION REDUCES CONTRIBUTIONS FROM THE CITY.

04-00046-cover memo.pdf, 04-00046-budgetary impact analysis.pdf, 04-00046-cost share analysis.pdf, 04-00046-previous legislation.pdf, 04-00046-exhibit-interlocal agreement.pdf

R-04-0062

This Matter was Adopted on the Consent Agenda.

CA.12 04-00047 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S)

, AUTHORIZING THE CITY MANAGER'S ENGAGEMENT OF URS CORPORATION SOUTHERN, ("URS"), PROFESSIONAL CONSULTANTS, SELECTED FROM THE LIST OF PRE-APPROVED GENERAL ENGINEERING FIRMS FOR THE DESIGN DEVELOPMENT, PREPARATION OF CONSTRUCTION DOCUMENTS AND CONSTRUCTION ENGINEERING SERVICES FOR THE PROJECT "NW 34TH AVENUE ROAD IMPROVEMENT PROJECT, B-4696," LOCATED IN DISTRICT 1, MIAMI, FLORIDA ("PROJECT"), IN AN AMOUNT NOT TO EXCEED \$95,820, BASED ON (1) THE SCOPE OF SERVICES AND SCHEDULE REQUIRED FOR SAID PROJECT, AS SET FORTH IN THE WORK ORDER AUTHORIZATION, ATTACHED AND INCORPORATED, AND (2) TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT WITH URS PURSUANT TO RESOLUTION NO. 01-560; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AUTHORIZATION, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; AND ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$95,820, FOR SERVICES AND EXPENSES TO BE INCURRED BY THE CITY OF MIAMI FROM CAPITAL IMPROVEMENTS PROGRAM ("CIP") PROJECT NO. 341183 ENTITLED "LOCAL OPTION GAS TAX" AND CIP PROJECT NO. 341330 ENTITLED "TRANSIT HALF-CENT SURTAX."

04-00047-cover memo.pdf, 04-00047-budgetary impact analysis.pdf, 04-00047-exhibit 1-work order authorization.pdf, 04-00047-exhibit 2- pro. service proposal.pdf, 04-00047-exhibit 3- scope of services.pdf, 04-00047-exhibit 4- estimate of costs.pdf

R-04-0063

This Matter was Adopted on the Consent Agenda.

CA.13 04-00048

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER'S ENGAGEMENT OF URS CORPORATION SOUTHERN, ("URS") PROFESSIONAL CONSULTANTS, SELECTED FROM THE LIST OF PRE-APPROVED GENERAL ENGINEERING FIRMS FOR THE DESIGN DEVELOPMENT, PREPARATION OF CONSTRUCTION DOCUMENTS AND CONSTRUCTION ENGINEERING SERVICES FOR THE PROJECT ENTITLED "NW 15TH AVENUE ROAD IMPROVEMENT PROJECT, B-4689, " LOCATED IN DISTRICT 1 ("PROJECT"), IN AN AMOUNT NOT TO EXCEED \$89,120, 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 URS PURSUANT TO RESOLUTION NO. 01-560; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AUTHORIZATION, IN SUBSTANTIALLY THE ATTACHED FORM; AND ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$89,120, FOR SERVICES AND EXPENSES TO BE INCURRED BY THE CITY OF MIAMI FROM CAPITAL IMPROVEMENTS PROGRAM ("CIP") PROJECT NO. 341183 ENTITLED "LOCAL OPTION GAS TAX" AND CIP PROJECT NO. 341330 ENTITLED "TRANSIT HALF-CENT SURTAX."

04-00048- cover memo.pdf, 04-00048- budgetary impact analysis.pdf, 04-00048-exhibit 1-work order authorization.pdf, 04-00048-exhibit 2- pro. service proposal.pdf, 04-00048-exhibit 3- scope of services.pdf, 04-00048-exhibit 4- construction costs.pdf

R-04-0064

This Matter was Adopted on the Consent Agenda.

CA.14 04-00049

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF HORIZON CONTRACTORS, INC., FOR THE PROJECT ENTITLED "GRAND AVENUE IMPROVEMENTS, B-4668" IN THE PROPOSED AMOUNT NOT TO EXCEED \$3,714,154.55; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 341208, IN THE AMOUNT NOT TO EXCEED \$3,714,154.55, FOR CONTRACT COSTS, PLUS \$621,445.45 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN THE AMOUNT NOT TO EXCEED \$4,335,600, AS SET FORTH ON THE TABULATION OF 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 PROJECT.

04-00049-cover memo.pdf, 04-00049-budgetary impact analysis.pdf, 04-00049-exhibit1-tabulation of bids.pdf, 04-00049-exhibit2-fact sheet.pdf, 04-00049-exhibit3- contract.pdf

Withdrawn

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, to WITHDRAW item CA. 14.

CA.15 04-00050

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO PROVIDE CITY OF MIAMI EMPLOYEES WHO ARE MEMBERS OF THE UNITED STATES MILITARY RESERVE OR FLORIDA NATIONAL GUARD AND ORDERED TO REPORT FOR ACTIVE DUTY IN RESPONSE TO THE UNITED STATES' WAR WITH IRAQ OR TERRORIST ATTACKS AGAINST THE UNITED STATES, A SUPPLEMENT, RETROACTIVE TO SEPTEMBER 25, 2003, IF APPLICABLE, TO CONTINUE UNTIL SEPTEMBER 25, 2004, TO MILITARY PAY RECEIVED IN AN AMOUNT NECESSARY TO BRING TOTAL SALARY, INCLUSIVE OF BASE MILITARY PAY, TO THE LEVEL EARNED AT THE TIME OF THE ORDER TO ACTIVE MILITARY DUTY; APPROVING CERTAIN OTHER SPECIFIED BENEFITS, WITH THE MONIES FOR SUCH EXPENDITURE BEING ALLOCATED FROM PREVIOUSLY APPROPRIATED SALARY AND SALARY SURPLUS FUNDS; DIRECTING THE CITY MANAGER TO DETERMINE THE NEED TO CONTINUE OR TERMINATE SUCH BENEFITS EVERY SIX MONTHS AND TO ADVISE THE CITY COMMISSION ACCORDINGLY; AND DIRECTING THE CITY MANAGER

TO EXECUTE ALL THE NECESSARY DOCUMENTS FOR SAID PURPOSE

R-04-0065

This Matter was Adopted on the Consent Agenda.

CA.16 04-00053 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE RELEASE, DISCHARGE AND WAIVER OF OPTION AND RIGHT OF FIRST REFUSAL ("RELEASE"), IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE PROPERTY KNOWN TRACT 3 OF THE "RIVERSIDE PLAZA" AS MORE PARTICULARLY DESCRIBED IN THE ATTACHED RELEASE.

04-00053-cover memo.pdf, 04-00053-memo.pdf, 04-00053-exhibit.pdf

R-04-0066

This Matter was Adopted on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

END OF CONSENT AGENDA

PERSONAL APPEARANCES**PA.1 03-0170****DISCUSSION ITEM**

REVEREND SHO-SHANA TO ADDRESS THE COMMISSION CONCERNING THE NEIGHBORHOOD ENHANCEMENT TEAM (NET) OFFICE IN THE OVERTOWN AREA.

03-0170 -letter.pdf, 03-0170 -recommendation memo.pdf

Discussed

Direction to the City Clerk: by Commissioner González to provide him with a copy of the transcript of today's discussion regarding the homeless problem in Overtown as soon as possible; Chairman Teele further informed Reverend Shoshana that her questions and concerns relative to the homeless situation in Overtown would be provided to her in writing by the Administration.

PA.2 03-0351**DISCUSSION ITEM**

MR. ENRIQUE KOGAN PRESIDENT OF EK EVENTS WILL BE ADDRESSING THE COMMISSION REGARDING THE EFFECTS OF THE 2003 MIAMI FTAA CONVENTION ON HIS ROCK EN MIAMI EVENT, WHICH WAS HELD ON NOVEMBER 28, 2003.

03-0351-letter.pdf, 03-0351-recommendation memo.pdf

Discussed

This item was discussed and no action was taken.

PA.3 04-00112**DISCUSSION ITEM**

MS. ALBENA SUMNER, COMMUNITY OUTREACH SPECIALIST OF THE ROYALTY DRUG & PHARMACEUTICAL CARE, INC. TO ADDRESS THE COMMISSION CONCERNING CDBG FUNDING.

04-00112-letter.pdf

Withdrawn

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, to WITHDRAW item PA.3

MAYOR AND COMMISSIONER'S ITEMS**CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****DISTRICT 1****COMMISSIONER ANGEL GONZÁLEZ**

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

DISTRICT 3**VICE CHAIRMAN JOE SANCHEZ****D3.1 04-00037 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DESIGNATING SETTLEMENT FUNDS RECEIVED TO BE USED FOR PARK MAINTENANCE CITYWIDE, IN THE AMOUNT OF \$500,000, FROM THE CASE OF CITY OF MIAMI VS. DANVILLE-FINDORFF, INC., A FLORIDA CORPORATION, HAMES CONTRACTING INC., A GEORGIA CORPORATION, AND THE SHERWIN-WILLIAMS COMPANY, AN OHIO CORPORATION IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA, CASE NO. 99-22455 CA (23).

04-00037-cover memo.pdf

R-04-0071

MOVED: Joe Sanchez

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Sanchez and Teele

ABSENT: Commissioner Regalado

Direction to the City Manager: by Vice Chairman Sanchez to look for ways to create recurring sources of funds for parks; Chairman Teele further requested the Administration to provide him with budgetary information on the park system in Miami Shores.

D3.2 04-00113 DISCUSSION ITEM

DISCUSSION CONCERNING PROPER STAFFING AND MAINTENANCE OF DISTRICT 3 PARKS.

04-00113-email.pdf

Discussed

Direction to the Administration: by Vice Chairman Sanchez to explore all possibilities pertaining to bringing revenues into parks including concessions and advertising.

DISTRICT 4**COMMISSIONER TOMAS REGALADO****D4.1 04-00063 DISCUSSION ITEM**

DISCUSSION CONCERNING PROSTITUTION IN THE FLAGAMI AREA.

04-00063-cover memo.pdf

Discussed

This item was discussed and resulted in a resolution (see below):

(D4.1) 04-00117 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ROLLOVER OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$10,000, TO THE CITY OF MIAMI DEPARTMENT OF POLICE, TO COMBAT PROSTITUTION IN THE DISTRICT 4 FLAGAMI AREA; ALLOCATING FUNDS FROM THE 2003 DISTRICT 4 OFFICE BUDGET NON-DEPARTMENTAL ACCOUNT CODE NO. 001000.920919.6.930, SUBJECT TO BUDGETARY APPROVAL.

R-04-0075

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

UNANIMOUS

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

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

D4.2 04-00070 DISCUSSION ITEM

DISCUSSION DIRECTING THE ADMINISTRATION TO INITIATE A STUDY OF THE LEJEUNE ROAD CORRIDOR INCLUDING A REVIEW AND ANALYSIS OF THE DEMOGRAPHICS OF THE UNINCORPORATED AREA FROM S.W. 8TH STREET TO S.W. 16TH STREET AND FROM S.W. 37TH AVENUE TO S.W. 47TH AVENUE FOR THE PURPOSE OF EXPLORING ANNEXATION TO THE CITY OF MIAMI; FURTHER REQUESTING THAT THE ADMINISTRATION REPORT THESE FINDINGS TO THE CITY COMMISSION WITHIN A PERIOD OF 120 DAYS.

04-00070-cover memo.pdf

MOVED: Tomas Regalado

SECONDED: Angel González

UNANIMOUS

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

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

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, to direct the administration to extend the study of the LeJeune Road Corridor including a review and analysis of the demographics of the unincorporated area from S.W. 8th Street to S.W. 16th Street and from S.W. 42nd Avenue to S.W. 47th Avenue, also known as Little Gables, further requesting that the Administration report these findings to the City Commission within 60 days.

D4.3 04-00074 DISCUSSION ITEM

DISCUSSION RELATED TO AN INCREASE OF \$10,000 IN THE EXISTING CONTRACT WITH T.J. PAVEMENT CORP. FOR "PROJECT S.W. 11 STREET ROAD RECONSTRUCTION, B-5699," TO INCREASE THE SCOPE OF WORK TO BUILD ADDITIONAL CONCRETE SIDEWALKS, DRIVEWAYS, AND ROAD WORK.

04-00074-cover memo.pdf

Discussed

This discussion resulted in a resolution (see below):

(D4.3) 04-00126 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO T.J. PAVEMENT, CORP., PURSUANT TO RESOLUTION NO. 03-1009, ADOPTED SEPTEMBER 11, 2003, IN AN AMOUNT NOT TO EXCEED \$8,000, FROM \$83,212 TO \$91,212, PLUS \$12,788 FOR EXPENSES INCURRED BY THE CITY OF MIAMI, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$104,000, FOR THE PROJECT ENTITLED "SW 11 STREET RECONSTRUCTION PROJECT, B-5699;" ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECTS ACCOUNT NO. 311714, ENTITLED "DISTRICT 4 NEIGHBORHOOD QUALITY OF LIFE IMPROVEMENTS;" AMENDING RESOLUTION NO. 03-1009, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM.

R-04-0087

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

D4.4 04-00088 DISCUSSION ITEM

DISCUSSION CONCERNING AN UPDATE FROM THE CITY CLERK ON RESOLUTION #04-00060, URGING THE MIAMI-DADE COUNTY SUPERVISOR OF ELECTIONS TO ALLOW THE CITY OF MIAMI TWO ADDITIONAL EARLY VOTING SITES FOR THE PRESIDENTIAL PRIMARY

ON MARCH 9, 2004.

04-00088-cover memo.pdf

Discussed

Note for the Record: Commissioner Regalado requested the Supervisor of Elections, Constance Kaplan, to provide additional sites in the City of Miami to accommodate early voting for the November 2004 Presidential Election.

Note for the Record: Chairman Teele requested Ms. Kaplan to provide records of the election turnouts for the November 2003 City of Miami Election.

D4.5 04-00103

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT ("AGREEMENT") BETWEEN THE CITY OF MIAMI AND THE MIAMI OVERSEAS ASSOCIATION, INC., FOR STORAGE OF SIX DRAGON BOATS AND USE OF A PORTION OF A BAY AT THE ORANGE BOWL WAREHOUSE PROPERTY LOCATED AT 1501 NORTHWEST 3RD STREET, MIAMI, FLORIDA, FOR THE DRAGON BOAT RACE EVENT ON FEBRUARY 15, 2004 THROUGH OCTOBER 31, 2004, AT A USE FEE OF \$ 1.00 PER MONTH PLUS APPLICABLE FLORIDA STATE TAX, AND SUBJECT TO ALL OTHER TERMS AND CONDITIONS AS SET FORTH HEREIN.

R-04-0070

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

UNANIMOUS

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

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

DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR

PUBLIC HEARING**PH.1 04-00040 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND B & B ENTERPRISES, FOR THE ACQUISITION OF PROPERTY LOCATED AT 247 NORTHEAST 59TH STREET, MIAMI, FLORIDA ("PROPERTY"), AS LEGALLY DESCRIBED IN THE AGREEMENT, IN CONNECTION WITH THE DEVELOPMENT OF LITTLE HAITI PARK, FOR A TOTAL PURCHASE PRICE OF \$189,750, AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT; FURTHER ALLOCATING FUNDS, IN THE TOTAL AMOUNT NOT TO EXCEED \$215,950, FROM THE \$255 MILLION HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND FOR COSTS INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE, AND DEMOLITION.

04-00040-cover memo.pdf, 04-00040-summary of salient facts.pdf, 04-00040-valuation analysis.pdf, 04-00040-previous legislation 1.pdf, 04-00040-previous legislation 2.pdf, 04-00040-public notice memo.pdf, 04-00040-public notice .pdf, 04-00040-exhibit- purchase agreement.pdf

R-04-0068

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

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

Direction by Chairman Teele to the Administration to meet with Commissioners and head off speculators.

PH.2 04-00041 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT ("AGREEMENT") BETWEEN THE CITY OF MIAMI AND BEN PUMO, REVOCABLE TRUST, ATTACHED AND INCORPORATED, FOR THE ACQUISITION OF PROPERTY LOCATED AT 6421 NORTHEAST 2ND AVENUE, MIAMI, FLORIDA, ("PROPERTY"), AS LEGALLY DESCRIBED IN THE AGREEMENT, IN CONNECTION WITH THE DEVELOPMENT OF LITTLE HAITI PARK, FOR A TOTAL PURCHASE PRICE OF \$538,225 AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT; ALLOCATING FUNDS, AT A TOTAL AMOUNT NOT TO EXCEED \$576,270, FROM THE \$255 MILLION

HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND FOR COSTS INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE, AND DEMOLITION.

04-00041-cover memo.pdf, 04-00041-summ. of salient facts.pdf, 04-00041-sales comparison approach.pdf, 04-00041-previous legislation 1.pdf, 04-00041-previous legislation 2.pdf, 04-00041-public notice memo.pdf, 04-00041-public notice .pdf, 04-00041-exhibit-purchase and sale agree..pdf

R-04-0069

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

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

Direction to the City Manager: by Chairman Teele to meet with each Commissioner before making any recommendations regarding land acquisition for the proposed Little Haiti Park and to bring along the study done by the consulting firm Post, Buckley related to this; Chairman Teele further urged the Manager and Administration to meet with the media on this issue.

ORDINANCES - SECOND READING

SR.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

12484

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

UNANIMOUS

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

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

SR.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

12485

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

RESOLUTIONS

RE.1 04-00059 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING MODEL CITY COMMUNITY REVITALIZATION DISTRICT TRUST'S ("MODEL CITY TRUST") APPOINTMENT OF MARVA L. WILEY AS PRESIDENT/CHIEF EXECUTIVE OFFICER OF THE TRUST, UNDER THE TERMS AND CONDITIONS OF EMPLOYMENT AGREED UPON.

04-00059-cover memo.pdf, 04-00059-model city reso..pdf, 04-00059-legislation .pdf, 04-00059-exhibit.pdf

Deferred

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

RE.2 03-0126 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$49,000, FROM FISCAL YEAR 2003-2004 BUDGETED FUNDS OF THE OFFICE OF HEARING BOARDS, ACCOUNT NO. 001000.820101.6340.25019, FOR PAYMENT OF COMPENSATION TO SPECIAL COUNSEL FOR THE CODE ENFORCEMENT BOARD, INCLUDING ANY REQUIRED RELATED LITIGATION SERVICES.

03-0126-cover memo.pdf, 03-0126-financial review and approval.pdf, 03-0126-legislation.pdf

R-04-0067

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

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

BOARDS AND COMMITTEES

BC.1 03-0003

RESOLUTION

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

APPOINTEE: NOMINATED BY:

_____ Chairman Arthur Teele, Jr.

03-0003-memo-1.doc, 03-0003-list-2.doc, 03-0003-applications-3.pdf

Deferred

Chairman Teele DEFERRED his appointment.

BC.2 03-0231

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:

John E. Matuska Commissioner Angel González

03-0231-memo-1 .doc, 03-0231-LIST-2.doc, 03-0231 Backup-3.pdf

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

BC.3 03-0233

RESOLUTION

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

APPOINTEE: NOMINATED BY:

_____ Chairman Arthur Teele

03-0233-memo-1.doc, 03-0233-list-2.doc, 03-0233 applications-3.pdf

Deferred

Chairman Teele DEFERRED his nomination.

BC.4 03-0234

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:

_____ Vice Chairman Joe Sanchez

03-0234-memo-1.doc, 03-0234-list-2.doc

Deferred

Vice Chairman Sanchez DEFERRED his nomination.

BC.5 03-0235

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE **LITTLE HAVANA FESTIVAL COMMITTEE** FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

_____ Chairman Arthur Teele

03-0235-memo-1.doc, 03-0235-list-2.doc, 03-0235 Backup-3.pdf

Deferred

Chairman Teele DEFERRED his nomination.

BC.6 03-0246

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE **LITTLE HAVANA HOMEOWNERSHIP ADVISORY BOARD** FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

_____ Vice Chairman Joe Sanchez
(Public Advocate Seat)

03-0246-memo-1.doc, 03-0246-list-2.doc, 03-0246-letter-3.pdf

Deferred

Vice Chairman Sanchez DEFERRED his appointment.

BC.7 03-0320

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

- Sam Gentry Commissioner Johnny Winton
- Thomasina Williams Commissioner Johnny Winton
- Maritza Gutierrez Commissioner Tomas Regalado
- Tomas Regalado Commissioner Tomas Regalado
(Acting Chairperson in the absence of the Mayor)
- Orlando Garcia, Jr. Vice Chairman Joe Sanchez
- Diego Garcia Vice Chairman Joe Sanchez
- Pator Dwayne K. Gaddis Chairman Arthur E. Teele, Jr.
- Arthur E. Teele, Jr. Chairman Arthur E. Teele, Jr.

03-0320-memo-1 .doc, 03-0320-list-2.doc

R-04-0076

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

UNANIMOUS

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

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

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and passed unanimously, to appoint Orlando Garcia, Jr. and Diego Garcia as members of the Miami Sports and Exhibition Authority.

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously, to appoint Thomasina Williams and Sam Gentry as members of the Miami Sports and Exhibition Authority.

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, to appoint Maritza Gutierrez and Commissioner Tomas Regalado as members of the Miami Sports and Exhibition Authority.

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

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

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and passed unanimously, to appoint Manuel Chamizo as a regular member of the Code Enforcement Board.

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and passed unanimously, to appoint John Jones as an alternate member of the Code Enforcement Board.

A motion was made by Commissioner González, seconded by Commissioner Winton, and passed unanimously, to appoint Anthony Cantey as an alternate member of the Code Enforcement Board.

BC.10 04-00038

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:

Albena Sumner	Commissioner Angel González
Miriam Urra	Commissioner Angel González
Yvonne McDonald	Commissioner Johnny Winton
Patrick Range, Jr.	Commissioner Johnny Winton
Raul Dominguez	Vice Chairman Joe Sanchez
Sam Mason	Vice Chairman Joe Sanchez
Charles J. Flowers	Chairman Arthur Teele
Charles Cutler	Chairman Arthur Teele

04-00038-memo-1 .doc, 04-00038-list-2.doc

R-04-0078

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously, to appoint Patrick Range, Jr. and Yvonne McDonald as members of the Equal Opportunity Advisory Board.

A motion was made by Commissioner González, seconded by Commissioner Winton, and passed unanimously, to appoint Albena Sumner and Miriam Urra as members of the Equal Opportunity Advisory Board.

Commissioner Regalado deferred on his two nominations.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, to appoint Raul Dominguez and Sam Mason as members of the Equal Opportunity Advisory Board.

A motion was made by Commissioner González, seconded by Commissioner Winton, to appoint Charles J. Flowers and Charles Cutler as members of the Equal Opportunity Advisory Board.

BC.11 04-00039

RESOLUTION

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

APPOINTEES:	NOMINATED BY:
Marie Belle	Commissioner Johnny Winton
Mary Racilia Smith	Vice Chairman Sanchez

04-00039-memo-1.doc, 04-00039-list-2.doc, 04-00039 - resignation - 3.pdf

R-04-0079

MOVED: Joe Sanchez

SECONDED: Angel González

UNANIMOUS

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

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

Chairman Teele deferred his nomination.

BC.12 03-0232

RESOLUTION

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

APPOINTEE:	NOMINATED BY:
Robert Valledor	Vice Chairman Joe Sanchez

03-0232-memo-1.doc, 03-0232-list-2.doc

MOVED: Joe Sanchez

SECONDED: Angel González

UNANIMOUS

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

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

The appointment of Robert Valledor was made with a unanimous waiver of the term limitation.

BC.13 04-00056

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE COCONUT GROVE PARKING ADVISORY COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

Sue McConnell Coconut Grove Village Council

04-00056-memo-1.doc, 04-00056-list-2.doc, 04-00056-resignation-3.pdf, 04-00056-nomination-4.pdf

R-04-0081

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

DISCUSSION ITEMS**DI.1 03-0273 DISCUSSION ITEM**

DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET OUTLOOK.

03-0273- memo.pdf

Discussed

Direction to the Administration: by Chairman Teele to try to close accounts by end of December.

DI.2 04-00104 DISCUSSION ITEM

DISCUSSION CONCERNING A FOLLOW-UP REPORT TO RESOLUTION 03-1181, RATIFYING THE CITY MANAGER'S EMERGENCY FINDING TO WAIVE THE REQUIREMENTS OF COMPETITIVE SEALED BIDS AND COMPETITIVE SELECTION PROCEDURES FOR THE FREE TRADE AREAS OF THE AMERICAS (FTAA).

04-00104-cover memo.pdf, 04-00104-emergency purchase chart.pdf, 04-00104-emergency purchase order fire.pdf, 04-00104-purchase order-fire.pdf, 04-00104-purchase order-police.pdf, 04-00104-emergency purchase order police.pdf

Motion

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously with Vice Chairman Sanchez absent, to accept follow up report explaining emergency purchases made during the Free Trade Areas of the Americas (FTAA) events in Miami.

EXECUTIVE SESSION**2:30 P.M.****ES.1 04-00071 EXECUTIVE SESSION**

UNDER F. S. 286.011(8) [2003], THE PERSON CHAIRING THIS MEETING OF THE CITY OF MIAMI COMMISSION MEETING WILL ANNOUNCE IMMEDIATELY AFTER THE CITY COMMISSION CONVENES, THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING PENDING LITIGATION: NATIONAL ADVERTISING CO. VS. CITY OF MIAMI. THE SESSION, WHICH WILL BE THE SECOND OF TWO CLOSED DOOR ATTORNEY-CLIENT SESSIONS SCHEDULED FOR THIS DATE ON VARIOUS CASES, WILL BEGIN AT APPROXIMATELY 3:15 P.M., OR AS SOON THEREAFTER, AT CITY HALL, IN COMMISSIONER ANGEL GONZÁLEZ'S CONFERENCE ROOM, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA, AND CONCLUDE AT APPROXIMATELY 3:45 P.M. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, ANGEL GONZÁLEZ, JOE SANCHEZ, TOMAS REGALADO, JOHNNY L. WINTON, AND ARTHUR E. TEELE, JR.; THE CITY MANAGER, JOE ARRIOLA; THE CITY ATTORNEY, ALEJANDRO VILARELLO, DEPUTY CITY ATTORNEY, JOEL E. MAXWELL AND ATTORNEYS PARKER THOMSON, CAROL LICKO AND LAURIE PIECHURA FROM THE LAW FIRM OF HOGAN AND HARTSON, LLP, COUNSEL FOR THE CITY. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE LITIGATION. AT THE CONCLUSION OF THE SESSION, THE CITY COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE SESSION. SAID COMMISSION MEETING WILL CONVENE AT CITY HALL, CITY COMMISSION CHAMBER, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA

04-00071-cover page.pdf, 04-00071-public notice.pdf

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and passed unanimously with Commissioner Gonzalez absent, to defer item ES.1 to the Commission meeting currently scheduled for February 26, 2004 at 2:45 p.m.

2:40 P.M.**ES.2 04-00072 EXECUTIVE SESSION**

UNDER F. S. 286.011(8) [2003], THE PERSON CHAIRING THIS MEETING OF THE CITY OF MIAMI COMMISSION MEETING WILL ANNOUNCE IMMEDIATELY AFTER THE CITY COMMISSION CONVENES, THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING PENDING LITIGATION: MARK'S CLASSIC CORPORATION, RICHARD AND SUNNY MANAGAN, ET AL. VS. CITY OF MIAMI. THE SESSION, WHICH WILL BE THE FIRST OF TWO CLOSED DOOR ATTORNEY-CLIENT SESSIONS SCHEDULED

FOR THIS DATE ON VARIOUS CASES, WILL BEGIN AT APPROXIMATELY 2:45 P.M., AT CITY HALL, IN COMMISSIONER ANGEL GONZÁLEZ'S CONFERENCE ROOM, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA, AND CONCLUDE AT APPROXIMATELY 3:15 P.M. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, ANGEL GONZÁLEZ, JOE SANCHEZ, TOMAS REGALADO, JOHNNY L. WINTON, AND ARTHUR E. TEELE, JR.; THE CITY MANAGER, JOE ARRIOLA; THE CITY ATTORNEY, ALEJANDRO VILARELLO, DEPUTY CITY ATTORNEY, JOEL E. MAXWELL AND ATTORNEYS PARKER THOMSON, CAROL LICKO AND LAURIE PIECHURA FROM THE LAW FIRM OF HOGAN AND HARTSON, LLP, COUNSEL FOR THE CITY. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSIONS ARE FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE LITIGATION. AT THE CONCLUSION OF THE SESSION, THE CITY COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE SESSION. SAID COMMISSION MEETING WILL CONVENE AT CITY HALL, CITY COMMISSION CHAMBER, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA.

04-00072-cover page.pdf, 04-00072-public notice.pdf

A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and passed unanimously, to defer item ES.2 to the Commission meeting currently scheduled for February 26, 2004 at 3:15 p.m.

2:50 P.M.

ES.3 04-00073

EXECUTIVE SESSION

UNDER F. S. 286.011(8) [2003], THE PERSON CHAIRING THIS MEETING OF THE CITY OF MIAMI COMMISSION MEETING WILL ANNOUNCE IMMEDIATELY AFTER THE CITY COMMISSION CONVENES, THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING PENDING LITIGATION: DEBRA OHANIAN AND WEST BEACH RESTAURANT, INC., D/B/A STARFISH VS. CITY OF MIAMI. THE SESSION, WHICH WILL BE THE THIRD OF THREE CLOSED DOOR ATTORNEY-CLIENT SESSIONS SCHEDULED FOR THIS DATE ON VARIOUS CASES, WILL BEGIN AT APPROXIMATELY 2:50 P.M., AT CITY HALL, IN COMMISSIONER ANGEL GONZÁLEZ'S CONFERENCE ROOM, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA, AND CONCLUDE AT APPROXIMATELY 3:00 P.M. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, ANGEL GONZÁLEZ, JOE SANCHEZ, TOMAS REGALADO, JOHNNY L. WINTON AND ARTHUR E. TEELE; JR., THE CITY MANAGER, JOE ARRIOLA; THE CITY ATTORNEY, ALEJANDRO VILARELLO, ASSISTANT CITY ATTORNEYS, MARIA J. CHIARO, JULIE O. BRU, AND REGINE M. MONESTINE, COUNSEL FOR THE CITY. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE LITIGATION. AT THE CONCLUSION OF THE SESSION, THE CITY COMMISSION MEETING

WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE SESSION. SAID COMMISSION MEETING WILL CONVENE AT CITY HALL, CITY COMMISSION CHAMBER, 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA

04-00073-cover page.pdf, 04-00073-public notice.pdf

Discussed

The meeting recessed at 3:15 p.m. for the Commission to go into executive session; the executive session was held and the Commission meeting was reconvened at 3:46 p.m.

Part B

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

PZ.1 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 Commissioner Winton, seconded by Vice Chairman Sanchez, and passed unanimously, to CONTINUE item PZ.1 to February 26, 2004 at 6 p.m. without further notice.

PZ.2 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

12486

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

AYES: Commissioner Winton, Sanchez and Teele

ABSENT: Commissioner González and Regalado

PZ.3 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

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

AYES: Commissioner González, Winton, Sanchez and Teele

ABSENT: Commissioner Regalado

MATTER DENIED.

PZ.4 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 Analyis.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

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion that this matter be Denied PASSED unanimously.

MATTER DENIED.

SUPPLEMENTAL ITEM**SI.1 04-00116 DISCUSSION ITEM**

DISCUSSION CONCERNING THE PROCESS TO EMPLOY CITY OF MIAMI EMPLOYEES.

04-00116-email.pdf

Deferred

A motion was made by Commissioner González, seconded by Commissioner Winton, and passed unanimously, to WITHDRAW item SI.1.

Direction to the City Manager: by Commissioner Regalado to provide a list of new employees and the number of part timers who were allowed to apply for those new positions.

Direction to the City Manager: by Chairman Teele to determine the period of time after which part time employees are to be considered to be eligible for pension benefits.

NA.1 04-00139 DISCUSSION ITEM

FAIR TAXATION IN THE CITY OF MIAMI

Discussed

Direction to the City Manager and City Attorney: by Chairman Teele to ensure that the legal rights of the residents of the City of Miami are protected, particularly as it relates to taxing the City for services that fall under unincorporated areas of the County; further directing the City Attorney to meet with City Attorneys of Hialeah, Miami Beach and Coral Gables and take appropriate legal action, if necessary.

NA.2 04-00142 DISCUSSION ITEM

CIRCLES AND OTHER MEANS TO SLOW TRAFFIC

Discussed

Direction to Administration: by Chairman Teele to meet with each Commissioner regarding traffic problems and development of traffic circles in certain areas of the City, particularly on N.W. 2 Avenue around N.W. 11th Street; further directing the Administration to drive up to N.W. 2nd Avenue between N.W. 14th St. and N.W. 11 St. and report back on what the correct alignment of that portion of N.W. 2nd Avenue should be.

Direction to the Administration: by Commissioner González to immediately repair the hole in the sidewalk on the northeast corner of N.W. 7 Street and 34 Avenue which has a pipe sticking out.

Direction to the Administration: by Chairman Teele to follow up on a previous request to substitute the dollars for the project on N.W. 54th Street for traffic calming, vegetation, landscaping, etc.

Note for the Record: Commissioner Winton stated that the future placement of traffic calming devices and the like should be made part of the overall master plan.

NA.3 04-00143 DISCUSSION ITEM

MARTIN LUTHER KING EVENT FUNDING

MOVED: Angel González

SECONDED: Johnny L. Winton

Motion PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Teele

ABSENT: Commissioner Regalado

A motion was made by Commissioner González, seconded by Commissioner Winton and was passed unanimously, with Commissioner Regalado absent, to direct the Administration to come back at the next Commission Meeting with a report regarding funding for city services and activities for the annual Martin Luther King, Jr. event; further requesting that the Administration meet with the Martin Luther King Jr. Committee and the Mayor's Special Events staff and bring back a recommendation on any activities related to said event.

NA.4 04-00134

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY OR PERMITTED TO PROTECT, PRESERVE AND DEFEND THE INTERESTS OF THE CITY OF MIAMI ("CITY") AND ITS CITIZENS REGARDING THE PROVISIONS OF ANY RESTRICTIVE COVENANTS ON THE PROPERTY LOCATED AT 2947-49 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, AS DESCRIBED IN THE ATTACHED, INCLUDING BUT NOT LIMITED TO ANY ACTION AUTHORIZED BY LAW OR EQUITY TO OBTAIN ANY RELIEF OR TO REMEDY ANY LOSSES, DAMAGES OR VIOLATIONS.

R-04-0074

MOVED: Tomas Regalado

SECONDED: Angel González

UNANIMOUS

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

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

NA.5 04-00131

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DISBURSEMENT OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$2,000, FROM THE COCONUT GROVE SPECIAL EVENTS & MARKETING COMMITTEE FUND FOR MARKETING PURPOSES FOR THE MADE IN MIAMI FILM FESTIVAL, HELD JANUARY 14 THROUGH 25, 2004.

R-04-0082

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

NA.6 04-00132

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DISBURSEMENT OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$3,500, FROM THE COCONUT GROVE SPECIAL EVENTS AND MARKETING COMMITTEE FUND FOR MARKETING PURPOSES FOR THE AMERICAN CANCER SOCIETY "RELAY FOR LIFE" EVENT TO BE HELD IN PEACOCK PARK ON MARCH 19-20, 2004.

R-04-0083

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

NA.7 04-00161 DISCUSSION ITEM

MARCH OF DIMES

Motion

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, to grant a waiver of the park fees and convention center parking fees for the March of Dimes event scheduled for April 3, 2004 in Coconut Grove.

NA.8 04-00128 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DISBURSEMENT OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$ 10,000, FROM THE COCONUT GROVE SPECIAL EVENTS AND MARKETING COMMITTEE FUND FOR MARKETING PURPOSES FOR THE CHAMBER OF COMMERCE/COMMODORE BLOCK PARTY TO BE HELD ON MAY 15, 2004.

R-04-0084

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

NA.9 04-00162 DISCUSSION ITEM

BLACK HISTORY MONTH ACTIVITIES

Discussed

A motion was made by Chairman Teele, seconded by Commissioner González, and passed unanimously, to provide support in an amount not to exceed \$500 from the District 5 Special Events account 001000.921054.6289, to facilitate the month-long activities being coordinated by City of Miami in honor of Black History Month which began February 2, 2004.

NA.10 04-00129 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DONATING \$5,000 TO THE AMERICAN ASSOCIATION OF RETIRED PERSONS ("AARP"), FOR THE 10TH ANNIVERSARY OF THE AARP NORTHWEST CHAPTER # 4686 OF MIAMI, TO BE HELD AT THE RUSTY PELICAN ON MARCH 17, 2004; ALLOCATING FUNDS FROM THE DISTRICT 5 2003 ROLLOVER SURPLUS AND MAKING THE CHECK PAYABLE TO THE RUSTY PELICAN, SUBJECT TO BUDGETARY APPROVAL.

R-04-0085

MOVED: Arthur E. Teele, Jr.

SECONDED: Tomas Regalado

UNANIMOUS

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

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

NA.11 04-00166 DISCUSSION ITEM

VIDEO INTERVIEW OF MRS. CLYDE KILLENS

Motion

A motion was made by Chairman Teele, seconded by Commissioner González, and passed unanimously with Commissioner Winton absent, directing the City Manager to instruct the Communications Director to work with the City Clerk to film an interview of the widow of Mr . Clyde Killens to put on the record some of Mr. Killens' wishes as it relates to the City of Miami.

NA.12 04-00163 DISCUSSION ITEM

POLICE COSTS FOR MARDI GRAS EVENT

Direction to the City Attorney and the Administration: by Chairman Teele to meet and come back with a report on a recommendation to reduce cost of police overtime for the Haitian Mardi Gras event.