



# 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*

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Thursday, March 11, 2004

9:00 AM

City Hall Commission Chambers

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## CONTENTS

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

### PR - PRESENTATIONS AND PROCLAMATIONS

### MV - MAYORAL VETOES

### AM - APPROVING MINUTES

### CA - CONSENT AGENDA

### PA - PERSONAL APPEARANCES

### M - MAYOR'S ITEMS

### D1 - DISTRICT 1 ITEMS

### D2 - DISTRICT 2 ITEMS

### D3 - DISTRICT 3 ITEMS

### D4 - DISTRICT 4 ITEMS

### D5 - DISTRICT 5 ITEMS

### PH - PUBLIC HEARINGS

### TIME CERTAIN

3:00 P.M.- PH.4 - Revised 2001-2004 Local Housing Assistance Plan

3:00 P.M. - PH.5 - 2004-2007 Local Housing Assistance Plan

3:00 P.M. - PH.6 - Allocating Emergency Shelter Grant Funds

3:00 P.M. - PH.7 - Transfer of General Obligation Bond Funds

3:00 P.M. - PH.8 - Increase Number of Members of the Housing and Commercial Loan Committee

3:00 P.M. - PH.9 - Rollover of CDBG, ESG, and HOPWA Funds

3:00 P.M. - PH.10 - Transfer of 28th Year Closeout Funds

3:00 P.M. - PH.11 - General Allocation of 30th Year CDBG Funds

3:00 P.M. - PH.12 - FY 2004-2005 Allocation of HOPWA Funds

3:00 P.M. - PH.13 - 30th Year CDBG Funds - Economic Development Policy

3:00 P.M. - PH.14 - Housing Development Policy & District 4 Pilot Project Allocation

3:00 P.M. - PH.15 - 30th Year CDBG Funds - Public Service Policy

#### **SR - SECOND READING ORDINANCES**

#### **RE - RESOLUTIONS**

#### **BC - BOARDS AND COMMITTEES**

#### **DI - DISCUSSION ITEMS**

#### **TIME CERTAIN**

10:00 A.M. - DI.4 - NET Presentation

#### **ES - EXECUTIVE SESSIONS**

#### **TIME CERTAIN**

2:45 P.M. - ES.1 - Mark's Classic Corp. vs. City of Miami

3:00 P.M. - ES.2 - National Advertising Co. vs City of Miami

#### **PART B**

#### **PZ - PLANNING AND ZONING**

The Planning and Zoning items shall not be considered before 3:00 pm.

**9:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**Absent:** Commissioner Winton

On the 11th day of March, 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 9:23 a.m. by Chairman Arthur E. Teele, Jr., recessed at 11:52 a.m., reconvened at 3:16 p.m. and adjourned at 6:29 p.m.

**ALSO PRESENT:**

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

**PRESENTATIONS AND PROCLAMATIONS**

**PR.1 04-00249 CEREMONIAL ITEM**

<b>Name of Honoree</b>	<b>Presenter</b>	<b>Protocol Item</b>
Women's History Month Miami Commission on the Status of Women	Mayor Diaz	Proclamation
Chairman Arthur E. Teele, Jr.	KAPPA, ALPHA, PSI John T. Jones, Jr.	Award of Honor

04-00249-cover page.pdf, 04-00249-protocol program.pdf

The South Florida Water Management District presented the City of Miami with a check for \$1 Million.

Mayor Diaz asked for a moment of silence in memory of the victims of a terrorist attack at the Atocha Train Station in Madrid, Spain on March 10, 2004.

Mayor Diaz presented a proclamation to the members of the Miami Commission on the Status of Women in honor of Women's History Month.

Dick Williams, Polemarch of the Miami Alumni Chapter of the KAPPA, ALPHA, PSI African American fraternity, presented Chairman Teele with a plaque honoring him for being the first African American to be Chairman of the Miami City Commission.

A presentation of Distinguished Citizen to Luisa Garcia-Toledo by Vice Chairman Sanchez was deferred.

**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 MAYORAL VETOES**

There were no Mayoral vetoes.

**Direction to the City Clerk and City Attorney:** by Chairman Teele to draft a one-line statement, to be read by the City Clerk as first item on the agenda, regarding the number of vetoes or no vetoes from the Mayor.

**APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:**

Regular Meeting of April 11, 2002

**APPROVED**

**A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to approve the minutes of the April 11, 2002 Commission meeting.**

Planning and Zoning Meeting of January 22, 2004

**APPROVED**

**A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to approve the minutes of the January 22, 2004 Commission meeting.**

Regular Meeting of February 12, 2004

**APPROVED**

**A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to approve the minutes of the February 12, 2004 Commission meeting.**

**CONSENT AGENDA****CA.1 04-00144 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND THE VILLAGE OF KEY BISCAYNE ("VILLAGE"), TO PROVIDE FIRE RESCUE, AUTOMATIC AID AND ANCILLARY SERVICES TO THE VILLAGE, FOR A PERIOD OF FIVE YEARS, COMMENCING APRIL 1, 2004 THROUGH MARCH 31, 2009.

04-00144-cover memo.pdf, 04-00144-budgetary impact analysis.pdf, 04-00144-previous legislation.pdf, 04-00144-index.pdf, 04-00144-previous agreement.pdf, 04-00144-previous fee schedule.pdf, 04-00144-previous inspection services.pdf, 04-00144-previous command structure.pdf, 04-00144-clerks report pg..pdf, 04-00144-amendment to pre. agreement.pdf, 04-00144-legislation.pdf, 04-00144-exhibit- agreement.pdf

**R-04-0132**

This Matter was **ADOPTED** on the Consent Agenda.

**CA.2 04-00145 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH TELADJUST, INC., FOR THE PROVISION OF TELECOMMUNICATIONS AUDITING SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY, UTILIZING EXISTING SCHOOL BOARD OF SARASOTA COUNTY REQUEST FOR PROPOSALS NO. 2043; ALLOCATING A PERCENTAGE OF REFUNDS RECEIVED, AS FULL COMPENSATION FOR SAID SERVICES.

04-00145-cover memo.pdf, 04-00145-budgetary impact analysis.pdf, 04-00145-auditing frims table.pdf, 04-00145-memo to award RFP.pdf, 04-00145-tables.pdf, 04-00145-fee proposal.pdf, 04-00145-RFP.pdf, 04-00145-legislation.pdf, 04-00145-exhibit- psa.pdf

**R-04-0133**

This Matter was **ADOPTED** on the Consent Agenda.

**CA.3 04-00146 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH HISPANIC-AMERICAN DIABETES FOUNDATION CORPORATION, ("LICENSEE"), FOR USE OF OFFICE SPACE DESIGNATED AS ROOM 300, AT THE MANUEL ARTIME COMMUNITY CENTER; FURTHER GRANTING THE LICENSEE A WAIVER OF RENTAL FEES FOR THE FIRST THREE MONTHS FROM THE

## EFFECTIVE DATE OF THE AGREEMENT.

04-00146-cover memo.pdf, 04-00146-budgetary impact analysis.pdf, 04-00146-city clerks report pg..pdf, 04-00146-legislation.pdf, 04-00146-exhibit- RLA.pdf

**R-04-0134**

This Matter was ADOPTED on the Consent Agenda.

**CA.4 04-00147****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE REPLACEMENT OF THE UNISYS NX5800 MAINFRAME, WITH A UNISYS LIBRA 520, RELATED PERIPHERAL HARDWARE, SYSTEMS SOFTWARE SUBSCRIPTIONS AND LICENSES, ASSOCIATED SERVICES, SUPPORT AND MAINTENANCE, UPGRADE OF COMPUTER ROOM ENVIRONMENTALS, AND UPGRADE OF TAPE STORAGE SUBSYSTEM, THROUGH A LEASE PURCHASE AGREEMENT WITH UNISYS LEASING CORPORATION, UTILIZING STATE OF FLORIDA CONTRACT 250-000-03-1, EFFECTIVE THROUGH JULY 31, 2005, INCLUDING ALL EXTENSIONS AND REPLACEMENT CONTRACTS BY THE STATE, AT AN ESTIMATED FIRST YEAR COST NOT TO EXCEED \$677,896.96, WITH A TOTAL FIVE (5) YEAR COST NOT TO EXCEED \$3,389,484.80; AND CONTINUING INTERIM SOFTWARE, SUBSCRIPTIONS AND SUPPORT OF THE EXISTING UNISYS NX5800 AND RELATED PERIPHERAL HARDWARE UNTIL THE NEW HARDWARE PLATFORM IS OPERATIONAL, FROM THE UNISYS CORPORATION UTILIZING STATE OF FLORIDA CONTRACT 250-000-03-1, EFFECTIVE THROUGH JULY 31, 2005, INCLUDING ALL EXTENSIONS AND REPLACEMENT CONTRACTS BY THE STATE, AT A MONTHLY COST NOT TO EXCEED \$43,160, WITH A TOTAL CONTRACT COST NOT TO EXCEED \$172,640; ALLOCATING FUNDS FROM THE GENERAL FUND ACCOUNT CODE NO. 001000.460101.6.670, CAPITAL PROJECTS ACCOUNTS OR INFORMATION TECHNOLOGY STRATEGIC FUNDS.

04-00147-cover memo.pdf, 04-00147-budgetary impact analysis.pdf, 04-00147-legislation.pdf, 04-00147-exhibit-agreement.pdf, 04-00147-exhibit -agreement-2.pdf

**R-04-0135**

This Matter was ADOPTED on the Consent Agenda.

**CA.5 04-00148****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE OPERATING AGREEMENT FOR WATSON ISLAND PARKING OPERATIONS BETWEEN THE CITY OF MIAMI ("CITY") AND THE DEPARTMENT OF OFF-STREET PARKING ("DOSP"), DATED SEPTEMBER 9, 2003, TO PROVIDE DOSP'S USE OF ADDITIONAL GRANT FUNDS, IN AN AMOUNT NOT TO EXCEED \$200,000, RECEIVED BY THE CITY FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FUNDS, IN AN AMOUNT NOT TO EXCEED \$50,000, FROM CAPITAL IMPROVEMENTS

PROJECT NO. 311047, FOR DESIGN AND CONSTRUCTION OF THE BOAT RAMP PARKING AND ANCILLARY FACILITIES (COLLECTIVELY "PARKING FACILITIES") TO BE LOCATED ON WATSON ISLAND, MIAMI, FLORIDA, SUBJECT TO DOSP'S COMPLIANCE WITH THE TERMS AND CONDITIONS RELATED TO THE USE OF THE FUNDS AS SET FORTH IN THE AMENDED AGREEMENT.

04-00148-cover memo.pdf, 04-00148-legislation.pdf, 04-00148-exhibit 1-amendment.pdf, 04-00148-exhibit 2- terms-cond..pdf, 04-00148-exhibit 3-FDEP grant.pdf, 04-00148-exhibit 4- audit req..pdf, 04-00148-exhibit 5-lobbying .pdf, 04-00148-exhibit 6-certification.pdf, 04-00148-exhibit 7-cip.pdf

### **R-04-0136**

This Matter was ADOPTED on the Consent Agenda.

**CA.6 04-00149**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF METRO EXPRESS, INC., FOR THE PROJECT ENTITLED "EAST LITTLE HAVANA SIDEWALK REPLACEMENT PROJECT, B-4677," IN THE PROPOSED AMOUNT NOT TO EXCEED \$101,960; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 341183, IN THE AMOUNT NOT TO EXCEED \$101,960, FOR CONTRACT COSTS, PLUS \$14,575 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS, IN THE AMOUNT NOT TO EXCEED \$116,535, AS SET FORTH ON THE TABULATION OF BIDS DOCUMENT AND THE DEPARTMENT OF CAPITAL IMPROVEMENTS PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

04-00149-cover memo.pdf, 04-00149-budgetary impact analysis.pdf, 04-00149-bid security list.pdf, 04-00149-award recommendation form.pdf, 04-00149-legislation.pdf, 04-00149-exhibit 1- tabulation of bids.pdf, 04-00149-exhibit 2- list of bid amounts.pdf, 04-00149-exhibit 3- fact sheet.pdf, 04-00149-exhibit 4- contract.pdf

### **R-04-0137**

This Matter was ADOPTED on the Consent Agenda.

**CA.7 04-00150**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT ("AGREEMENT"), REVOCABLE AT-WILL, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI ROWING AND WATERSPORTS CENTER, INC. ("LICENSEE") A NONPROFIT CORPORATION, TO OCCUPY AND USE APPROXIMATELY 1.03 ACRES OF CITY-OWNED PROPERTY LOCATED AT 3601 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA, TO PROVIDE FOR: (1) A ONE-YEAR TERM THAT SHALL COMMENCE ON THE EFFECTIVE

DATE, WITH AN OPTION TO EXTEND FOR FIVE (5) ADDITIONAL ONE-YEAR TERMS SUBJECT TO THE MUTUAL CONSENT OF THE PARTIES; (2) LICENSEE SHALL PAY AN INITIAL USE FEE IN AN AMOUNT NOT TO EXCEED \$500 PER MONTH, PLUS STATE OF FLORIDA USE TAX, IF APPLICABLE, FOR A SIX-YEAR (6) PERIOD; (3) LICENSEE MAY ENTER INTO PROFESSIONAL SERVICE AGREEMENTS WITH PROGRAM OPERATORS FOR THE PURPOSE OF OPERATING AND MAINTAINING WATER RECREATIONAL AND EDUCATIONAL OPPORTUNITIES; AND (4 ) LICENSEE AND EACH PROGRAM OPERATOR SHALL PAY THE CITY OF MIAMI 12% OF THEIR RESPECTIVE MONTHLY GROSS REVENUES, AS SET FORTH IN THE AGREEMENT.

04-00150-cover memo.pdf, 04-00150-budgetary impact analysis.pdf, 04-00150-pre. agenda pages.pdf, 04-00150-board of directors.pdf, 04-00150-letter from IRS.pdf, 04-00150-memos from the state.pdf, 04-00150-restated articles of incorporation.pdf, 04-00150-certificate designating registered.pdf, 04-00150-certificate pursuant to FL. statue.pdf, 04-00150-By-Laws articles.pdf, 04-00150-By-Laws articles 2.pdf, 04-00150-legislation.pdf, 04-00150-exhibit 1-RLA.pdf, 04-00150-exhibit 2- legal description.pdf, 04-00150-exhibit 3- map.pdf

**DEFERRED**

A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item CA.7 to the Commission meeting currently scheduled for March 25, 2004.

**CA.8 04-00189**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY MAYKO ACOSTA, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$47,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF MAYKO ACOSTA V. CITY OF MIAMI, CHRISTIAN RIOS, VICTOR PALACIOS AND RAFAEL BORROTO, IN THE UNITED STATES DISTRICT COURT, CASE NO. 03-20444-CIV-UNGARO-BENAGES, UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

04-00189-cover memo.pdf, 04-00189-budget approval memo.pdf, 04-00189-legislation.pdf

**R-04-0138**

This Matter was ADOPTED on the Consent Agenda.

**CA.9 04-00195**

**DISCUSSION ITEM**

ACCEPTING A REPORT FROM THE CIVIL SERVICE BOARD.

04-00195-cover page.pdf, 04-00195-board actions.pdf

This Matter was ADOPTED on the Consent Agenda.

**CA.10 04-00199      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 02-144, ADOPTED FEBRUARY 14, 2002; AUTHORIZING AN INCREASE IN THE COST LIMIT FOR ARCHITECTURAL SERVICES FROM AN AMOUNT NOT TO EXCEED \$600,000 TO AN AMOUNT NOT TO EXCEED \$2,250,000; FURTHER AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT AWARDED TO ZYSCOVICH, INC., PURSUANT TO RESOLUTION NO. 03-089, ADOPTED JANUARY 23, 2003, FROM AN AMOUNT NOT TO EXCEED \$300,000 TO AN AMOUNT NOT TO EXCEED \$2,250,000, A FIRM SELECTED FROM THE LIST OF PRE-APPROVED FIRMS FOR ARCHITECTURAL SERVICES FOR DESIGN DEVELOPMENT, PREPARATION OF BIDDING AND CONSTRUCTION DOCUMENTS, AND CONSTRUCTION ADMINISTRATION CONSULTING SERVICES RELATED TO AN INCREASED SCOPE OF WORK WHICH CONSISTS OF A MASTER PLAN CONDUCTED BY ZYSCOVICH, INC. FOR THE CULTURAL CENTER, THE DEVELOPMENT OF THE COMPONENTS OF THE CULTURAL CENTER INCLUDING BUT NOT LIMITED TO, A COMMUNITY BUILDING, BLACK BOX THEATER, PUBLIC LIBRARY, COURTYARD AND PARKING LOTS, THE DEVELOPMENT OF A RECREATION CENTER INCLUDING BUT NOT LIMITED TO, A SOCCER FIELD FACILITY, VITA COURSE AND A RECREATION BUILDING, IN THE LITTLE HAITI AREA, AT SPECIFIC COSTS TO BE NEGOTIATED BASED ON (1) THE SCOPE OF SERVICES REQUIRED FOR THE SEPARATE PROJECTS PERTAINING TO EACH CENTER, AND (2) TERMS AND CONDITIONS SET FORTH IN THE PROFESSIONAL SERVICES AGREEMENT WITH ZYSCOVICH, INC., DATED JUNE 24, 2002; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE; ALLOCATING FUNDS IN AN AMOUNT NOT TO EXCEED 12 PERCENT OF THE PROJECT CONSTRUCTION ESTIMATE, FOR SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI FROM CAPITAL IMPROVEMENTS PROGRAM PROJECT NO. 331412; AMENDING RESOLUTION NOS. 02-144 AND 03-089 TO REFLECT SAID INCREASES; REQUIRING FURTHER CONSULTATION WITH THE HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD SHOULD THE NEGOTIATED FEES EXCEED 12 PERCENT OF THE ESTIMATED CONSTRUCTION COST FOR EACH OF THE TWO (2) PROJECTS AUTHORIZED BY RESOLUTION NOS. 02-144 AND 03-089.

04-00199-cover memo.pdf, 04-00199-budgetary impact analysis.pdf, 04-00199-pre. legislation.pdf, 04-00199-pre. agenda pg..pdf, 04-00199-pre. legislation 2. pdf, 04-00199-psa.pdf, 04-00199-legislation.pdf, 04-00199-Substitute Memo. pdf

**R-04-0151**

**MOVED:**            Joe Sanchez

**SECONDED:**      Angel González

**Motion that this matter be ADOPTED WITH MODIFICATIONS PASSED by the following vote.**

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

**ABSENT:** Commissioner Winton

The following statements and motions occurred prior to CA.10 being adopted:

The City Attorney announced that item CA.10 needed to be modified.

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to table consideration of item CA.10 to the afternoon session of today's meeting.

Note for the Record: Item CA.10 was subsequently discussed.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to again table consideration of CA.10 to the afternoon session of today's meeting.

Note for the Record: Item CA.10 was subsequently discussed again.

**CA.11 04-00200**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR LETTERS OF INTEREST ("RFLI") NO. 02-03-241, THAT THE TOP-RANKED FIRM TO PROVIDE A COMPREHENSIVE RETROSPECTIVE CLAIMS AUDIT, HOSPITAL BILL AUDIT, DRG VALIDATION, FRAUD AND ABUSE DETECTION, COORDINATION OF BENEFITS, AND THIRD PARTY LIABILITY REVIEWS FOR THE CITY OF MIAMI'S MEDICAL PLAN CURRENTLY ADMINISTERED THROUGH CIGNA, FOR THE DEPARTMENT OF RISK MANAGEMENT, IS HEALTHCARE DATA MANAGEMENT, INC. ("HCDM"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, AT A ONE-TIME FEE, IN AN AMOUNT NOT TO EXCEED \$20,000, FULLY REFUNDABLE, CONTINGENT UPON SAVINGS RENDERED UPON COMPLETION OF THE CURRENT HEALTH CARE PROVIDER (CIGNA) AUDIT, PLUS THE RECEIPT OF 35% OF TOTAL RECOVERED FUNDS; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 514401.623301.6. 657; DIRECTING THE CITY MANAGER TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION.

04-00200-cover memo.pdf, 04-00200-budgetary impact analysis.pdf, 04-00200-memo from evaluation committee.pdf, 04-00200-claims audit.pdf, 04-00200-request for recommendation.pdf, 04-00200-legislation.pdf, 04-00200-exhibit1-psa.pdf, 04-00200-exhibit 2-scope of services.pdf, 04-00200-exhibit 3-compensation.pdf, 04-00200-Substitute Memo.pdf, 04-00200-Substitute Agreement.pdf

**R-04-0171**

This Matter was **ADOPTED WITH MODIFICATIONS** on the Consent Agenda.

The City Attorney announced that item CA.11 needed to be modified.

The following statements and motion occurred after item CA.11 was adopted.

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton and Vice Chairman Sanchez absent, to DEFER item CA.11 to the Commission meeting currently scheduled for March 25, 2004.

Note for the Record: Please refer to the City Attorney memo on file regarding the deferral of this item.

### **Adopted the Consent Agenda**

**MOVED:** Angel González

**SECONDED:** Tomas Regalado

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

**ABSENT:** Commissioner Winton

### **CA.12 04-00171 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "2003 SUPPORTIVE SERVICES GRANT," APPROPRIATING FUNDS IN AN AMOUNT NOT TO EXCEED \$251,071, FOR A ONE-YEAR PERIOD, CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THROUGH THE MIAMI-DADE COUNTY HOMELESS TRUST, TO PROVIDE OUTREACH, INFORMATION, REFERRAL, ASSESSMENT, AND PLACEMENT SERVICES TO HOMELESS INDIVIDUALS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AND TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR ACCEPTANCE OF THE GRANT; AUTHORIZING THE EXPENDITURE OF SAID GRANT FUNDS FOR THE OPERATION OF THE CITY OF MIAMI HOMELESS ASSISTANCE PROGRAM.

04-00171-cover memo.pdf, 04-00171-legislation.pdf

### **R-04-0142**

This Matter was **ADOPTED** on the Consent Agenda.

### **CA.13 04-00172 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "2004 ALLIANCE FOR HUMAN SERVICES GRANT," APPROPRIATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$40,000 EACH YEAR, FOR THREE (3) YEARS, FOR A TOTAL AMOUNT NOT TO EXCEED \$120,000, CONSISTING OF A GRANT FROM THE MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES, ALLIANCE FOR HUMAN SERVICES, TO PROVIDE OUTREACH, INFORMATION, REFERRAL, ASSESSMENT, AND PLACEMENT SERVICES TO HOMELESS INDIVIDUALS WITHIN THE CITY OF MIAMI; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AND TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; AUTHORIZING THE EXPENDITURE OF THE GRANT FUNDS FOR THE OPERATION OF THE

## CITY OF MIAMI HOMELESS ASSISTANCE PROGRAM.

04-00172-cover memo.pdf, 04-00172-legislation.pdf

**R-04-0140**

This Matter was ADOPTED on the Consent Agenda.

**CA.14 04-00173****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "HOMELESS EMERGENCY FUNDS," AND APPROPRIATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$17,500 TO SAID FUND, RECEIVED FROM MIAMI-DADE COUNTY THROUGH THE MIAMI-DADE COUNTY HOMELESS TRUST, TO ENHANCE THE SERVICES PROVIDED BY THE HOMELESS PROGRAM, SPECIFICALLY FOR EMERGENCY MOTEL FUNDS FOR HOMELESS FAMILIES WAITING FOR BED AVAILABILITY AT AN EMERGENCY SHELTER OR TRANSITIONAL HOUSING; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID AWARD, AND TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR ACCEPTANCE OF THE AWARD.

04-00173-cover memo.pdf, 04-00173-legislation.pdf

**R-04-0141**

This Matter was ADOPTED on the Consent Agenda.

**Adopted the Consent Agenda****MOVED:** Angel González**SECONDED:** Tomas Regalado**AYES:** Commissioner González, Sanchez, Regalado and Teele**ABSENT:** Commissioner Winton**END OF CONSENT AGENDA**

**PERSONAL APPEARANCES****PA.1 04-00218 DISCUSSION ITEM**

(4/5THS VOTE)

MR. IVAN E. HERNANDEZ, EXECUTIVE DIRECTOR OF THE CUBAN MUNICIPALITIES FAIR, CORPORATION TO ADDRESS THE COMMISSION CONCERNING A REQUEST FOR A WAIVER OF THE TWO EVENTS PER YEAR, PER SITE, LIMITATION ON TEMPORARY EVENTS FOR THE FLAGLER DOG TRACK PROPERTY LOCATED AT 450 N.W. 37 TH AVENUE.

04-00218-letter.pdf, 04-00218-memo.pdf

**DISCUSSED**

Discussion of Item PA.1 resulted in the resolution see below.

**(PA.1) 04-00218a RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION (subject matter: GRANTING REQUEST OF MR. IVAN E. HERNANDEZ, EXECUTIVE DIRECTOR OF THE CUBAN MUNICIPALITIES FAIR, CORPORATION FOR A WAIVER OF THE TWO EVENTS PER YEAR, PER SITE, LIMITATION ON TEMPORARY EVENTS FOR THE FLAGLER DOG TRACK PROPERTY LOCATED AT 450 N.W. 37TH AVENUE).

**R-04-0166**

**MOVED:** Tomas Regalado

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**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 04-00156a RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE DEVELOPMENT OF AN ACCELERATED FUNDING STRATEGY FOR THE LITTLE HAVANA HOME OWNERSHIP ADVISORY BOARD TO ADVANCE THE REMAINING \$4.5 MILLION OF THE TOTAL \$7.5 MILLION ALLOCATED FOR THE BOARD, USING DEOBLIGATED COMMUNITY DEVELOPMENT DOLLARS AND OTHER FUNDS IDENTIFIED BY THE COMMUNITY DEVELOPMENT DIRECTOR.

04-00156a-legislation.pdf

**WITHDRAWN**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to WITHDRAW consideration of Item D3.1.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and was passed unanimously, with Commissioner Winton absent, to direct the City Manager to properly advertise the deobligating of \$1.5 million in HOME funds and schedule said item on the next Commission Meeting.

**D3.2 04-00222 RESOLUTION**

A RESOLUTION DIRECTING THE CITY MANAGER TO CONDUCT A NEEDS ASSESSMENT TO DETERMINE THE TOTAL AMOUNT OF DOLLARS NEEDED TO ACCOMPLISH THE GOALS OF THE LITTLE HAVANA HOME OWNERSHIP ADVISORY BOARD ("ADVISORY BOARD") WITHIN ITS BOUNDARIES, FURTHER DIRECTING THE CITY MANAGER TO PRESENT THE COMPLETED RESULTS OF SAID STUDY TO THE ADVISORY BOARD WITHIN SIX MONTHS OF THE PASSAGE OF THIS RESOLUTION.

04-00222-legislation.pdf

**R-04-0148**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**D3.3 04-00223 DISCUSSION ITEM**

DISCUSSION CONCERNING A STATUS OF REOPENING OF SW 22 TERRACE & 1ST AVENUE THAT WAS DIRECTED BY THE COMMISSION IN 2003.

04-00223-email.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 item D3.3.

**D3.4 04-00243 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT IN AN AMOUNT NOT TO EXCEED \$2,500 TO THE XXV HEMISPHERIC CONGRESS OF LATIN CHAMBERS OF COMMERCE AND INDUSTRY, TO BE HELD AT THE RADISSON MART PLAZA HOTEL AND CONVENTION CENTER APRIL 14-17, 2004, FROM THE DISTRICT 3 SPECIAL EVENTS ACCOUNT 001000.921054.6.289, SUBJECT TO BUDGETARY APPROVAL.

04-00243- legislation.pdf

**R-04-0149**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**DISTRICT 4****COMMISSIONER TOMAS REGALADO****D4.1 04-00169 DISCUSSION ITEM**

DISCUSSION CONCERNING AN UPDATE FROM THE ADMINISTRATION CONCERNING PLACING MARKERS TO DESIGNATE HISTORIC LOCATIONS IN THE CITY OF MIAMI.

04-00169-cover memo.pdf

**DISCUSSED**

**Direction to the City Manager and City Attorney:** by Chairman Teele to look at the entire process of historic preservation and work on an interlocal agreement with Miami-Dade County for designation of historic preservation; further requesting that the City Manager review the record for the last three years of the City's problems and issues with designation of historic structures.

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioners Winton and González absent, to schedule a presentation on the status of historic preservation for the Commission Meeting currently scheduled for April 8, 2004; further instructing the City Manager to look into the issue of fast tracking facade approvals in Tallahassee.

**Direction to the City Attorney:** by Chairman Teele to work with the City Manager in reviewing the Internal Revenue Service (IRS) provisions regarding historic designation of properties by donating a facade in perpetuity to certain recognized historic organizations.

**D4.2 04-00202 DISCUSSION ITEM**

DISCUSSION CONCERNING EARLY VOTING SITES FOR THE PRESIDENTIAL ELECTION ON NOVEMBER 2, 2004.

04-00202-cover memo.pdf

**DISCUSSED**

A motion was made by Commissioner Regalado, seconded by Chairman Teele, and was passed unanimously, with Commissioner Winton absent, to direct the City Clerk and City Attorney to look at all options, including legal action, to have early voting sites in the City of Miami for the November 2004 Presidential Election, if Miami-Dade County rejects the City's proposal for early voting sites in November .

**Note for the Record:** Chairman Teele reiterated the fact that the City Clerk's Office and City Attorney's Office needs to have appropriate staffing to deal with election issues including developing a strategy and plan to protect the City; further stating that there will be a need to have a hot line for voters to call for election problems during election day.

**DISTRICT 5****CHAIRMAN ARTHUR E. TEELE, JR**

**PUBLIC HEARING****PH.1 04-00151 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE, WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, AND APPROVING THE PURCHASE OF THE OMNITRAK LATENT STATION, FROM PRINTRAK, A MOTOROLA COMPANY, FOR THE DEPARTMENT OF POLICE, AT AN AMOUNT NOT TO EXCEED \$110,000; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NOS. 690001, 690002 AND 690003, APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND TREASURY'S, "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055, AS AMENDED.

04-00151-cover memo.pdf, 04-00151-memo from purchasing.pdf, 04-00151-memo from police.pdf, 04-00151-memo from purchasing 2.pdf, 04-00151-budgetary analysis form.pdf, 04-00151-affidavit.pdf, 04-00151-budgetary quotation.pdf, 04-00151-printrak product agreement.pdf, 04-00151-software license agreement.pdf, 04-00151-letters from motorola.pdf, 04-00151-series 2000-series 7.pdf, 04-00151-contract review and analysis.pdf, 04-00151-previous legislation.pdf, 04-00151-lease purchase agreement.pdf, 04-00151-letter from law.pdf, 04-00151-back up documents.pdf, 04-00151-award.pdf, 04-00151-public notice memo.pdf, 04-00151-public notice .pdf, 04-00151-legislation.pdf

**R-04-0143**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**PH.2 04-00152 RESOLUTION**

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

04-00152-cover memo.pdf, 04-00152-budgetary impact analysis.pdf, 04-00152-public notice memo.pdf, 04-00152-public notice .pdf, 04-00152-public works notice memo.pdf, 04-00152-public works notice .pdf, 04-00152-legislation.pdf, 04-00152-exhibits.pdf

**R-04-0144**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**PH.3 04-00153****RESOLUTION**

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

04-00153-cover memo.pdf, 04-00153-budgetary impact analysis.pdf, 04-00153-legal description.pdf, 04-00153-public notice memo.pdf, 04-00153-public notice .pdf, 04-00153-public works notice memo.pdf, 04-00153-public works notice .pdf, 04-00153-legislation.pdf, 04-00153-exhibits.pdf

**R-04-0145**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**3:00 P.M.****PH.4 04-00164 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE REVISED CITY OF MIAMI ("CITY") LOCAL HOUSING ASSISTANCE PLAN ("LHAP"), ATTACHED AND INCORPORATED, FOR THE PERIOD OF JULY 1, 2001 THROUGH JUNE 30, 2004, FOR CONTINUED PARTICIPATION OF THE CITY IN THE FLORIDA STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM; AUTHORIZING THE USE OF THE MAXIMUM SALE PRICE DETERMINED BY THE FLORIDA HOUSING FINANCE CORPORATION'S BOND PROGRAM, CURRENTLY AT AN AMOUNT NOT TO EXCEED \$199,117, FOR A NEW HOME AND AN AMOUNT NOT TO EXCEED \$173,701, FOR AN EXISTING HOME, FOR THE CITY'S SHIP PROGRAM MAXIMUM SALE PRICE; AUTHORIZING THE CITY MANAGER TO SUBMIT A MODIFIED PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SHIP AND LHAP PROGRAMS.

04-00164-cover memo.pdf, 04-00164-public notice.pdf, 04-00164-legislation.pdf, 04-00164-exhibit- SHIP housing plan.pdf

**R-04-0152**

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

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

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**PH.5 04-00160 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE CITY OF MIAMI ("CITY") LOCAL HOUSING ASSISTANCE PLAN ("LHAP"), ATTACHED AND INCORPORATED, FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2007, FOR THE CONTINUED PARTICIPATION OF THE CITY IN THE FLORIDA STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM; CONFIRMING THE USE OF THE MAXIMUM SALE PRICE DETERMINED BY THE FLORIDA HOUSING FINANCE CORPORATION'S BOND PROGRAM, CURRENTLY AT AN AMOUNT NOT TO EXCEED \$199,117 FOR A NEW HOME AND AN AMOUNT NOT TO EXCEED \$173,701 FOR AN EXISTING HOME, FOR THE CITY'S SHIP PROGRAM MAXIMUM SALE PRICE; CONFIRMING THAT 5% OF THE SHIP ALLOCATION PLUS 5% OF SHIP PROGRAM INCOME IS INSUFFICIENT TO ADEQUATELY PAY THE NECESSARY COSTS OF ADMINISTERING THE LHAP; AUTHORIZING THE USE OF 10% OF THE CITY'S ANNUAL SHIP

ALLOCATION PLUS 5% OF SHIP PROGRAM INCOME TO COVER ADMINISTRATIVE EXPENSES ASSOCIATED WITH THE IMPLEMENTATION OF THE SHIP PROGRAM; AUTHORIZING THE CITY MANAGER TO SUBMIT A PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SHIP PROGRAM AND THE LHAP.

04-00160-cover memo.pdf, 04-00160-public notice.pdf, 04-00160-legislation.pdf, 04-00160-exhibit-SHIP housing plan.pdf

**R-04-0153**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**PH.6 04-00168 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF EMERGENCY SHELTER GRANT ("ESG") FUNDS FOR FISCAL YEAR 2004-2005, IN AN AMOUNT NOT TO EXCEED \$359,503, TO THE CITY OF MIAMI ("CITY") HOMELESS PROGRAM, AND AN AMOUNT NOT TO EXCEED \$11,119, TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR THE ADMINISTRATION OF GRANT-RELATED ACTIVITIES, FOR A TOTAL ALLOCATION AMOUNT NOT TO EXCEED \$370,622; DIRECTING THE CITY MANAGER TO SUBMIT A MULTI-YEAR WAIVER REQUEST TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO INCREASE THE PERCENTAGE OF ESG FUNDS THAT CAN BE USED FOR DIRECT SERVICES.

04-00168-cover memo.pdf, 04-00168-public notice.pdf, 04-00168-legislation.pdf

**R-04-0154**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**PH.7 04-00167 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF GENERAL OBLIGATION BOND ("G.O.B.") FUNDS FROM THE FUND ENTITLED "UDAG 2ND MORTGAGE REPAYMENT," INCLUDING FUNDS IN THE AMOUNT NOT TO EXCEED \$391,994.06, FROM ACCOUNT NO. 625004.045999.4.502, FROM THE REPAYMENT OF PRINCIPAL ON AFFORDABLE HOUSING CONSTRUCTION LOANS, AND AN AMOUNT NOT TO EXCEED \$36,392.18, FROM ACCOUNT NO. 625004.045999.4.323 FROM INTEREST PAID ON AFFORDABLE HOUSING CONSTRUCTION LOANS, FOR A TOTAL AMOUNT NOT TO EXCEED \$ 428,386.24; ALLOCATING SAID FUNDS TO THE HOUSING LOAN RECOVERY FUND TO PROTECT THE CITY OF MIAMI HOUSING LOAN PORTFOLIO.

04-00167-cover memo.pdf, 04-00167-public notice.pdf, 04-00167-legislation.pdf

**R-04-0155**

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

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

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**PH.8 04-00165 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE INCREASE IN THE NUMBER OF MEMBERS OF THE HOUSING AND COMMERCIAL LOAN COMMITTEE ("LOAN COMMITTEE") TO INCLUDE ONE REPRESENTATIVE OF THOSE AREAS OF LABOR ACTIVELY ENGAGED IN HOME BUILDING IN CONNECTION WITH AFFORDABLE HOUSING AND ONE MEMBER WHO ACTIVELY SERVES ON THE LOCAL PLANNING AGENCY TO ALLOW THE LOAN COMMITTEE TO ACT AS THE AFFORDABLE HOUSING ADVISORY COMMITTEE AS REQUIRED BY THE STATE HOUSING INITIATIVE PROGRAM.

04-00165-cover memo.pdf, 04-00165-public notice.pdf, 04-00165-legislation.pdf

**R-04-0156**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**PH.9 04-00159 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE ROLLOVER OF UNEXPENDED FUNDS FROM THE ACCOUNTS OF PREVIOUSLY APPROVED ACTIVITIES/PROJECTS THAT WERE NOT COMPLETED DURING FISCAL YEAR 2002-2003 THAT ENDED SEPTEMBER 30, 2003, TO THE CURRENT FISCAL YEAR 2003-2004; AUTHORIZING THE ALLOCATION FUNDS IN AN AMOUNT NOT TO EXCEED \$2,021,590, TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AN AMOUNT NOT TO EXCEED \$140,159 TO THE EMERGENCY SHELTER GRANT PROGRAM; AND AN AMOUNT NOT TO EXCEED \$ 425,000, TO THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO AMEND THE EXISTING AGREEMENTS, WITH SAID AGENCIES.

04-00159-cover memo.pdf, 04-00159-public notice.pdf, 04-00159 - legislation.pdf, 04-00159 - exhibit.pdf

**R-04-0157**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**PH.10 04-00192** **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE ROLLOVER OF 30TH PROGRAM YEAR FUNDS, COMMENCING ON OCTOBER 1, 2004, TO THE FUNDS FROM THE CLOSEOUT OF 28TH PROGRAM YEAR AGREEMENTS, IN AN AMOUNT NOT TO EXCEED \$805,918, IN COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS, AND AN AMOUNT NOT TO EXCEED \$2,035,495, IN HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS FUNDS, PLUS AN AMOUNT NOT TO EXCEED \$137,390 FROM PREVIOUS YEARS' ALLOCATIONS OF HOME INVESTMENT PARTNERSHIPS FUNDS, AND AN AMOUNT NOT TO EXCEED \$77,708 FROM THE EMERGENCY SHELTER GRANT PROGRAM; AUTHORIZING SAID FUNDS TO BE MADE AVAILABLE FOR ALLOCATION THROUGH THE 2004-2005 REQUEST FOR PROPOSALS PROCESS.

04-00192-cover memo.pdf, 04-00192-public notice.pdf, 04-00192-legislation.pdf, 04-00192-exhibits.pdf

**R-04-0158**

**MOVED:** Angel González

**SECONDED:** Joe Sanchez

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

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

**ABSENT:** Commissioner Winton

Direction to the City Manager: by Chairman Teele to identify the CDBG public service funds which are being closed or rolled over.

**PH.11 04-00246** **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE ALLOCATION OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS ("CDBG"), IN AN AMOUNT NOT TO EXCEED \$9,928,000, AND 28TH YEAR CLOSE OUTS, IN AN AMOUNT NOT TO EXCEED \$1,211,639, FOR A TOTAL ALLOCATION NOT TO EXCEED \$11,139,639, FOR THE 30TH CDBG PROGRAM YEAR BEGINNING OCTOBER 1, 2004.

04-00246-cover memo.pdf, 04-00246-legislation.pdf

**R-04-0159**

**MOVED:** Angel González

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

Direction to the City Manager: by Chairman Teele to request the Director of the Community Development Department to meet with Chairman Teele to discuss the Economic Development and the Housing Development components of CDBG funds for District 5.

**PH.12 04-00157**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ALLOCATING HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ("HOPWA") FUNDS, IN A TOTAL AMOUNT NOT TO EXCEED \$12,750,495, FOR FISCAL YEAR 2004-2005, SPECIFICALLY, IN AN AMOUNT NOT TO EXCEED \$10,179,045, TO THE LONG TERM TENANT BASED HOUSING ASSISTANCE PROGRAM, AN AMOUNT NOT TO EXCEED \$950,000, FOR THE EMERGENCY RENTAL, MORTGAGE AND UTILITY ASSISTANCE PROGRAM, AN AMOUNT NOT TO EXCEED \$600,000, FOR PROJECT BASED RENTAL SUBSIDY/OPERATIONS PROGRAM, AN AMOUNT NOT TO EXCEED \$150,000, FOR HOUSING INFORMATION, REFERRAL AND ADVOCACY PROGRAM, AN AMOUNT NOT TO EXCEED \$450,000, FOR HOUSING PROGRAM INSPECTIONS, AN AMOUNT NOT TO EXCEED \$ 100,000, FOR TECHNICAL ASSISTANCE, AND AN AMOUNT NOT TO EXCEED \$321,450, TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT FOR THE ADMINISTRATION OF GRANT RELATED ACTIVITIES.

04-00157-cover memo.pdf, 04-00157-public notice.pdf, 04-00157-legislation.pdf

**R-04-0160**

**MOVED:** Angel González

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**PH.13 04-00193**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ADOPTING THE ATTACHED POLICIES RELATED TO THE ECONOMIC DEVELOPMENT CATEGORY OF THE 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS.

04-00193-cover memo.pdf, 04-00193-public notice.pdf, 04-00193-legislation.pdf, 04-00193-exhibit.pdf

**R-04-0161**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**PH.14 04-00252** **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, AUTHORIZING THE ALLOCATION OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS IN THE AMOUNT OF \$500,000 TO DISTRICT 4 HOUSING PILOT PROJECT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; AND ADOPTING POLICIES, ATTACHED AND INCORPORATED, RELATED TO THE ALLOCATION OF CDBG, STATE HOUSING INITIATIVE PARTNERSHIP ("SHIP") AND HOME INVESTMENT PARTNERSHIPS ("HOME") FUNDS FOR AFFORDABLE HOUSING IN THE 30TH PROGRAM YEAR, COMMENCING ON OCTOBER 1, 2004.

04-00252-cover memo.pdf, 04-00252-public notice.pdf, 04-00252-legislation.pdf, 04-00252-exhibit.pdf

**DEFERRED**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item PH.14 to the next Commission meeting.

**PH.15 04-00247** **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADOPTING THE ATTACHED POLICIES RELATED TO THE ALLOCATION OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FUNDS IN THE PUBLIC SERVICES CATEGORY.

04-00247-cover memo.pdf, 04-00247-legislation.pdf, 04-00247-exhibit.pdf

**R-04-0162**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

Motion that this matter be **ADOPTED WITH MODIFICATIONS PASSED** by the following vote.

**AYES:** Commissioner Sanchez, Regalado and Teele

**ABSENT:** Commissioner González and Winton

**Direction to the City Manager:** by Commissioner Regalado to review the Hispanic Ballet's application for Manuel Arttime.

**ORDINANCES - SECOND READING****SR.1 04-00052      ORDINANCE      Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2, ARTICLE X, SECTION 2-817 (h)(3)(ii) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION, CODE ENFORCEMENT, ADMINISTRATIVE COSTS, FINES; LIENS," TO ADD PROVISIONS THAT PERMIT THE CITY MANAGER TO AUTHORIZE A SUBORDINATE LIEN POSITION ON LOANS FOR THE FINANCE OR REFINANCE OF CONSTRUCTION IMPROVEMENTS ON PROPERTIES USED FOR THE DEVELOPMENT OF AFFORDABLE HOUSING PROJECTS; AND TO DELETE PROVISIONS THAT PERMITTED LIEN(S) RELEASED PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY OF AFFORDABLE HOUSING PROJECTS BY THE CITY MANAGER TO BE REINSTATED; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

04-00052-cover memo.pdf, 04-00052-legislation.pdf

**12500**

**MOVED:**      Angel González

**SECONDED:**      Tomas Regalado

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

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

**ABSENT:**      Commissioner Winton

**SR.2 04-00210      ORDINANCE      Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION REPEALING SECTION 54-6.1 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PARADE AND ASSEMBLY PROHIBITIONS" THAT ESTABLISHED REASONABLE TIME, PLACE AND MANNER REGULATIONS CONCERNING MATERIALS AND OBJECTS THAT MAY BE POSSESSED, CARRIED OR USED BY THOSE PARTICIPATING IN PARADES AND PUBLIC ASSEMBLIES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

04-00210-cover memo.pdf, 04-00210-legislation.pdf

**12501**

**MOVED:**      Tomas Regalado

**SECONDED:**      Joe Sanchez

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

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

**ABSENT:** Commissioner Winton

**Direction to the Administration:** by Chairman Teele to prepare an appropriate proclamation to be presented at the next Commission Meeting to Lida Rodriguez-Tassef, who is retiring as the President of the American Civil Liberties Union (ACLU).

**Direction to the City Attorney:** by Commissioner Regalado to draft for consideration later this afternoon, an ordinance establishing simple rules and regulations relating to code violations and demonstrations and parades, in order to prevent the City from being absent of any demonstration regulations; Vice Chairman Sanchez further requested that the ordinance be a well-defined ordinance outlining all city regulations pertaining to individuals who wish to seek permits to be able to demonstrate in the City ; further stating that said ordinance be drafted in a manner wherein the regulations apply to all groups equally.

**SR.3 04-00205**

**ORDINANCE**

**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ARTICLE 21 , OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION, ENFORCEMENT, VIOLATIONS, AND PENALTIES," TO INCLUDE GROUNDS FOR DENIAL OF THE ISSUANCE OF LICENSES OR PERMITS; MORE PARTICULARLY BY AMENDING SECTION 2106 OF SAID ORDINANCE, ENTITLED "ZONING CONFORMITY REQUIRED PRIOR TO ISSUANCE OF LICENSES OR PERMITS;" CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

04-00205-cover memo.pdf, 04-00205-legislation.pdf

**12502**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Winton

**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-resume.pdf, 04-00059-legislation.pdf, 04-00059-exhibit.pdf

**DEFERRED**

**A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item RE.1 to the Commission meeting currently scheduled for March 25, 2004.**

**RE.2 04-00094 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY BETTY SIMPSON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MORENA SIMPSON, DECEASED, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$90,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF BETTY SIMPSON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MORENA SIMPSON, DECEASED V. CITY OF MIAMI, IN THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA, CASE NO. 96-5717 CA (21), UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.651.

04-00094-cover memo.pdf, 04-00094-legislation.pdf

**R-04-0146**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**BOARDS AND COMMITTEES****BC.1 04-00083 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:
appointment deferred	Commissioner Angel González
appointment deferred	Commissioner Angel González
Rick Rodriguez Pina	Commissioner Johnny Winton
appointment deferred	Commissioner Johnny Winton
Arthur Hertz	Vice Chairman Joe Sanchez
appointment deferred	Vice Chairman Joe Sanchez
appointment deferred	Chairman Arthur Teele
appointment deferred	Chairman Arthur Teele
Juan Carlos Flores	Mayor Manuel Diaz
appointment deferred	Mayor Manuel Diaz

04-00083-memo-1.doc, 04-00083-MEMBERS-2.doc

**R-04-0163**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

**AYES:** Commissioner González, Sanchez, Regalado 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 appoint Rick Rodriguez Pina as a member of the Orange Bowl Advisory Board.

**Note for the Record:** The appointment of Rick Rodriguez Pina was made on behalf of Commissioner Winton who was absent.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to appoint Arthur Hertz as a member of the Orange Bowl Advisory Board; further waiving the elector requirements in Section 53-123 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 appointment of Arthur Hertz as

a member of the Orange Bowl Advisory Board.

Chairman Teele and Commissioner González deferred their appointments. Vice Chairman Sanchez and Commissioner Winton deferred one of their appointments.

Note for the Record: Mayor Diaz appointed Juan Carlos Flores via memo sent to the City Clerk on March 8, 2004.

BC.2 04-0085

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BOND PROGRAM OVERSIGHT BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mariano Cruz

Commissioner Angel González

Manolo Reyes

Commissioner Angel González

Gary Reschefsky

Commissioner Johnny Winton

Suzanne Peters

Commissioner Johnny Winton

appointment deferred

Commissioner Tomas Regalado

appointment deferred

Commissioner Tomas Regalado

David Marko

Vice Chairman Joe Sanchez

Rolando Aedo

Vice Chairman Joe Sanchez

appointment deferred

Chairman Arthur Teele

appointment deferred

Chairman Arthur Teele

appointment deferred

Mayor Manuel Diaz

appointment deferred

Mayor Manuel Diaz

appointment deferred

Mayor Manuel Diaz

appointment deferred

Mayor Manuel Diaz

appointment deferred

Mayor Manuel Diaz

04-00085-memo-1.doc, 04-00085-members-2.doc

**R-04-0164**

**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 Winton and Regalado

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioners Regalado and Winton absent, to reappoint David Marko and Rolando Aedo to the Homeland Defense/Neighborhood Improvement Bond Program Oversight Board.

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioners Regalado and Winton absent, to reappoint Mariano Cruz and Manolo Reyes to the Homeland Defense/Neighborhood Improvement Bond Program Oversight Board.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioners Regalado and Winton absent, to reappoint Gary Rechfsky and Suzanne Peters to the Homeland Defense/Neighborhood Improvement Bond Program Oversight Board.

Note for the Record: The appointments of Gary Rechfsky and Suzanne Peters were made on behalf of Commissioner Winton, who was absent.

Chairman Teele and Commissioner Regalado deferred their appointments.

Direction to the City Manager: by Chairman Teele to check with the Mayor's office to verify if the Mayor has any names to proffer as appointments to the Homeland Defense/Neighborhood Improvement Bond Program Oversight Board.

**BC.3 04-00086**

**RESOLUTION**

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

APPOINTEE: NOMINATED BY:

\_\_\_\_\_ Commissioner Angel González

04-00086-memo-1.doc, 04-00086-members-2.doc

**DEFERRED**

Commissioner González **DEFERRED** his nomination.

**BC.4 04-00087**

**RESOLUTION**

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

APPOINTEE: NOMINATED BY:

Oscar Rivero Off-Street Parking Board

04-00087-memo-1.doc, 04-00087- MEMBERS-2.doc, 04-00087 Dosp nomination - 3.pdf

**R-04-0147**

**MOVED:** Joe Sanchez

**SECONDED:** Tomas Regalado

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

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

**ABSENT:** Commissioner Winton

**BC.5 03-0147**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE THE MAYOR'S INTERNATIONAL COUNCIL FOR TERMS AS DESIGNATED HEREIN.

**APPOINTEES:**

**NOMINATED BY:**

- \_\_\_\_\_ Commissioner Joe Sanchez
- \_\_\_\_\_ Commissioner Tomas Regalado
- \_\_\_\_\_ Commissioner Angel González
- \_\_\_\_\_ Vice-Chairman Arthur Teele
- \_\_\_\_\_ Chairman Johnny Winton
- Commissioner \_\_\_\_\_ Commission At-Large
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz
- \_\_\_\_\_ Mayor Manuel Diaz

03-0147-memo-1.doc

**DEFERRED**

**A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item BC.5 to the Commission meeting currently scheduled for March 25, 2004.**

**DISCUSSION ITEMS****DI.1 04-00174 DISCUSSION ITEM**

A DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

DISCUSSED

This item was discussed.

**DI.2 04-00248 DISCUSSION ITEM**

DISCUSSION CONCERNING AMENDMENTS TO CODE PROVISIONS TO PROVIDE FOR PARADES, ASSEMBLIES, AND PROCESSIONS IN PARKS AND ON PUBLIC RIGHTS-OF-WAY.

04-00248 - Memo Untitled.pdf

DISCUSSED

Discussion of this item resulted in two ordinances listed below:

**(DI.2) 04-00212 ORDINANCE****Draft**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING CHAPTER 54 OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS" BY: REPEALING SECTION 54-1 IN ITS ENTIRETY AND SUBSTITUTING IN LIEU THEREOF NEW SECTION 54-1 TO PROVIDE DEFINITIONS; REPEALING 54-2 IN ITS ENTIRETY; AMENDING SECTION 54-3 TO APPLY TO PUBLIC WORKS AND COMMERCIAL EVENTS PERMITS AND TO AFFIRMATIVELY INDICATE ITS INAPPLICABILITY TO PROTECTED SPEECH IN PUBLIC FORUMS; AMENDING SECTION 54-6 TO PROVIDE THE TIME LIMITS FOR THE FILING OF AN APPLICATION FOR A PERMIT FOR PARADES AND PROCESSIONS; ADDING NEW SECTION 54-6.2 TO PROVIDE FOR TIME LIMITS FOR THE FILING OF A PERMIT FOR AN ASSEMBLY; AND REQUIRING INFORMATION IN THE APPLICATIONS FOR PARADES, PROCESSIONS AND ASSEMBLIES TO SPECIFY CRITERIA AND CONDITIONS FOR A PERMIT TO BE ISSUED, AND TO PROVIDE FOR NOTICE OF DENIAL, REVOCATION AND ADMINISTRATIVE APPEAL; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

04-00212-cover memo.pdf, 04-00212-legislation.pdf

**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 Winton and Sanchez

**(DI.2) 04-00213    ORDINANCE****Draft**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING CHAPTER 38 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PARKS AND RECREATION" BY REPEALING SECTION 38-67 IN ITS ENTIRETY, AND FURTHER AMENDING SECTION 38-74 TO ADD EVENTS THAT REQUIRE PERMITS AND TO DELETE CERTAIN OTHER EVENTS FROM THE REQUIREMENT AND AFFIRMATIVELY INDICATE ITS INAPPLICABILITY TO PROTECTED SPEECH IN PUBLIC PARKS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

04-00213-cover memo.pdf, 04-00213-legislation.pdf

**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 Winton and Sanchez**

**DI.3    04-00250    DISCUSSION ITEM**

DISCUSSION CONCERNING ALTERNATE FUNDING SOURCES FOR THE LITTLE HAVANA HOMEOWNERSHIP ZONE.

04-00250-cover memo.pdf

**DISCUSSED**

This item was discussed under item D3.2.

**10:00 A.M.****DI.4    04-00114    DISCUSSION ITEM**

PURSUANT TO THE DIRECTIVE FROM THE CITY COMMISSION ON JANUARY 22, 2004, THE NEIGHBORHOOD ENHANCEMENT TEAM (NET) WILL BE MAKING A FULL PRESENTATION IN CONNECTION WITH ITS MISSION INCLUDING PHYSICAL FACILITIES, SCOPE OF SERVICES, THE ROLE, ETC.

04-00114-cover memo.pdf, 04-00114-powerpoint presentation.pdf, 04-00114-Submitted Untitled.pdf

**DISCUSSED**

**A motion was made by Chairman Teele, seconded by Commissioner González, and passed unanimously, with Commissioners Winton and Regalado absent, to TABLE the discussion of item DI.4 until 3 p.m. this afternoon.**

**Direction to the City Manager by Chairman Teele to have the four administrators of NET ( Neighborhood Enhancement Team) offices located within District 5 to be present when the discussion of this item is considered at 3 p.m.; further requesting that the City Attorney be**

prepared to discuss this afternoon, what legislative actions the Commission has taken and can take relating to the NET office and the annual budget process.

Direction to the City Manager by Chairman Teele to:

- 1- instruct NET to be more aggressive in protecting residential areas from commercial and construction related activities, particularly in the Model City area;
- 2- have the NET Administrators attend each of the District CDBG (Community Development Block Grant) public meetings;
- 3- identify appropriate office space for three NET offices;
- 4- provide a clear focus on the services provided by NET;
- 5- provide information to the public, especially in the Little Haiti area;
- 6- coordinate special events with the district Commissioner.

Direction to the City Manager by Commissioner González to provide a report listing code violations which have come into compliance within the last 90 days in District 1, particularly in the Allapattah area; further reiterating that West Little Havana needs to have a NET office.

Direction to the City Manager by Commissioner Regalado to amend the current draft of the booklet of information to be distributed to the public by:

- 1- simplifying the booklet format, reduce volume of information;
- 2- the number listed for dead animal pickup is a recorded message; this should be coordinated by NET staff;
- 3- the Comcast cable number to report problems is also a recorded message; this should be coordinated by NET staff;
- 4- deleting the names of department directors because some of the ones listed are no longer with the City;
- 5- identifying the five districts with its district Commissioner and the NETs that serve their areas;
- 6- using graphs to show what NET offices can assist with, such as garage sale permits;
- 7- including a notice that boxes are not to be placed in the street median to advertise garage sales and that signs are not to be posted on public right-of-ways, which includes trees in the medians.

A motion was made by Chairman Teele, seconded by Commissioner Regalado, and passed with Vice Chairman Sanchez voting in the negative and Commissioner Winton absent, for a non-binding straw vote in support of having the NET (Neighborhood Enhancement Team) Service Centers provide code enforcement services.

A motion was made by Chairman Teele, seconded by Vice Chairman Sanchez, and passed unanimously, with Commissioner Winton absent, to instruct the City Attorney to draft appropriate legislation to amend the budget ordinance and the table of organization to show accurate number of budgeted positions and location of NET offices and Code Enforcement; further directing the City Manager to schedule consideration of said item for the next regular Commission meeting.

**EXECUTIVE SESSIONS****2:45 P.M.****ES.1 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 3:00 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, 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

**DEFERRED**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item ES.1 to the Commission meeting currently scheduled for April 8, 2004 at 2:45 p.m.

**3:00 P.M.****ES.2 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 3:00 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 3:30 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

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

**DEFERRED**

**A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton absent, to DEFER item ES.2 to the Commission meeting currently scheduled for April 8, 2004 at 3 p.m.**

**PART B**

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

**PZ.1 04-00082 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A 90 -DAY TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW BUILDINGS IN EXCESS OF 85 FEET (COMMERCIAL) OR 95 FEET (RESIDENTIAL) IN HEIGHT FOR THAT AREA LOCATED IN AND REGULATED UNDER THE SD-9 BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT OF THE ZONING ORDINANCE AND ZONING ATLAS OF THE CITY OF MIAMI; PROVIDING FOR A TERM; PROVIDING FOR PENDING APPLICATIONS; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL REVIEW; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

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 January 21, 2004 by a vote of 8-0. This is related to File ID 04-00082a.

PURPOSE: This will establish a 90-day temporary moratorium on the acceptance of applications for new buildings over a certain height along the SD-9 Biscayne Boulevard North Overlay District.

04-00082 SR Fact Sheet.PDF, 04-00082 PAB Reso.PDF, 04-00082 SR Legislation.PDF, 04-00082 FR Fact Sheet.PDF, 04-00082 FR Legislation DRAFT.PDF

**CONTINUED**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to CONTINUE item PZ.1 to the Commission meeting currently scheduled for April 8, 2004 at 4 p.m.; further instructing the City Attorney and the City Clerk to publish appropriate notices to the public; and further directing the City Manager to provide a report on the citywide impact of the proposed 90-day moratorium.

Note for the Record: Although Chairman Teele directed the City Clerk to publish the aforementioned notice, notices for Planning and Zoning items are advertised and paid for by the Office of Hearing Boards. The City Clerk will send an e-mail to the Office of Hearing Boards to advise of said direction by Chairman Teele.

**PZ.2 04-00082a ORDINANCE First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A 90

-DAY TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW BUILDINGS IN EXCESS OF 40 FEET IN HEIGHT FOR THAT AREA LOCATED IN AND REGULATED UNDER THE SD-9 BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT OF THE ZONING ORDINANCE AND ZONING ATLAS OF THE CITY OF MIAMI; PROVIDING FOR A TERM; PROVIDING FOR PENDING APPLICATIONS; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL REVIEW; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval. This is related to File ID 04-00082.

PURPOSE: This will establish a 90-day temporary moratorium on the acceptance of applications for new buildings over a certain height along the SD-9 Biscayne Boulevard North Overlay District.

04-00082a FR Fact Sheet.PDF, 04-00082a FR Legislation.PDF

**CONTINUED**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, to CONTINUE item PZ.1 to the Commission meeting currently scheduled for April 8, 2004 at 4 p.m.; further instructing the City Attorney and the City Clerk to publish appropriate notices to the public; and further directing the City Manager to provide a report on the citywide impact of the proposed 90-day moratorium.

Note for the Record: Although Chairman Teele directed the City Clerk to publish the aforementioned notice, notices for Planning and Zoning items are advertised and paid for by the Office of Hearing Boards. The City Clerk will send an e-mail to the Office of Hearing Boards to advise of said direction by Chairman Teele.

**PZ.3 03-0423a**

**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 3163, 3165 AND 3175 SOUTHWEST 22 ND TERRACE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3163, 3165 and 3175 SW 22nd Terrace

APPLICANT(S): Blue on Coral Way, LLC

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 21, 2004 by a vote of 8-0. See companion File ID 03-0423b.

PURPOSE: This will allow a unified commercial development site for the proposed **Blue at Coral Way** Major Use Special Permit Project.

03-0423a FR Fact Sheet.PDF, 03-0423a Analysis.PDF, 03-0423a Land Use Map.PDF, 03-0423a & 03-0423b Aerial Map.pdf, 03-0423a & 03-0423b School Bd Recomm.PDF, 03-0423a PAB Reso.PDF, 03-0423a Application & Supp Docs.PDF, 03-0423a FR Legislation.PDF

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

**Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.**

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

**ABSENT:** Commissioner Winton

**PZ.4 03-0423b**

**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 PROPERTIES LOCATED AT APPROXIMATELY 3163, 3165 AND 3175 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A;" CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3163, 3165 and 3175 SW 22nd Terrace

APPLICANT(S): Blue on Coral Way, LLC

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on December 15, 2003 by a vote of 8-0. See companion File ID 03-0423a.

PURPOSE: This will allow a unified commercial development site for the proposed **Blue at Coral Way** Major Use Special Permit Project.

03-0423b FR Fact Sheet.PDF, 03-0423b Analysis.PDF, 03-0423b Zoning Map.PDF, 03-0423a & 03-0423b Aerial Map.pdf, 03-0423a & 03-0423b School Bd Recomm.PDF, 03-0423b ZB Reso.PDF, 03-0423b Application & Supp Docs.PDF, 03-0423b Legislation.PDF, 03-0423b Exhibit A.PDF

**MOVED:** Tomas Regalado

**SECONDED:** Angel González

**Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.**

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

**ABSENT:** Commissioner Winton

**NA.1 04-00270 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A DISBURSEMENT OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$100,000 , FROM THE COCONUT GROVE SPECIAL EVENTS & MARKETING COMMITTEE FUND TO SUPPORT THE GREATER MIAMI CONVENTION & VISITORS BUREAU FOR THE "GET LAID BACK" EVENT MARKETING PLAN FOR COCONUT GROVE, SUBJECT TO BUDGETARY APPROVAL.

04-00270-memo-1.DOC

**R-04-0150**

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

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

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

**ABSENT:** Commissioner Winton

Direction to the Administration: by Chairman Teele to schedule for the Commission Meeting currently scheduled for April 8, 2004, a presentation by the Greater Miami Convention & Visitor's Bureau on the marketing plan for Coconut Grove in connection with their "Get Laid Back" event.

**NA.2 04-00287 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION RESCHEDULING THE FIRST REGULAR CITY COMMISSION MEETING OF MAY, ORIGINALLY SCHEDULED FOR MAY 13, 2004, TO TAKE PLACE ON MAY 6, 2004.

**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 Winton and Sanchez

Direction to the City Clerk: by Chairman Teele to inform the members of the Commission who are absent about the rescheduled May meeting.

**NA.3 04-00283 DISCUSSION ITEM**

Welcome Event at Armory for Iraq Veterans

**MOTION**

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton and Vice Chairman Sanchez absent, to instruct the City Manager to (1) place one or two banners saying "Welcome Home" at the armory for event in honor of the National Guard who served in the Iraq War for the past year, (2) provide a police escort for the busses with the veterans coming to Miami, (3) instruct "Miami Television" cable channel to provide notice of the event, and (4) for

members of the Community Relations Board to be made official ambassadors of this event.

**NA.4 04-00285 DISCUSSION ITEM**

Part time employees to be considered for full time employment.

**DISCUSSED**

**Direction to the City Manager: by Chairman Teele to schedule a status report on the March 25, 2004 agenda related to part time City employees being given the opportunity to become full time.**

**NA.5 04-00254 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT (S ), AUTHORIZING THE ENCROACHMENT ON A PUBLIC EASEMENT PURSUANT TO SECTION 55-14 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, FOR THE PROPERTY LOCATED AT 1111 NORTHWEST 17TH COURT, MIAMI, FLORIDA, AND ENTRANCE UPON THE PUBLICLY DEDICATED CANAL MAINTENANCE EASEMENT AND WATERLINE EASEMENT TO CONDUCT NECESSARY REPAIRS TO A DOCK LOCATED THEREIN; AUTHORIZING THE CITY OF MIAMI TO ISSUE THE REQUIRED PERMIT TO THE PROPERTY OWNERS FOR SAID REPAIRS; AUTHORIZING THE CITY MANAGER TO EXECUTE A HOLD HARMLESS AND INDEMNIFICATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM.

04-00254-Memo-1 Untitled.pdf, 04-00254-Exhibit-2 Untitled.pdf

**R-04-0167**

**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 Winton and Sanchez**

**NA.6 04-00259 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") WATERWAYS ASSISTANCE PROGRAM FOR GRANT FUNDING, IN AN AMOUNT NOT TO EXCEED \$ 50,000, FOR THE REMOVAL OF APPROXIMATELY TWENTY-FIVE (25) IDENTIFIED DERELICT VESSELS FROM DINNER KEY ("PROJECT"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FOR FIFTY (50%) OF THE PROJECT, IN AN AMOUNT NOT TO EXCEED \$ 50,000, FROM THE OPERATING BUDGET OF FISCAL YEAR 2004; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SUBMISSION OF THE FIND GRANT APPLICATION.

04-00259-Memo-1 Untitled.pdf

**R-04-0168****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 Winton and Sanchez**NA.7 04-00271****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0093, ADOPTED FEBRUARY 26, 2004, WHICH GRANTED THE REQUEST OF MIAMI-DADE COUNTY ("COUNTY") TO USE THE MIAMI MARINE STADIUM PARKING LOT, LOCATED AT APPROXIMATELY 3601 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA, TO INCLUDE PROPERTY ALONG ARTHUR LAMB, JR. ROAD AND ITS ADJACENT OPEN SPACE, TO PROVIDE TEMPORARY PARKING FOR THE NASDAQ 100 OPEN TENNIS TOURNAMENT ("EVENT"), FOR THE PERIOD MARCH 24, 2004 THROUGH APRIL 4, 2004, AT CRANDON PARK ON KEY BISCAYNE, FLORIDA; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE COUNTY, PROVIDED THAT: (1) THE COUNTY PREPARE THE SITE AND CLEAN THE PARKING LOT AND ADJACENT CITY OF MIAMI ("CITY") OWNED LAND DURING AND IMMEDIATELY AFTER THE EVENT AND (2) THE CITY MAY CONTINUE TO USE THE STABLES AT TROPICAL PARK THROUGH APRIL 30, 2005.

**R-04-0169****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 Winton and Sanchez

A motion was made by Commissioner González, seconded by Commissioner Regalado, and passed unanimously, with Commissioner Winton and Vice Chairman Sanchez absent, to schedule, at the Commission meeting currently scheduled for April 8, 2004, a report concerning the relocation of the City of Miami police horse stables.

**Direction to the City Clerk and the City Manager:** by Chairman Teele to work with the Agenda Coordinator to make sure that the status report on the relocation of the horse stables and the effort to hire part timers on a full time basis are scheduled on the agenda, as requested.

**NA.8 04-00286****DISCUSSION ITEM**

Douglas Wood and Associates structural engineering firm history of contracts with the City.

**DISCUSSED**

Direction to the City Manager: by Chairman Teele to provide a history of the contracts between the City of Miami and Douglas Wood and Associates.

**NA.9 04-00269 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0085, ADOPTED FEBRUARY 12, 2004, WHICH AUTHORIZED THE DONATION OF AN AMOUNT NOT TO EXCEED \$5,000 , TO SUPPORT THE AMERICAN ASSOCIATION OF RETIRED PERSONS 10TH ANNIVERSARY EVENT, SCHEDULED FOR MARCH 17, 2004, TO CHANGE DISBURSEMENT DIRECTIONS.

**R-04-0165**

**MOVED:** Tomas Regalado

**SECONDED:** Angel González

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

**AYES:** Commissioner González, Regalado and Teele

**ABSENT:** Commissioner Winton and Sanchez

**NA.10 04-00288 DISCUSSION ITEM**

Crosswinds Agreement

Direction to the City Attorney: by Chairman Teele make proposed agreement related to Crosswinds available to the public and to publish a notice 30 days prior to final action on said matter.

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton and Vice Chairman Sanchez absent, directing the City Attorney and the City Manager to schedule a public hearing to consider proposed agreement related to Crosswinds, and to post notices around Overtown and the area surrounding the impacted area.

**NA.11 04-00289 DISCUSSION ITEM**

Status of Miami Arena

**DISCUSSED**