



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, March 25, 2004

9:00 AM

City Hall Commission Chambers

CONTENTS

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

PR - PRESENTATIONS AND PROCLAMATIONS

MV - MAYORAL VETOES

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.5 - Housing Development Policy & District 4 Pilot Project Allocation

SR - SECOND READING ORDINANCES

RE - RESOLUTIONS

BC - BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS

3:15 P.M. - DI.4 - Annual Reports of City Boards and Committees

PART B

PZ - PLANNING AND ZONING ITEMS

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, Commissioner Regalado and Chairman Teele

Absent: Commissioner Winton and Vice Chairman Sanchez

On the 25th 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 11:49 a.m., reconvened at 3:12 p.m. and adjourned at 6:41 p.m.

ALSO PRESENT:

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

PRESENTATIONS AND PROCLAMATIONS

PR.1 04-00294 CEREMONIAL ITEM

Name of Honoree	Presenter	Protocol Item
Lida Rodriguez-Taseff Outgoing President of ACLU	Chairman Teele & Commissioners	Commendation

1. Commissioner Regalado presented a certificate of appreciation to Jose Martinez, who celebrated his 100th birthday, proclaiming today as "Jose Martinez Day" for his many years of continued work and service as he still works full time at the family pharmacy.
2. Chairman Teele presented a commendation to Lida Rodriguez-Tasseff, outgoing President of the American Civil Liberties Union (ACLU), for her 12 years of defending civil liberties in the community.
3. Chairman Teele presented a proclamation to the organization "Embrace Girl Power!" for its program, which is designed to enhance the quality of life of young girls from the urban core and cultivate future leaders; proclaiming today as "Embrace Girl Power! Day."

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

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 to be considered.

APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:

Special Meeting of April 15, 2002

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion to APPROVED PASSED by the following vote.

AYES: Commissioner González, Winton and Teele

ABSENT: Commissioner Sanchez and Regalado

CONSENT AGENDA

CA.1 04-00225 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF BAZANJ CONSTRUCTION CORPORATION, FOR THE PROJECT ENTITLED "BRYAN PARK INTERIOR IMPROVEMENTS, B-30302," IN AN AMOUNT NOT TO EXCEED \$101,300; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NOS. 331419, IN AN AMOUNT NOT TO EXCEED \$1,694 AND 311714, IN AN AMOUNT NOT TO EXCEED \$109,708.25, FOR CONTRACT COSTS, PLUS AN AMOUNT NOT TO EXCEED \$10,102.25 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$111,402.25, AS SET FORTH IN THE FORMAL BID 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.

04-00225-cover memo.pdf, 04-00225-budgetary impact analysis.pdf, 04-00225-legislation.pdf, 04-00225-exhibit 1-contract.pdf, 04-00225-exhibit 2-project fact sheet.pdf, 04-00225-exhibit 3-formal bid.pdf

R-04-0172

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

CA.2 04-00226 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF EXPERT LAWN & PROPERTY MAINTENANCE, TO PROVIDE LAWN MAINTENANCE SERVICES AT BICENTENNIAL PARK AND THE DEEP WATER SLIP, FOR THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST") ON AN AS-NEEDED CONTRACT BASIS, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$14,915, AND A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$59,660; ALLOCATING FUNDS FROM THE OPERATING BUDGET OF THE TRUST.

04-00226-cover memo.pdf, 04-00226-bayfront budget.pdf, 04-00226-bayfront memo.pdf, 04-00226-bayfront reso..pdf, 04-00226-award approval form.pdf, 04-00226-certification statement.pdf, 04-00226-bid sheet.pdf, 04-00226-qualification statement.pdf, 04-00226-regisration affidavit.pdf, 04-00226-affirmative action policy statement.pdf, 04-00226-statement of intent.pdf, 04-00226-enterprise certificate.pdf, 04-00226-renewal card.pdf, 04-00226-bid checklist.pdf, 04-00226-tabulation sheet.pdf, 04-00226-bid security list.pdf, 04-00226-legislation.pdf

R-04-0173

This Matter was ADOPTED on the Consent Agenda.

CA.3 04-00227

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE PURCHASE AND INSTALLATION OF THE CRIMEVIEW WEB SOFTWARE PACKAGE, FOR THE DEPARTMENT OF POLICE, TO INCLUDE TRAINING AND ONE (1) YEAR CUSTOMER SUPPORT, FROM INTERNATIONAL DEVELOPMENT ADVISORY SERVICES ("IDAS"), AWARDED UNDER EXISTING STATE OF FLORIDA STATE NEGOTIATED AGREEMENT PRICE SCHEDULE II ("SNAPS") AGREEMENT NO. 2521878-4, AS SET FORTH IN "EXHIBIT A," ATTACHED AND INCORPORATED, EFFECTIVE UNTIL APRIL 27, 2004, SUBJECT TO FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, AT A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$34,995; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, ACCOUNT CODE NO. 690003.291278.6.335, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF TREASURY'S, "GUIDE TO EQUITABLE SHARING."

04-00227-affidavit.pdf, 04-00227-budgetary impact analysis.pdf, 04-00227-award approval form.pdf, 04-00227-account inquiries.pdf, 04-00227-spa agreement.pdf, 04-00227-price schedule.pdf, 04-00227-cover sheet.pdf, 04-00227-proposal.pdf, 04-00227-ESRI GIS software, 04-00227-award under state of FL..pdf, 04-00227-legislation.pdf, 04-00227-exhibit.pdf

R-04-0174

This Matter was ADOPTED on the Consent Agenda.

CA.4 04-00229

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BIDS FROM FIVE (5) VENDORS AS LISTED ON "ATTACHMENT A" AND THE TABULATION OF BIDS DOCUMENTS, ATTACHED AND INCORPORATED, RECEIVED PURSUANT TO COOPERATIVE BID NO. 03-04-023, BETWEEN THE CITY OF MIAMI AND THE CITY OF CORAL GABLES, FOR THE PURCHASE OF FLEET VEHICLES, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION TO BE USED CITYWIDE, ON AN AS-NEEDED CONTRACT BASIS, FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS; ALLOCATING FUNDS BY EACH MUNICIPALITY INDEPENDENTLY; ALLOCATING FUNDS FOR THE CITY OF MIAMI, IN AN AMOUNT NOT TO EXCEED \$5,000,000, FOR THE CURRENT FISCAL YEAR 2003-2004, FROM CAPITAL IMPROVEMENT PROJECT ACCOUNTS, SPECIAL REVENUE FUNDS, AND/OR OPERATING BUDGETS OF VARIOUS DEPARTMENTS AND AGENCIES, AS MAY BE ADJUSTED BY THE CITY COMMISSION IN THE ANNUAL APPROPRIATIONS/CAPITAL IMPROVEMENTS ORDINANCES, OR AS OTHERWISE PERMITTED BY LAW.

04-00229-cover memo.pdf, 04-00229-budgetary impact analysis.pdf, 04-00229-award approval form.pdf, 04-00229-bid security list.pdf, 04-00229-legislation.pdf, 04-00229-exhibit.pdf

R-04-0175

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

CA.5 04-00230

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ACQUISITION OF A WEB CONTENT MANAGEMENT SYSTEM ("WCMS") FROM REDDOT SOLUTIONS CORPORATION, UTILIZING AN EXISTING CONTRACT, PURSUANT TO RFP-DCP-12-03 FROM DUTCHESS COUNTY, NEW YORK, FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY, IN AN AMOUNT NOT TO EXCEED \$90,000, FOR SOFTWARE AND FIRST YEAR MAINTENANCE, TRAINING AND SERVICES, WITH THE OPTION TO EXTEND PRODUCT SUPPORT FOR FOUR ADDITIONAL ONE-YEAR PERIODS, WITH ANNUAL MAINTENANCE COSTS CAPPED AT \$10,500 FOR YEAR TWO WITH OPTIONAL YEAR INCREASES LIMITED TO NO MORE THAN 5% PER YEAR; FURTHER AUTHORIZING THE ACQUISITION OF A DEVELOPMENT SOFTWARE LICENSE AND FIRST YEAR MAINTENANCE NOT INCLUDED IN THE DUTCHESS COUNTY CONTRACT, AT AN AMOUNT NOT TO EXCEED \$18,054, WITH THE OPTION TO EXTEND PRODUCT SUPPORT FOR FOUR ADDITIONAL ONE-YEAR PERIODS, WITH SAID ANNUAL MAINTENANCE COSTS CAPPED AT APPROXIMATELY \$2,900 FOR YEAR TWO WITH OPTIONAL YEAR INCREASES LIMITED TO NO MORE THAN 5% PER YEAR; FOR A TOTAL FIRST YEAR COST FOR ALL PRODUCTS AND SERVICES NOT TO EXCEED \$108,054; ALLOCATING FUNDS FROM THE CAPITAL IMPROVEMENT PROJECT ("CIP") ACCOUNT NO. 311616, ENTITLED

TECHNOLOGY INFRASTRUCTURE, AND OTHER VARIOUS CIP ACCOUNTS AND THE OPERATING BUDGETS OF VARIOUS USER DEPARTMENTS.

04-00230-cover memo.pdf, 04-00230-budgetary impact analysis.pdf, 04-00230-city quote.pdf, 04-00230-RFP.pdf, 04-00230-proposal form.pdf, 04-00230-collusion affidavit.pdf, 04-00230-agreement.pdf, 04-00230-Red Dot solutions fax.pdf, 04-00230-award under dutchess,ny.pdf, 04-00230-legislation.pdf

R-04-0176

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

CA.6 04-00231

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY IDALIA BUDIHAS, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$40,000 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 IDALIA BUDIHAS V. CITY OF MIAMI, IN THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI DADE COUNTY, FLORIDA, CASE NO. 03-32143 CA 13, 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.

04-00231-cover memo.pdf, 04-00231-legislation.pdf

R-04-0177

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

CA.7 04-00234

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF ONE CROW, INC., FOR THE PROJECT ENTITLED "NEW SOUND SYSTEM AND ACOUSTICAL IMPROVEMENTS FOR: MANUEL ARTIME COMMUNITY CENTER, B-6399, " IN THE PROPOSED AMOUNT NOT TO EXCEED \$213,155; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ("CIP ") NO. 311010, IN THE AMOUNT NOT TO EXCEED \$94,258, AND CIP PROJECT NO. 322060, IN THE AMOUNT NOT TO EXCEED \$144,476, FOR CONTRACT COSTS, PLUS \$25,579 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS, IN AN AMOUNT NOT TO EXCEED \$238,734, AS SET FORTH IN THE DEPARTMENT OF CAPITAL IMPROVEMENTS PROJECT FACT SHEET AND THE FORMAL BID DOCUMENT, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

04-00234-cover memo.pdf, 04-00234-budgetary impact analysis.pdf, 04-00234-legislation.pdf, 04-00234-exhibit 1-formal bid.pdf, 04-00234-exhibit 2-project fact sheet.pdf, 04-00234-exhibit 3-contract.pdf

R-04-0178

This Matter was ADOPTED on the Consent Agenda.

CA.8 04-00239**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), INCREASING THE CONTRACT AWARDED TO PROFESSIONAL GENERAL CONTRACTORS INC., PURSUANT TO RESOLUTION NO. 03-829, APPROVED JULY 17, 2003, IN AN AMOUNT NOT TO EXCEED \$500,000, INCREASING THE TOTAL CONTRACT AMOUNT FROM \$1,949,031 TO \$2,449,031, FOR THE PROJECT ENTITLED "ORANGE BOWL STADIUM STRUCTURAL REPAIRS 2003, B-3297;" AMENDING RESOLUTION NO. 03-829, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 324002.

04-00239-cover memo.pdf, 04-00239-budgetary impact analysis.pdf, 04-00239-pre. legislation.pdf, 04-00239-informal bid.pdf, 04-00239-fact sheet.pdf

R-04-0179

This Matter was ADOPTED on the Consent Agenda.

CA.9 04-00238**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR QUALIFICATIONS ("RFQ") NO. 02-03-140, THAT THE FIRM MOST QUALIFIED TO PROVIDE STATE LOBBYING SERVICES FOR THE OFFICE OF THE CITY MANAGER IS RONALD L. BOOK, P.A., ET AL; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH RONALD L. BOOK, P.A., ET AL, IN AN ANNUAL AMOUNT NOT TO EXCEED \$440,000, FOR SERVICES PLUS \$15,000 FOR EXPENSES, FOR A ONE-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR FOUR ADDITIONAL ONE-YEAR PERIODS; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 001000.920216.6.270.

04-00238-cover memo.pdf, 04-00238-budgetary impact analysis.pdf, 04-00238-evaluation of RFQ.pdf, 04-00238-legislation.pdf, 04-00238-exhibit 1-psa.pdf

R-04-0180

This Matter was ADOPTED on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Angel González

SECONDED: Johnny L. Winton

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

END OF CONSENT AGENDA

PERSONAL APPEARANCE**PA.1 04-00256 DISCUSSION ITEM**

MR. PHILIP BACON, EXECUTIVE DIRECTOR OF COLLINS CENTER FOR PUBLIC POLICY AND MR. WILLIAM MAUZY, PRESIDENT/CEO OF BAME DEVELOPMENT CORPORATION OF SOUTH FLORIDA, INC. TO ADDRESS THE COMMISSION CONCERNING OVERTOWN DEVELOPMENT/CIVIC PARTNERSHIP.

04-00256-cover memo.pdf

DEFERRED

On behalf of the City Manager, the City Attorney requested that Item PA.1 be deferred.

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item PA.1 to the Commission Meeting currently scheduled for April 8, 2004, at a time certain of 10 a.m.

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

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1 04-00291 DISCUSSION ITEM

DISCUSSION CONCERNING INCENTIVE PROGRAMS FOR ADULT LIVING FACILITIES IN THE SHENANDOAH AREA.

04-00291-cover memo.pdf

MOTION

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Chairman Teele and Vice Chairman Sanchez absent, directing the City Manager to allocate \$3,000 from the roll over funds of District 4 Office to the Incentive Program for Adult Living Facilities in the Shenandoah Area; further stipulating that Pioneer House, located at 14th Terrace between 21st and 22nd Avenues, be excluded from said incentive program until such time as it complies with required criteria; and further directing the Manager to come back at the April 8, 2004 Commission meeting with a report on the compliance of Pioneer House.

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

PUBLIC HEARING**PH.1 04-00154 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 CBI CAPITAL HOLDINGS, INC., FOR THE ACQUISITION OF PROPERTIES LOCATED AT 207 NORTHEAST 59TH STREET AND 5911 NORTHEAST 2ND AVENUE, MIAMI, FLORIDA ("PROPERTIES"), AS LEGALLY DESCRIBED IN THE AGREEMENT, IN CONNECTION WITH THE DEVELOPMENT OF LITTLE HAITI PARK, FOR A TOTAL PURCHASE PRICE NOT TO EXCEED \$411,000, AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT; ALLOCATING FUNDS, IN A TOTAL AMOUNT NOT TO EXCEED \$442,700, FROM THE \$ 255 MILLION HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND FOR COSTS INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE, DEMOLITION, AND FENCING.

04-00154-cover memo.pdf, 04-00154-summ. of salient facts.pdf, 04-00154-sales comparison .pdf, 04-00154-summ. of salient facts 2.pdf, 04-00154-pre. legislation.pdf, 04-00154-public notice memo.pdf, 04-00154-public notice .pdf, 04-00154-legislation.pdf, 04-00154-exhibit-agreement.pdf

DEFERRED

On behalf of the City Manager, the City Attorney requested that Item PH.1 be deferred.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item PH.1. to the Commission Meeting currently scheduled for April 8, 2004.

PH.2 04-00155 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 OLGA FELIX AND ANN MARIE LOURDE-LACROIX, FOR THE ACQUISITION OF THE PROPERTY LOCATED AT 5901-09 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 NOT TO EXCEED \$550,000, AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF THE AGREEMENT; ALLOCATING FUNDS, AT A TOTAL AMOUNT NOT TO EXCEED \$586,902, FROM THE \$255 MILLION HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND FOR COSTS INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE, DEMOLITION, AND

FENCING.

04-00155-cover memo.pdf, 04-00155-sales comparison.pdf, 04-00155-summ. of salient facts.pdf, 04-00155-pre. legislation.pdf, 04-00155-public notice memo .pdf, 04-00155-public notice .pdf, 04-00155-public notice 2.pdf, 04-00155-legislation.pdf, 04-00155-exhibit 1-agreement.pdf, 04-00155-exhibit 2-addendum.pdf

DEFERRED

On behalf of the City Manager, the City Attorney requested that Item PH.2 be deferred.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item PH.2. to the Commission Meeting currently scheduled for April 8, 2004.

PH.3 04-00255**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO FLORIDA POWER & LIGHT FOR A PERPETUAL, NON-EXCLUSIVE 48 SQUARE FOOT EASEMENT, FOR CITY-OWNED PROPERTY, IN JOSE MARTI PARK KNOWN AS THE JOSE MARTI PARK RECREATION CENTER ("BUILDING"), LOCATED AT 362 SOUTHWEST 4TH STREET, MIAMI, FLORIDA, AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A NEW PAD MOUNTED TRANSFORMER, WITH THE RIGHT TO IMPROVE, ADD TO, ENLARGE, CHANGE THE VOLTAGE, OR THE SIZE OR REMOVE ANY AND ALL SUCH FACILITIES WITHIN THE EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS TO THE EASEMENT AREA.

04-00255-cover memo.pdf, 04-00255-budget impact.pdf, 04-00255-notice memo.pdf, 04-00255-notice .pdf, 04-00255-legislation.pdf, 04-00255-exhibit 1-grant of easment, 04-00255-exhibit 2-sketch

R-04-0188

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PH.4 04-00258**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FLORIDA POWER & LIGHT ("FPL") FOR A PERPETUAL, NON-EXCLUSIVE 204.6 SQUARE FOOT EASEMENT OF CITY-OWNED PROPERTY BETWEEN SOUTHWEST 5TH STREET AND SOUTHWEST 6 TH STREET, MIAMI, FLORIDA, ADJACENT TO JOSE MARTI PARK,

MIAMI, FLORIDA, AS DESCRIBED IN "EXHIBITS A, B, C, AND D," ATTACHED AND INCORPORATED, FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC UTILITY FACILITIES, INCLUDING THE RELOCATION OF THREE (3) EXISTING POLES AND INSTALLATION OF A NEW MANHOLE, WITH THE RIGHT TO RECONSTRUCT, IMPROVE, ADD TO, ENLARGE, CHANGE THE VOLTAGE, OR THE SIZE, OR REMOVE ANY AND ALL SUCH FACILITIES WITHIN THE EASEMENT, WITH THE RIGHT OF INGRESS AND EGRESS TO THE EASEMENT AREA.

04-00258-cover memo.pdf, 04-00258-budgetary impact.pdf, 04-00258-FPL letter.pdf, 04-00258-notice memo.pdf, 04-00258-notice .pdf, 04-00258-legislation.pdf, 04-00258-exhibit1- grant of easment, 04-00258-exhibit 2- sketches

R-04-0187

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

3:00 P.M.**PH.5 04-00252****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE ALLOCATION OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FUNDS, IN THE AMOUNT NOT TO EXCEED \$500,000, TO DISTRICT 4 HOUSING PILOT PROJECT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; AND ADOPTING POLICIES RELATED TO THE ALLOCATION OF CDBG, STATE HOUSING INITIATIVE PARTNERSHIP AND HOME INVESTMENT PARTNERSHIPS FUNDS FOR AFFORDABLE HOUSING IN THE 30TH PROGRAM YEAR, COMMENCING ON OCTOBER 1, 2004, ATTACHED AND INCORPORATED.

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

R-04-0189

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

ORDINANCES - SECOND READING**SR.1 03-0099a ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTERS 2, 10 AND 36 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY REPEALING CHAPTER 36, IN ITS ENTIRETY, AND SUBSTITUTING IN LIEU THEREOF NEW CHAPTER 36, ENTITLED "NOISE," TO PROVIDE FOR AND CLARIFY NOISE PROHIBITIONS AND LIMITATIONS, ESTABLISH FINES FOR VIOLATION OF NOISE AND NOISE RELATED ACTIVITIES, PROVIDE FOR AND CLARIFY DAYS AND TIMES PERMITTED FOR CONSTRUCTION, DREDGING AND LAND FILLING ACTIVITY, REQUIRE PERMITS, AND PROVIDE FOR ENFORCEMENT AUTHORITY; MORE PARTICULARLY BY REPEALING EXISTING SECTIONS 36-1 THROUGH 36-8, IN THEIR ENTIRETY, AND SUBSTITUTING NEW SECTIONS 36-1 THROUGH 36-9, ADDING NEW SECTIONS 10-6 AND 10-7, AND AMENDING SECTION 2-829 TO THE CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

03-0099-memo-2.pdf, 03-0099 -legislation.pdf

DEFERRED

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item SR.1 to the Commission Meeting currently scheduled for June 24, 2004 (60 days).*

*Note for the Record: Although the motion was stated as 60 days for June 24, 2004, 60 days from March 25th would be on the May 27, 2004 Commission meeting.

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, to RECONSIDER previous vote to defer item SR.1 to the Commission Meeting currently scheduled for June 24, 2004.

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item SR.1 to the Commission Meeting currently scheduled for July 22, 2004 (120 days).

SR.2 04-00212 ORDINANCE Second Reading

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

12505

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

SR.3 04-00213

ORDINANCE**Second Reading**

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 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

12506

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton and Teele

ABSENT: Commissioner Sanchez and Regalado

RESOLUTIONS**RE.1 04-00244 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION RESCINDING RESOLUTION NO. 01-103, ADOPTED FEBRUARY 8, 2001, IN ITS ENTIRETY AND TERMINATING THE CONTRACT AWARDED TO IDEAL OFFICE PRODUCTS FOR THE PROCUREMENT OF OFFICE SUPPLIES, PURSUANT TO SAID RESOLUTION.

04-00244-cover memo.pdf, 04-00244-purchasing memo.pdf, 04-00244-rev. termination letter.pdf, 04-00244-rev. confirmation report.pdf, 04-00244-termination letter.pdf, 04-00244-confirmation report.pdf, 04-00244-pre. legislation.pdf, 04-00244-termination of award.pdf, 04-00244-legislation.pdf

R-04-0181

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

Prior to RE.1 being passed and adopted, the City Attorney stated on behalf of the City Manager, that Item RE.1 needed to be withdrawn.

A motion was made by Commissioner González, was seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to WITHDRAW item RE.1.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to RECONSIDER prior vote to withdraw item RE.1.

Item RE.1 was subsequently ADOPTED.

RE.2 04-00233 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF OFFICE SUPPLIES FROM OFFICE DEPOT, UTILIZING STATE OF FLORIDA CONTRACT NO. 618-001-04-1, EFFECTIVE THROUGH DECEMBER 30, 2006, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES; ALLOCATING FUNDS FROM FISCAL YEAR 2003-2004 CAPITAL IMPROVEMENT PROJECT ACCOUNTS, SPECIAL REVENUE FUNDS, AND/OR THE OPERATING BUDGETS OF VARIOUS DEPARTMENTS AND AGENCIES, AS MAY BE ADJUSTED FROM TIME TO TIME BY THE CITY COMMISSION, IN THE ANNUAL APPROPRIATIONS/CAPITAL IMPROVEMENTS ORDINANCES, OR AS OTHERWISE ADJUSTED AS PERMITTED BY LAW.

04-00233-cover memo.pdf, 04-00233-award approval form.pdf, 04-00233-purshasing memo.pdf, 04-00233-rev. termination letter.pdf, 04-00233-rev. confirmation report.pdf, 04-00233-termination letter.pdf, 04-00233-confirmation report.pdf, 04-00233-tabulations.pdf, 04-00233-certification of contract.pdf, 04-00233-contract documents.pdf, 04-00233-legislation.pdf

R-04-0182

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

RE.3 04-00089

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT WITH MOTOROLA, INC., SOLE SOURCE PROVIDER, PURSUANT TO RESOLUTION NO. 02-1167, ADOPTED OCTOBER 29, 2002, FOR THE ACQUISITION OF EIGHTY (80) ADDITIONAL MOTOROLA XTS 5000 PORTABLE RADIOS WITH ACCESSORIES FOR THE DEPARTMENT OF FIRE-RESCUE, IN AN AMOUNT NOT TO EXCEED \$279,256, INCREASING THE CONTRACT AMOUNT FOR THE SECOND YEAR FROM \$334,974.60 TO \$614,230.60, AND THE TOTAL CONTRACT AMOUNT FROM \$845,846.10 TO \$1,125,102.10; ALLOCATING FUNDS FROM THE FEDERAL GRANT ENTITLED, "URBAN AREAS SECURITY INITIATIVE ("UASI") GRANT PROGRAM II," PROJECT NO.110111, ACCOUNT CODE NO. 280910.6.840; AMENDING RESOLUTION NO. 02-1167, TO REFLECT SAID INCREASE.

04-00089-cover memo.pdf, 04-00089-budgetary impact .pdf, 04-00089-documents from motorola.pdf, 04-00089-pre. reso..pdf, 04-00089-pre. ord..pdf, 04-00089-increase of contract.pdf, 04-00089-legislation.pdf

R-04-0183

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

RE.4 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 was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item RE.4; further directing the City Manager to instruct the Acting President/Chief Executive Officer of the Model City Community Revitalization District Trust to meet with Commissioner González prior to rescheduling this item back for Commission consideration.

RE.5 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-exhibit 1-RLA.pdf, 04-00150-exhibit 2- legal description.pdf, 04-00150-exhibit 3- map.pdf

DEFERRED

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item RE.5.

RE.6 04-00293**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF INTEREST OF KAPUSTIN CORPORATION IN THE EVERGLADES CENTER APARTMENTS PARTNERSHIP TO EVEROK INVESTMENT, LLC AND THE RELEASE OF THE OBLIGATIONS OF KAPUSTIN CORPORATION UNDER THE HOME PROGRAM AGREEMENT, RESULTING IN NO CHANGE IN CONTROL OR IN THE

MANAGEMENT OF THE EVERGLADES CENTER APARTMENTS PARTNERSHIP, CONTINGENT UPON THE RESTRUCTURING OF THE PROMISSORY NOTE ("NOTE") AND MORTGAGE REQUIRING THAT PAYMENTS FOR A LOAN MADE WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE NOTE TO BE RETROACTIVE TO JANUARY 1, 2004; TO MAKE THE CITY LOAN CURRENT, WITH A FIFTEEN YEAR AMORTIZATION TO BEGIN JANUARY 1, 2004; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

04-00293-cover memo.pdf, 04-00293-legislation.pdf

R-04-0185

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

RE.7 04-00295

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 03-1214, ADOPTED DECEMBER 18, 2003, WHICH APPROVED THE PROCUREMENT OF COMPUTER HARDWARE, SOFTWARE, AND OTHER RELATED EQUIPMENT AND SERVICES, FROM THE INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM"), UTILIZING EXISTING STATE OF FLORIDA CONTRACT NO. 973-504-03-01, EFFECTIVE UNTIL MARCH 31, 2004; AUTHORIZING A DECREASE IN THE TOTAL CONTRACT, IN AN AMOUNT NOT TO EXCEED \$3,417.93, FROM \$844,308.55 TO \$840,890.62, AND INCLUDING TWO ADDITIONAL EXISTING STATE OF FLORIDA CONTRACT NOS. 252-008-99-1 (INFORMATION TECHNOLOGY SOFTWARE, UPGRADES), EFFECTIVE UNTIL JUNE 30, 2004, AND NO. 250-000-03-1 (INFORMATION TECHNOLOGY HARDWARE), EFFECTIVE UNTIL JULY 31, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, IN AN AMOUNT NOT TO EXCEED \$840,890.62; AMENDING RESOLUTION NO. 03-1214 TO REFLECT SAID DECREASE AN TO INCLUDE THE ADDITIONAL STATE OF FLORIDA CONTRACT LANGUAGE.

04-00295-cover memo.pdf, 04-00295-system pricing.pdf, 04-00295-back up documents.pdf, 04-00295-memo from the state.pdf, 04-00295-contract cert..pdf, 04-00295-special cond..pdf, 04-00295-IT hardware.pdf, 04-00295-memo from the state2.pdf, 04-00295-contract .pdf, 04-00295-pre. legislation.pdf, 04-00295-amendment.pdf, 04-00295-legislation.pdf

R-04-0184

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

BOARDS AND COMMITTEES

BC.1 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
- _____ Commission At-Large
- _____ Commission At-Large
- _____ 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

The discussion on Item BC.1 resulted in the First Reading Ordinance shown below, which amends the composition of the Mayor's International Council.

(BC.1) 04-00336

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2 /ARTICLE XI/DIVISION 3 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/BOARDS, COMMITTEES, COMMISSIONS/MAYOR'S INTERNATIONAL COUNCIL," TO CHANGE THE

VOTING STATUS OF THE MAYOR FROM A VOTING TO NON-VOTING MEMBER, TO CHANGE THE STATUS OF THE EXECUTIVE DIRECTOR, TO ADD TWO MEMBERS TO THE BOARD TO BE APPOINTED BY THE COMMISSION-AT-LARGE AND TO CORRECT AN ERROR IN THE TERMS OF THE MEMBERS APPOINTED BY THE COMMISSION TO BE APPOINTED FOR SPECIFIC STAGGERED EXPIRATION TERMS; MORE PARTICULARLY BY AMENDING SECTION 2-923(a) OF SAID CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

04-00336-cover memo.pdf, 04-00336-legislation.pdf

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

DISCUSSION ITEMS**DI.1 03-0357****DISCUSSION ITEM**

DISCUSSION AND APPROVAL OF THE FEDERAL LEGISLATIVE AGENDA.

03-0357- cover page.pdf

WITHDRAWN

On behalf of the City Manager, the City Attorney requested that Item DI.1 be withdrawn.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to WITHDRAW item DI. 1.

DI.2 04-00273**DISCUSSION ITEM**

DISCUSSION CONCERNING PART TIME/TEMPORARY EMPLOYEE'S PROMOTIONAL OPPORTUNITIES TO FULL TIME, CIVIL SERVICE STATUS.

04-00273-cover page.pdf

MOTION

Direction to the City Manager by Commissioner González to meet with him to discuss issues of human resources and the unions.

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and passed unanimously, with Vice Chairman Sanchez absent, directing the City Manager to offer promotional opportunities to all part-time/temporary employees with ten years or more seniority for a full-time, classified entry-level position.

Direction to the City Attorney and Administration by Commissioner Winton to provide the City Attorney with all the options available to the City Commission related to part-time/temporary employees; and further instructing the City Attorney to review and determine if legal, the option of doing a one-time waiver of probation period for this group.

DI.3 04-00240**DISCUSSION ITEM**

DISCUSSION CONCERNING A PRESENTATION OF MULTI-YEAR STRATEGIC PLAN.

04-00240-cover memo.pdf

DISCUSSED

The discussion for Item DI.3 resulted in the emergency ordinance below.

(DI.3) 04-00240a**ORDINANCE****Non-Agenda**

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 18, ARTICLE IX/DIVISION 2 OF THE CODE OF THE CITY OF MIAMI ("CITY"), FLORIDA, AS AMENDED, ENTITLED "FINANCIAL

INTEGRITY PRINCIPLES" TO REVISE THE DUE DATE FOR THE MULTI-YEAR FINANCIAL PLAN AND THE MULTI-YEAR CAPITAL IMPROVEMENT PLAN IN THE YEAR 2004, TO NO LATER THAN 30 DAYS AFTER COMPLETION OF LABOR NEGOTIATIONS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

12518

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

Direction to the Administration by Chairman Teele to provide the Commission with the last two list of items that were presented to the State Financial Oversight Board for use of the City's strategic reserves, including the Board's comments.

Direction to the Administration by Commissioner Regalado to look at the proposed ballot question, that may be placed on November ballot by petition, that would double homestead exemption throughout the State of Florida and to find out the citywide impact if this passes.

Direction to the Administration by Chairman Teele to place as the number one budget priority, the restoration of streets and sidewalks throughout the city and to consider the bonding of its revenue streams.

3:15 P.M.

DI.4 04-00241

DISCUSSION ITEM

DISCUSSION CONCERNING ANNUAL REPORTS OF CITY BOARDS AND COMMITTEES.

04-00241-cover memo.pdf, 04-00241-planning advisory board.pdf, 04-00241-zoning board.pdf, 04-00241-street codesignation comm..pdf, 04-00241-beautification and envir..pdf, 04-00241-comm. status of women.pdf, 04-00241-orange bowl advisory.pdf, 04-00241-VKBT.pdf

MOTION

Annual Reports were presented by the following Boards and Committees:

Zoning Board

Planning Advisory Board

Virginia Key Beach Park Trust

Street Codesignation Committee

Orange Bowl Advisory Board

Direction to the City Manager: by Commissioner Winton to institute an internal policy that would ensure that any masterplan that is adopted by the City Commission also be presented to the Zoning Board, Planning Advisory Board, and Urban and Development Review Board.

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to instruct the City Manager, in consultation with the Planning Advisory Board, to review the board's current responsibilities and tasks and bring back a reviewed and redefined mission statement for said board, with a very specific recommendation as to what their mission statement should be and identify the resources necessary for said board to fulfill its mission in the most professional and expeditious manner possible; further to include separately a point by point response to the comments made in the presentation by Chair of the Planning Advisory Board.

Direction to the City Clerk by Chairman Teele to provide the Commission with a list of the members of the Street Codesignation Committee along with the attendance records for each member.

Direction to the City Attorney and Administration by Chairman Teele to work with the Chairperson of the Street Codesignation Committee, to draft an ordinance that would include among the Committee's duties, jurisdiction for placement of historical markers, plaques and other designations in order to develop historical records; further instructing the Administration to come back at the Commission meeting currently scheduled for June 24, 2004, with a report and said ordinance for first reading; further instructing the City Attorney to include in said ordinance that the Committee will coordinate and arrange suitable ceremonial dedications for future street designations.

Direction to the City Clerk and the Administration to ensure that board attendance reports are filed regularly with the Clerk's office.

PART B

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

PZ.1 04-00077 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING OR DENYING THE APPEAL, REVERSING OR AFFIRMING THE DECISION OF THE ZONING BOARD, THEREBY GRANTING OR DENYING A SPECIAL EXCEPTION FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 9, SECTION 936.1-7, TO ALLOW A DAYCARE OF 7500 SQUARE FEET OR MORE GROSS LOT, WITH A MAXIMUM OF 51 CHILDREN IN THE R-1 RESIDENTIAL ZONING DISTRICT FOR THE PROPERTY LOCATED AT APPROXIMATELY 3675 NW 11TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A," PURSUANT TO PLANS ON FILE AND SUBJECT FURTHER TO A TIME LIMITATION OF TWELVE (12) MONTHS IN WHICH A BUILDING PERMIT MUST BE OBTAINED.

REQUEST: Appeal of a Zoning Board Decision of a Special Exception to Allow a Daycare

LOCATION: Approximately 3675 NW 11th Street

APPLICANT(S): Yaima Crespo, Owner

APPELLANT(S): Yaima Crespo, Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial of the special exception and denial of the appeal.

ZONING BOARD: Denied the special exception on December 15, 2003 by a vote of 6-3.

PURPOSE: The approval of this appeal will allow a daycare with a maximum of 51 children.

04-00077 Fact Sheet.pdf, 04-00077 Appeal Letter.PDF, 04-00077 Analysis.PDF, 04-00077 Zoning Map.PDF, 04-00077 Aerial Map.pdf, 04-00077 ZB Reso.PDF, 04-00077 Application & Supp Docs.PDF, 04-00077 Plans.PDF, 04-00077 Legislation A.PDF, 04-00077 Exhibit A.PDF, 04-00077 Legislation B.PDF, 04-00077 Exhibit A.PDF, 04-00077 - submission - floor plan.pdf

REMANDED BACK TO ZONING BOARD

A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, to REMAND BACK TO THE ZONING BOARD item PZ.1.

PZ.2 03-0380 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH

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

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

R-04-0192

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton and Regalado

NOES: Commissioner Teele

ABSENT: Commissioner Sanchez

APPEAL DENIED; ZONING BOARD'S DECISION UPHELD.

PZ.3 03-0423a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE 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.

04-0423a SR Fact Sheet.PDF, 03-0423a Analysis.PDF, 03-0423a Land Use Map.PDF, 03-0423a & 03-0423b Aerial Map.pdf, 03-0423, 03-0423a & 03-0423 b School Brd Recomm.PDF, 03-0423a PAB Reso.PDF, 03-0423a Application & Supp Docs.PDF, 03-0423a SR Legislation.PDF, 03-0423a FR Fact Sheet.PDF, 03-0423a FR Legislation.PDF

12507

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.4 03-0423b

ORDINANCE

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

12508

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.5 03-0423

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 9, 13, AND 17 OF ZONING ORDINANCE NO. 11000, FOR **THE BLUE ON CORAL WAY PROJECT**, TO BE LOCATED AT APPROXIMATELY 3170 SOUTHWEST 22 ND STREET AND 3163, 3165, AND 3175 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, TO BE COMPRISED OF A 20-STORY MIXED-USE BUILDING, WHICH CONSISTS OF 190 TOTAL MULTIFAMILY RESIDENTIAL UNITS, 4,135 SQUARE FEET OF RETAIL SPACE, 4,100 SQUARE FEET OF OPEN RECREATIONAL SPACE WITH RECREATIONAL AMENITIES, AND A PARKING GARAGE CONSISTING OF APPROXIMATELY 331 TOTAL PARKING SPACES; DIRECTING TRANSMITTAL; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for The Blue on Coral Way Project

LOCATION: Approximately 3170 SW 22nd Street and 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 with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on January 21, 2004 by a vote of 6-2.

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

*See supporting documentation.

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

03-0423 Fact Sheet.PDF, 03-0423 MUSP Analysis.PDF, 03-0423 Zoning Map. PDF, 03-0423 Aerial Map.pdf, 03-0423, 03-0423a & 03-0423b School Brd Recomm.PDF, 03-0423 PAB Reso.PDF, 03-0423 MUSP Application.PDF, 03-0423 Variance Fact Sheet.PDF, 03-0423 Variance Analysis.PDF, 03-0423 Variance ZB Reso.PDF, 03-0423 Variance Appl & Supp Docs.PDF, 03-0423 Plans.PDF, 03-0423 Legislation.PDF, 03-0423 Exhibit A.PDF, 03-0423 Exhibit B.PDF, 03-0423 Exhibit C.PDF

R-04-0193

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.6 04-00196

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 13 AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **EVERGLADES ON THE BAY PROJECT**, TO BE LOCATED AT APPROXIMATELY 244 BISCAYNE BOULEVARD, MIAMI, FLORIDA, TO BE COMPRISED OF TWO RESIDENTIAL TOWERS, WHICH CONSISTS OF 870 TOTAL MULTI-FAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, 65,549 SQUARE FEET OF RETAIL SPACE, AND APPROXIMATELY 1,146 TOTAL PARKING SPACES; DIRECTING TRANSMITTAL; MAKING

FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW;
PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY
CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for the Everglades on the Bay Project

LOCATION: Approximately 244 Biscayne Boulevard

APPLICANT(S): Cabi Downtown, LLC & John Moxley, Trustee

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with
conditions*.

PLANNING ADVISORY BOARD: Recommended approval with
conditions* to City Commission on February 18, 2004 by a vote of 8-0.

*See supporting documentation.

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

04-00196 Fact Sheet.PDF, 04-00196 Analysis.PDF, 04-00196 Zoning Map.
PDF, 04-00196 Aerial Map.pdf, 04-00196 PAB Reso.PDF, 04-00196
Application & Supp Docs.PDF, 04-00196 Plans.PDF, 04-00196 Legislation.
PDF, 04-00196 Exhibit A.PDF, 04-00196 Exhibit B.PDF, 04-00196 Exhibit C.
PDF

R-04-0194

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.7 04-00206

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH
ATTACHMENT, CLOSING, VACATING, ABANDONING AND
DISCONTINUING FOR PUBLIC USE THAT PORTION OF AN EASEMENT
LOCATED NORTH OF SOUTHWEST 26TH TERRACE, WESTERLY AND
PARALLEL TO SOUTHWEST 37TH AVENUE, MORE PARTICULARLY
DESCRIBED IN EXHIBIT "A"
(HEREBY ATTACHED).

REQUEST: Official Vacation and Closure of an Easement

LOCATION: Approximately An Easement Located North of SW 26th Terrace, Westerly and Parallel to SW 37th Avenue

APPLICANT(S): Panerai Developers, LLC

APPLICANT(S) AGENT: Sean Grimberg, Manager

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PUBLIC WORKS DEPARTMENT: See supporting documentation.

PLAT & STREET COMMITTEE: See supporting documentation.

ZONING BOARD: Recommended approval to City Commission on February 23, 2004 by a vote of 8-1.

PURPOSE: This will allow a unified development site.

04-00206 Fact Sheet.PDF, 04-00206 Public Works Analysis.PDF, 04-00206 Zoning Map.PDF, 04-00206 Aerial Map.pdf, 04-00206 ZB Reso.PDF, 04-00206 Application & Supp Docs.PDF, 04-00206 Legislation.PDF, 04-00206 Exhibit A.PDF

R-04-0195

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.8 04-00121

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DENYING OR GRANTING THE APPEAL OF AXEL M.H. ULLRICH ("APPELLANT") AND AFFIRMING OR REVERSING THE DECISION OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD, ("HEPB") WHICH DENIED A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE PROPERTY LOCATED AT 1010 NORTHWEST 9TH COURT, AND THE CONSTRUCTION OF A NEW SINGLE FAMILY RESIDENCE, WITHIN THE SPRING GARDEN HISTORIC DISTRICT, MIAMI, FLORIDA.

REQUEST: Appeal of a Historic and Environmental Preservation Board Decision of a Certificate of Appropriateness

LOCATION: Approximately 1010 NW 9th Court

APPLICANT(S): Axel M.H. Ullrich, Owner

APPELLANT(S): Axel M.H. Ullrich, Owner

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: Denied the certificate of appropriateness on January 20, 2004 by a vote of 9-0.

PURPOSE: The approval of this appeal will result in the issuance of a Certificate of Appropriateness of a new single family residence within the Spring Garden Historic District.

04-00121 Fact Sheet.PDF, 04-00121 Appeal Letter.PDF, 04-00121 HEPB Reso.PDF, 04-00121 Submission for City Commission.PDF, 04-00121 Submission for 01-20-04 HEPB.PDF, 04-00121 Submission for 09-16-03 HEPB .PDF, 04-00121 Legislation A.PDF, 04-00121 Legislation B.PDF

REMAND BACK TO HISTORIC & ENVIRONMENTAL PRESERVATION BOARD

A motion was made by Chairman Teele, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez and Commissioner González absent, to REMAND item PZ. 8 BACK TO THE HISTORIC AND ENVIRONMENTAL PRESERVATION (HEP) BOARD.

PZ.9 04-00080

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 400 AND 420 SOUTHWEST 7TH STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY 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 "Medium Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 400 and 420 SW 7th Street

APPLICANT(S): 420 Property, Inc & 414 Property, LLC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 17, 2003 by a vote of 6-0. See companion File ID 04-00080a.

PURPOSE: This will allow a unified commercial development site.

04-00080 SR Fact Sheet.PDF, 04-00080 Analysis.PDF, 04-00080 Land Use Map.PDF, 04-00080 & 04-00080a Aerial Map.pdf, 04-00080 PAB Reso.PDF, 04-00080 Application & Supp Docs.PDF, 04-00080 SR Legislation.PDF, 04-00080 FR Fact Sheet.PDF, 04-00080 FR Legislation.PDF

12512

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.10 04-00080a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 36, 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-3 MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO C-1 RESTRICTED COMMERCIAL FOR THE PROPERTIES LOCATED AT APPROXIMATELY 400 AND 420 SOUTHWEST 7TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-3 Multifamily Medium-Density Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 400 and 420 SW 7th Street

APPLICANT(S): 420 Property, Inc & 414 Property, LLC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on January 26, 2004 by a vote of 8-0. See companion File ID 04-00080.

PURPOSE: This will allow a unified commercial development site.

04-00080a SR Fact Sheet.PDF, 04-00080a Analysis.PDF, 04-00080a Zoning Map.PDF, 04-00080 & 04-00080a Aerial Map.pdf, 04-00080a ZB Reso.PDF, 04-00080a Application & Supp Docs.PDF, 04-00080a Legislation.PDF, 04-00080a Exhibit A.PDF, 04-00080a FR Fact Sheet.PDF

12513

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.11 04-00081

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 18, 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 C-2 LIBERAL COMMERCIAL TO C-2 LIBERAL COMMERCIAL WITH AN SD-19 DESIGNATED F.A.R. OVERLAY DISTRICT, 2.10 F.A.R. FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3574, 3650, 3660, 3670, 3680 AND 3690 NORTHWEST 36TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED " EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from C-2 Liberal Commercial to C-2 Liberal Commercial with an SD-19 Designated F.A.R. Overlay District, 2.10 F.A.R. to Change the Zoning Atlas

LOCATION: Approximately 3574, 3650, 3660, 3670, 3680 and 3690 NW 36 th Street

APPLICANT(S): Adrian Industiral Properties, Ltd

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on January 26, 2004 by a vote of 8-0.

PURPOSE: This will add the SD-19 Designated F.A.R. Overlay District, 2.10 F.A.R. to the properties listed above.

04-00081 SR Fact Sheet.PDF, 04-00081 Analysis.PDF, 04-00081 Zoning Map. PDF, 04-00081 Aerial Map.pdf, 04-00081 ZB Reso.PDF, 04-00080a Application & Supp Docs.PDF, 04-00081 Legislation.PDF, 04-00081 Exhibit A. PDF, 04-00081 FR Fact Sheet.PDF

12514

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.12 04-00109

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 10 IN ORDER TO AMEND SECTIONS 627 AND 10.6 TO ADD SIGN REGULATIONS FOR THE SD-27.2 BUENA VISTA YARD WEST SPECIAL DISTRICT; CONTAINING A REPEALER PROVISION AND 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 February 4, 2004 by a vote of 6-0.

PURPOSE: This will add sign regulations for the SD-27.2 Buena Vista Yard West Special District.

04-00109 SR Fact Sheet.PDF, 04-00109 PAB Reso.PDF, 04-00109 SR Legislation.PDF, 04-00109 FR Fact Sheet.PDF, 04-00109 FR Legislation.PDF

12509

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner Winton, Regalado and Teele

ABSENT: Commissioner González and Sanchez

PZ.13 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;" 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 "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.PDF, 03-0295 FR Legislation DRAFT.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and passed unanimously, with Vice Chairman Sanchez absent, to CONTINUE item PZ.13 to the Commission meeting currently scheduled for April 22, 2004.

PZ.14 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, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

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

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

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

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and passed unanimously, with Vice Chairman Sanchez absent, to CONTINUE item PZ.14 to the Commission meeting currently scheduled for April 22, 2004.

PZ.15 04-00182

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 719 NORTHWEST 13TH AVENUE, MIAMI, FLORIDA, FROM "HIGH DENSITY MULTIFAMILY 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 "High Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 719 NW 13th Avenue

APPLICANT(S): Alonso & Alonso Enterprises, Inc

APPLICANT(S) AGENT: Chad Williard, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 21, 2004 by a vote of 8-0. See companion File ID 04-00182a.

PURPOSE: This will allow a unified commercial development site.

04-00182 FR Fact Sheet.PDF, 04-00182 Analysis.PDF, 04-00182 Land Use Map.PDF, 04-00182 PAB Reso.PDF, 04-00182 & 04-00182a Aerial Map.pdf, 04-00182 Application & Supp Docs.PDF, 04-00182 FR Legislation.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously, with Vice Chairman Sanchez absent, to CONTINUE item PZ.15 to the Commission meeting currently scheduled for April 22, 2004.

PZ.16 04-00182a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE REQUESTED AMENDMENT TO PAGE NO. 24, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM R-4 MULTIFAMILY HIGH-DENSITY RESIDENTIAL TO C-1 RESTRICTED COMMERCIAL FOR THE PROPERTY LOCATED AT APPROXIMATELY 719 NORTHWEST 13TH AVENUE, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-4 Multifamily High-Density Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 719 NW 13th Avenue

APPLICANT(S): Alonso & Alonso Enterprises, Inc

APPLICANT(S) AGENT: Chad Williard, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on February 23, 2004 by a vote of 5-4. See companion File ID 04-00182.

PURPOSE: This will allow a unified commercial development site.

04-00182a FR Fact Sheet.PDF, 04-00182a Analysis.PDF, 04-00182a Zoning Map.PDF, 04-00182 & 04-00182a Aerial Map.pdf, 04-00182a School Brd Recomm.PDF, 04-00182a ZB Reso.PDF, 04-00182a Application & Supp Docs. PDF, 04-00182a Legislation A.PDF, 04-00182a Exhibit A.PDF, 04-00182a Legislation B.PDF, 04-00182a Exhibit A.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously, with Vice Chairman Sanchez absent, to CONTINUE item PZ.16 to the Commission meeting currently scheduled for April 22, 2004.

PZ.17 04-00183

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 5100 NORTHWEST 7TH STREET, MIAMI, FLORIDA, FROM "HIGH DENSITY MULTIFAMILY 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 "High Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 5100 NW 7th Street

APPLICANT(S): Cedars Oil Blue Lagoon, LLC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 21, 2004 by a vote of 8-0. See companion File ID 04-00183a.

PURPOSE: This will allow a unified commercial development site.

04-00183 FR Fact Sheet.PDF, 04-00183 Analysis.PDF, 04-00183 Land Use Map.PDF, 04-00183 & 04-00183a Aerial Map.pdf, 04-00183 PAB Reso.PDF, 04-00183 Application & Supp Docs.PDF, 04-00183 FR 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, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.18 04-00183a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 31, 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-4 MULTIFAMILY HIGH-DENSITY RESIDENTIAL TO C-1 RESTRICTED COMMERCIAL FOR THE PROPERTY LOCATED AT APPROXIMATELY 5100 NORTHWEST 7TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-4 Multifamily High-Density Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 5100 NW 7th Street

APPLICANT(S): Cedars Oil Blue Lagoon, LLC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on February 23, 2004 by a vote of 5-4. See companion File ID 04-00183.

PURPOSE: This will allow a unified commercial development site.

04-00183a FR Fact Sheet.PDF, 04-00183a Analysis.PDF, 04-00183a Zoning Map.PDF, 04-00183 & 04-00183a Aerial Map.pdf, 04-00183a School Brd Recomm.PDF, 04-00183a ZB Reso.PDF, 04-00183a Application & Supp Docs.PDF, 04-00183a FR Legislation.PDF, 04-00183a Exhibit A.pdf

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.19 04-00184

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 550-570 SOUTHWEST 7TH STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY 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 "Medium Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 550-570 SW 7th Street

APPLICANT(S): Goche Corp

APPLICANT(S) AGENT: Amparo Angel, Director

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 04-00184a.

PURPOSE: This will allow a unified commercial development site.

04-00184 FR Fact Sheet.PDF, 04-00184 Analysis.PDF, 04-00184 Land Use Map.PDF, 04-00184 & 04-00184a Aerial Map.pdf, 04-00184 PAB Reso.PDF, 04-00184 Application & Supp Docs.PDF, 04-00184 FR Legislation.PDF

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.20 04-00184a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 36, 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-3 MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL WITH AN SD-12 BUFFER OVERLAY DISTRICT TO C-1 RESTRICTED COMMERCIAL WITH AN SD-25 SOUTHWEST 8TH STREET SPECIAL OVERLAY DISTRICT FOR THE PROPERTIES LOCATED AT APPROXIMATELY 550-570 SOUTHWEST 7TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED, IN ATTACHED "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-3 Multifamily Medium-Density Residential with an SD-12 Buffer Overlay District to C-1 Restricted Commercial with an SD-25 Overlay to Change the Zoning Atlas

LOCATION: Approximately 550-570 SW 7th Street

APPLICANT(S): Goche Corp

APPLICANT(S) AGENT: Amparo Angel, Director

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on February 23, 2004 by a vote of 5-4. See companion File ID 04-00184.

PURPOSE: This will allow a unified commercial development site.

04-00184a FR Fact Sheet.PDF, 04-00184a Analysis.PDF, 04-00184a Zoning Map.PDF, 04-00184 & 04-00184a Aerial Map.pdf, 04-00184a School Brd Recomm.PDF, 04-00184a ZB Reso.PDF, 04-00184a Application & Supp Docs.PDF, 04-00184a FR Legislation.PDF, 04-00184a Exhibit A.PDF

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.21 04-00179

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 9, IN ORDER TO ALLOW ACCEPTANCE OF A COVENANT IN LIEU OF UNITY OF TITLE FOR RESIDENTIAL PROPERTIES, WHICH ARE ZONED R-3 (MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL); CONTAINING A REPEALER PROVISION AND 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 February 4, 2004 by a vote of 6-0.

PURPOSE: This will allow the acceptance of covenants in lieu of unity of title for R-3 Multi-Family Medium Density Residential properties.

04-00179 FR Fact Sheet.PDF, 04-00179 PAB Reso.PDF, 04-00179 FR Legislation.PDF

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.22 04-00197

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLES 4, 5, 6 AND 21, IN ORDER TO MODIFY LANGUAGE PERTAINING TO PLANNED UNIT DEVELOPMENT BONUSES AND TO MODIFY OTHER BONUS PROVISIONS, INCLUDING NEW REQUIREMENTS FOR CONSIDERATION OF CERTAIN BONUSES IN THE SD-5 AND SD-7 ZONING DISTRICTS, AND WITHIN THOSE PORTIONS OF THE R-3 AND R-4 ZONING DISTRICTS LOCATED ALONG BRICKELL AVENUE BETWEEN SOUTHEAST 15TH ROAD AND SOUTHEAST 26TH ROAD, AND BY FURTHER MODIFYING ARTICLE 21, SECTION 2105, IN ORDER TO PROVIDE A SPECIFIED TIME FRAME FOR AMENDMENTS TO ZONING ORDINANCE NO. 11000 AFFECTING MAJOR USE SPECIAL PERMITS; CONTAINING A REPEALER PROVISION AND 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 February 18, 2004 by a vote of 7-0.

PURPOSE: This will modify bonuses in the Brickell area.

04-00197 FR Fact Sheet.PDF, 04-00197 PAB Reso.PDF, 04-00197 FR Legislation.PDF

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

Direction to the City Manager by Chairman Teele to instruct the Fire Department to provide a report to be made part of the record addressing the adequacy of fire protection services in the Brickell Area before this item comes back to the Commission on second reading.

SUPPLEMENTAL AGENDA**SI.1 04-00300 DISCUSSION ITEM**

DISCUSSION CONCERNING THE CO-DESIGNATION OF N.W.7TH AVENUE FROM 20TH STREET TO 25TH STREET AS SUSACASA WAY.

MOTION

A motion was made by Commissioner González, seconded by Commissioner Winton, and passed unanimously, with Vice Chairman Sanchez absent, directing the City Manager to proceed to codesignate Northwest 22 Street between 6th and 11th Avenues as "Susacasa Way."

SI.2 04-00298 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") WATERWAYS ASSISTANCE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$1,550,000, FOR THE BICENTENNIAL PARK SEAWALL RESTORATION PROJECT-PHASE II ("PROJECT"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FOR FIFTY PERCENT (50%) OF THE PROJECT, IN AN AMOUNT NOT TO EXCEED \$1,550,000, FROM THE ANTICIPATED ISSUANCE OF THE SECOND SERIES HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BONDS PREVIOUSLY APPROVED BY VOTER REFERENDUM FOR CAPITAL IMPROVEMENTS PROJECT NO. 331418, ENTITLED "BICENTENNIAL PARK IMPROVEMENTS;" AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SUBMISSION OF THE FIND GRANT APPLICATION, SUBJECT TO CERTAIN TERMS AND CONDITIONS.

R-04-0186

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton and Regalado

ABSENT: Commissioner Sanchez and Teele

SI.3 04-00299 ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING CHAPTER 2, ARTICLE XI, DIVISION 2, SECTION 2-887(b) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "QUORUM REQUIREMENTS; EXCEPTIONS" TO EXEMPT THE DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") FROM THE QUORUM REQUIREMENTS SET FORTH THEREIN; AND AMENDING CHAPTER 14, ARTICLE II, DIVISION 2, SECTION 14-54 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "MEETINGS; RULES AND

REGULATIONS; COMPENSATION OF MEMBERS" TO ESTABLISH THE QUORUM REQUIREMENTS OF THE DDA; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

04-00299- cover memo.pdf, 04-00299- legislation.pdf

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton and Regalado

ABSENT: Commissioner Sanchez and Teele

SI.4 04-00296 DISCUSSION ITEM

DISCUSSION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW BUILDINGS ON THE SOUTHWEST 27TH AVENUE CORRIDOR FROM CORAL WAY TO US-1.

MOTION

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and passed unanimously, with Vice Chairman Sanchez absent, to direct the City Manager to prepare a study of the Southwest 27th Avenue corridor from Coral Way to US-1; further directing the Manager to schedule a properly advertised public hearing at the Commission meeting of April 8, 2004, at 4:30 p.m., to consider proposed 90-day moratorium for the corridor until zoning issues are resolved; further directing the City Attorney and the City Manager to report on the developer's proposed use of the public alley in said area; further directing the Manager to identify the financial resources to bring expert consultants to provide alternate solutions to solve current problems of the City zoning code.

Direction to the City Manager by Commissioner Winton to make the 27th Avenue Corridor effort the number one priority of the City.

SI.5 04-00297 DISCUSSION ITEM

PERSONAL APPEARANCE BY ROBIN LUKACS, A REPRESENTATIVE OF ROYAL RENT A CAR.

DISCUSSED

This item was discussed.

NON-AGENDA ITEMS**NA.1 04-00349 DISCUSSION ITEM**

Chairman Teele apologizes to Commissioner Winton for the scheduling of item related to Biscayne Boulevard on April 8th, instead of today's agenda.

DISCUSSED

NA.2 04-00333 ORDINANCE**Non-Agenda**

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT AN INCREASE IN GRANT AWARD FUNDING, IN THE AMOUNT OF \$30,365.78, FROM THE COMMEMORATIVE ASSOCIATION FOR THE JAPAN WORLD EXPOSITION OF 1970, FOR THE RECONSTRUCTION OF THE ICHIMURA MIAMI-JAPAN GARDEN ON WATSON ISLAND; APPROPRIATING SAID FUNDS INTO CAPITAL IMPROVEMENTS PROJECT ACCOUNT NO. 331417, ENTITLED ICHIMURA MIAMI JAPANESE GARDEN.

12517

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.3 04-00347 DISCUSSION ITEM

Direct the City Manager to request the Public Works Department and the Community Redevelopment Agency (CRA) staff to meet and provide a status report at the next regular meeting of the CRA on March 29, 2004, on the Grand Central Plat, located in the Park West area, which has been stalled for ten years.

DISCUSSED

A motion was made by Chairman Teele, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez and Commissioner Regalado absent, directing the City Manager to request the Public Works Department and the Community Redevelopment Agency (CRA) staff to meet and provide a status report at the next regular meeting of the CRA on March 29, 2004, on the Grand Central Plat, located in the Park West area, which has been stalled for ten years.

NA.4 04-00348 DISCUSSION ITEM

Requesting the City Manager to arrange that the Historic and Environmental Preservation Board, the Department of Planning and the Fire Department to provide a report on the status of the late Ward Rooming House, as an emergency item on the next regular Community Redevelopment Agency (CRA) meeting, currently scheduled for March 29, 2004.

DISCUSSED

A motion was made by Chairman Teele, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez and Commissioner Regalado absent, requesting the City Manager to arrange that the Historic and Environmental Preservation Board, the Department of Planning and the Fire Department provide a report on the status of the late Ward Rooming House, as an emergency item on the next regular Community Redevelopment Agency (CRA) meeting, currently scheduled for March 29, 2004.

NA.5 04-00346 DISCUSSION ITEM

Discussion concerning emergency repairs at Town Park Village.

MOTION

A motion was made by Chairman Teele, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, to direct the City Manager to instruct the Community Development Department to identify available unallocated community development funds or any other eligible funding source, for emergency repairs at Town Park Village, in an approximate amount of \$200,000; and further to work with Bethel African Methodist Episcopal Development Corporation of South Florida, Inc., (BAME) to negotiate a contract for purposes of providing emergency housing assistance for Town Park Village at the next available meeting; with all appropriate notices.

NA.6 04-00334 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION REQUESTING THAT THE MODEL CITY TRUST ("TRUST") MAKE AVAILABLE AN AMOUNT NOT TO EXCEED \$3,600,000, OF HOME INVESTMENT PARTNERSHIPS PROGRAM ("HOME") FUNDS THAT HAD PREVIOUSLY BEEN ALLOCATED TO THE TRUST, FOR THE PURPOSE OF CREATING A HOUSING INITIATIVE IN DISTRICT 5 FOR AVAILABLE HOUSING; DIRECTING THE CITY MANAGER TO PRESENT TO THE CITY COMMISSION ON APRIL 8, 2004, A RESOLUTION, SUBJECT TO THE APPROVAL OF THE TRUST BOARD, DE-OBLIGATING HOME FUNDS, IN AN AMOUNT NOT TO EXCEED \$3,600,000, FROM THE MODEL CITY HOMEOWNERSHIP TRUST AND REALLOCATING SAID FUNDS TO A DISTRICT 5 HOUSING INITIATIVE PROJECT FOR THE DEVELOPMENT OF AFFORDABLE HOUSING; FURTHER DIRECTING CITY STAFF TO DETERMINE THE FEASIBILITY OF A HOMEOWNERSHIP PROGRAM IN THE TOWN PARK VILLAGE PROGRAM.

R-04-0190

MOVED: Arthur E. Teele, Jr.

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.7 04-00332 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE MANAGEMENT AGREEMENT FOR JAPANESE GARDEN ON WATSON

ISLAND, IN SUBSTANTIALLY THE ATTACHED FORM, WITH PARROT JUNGLE ISLAND, INC., TO PROVIDE ADDITIONAL FUNDS TO CONSTRUCT A CONCRETE WALL AS A PERIMETER ENCLOSURE AT THE JAPANESE GARDENS, IN AN AMOUNT NOT TO EXCEED \$115,000; ALLOCATING FUNDS FROM ACCOUNT NO. 331371.589301.6.860.

R-04-0191

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.8 04-00331**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO M. E. F. CONSTRUCTION, INC., PURSUANT TO RESOLUTION NO. 03-248, ADOPTED MARCH 27, 2003, AMENDED BY RESOLUTION NO. 03-1068, ADOPTED SEPTEMBER 25, 2003, IN AN AMOUNT NOT TO EXCEED \$200,000, FROM \$789,050 TO \$989,050, FOR ADDITIONAL WORK ON THE PROJECT ENTITLED "CITYWIDE SIDEWALK REPLACEMENT PROJECT PHASE 24, B-4664;" ALLOCATING FUNDS FOR SAID INCREASE FROM PROJECT NO. 311714, DISTRICT 4 QUALITY OF LIFE NEIGHBORHOOD IMPROVEMENT BOND PROGRAM; AMENDING RESOLUTION NO. 03-1068 TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENT(S), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID INCREASE.

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.9 04-00337**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT, IN AN AMOUNT NOT TO EXCEED \$1,000, TO FACILITATE THE 21ST ANNUAL PASSOVER/GOOD FRIDAY BRUNCH OF THE HOLY REDEEMER CATHOLIC CHURCH IN LIBERTY CITY, FLORIDA; ALLOCATING FUNDS FROM THE DISTRICT 5 ACCOUNT NO. 001000.920922.6.930; FURTHER DIRECTING THAT SAID ALLOCATION BE MADE TO THE BISCAYNE BAY MARRIOTT, 1633 NORTH BAYSHORE DRIVE, MIAMI, FLORIDA, TO ASSIST WITH THE RELATED COSTS OF THE EVENT.

R-04-0196

MOVED: Tomas Regalado

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.10 04-00340

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT, IN AN AMOUNT NOT TO EXCEED \$2,900, TO FACILITATE A FOUR-DAY COLLEGE ORIENTATION TOUR (BCC/FAMU/MOREHOUSE/SPELMAN, ETC), TO BE HOSTED BY MULTI CULTURE WOMEN OF FLORIDA; ALLOCATING FUNDS FROM THE DISTRICT 5 ACCOUNT NO. 001000.920922.6.930; FURTHER DIRECTING THAT SAID ALLOCATION BE MADE TO QUALITY TRANSPORT SERVICES, INC. (MIAMI-DADE SCHOOL BOARD VENDOR), TO ASSIST WITH THE ASSOCIATED TRAVEL EXPENDITURE.

R-04-0197

MOVED: Arthur E. Teele, Jr.

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

NA.11 04-00344

DISCUSSION ITEM

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT IN AN AMOUNT NOT TO EXCEED \$267.00 BE EXPENDED FROM THE DISTRICT 5 ACCOUNT NO. 001000.920922.6.930, FOR THE CREATION OF THE BLACK HISTORY MONTH EXHIBIT THAT PRESENTED GREAT BLACK HISTORICAL FIGURES ON DISPLAY IN THE CITY HALL LOBBY FOR THE MONTH OF FEBRUARY 2004; FURTHER DIRECTING THAT THE ALLOCATION BE MADE TO KINAD INC . TO ASSIST WITH THE ASSOCIATED COST.

DISCUSSED

Item NA.11 was considered but not passed.

Direction to the City Manager by Commissioner Winton to bring this back with funds from the general fund.

NA.12 04-00345

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE OVERSIGHT COMMITTEE FOR THE SEOPW AND OMNI REDEVELOPMENT DISTRICT CRAs FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Sonny Wright

Chairman Arthur E. Teele, Jr.

R-04-0198

MOVED: Arthur E. Teele, Jr.

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez