



# 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, April 8, 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

### 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

3:00 P.M. - PH.6 - Deobligating 28th Year CDBG Funds

3:00 P.M.- PH.7 - Accepting HUD Grants

3:00 P.M. - PH.8 - Authorizing Allocation of CDBG Funds

### EM - EMERGENCY ORDINANCES

**SR - SECOND READING ORDINANCES**

**RE - RESOLUTIONS**

**BC - BOARDS AND COMMITTEES**

**DI - DISCUSSION ITEMS**

11:00 A.M. - DI.6 - Presentation by Dept. of Off-Street Parking

**PART B**

**PZ - PLANNING AND ZONING ITEMS**

TIME CERTAIN

4:00 P.M. - PZ.2 - 90-Day Temp Moratorium - 85/95 Feet Height

4:00 P.M. - PZ.3 - 90-Day Temp Moratorium - 40 Feet Height

4:30 P.M. - PZ.4 - 90-Day Temp Moratorium - SW 27 Av from Coral Wy to US-1

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

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

On the 8th day of April, 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 9:19 a.m. by Chairman Arthur E. Teele, Jr., recessed at 11:58 a.m., reconvened at 3:14 p.m. and adjourned at 6:27 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 04-00372 CEREMONIAL ITEM**

<b>Name of Honoree</b>	<b>Presenter</b>	<b>Protocol Item</b>
Santiago Jorge-Ventura	Mayor Diaz	Certificate of Appreciation

**PRESENTED**

1. Mayor Diaz presented a Certificate of Appreciation to architect Santiago Jorge-Ventura, who served the City for 24 years, most recently as the Director of the Building and Zoning Department, with great professionalism, honesty and integrity, helping others in the community.
2. Commissioner Regalado recognized representatives of Brickell Motors, Mario Murgado and Alex Andeus, for allowing members of the Community Relations Board in Jack Blumenfeld, Ada Rojas and Teresa Zorrilla, to use their office space and equipment to help coordinate the freedom march that took place along SW. 8th Street on March 27, 2004.

**MAYORAL VETOES****NO MAYORAL VETOES**

There were no mayoral vetoes.

(Pursuant to Section 4(g)(5) of the charter of Miami, Florida, Item(s) vetoed by the Mayor shall be placed by the city clerk as the first substantive item(s) for the commission consideration.)

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

Planning and Zoning Meeting of April 25, 2002

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

**Motion to APPROVED PASSED** by the following vote.

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

**ABSENT:** Commissioner Winton

Planning and Zoning Meeting of February 26, 2004

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

**Motion to APPROVED PASSED** by the following vote.

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

**ABSENT:** Commissioner Winton

**ORDER OF THE DAY**

**CONSENT AGENDA**

**CA.1 04-00260 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH CHI ALARMS, INC., AWARDED BY INFORMAL SOLICITATION AUTHORIZED BY THE CITY MANAGER ON SEPTEMBER 2, 2002, PURSUANT TO RESOLUTION NO. 03-906, ADOPTED JULY 24, 2003; EXTENDING THE TERM OF THE CONTRACT FOR ONE (1) ADDITIONAL MONTH AND INCREASING THE CONTRACT, IN AN AMOUNT NOT TO EXCEED \$10,000, FROM \$99,928 TO \$109,928, TO COVER COSTS OF ADDITIONAL WORK AND MATERIALS REQUIRED TO COMPLETE THE PROJECT ENTITLED, "CITY OF MIAMI M.M.P.D. FIRE ALARM MODIFICATIONS, B-6433;" ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 312025, ENTITLED "HEADQUARTER BUILDING RENOVATIONS;" AMENDING RESOLUTION NO. 03-906 TO REFLECT SAID INCREASE.

04-00260 - Cover memo.pdf, 04-00260 - Budget Impact Form.pdf, 04-00260 - memo from police.pdf, 04-00260 - memo from CIP.pdf, 04-00260 - detailed revenue and exp..pdf, 04-00260 - informal bid.pdf, 04-00260 - exhibit 1- 1st amend. to contract.pdf, 04-00260 - exhibit 2- contract.pdf

**R-04-0211**

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

**CA.2 04-00261 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF ENVIRONMENTAL PERFORMANCE SYSTEMS, INC., FOR THE PROJECT ENTITLED " CITYWIDE STORMWATER OUTFALLS/BAFFLE BOXES CLEANING PROJECT, B-5714" IN THE PROPOSED AMOUNT NOT TO EXCEED \$346, 867; ALLOCATING FUNDS FROM PUBLIC WORKS ACCOUNT NO. 001000.311003.6.340 TO COVER CONTRACT COSTS, IN AN AMOUNT NOT TO EXCEED \$346,867, PLUS AN AMOUNT NOT TO EXCEED \$55, 453; ALLOCATING FUNDS FROM PUBLIC WORKS ACCOUNT NO. 001000.311003.6.270 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, IN AN AMOUNT NOT TO EXCEED

\$55,453, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$402,320, AS SET FORTH ON THE TABULATION OF BIDS DOCUMENT AND THE PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

04-00261 - Cover Memo.pdf, 04-00261 - Budgetary Impact Analysis.pdf, 04-00261 - exhibit 1-fact sheet.pdf, 04-00261 - exhibit 2- tabulation of bids.pdf, 04-00261 - exhibit 3- contract.pdf

### **R-04-0212**

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

### **CA.3 04-00263**

#### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO UNITECH BUILDERS, CORP., PURSUANT TO RESOLUTION NO. 02-902, FURTHER AMENDED BY RESOLUTION NO. 03-680, ADOPTED JUNE 12, 2003, FOR THE CONSTRUCTION OF THE NEW RECREATION BUILDING AT JOSE MARTI PARK, IN AN AMOUNT NOT TO EXCEED \$50,000, FROM \$1,618,720 TO \$1,668,720, TO COVER THE COSTS OF LANDSCAPING AND A NEW FLOOR FOR THE AEROBIC/DANCE ROOM IN THE BUILDING; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 331419; AMENDING RESOLUTION NO. 03-680, ADOPTED JUNE 12, 2003, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

04-00263 - Cover Memo.pdf, 04-00263 - Budgetary Impact Analysis.pdf, 04-00263 - Breakdown of Funding.pdf, 04-00263 - Cost Estimate.pdf, 04-00263 - Previous Legislation.pdf

### **R-04-0213**

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

### **CA.4 04-00275**

#### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE EXECUTIVE DIRECTOR OF THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST"), TO EXECUTE A COMPROMISE, SETTLEMENT AND RELEASE AGREEMENT ("SETTLEMENT AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH RACEWORKS, LLC ("LICENSEE"), FOR OUTSTANDING FINANCIAL OBLIGATIONS ASSOCIATED WITH GRAND PRIX AMERICAS ("2003 RACE EVENT"), HELD ON SEPTEMBER 26-28, 2003; AUTHORIZING AN AMENDMENT TO THE AGREEMENT DELETING THE TRUST AS A PARTY TO THE REVOCABLE LICENSE AGREEMENT EXECUTED BETWEEN THE CITY OF MIAMI ("CITY") , THE TRUST AND THE LICENSEE ON MAY 22, 2002.

04-00275 - Cover Memo.pdf, 04-00275 - exhibit 1- agreement.pdf, 04-00275 - exhibit 2- amendment to RLA.pdf

**R-04-0214**

This Matter was ADOPTED on the Consent Agenda.

**CA.5 04-00276 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF INTRASTATE CONSTRUCTION CORPORATION, FOR THE PROJECT ENTITLED " OVERTOWN STORMWATER PUMP STATION UPGRADES (3RD BIDDING), B-5650D," IN THE PROPOSED AMOUNT NOT TO EXCEED \$ 314,578; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") NO. 352216, IN AN AMOUNT NOT TO EXCEED \$186, 677.75, AND CIP NO. 313855, IN AN AMOUNT NOT TO EXCEED \$173,200 .25, FOR A TOTAL AMOUNT NOT TO EXCEED \$314,578 FOR CONTRACT COSTS, PLUS \$45,300 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN THE AMOUNT NOT TO EXCEED \$359,878, AS SET FORTH ON THE TABULATION OF BIDS DOCUMENT AND THE PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

04-00276 - Cover Memo.pdf, 04-00276 - Budgetary Analysis Form.pdf, 04-00276 - Cost Estimate.pdf, 04-00276 - legislation.pdf, 04-00276 - exhibit 1- fact sheet.pdf, 04-00276 - exhibit 2- tabulation.pdf, 04-00276 - exhibit 3- contract.pdf

**DEFERRED**

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously to DEFER item CA.5 to the next Commission Meeting, which is currently scheduled for April 22, 2004.

**CA.6 04-00277 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL SERVICES OF MARLIN ENGINEERING, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 03-087, ADOPTED JANUARY 23, 2003, FOR THE PROJECT ENTITLED "NW 14TH STREET PROJECT, B-5686," FOR CHANGES OF THE DESIGN, INCLUSION OF ADDITIONAL PORTION AND THE RELATED CONSTRUCTION ADMINISTRATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$199, 730.04, INCREASING COMPENSATION FROM \$134,600 TO \$334,330.04, BASED ON (1) THE MODIFIED SCOPE OF SERVICES AND SCHEDULE REQUIRED FOR SAID PROJECT, AND (2) TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT WITH MARLIN ENGINEERING EXECUTED PURSUANT TO RESOLUTION NO. 02-144, ADOPTED FEBRUARY 14, 2002; ALLOCATING FUNDS FOR SAID INCREASE, IN A TOTAL AMOUNT NOT TO EXCEED \$199,730.04, FOR SERVICES AND EXPENSES INCURRED BY THE CITY, FROM CAPITAL IMPROVEMENT PROJECT NO. 341183, ENTITLED "CITYWIDE STREET IMPROVEMENTS FISCAL YEAR 2001-2005;" AUTHORIZING THE CITY MANAGER TO

EXECUTE A SUPPLEMENTAL WORK ORDER, IN SUBSTANTIALLY THE ATTACHED FORM; AMENDING RESOLUTION NO. 03-087 TO REFLECT SAID INCREASE.

04-00277 - Cover Memo.pdf, 04-00277 - Budgetary Impact Analysis.pdf, 04-00277 - Summary of Fee Proposal.pdf, 04-00277 - Construction Engineering & Inspection.pdf, 04-00277 - Summary of Fee Proposal (2).pdf, 04-00277 - Previous Professional Services Agreement.pdf, 04-00277 -exhibit 1- work order.pdf, 04-00277 -exhibit 2- scope of serv..pdf

### **R-04-0215**

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

**CA.7 04-00278**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF SABRE COMMUNICATIONS CORPORATION, FOR REMOVAL OF AN EXISTING GUYED TOWER, PURCHASE AND DELIVERY OF ONE (1) NEW 125-FOOT SELF-SUPPORTING RADIO TOWER WITH ICE BRIDGE, INCLUDING CONSTRUCTION AND ANTENNA INSTALLATIONS, FOR FIRE STATION 11, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, IN AN AMOUNT NOT TO EXCEED \$98,963; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. 311052.429401.6.840, B-74202.

04-00278 - Cover Memo.pdf, 04-00278 - Budgetary Impact Analysis.pdf, 04-00278 - Award Sheet.pdf, 04-00278 - Bid Security List.pdf, 04-00278 - exhibit 1 - award recommendation.pdf, 04-00278 - exhibit 2- tabulation sheet.pdf

### **R-04-0216**

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

**CA.8 04-00279**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ACQUISITION OF CITYWIDE WIRELESS TELECOMMUNICATIONS SERVICES, EQUIPMENT, SOFTWARE, INSTALLATION AND OTHER RELATED SERVICES TO UPGRADE THE EXISTING WIRELESS CELLULAR DIGITAL PACKET DATA SERVICE ("CDPD") NETWORK CURRENTLY PROVIDED BY AT&T WIRELESS SERVICES, FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY, UTILIZING MIAMI-DADE COUNTY BID NO. 7525-2/06, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY MIAMI-DADE COUNTY, FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN AMOUNT NOT TO EXCEED \$400,000; ALLOCATING FUNDS FROM INFORMATION TECHNOLOGY ACCOUNT CODE NO. 460101-510, 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.

04-00279 - Cover Memo.pdf, 04-00279 - Budgetary Impact Analysis.pdf, 04-00279 - Miami-Dade County Bid.pdf, 04-00278 - Information Technology Business Case.pdf, 04-00279 - Contract Award Sheet.pdf, 04-00279 - Award of Contract.pdf

**R-04-0217**

This Matter was ADOPTED on the Consent Agenda.

**CA.9 04-00280****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE ESTABLISHMENT OF A PRE-QUALIFIED LIST, FOR CATEGORIES A, B, C, D, AND APPRAISAL-RELATED CONSULTING SERVICES, AS LISTED ON "EXHIBIT A," TO PROVIDE GENERAL APPRAISAL AND APPRAISAL-RELATED CONSULTING SERVICES ON A CITYWIDE AS-NEEDED BASIS; AUTHORIZING THE CITY MANAGER TO EXECUTE SERVICE AGREEMENTS OR PROFESSIONAL SERVICES AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR THREE ADDITIONAL ONE-YEAR PERIODS; FURTHER AUTHORIZING THE ADDITION OF QUALIFIED PROPOSERS TO THE LIST WHEN DEEMED NECESSARY; ALLOCATING FUNDS FROM THE OPERATING BUDGETS OF VARIOUS USERS FOR THE CURRENT FISCAL YEAR, 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.

04-00280 - Cover Memo.pdf, 04-00280 - Budgetary Impact Analysis.pdf, 04-00280 - Acceptance of RFQ.pdf, 04-00280 - exhibit 1- proposers list.pdf, 04-00280 - exhibit 2- psa.pdf

**R-04-0218**

This Matter was ADOPTED on the Consent Agenda.

**CA.10 04-00281****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DECLARING THE FURNITURE ITEMS ON THE FURNITURE LIST, ATTACHED AND INCORPORATED, UTILIZED BY VARIOUS CITY OF MIAMI DEPARTMENTS, AS "CATEGORY A" SURPLUS STOCK; DONATING SAID ITEMS TO HOLMES ELEMENTARY SCHOOL, IN SUPPORT OF THE MAYOR'S MENTORING INITIATIVE.

04-00281 - Cover Memo.pdf, 04-00281 - exhibit- furniture list.pdf

**R-04-0219**

This Matter was ADOPTED on the Consent Agenda.

**CA.11 04-00292****DISCUSSION ITEM**

ACCEPTING A REPORT FROM THE CIVIL SERVICE BOARD.

04-00292 - Cover Sheet.pdf

**DEFERRED**

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, to DEFER item CA.11; further directing the City Manager to provide a copy of the Civil Service Board report.

**CA.12 04-00224**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AMERIGAS, L.P., WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$129,809.16 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 AMERIGAS, L.P. VS. CITY OF MIAMI, IN THE MIAMI-DADE COUNTY CIRCUIT COURT, CASE NO. 01-12279 CA 10, 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 INDEX CODE NO. 515001.624401.6340.65119.

04-00224-cover memo.pdf

**DEFERRED**

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously to DEFER item CA.12 for 30 days.

**CA.13 04-00321**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO WATER MANAGEMENT TECHNOLOGIES, A SOLE SOURCE CONTRACT, PURSUANT TO RESOLUTION NO. 03-593, FURTHER AMENDED BY RESOLUTION NO. 03-1052, ADOPTED MAY 22, 2003, FOR ADDITIONAL WORK TO BE PERFORMED BY THE SCAVENGER 2000 DEPOLLUTION BOAT, IN AN AMOUNT NOT TO EXCEED \$25,000, FROM \$368,000 TO \$393,000; ALLOCATING FUNDS FOR SAID INCREASE FROM THE PUBLIC WORKS OPERATING BUDGET ACCOUNT NO. 001000.311003.6.340; AMENDING RESOLUTION NO. 03-1052, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

04-00321 - Cover Memo.pdf, 04-00321 - Budgetary Impact Analysis.pdf, 04-00321 - Account Inquiries.pdf, 04-00321 - Previous Legislation.pdf, 04-00321 - Previous Legislation (2).pdf, 04-00321 - Previous Legislation (3).pdf

**R-04-0220**

This Matter was ADOPTED on the Consent Agenda.

**CA.14 04-00322**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY ATTORNEY'S CONTINUED ENGAGEMENT OF THE LAW FIRM OF GUNSTER, YOAKLEY & STEWART, P.A., TO RENDER LEGAL SERVICES

CONCERNING THE LEASE AND DEVELOPMENT OF WATSON ISLAND BY FLAGSTONE PROPERTIES, LLC, IN AN AMOUNT NOT TO EXCEED \$ 25,000, PLUS COSTS AS APPROVED BY THE CITY ATTORNEY; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ACCOUNT CODE NO. 344102.239501.6.250, FOR SAID SERVICES.

04-00322- cover memo.pdf

**R-04-0221**

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

**CA.15 04-00323**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED ENGAGEMENT OF THE LAW FIRM OF AKERMAN, SENTERFITT & EIDSON, P.A. FOR REPRESENTATION OF THE CITY OF MIAMI IN THE CASE OF ALICE YOUNG, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ANTONIO ALEXANDER YOUNG VS. CITY OF MIAMI, ET AL. IN THE U. S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 99-2994-CIV-JORDAN, IN THE AMOUNT OF \$80,700 PLUS COSTS AS APPROVED BY THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, ACCOUNT CODE NO. 515001.624401.6.652, FOR SAID SERVICES.

04-00323- cover memo.pdf

**R-04-0222**

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

**CA.16 04-00325**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED ENGAGEMENT OF THE LAW OFFICES OF ROBERT S. GLAZIER FOR REPRESENTATION OF THE CITY OF MIAMI IN VARIOUS APPELLATE MATTERS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$25,000, PLUS COSTS AS APPROVED BY THE CITY ATTORNEY; ALLOCATING FUNDS FROM VARIOUS SELF INSURANCE AND INSURANCE TRUST FUND ACCOUNTS.

04-00325-cover memo.pdf

**R-04-0223**

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

**CA.17 04-00328**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED ENGAGEMENT OF THE LAW FIRM OF WEISS SEROTA HELFMAN PASTORIZA & GUEDES, P.A., IN AN AMOUNT NOT TO EXCEED \$12,000 PLUS COSTS AS APPROVED BY THE CITY ATTORNEY, FOR REPRESENTATION OF THE CITY OF MIAMI IN THE CASE OF ROBERT M. JASINSKI, ET AL VS. CITY OF MIAMI, CASE NO.

01-28889 CA (09), IN THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA, A CASE RELATED TO THE DEFENSE OF THE CITY OF MIAMI PARKING SURCHARGE; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, ACCOUNT CODE NO. 515001.624401.6.661, FOR SAID SERVICES.

04-00328-cover memo.pdf

**R-04-0224**

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

**CA.18 04-00265**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "SUMMER FOOD SERVICE PROGRAM FOR CHILDREN 2004" AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN AN AMOUNT NOT TO EXCEED \$573,894, CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE ("USDA") THROUGH THE FLORIDA DEPARTMENT OF EDUCATION ("DOE"); AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD FROM USDA; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY ("SCHOOL BOARD") FOR THE PROVISION OF LUNCHEES AND SNACKS TO THE PARTICIPANTS OF THE CITY OF MIAMI'S 2004 SUMMER FOOD SERVICE PROGRAM, OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION; ALLOCATING FUNDS FOR SAID MEALS, FROM THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN 2004 SPECIAL REVENUE FUND.

04-00265- cover memo.pdf, 04-00265- budgetary impact analysis.pdf, 04-00265- agreement.pdf, 04-00265- signature form.pdf, 04-00265- application for participation.pdf, 04-00265- site information list.pdf, 04-00265- letter to the county.pdf, 04-00265- press release.pdf, 04-00265- SFSP forms.pdf, 04-00265- exhibit- agreement.pdf

**R-04-0225**

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

**CA.19 04-00266**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "CITY OF MIAMI PROGRAMS FOR PERSONS WITH DISABILITIES MIAMI-DADE COUNTY A.D.A. GRANT" AND APPROPRIATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$36,786.62, PROVIDED TO THE CITY OF MIAMI ("CITY") FROM MIAMI-DADE COUNTY ("COUNTY"), OFFICE OF AMERICANS WITH DISABILITIES ACT ("A.D.A.") COORDINATION 2002-2003 GRANT FUND; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY

ATTORNEY, FOR SAID PURPOSE; ALLOCATING DOLLAR FOR DOLLAR MATCHING FUNDS FROM THE CITY, AS REQUIRED FOR SAID GRANT FROM THE DEPARTMENT OF PARKS GENERAL FUNDS.

04-00266- cover memo.pdf, 04-00266- budgetary impact analysis.pdf

**R-04-0226**

This Matter was ADOPTED on the Consent Agenda.

**CA.20 04-00257**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE DIRECTOR OF FINANCE TO PAY BUNKERS OF MIAMI, A FLORIDA JOINT VENTURE; BUNKERS OF MIAMI, INC., A FLORIDA CORPORATION, BUNKERS MANAGEMENT GROUP, INC., A FLORIDA CORPORATION; AND BUNKERS, INC., A FLORIDA CORPORATION ( HEREINAFTER "BUNKERS"), WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$850,000 PLUS AN ANNUAL PAYMENT OF \$110,000 PER YEAR UNTIL 2007 TO CHARLES DELUCCA FOR MANAGEMENT OF THE MELREESE GOLF COURSE, IN FULL AND COMPLETE SETTLEMENT, PURSUANT TO THE SETTLEMENT AGREEMENT AND APPENDICES, ATTACHED, OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF BUNKERS, ET AL. V. CITY OF MIAMI, ARBITRATION CASE NO. 32 Y 181 00459 03, 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. 515001.624401.6.650; FURTHER AUTHORIZING THE TERMINATION OF THE MANAGEMENT AGREEMENT DATED JANUARY 25, 1996 BETWEEN THE CITY OF MIAMI AND BUNKERS OF MIAMI, A FLORIDA JOINT VENTURE.

04-00257- cover memo.pdf, 04-00257- exhibit 1- settlement agreement.pdf, 04-00257- exhibit 2- psa.pdf, 04-00257- exhibit 3- scope of services.pdf

**R-04-0227**

This Matter was ADOPTED WITH MODIFICATIONS on the Consent Agenda.

**Adopted the Consent Agenda**

**MOVED:** Angel González

**SECONDED:** Joe Sanchez

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

**END OF CONSENT AGENDA**

**MAYOR AND COMMISSIONER'S ITEMS****CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****DISTRICT 1****COMMISSIONER ANGEL GONZÁLEZ****DISTRICT 2****COMMISSIONER JOHNNY L. WINTON****D2.1 04-00369 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 02-705, ADOPTED JUNE 13, 2002, TO (1) REFLECT THE CORRECT GRANT AWARD AMOUNT RECEIVED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION, TRANSPORTATION OUTREACH PROGRAM, IN AN ADDITIONAL AMOUNT OF \$33,600, FOR A TOTAL AWARD AMOUNT OF \$480,000; ALLOCATING FUNDS FROM SPECIAL REVENUE ACCOUNT CODE NO. 110013.850104.270, AND (2) AUTHORIZING AN INCREASE IN THE PROFESSIONAL SERVICES AGREEMENT FEE WITH DAVID PLUMMER & ASSOCIATES, INC., APPROVED BY SAID RESOLUTION, IN AN AMOUNT NOT TO EXCEED \$ 194,997, FROM \$446,400 TO \$641,397, FOR COMPLETION OF A PROJECT DEVELOPMENT AND ENVIRONMENTAL STUDY ENTITLED: DUPONT PLAZA PROJECT-METROMOVER REALIGNMENT DOWNTOWN MIAMI;" ALLOCATING FUNDS FOR SAID INCREASE FROM THE CITY OF MIAMI'S ONE-HALF CENT TRANSIT SURTAX, ACCOUNT CODE NO. 341330; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

04-00369-exhibit 1-budgetary impact.pdf, 04-00369-exhibit 2-pre. legislation. pdf, 04-00369-exhibit 3- pre. psa.pdf, 04-00369-exhibit 4- pre. scope of services.pdf, 04-00369-exhibit 5- certificate of ins..pdf

**R-04-0199****MOVED: Johnny L. Winton****SECONDED: Angel González****Motion that this matter be ADOPTED WITH MODIFICATIONS PASSED by the following vote.****AYES: Commissioner González, Winton, Sanchez and Teele****ABSENT: Commissioner Regalado****A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, to adopt Item D2.1.**

A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to reconsider previous vote on Item D2.1.

Note for the Record: Item D2.1 was subsequently adopted with modifications.

### DISTRICT 3

VICE CHAIRMAN JOE SANCHEZ

### DISTRICT 4

COMMISSIONER TOMAS REGALADO

**D4.1 04-00350 DISCUSSION ITEM**

DISCUSSION CONCERNING AN UPDATE FROM THE ADMINISTRATION ON THE SOUTHWEST 16TH TERRACE ROAD RECONSTRUCTION, THE SOUTHWEST 16TH TERRACE STREET IMPROVEMENTS, AND OTHER CAPITAL IMPROVEMENT PROJECTS LOCATED IN DISTRICT 4.

04-00350- cover memo.pdf

**WITHDRAWN**

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to WITHDRAW item D4.1.

### DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR

**D5.1 04-00351 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION 04-0197, ADOPTED MARCH 25, 2004, TO REFLECT MULTI CULTURE WOMEN OF AMERICA AS THE CORRECT NAME OF THE ORGANIZATION HOSTING THE TOUR AND TO REFLECT DIPLOMAT, INC. AS THE COMPANY PROVIDING THE TRANSPORTATION SERVICES.

**R-04-0201**

**MOVED:** Tomas Regalado

**SECONDED:** Joe Sanchez

**UNANIMOUS**

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

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

**PUBLIC HEARING****PH.1 04-00264 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "1900 SMA," A SUBDIVISION IN THE CITY OF MIAMI ("CITY") OF THE PROPERTY DESCRIBED IN "ATTACHMENT 1," SUBJECT TO SATISFACTION OF ALL CONDITIONS REQUIRED BY THE PLAT AND STREET COMMITTEE AS SET FORTH IN "EXHIBIT A," ATTACHED AND INCORPORATED, AND 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.

04-00264 - Cover Memo.pdf, 04-00264 - Budgetary Impact Analysis.pdf, 04-00264 - Public Notice Memo.pdf, 04-00264 - Public Notice.pdf, 04-00264 - Public Works Notice Memo.pdf, 04-00264 - Public Works Notice.pdf, 04-00264 - exhibit 1- legal description.pdf, 04-00264 - exhibit 2- 1st plat resubmital.pdf

**R-04-0205**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

**UNANIMOUS**

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

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

**PH.2 04-00314 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 AND LIGHT COMPANY FOR A TEN (10) TO FOURTEEN (14) FOOT WIDE STRIP PERPETUAL NON-EXCLUSIVE UTILITY EASEMENT, ON CITY-OWNED PROPERTY LOCATED AT APPROXIMATELY 2640 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND UTILITY FACILITIES AND VAULT, WITH THE RIGHT TO RECONSTRUCT, IMPROVE, CHANGE THE VOLTAGE, AND REMOVE SUCH FACILITIES OR ANY OF THEM WITHIN THE EASEMENT.

04-00314 - Cover Memo.pdf, 04-00314 -budgetary impact.pdf, 04-00314 - Public Notice Memo.pdf, 04-00314 - Public Notice.pdf, 04-00314 -exhibit- grant of easment.pdf

**R-04-0206**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

**UNANIMOUS**

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

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

**PH.3 04-00315 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 BELL SOUTH TELECOMMUNICATIONS, INC. FOR A TEN (10) FOOT WIDE STRIP PERPETUAL NON-EXCLUSIVE EASEMENT, AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, LOCATED ON CITY-OWNED PROPERTY AT APPROXIMATELY 2640 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, TO CONSTRUCT, OPERATE, MAINTAIN, ADD, AND/OR REMOVE SUCH SYSTEMS OF COMMUNICATION, FACILITIES, STAND-BY GENERATORS AND ASSOCIATED FUEL SUPPLY SYSTEMS, AS A MEANS OF PROVIDING UNINTERRUPTED SERVICE DURING COMMERCIAL POWER OUTAGES, WITH ALL WIRING, CABLE, OR CONDUITS TO BE PLACED UNDERGROUND.

04-00315 - Cover Memo.pdf, 04-00315 - budgetary impact.pdf, 04-00315 - Public Notice Memo.pdf, 04-00315 - Public Notice.pdf, 04-00315 - exhibit-grant of easment.pdf

**R-04-0207**

**MOVED:** Johnny L. Winton

**SECONDED:** Tomas Regalado

**UNANIMOUS**

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

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

**PH.4 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-exhibit 1-agreement.pdf, 04-00155-exhibit 2- addendum.pdf

**WITHDRAWN**

**A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to WITHDRAW item PH.4.**

**Direction to the City Manager by Chairman Teele to meet with him regarding the assurance he made about certain things being accomplished by November 2003 on the proposed Little Haiti Park that have not come to fruition as of this date.**

**PH.5 04-00235**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S RECOMMENDATION THAT SEALED BIDDING PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS PURSUANT TO SECTION 18-85 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND APPROVING THE FINDINGS OF THE ENTERPRISE RESOURCE PLANNING ("ERP") EXECUTIVE STEERING COMMITTEE THAT THE MOST QUALIFIED FIRMS TO PROVIDE ERP SOFTWARE ARE (IN ALPHABETICAL ORDER): LAWSON, ORACLE, PEOPLESOFT, SAP AND APPROVING ANY NECESSARY THIRD-PARTY APPLICATION SOFTWARE; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY WITH ONE OF SAID TOP-RANKED VENDORS, FOR THE PURCHASE OF ERP SOFTWARE, PURSUANT TO THE TERMS ATTACHED TERMS; DIRECTING THE CITY MANAGER TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION, REVIEW AND APPROVAL; FOR THE PURCHASE OF ERP SOFTWARE WITH ONE OF SAID TOP-RANKED SOFTWARE VENDORS, PURSUANT TO THE ATTACHED TERMS WHICH WILL BE EVALUATED ON TECHNICAL AND FUNCTIONAL REQUIREMENTS THAT BEST FIT THE NEEDS OF THE CITY OF MIAMI ("CITY"), TOTAL COST OF OWNERSHIP, VIABILITY, SCRIPTED DEMOS, REFERENCE CHECKS, EXPERIENCE OF PROVIDING SOFTWARE TO MUNICIPALITIES OR GOVERNMENT AGENCIES OF SIMILAR SIZE AND/ OR COMPLEXITY, AND COST, IN AN AMOUNT BETWEEN \$1,400,000 AND \$ 2,600,000; AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH THE NEXT HIGHEST RANKED FIRM(S) SHOULD NEGOTIATIONS FAIL WITH THE FIRST TOP-RANKED FIRM, UNTIL A SUCCESSFUL CONTRACT IS NEGOTIATED; ALLOCATING FUNDS FROM THE INFORMATION TECHNOLOGY ERP CAPITAL IMPROVEMENT PROJECT ("CIP") ACCOUNT CODE NO. 311613, AND FROM THE OPERATING BUDGETS OF VARIOUS DEPARTMENTS CITYWIDE AND VARIOUS CIP ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL.

04-00235-Cover Memo , 04-00235- budgetary impact.pdf, 04-00235-memo from ITD.pdf, 04-00235-public hearing notice memo , 04-00235- public hearing notice.pdf, 04-00235- award under state of FL.pdf, 04-00235- award of Bid waiver.pdf

### **R-04-0203**

**MOVED:** Joe Sanchez

**SECONDED:** Johnny L. Winton

**UNANIMOUS**

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

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

**Direction to the City Attorney by Chairman Teele to provide him with a copy of the entire procurement process.**

**Note for the Record: Chairman Teele recommended that any time there is a bid waiver, the contract should come back to the Commission for approval.**

### **3:00 P.M.**

**PH.6 04-00251**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DE-OBLIGATION OF 28TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FUNDS, IN AN AMOUNT NOT TO EXCEED \$40,000, FROM THE LATIN QUARTER CULTURAL CENTER OF MIAMI, INC. ("LQCC"), FOR THE CAPITAL IMPROVEMENT PROJECT IN DISTRICT 3, AND 29TH YEAR CDBG PROGRAM FUNDS, IN AN AMOUNT NOT TO EXCEED \$40,000, FROM THE LQCC, FOR PUBLIC FACILITIES AND IMPROVEMENTS IN DISTRICT 3, FOR A TOTAL AMOUNT NOT TO EXCEED \$80,000; ALLOCATING SAID FUNDS TO THE LITTLE HAVANA HOME OWNERSHIP ZONE TRUST FOR THE DEVELOPMENT OF HOUSING.

04-00251 - Cover Memo.pdf, 04-00251 - Previous Legislation.pdf, 04-00251 - Previous Legislation (2).pdf, 04-00251 - Previous Legislation (3).pdf, 04-00251 - Previous Legislation (4).pdf, 04-00251 - Public Hearing Notice.pdf

### **R-04-0234**

**MOVED:** Angel González

**SECONDED:** Johnny L. Winton

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

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

**ABSENT:** Commissioner Sanchez and Regalado

**PH.7 04-00316**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ENTITLEMENT GRANTS, UNDER THE AMERICAN DREAM DOWNPAYMENT INITIATIVE PROGRAM FOR FISCAL YEARS 2003 AND 2004, FOR USE AS DOWNPAYMENT ASSISTANCE IN THE PURCHASE OF SINGLE FAMILY HOUSING BY LOW-INCOME FAMILIES WHO ARE FIRST-TIME HOME BUYERS, TO BE PROVIDED IN THE FORM OF A DEFERRED, NON-INTEREST BEARING, NON-AMORTIZING TWENTY-YEAR LOAN TO BE REPAID BY THE HOME BUYER, IN FULL, IN THE EVENT THAT THE HOME IS SOLD, LEASED OR RENTED DURING THE TWENTY-YEAR PERIOD; AUTHORIZING THE CITY MANAGER TO DETERMINE WHETHER REPAYMENT BY THE HOME BUYER IS REQUIRED IN THE EVENT OF REFINANCING OF THE HOME DURING THE TWENTY-YEAR PERIOD, ON A CASE BY CASE BASIS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT ACCEPTANCE OF SAID GRANTS AND PROGRAM.

04-00316 - Cover Memo.pdf, 04-00316 - Public Hearing Notice.pdf

**R-04-0235**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Regalado

**PH.8 04-00317**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FUNDS, IN AN AMOUNT NOT TO EXCEED \$90,000, FROM PREVIOUSLY APPROVED DISTRICT 5 LITTLE HAITI JOB CREATION PILOT PROJECT SET-ASIDE TO TARPUN BAY USA, INC., IN THE FORM OF A FIVE-YEAR DEFERRED, FORGIVABLE LOAN WITH THE PROVISION THAT THE FUNDS BE USED TO CREATE AND MAINTAIN NEW EMPLOYMENT OPPORTUNITIES FOR RESIDENTS OF THE LITTLE HAITI NEIGHBORHOOD, FOR A FIVE-YEAR PERIOD, SUBJECT TO PROVISIONS STATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM WITH SAID AGENCY.

04-00317 - Cover Memo.pdf, 04-00317 - Public Hearing Notice.pdf, 04-00317 - exhibit- agreement.pdf

**R-04-0236**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Regalado

**ORDINANCE - EMERGENCY****EM.1 04-00368a ORDINANCE****Emergency Ordinance**

(4/5THS VOTE)

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 12476, THAT AMENDED ORDINANCE NO. 12420, THE ANNUAL APPROPRIATIONS ORDINANCE, WHICH INCREASES CERTAIN OPERATIONAL AND BUDGETARY APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2004; TO ADD LANGUAGE RELATED TO THE NUMBER OF EMPLOYEES DESIGNATED IN THE ORDINANCE EITHER BY POSITION SUMMARY OR BY ORGANIZATIONAL CHART AND THE NUMBER OF NEIGHBORHOOD ENHANCEMENT TEAM ("NET") SERVICE CENTERS; FURTHER DIRECTING THAT ANY PERMANENT CHANGE TO THE NUMBER OF EMPLOYEES OR LOCATION OF NET SERVICE CENTERS, BE APPROVED BY THE CITY COMMISSION; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

04-00368a-cover memo.pdf

**MOVED:** Angel González**SECONDED:** Joe Sanchez**UNANIMOUS****Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.****AYES:** Commissioner González, Winton, Sanchez, Regalado and Teele**Note for the Record: Although item EM.1 was scheduled as an Emergency Ordinance, the Commission modified it to a First Reading Ordinance.****Direction to the Administration by Chairman Teele to bring this item back on second reading as a supplement to the current budget with the organizational chart and relevant information.**

**ORDINANCES - SECOND READING****SR.1 04-00299      ORDINANCE      Second 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

**12519****MOVED:**      Johnny L. Winton**SECONDED:**      Angel González**UNANIMOUS**

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

**AYES:**      Commissioner González, Winton, Sanchez, Regalado and Teele**SR.2 04-00336      ORDINANCE      Second 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

**12520****MOVED:**      Johnny L. Winton**SECONDED:**      Angel González**UNANIMOUS**

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

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

**RESOLUTIONS**

**RE.1 04-00059 RESOLUTION**

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

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

**R-04-0210**

**MOVED:** Johnny L. Winton

**SECONDED:** Joe Sanchez

**UNANIMOUS**

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

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

**RE.2 04-00362 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY MADILE DE SEGUINS, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$24,500, 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 MADILE DE SEGUINS VS. CITY OF MIAMI, ET AL., IN THE MIAMI-DADE COUNTY CIRCUIT COURT, CASE NO. 02-16872 CA (27), 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.

04-00362-cover memo.pdf

**R-04-0208**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

**UNANIMOUS**

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

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

Direction to the Administration by Commissioner Regalado to trim foliage from trees or bushes that are obstructing traffic signs.

**RE.3 04-00272 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT WITH HDR ENGINEERING, INC., APPROVED BY RESOLUTION NO. 04-0010, ADOPTED JANUARY 8, 2004, IN AN AMOUNT NOT TO EXCEED \$1 MILLION, FOR PROFESSIONAL CONSULTING SERVICES FOR MANAGEMENT SKILLS, TO BE UTILIZED CITYWIDE ON AN AS-NEEDED CONTRACT BASIS; FURTHER AMENDING RESOLUTION NO. 04-0010 TO REFLECT SAID INCREASE FROM AN AMOUNT NOT TO EXCEED \$1 MILLION TO AN AMOUNT NOT TO EXCEED \$2 MILLION; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT ACCOUNT NO. 341330.

04-00272- cover memo.pdf, 04-00272- budgetary impact analysis.pdf, 04-00272- pre. master report.pdf, 04-00272- pre. legislation.pdf

**R-04-0209**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

**UNANIMOUS**

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

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

**Direction to the Administration by Commissioner Winton to look into the situation in the Grapeland Heights area around 15th and 16th Streets between 26th and 30th Avenues, where road excavations have not been properly and timely repaved, and report back to Commissioner González on the City's findings.**

**RE.4 04-00236 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR THE PURCHASE OF ENTERPRISE RESOURCE PLANNING ("ERP") IMPLEMENTATION SERVICES FROM ANY OF THE FOLLOWING RECOMMENDED FIRMS PURSUANT TO THE TERMS SET FORTH IN REQUEST FOR PROPOSALS NO. 15-973-516-R, ATTACHED AND INCORPORATED, (LISTED IN ALPHABETICAL ORDER): BEARING POINT, INC., BLACKWELL CONSULTING SERVICES AND IBM, OR ANY ADDITIONAL FIRMS ADDED BY THE STATE OF FLORIDA, SUBJECT TO ANY EXTENSIONS, OR NEW OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, WITH FIRMS TO BE EVALUATED REGARDING COMPANY BACKGROUND, VIABILITY, EXPERIENCE, EXPERTISE, REFERENCES AND COST TO IMPLEMENT THE ERP SOFTWARE SELECTED, IN AN AMOUNT BETWEEN \$4,500,000 AND \$7,000,000; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH THE NEXT HIGHEST RANKED FIRM(S) SHOULD NEGOTIATIONS FAIL WITH THE FIRST TOP-RANKED FIRM, UNTIL A SUCCESSFUL CONTRACT IS NEGOTIATED; ALLOCATING FUNDS 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 IMPROVEMENT ORDINANCES, OR AS OTHERWISE PERMITTED BY LAW.

04-00236- cover memo.pdf, 04-00236- budgetary impact analysis.pdf, 04-00236- bearing points.pdf

**R-04-0204**

**MOVED:** Joe Sanchez

**SECONDED:** Johnny L. Winton

**UNANIMOUS**

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

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

**Direction to the Administration by Chairman Teele to involve actual software users on committees that are making recommendations for procurement of technology software.**

**BOARDS AND COMMITTEES**

**BC.1 03-0003 RESOLUTION**

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

APPOINTEE: NOMINATED BY:

Charles Cutler Chairman Arthur Teele, Jr.

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

**R-04-0228**

**MOVED:** Tomas Regalado

**SECONDED:** Angel González

**UNANIMOUS**

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

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

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously to appoint Charles Cutler as a member of the Overtown Advisory Board.

Direction to the City Clerk by Chairman Teele to arrange for a proclamation to be given to Rosa Green for her years of service on the Overtown Advisory Board.

**BC.2 03-0233 RESOLUTION**

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

APPOINTEE: NOMINATED BY:

\_\_\_\_\_ Chairman Arthur Teele

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

**DEFERRED**

No appointments were made.

**BC.3 04-00024 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HISTORIC AND

ENVIRONMENTAL PRESERVATION BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:	NOMINATED BY:
Camilo Alvarado Boshell	Commissioner Angel González
(appointment deferred)	Commissioner Tomas Regalado

04-00024-memo-1.doc, 04-00024-members-2.doc, 04-00024 - residency - 3.pdf, 04-00024 - applications - 4.pdf, 04-00024-Resignation-5.pdf

**R-04-0229**

**MOVED:** Angel González

**SECONDED:** Tomas Regalado

**UNANIMOUS**

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

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

**A motion was made by Commissioner González, seconded by Commissioner Winton, and was passed unanimously, to appoint Camilo Albarado Boshell as a member of the Historic and Environmental Preservation Board.**

**Note for the Record: Commissioner Regalado deferred his appointment.**

**BC.4 04-00175**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE CITY OF MIAMI ARTS AND ENTERTAINMENT COUNCIL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:	NOMINATED BY:
Felice Dubin	Commissioner Angel González
Alfredo Richard	Commissioner Johnny Winton
Lee Cohen	Commissioner Tomas Regalado
Luis Palomo	Vice Chairman Joe Sanchez
Nichole Greenridge	Chairman Arthur Teele
Shirley Richardson	Chairman Arthur Teele
Seth Gordon	Mayor Manuel Diaz
Pablo Cejas	Mayor Manuel Diaz

Claudia Puig Mayor Manuel Diaz

George Lindemann Mayor Manuel Diaz

(No Appointment Made) Mayor Manuel Diaz

04-00175-memo-1.doc, 04-00175-members-2.doc

**R-04-0230**

MOVED: Arthur E. Teele, Jr.

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, to appoint Luis Palomo as a member of the Art and Entertainment Council.

A motion was made by Commissioner González, seconded by Commissioner Regalado, and was passed unanimously to appoint Felice Dubin as a member of the Arts and Entertainment Council.

A motion was made by Commissioner Winton, seconded by Commissioner Regalado and was passed unanimously, to appoint Alfredo Richard as a member of the Arts and Entertainment Council; further waiving the residency requirements in Section 2-884 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to Alfredo Richard's appointment to the Arts and Entertainment Council.

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed unanimously, to appoint Lee Cohen as a member of the Arts and Entertainment Council.

A motion was made by Commissioner Teele, seconded by Commissioner Regalado, and was passed unanimously, to appoint Nicole Greenrich as a member of the Arts and Entertainment Council.

A motion was made by Commissioner Teele, seconded by Commissioner Winton, and was passed unanimously, to appoint Shirley Richardson as a member of the Arts and Entertainment Council; further waiving the residency requirements in Section 2-884 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to Shirley Richardson's appointment to the Arts and Entertainment Council.

**BC.5 04-00176**

**RESOLUTION**

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

APPOINTEES: NOMINATED BY:

John Jones

Commissioner Tomas Regalado

Anthony Cantey                      Commissioner Tomas Regalado

**CONFIRMATIONS:**

Maria Bao                      Commission At-Large  
(Representative of AFSCME Local 1907)

Viona Browne                      Commission At-Large  
(Representative of Fraternal Order of Police)

04-00176-memo-1 .doc, 04-00176-members-2.doc, 04-00176 - Bao letter - 3.  
pdf

**R-04-0231**

**MOVED:**                      Tomas Regalado

**SECONDED:**                      Johnny L. Winton

**UNANIMOUS**

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

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

**A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, to confirm the appointments of Maria Bao and Viona Browne as members of the Equal Opportunity Advisory Board.**

**A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed unanimously, to appoint Anthony Cantey and John Jones as members of the Equal Opportunity Advisory Board.**

**BC.6    04-00185**

**RESOLUTION**

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

**APPOINTEES:**                      **NOMINATED BY:**

Milagros Loyal                      Commissioner Angel González

(No Appointment Made) Commissioner Angel González

Robert Flanders                      Commissioner Johnny Winton

Rick Walsh                      Commissioner Johnny Winton

(No Appointment Made) Commissioner Tomas Regalado

(No Appointment Made) Commissioner Tomas Regalado

Sallye Jude                      Vice Chairman Joe Sanchez

(No Appointment Made) Vice Chairman Joe Sanchez

Sonny Armbrister            Chairman Arthur Teele

Albena Sumner              Chairman Arthur Teele

(No Appointment Made) Mayor Manuel Diaz

04-00185-memo-1.doc, 04-00185-members-2.doc, 04-00185 - resignation-3.pdf

**R-04-0232**

**MOVED:**            Joe Sanchez

**SECONDED:**      Angel González

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

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

**ABSENT:**          Commissioner Regalado

**A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, to appoint Milagros Loyal as a member of the Parks Advisory Board.**

**Note for the Record: Commissioner González deferred his second appointment.**

**A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to appoint Robert Flanders and Rick Walsh as members of the Parks Advisory Board.**

**A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, to appoint Sallye Jude as a member of the Parks Advisory Board.**

**A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, with Commissioner Regalado absent, to appoint Sonny Armbrister and Albeana Sumner as members of the Parks Advisory Board.**

**BC.7    04-00187**

**RESOLUTION**

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

**APPOINTEES:**

**NOMINATED BY:**

Commissioner Angel González

Commissioner Angel González

(No Appointment Made)

Commissioner Angel González

04-00187-memo-1 .doc, 04-00187-member-2.doc

**R-04-0233**

**MOVED:**            Johnny L. Winton

**SECONDED:** Joe Sanchez

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

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

**ABSENT:** Commissioner Regalado

A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to appoint Commissioner González as a member of the Miami Sports & Exhibition Authority.

Note for the Record: Commisisoner González deferred his second appointment.

**BC.8 04-00188**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE COMMISSION ON THE STATUS OF WOMEN FOR A TERM AS DESIGNATED HEREIN.

**APPOINTEE:** **NOMINATED BY:**

\_\_\_\_\_ Chairman Arthur Teele

04-00188-memo-1.doc, 04-00188-list-2.doc, 04-00188-resignation-3.pdf

**NO ACTION TAKEN**

No action taken.

**BC.9 04-00198**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE CIVILIAN INVESTIGATIVE PANEL FOR TERMS AS DESIGNATED HEREIN.

**APPOINTEES:** Term Expiration Date:

Brenda Shapiro January 23, 2007

Fred St. Amand January 23, 2007

Larry Handfield January 23, 2007

Rodolfo H. De La Guardia January 23, 2007

04-00198-memo-1.doc, 04-00198-members-2.doc, 04-00198 - nominations - 3.pdf

**R-04-0237**

**MOVED:** Joe Sanchez

**SECONDED:** Johnny L. Winton

**UNANIMOUS**

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

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

A motion was made by Commissioner Sanchez, seconded by Commissioner Winton, and was passed unanimously, to appoint Brenda Shapiro, Fred St. Amad, Larry Handfield, and Rodolfo H. De La Guardia, as members of the Civilian Investigative Panel.

**BC.10 04-00253**

**RESOLUTION**

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

APPOINTEE: NOMINATED BY:

Chantal Mao Commissioner Johnny Winton  
(January 31, 2006 - unexpired)

Wilfredo Calvino Commissioner Angel González  
(January 31, 2005 - unexpired)

04-00253-memo-1.doc, 04-00253-MEMBERS-2.doc, 04-00253 - residency-3.pdf

**R-04-0238**

**MOVED:** Angel González

**SECONDED:** Joe Sanchez

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

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

**ABSENT:** Commissioner Regalado

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Commissioner Regalado absent, to appoint Chantal Mao as a member of the Community Relations Board.

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to appoint Wilfredo Calvino, Jr. as a member of the Community Relations Board; further waiving the residency requirements in Section 2-884 of the Code of the City of Miami, as amended by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to Wilfredo Calvino as a member of the Community Relations Board.

**BC.11 04-00268**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE SOUTH FLORIDA WORKFORCE BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

Gilda Ferradaz Commission At-Large

04-00268-memo-1.doc, 04-00268-MEMBERS-2.doc

**R-04-0239**

**MOVED:** Johnny L. Winton

**SECONDED:** Angel González

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

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

**ABSENT:** Commissioner Regalado

**A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Commissioner Regalado absent, to appoint Gilda Ferradaz as a member of the South Florida Workforce Board.**

**DISCUSSION ITEMS****DI.1 04-00267 DISCUSSION ITEM**

A DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

04-00267 - Cover Memo.pdf

**DISCUSSED**

Direction to the Administration by Chairman Teele to look at the City's entire water and sewer fee structure to ensure that the fees are not exceeding the services and that the County is not using this as a profit-gaining mechanism; further requesting that the City engage a financial advisor to give the Commission advise on how use the Orange Bowl more effectively in terms of revenue streams.

Direction to the Administration by Vice Chairman Sanchez to address the following two issues: identify the projected revenues for the future demand of services and increase of new projects and the long-term liability of the City for funding of its pensions and how the City plans to ensure that the pension costs will not dilute the strategic reserves.

Direction to the Administration by Commissioner Winton to provide him with an in-depth analysis on the long term impact of our current pension system.

**DI.2 04-00284 DISCUSSION ITEM**

UPDATE REGARDING THE STATUS OF SITE SELECTION, ESTIMATED CONSTRUCTION COSTS, AND CONSTRUCTION TIMELINE FOR THE MOUNTED PATROL UNIT'S STABLES.

04-00284-cover pg..pdf

**MOTION**

A motion was made by Commissioner Winton, seconded by Commissioner González, and passed unanimously, with Commissioner Regalado absent, to DEFER item DI.2 and hold the plans regarding the police horse stables until the Manager briefs every commissioner beginning with district commissioner on said matter; further directing the Manager to allot the mounted patrol equally per district.

**DI.3 04-00313 DISCUSSION ITEM**

PRESENTATION CONCERNING THE STATUS OF HISTORIC PRESERVATION IN THE CITY.

04-00313- cover memo.pdf

**DISCUSSED**

Direction to the Administration and City Attorney by Chairman Teele to sit down with officials from the Department of Housing and Urban Development (HUD) to determine exactly what the historic preservation law requires and whether or not there is a procedure, other than a building by building determination, to conduct facade improvements and come back with a legal determination as to what the legal requirements are, as well as legal requirements for the Code of Federal Regulations (CFR); further recommending that City and County meet to work on historic preservation together.

Direction to the City Manager by Commission González to provide the Historic Preservation Officer with any assistance that she needs in order to get the City certified to do facade improvements and designation of historic properties.

Direction to the City Manager and Administration by Chairman Teele to review the document as presented by the City's Historic Preservation Office, which raises some real concerns about the City's planing and zoning process, zoning code, development practices, community development organizations, etc.; further requesting that a letter of appreciation be sent from the Mayor and Commission to the Knight Foundation and the National Trust for the work they have done to help us develop a benchmark for the City; further to provide the Commission with a pictorial exhibit of the Dorsey Library as it exists today; further to list the following as a high priority for historic designation: the segregated wall that was built on Martin Luther King (MLK) Boulevard, which was torn down 50 years ago but still remains on the boulevard; the Pork and Beans Public Housing Unit, which was the first major public housing unit in the South, and the City Cemetery, which should include the burial of prominent Cuban officials so as not to leave them out of the City's history; and further requesting that the Administration report back in 60 days.

**DI.4 04-00335 DISCUSSION ITEM**

UPDATE REGARDING STATUS OF PROGRAMMING FOR RESIDENTS AT PIONEER HOME.

04-00335-cover pg..pdf

**DEFERRED**

A motion was made by Commissioner Regalado, seconded by Commissioner González, and was passed unanimously, to DEFER item DI.4.

**DI.5 04-00382 DISCUSSION ITEM**

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

04-00224-cover page.pdf

**MOTION**

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and passed unanimously, with Vice Chairman Sanchez absent\*, to accept plan presented by administration for the four school crossing guards, granting them a raise of one dollar per hour and the new benefits to part-timers which will go into effect next July; further urging the Civil Service Board to hear this case and consider the recommendation to be presented by Charles Cox, president of AFSCME, Local 1907.

\* Note for the Record: Although absent during roll call, Vice Chairman Sanchez requested of the Clerk to show him in agreement with the motion.

**11:00 A.M.**

**DI.6 04-00318 DISCUSSION ITEM**

PRESENTATION BY THE GREATER MIAMI CONVENTION AND VISITORS BUREAU ON THE MARKETING PLAN FOR COCONUT GROVE

04-00318-cover memo.pdf

**WITHDRAWN**

**A motion was made by Commissioner Winton, seconded by Commissione Regalado, and was passed unanimously to WITHDRAW, item DI.6.**

**EXECUTIVE SESSION****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 Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez and Commissioner Regalado absent, to DEFER item ES.1 to the Commission Meeting currently scheduled for April 22, 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

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

**DEFERRED**

**A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez and Commissioner Regalado absent, to DEFER item ES.2 to the Commission Meeting currently scheduled for April 22, 2004, at 3:00 p.m.**

**PART B**

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

**PZ.1 03-0422 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF A PUBLIC RIGHT-OF-WAY, BEING THE PORTION OF A ROADWAY (SOUTHWEST 2ND COURT) BETWEEN SOUTHWEST 17TH ROAD AND I-95, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" (HEREBY ATTACHED).

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

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

APPLICANT(S): Century Homebuilders, LLC

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

**FINDINGS:**

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PUBLIC WORKS DEPARTMENT: See supporting documentation.

PLAT & STREET COMMITTEE: See supporting documentation.

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

PURPOSE: This will allow a unified commercial development site.

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

**R-04-0240**

**MOVED:** Joe Sanchez

**SECONDED:** Angel González

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

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

**NOES:** Commissioner Teele

The following items shall not be considered before 4:00 pm.

**PZ.2 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

**12521**

**MOVED:** Johnny L. Winton

**SECONDED:** Tomas Regalado

**UNANIMOUS**

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

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

**Direction to the City Attorney by Commissioner Winton to review the Zoning Code criteria for current applications on file for new buildings in excess of 85 feet, which are being reviewed by the Planning and Zoning Department, and to clarify the definition of "completed applications," specifically the clause saying, "unless otherwise stipulated in subsequent legislation," to determine if the moratorium can be applied to applications that are currently in the pipeline.**

**Direction to the City Manager by Chairman Teele to publish a list of the applications currently in the pipeline and are not affected by the proposed moratorium.**

Direction to the City Clerk by Chairman Teele to research ordinances in the past which have an effective date of less than 30 days from its adoption.

**PZ.3 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

**MOVED:** Johnny L. Winton

**SECONDED:** Tomas Regalado

**UNANIMOUS**

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

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

The following item shall not be considered before 4:30 pm.

**PZ.4 04-00296a**

**ORDINANCE**

**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A 90 -DAY TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW BUILDINGS LOCATED ON THE SOUTHWEST 27TH AVENUE CORRIDOR FROM CORAL WAY TO US-1; 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 Establish a 90-Day Temporary Moratorium

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended for discussion.

PLANNING ADVISORY BOARD: Pending recommendation on April 21, 2004. This item is related to File ID 04-00296.

PURPOSE: This will establish a 90-day temporary moratorium on the acceptance of applications for new buildings located on the SW 27th Avenue corridor from Coral Way to US-1.

04-00296a FR Fact Sheet.pdf, 04-00296a Legislation.pdf

**CONTINUED**

**Direction to the City Manager and the City Attorney by Commissioner Regalado to expedite item PZ.4 by scheduling it on the agenda for the Planning Advisory Board meeting scheduled for April 21, 2004; then on the Commission agenda of April 22nd for consideration on first reading; and then on the Commission agenda of May 6th (first meeting in May) for consideration on second reading.**

**A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and passed unanimously, to create a committee composed of five members to make recommendations to the Administration on Code changes that will be proposed as the result of the study of the 27th Avenue corridor; said members to be appointed in consultation with the City Manager and Commissioner Regalado.**

**Direction to the City Clerk by Chairman Teele to collect the names and contact information, including e-mail address, of individuals who wish to receive notice of direct mailing of matters relating to the 27th Avenue corridor and provide Commissioner Regalado with a copy of said list. Commissioner Regalado stated his office would do the mailing of notices.**

**Direction to the City Clerk by Chairman Teele to research what happened to Mr. David Colas, resident of 2235 Southwest 25th Terrace, related to his voting district; and send him a letter with copy to the members of the City Commission, explaining to him what district he is in and whether he was affected by the redistricting which took place within the last few years.**

**SUPPLEMENTAL AGENDA****SI.1 04-00379 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 03-1243, ADOPTED DECEMBER 18, 2003, WHICH DIRECTED THE CITY MANAGER TO PROCEED WITH ALL ACTIONS NECESSARY TO FORMALLY VACATE THE ALLEYWAY BEHIND THE LYRIC THEATER, LOCATED AT 819 NORTHWEST 2ND AVENUE, MIAMI, FLORIDA, TO INCLUDE THE STREET VACATION OF NORTHWEST 1ST COURT FROM NORTHWEST 9TH STREET TO NORTHWEST 8TH STREET, MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO WAIVE ALL HEARING BOARD FEES.

04-00379-cover memo.pdf, 04-00379-budgetary impact analysis.pdf, 04-00379-pre. master report.pdf, 04-00379-pre. legislation.pdf

**R-04-0202**

**MOVED:** Johnny L. Winton

**SECONDED:** Tomas Regalado

**UNANIMOUS**

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

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

**SI.2 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

**R-04-0200**

**MOVED:** Tomas Regalado

**SECONDED:** Johnny L. Winton

**UNANIMOUS**

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

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

**Note for the Record:** Commissioner Regalado requested Mr. Alan Rubin of the Miami Rowing and Watersports Center, to provide the Commission with a detailed report on the Center's rowing program, including the schedule and the number of children from the City of Miami parks that will be participating in said program; Commissioner Winton further suggested that Mr. Rubin contact each Commissioner's office to see if they would like to find a way to tie in some of the kids from their own districts into this plan.

**NON-AGENDA ITEMS****NA.1 04-00396 DISCUSSION ITEM**

Discussion regarding support for Florida Memorial College.

DISCUSSED

**NA.2 04-00404 DISCUSSION ITEM**

Direction to the City Manager by Chairman Teele to schedule a discussion item at the next agenda related to the current contract for rental cars.

DISCUSSED

**NA.3 04-00405 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING COMMISSIONER JOHNNY L. WINTON AS THE CHAIRPERSON OF THE COCONUT GROVE SPECIAL EVENTS AND MARKETING COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:                      NOMINATED BY:

Commissioner Winton      Commission At-Large

**R-04-0245**

MOVED:              Angel González

SECONDED:        Joe Sanchez

UNANIMOUS

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

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

Note for the Record: Commissioner Regalado resigned as Chairperson of the Coconut Grove Special Events and Marketing Committee. Subsequently, Commissioner Winton was appointed to said position.

**NA.4 04-00392 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT, IN AN AMOUNT NOT TO EXCEED \$2,500, TO THE XXV HEMISPHERIC CONGRESS OF THE LATIN CHAMBERS OF COMMERCE AND INDUSTRY TO BE HELD APRIL 14-17, 2004, AT THE RADISSON MART PLAZA HOTEL AND CONVENTION CENTER; ALLOCATING FUNDS FROM DISTRICT 1 SPECIAL EVENTS ACCOUNT NO. 001000. 921054.6.289, SUBJECT TO BUDGETARY APPROVAL.

**R-04-0246**

MOVED:              Angel González

SECONDED:        Joe Sanchez

UNANIMOUS

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

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

**NA.5 04-00395 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY ATTORNEY TO SEEK INJUNCTIVE RELIEF, OR ANY OTHER ACTIONS IN LAW OR IN EQUITY, TO ENSURE CITY CODE COMPLIANCE OF THE VIOLATIONS RELATED TO ILLEGAL UNITS, WORK COMPLETED WITHOUT A PERMIT AND PARKING ON UNIMPROVED SURFACES AT THE PROPERTY LOCATED AT 2264 SOUTHWEST 16TH TERRACE, MIAMI, FLORIDA, SO LONG AS THERE EXISTS INADEQUATE REMEDIES AT LAW AND THE LIKELIHOOD OF IRREPARABLE INJURY WILL OCCUR IF THE INJUNCTION IS NOT GRANTED; FURTHER AUTHORIZING THE CITY ATTORNEY TO INITIATE FORECLOSURE ACTION, IF APPLICABLE, AGAINST THE PROPERTY AT 2264 SOUTHWEST 16 TERRACE, MIAMI, FLORIDA, FOR ANY OUTSTANDING LIENS RELATED TO CODE ENFORCEMENT OR COSTS RELATED TO THESE VIOLATIONS, PURSUANT TO APPLICABLE LAW.

**R-04-0241**

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

**NA.6 04-00398 DISCUSSION ITEM**

**A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, directing the City Manager to work with the law firm of Leeds, Colby, Hoss, Spence, Hofman, Delory for the use of the City owned storage facility known as Virrick Gym, located at 2600 Bayshore Drive, during the Campaign Libertad Freedom event scheduled to be held from May 19 to May 21, 2004, to commemorate Cuba's Independence Day.**

MOTION

**NA.7 04-00399 DISCUSSION ITEM**

A motion was made by Commissioner Regalado, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, directing the City Manager to transfer funds in the amount of \$2,099 from the District 4 rollover to the Manuel Artime account, to cover fees that were assessed during the Miami Hispanic Ballet appeal of an administrative decision.

MOTION

**NA.8 04-00400 DISCUSSION ITEM**

Direction to the City Manager by Chairman Teele to prepare a resolution to

accept donation of \$100,000 from BAME for Gibson Park and to place said funds in a restricted account to be used only for programming; and further directing the Manager to schedule this item at the next meeting.

**DISCUSSED**

**NA.9 04-00394 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO MEET WITH THE AFRICAN-AMERICAN COMMITTEE OF THE DADE HERITAGE TRUST REGARDING THE ELEVENTH ANNUAL COMMEMORATIVE SERVICE, SCHEDULED FOR SUNDAY, APRIL 25, 2004, WHICH HONORS PIONEERS AND VETERANS INTERNED AT THE HISTORIC CITY OF MIAMI CEMETERY; FURTHER DIRECTING THAT THE CITY MANAGER GIVE A REPORT ABOUT THE HEADSTONES FOR SAID EVENT, AT THE THURSDAY, APRIL 22, 2004 COMMISSION MEETING.

**R-04-0242**

**MOVED:** Arthur E. Teele, Jr.

**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

**NA.10 04-00402 DISCUSSION ITEM**

A motion was made by Chairman Teele, seconded by Commissioner González, and passed unanimously, with Commissioner Winton absent, requesting the City Manager to take steps to open the Judge Thomas Park, located along Northeast 2nd and 11th Street and to present the Commission with a maintenance plan to keep the park open on weekends.

**MOTION**

**NA.11 04-00403 DISCUSSION ITEM**

Direction to the City Clerk by Chairman Teele to check with the members of the Commission regarding the possibility of rescheduling the May meetings to be held both in one day, preferably on May 20th, and present this information to be considered at the April 22nd Commission meeting.

**DISCUSSED**