



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
Maria J. Chiaro, Interim City Attorney
Priscilla A. Thompson, City Clerk

Thursday, July 22, 2004

9:00 AM

City Hall Commission Chambers

CONTENTS

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

PR - PRESENTATIONS AND PROCLAMATIONS

MV - MAYORAL VETOES

AM - APPROVING MINUTES

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M - MAYOR'S ITEMS

D1 - DISTRICT 1 ITEMS

D2 - DISTRICT 2 ITEMS

D3 - DISTRICT 3 ITEMS

D4 - DISTRICT 4 ITEMS

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PH - PUBLIC HEARINGS

TIME CERTAIN

3:00 P.M. - PH.6 - Transferring District 4 Funds to MDHA

SR - SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

RE - RESOLUTIONS

DI - DISCUSSION ITEMS

PZ - PLANNING AND ZONING ITEMS

9:00 AM - PZ.1 THROUGH PZ.20

2:30 PM - PZ.21 THROUGH PZ.42

TIME CERTAIN

5:00 PM - PZ.43 - Major Use Special Permit - Villa Magna

7:00 PM - PZ.44 - New SD-24 SW 27 Avenue Special Overlay District

7:00 PM - PZ.45 - Zoning Change - Certain Properties - SW 27 Av, 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 22nd day of July, 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 9:48 a.m. by Chairman Arthur E. Teele Jr., recessed at 12:05 p.m., reconvened at 3:12 p.m., recessed at 6:42 p.m., reconvened at 7:45 p.m. and recessed at 9:37 p.m. to continue on July 29, 2004 at 9 a.m.

ALSO PRESENT:

Joe Arriola, City Manager
 Maria J. Chiaro, Interim City Attorney
 Sylvia Scheider, Assistant City Clerk

PRESENTATIONS AND PROCLAMATIONS**PR.1 04-00837 CEREMONIAL ITEM**

Name of Honoree	Presenter	Protocol Item
Miami-Kagoshima Sister Cities Student Exchange		
Satsuki Hirata	Mayor Diaz	Outstanding Visiting Student Award
Nariki Fukumoto	Mayor Diaz	Outstanding Visiting Student Award
Kenji Maeda	Mayor Diaz	Outstanding Visiting Student Award
Yuki Uchihara	Mayor Diaz	Outstanding Visiting Student Award
Satomi Osaki	Mayor Diaz	Outstanding Visiting Student Award
Tsukasa Kusakizako	Mayor Diaz	Outstanding Visiting Student Award
Tamaki Sunakawa	Mayor Diaz	Outstanding Visiting Student Award
Hozuka Tachiwana	Mayor Diaz	Outstanding Visiting Student Award
Risa Nagamine	Mayor Diaz	Outstanding Visiting Student Award
Jyun Harada	Mayor Diaz	Outstanding Visiting Student Award
Mr. Masahiro Yamanouchi, Chaperone	Mayor Diaz	Distinguished Visitor

PRESENTED

The students from Kagoshima, Japan and their chaperone were given a miniature flag of the City of Miami.

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

APPROVING THE MINUTES OF THE FOLLOWING MEETING:

Planning and Zoning Meeting of June 24, 2004

NO ACTION TAKEN

ORDER OF DAY**CONSENT AGENDA****CA.1 04-00763 RESOLUTION**

, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("LESSEE") AND AMER HOLDING, A LIMITED LIABILITY COMPANY ("LESSOR"), FOR USE OF APPROXIMATELY 1,000 SQUARE FEET OF OFFICE SPACE, LOCATED AT 4343 WEST FLAGLER STREET, MIAMI, FLORIDA, FOR OPERATION OF A NEW NEIGHBORHOOD ENHANCEMENT TEAM IN DISTRICT 4, PROVIDING THE FOLLOWING: (1) A TERM OF FIVE (5) YEARS THAT SHALL COMMENCE ON THE POSSESSION DATE, WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL THREE-YEAR TERMS SUBJECT TO MUTUAL CONSENT OF THE PARTIES; (2) LESSEE SHALL PAY RENT FOR THE FIRST YEAR, IN THE AMOUNT NOT TO EXCEED \$15.00 PER SQUARE FOOT, OR AN AMOUNT NOT TO EXCEED \$1,250, PER MONTH, WITH RENT FOR SUBSEQUENT TERM YEARS TO BE ADJUSTED ANNUALLY BASED ON INCREASES IN THE CONSUMER PRICE INDEX, (3) LESSOR TO PAY ALL COMMON AREA OPERATING CHARGES, AND (4) LESSOR TO GRANT LESSEE THREE MONTHS RENT CREDIT FOR LESSEE'S BUILD-OUT OF PREMISES, WITH ADDITIONAL TERMS AND CONDITIONS MORE PARTICULARLY SET FORTH IN THE LEASE AGREEMENT.

R-04-0474

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

CA.2 04-00764**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF THERMO AIR, INC., FOR THE REPLACEMENT OF EXISTING COOLING TOWERS AND INSTALLATION OF A TEMPORARY COOLING TOWER, TO INCLUDE A FIVE-YEAR EXTENDED WARRANTY, FOR THE MIAMI RIVERSIDE CENTER ("MRC") BUILDING, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, MRC DIVISION, IN AN AMOUNT NOT TO EXCEED \$156,500, INCLUDING A CONTINGENCY RESERVE IN THE AMOUNT NOT TO EXCEED \$7,450, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$163,950; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT ("CIP") (B-74210) NO. 311042, IN AN AMOUNT NOT TO EXCEED \$93,149, CIP NO. 311705, IN AN AMOUNT NOT TO EXCEED \$30,000, AND CIP NO. 311010, IN AN AMOUNT NOT TO EXCEED \$40,801.

R-04-0511

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

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to TABLE item CA.2 for later this afternoon; further instructing the Administration to provide proper justification of the need for the replacement of cooling towers at the Miami Riverside Center.

A motion was made by Commissioner Winton, seconded by Commissioner González, and

was passed unanimously, to DEFER item CA.2.

[CA.2 was subsequently adopted.]

CA.3 04-00765 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE ACCEPTING THE PROPOSAL OF MERCY MEDICAL DEVELOPMENT D/B/A MERCY OUTPATIENT CENTER TO PERFORM PRE-EMPLOYMENT PHYSICAL EXAMINATION SERVICES FOR DESIGNATED PERSONNEL, AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$136,695, FOR THE INITIAL TWO-YEAR PERIOD, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS ("EMPLOYEE RELATIONS"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO-YEAR PERIODS, SUBJECT TO THE SAME TERMS AND CONDITIONS; FURTHER AUTHORIZING AN INCREASE IN COMPENSATION IN AN AMOUNT NOT TO EXCEED 5% WHICH SHALL BE EFFECTIVE ON THE FIRST DAY OF ANY OPTIONAL PERIOD; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGETS OF EMPLOYEE RELATIONS, ACCOUNT CODE NO. 001000.270101.6.260, IN AN AMOUNT NOT TO EXCEED \$82,470, THE DEPARTMENT OF FIRE-RESCUE, ACCOUNT CODE NO. 001000.280401.6.260, IN AN AMOUNT NOT TO EXCEED \$21,480, AND THE DEPARTMENT OF POLICE, ACCOUNT CODE NO. 001000.290201.6.260 , IN AN AMOUNT NOT TO EXCEED \$32,755.

R-04-0475

This Matter was ADOPTED on the Consent Agenda.

CA.4 04-00767 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AMENDING RESOLUTION NO. 03-634, ADOPTED JUNE 12, 2003, FOR THE PROVISION OF AUTO BODY REPAIRS AND PAINTING SERVICES, BY REPLACING THE LIST OF VARIOUS VENDORS ATTACHED TO SAID RESOLUTION WITH THE REVISED LIST, ATTACHED AND INCORPORATED AS "EXHIBIT A" TO EXCLUDE VENDORS THAT WERE NOT WITHIN THE CITY OF MIAMI LIMITS, PURSUANT TO SECTION 3.0 OF BID NO. 02-03-074, CHANGING THE BID TO CITYWIDE ON AN AS-NEEDED BASIS, ALLOWING OTHER DEPARTMENTS AND AGENCIES TO UTILIZE THE CONTRACT; CHANGING THE FUNDING SOURCE; AUTHORIZING AN INCREASE, IN AN ANNUAL AMOUNT NOT TO EXCEED \$60,000, FROM \$800,000 ANNUALLY TO AN AMOUNT NOT TO EXCEED \$860,000 ANNUALLY, FOR A TOTAL INCREASE IN AN AMOUNT NOT TO EXCEED \$240,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$3,440,000; ALLOCATING FUNDS FOR SAID INCREASE FOR THE CURRENT FISCAL YEAR (FY 2003-2004) FROM THE OPERATING BUDGETS OF VARIOUS USER DEPARTMENTS, 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; AND AMENDING RESOLUTION NO. 03-634 TO REFLECT SAID CHANGES.

R-04-0503**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**A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to TABLE item CA.4 for later this afternoon.****Note for the Record: Item CA.4 was subsequently adopted.****CA.5 04-00768****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE ACQUISITION OF PLANS REVIEW AND INSPECTION SERVICES FOR THE DEPARTMENTS OF BUILDING, PLANNING AND ZONING, PUBLIC WORKS AND FIRE-RESCUE, ON AN AS-NEEDED BASIS FROM CAPRI ENGINEERING, INC., CEB ENGINEERING, INC., CSA SOUTHEAST, INC., M.T. CAUSLEY, INC., AND TRIANGLE ASSOCIATES, INC ., IN AN AMOUNT NOT TO EXCEED \$200,000; AUTHORIZING THE CITY MANAGER TO EXECUTE INDIVIDUAL PROFESSIONAL SERVICE AGREEMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, WITH EACH AGENCY FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS; ALLOCATING FUNDS FROM THE OPERATING BUDGETS OF THE VARIOUS USER DEPARTMENTS 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.

R-04-0476**This Matter was ADOPTED WITH MODIFICATIONS on the Consent Agenda.****CA.6 04-00769****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE PROCUREMENT, INSTALLATION, AND DELIVERY OF PLAYGROUND AND PARK EQUIPMENT FROM VARIOUS VENDORS, AWARDED UNDER EXISTING STATE OF FLORIDA CONTRACT NO. 650-001-04-1, EFFECTIVE UNTIL JULY 31, 2004, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, FOR THE DEPARTMENT OF PARKS AND RECREATION; ALLOCATING FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000, FOR THE CURRENT FISCAL YEAR (FY 2003-2004) FROM THE OPERATING BUDGETS OF VARIOUS USER DEPARTMENTS, 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, ON AN AS-NEEDED CONTRACT BASIS FOR VARIOUS USER DEPARTMENTS AND AGENCIES.

R-04-0477

This Matter was ADOPTED on the Consent Agenda.

CA.7 04-00770 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING A DONATION, OF COMPUTER SOFTWARE LICENSES, INCLUDING NO COST VERSION UPGRADES FOR A TWO-YEAR PERIOD, AT AN ESTIMATED FAIR MARKET VALUE OF \$188,460, FROM MICROSOFT CORPORATION, FOR DEPLOYMENT ON CITY OF MIAMI ("CITY") OWNED DESKTOP COMPUTERS AT VARIOUS CITY LOCATIONS FOR THE E-PARKS PROGRAM SPONSORED BY THE CITY AND THE COMMUNITY TECHNOLOGY ADVISORY BOARD; AUTHORIZING THE CITY ATTORNEY TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR ACCEPTANCE OF THE DONATION.

R-04-0478

This Matter was ADOPTED on the Consent Agenda.

CA.8 04-00771 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 03-04-052R, THAT THE FIRMS MOST QUALIFIED TO PROVIDE NETWORK BACKBONE EQUIPMENT MAINTENANCE SERVICES FOR THE CITY OF MIAMI ("CITY") ARE, IN RANK ORDER: (1) UNISYS CORPORATION, AND (2) BELLSOUTH COMMUNICATION SYSTEMS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH UNISYS CORPORATION, THE TOP-RANKED FIRM, SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE RFP, ATTACHED AND INCORPORATED, AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$400,000, FOR AN INITIAL THREE-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS; ALLOCATING FUNDS FROM THE DEPARTMENT OF INFORMATION TECHNOLOGY ACCOUNT CODE NO. 001000.460101.6.670, AND FROM THE OPERATING BUDGETS OR CAPITAL IMPROVEMENT PROJECTS OF VARIOUS CITY DEPARTMENTS, REQUIRING BUDGETARY APPROVAL FROM INDIVIDUAL DEPARTMENTAL ACCOUNTS, PRIOR TO USAGE OF SAID SERVICES; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BELLSOUTH COMMUNICATION SYSTEMS, THE SECOND-RANKED FIRM, IN THE EVENT NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRM, SUBJECT TO SAID TERMS AND CONDITIONS.

R-04-0479

This Matter was ADOPTED on the Consent Agenda.

CA.9 04-00775 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CODESIGNATING

NORTHWEST 22ND STREET FROM NORTHWEST 6TH AVENUE TO NORTHWEST 11TH AVENUE, MIAMI, FLORIDA, AS "SUSACASA WAY;" FURTHER DIRECTING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF PUBLIC WORKS TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

R-04-0480

This Matter was ADOPTED on the Consent Agenda.

CA.10 04-00776 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CODESIGNATING SOUTHEAST 6TH STREET FROM BRICKELL AVENUE TO MIAMI AVENUE, MIAMI, FLORIDA, AS "BUTCH BRICKELL WAY;" FURTHER DIRECTING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF PUBLIC WORKS TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

DEFERRED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to TABLE item CA.10 for later this afternoon.

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to DEFER item CA.10, pending legal advise by the Interim City Attorney.

CA.11 04-00777 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CODESIGNATING NORTHEAST 11TH STREET FROM BISCAYNE BOULEVARD TO NORTHEAST 1ST AVENUE, MIAMI, FLORIDA, AS "CLUB SPACE WAY;" FURTHER DIRECTING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF PUBLIC WORKS TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

WITHDRAWN

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to WITHDRAW item CA.11.

CA.12 04-00778 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CODESIGNATING NORTHWEST 2ND STREET FROM NORTHWEST 56TH COURT TO NORTHWEST 57TH COURT, MIAMI, FLORIDA, AS "TARAS SCHEVCHENKO WAY;" FURTHER DIRECTING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF PUBLIC WORKS TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

R-04-0481

This Matter was ADOPTED on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

CA.13 04-00801 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING A UNITY OF TITLE FOR LAND LOCKED PARCELS, IN SUBSTANTIALLY THE ATTACHED FORM, AS A REQUIREMENT FOR THE RECORDATION OF THE PLAT OF WATSON ISLAND-SOUTHWEST; AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE UNITY OF TITLE; PROVIDING FOR THE RECORDATION OF THE UNITY OF TITLE IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

WITHDRAWN

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to WITHDRAW item CA.13.

CA.14 04-00803 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AMENDING RESOLUTION NO. 03-948, ADOPTED SEPTEMBER 9, 2003, WHICH REESTABLISHED AND RECREATED THE COMMUNITY TECHNOLOGY ADVISORY BOARD ("ADVISORY BOARD") ,TO EXTEND THE SUNSET DATE OF THE ADVISORY BOARD FROM SEPTEMBER 9, 2004 TO SEPTEMBER 9, 2005, EFFECTIVE SEPTEMBER 9, 2004.

R-04-0504

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

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to **TABLE** item CA.14 for later this afternoon.

Note for the Record: Item CA.14 was subsequently adopted.

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

DISTRICT 3

VICE CHAIRMAN JOE SANCHEZ

D3.1 04-00832 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO IMMEDIATELY TAKE ALL NECESSARY STEPS TO INITIATE THE PROCESS OF CODESIGNATING SOUTHWEST 16TH AVENUE BETWEEN SOUTHWEST 8TH STREET AND SOUTHWEST 12TH STREET, MIAMI, FLORIDA, AS "WIFREDO GORT WAY;" FURTHER DIRECTING THE CITY MANAGER TO INSTRUCT THE DIRECTOR OF PUBLIC WORKS TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICES.

R-04-0482

MOVED: Joe Sanchez

SECONDED: Arthur E. Teele, Jr.

UNANIMOUS

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

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

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1 04-00757 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE MIAMI-DADE COUNTY MANAGER AND THE MEMBERS OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO TAKE ALL ACTIONS NECESSARY TO PROVIDE GREATLY NEEDED SERVICES FOR THE ELDERLY RESIDING IN PUBLIC HOUSING DEVELOPMENTS, SUCH AS HOUSING AND URBAN DEVELOPMENT ("HUD") BUILDINGS, WITHIN THE

LIMITS OF THE CITY OF MIAMI.

R-04-0505

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

UNANIMOUS

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

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

D4.2 04-00817 DISCUSSION ITEM

DISCUSSION CONCERNING PROVIDING THE USE OF THE CITY'S SHOWMOBILE AT THE FERIA DEL NINO Y EL BEBE EVENT TO BE HELD AT ROBERT KING HIGH PARK ON AUGUST 22, 2004.

A motion was made by Commissioner Regalado, seconded by Vice Chairman Sanchez, and was passed unanimously, to provide for the use of the City's showmobile at the Feria del Nino y El Bebe Event, which is scheduled to be held at Robert King High Park on August 22, 2004.

D4.3 04-00836 DISCUSSION ITEM

DISCUSSION CONCERNING EARLY VOTING SITES.

DISCUSSED

Direction to the Interim City Attorney by Commissioner Winton to provide the Commission with a status report, by the Commission Meeting currently scheduled for July 29, 2004, as to the possibility of filing a lawsuit against the State of Florida, the Florida Legislature, Miami-Dade County Elections Department and all necessary bodies, to ensure that early voting sites are made available to all electors in the City of Miami regardless of race, ethnicity or geographic location; Chairman Teele further requested that the outside counsel retained by the City Attorney's Office on this matter be present on July 29, 2004.

D4.4 04-00831 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$2,000, TO THE CORAL WAY MERCHANT ASSOCIATION TO SUPPORT THE FIRST ANNUAL ARTS & CULTURE FESTIVAL IN THE CORAL WAY AREA, SPONSORED BY THE LOCAL MERCHANTS AND CORAL WAY CULTURE, ARTS & MUSICAL EVENTS, INC., TO BE HELD AUGUST 21, 2004; ALLOCATING FUNDS FROM DISTRICT 4 SPECIAL EVENTS NON-DEPARTMENTAL ACCOUNT CODE NO. 001000.921054.6.289.

R-04-0506

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

UNANIMOUS

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

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

DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR.

D5.1 04-00798 DISCUSSION ITEM

DISCUSSION REGARDING A LIVING WAGE ORDINANCE.

DISCUSSED

Discussion on Item D5.1 resulted in the First Reading Ordinance below:

(D5.1) 04-00798a ORDINANCE Non-Agenda

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, ENTITLED "FINANCE," AS AMENDED, BY AMENDING ARTICLE IV, ENTITLED "MINORITY AND WOMEN BUSINESS AFFAIRS AND PROCUREMENT PROGRAM," BY AMENDING SECTION 18-89 ENTITLED "CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS" TO CREATE **A LIVING WAGE ORDINANCE;** PROVIDING FOR A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Arthur E. Teele, Jr.

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

PUBLIC HEARING**PH.1 04-00772 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE ASSIGNMENT OF A CITY OF MIAMI ("CITY") COMMERCIAL SOLID WASTE NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY AND UNITED ENVIRONMENTAL SERVICES OF SOUTH FLORIDA, TO CHOICE ENVIRONMENTAL SERVICES OF MIAMI, INC ., WITH THE APPROPRIATE SUPPORTING DOCUMENTS REQUIRED FOR THE NON-EXCLUSIVE FRANCHISE AGREEMENT, ATTACHED AND INCORPORATED.

R-04-0484

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

Direction to the City Manager by Chairman Teele to prepare appropriate commendation for Kathleen Woods-Richardson, whose last day as Director of the Solid Waste Department will be on August 6, 2004.

PH.2 04-00773 RESOLUTION

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

R-04-0485

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

PH.3 04-00774 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE PLAT ENTITLED "RITZ SUBDIVISION," A SUBDIVISION

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

R-04-0486

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

PH.4 04-00785**RESOLUTION**

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

R-04-0487

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

PH.5 04-00786**RESOLUTION**

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

SECTION 55-8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND ACCEPTING THE DEDICATIONS SHOWN ON THE PLAT; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE PLAT; AND PROVIDING FOR THE RECORDATION OF THE PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

R-04-0483

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

3:00 P.M.**PH.6 04-00812 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING THE TRANSFER OF HOME INVESTMENT PARTNERSHIPS PROGRAM ("HOME") FUNDS, IN AN AMOUNT NOT TO EXCEED \$500,000, FROM THE DISTRICT 4 HOUSING PILOT PROJECT; ALLOCATING SAID FUNDS TO THE MDHA DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF THE SMATHERS PLAZA, AN ASSISTED LIVING FACILITY.

R-04-0499

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

ORDINANCES - SECOND READING**SR.1 04-00466 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION REPEALING SECTIONS 35-341 TO 35-347, IN ITS ENTIRETY OF ARTICLE IX OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CODE") ENTITLED: PARKING FACILITIES SURCHARGE, AND REPLACING IT WITH NEW SECTIONS 35-341 TO 35-347, AMENDING THE CODE PROVIDING FOR THE IMPOSITION AND COLLECTION OF A PARKING FACILITIES SURCHARGE AT THE RATE OF FIFTEEN PERCENT (15%) OF THE AMOUNT CHARGED FOR THE SALE, LEASE, OR RENTAL OF SPACE AT PARKING FACILITIES WITHIN THE CITY OF MIAMI; PROVIDING DEFINITIONS; SETTING FORTH PROCEDURES FOR COLLECTION AND PROVIDING PENALTIES FOR NONCOMPLIANCE; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE AND FOR INCLUSION IN THE CITY CODE.

12563**MOVED: Johnny L. Winton****SECONDED: Tomas Regalado****Motion that this matter be ADOPTED WITH MODIFICATIONS PASSED by the following vote.****AYES: Commissioner Winton, Sanchez, Regalado and Teele****ABSENT: Commissioner González****Direction to the City Manager by Chairman Teele to have a discussion later today on the accomplishments of our lobbying team one year ago.****SR.2 04-00468 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2 /ADMINISTRATION/ARTICLE XI/BOARDS, COMMITTEES, COMMISSIONS; CHAPTER 35/MOTOR VEHICLES AND TRAFFIC/ARTICLE V ENTITLED " COCONUT GROVE PARKING IMPROVEMENTS TRUST FUND" AND CHAPTER 54/STREETS AND SIDEWALKS/ARTICLE IX/COCONUT GROVE SPECIAL EVENTS DISTRICT OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO ABOLISH THE EXISTING COCONUT GROVE PARKING ADVISORY COMMITTEE AND THE COCONUT GROVE SPECIAL EVENTS AND MARKETING COMMITTEE, AND SUBSTITUTE IN LIEU THEREOF, A NEW DIVISION 17 TO ARTICLE XI OF CHAPTER 2, ENTITLED "COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE" ("BIC"), TO SET FORTH THE PURPOSE, POWERS, APPOINTMENTS, QUALIFICATIONS, APPROVAL OF BUDGET, AND ANNUALLY PROVIDING FOR SUNSET REVIEW, MORE PARTICULARLY BY DELETING SECTIONS 35-223 AND SECTION 54-342, AND SUBSTITUTING IN LIEU THEREOF, A NEW DIVISION 17, NEW SECTIONS 2-1250 THROUGH 2-1255 TO SAID CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

12564**MOVED: Johnny L. Winton**

SECONDED: Joe Sanchez

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

AYES: Commissioner Winton, Sanchez, Regalado and Teele

ABSENT: Commissioner González

ORDINANCE - FIRST READING**FR.1 04-00734****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, RELATING TO DEVELOPMENT IMPACT FEES; AMENDING CHAPTER 13, SECTIONS 13-2(B)(3), 13-2(B)(4), 13-5, 13-6(3) AND 13-6(4) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY CHANGING THE ELIGIBLE IMPACT FEE EXEMPTION DESIGNATION AREAS FOR ALL DUPLEX AND RESIDENTIAL DEVELOPMENT FROM "COMMUNITY DEVELOPMENT TARGET AREAS" TO THE NEWLY CREATED COMMUNITY DEVELOPMENT DEPARTMENT CLASSIFICATION OF "NEIGHBORHOOD DEVELOPMENT ZONES;" CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE OF OCTOBER 1, 2004

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

AYES: Commissioner Winton, Sanchez, Regalado and Teele

ABSENT: Commissioner González

Direction to the City Manager by Chairman Teele to schedule the second reading of item FR .1 as a public hearing and to publicly notice this with a sign as part of the community development package.

RESOLUTIONS**RE.1 04-00501 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO ACCEPT FROM THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION ("FDOT"), THE CONVEYANCE OF THE FOLLOWING TWO PARCELS OF LAND FOR PUBLIC PURPOSE USE SUBJECT TO COMPLETION OF DUE DILIGENCE BY THE CITY OF MIAMI ("CITY") INCLUDING, BUT NOT LIMITED TO, REVIEW OF THE SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE WORK AND INSURANCE: (A) PARCEL 1 CONTAINING APPROXIMATELY 1.7 ACRES OF LAND LOCATED AT APPROXIMATELY NORTHWEST 20TH STREET, ADJACENT TO INTERSTATE HIGHWAY NO. 95, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$16,000, FROM THE CAPITAL IMPROVEMENT PROJECTS ("CIP"), POLICE TRAINING FACILITY FUNDING PROJECT ACCOUNT NO. 312043.509307.270, APPROPRIATED FROM THE \$255 MILLION HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND, FOR THE COST OF DUE DILIGENCE AND CLOSING EXPENSES; AND (B) PARCEL 2 CONTAINING APPROXIMATELY 2.31 ACRES OF LAND LOCATED BETWEEN NORTHWEST 15TH STREET AND 17TH STREET, ALONG NORTHWEST 6TH PLACE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN "EXHIBIT B," ATTACHED AND INCORPORATED; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$22,000, FROM CIP, WAGNER CREEK RENOVATIONS - PHASE IV, PROJECT ACCOUNT NO. 352259.509301.270, FOR THE COST OF DUE DILIGENCE AND CLOSING EXPENSES.

R-04-0488

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

AYES: Commissioner Winton, Sanchez, Regalado and Teele

ABSENT: Commissioner González

RE.2 04-00616 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE FUNDING OF THE POLICE ATHLETIC LEAGUE ("PAL") PROGRAM, TO ASSIST WITH EXPENSES RELATED TO THE OPERATION OF THE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$559,495.84; ALLOCATING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 690001, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH FLORIDA STATE STATUTES, CHAPTER 932.7055, AS AMENDED.

R-04-0489

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.3 04-00709

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE PROCUREMENT OF A NEW FIRE-EMS RECORDS MANAGEMENT SYSTEM ("RMS") FROM TIBURON, INC., UTILIZING AN EXISTING CONTRACT, PURSUANT TO REQUEST FOR PROPOSALS ("RFP ") NO. 220009530 FROM THE CITY OF KANSAS CITY, MISSOURI, FOR THE DEPARTMENT OF FIRE-RESCUE ("FIRE-RESCUE"), AT A FIRST YEAR AMOUNT NOT TO EXCEED \$607,276, WITH AN ADDITIONAL 10% FOR FIRE -RESCUE'S ALLOWANCE TO EXPEND FOR UNFORESEEABLE CIRCUMSTANCES, FOR A TOTAL AMOUNT NOT TO EXCEED \$668,003, INCLUDING ALL SOFTWARE, SYSTEM IMPLEMENTATION PLANNING, AND ONE-YEAR MAINTENANCE AND SUPPORT SERVICES, WITH THE OPTION TO EXTEND PRODUCT SUPPORT FOR FOUR ADDITIONAL ONE-YEAR PERIODS, WITH AN ANNUAL MAINTENANCE COST CAPPED AT AN AMOUNT NOT TO EXCEED \$43,109 FOR YEAR 2, WITH OPTIONAL YEAR INCREASES LIMITED TO NO MORE THAN 5% PER YEAR FOR YEARS 3 THROUGH 5, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$853, 809; AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRE-EMS RMS, SOFTWARE AND MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM(S), SETTING FORTH THE TERMS AND CONDITIONS CONCERNING THE USE OF SAID FIRE-EMS PROGRAM BY THE CITY OF MIAMI ("CITY"); ALLOCATING FUNDS FROM THE CAPITAL IMPROVEMENTS PROJECT ("CIP") NO. 313303, B-72806, ENTITLED "FIRE DEPARTMENT COMPUTERS AND COMMUNICATIONS," IN THE AMOUNT NOT TO EXCEED \$607,276, WITH A CONTINGENCY RESERVE NOT TO EXCEED \$60,727, FOR THE INITIAL PURCHASE NOT TO EXCEED \$668,003; ALLOCATING FUNDS IN AN AMOUNT NOT TO EXCEED \$185,806, TO COVER COSTS FOR MAINTENANCE AND SUPPORT SERVICES FOR YEARS 2, 3, 4, AND 5, FROM VARIOUS CIP ACCOUNTS, AND FIRE-RESCUE'S OPERATING BUDGET, SUBJECT TO BUDGETARY APPROVAL.

R-04-0490

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

RE.4 04-00710

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE PURCHASE OF A PUBLIC SAFETY TECHNOLOGY ENHANCEMENT PROGRAM, CONSISTING OF A COMPUTER AIDED DISPATCH SYSTEM ("CAD"), LAW RECORDS MANAGEMENT SYSTEM ("

RMS" OR "LRMS"), AND A PREMIER MOBILE DATA COMMUNICATIONS SYSTEM ("PMDC") FROM PRINTRAK INTERNATIONAL, INC., A WHOLLY OWNED SUBSIDIARY OF MOTOROLA, INC., FOR THE DEPARTMENTS OF POLICE AND FIRE-RESCUE, UNDER AN EXISTING MIAMI-DADE COUNTY REQUEST FOR PROPOSALS NO. 317; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, IN AN AMOUNT NOT TO EXCEED \$6,678,803, FOR A PERIOD NOT TO EXCEED TWO YEARS, UNTIL THERE IS SUCCESSFUL IMPLEMENTATION AND A FULLY OPERATIONAL CAD, RMS OR LRMS, AND PMDC SYSTEM, INCLUDING ITS RESPECTIVE FIRST YEAR WARRANTIES, AND AN ADDITIONAL 5% OF THE NOT TO EXCEED AMOUNT OF \$6,678,803, FOR AN OWNER'S ALLOWANCE TO EXPEND FOR UNFORESEEABLE CIRCUMSTANCES, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$7,008,803, AND A FIVE-YEAR MAINTENANCE AGREEMENT AT AN INITIAL FIRST YEAR COST NOT TO EXCEED \$476,000, WITH INCREMENTAL ANNUAL INCREASES NOT TO EXCEED 5% OF THE FIRST YEAR COST FOR YEARS TWO (2) THROUGH FIVE (5) AND OPTIONAL MAINTENANCE YEARS, WHICH AT THE CITY OF MIAMI'S ("CITY'S") SOLE DISCRETION, MAY BE EXTENDED FOR FIVE ADDITIONAL ONE-YEAR PERIODS; ALLOCATING FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE COPS MORE 98 GRANT, ACCOUNT CODE NO. 142025.290512.6.840, IN AN AMOUNT NOT TO EXCEED \$5,885,593.31, AND FROM THE FIRE FEE, ACCOUNT CODE NO. 313302.289301.860 AND/OR ACCOUNT CODE NO. 313303.289401.840, IN AN AMOUNT NOT TO EXCEED \$1,123,209.69; ALLOCATING FUTURE FUNDS FROM THE OPERATING BUDGETS OF VARIOUS USER DEPARTMENTS, 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.

R-04-0491

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

RE.5 04-00788**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO CONDO ELECTRIC MOTOR REPAIR, INC., PURSUANT TO RESOLUTION NO. 00-655 , ADOPTED JULY 27, 2000, AMENDED BY RESOLUTION NO. 02-166, ADOPTED FEBRUARY 14, 2002, FOR ADDITIONAL WORK ON THE MAINTENANCE SERVICES OF THE CITY'S STORMWATER PUMP STATIONS, IN AN AMOUNT NOT TO EXCEED \$ 41,139, FROM \$118,783.32 TO \$159,922.32; ALLOCATING FUNDS FOR SAID INCREASE FROM PUBLIC WORKS GENERAL OPERATING BUDGET ACCOUNT NO. 001000.310101.6.340.27012, IN AN AMOUNT NOT TO EXCEED \$21,139, AND ACCOUNT NO. 001000.310201.6340.34039, IN AN AMOUNT NOT TO EXCEED \$20,000; AMENDING RESOLUTION NO. 02-166 TO REFLECT SAID

INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID INCREASE.

R-04-0492

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

RE.6 04-00789

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "CLEAN-UP GRANTS FOR THE MODEL CITY COMMUNITY REVITALIZATION DISTRICT TRUST ("MODEL CITY TRUST")" AND APPROPRIATING FUNDS FOR ITS OPERATION, IN THE AMOUNT OF \$400,000, CONSISTING OF TWO CLEAN-UP GRANTS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY ("EPA") FOR THE MODEL CITY TRUST FOR THE PURPOSE OF LAND ACQUISITION IN THE MODEL CITY HOMEOWNERSHIP ZONE PILOT PROJECT AREA; AUTHORIZING THE MODEL CITY TRUST TO ACCEPT THE GRANTS AND TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR IMPLEMENTATION OF THE GRANTS.

R-04-0493

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

RE.7 04-00790

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE PROPOSED ANNUAL PLAN AND BUDGET OF THE MODEL CITY COMMUNITY REVITALIZATION DISTRICT TRUST ("TRUST") FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2005.

DEFERRED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to DEFER item RE.7 to the budget workshop scheduled on July 29, 2004.

RE.8 04-00791

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") TO ESTABLISH A PROPOSED MILLAGE RATE OF ONE-HALF (1/2) MILL FOR THE DOWNTOWN DEVELOPMENT DISTRICT OF THE CITY OF MIAMI, FLORIDA,

FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005; AUTHORIZING AND DIRECTING COMMUNICATION OF SAID PROPOSED MILLAGE RATE, TO THE MIAMI-DADE COUNTY PROPERTY APPRAISER AND TAX COLLECTOR TOGETHER WITH THE DATE, TIME AND PLACE OF THE PUBLIC HEARINGS, AS STATED HEREIN, AT WHICH THE MIAMI CITY COMMISSION WILL HOLD PUBLIC HEARINGS TO CONSIDER THE PROPOSED MILLAGE RATE AND THE DDA TENTATIVE BUDGET FOR SAID FISCAL YEAR.

R-04-0495

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

RE.9 04-00792

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE DIRECTOR OF THE DEPARTMENT OF SOLID WASTE'S SELECTION OF THE QUALIFIED FIRMS TO PROVIDE COMMERCIAL SOLID WASTE HAULING SERVICES WITHIN THE CITY OF MIAMI ("CITY"), AS LISTED ON "EXHIBIT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE FRANCHISE AGREEMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID QUALIFIED PROVIDERS FOR SAID SERVICES.

R-04-0496

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Sanchez and Teele

ABSENT: Commissioner Regalado

RE.10 04-00760

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL CONSULTING SERVICES OF CONSUL-TECH TRANSPORTATION, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 04-0011, ADOPTED JANUARY 8, 2004, IN AN AMOUNT NOT TO EXCEED \$2,000,000, INCREASING COMPENSATION FROM \$1,000,000 TO \$3,000,000, FOR PROFESSIONAL CONSULTING SERVICES FOR MANAGEMENT SKILLS TO BE UTILIZED CITYWIDE ON AN AS-NEEDED CONTRACT BASIS; AMENDING RESOLUTION NO. 04-0011 TO REFLECT SAID INCREASE; ALLOCATING FUNDS FOR SAID INCREASE FROM VARIOUS CAPITAL IMPROVEMENTS AND SPECIAL REVENUE FUND PROJECT ACCOUNTS.

R-04-0497

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

RE.11 04-00761 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL CONSULTING SERVICES OF HDR ENGINEERING, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 04-0010, ADOPTED JANUARY 8, 2004, IN AN AMOUNT NOT TO EXCEED \$2,000,000, INCREASING THE COMPENSATION FROM \$2,000,000 TO \$4,000,000 FOR PROFESSIONAL CONSULTING SERVICES FOR MANAGEMENT SKILLS TO BE UTILIZED CITYWIDE ON AN AS-NEEDED CONTRACT BASIS; AMENDING RESOLUTION NO. 04-0010 TO REFLECT SAID INCREASE; ALLOCATING FUNDS FOR SAID INCREASE FROM VARIOUS CAPITAL IMPROVEMENTS AND SPECIAL REVENUE FUND PROJECT ACCOUNTS.

R-04-0498

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

Direction to the City Manager by Commissioner González to ascertain that consultants are true professionals; further directing the City Manager to personally visit District 1 to witness the outrageous flooding and disruption of traffic due to construction work in public right of ways.

RE.12 04-00782 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE RELEASE OF THE CITY OF MIAMI'S REVERSIONARY INTERESTS IN MIAMI-DADE COUNTY ("COUNTY") OWNED PROPERTY LOCATED IN WEST MIAMI-DADE AND LEGALLY DESCRIBED IN THE RELEASE AND AGREEMENT ATTACHED HERETO AS "EXHIBIT A," IN EXCHANGE FOR MIAMI-DADE COUNTY'S RELEASE OF RESTRICTIONS AND REVERSIONARY INTERESTS IN THE PROPERTY KNOWN AS THE MARINE STADIUM AND PAYMENT TO THE CITY IN THE SUM OF TWO MILLION DOLLARS (\$2,000,000); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY AND A RELEASE OF REVERSIONARY INTERESTS, IN SUBSTANTIALLY THE FORMS ATTACHED AND INCORPORATED AS "EXHIBIT A."

R-04-0494

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

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

AYES: Commissioner González, Winton and Sanchez

NOES: Commissioner Regalado and Teele

RE.13 04-00818

ORDINANCE

In Commission

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING SECTION 7 OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ELECTION OF CITY COMMISSIONERS AND MAYOR," CHANGING THE DATE OF THE RUNOFF ELECTION FOR MAYOR AND CITY COMMISSIONERS FROM THE SECOND TUESDAY TO THE THIRD TUESDAY IN NOVEMBER OF ODD-NUMBERED YEARS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

DISCUSSED

DISCUSSION ITEMS**DI.1 04-00833 DISCUSSION ITEM**

DISCUSSION CONCERNING FINDINGS RELATED TO PROCEDURES APPLIED IN APPROVING BUILDING PERMITS FOR CATALONIA.

MOTION

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed unanimously, to instruct the City Attorney to extend the analysis in relation to the Catalonia Project and to retain a University Law Professor, who is a member of the Florida Bar, to expand on the analysis of all the issues involved in the Catalonia project and analyze all aspects involved in the process, including the appeal process that was rejected by the Administration; further instructing that the Professor meet with all parties, including the City Attorney and the residents before issuing any opinion; further instructing that the full transcript be a part of the motion; further directing that said analysis be completed in two weeks.

DI.2 04-00838 DISCUSSION ITEM

DISCUSSION RELATED TO AN AMENDMENT TO §617.2.2.2 (1) (B) OF THE CITY CODE TO CHANGE THE AMOUNT CHARGED FOR PARKING FEES IN THE SD-17 OVERLAY DISTRICT, WHERE BONUS PARKING IS PERMITTED, FROM PREVAILING RATES FOR PUBLIC METERED PARKING IN THE VICINITY, AS ESTABLISHED BY THE MIAMI DEPARTMENT OF OFFSTREET PARKING TO A SET AMOUNT.

NO ACTION TAKEN**DI.3 04-00793 DISCUSSION ITEM**

REPORT BY THE COMMUNITY REDEVELOPMENT AGENDA (CRA) SPECIAL COUNSEL CONCERNING THE ENABLING LEGISLATION AND BUDGETING PROCESS OF THE SOUTHEAST/OVERTOWN/PARK WEST AND OMNI REDEVELOPMENT DISTRICT CRAS.

A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, to DEFER item DI.3.

PLANNING AND ZONING ITEMS - 9:00 AM

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to schedule a Commission meeting on Tuesday, September 7, 2004 at 10 a.m. to deal with zoning issues and other items referred by the City Manager.

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to continue the following items to the Commission meeting currently scheduled for September 7, 2004: PZ.1, PZ.2, PZ.4, PZ.5, PZ.6, PZ.7, PZ.8, PZ.9, PZ.10, PZ.11, PZ.12, PZ.13, PZ.14, PZ.15, PZ.18, PZ.19.

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to continue the following items to the Commission meeting currently scheduled for September 7, 2004: PZ.21, PZ.26, PZ.39, PZ.40, PZ.41.

PZ.1 04-00566**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL, AFFIRMING OR REVERSING THE DECISION OF THE ZONING BOARD, THEREBY DENYING OR GRANTING A VARIANCE FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, REQUIRED YARD, TO ALLOW A SIDE YARD SETBACK OF 6.5' WHERE 15'0" IS REQUIRED FOR THE PROPERTY LOCATED AT APPROXIMATELY 3145 DAY AVENUE, MIAMI, FLORIDA, PURSUANT TO VARIANCE GRANTED PER PLANS ON FILE WITH A TIME LIMITATION OF TWELVE MONTHS, IN WHICH A BUILDING PERMIT MUST BE OBTAINED, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Variance

LOCATION: Approximately 3145 Day Avenue

APPLICANT(S): Pia Clemens, Owner

APPELLANT(S): Hal B. Casstevens, Adjacent Property Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval of the variance and denial of the appeal.

ZONING BOARD: Granted the variance on April 26, 2004 by a vote of 5-3.

PURPOSE: The approval of this appeal will not allow the new construction of a two-family residential structure with less side yard setback than required.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.**CONTINUED**

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.1 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.2 04-00731 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, GRANTING A SPECIAL EXCEPTION, AS LISTED IN ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, TO ALLOW A CHILD DAYCARE FACILITY FOR 40 CHILDREN TO BE LOCATED IN A "PR" PARKS AND RECREATION ZONING DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2111 SOUTHWEST 19TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A".

REQUEST: Special Exception Requiring City Commission Approval

LOCATION: Approximately 2111 SW 19th Street

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

ZONING BOARD: Recommended approval with conditions* to City Commission on June 14, 2004 by a vote of 6-0.

*See supporting documentation.

PURPOSE: This will allow a child daycare facility for forty children within Shenandoah Park.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.2 to the Commission Meeting currently scheduled for September 7, 2004.

SECOND READING ORDINANCE

PZ.3 04-00575 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 SECTION 1102, ENTITLED "NONCONFORMING LOTS" RELATING TO THE R-2 DUPLEX ZONING DISTRICT BY PERMITTING BY CLASS II SPECIAL PERMIT NO MORE THAN ONE SINGLE-FAMILY UNIT ON AN INDIVIDUAL NONCONFORMING R-2 DUPLEX LOT; AND BY MODIFYING PROVISIONS REGARDING REPLATTING OF NONCONFORMING LOTS TO ALLOW REDUCTIONS IN THE DEGREE OF NONCONFORMITY; 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 May 19, 2004 by a vote of 7-0.

PURPOSE: This will allow single-family residences on nonconforming duplex lots.

12569

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

FIRST READING ORDINANCES

PZ.4 04-00406 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 1884 NORTHWEST 15TH STREET, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "GENERAL 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 "General Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1884 NW 15th Street

APPLICANT(S): Joseph Chambrot, Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on April 7, 2004 by a vote of 7-0. See companion File ID 04-00406a.

PURPOSE: This will change the above property to General Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.4 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.5 04-00406a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 24 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "C-2" LIBERAL COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 1884 NORTHWEST 15TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A;" CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 1884 NW 15th Street

APPLICANT(S): Joseph Chambrot, Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on May 10, 2004 by a vote of 6-2. See companion File ID 04-00406.

PURPOSE: This will change the above property to C-2 Liberal Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.5 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.6 04-00572

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 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1622, 1630 AND 1632 NORTHWEST 22ND AVENUE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "HIGH DENSITY MULTIFAMILY 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 "Duplex Residential" to "High Density Multifamily Residential" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1622, 1630 and 1632 NW 22nd Avenue

APPLICANT(S): 1622 Investment Corp., Castille Group Inc. and Brent Peebles

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

MIAMI RIVER COMMISSION: Unanimously recommended denial to City Commission on May 3, 2004.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on May 19, 2004 by a vote of 7-1. See companion File ID 04-00572a.

PURPOSE: This will change the above properties to High Density Multifamily Residential.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.6 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.7 04-00572a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 25, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "R-4" MULTIFAMILY HIGH-DENSITY RESIDENTIAL FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1622, 1630 AND 1632 NORTHWEST 22ND AVENUE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to R-4 Multifamily High-Density Residential to Change the Zoning Atlas

LOCATION: Approximately 1622, 1630 and 1632 NW 22nd Avenue

APPLICANT(S): 1622 Investment Corp., Castille Group Inc. and Brent Peebles

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

MIAMI RIVER COMMISSION: Unanimously recommended denial to City Commission on May 3, 2004.

ZONING BOARD: Recommended approval to City Commission on June 14, 2004 by a vote of 8-1. See companion File ID 04-00572.

PURPOSE: This will change the above properties to R-4 Multifamily High-Density Residential.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.7 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.8 04-00562

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 90 SOUTHWEST 3RD STREET A/K/A 55 AND 92 SOUTHWEST 3RD STREET, MIAMI, FLORIDA, FROM "OFFICE" 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 "Office" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 90 SW 3rd Street a/k/a 55 and 92 SW 3rd Street

APPLICANT(S): Miami River, LLC

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Pending recommendation on September 13, 2004.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on May 5, 2004 by a vote of 5-0. See companion File ID 04-00562a.

PURPOSE: This will change the above properties to Restricted Commercial.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.8 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.9 04-00562a

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 "O" OFFICE TO "SD-6" CENTRAL COMMERCIAL-RESIDENTIAL DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 90 SOUTHWEST 3RD STREET, A/K/A 55 AND 92 SOUTHWEST 3RD STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from O Office to SD-6 Central Commercial-Residential District to Change the Zoning Atlas

LOCATION: Approximately 90 SW 3rd Street a/k/a 55 and 92 SW 3rd Street

APPLICANT(S): Miami River, LLC

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Pending recommendation on September 13, 2004.

ZONING BOARD: Recommended approval to City Commission on June 14, 2004 by a vote of 9-0. See companion File ID 04-00562.

PURPOSE: This will change the above properties to SD-6 Central Commercial-Residential District.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.9 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.10 04-00573

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 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2143 AND 2161 SOUTHWEST 6TH STREET AND 2160 SOUTHWEST 5TH 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 2143 and 2161 SW 6th Street and 2160 SW 5th Street

APPLICANT(S): Edward D. Pascoe, Owner and Salomon Sutton/Punta Diamante, LLC, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on May 19, 2004 by a vote of 6-2. See companion File ID 04-00573a.

PURPOSE: This will change the above properties to Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.10 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.11 04-00573a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 34, 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 2160 SOUTHWEST 5TH STREET AND 2143 AND 2161 SOUTHWEST 6TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "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 2160 SW 5th Street and 2143 and 2161 SW 6th Street

APPLICANT(S): Edward D. Pascoe, Owner and Salomon Sutton/Punta Diamante, LLC, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on June 14, 2004 by a vote of 5-4. See companion File ID 04-00573.

PURPOSE: This will change the above properties to C-1 Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.11 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.12 04-00574

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 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 10, 16 AND 100 SOUTHWEST 41ST AVENUE, MIAMI, FLORIDA, FROM "SINGLE FAMILY RESIDENTIAL" TO "OFFICE"; 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 "Office" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 10, 16 and 100 SW 41st Avenue

APPLICANT(S): LP Investments Enterprises, Inc., Owner and Jorge Kasabdj, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on May 19, 2004 by a vote of 8-0. See companion File ID 04-00574a.

PURPOSE: This will change the above properties to Office.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.12 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.13 04-00574a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 32, 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 WITH AN "SD-12" BUFFER OVERLAY DISTRICT TO "O" OFFICE, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 10, 16 AND 100 SOUTHWEST 41ST AVENUE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "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 with an SD-12 Buffer Overlay District to O Office to Change the Zoning Atlas

LOCATION: Approximately 10, 16 and 100 SW 41st Avenue

APPLICANT(S): LP Investments Enterprises, Inc., Owner and Jorge Kasabdjji, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on June 14, 2004 by a vote of 7-1. See companion File ID 04-00574.

PURPOSE: This will change the above properties to O Office.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.13 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.14 04-00564

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 3253, 3265 AND 3269 SOUTHWEST 22ND 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 3253, 3265 and 3269 SW 22nd Terrace

APPLICANT(S): Coral Way Acquisition Properties, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on May 5, 2004 by a vote of 5-1. See companion File ID 04-00564a.

PURPOSE: This will change the above properties to Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.14 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.15 04-00564a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 42, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3253, 3265 AND 3269 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND 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 with an SD-23 Coral Way Special Overlay District to Change the Zoning Atlas

LOCATION: Approximately 3253, 3265 and 3269 SW 22nd Terrace

APPLICANT(S): Coral Way Acquisition Properties, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on June 14, 2004 by a vote of 6-3. Also, recommended approval to change the zoning from R-2 Two-Family Residential to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District for lot 34 and SD-12 Buffer Overlay District over the remaining lots 32 and 33. See companion File ID 04-00564.

PURPOSE: This will change the above properties C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.15 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.16 04-00571

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 3439 MAIN HIGHWAY, (A/K/A 2750 MCFARLANE ROAD), MIAMI, FLORIDA, FROM "SINGLE FAMILY 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 "Single Family Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3439 Main Highway (a/k/a 2750 McFarlane Road)

APPLICANT(S): St. Stephen's Episcopal Church

APPLICANT(S) AGENT: Jerry Proctor, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on May 19, 2004 by a vote of 7-1. See companion File ID 04-00571a.

PURPOSE: This will change the above property to Restricted Commercial.

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 Sanchez

ABSENT: Commissioner Regalado and Teele

PZ.17 04-00571a

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 WITH AN "SD-18" MINIMUM LOT SIZE DISTRICT TO "SD-2" COCONUT GROVE CENTRAL COMMERCIAL DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3439 MAIN HIGHWAY, (A/K/A 2750 MCFARLANE ROAD), MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "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 with an SD-18 Minimum Lot Size District to SD-2 Coconut Grove Central Commercial District to Change the Zoning Atlas

LOCATION: Approximately 3439 Main Highway (a/k/a 2750 McFarlane Road)

APPLICANT(S): St. Stephen's Episcopal Church

APPLICANT(S) AGENT: Jerry Proctor, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on June 14, 2004 by a vote of 8-0. See companion File ID 04-00571.

PURPOSE: This will change the above properties to SD-2 Coconut Grove Central Commercial District.

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 Sanchez

ABSENT: Commissioner Regalado and Teele

PZ.18 04-00561

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 339 NORTHEAST 28TH 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 339 NE 28th Street

APPLICANT(S): Dana Murphy, Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on May 5, 2004 by a vote of 5-1. See companion File ID 04-00561a.

PURPOSE: This will change the above property to Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.18 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.19 04-00561a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 21, 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 WITH AN "SD-20" EDGEWATER OVERLAY DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 339 NORTHEAST 28TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "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 with an SD-20 Edgewater Overlay District to Change the Zoning Atlas

LOCATION: Approximately 339 NE 28th Street

APPLICANT(S): Dana Murphy, Owner

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on June 14, 2004 by a vote of 7-2. See companion File ID 04-00561.

PURPOSE: This will change the above property to C-1 Restricted Commercial with an SD-20 Edgewater Overlay District.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.19 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.20 04-00729

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 42, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "R-2" TWO-FAMILY RESIDENTIAL WITH AN "SD-12" BUFFER OVERLAY DISTRICT FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2957, 2981, AND 2983 SOUTHWEST 38TH COURT, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to R-2 Two-Family Residential with an SD-12 Buffer Overlay District to Change the Zoning Atlas

LOCATION: Approximately 2957, 2981 and 2983 SW 38th Court

APPLICANT(S): Premier Luxury Investments, LLC

APPLICANT(S) AGENT: Maria Gralia, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on June 14, 2004 by a vote of 6-2.

PURPOSE: This will change the above properties to R-2 Two-Family Residential with an SD-12 Buffer Overlay District.

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 Sanchez

ABSENT: Commissioner Regalado and Teele

PLANNING AND ZONING ITEMS - 2:30 PM

PZ.21 04-00720

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 **OCEAN PALACE PROJECT**, TO BE LOCATED AT APPROXIMATELY 850 NORTHWEST LE JEUNE ROAD, MIAMI, FLORIDA, TO BE COMPRISED OF A FIVE-STORY, MIXED-USE STRUCTURE, WITH 400 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL FACILITIES, 8,600 SQUARE FEET OF GROUND LEVEL, RETAIL SPACE AND APPROXIMATELY 809 TOTAL UNDERGROUND 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 Ocean Palace Project

LOCATION: Approximately 850 NW Le Jeune Road

APPLICANT(S): Century Homebuilders of South Florida, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on June 16, 2004 by a vote of 7-0.

ZONING BOARD: Recommended approval with conditions* of special exceptions to City Commission on May 10, 2004 by a vote of 9-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Ocean Palace Project**.

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to continue item PZ.21 to the Commission Meeting currently scheduled for September 7, 2004.

A motion was made by Commissioner González, seconded by Vice Chairman Sanchez, and was passed unanimously, to reconsider previous continuance of Item PZ.21 to September 7, 2004.

A motion was made by Commissioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.21 to the Commission Meeting currently scheduled for September 23, 2004, after 3 p.m.

PZ.22 04-00724

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 **AVANT TOWERS PROJECT**, TO BE LOCATED AT APPROXIMATELY 234-272 NORTHEAST 34TH STREET, MIAMI, FLORIDA, TO CONSTRUCT A 17-STORY MIXED-USE STRUCTURE CONSISTING OF 114 TOTAL MULTIFAMILY RESIDENTIAL UNITS, APPROXIMATELY 12,900 SQUARE FEET OF COMMERCIAL USE AND 194 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 Avant Towers Project

LOCATION: Approximately 234-272 NE 34 Street

APPLICANT(S): Avant Towers, LC

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on June 16, 2004 by a vote of 6-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Avant Towers Project**.

R-04-0500

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.23 04-00721

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 **TERRAZAS RIVER PARK VILLAGE PROJECT**, LOCATED AT APPROXIMATELY 1861 NORTHWEST SOUTH RIVER DRIVE, MIAMI, FLORIDA, TO BE COMPRISED OF TWO BUILDINGS (ONE 20-STORY AND ONE 27-STORY) HOUSING 324 TOTAL MULTIFAMILY RESIDENTIAL UNITS AND 522 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 Terrazas River Park Village Project

LOCATION: Approximately 1861 NW S River Drive

APPLICANT(S): Windmoor Project, LLC

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

MIAMI RIVER COMMISSION: Recommended approval with conditions* to City Commission on April 5, 2004 by a vote of 8-4.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD: Pending recommendation on July 20, 2004.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on June 16, 2004 by a vote of 6-1.

*See supporting documentation.

PURPOSE: This will allow the development of the **Terrazas River Park Village Project**.

R-04-0502

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton and Sanchez

ABSENT: Commissioner Regalado and Teele

Direction to the City Manager by Commissioner Gonzalez to earmark funds generated by impact fees from this project to benefit the infrastructure of the area neighborhood.

PZ.24 04-00722

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **900 BISCAYNE PROJECT**, TO BE LOCATED AT APPROXIMATELY 900, 928, 944 BISCAYNE BOULEVARD, AND 901, 929, AND 951 NORTHEAST 2ND AVENUE, MIAMI, FLORIDA, TO CONSTRUCT A 65-STORY MIXED-USE STRUCTURE TO BE COMPPOSED OF 516 TOTAL MULTIFAMILY RESIDENTIAL UNITS, APPROXIMATELY 83,579 SQUARE FEET OF COMMERCIAL, OFFICE SPACE AND RESTAURANT AND 1,114 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 900 Biscayne Project

LOCATION: Approximately 900, 928, 944 Biscayne Boulevard, and 901, 929 , and 951 NE 2nd Avenue

APPLICANT(S): 900 Biscayne, LLC

APPLICANT(S) AGENT: Gloria M. Velazquez, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD:

Recommended approval with a condition* of a certificate of appropriateness to City Commission on May 18, 2004 by a vote of 7-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions to City Commission on June 16, 2004 by a vote of 6-0.

ZONING BOARD: Granted the special exception on June 28, 2004 by a vote of 7-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **900 Biscayne Project**.

R-04-0501

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.25 04-00723

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **OPUS TOWERS PROJECT**, TO BE LOCATED AT APPROXIMATELY 1237 BISCAYNE BOULEVARD, 324 AND 444 NORTHEAST 13TH STREET, MIAMI, FLORIDA, TO CONSTRUCT A 57-STORY MIXED-USE STRUCTURE CONSISTING OF 408 TOTAL MULTIFAMILY RESIDENTIAL UNITS, APPROXIMATELY 17,160 SQUARE FEET OF RETAIL/OFFICE USE, AND 570 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 Opus Towers Project

LOCATION: Approximately 1237 Biscayne Boulevard and 324 and 444 NE 13th Street

APPLICANT(S): 1237 Biscayne Blvd, LLC, Owner and 1237 Biscayne Development Group, LLC, Contract Purchaser

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on June 16, 2004 by a vote of 6-0.

ZONING BOARD: Granted the special exception on June 28, 2004 by a vote of 8-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Opus Towers Project**.

CONTINUED

A motion was made by Chairman Teele, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.25 to the Commission Meeting currently scheduled for July 29, 2004 at 2 p.m.

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Commissioner Regalado absent, to direct the City Manager to facilitate a phone call or a meeting, prior to coming back on July 29, 2004, between the Florida Department of Transportation (FDOT) District Secretary, Jose Abreu, if available, the developer of the Opus Towers Project, a representative of the Performing Arts Center, as well as all of the parties involved in this project.

PZ.26 04-00522

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A MODIFICATION TO A DECLARATION OF RESTRICTIVE COVENANT ("ZONING COVENANT") DATED SEPTEMBER 28, 1992 AND RECORDED IN OFFICIAL RECORDS BOOK 15663, PAGE 0716-0720, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2947-2949 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A", IN ORDER TO AMEND CERTAIN SECTIONS OF THE COVENANT IN THE MANNER DESCRIBED THEREIN.

REQUEST: Modification to a Covenant

LOCATION: Approximately 2947-2949 SW 22nd Terrace

APPLICANT(S): Latin American Restaurant-Cafeteria

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

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PURPOSE: This will allow a modification to an existing covenant.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to CONTINUE item PZ.26 to the Commission Meeting currently scheduled for September 7, 2004.

SECOND READING ORDINANCES

PZ.27 04-00191

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 3720 SOUTHWEST 27TH 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 3720 SW 27th Terrace

APPLICANT(S): Fanio and Caliz Marrero, Owners

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval of a motion, which failed (due to failure to obtain the required five favorable votes), constituting a denial to City Commission on February 18, 2004 by a vote of 4-4. See companion File ID 04-00191a.

PURPOSE: This will change the above property to Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

12572

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.28 04-00191a

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 PROPERTY LOCATED AT APPROXIMATELY 3720 SOUTHWEST 27TH 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 3720 SW 27th Terrace

APPLICANT(S): Fanio & Caliz Marrero, Owners

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on March 8, 2004 by a vote of 5-4. See companion File ID 04-00191.

PURPOSE: This will change the above property to C-1 Restricted Commercial.

REQUESTED TO BE CONTINUED TO SEPTEMBER 23, 2004.

12573

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

PZ.29 04-00559

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 1990, 2000 AND 2020 TIGERTAIL AVENUE AND 2015 AND 2035 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, FROM "SINGLE FAMILY RESIDENTIAL" TO "MAJOR INSTITUTIONAL, PUBLIC FACILITIES TRANSPORTATION AND UTILITIES"; 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 "Major Institutional, Public Facilities Transportation and Utilities" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1990, 2000 and 2020 Tigertail Avenue and 2015 and 2035 South Bayshore Drive

APPLICANT(S): Ransom Everglades School, Inc.

APPLICANT(S) AGENT: Carter N. McDowell, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval of a motion, which failed (due to failure to obtain the required five favorable votes), constituting a denial to City Commission on May 5, 2004 by a vote of 4-2. See companion File ID 04-00559a.

PURPOSE: This will change the above properties to Major Institutional, Public Facilities Transportation and Utilities.

12570

MOVED: Johnny L. Winton

SECONDED: Arthur E. Teele, Jr.

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

AYES: Commissioner Winton, Sanchez, Regalado and Teele

ABSENT: Commissioner González

PZ.30 04-00559a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 43, 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, SD-3 COCONUT GROVE MAJOR STREETS OVERLAY DISTRICT AND SD-18 MINIMUM LOT SIZE DISTRICT TO G/I GOVERNMENT AND INSTITUTIONAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1990, 2000 AND 2020 TIGERTAIL AVENUE AND 2015 AND 2035 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "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, SD-3 Coconut Grove Major Streets Overlay District and SD-18 Minimum Lot Size District to G/I Government and Institutional to Change the Zoning Atlas

LOCATION: Approximately 1990, 2000 and 2020 Tigertail Avenue and 2015 and 2035 South Bayshore Drive

APPLICANT(S): Ransom Everglades School, Inc.

APPLICANT(S) AGENT: Carter N. McDowell, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on May 24, 2004 by a vote of 6-3. See companion File ID 04-00559.

PURPOSE: This will change the above properties to G/I Government and Institutional.

12571

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner Winton, Sanchez, Regalado and Teele

ABSENT: Commissioner González

PZ.31 04-00389

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 3804-3820 NORTHWEST 12TH AVENUE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "GENERAL 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 "General Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3804-3820 NW 12th Avenue

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 31, 2004 by a vote of 8-0. See companion File ID 04-00389a.

PURPOSE: This will change the above properties to General Commercial.

12574

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.32 04-00389a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 17, 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-2 LIBERAL COMMERCIAL FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3804-3820 NORTHWEST 12 TH 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-2 Two-Family Residential to C-2 Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately 3804-3820 NW 12th Avenue

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 21, 2004 by a vote of 9-0. See companion File ID 04-00389.

PURPOSE: This will change the above properties to C-2 Liberal Commercial.

12575

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

PZ.33 04-00407

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION FOR AN AREA LOCATED ON WATSON ISLAND MORE PARTICULARLY KNOWN AS "WATSON ISLAND TRACT G" FROM "RECREATION" TO "RESTRICTED COMMERCIAL;" SAID PROPERTY MORE PARTICULARLY DESCRIBED IN "EXHIBIT A;" CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Watson Island Tract G

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 7, 2004 by a vote of 6-1. See companion File ID 04-00407a, 04-00407b and 04-00407c.

PURPOSE: This will change the above portion of Watson Island to Restricted Commercial.

12565

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.34 04-00407a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 22, 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 PR PARKS AND RECREATION TO C-1 RESTRICTED COMMERCIAL FOR AN AREA LOCATED ON WATSON ISLAND MORE PARTICULARLY KNOWN AS "WATSON ISLAND TRACT G," 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 PR Parks and Recreation to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Watson Island Tract G

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 7, 2004 by a vote of 5-2. See companion File ID 04-00407, 04-00407b and 04-00407c.

PURPOSE: This will change the above portion of Watson Island to C-1 Restricted Commercial.

12566

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.35 04-00407b

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION FOR AN AREA LOCATED ON WATSON ISLAND MORE PARTICULARLY KNOWN AS "WATSON ISLAND TRACT H" FROM "RESTRICTED COMMERCIAL" TO "RECREATION"; SAID PROPERTY MORE PARTICULARLY DESCRIBED IN "EXHIBIT A;" CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Watson Island Tract H

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 7, 2004 by a vote of 6-1. See companion File ID 04-00407, 04-00407a and 04-00407c.

PURPOSE: This will change the above portion of Watson Island to Recreational.

12567

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.36 04-00407c

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 22, 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-1 RESTRICTED COMMERCIAL TO PR PARKS AND RECREATION FOR AN AREA LOCATED ON WATSON ISLAND MORE PARTICULARLY KNOWN AS "WATSON ISLAND TRACT H," 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-1 Restricted Commercial to PR Parks and Recreation to Change the Zoning Atlas

LOCATION: Watson Island Tract H

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 7, 2004 by a vote of 6-1. See companion File ID 04-00407, 04-00407a and 04-00407b.

PURPOSE: This will change the above portion of Watson Island to PR Parks and Recreation.

12568

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.37 04-00716

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, BY AMENDING ARTICLE 9, SECTIONS 903 AND 907, IN ORDER TO MODIFY LANGUAGE PERTAINING TO RULES CONCERNING PROJECTS CROSSING DISTRICT BOUNDARIES OR STREETS, AND HEIGHT OF BUILDINGS ABUTTING RESIDENTIAL DISTRICTS; 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 on July 7, 2004 by a vote of 6-1.

PURPOSE: This will modify language pertaining to rules concerning projects crossing district boundaries or streets and height of buildings abutting residential districts.

12578

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

UNANIMOUS

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

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

A motion was made by Commisioner Winton, seconded by Vice Chairman Sanchez, and was passed unanimously, to direct the administration to prepare an amendment to this ordinance that addresses Floor Area Ratio (FAR) and open space issues and other incentives and present said amendment to the Planning Advisory Board in September and come back to the Commission soon thereafter.

FIRST READING ORDINANCES

PZ.38 04-00673 ORDINANCE First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE NO. 11000, OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6, SPECIAL DISTRICTS, IN ORDER TO AMEND SECTION 609, SD-9 BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT, TO MODIFY SPECIAL DISTRICT REQUIREMENTS, INCLUDING REQUIREMENTS RELATED TO HEIGHT, SETBACK AND PARKING LIMITATIONS; 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 June 2, 2004 by a vote of 7-1.

PURPOSE: This will modify height, setback and parking limitations to properties on the SD-9 Biscayne Boulevard North Overlay District.

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Teele

PZ.39 04-00725 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 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, IN ORDER TO MODIFY PERMISSIBLE USES IN THE R-4 MULTIFAMILY HIGH-DENSITY

RESIDENTIAL ZONING CLASSIFICATION TO ALLOW PUBLIC UTILITIES AS A CONDITIONAL USE, PROVIDING FOR CRITERIA, SCREENING REQUIREMENTS AND LIMITATIONS; 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 June 16, 2004 by a vote of 6-0.

PURPOSE: This will allow public utilities as a conditional use in R-4 Multifamily High-Density Residential.

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to CONTINUE item PZ.39 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.40 04-00674

ORDINANCE

First Reading

AN ORDINANCE OF THE CITY OF MIAMI, FLORIDA; AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, TO PROVIDE FOR A NEW ARTICLE NO. 8.1 ENTITLED TREE PROTECTION; 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 June 2, 2004 by a vote of 8-0. This is a companion to File ID 04-00674a.

PURPOSE: This will create a new article to the Zoning Ordinance entitled, "Tree Protection."

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to CONTINUE item PZ.40 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.41 04-00674a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62, "ZONING AND PLANNING" OF THE CODE OF THE CITY OF MIAMI,

FLORIDA, AS AMENDED, BY CREATING ARTICLE XII ENTITLED, "TREE TRUST FUND;" ADDING AN INTENT STATEMENT AND PROVIDING FOR ADMINISTRATION AND REGULATIONS; AND PROVIDING FOR TRUST FUND PAYMENTS AS SPECIFIED IN SECTION 8.1.6.6 OF ZONING ORDINANCE No. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI; 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. This is a companion to File ID 04-00674.

PURPOSE: This will amend the Miami City Code by creating an article entitled, "Tree Trust Fund."

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to CONTINUE item PZ.41 to the Commission Meeting currently scheduled for September 7, 2004.

PZ.42 04-00672

ORDINANCE

First Reading

AN ORDINANCE AMENDING SECTION 401 OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED, "SCHEDULE OF DISTRICT REGULATIONS" RELATING TO THE G/I GOVERNMENT AND INSTITUTIONAL ZONING DISTRICT BY PERMITTING NON-GOVERNMENTAL AND INSTITUTIONAL USES ONLY IF ANCILLARY TO THE GOVERNMENTAL AND INSTITUTIONAL USES PERMITTED, AND TO THE EXTENT OF LESS INTENSE PERMITTED USE OF THE ABUTTING PROPERTY ONLY, 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 (as modified) to City Commission on June 2, 2004 by a vote of 8-0.

PURPOSE: This will amend the G/I Government and Institutional District to allow non-governmental and institutional uses only if ancillary to the main use

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, Sanchez and Regalado

ABSENT: Commissioner Teele

The following item shall not be considered until 5:00 pm.

PZ.43 04-00460 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A SUBSTANTIAL MODIFICATION TO RESOLUTION NO. 98-450, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 9, 13, 17 AND 22 OF ZONING ORDINANCE NO. 11000, FOR THE **VILLA MAGNA PROJECT** (F.K.A. BAYSHORE PALMS MUSP PHASE II) LOCATED AT 1201 BRICKELL BAY DRIVE, MIAMI, FLORIDA, TO ALLOW A MODIFICATON TO CONSTRUCT TWO RESIDENTIAL TOWERS CONSISTING OF 999 MULTIFAMILY UNITS, 209 HOTEL UNITS WITH RECREATIONAL AMENITIES, 34,975 SQUARE FEET OF RETAIL SPACE, APPROXIMATELY 1,474 PARKING SPACES AND TO INCREASE THE FLOOR AREA RATIO (FAR) BY 20%; 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 Villa Magna (f.k.a. Bayshore Palms Phase II)

LOCATION: Approximately 1201 Brickell Bay Drive

APPLICANT(S): Tibor Hollo, Member, Excel.com LLC

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 April 21, 2004 by a vote of 8-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Villa Magna Project**.

CONTINUED

A motion was made by Commissioner González, seconded by Commissioner Winton, and passed unanimously, with Commissioner Regalado and Chairman Teele absent, to CONTINUE item PZ.43 to the meeting currently scheduled for September 7, 2004 at 5 p.m.

The following items shall not be considered until 7:00 pm.

PZ.44 04-00649 ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6, IN ORDER TO ADD A NEW SPECIAL OVERLAY DISTRICT ENTITLED SD-24 SW 27TH AVENUE SPECIAL OVERLAY DISTRICT, ADDING AN INTENT STATEMENT AND

CREATING SPECIAL DISTRICT REQUIREMENTS; 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 of a motion, which failed (due to failure to obtain the required five favorable votes), constituting a denial to City Commission on June 16, 2004 by a vote of 3-3. This is a companion to File ID 04-00649a.

PURPOSE: This will establish a new special district for SW 27th Avenue from Coral Way to US-1.

12576

MOVED: Tomas Regalado

SECONDED: Joe Sanchez

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 meet with Dr. Quinton Hedgepeth and address his concerns relating to possible hardship on his property (a liner, an ingress and egress, etc.) because of the Catalonia project and the project slated to be developed on the other side of the Church.

PZ.45 04-00649a

ORDINANCE

Second Reading

AN ORDINANCE AMENDING PAGE NOS. 42 AND 43 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING THE ZONING CLASSIFICATION FOR THOSE PROPERTIES LOCATED ALONG THE SOUTHWEST 27TH AVENUE CORRIDOR FROM CORAL WAY TO US-1, EXCLUDING ONLY SUCH PROPERTIES LOCATED ON THE WEST SIDE OF THE CORRIDOR AND LOCATED BETWEEN US-1 AND SOUTHWEST 25TH STREET FROM C-1 RESTRICTED COMMERCIAL AND O OFFICE TO C-1 RESTRICTED COMMERCIAL AND O OFFICE WITH AN SD-24 SOUTHWEST 27TH AVENUE SPECIAL OVERLAY DISTRICT; SAID PROPERTIES MORE PARTICULARLY DESCRIBED IN EXHIBIT "A;" 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. 11000, from C-1 Restricted Commercial and O Office to C-1 Restricted Commercial and O Office with an SD-24 Southwest 27th Avenue Special Overlay District to Change the Zoning Atlas

LOCATION: Along the SW 27th Avenue Corridor from Coral Way to US-1, Excluding Only Such Properties Located on the West Side of the Corridor and Located Between US-1 and SW 25th Street

APPLICANT(S): Planning and Zoning Department

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on June 16, 2004 by a vote of 3-3. This is a companion to File ID 04-00649.

PURPOSE: This will implement the new SD-24 Southwest 27th Avenue Special Overlay District on portions of SW 27th Avenue from Coral Way to US-1

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12577

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

UNANIMOUS

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

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

SUPPLEMENTAL AGENDA**DISTRICT FOUR****COMMISSIONER TOMAS REGALADO****SI.1 04-00846 DISCUSSION ITEM**

DISCUSSION CONCERNING LEGISLATION INSTRUCTING THE CITY ATTORNEY TO DRAFT THE NECESSARY DOCUMENTATION IN ORDER TO PLACE A CHARTER AMENDMENT ON THE BALLOT FOR THE NOVEMBER GENERAL ELECTION AS A QUESTION TO "REFORM THE MIAMI CITY COMMISSION AS A PURE LEGISLATIVE BRANCH" OR A GOVERNMENTAL BODY IDENTICAL TO THE MIAMI-DADE COUNTY COMMISSION AFTER THE REFORMS THAT WERE APPROVED BY THE MIAMI-DADE COUNTY ELECTORATE IN NOVEMBER OF 2002.

DISCUSSED

SI.2 04-00847 DISCUSSION ITEM

DISCUSSION CONCERNING LEGISLATION INSTRUCTING THE CITY ATTORNEY TO PREPARE A NON-BINDING BALLOT QUESTION FOR THE NOVEMBER GENERAL ELECTION TO ASK THE ELECTORATE IF THE CITY OF MIAMI SHOULD ANNEX ADJACENT UNINCORPORATED LAND FOR THE PURPOSE OF GAINING AN ADDITIONAL 500,000 RESIDENTS.

DISCUSSED

Discussion of Item SI.2 resulted in the resolution below:

(SI.2) 04-00859 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY ATTORNEY TO RETAIN MIGUEL A. DE GRANDY, P.A., AS OUTSIDE COUNSEL, IN AN AMOUNT NOT TO EXCEED \$25,000, FOR THE PURPOSE OF REPRESENTING THE CITY OF MIAMI'S APPLICATION WITH MIAMI-DADE COUNTY, REGARDING AN ANNEXATION PLAN FOR THE CITY OF MIAMI.

R-04-0507

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

RESOLUTIONS

SI.3 04-00849 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO SEEK INJUNCTIVE RELIEF, OR ANY OTHER ACTIONS IN LAW OR IN EQUITY, TO TERMINATE THE MONTH-TO-MONTH TENANCY BETWEEN THE CITY OF MIAMI AND GARCIA BROTHERS SEAFOOD, INC., FOR THE OCCUPANCY OF CITY-OWNED PROPERTY LOCATED AT 236 SOUTHWEST NORTH RIVER DRIVE, MIAMI, FLORIDA.

DEFERRED

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Regalado, and was passed unanimously, to DEFER item SI.3 to the Commission Meeting currently scheduled for September 23, 2004.

SI.4 04-00843 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A SOFTWARE LICENSE AND SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH ORACLE CORPORATION, THE TOP-RANKED FIRM, PURSUANT TO INFORMAL REQUEST FOR PROPOSAL ("RFP") NO. 03-04-104, ISSUED ON APRIL 22, 2004, AS AUTHORIZED BY THE CITY COMMISSION PURSUANT TO RESOLUTION NO. 04-00235, ADOPTED APRIL 8, 2004, WAIVING FORMAL COMPETITIVE BIDDING PROCEDURES, FOR THE ACQUISITION OF ORACLE'S ENTERPRISE RESOURCE PLANNING ("ERP") APPLICATION, DATABASE, TOOLS, SOFTWARE AND TRAINING, IN AN AMOUNT NOT TO EXCEED \$1,021,816, AND PROVIDING SUPPORT AND MAINTENANCE AS SET FORTH IN THE ATTACHED AGREEMENT FOR FIVE (5) YEARS AT A TOTAL FIXED COST OF \$1,009,320 , FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,031,136, AND ANY NECESSARY THIRD-PARTY APPLICATION SOFTWARE, AS NEEDED, FROM A THIRD-PARTY PROVIDER, IN AN AMOUNT NOT TO EXCEED \$357,000, AND A CONTINGENCY AMOUNT NOT TO EXCEED \$250,000, FOR UNFORESEEABLE CIRCUMSTANCES; ALLOCATING FUNDS FROM THE INFORMATION TECHNOLOGY ERP CAPITAL IMPROVEMENT ACCOUNT CODE NO. 311613, AND FROM THE OPERATING BUDGETS OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, VARIOUS DEPARTMENTS CTYWIDE AND FROM VARIOUS CAPITAL IMPROVEMENT PROJECT ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL.

R-04-0508

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

NON-AGENDA ITEMS**NA.1 04-00860 ORDINANCE Draft**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING CHAPTER 2, ARTICLE II, SECTION 2-33(C)(7) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/ MAYOR AND CITY COMMISSION/ORDER OF BUSINESS AND RULES OF PROCEDURE" TO CHANGE THE TIME AND MANNER WHEREBY THE CITY COMMISSION MEETINGS ARE ADJOURNED; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Angel González

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Regalado and Teele

ABSENT: Commissioner Sanchez

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, directing the City Attorney to prepare an ordinance requiring City Commission meetings to adjourn no later than 10 p.m.

NA.2 04-00877 DISCUSSION ITEM

Discussion regarding Miami-Dade County General Obligation Bonds

MOTION

Direction to the City Manager by Chairman Teele to provide a status report this afternoon regarding the County's General Obligation Bonds.

A motion was made by Chairman Teele, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman Sanchez absent, directing the City Manager to prepare for the Commission Meeting currently scheduled for July 29, 2004, a discussion item on a proposed city bond issue to address problems associated with the homeless, of not less than \$50 million or more than \$125 million, provided that no taxes are raised, and to bring a recommendation on how the funds should be used; further instructing the Manager to meet with each Commissioner for their input; further appointing Chairman Teele as a committee of one, to work with the City of Miami Beach Officials regarding funds for the homeless issue and report back to the Commission at the Commission Meeting currently scheduled for July 29, 2004.

NA.3 04-00872 DISCUSSION ITEM

Direction to the City Clerk by Chairman Teele to provide the Director of the Community Development Department with a copy of the Community Development items which were deferred from the July 8th Commission meeting to today's agenda; further directing the Administration to clarify why those items are not scheduled in today's agenda.

DISCUSSED

[Note: The Clerk handed Barbara Rodriguez, Director of Community Development Department, the requested copies later this same morning.]

NA.4 04-00873 DISCUSSION ITEM

Dade County to ascertain that street signs identifying the codesignations approved by the City of Miami Commission are placed in a timely fashion.

DISCUSSED

NA.5 04-00874 DISCUSSION ITEM

Direction to the City Manager by Chairman Teele to request the Director of the Public Works Department to set up a discussion item on the November or December 2004 agenda regarding the Commission policy on the granting of plats and to arrange for the plat committee members to be present.

Direction to the City Manager by Vice Chairman Sanchez to provide monthly updates on the million dollar plus consulting contract in charge of producing the Miami development core comprehensive plan.

DISCUSSED

NA.6 04-00875 DISCUSSION ITEM

Direction to the City Manager by Commissioner González to request the Police Chief to address complaints received regarding serious gang activity in the area of 813 N.W. 27 Court.

DISCUSSED

NA.7 04-00866 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE ESTABLISHMENT OF A NON-DEPARTMENTAL ACCOUNT AND APPROPRIATING FUNDS FOR THE PURPOSE OF SUPPORTING POLICE SERVICES RELATED TO THE QUALITY OF LIFE INITIATIVE FURTHER AUTHORIZING THE APPROPRIATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$152,000, FOR THE CITY OF MIAMI DEPARTMENT OF POLICE QUALITY OF LIFE INITIATIVES; ALLOCATING FUNDS FROM AN ACCOUNT TO BE ESTABLISHED CONSISTING OF THE PROCEEDS OBTAINED FROM THE CLEAR CHANNEL/MARK'S CLASSIC SETTLEMENT.

R-04-0510

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

NA.8 04-00702 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF 30TH YEAR ECONOMIC DEVELOPMENT RESERVE FUNDS IN THE AMOUNT OF \$400,000, AND ALLOCATING SAID FUNDS, IN THE AMOUNT OF \$150,000, TO HISPANIC BUSINESS INITIATIVE FUND OF GREATER MIAMI, INC., AND THE AMOUNT OF \$250,000 TO THE LITTLE HAITI-EDISON FEDERAL CREDIT UNION, FOR

ECONOMIC DEVELOPMENT ACTIVITIES BEGINNING OCTOBER 1, 2004 TO SEPTEMBER 30, 2005; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCIES.

DEFERRED

Direction to the City Manager by Commissioner Winton to schedule this item on the agenda for the July 29, 2004 Commission meeting.

NA.9 04-00878 DISCUSSION ITEM

Discussion regarding Little Haiti and the Haitian Awareness Cultural Foundation

DISCUSSED

Direction to the City Manager by Chairman Teele and Commissioner Winton to review Community Development Grant Funds awarded to Districts 2 and 5 for any programs that will not use their funding prior to September 30, 2004 and to work with the Haitian Awareness Cultural Foundation (HACF), and if staff finds HACF eligible, to authorize its funding from leftover funds.

NA.10 04-00879 DISCUSSION ITEM

Direction to the City Manager by Commissioner Regalado to have the City of Miami placed in a prominent position in terms of flags and mementoes when the Smathers Building is completed.

DISCUSSED

NA.11 04-00886 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION INSTRUCTING THE ADMINISTRATION TO RE-NEGOTIATE THE EXISTING \$400,000 ECONOMIC DEVELOPMENT CONTRACT BETWEEN THE CITY OF MIAMI AND THE SMALL BUSINESS OPPORTUNITY CENTER, INC. (SBOC) TO INCLUDE BOTH, HOUSING AND ECONOMIC DEVELOPMENT ACTIVITIES IN ITS WORK PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO AMEND SAID CONTRACT AND EXECUTE A NEW AGREEMENT FOR THE HOUSING ACTIVITIES, IN A TOTAL AMOUNT NOT TO EXCEED \$400,000 OF 28TH YEAR CDBG FUNDS FOR BOTH CONTRACT ACTIVITIES, SUBJECT TO APPLICABLE CITY CODE PROVISIONS.

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MOVED: Joe Sanchez

SECONDED: Angel González

UNANIMOUS

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

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

Direction to the City Manager by Chairman Teele to schedule the ratification of this contract on the July 29, 2004 agenda with appropriate notice.

NA.12 04-00876 DISCUSSION ITEM

Chairman Teele requested that the City Clerk's Office facilitate the coordination of interviews between the Commission and the top three applicants for the position of City Attorney, as outlined in his Dear Colleague letter dated July 22,

2004.

DISCUSSED

NA.13 04-00861 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A WAIVER OF THE RENTAL FEE FOR USE OF THE COCONUT GROVE EXPO CENTER BY THE VENEZUELAN CONSULATE (CONSULADO DE VENEZUELA) FOR THE NATIONAL REFERENDUM OF VENEZUELA TO BE HELD ON SUNDAY, AUGUST 15, 2004; AND AUTHORIZING IN-KIND SERVICES FROM THE DEPARTMENT OF POLICE.

R-04-0509

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

NA.14 04-00882 DISCUSSION ITEM

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to provide \$10,000 from the Coconut Grove Special Events and Marketing Committee fund to the MTV Video Music Awards event, which will be held, in part, in Coconut Grove, on Thursday, August 24, 2004/

Note for the Record: Commissioner Winton stated "Thursday, August 24", however, Clerk later clarified that the event is scheduled for Tuesday, August 24, 2004.

MOTION

NA.15 04-00883 DISCUSSION ITEM

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, to provide \$10,000 from the Coconut Grove Special Events and Marketing Committee fund for the Miami Herald Hunt, which will be held in Coconut Grove on Wednesday, November 7, 2004.

MOTION

NA.16 04-00889 DISCUSSION ITEM

Announcement that the Budget Workshop will be held in City Hall.

DISCUSSED

NA.17 04-00884 DISCUSSION ITEM

Direction to the City Manager by Commissioner Regalado to direct the Community Relations Board to investigate a controversial movie called "Bridge to Havana", which will be played in a Little Havana theater in the near future, and to find out what the plans are for this movie and where the movie will be playing in preparation for any potential problems.

DISCUSSED

NA.18 04-00844 RESOLUTION

, ACCEPTING THE BID OF NATIONAL ROOFING/SOUTH FLORIDA, INC., FOR THE PROJECT ENTITLED "CITY HALL ROOF REPLACEMENT PROJECT, B-74201," IN AN AMOUNT NOT TO EXCEED \$187,444; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 311010, IN AN AMOUNT NOT TO EXCEED \$187,444, FOR CONTRACT COSTS, PLUS \$33,368 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$220,812, AS SET FORTH ON THE TABULATION OF BIDS DOCUMENT AND THE DEPARTMENT OF CAPITAL IMPROVEMENTS PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

R-04-0512

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

Direction to the City Manager by Chairman Teele to meet with him tomorrow on this item and on a companion item.

NA.19 04-00885

DISCUSSION ITEM

Discussion on Miami Idol Competition.