



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
Joe Sanchez, Chairman
Angel González, Vice Chairman
Johnny L. Winton, Commissioner District Two
Tomas Regalado, Commissioner District Four
Joe Arriola, City Manager
Jorge L. Fernandez, City Attorney
Priscilla A. Thompson, City Clerk

Thursday, September 23, 2004

9:00 AM

City Hall Commission Chambers

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

PR - PRESENTATIONS AND PROCLAMATIONS

MV - MAYORAL VETOES

AM - APPROVING MINUTES

CA - CONSENT AGENDA

Item 1 which is comprised of items CA.1 through CA.18 may be heard in the number sequence or as announced by the Commission

PA - PERSONAL APPEARANCES

M - MAYOR'S ITEMS

D1 - DISTRICT 1 ITEMS

D2 - DISTRICT 2 ITEMS

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PH - PUBLIC HEARINGS

TIME CERTAIN

3:00 P.M. - PH.9 - Transfer of CDBG Funds to District 5 Reserve

3:00 P.M. - PH.10 - Transfer of CDBG Funds to Little Havana Homeownership Trust

3:00 P.M. - PH.11 - Transfer of 29th Year CDBG Funds

3:00 P.M. - PH.12 - Development Impact Fees

SR - SECOND READING ORDINANCES

RE - RESOLUTIONS

BC - BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS

PART B

PZ - PLANNING AND ZONING ITEMS

The Planning and Zoning items shall not be considered before 2:30 pm.

TIME CERTAIN

3:00 PM - PZ.3 - Major Use Special Permit - Ocean Palace

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

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

On the 23rd day of September, 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 9:38 a.m. by Chairman Joe Sanchez, recessed at 11:19 a.m., reconvened at 3:08 p.m., and adjourned at 4:51 p.m.

Note for the Record: Chairman Arthur E. Teele, Jr. was suspended from office by Governor Jeb Bush on Wednesday, September 22, 2004. This action caused a vacancy on the Commission. Mayor Manuel A. Diaz appointed Commissioner Sanchez as the new Chairman and Commissioner González as the new Vice Chairman.

ALSO PRESENT:

Joe Arriola, City Manager
 Jorge Fernandez, City Attorney
 Priscilla A. Thompson, City Clerk
 Sylvia Scheider, Assistant City Clerk

PRESENTATIONS AND PROCLAMATIONS**DELIVERED**

1. Plaques were presented by Luis Prieto on behalf of "Todos para Venezuela" to Mayor Manuel A. Diaz, City Manager Joe Arriola, the Community Relations Board, the Miami Police Department, and Ada M. Rojas, Community Relations Coordinator, expressing gratitude for their assistance during the recall election of the President Chavez of Venezuela on August 15, 2004.

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 MEETINGS:**

Planning and Zoning Meeting of May 23, 2002

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Regalado

Planning and Zoning Meeting of June 24, 2004

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Regalado

ORDER OF THE DAY

CONSENT AGENDA

CA.1 04-00992 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE BID OF MEF CONSTRUCTION, INC., FOR THE PROJECT ENTITLED "CITYWIDE SIDEWALK EMERGENCY REPAIRS, B-43118," IN THE PROPOSED AMOUNT NOT TO EXCEED \$121,900; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ACCOUNT NO. 341330, IN THE AMOUNT NOT TO EXCEED \$121,900, FOR CONTRACT COSTS PLUS \$21,225, FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS NOT TO EXCEED \$143,125, AS SET FORTH ON THE TABULATION OF BIDS DOCUMENT AND THE DEPARTMENT OF PUBLIC WORKS FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PROJECT.

R-04-0611

This Matter was ADOPTED on the Consent Agenda.

CA.2 04-01018 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "THE CHILDREN'S TRUST GRANT" TO FUND THE DEPARTMENT OF PARKS AND RECREATION'S HEART OF OUR PARKS YEAR ROUND RECREATION, CULTURAL AND CORE EDUCATIONAL OUT-OF-SCHOOL TIME PROGRAMS AT JUAN PABLO DUARTE PARK, LEGION MEMORIAL PARK, MOORE PARK, ATHALIE RANGE PARK AND SHENANDOAH PARK, CONSISTING OF A GRANT FROM THE CHILDREN'S TRUST, IN THE AMOUNT OF \$500,000, WITH MATCHING FUNDS, IN THE AMOUNT OF \$463,384 FROM THE CITY OF MIAMI, FOR A TOTAL APPROPRIATION AMOUNT OF \$963,384; ALLOCATING SAID MATCHING FUNDS FROM THE BUDGETS OF VARIOUS AGENCIES AND THE PARKS AND RECREATION GENERAL FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

R-04-0612

This Matter was ADOPTED on the Consent Agenda.

CA.3 04-01019 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "THE DEPARTMENT OF EDUCATION GRANT" FOR THE PURPOSE OF PROVIDING ADULT LITERARY, PARENTING SKILLS, AND OTHER FAMILY AND INDIVIDUAL EDUCATIONAL SERVICES FOR THE OVERTOWN NEIGHBORHOOD TARGET POPULATION, WITH SAID PROGRAMS TO BE OPERATED FROM GIBSON

PARK, CONSISTING OF A GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF EDUCATION, ADULT EDUCATION AND FAMILY ACT PROGRAM, IN THE AMOUNT OF \$50,000; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

R-04-0613

This Matter was ADOPTED on the Consent Agenda.

CA.4 04-01020 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE USE OF MIAMI-DADE COUNTY FACILITIES FOR FUELING CITY OF MIAMI VEHICLES, FOR THE DEPARTMENT OF POLICE, IN THE AMOUNT NOT TO EXCEED \$2,046,500, AND FOR THE GENERAL SERVICES ADMINISTRATION ("GSA"), IN AN AMOUNT NOT TO EXCEED \$35,000, ON AN AS-NEEDED CONTRACT BASIS, UNDER THE SAME ESTABLISHED CONTRACTUAL TERMS AND CONDITIONS AGREED TO IN THE LETTER OF UNDERSTANDING, DATED JULY 13, 1994, SUBJECT TO FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS, BY MIAMI-DADE COUNTY; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$2,046,500, FOR FISCAL YEAR 2004-2005, FROM THE GENERAL OPERATING BUDGET OF THE DEPARTMENT OF POLICE, AND AN AMOUNT NOT TO EXCEED \$35,000, FOR FISCAL YEAR 2004-2005, FROM THE GENERAL OPERATING BUDGET OF THE GSA, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

R-04-0614

This Matter was ADOPTED on the Consent Agenda.

CA.5 04-01021 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 FIRE-RESCUE ANNUAL PHYSICAL EXAMINATION SERVICES FOR DESIGNATED PERSONNEL, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS, AT AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$603,500, WITH INCREASES NOT TO EXCEED FIVE PERCENT (5%) FOR EACH RENEWABLE PERIOD, FOR AN ESTIMATED TOTAL CONTRACT AMOUNT NOT TO EXCEED \$3,862,520; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGET OF THE DEPARTMENT OF FIRE-RESCUE, ACCOUNT CODE NOS. 001000.280401.6.260 AND 001000.280601.6.260; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

R-04-0615

This Matter was ADOPTED on the Consent Agenda.

CA.6 04-01022 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE PURCHASE OF POLICE SERVICE DOGS, FOR THE DEPARTMENT OF POLICE, ON A SPOT MARKET, AS-NEEDED CONTRACT BASIS, WITH THE PRE-QUALIFIED VENDORS LISTED ON "ATTACHMENT A," ATTACHED AND INCORPORATED, AS MAY BE AMENDED THROUGHOUT THE TERM OF THE CONTRACT, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL ONE-YEAR PERIOD, IN AN ANNUAL AMOUNT NOT TO EXCEED \$24,000, FOR A TOTAL CONTRACT AWARD AMOUNT NOT TO EXCEED \$72,000; ALLOCATING FUNDS FROM THE POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.875.

R-04-0616

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

CA.7 04-01023**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 ("MERCY") TO PERFORM SWORN POLICE ANNUAL PHYSICAL EXAMINATION SERVICES FOR DESIGNATED PERSONNEL, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS, FOR A TWO-YEAR PERIOD WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO-YEAR PERIODS, AT AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$415,240, WITH INCREASES NOT TO EXCEED FIVE PERCENT (5%) FOR EACH RENEWABLE PERIOD FOR AN ESTIMATED TOTAL CONTRACT AMOUNT OF \$2,757,536; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGET OF THE DEPARTMENT OF POLICE, ACCOUNT CODE NO. 001000.290201.6.260; REQUIRING CITY COMMISSION APPROVAL FOR FURTHER INCREASES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MERCY, FOR SAID SERVICES.

R-04-0617

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

CA.8 04-01024**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE CITY MANAGER'S RECOMMENDATION APPROVING THE FIRST FINDING OF THE EVALUATION COMMITTEE TO ACCEPT THE PROPOSAL OF *MERCY MEDICAL DEVELOPMENT D/B/A MERCY OUTPATIENT CENTER* ("MERCY") TO PERFORM THE FOLLOWING EMPLOYMENT DRUG SCREENING SERVICES FOR PART I: (A) COLLECTION FACILITY, (B) DRUG TESTING FACILITY, AND (C) MRO SERVICES AND THE FOLLOWING PART II SWORN FIRE DRUG SCREENING SERVICES: (A) COLLECTION FACILITY, (B) DRUG TESTING FACILITY, AND (C) MRO SERVICES, FOR DESIGNATED PERSONNEL, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS ("EMPLOYEE RELATIONS"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT ("

AGREEMENT") WITH MERCY, IN SUBSTANTIALLY THE ATTACHED FORM, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$30,000, WITH A COST INCREASE NOT TO EXCEED TEN PERCENT (10%) EFFECTIVE ONLY DURING THE FIRST ONE-YEAR OPTIONAL PERIOD OF THE CONTRACT WITH NO COST INCREASES FOR THE SECOND OPTIONAL PERIOD, FOR AN ESTIMATED TOTAL CONTRACT AMOUNT NOT TO EXCEED \$123,000; FURTHER ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE THE SECOND FINDING OF THE EVALUATION COMMITTEE TO ACCEPT THE PROPOSAL OF PREVENTIVE MEDICINE TESTING CENTERS INC. D/B/A GLOBAL MRO ("GLOBAL") SERVICES FOR PART III, DOT ALCOHOL AND CONTROLLED SUBSTANCES TESTING: (A) COLLECTION FACILITY, (B) DRUG TESTING FACILITY, AND (C) MRO SERVICES AND PART IV, SWORN POLICE DRUG SCREENING SERVICES: (A) COLLECTION FACILITY, (B) DRUG TESTING FACILITY AND (C) MRO SERVICES, FOR DESIGNATED PERSONNEL, FOR EMPLOYEE RELATIONS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH GLOBAL, IN SUBSTANTIALLY THE ATTACHED FORM, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT AN ESTIMATED ANNUAL COST NOT TO EXCEED \$67,375, WITH A COST INCREASE NOT TO EXCEED TEN PERCENT (10%) EFFECTIVE ONLY DURING THE FIRST ONE-YEAR OPTIONAL PERIOD OF THE CONTRACT WITH NO COST INCREASES FOR THE SECOND OPTIONAL PERIOD, FOR AN ESTIMATED TOTAL CONTRACT AMOUNT NOT TO EXCEED \$276,237.50; ALLOCATING FUNDS, FROM THE GENERAL OPERATING BUDGETS OF THE DEPARTMENT OF EMPLOYEE RELATIONS, ACCOUNT CODE NO. 001000.270101.6.260, DEPARTMENT OF FIRE-RESCUE, ACCOUNT CODE NO. 001000.280401.6.260, AND THE DEPARTMENT OF POLICE, ACCOUNT CODE NO. 001000.290201.6.260.

R-04-0618

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

CA.9 04-01025**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A MARKETING PARTNERSHIP AGREEMENT ("MPA"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND *CARDIAC SCIENCE, INC.*, ("CARDIAC SCIENCE"), UTILIZING AN EXISTING CONTRACT, PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 4318-01-Y FROM THE CITY OF SAN DIEGO, CALIFORNIA, TO ENHANCE AND EXPAND THE CITY OF MIAMI'S PUBLIC ACCESS DEFIBRILLATION ("PAD") PROGRAM FOR CITYWIDE USE, FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR FOUR ADDITIONAL ONE-YEAR PERIODS; ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "PUBLIC ACCESS DEFIBRILLATION ("PAD") PROGRAM,"AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN ACCORDANCE WITH THE MARKETING PARTNERSHIP PROGRAM ("MPP") TO GENERATE REVENUE TO FUND EXISTING AND ADDITIONAL FACILITIES, PROJECTS, PROGRAMS AND ACTIVITIES FROM CARDIAC SCIENCE, INC., AND OTHER

PAD RELATING FUNDING SOURCES; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID FUND AND TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

R-04-0619

This Matter was ADOPTED on the Consent Agenda.

CA.10 04-01027

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FLORIDA, POWER AND LIGHT, THE TOP-RANKED FIRM IN RESPONSE TO REQUEST FOR QUALIFICATIONS NO. 01-02-224, PURSUANT TO RESOLUTION NO. 03-250, ADOPTED MARCH 27, 2003, TO PROVIDE ENERGY PERFORMANCE SAVINGS SERVICES FOR AN INITIAL TEN-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR ONE ADDITIONAL FIVE-YEAR PERIOD.

R-04-0620

This Matter was ADOPTED on the Consent Agenda.

CA.11 04-01028

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AN INCREASE IN THE PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT") WITH MILIAN, SWAIN & ASSOCIATES, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 99-198 , ADOPTED MARCH 23, 1998, FOR THE PROJECT ENTITLED "LUMMUS LANDING - RIVERSIDE RIVERFRONT REDEVELOPMENT PROJECT, B-30286," FORMERLY KNOWN AS B-3286, IN AN AMOUNT NOT TO EXCEED \$ 23,347, INCREASING THE AMOUNT FROM \$239,900 TO \$263,247, FOR ADDITIONAL WORK REQUIRED; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENT PROJECT NO. 322064 ENTITLED "RIVERSIDE RIVERFRONT REDEVELOPMENT PROJECT;" AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; AMENDING RESOLUTION NO. 99-198 TO REFLECT SAID INCREASE.

R-04-0621

This Matter was ADOPTED on the Consent Agenda.

CA.12 04-01029

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO ROBERT WEINREB, PREVIOUSLY APPROVED FOR ONE YEAR BY RESOLUTION NO. 03-1211 ADOPTED DECEMBER 18, 2003, IN AN AMOUNT NOT TO EXCEED \$49,500, INCREASING THE CONTRACT FROM \$49,500 TO \$56,450 FOR PROJECT MANAGEMENT OF THE BICENTENNIAL PARK REDEVELOPMENT PROJECT, PRIMARY CONSULTANT TO THE VIRGINIA KEY REDEVELOPMENT PROJECT, AND LIAISON FOR THE CHIEF OF

OPERATIONS ON SPECIAL PROJECTS; REPORTING TO THE CITY MANAGER FROM THE EFFECTIVE DATE OF THIS RESOLUTION UNTIL SEPTEMBER 30, 2005, PAYABLE MONTHLY, WITH AN OPTION TO RENEW THE CONTRACT FOR AN ADDITIONAL THREE (3) YEARS, REFLECTING A COST OF LIVING ADJUSTMENT (COLA) INCREASE OF 5% EACH YEAR; INCLUDING REIMBURSABLE TRAVEL EXPENSES TO BE INCURRED BY THE CITY THAT SHALL CONFORM TO THE LIMITATIONS SET FORTH IN FLORIDA STATUTE 112.061 (2003); AND FUNDED BY CAPITAL IMPROVEMENTS PROGRAM PROJECT NO. 344102 ENTITLED " DEVELOPMENT PROJECTS-CONSULTANTS," CONTINGENT ON THE AVAILABILITY OF FUNDS, AND OTHER INDIVIDUAL CAPITAL IMPROVEMENT PROJECTS AND OTHER ACCOUNTS THAT HAVE BEEN APPROPRIATED, AND THAT MAY BE ADJUSTED BY THE CITY COMMISSION IN THE ANNUAL APPROPRIATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS ORDINANCES.

WITHDRAWN

CA.13 04-01030 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF CELLULAR AND PAGING EQUIPMENT AND SERVICE, IN AN AMOUNT NOT TO EXCEED \$80,000, FROM VARIOUS VENDORS FOR VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED CONTRACT BASIS, UTILIZING EXISTING STATE OF FLORIDA CONTRACT NO. 725-000-03-1, EFFECTIVE THROUGH DECEMBER 19, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$80,000, FOR THE CURRENT FISCAL YEAR (FY 2003-2004) FROM THE OPERATING BUDGETS OF VARIOUS AGENCIES AND USER DEPARTMENTS, WITH FUNDING FOR FUTURE FISCAL YEARS SUBJECT ONLY TO BUDGETARY APPROVAL.

R-04-0622

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

CA.14 04-01032 RESOLUTION

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

R-04-0623

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

CA.15 04-01033 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED ENGAGEMENT OF THE LAW OFFICES OF OSCAR E. MARRERO FOR REPRESENTATION OF FORMER POLICE DETECTIVES

JAMES E. BOONE AND BRUCE CHARLES ROBERSON IN THE CASE OF JERRY FRANK TOWNSEND VS. CITY OF MIAMI, ETC., ET AL, IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 03-21072-CIV-JORDAN, IN AN AMOUNT NOT TO EXCEED \$25,000, PLUS COSTS AS APPROVED BY THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, ACCOUNT CODE NO. 515001.624401.6.661, FOR SAID SERVICES.

R-04-0624

This Matter was ADOPTED on the Consent Agenda.

CA.16 04-01036**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ENGAGEMENT OF THE LAW FIRM OF WEISS SEROTA HELFMAN PASTORIZA & GUEDES, P.A., FOR REPRESENTATION OF THE CITY OF MIAMI IN THE CIVIL SERVICE GRIEVANCE CASE NO. 02-03G, IN AN AMOUNT NOT TO EXCEED \$50,000, PLUS COSTS AS APPROVED BY THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, ACCOUNT CODE NO. 515001.624401.6.661, FOR SAID SERVICES.

R-04-0625

This Matter was ADOPTED on the Consent Agenda.

CA.17 04-01026**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND FIRST UNION BANK OF FLORIDA, PURSUANT TO RESOLUTION NO. 01-1140, ADOPTED OCTOBER 25, 2001, BY ASSIGNING SAID AGREEMENT TO WACHOVIA CORPORATION; AND GRANTING AN EXTENSION OF THE AGREEMENT, FOR ITS INITIAL OPTIONAL EXTENSION YEAR THROUGH NOVEMBER 29, 2005; FURTHER DELEGATING THE EXTENSION(S) OF ANY REMAINING OPTIONAL TERMS, TO THE CITY MANAGER.

R-04-0626

This Matter was ADOPTED on the Consent Agenda.

CA.18 04-01062**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY RENE SANTIAGO MORALES, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$80,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF RENE SANTIAGO MORALES V. FRANCISCO CASANOVAS, ET AL., IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 04-

20949-CIV-MORENO, UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

R-04-0627

This Matter was ADOPTED on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Angel González

SECONDED: Johnny L. Winton

AYES: Commissioner González, Winton, Sanchez and Regalado

END OF CONSENT AGENDA

PERSONAL APPEARANCES**PA.1 04-01034 DISCUSSION ITEM**

MELISSA FRANTZ PRESIDENT OF MELISSA FRANTZ & ASSOCIATES TO ADDRESS THE COMMISSION CONCERNING TWO EVENTS THAT WILL TAKE PLACE IN SEVERAL PARKS IN MIAMI.

WITHDRAWN

Item PA.1 was WITHDRAWN at the request of the City Manager.

PA.2 04-01035 DISCUSSION ITEM

MS. HATTIE WILLIS PRESIDENT OF COMMUNITIES' UNITED TO ADDRESS THE COMMISSION CONCERNING THE FOLLOWING ISSUES :

1. MASTER PLAN FOR THE 2ND EAST SECOND AVE. CORRIDOR (LITTLE HAITI PARK PROJECT)
 - ZONING (57 N.E. 2 AVE., MIAMI, FLORIDA 33127
 - NAME
 - CODE ENFORCEMENT

2. DONATION OF THE LAND BY THE CITY FOR COMMUNITY GARDEN PROJECT. /5515 N.W. 1ST COURT, MIAMI, FLA. 33127.

MOTION

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, directing the City Administration to meet with Ms. Hattie Willis on the feasibility of leasing the land located at approximately 5515 NW 1 Court, for \$1 per year, for the purpose of using the land as a food garden for senior citizens in the area; further to come back to the Commission with a recommendation on this issue.

Note for the Record: Ms. Willis was referred to the City Administration to address her request to make the area surrounding the proposed Little Haiti Park as children friendly as possible.

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

COMMISSIONER ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

DISTRICT 3

VICE CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR.

D5.1 04-00648 ORDINANCE **First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 40/ ARTICLE IV/DIVISION 3 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PERSONNEL/ PENSION AND RETIREMENT PLANS/ CITY OF MIAMI GENERAL EMPLOYEES' AND SANITATION EMPLOYEES' RETIREMENT TRUST TO PROVIDE PROCEDURES FOR THE EQUITABLE TRANSFER OF RETIREMENT PLAN MEMBERSHIPS BY ELIGIBLE EMPLOYEES; MORE PARTICULARLY BY AMENDING SECTION 40-250 OF THE CODE; CONTAINING A REPEALER PROVISION, AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

NO ACTION TAKEN

PUBLIC HEARINGS**PH.1 04-00993 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO CONVEY TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION ("FDOT"), THE FOLLOWING TWO PARCELS OF LAND: PARCEL 1 CONTAINING APPROXIMATELY .817 ACRES OF CITY-OWNED REAL PROPERTY, LOCATED ON NORTHWEST 12TH AVENUE AND 11TH STREET, MIAMI, FLORIDA, (PARCEL 110) AS MORE PARTICULARLY DESCRIBED IN " EXHIBIT A," ATTACHED AND INCORPORATED; AND PARCEL 2 CONTAINING APPROXIMATELY 6,984 SQUARE FEET OF CITY-OWNED REAL PROPERTY, LOCATED ON THE NORTHEAST CORNER OF 12TH AVENUE AND 11TH STREET, MIAMI, FLORIDA, (PARCEL 108) AS MORE PARTICULARLY DESCRIBED IN "EXHIBIT B," ATTACHED AND INCORPORATED, TO BE USED IN CONNECTION WITH THE NORTHWEST 12TH AVENUE BRIDGE RECONSTRUCTION PROJECT, SUBJECT TO FDOT PROVIDING FUNDING IN THE AMOUNT OF \$142,645.02, FOR THE COST OF RELOCATING AND IMPROVING THE PUBLIC WORKS WORKSHOP, CURRENTLY LOCATED UNDER THE 12TH AVENUE BRIDGE, TO ANOTHER CITY-OWNED SITE AND TO RETROFIT THE NEW SITE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO EFFECTUATE SAID CONVEYANCE.

R-04-0630

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.2 04-01037 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF SOLE SOURCE; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING THE ACQUISITION AND INSTALLATION OF A FIRST-IN FIRE STATION ALERTING SYSTEM, INCLUDING UPGRADES FOR FIRE STATION NO. 3 AND ONE YEAR MAINTENANCE AND SUPPORT SERVICES FOR THE DEPARTMENT OF FIRE-RESCUE FROM WESTNET, INC., IN AN AMOUNT NOT TO EXCEED \$1,065,536.65, WITH A CONTINGENCY RESERVE OF \$159,830.50, FOR A TOTAL AMOUNT NOT TO EXCEED \$1,225,367.15, ON A CONTRACT BASIS FOR ONE YEAR, OR UNTIL THERE IS SUCCESSFUL IMPLEMENTATION AND A FULLY OPERATIONAL FIRST-IN FIRE STATION ALERTING SYSTEM THROUGHOUT THE REMAINING FIRE STATIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN

SUBSTANTIALLY THE ATTACHED FORM; ALLOCATING FUNDS IN THE TOTAL AMOUNT NOT TO EXCEED \$1,225,367.150, FROM CAPITAL IMPROVEMENTS PROJECT NOS. 313303 AND/OR 313302, ACCOUNT CODE NO. 289401.6.840, B-72806 ENTITLED "FIRE STATION ALERTING & RMS."

R-04-0631

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.3 04-01038**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING THE CITY MANAGER'S FINDING OF A SOLE SOURCE, WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING THE PURCHASE OF THE BLAST GUARD AIR DOLLY SYSTEM, TO INCLUDE CHEMICALS AND TRAINING, FROM VANGUARD RESPONSE SYSTEM, FOR THE DEPARTMENT OF POLICE, AT A TOTAL COST NOT TO EXCEED \$33,989.90; ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$33,989.90, FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM II, ACCOUNT CODE NO. 110111. 280910.6.840 FOR SAID PURPOSE.

R-04-0632

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.4 04-01039**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE PLAT ENTITLED "AGUA CLARA," 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 (" CITY CODE"), FLORIDA, AS AMENDED, AND ACCEPTING THE DEDICATIONS SHOWN ON THE PLAT, FURTHER SUBJECT TO THE FOLLOWING: (1) AN EXECUTED INDEMNIFICATION AND HOLD HARMLESS AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; (2) A BOND ACCEPTABLE TO THE CITY'S RISK MANAGEMENT ADMINISTRATION, AS REQUIRED BY SECTION 54-4 OF

THE CITY CODE; 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.

CONTINUED

A motion was made by Vice Chairman González, seconded by Commissioner Regalado, and was passed unanimously, to CONTINUE item PH.4 to the next Commission Meeting.

PH.5 04-01040

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE PLAT ENTITLED "KEW GARDENS FIRST ADDITION," A SUBDIVISION IN THE CITY OF MIAMI ("CITY"), OF THE PROPERTY DESCRIBED IN "ATTACHMENT 1," SUBJECT TO SATISFACTION OF ALL CONDITIONS REQUIRED BY THE PLAT AND STREET COMMITTEE AS SET FORTH IN "EXHIBIT 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-04-0633

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.6 04-01041

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE PLAT ENTITLED "WAGNER SQUARE," 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-04-0634

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.7 04-01042 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE THE PROPERTY LOCATED AT 3188 SOUTHWEST 16TH TERRACE, MIAMI, FLORIDA , AS LEGALLY DESCRIBED IN THE OPTION AGREEMENT BETWEEN THE CITY OF MIAMI AND LPR ENTERPRISES OF MIAMI, INC., A FLORIDA CORPORATION, ATTACHED AND INCORPORATED, IN CONNECTION WITH THE DEVELOPMENT OF A FIRE STATION, FOR A TOTAL PURCHASE PRICE NOT TO EXCEED \$1,408,000, AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF SAID OPTION AGREEMENT; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$1,453,000, FROM THE NEIGHBORHOOD FIRE STATIONS AND TRAINING FACILITY PROJECT ACCOUNT NO. 313306. 289307 APPROPRIATED FROM THE \$255 MILLION HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BOND FOR COST INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE AND OTHER COSTS ASSOCIATED WITH SAID ACQUISITION.

WITHDRAWN

Item PH.7 was **WITHDRAWN** at the request of the City Manager.

PH.8 04-01050 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE THE PROPERTY LOCATED AT 301 NORTHEAST 62ND STREET, MIAMI, FLORIDA, AS LEGALLY DESCRIBED IN THE OPTION TO PURCHASE REAL PROPERTY AND AN ADDENDUM TO OPTION TO PURCHASE REAL PROPERTY (COLLECTIVELY "OPTION AGREEMENT") BETWEEN THE CITY OF MIAMI AND SOUL HARVEST MIRACLE REVIVAL CENTER, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION, ATTACHED AND INCORPORATED, IN CONNECTION WITH THE DEVELOPMENT OF LITTLE HAITI PARK, WITH A PURCHASE PRICE OF TWO MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS (\$2,350,000) AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF SAID OPTION AGREEMENT; FURTHER ALLOCATING FUNDS IN THE AMOUNT OF \$2,405,000, FROM THE \$255 MILLION HOMELAND DEFENSE/ NEIGHBORHOOD IMPROVEMENT BOND FOR COSTS INCLUDING BUT NOT LIMITED TO SURVEYS, APPRAISALS, ENVIRONMENTAL REPORTS, TITLE INSURANCE, AND OTHER COSTS ASSOCIATED WITH SAID ACQUISITION.

R-04-0635

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

3:00 P.M.

Note for the Record: A sign-language interpreter was signing for items PH. 9 - PH.12.

PH.9 04-01043 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , TRANSFERRING 29TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS, IN THE AMOUNT OF \$255,716, FROM WORD OF LIFE COMMUNITY DEVELOPMENT CORPORATION AND ALLOCATING SAID FUNDS TO THE DISTRICT 5 RESERVE ACCOUNT.

R-04-0642

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.10 04-01044 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS, IN THE AMOUNT OF \$140,000, FROM THE DEPARTMENTS OF PLANNING, REAL ESTATE AND ECONOMIC DEVELOPMENT AND COMMUNITY DEVELOPMENT'S PRELIMINARY STUDY FOR THE EAST LITTLE HAVANA HOMEOWNERSHIP PROJECT; ALLOCATING SAID FUNDS TO THE LITTLE HAVANA HOMEOWNERSHIP TRUST.

R-04-0643

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PH.11 04-01071 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF 29TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS IN THE AMOUNT OF \$ 180,000, FROM THE CITY OF MIAMI COMMERCIAL CODE COMPLIANCE PROGRAM AND ALLOCATING SAID FUNDS TO THE CITY OF MIAMI COMMERCIAL FACADE PROGRAM.

R-04-0644

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

Direction to the Administration by Chairman Sanchez to provide him with a report of services rendered to businesses in District 3 as it relates to the agencies that are providing the new facades.

PH.12 04-00734

ORDINANCE

Second 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

12589

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ORDINANCES - SECOND READING**SR.1 04-00922 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 54/ARTICLE V/SECTION 54-190 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS/BASE BUILDING LINES/NONSTANDARD STREET WIDTHS," TO MODIFY THE WIDTH OF NORTHEAST 2ND AVENUE BETWEEN NORTHEAST 1 ST STREET AND NORTHEAST 2ND STREET, MIAMI, FLORIDA; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

12587**MOVED: Angel González****SECONDED: Johnny L. Winton****UNANIMOUS****Motion that this matter be ADOPTED PASSED by the following vote.****AYES: Commissioner González, Winton, Sanchez and Regalado****SR.2 04-00956 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 35, ARTICLE VIII, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "MOTOR VEHICLES AND TRAFFIC/VALET PARKING," TO PROVIDE FOR THE ESTABLISHMENT OF VALET PARKING IN COMMERCIAL AND RESIDENTIAL DISTRICTS CITYWIDE, RELATED PERMITS, FEES, RULES AND REGULATIONS AND APPEALS, ENFORCEMENT PROVISIONS AND FINE SCHEDULE; MORE PARTICULARLY BY AMENDING SECTIONS 35-301 THROUGH 35-311 AND ADDING NEW SECTIONS 35-312 THROUGH 35-315 TO SAID CODE; CONTAINING A REPEALER PROVISION, SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

12588**MOVED: Angel González****SECONDED: Johnny L. Winton****UNANIMOUS****Motion that this matter be ADOPTED PASSED by the following vote.****AYES: Commissioner González, Winton, Sanchez and Regalado**

RESOLUTIONS**RE.1 04-01045 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSALS NO. 03-04-077, THAT THE MOST QUALIFIED FIRMS TO PROVIDE EMPLOYEE BENEFIT DENTAL PLANS, ON THE CURRENT DENTAL MAINTENANCE ORGANIZATION ("DMO"), AS WELL AS, AN OPTIONAL PREFERRED PROVIDER ORGANIZATION ("PPO") PRODUCT, ARE, IN RANK ORDER: ON THE DMO, (1) PARAGON, (2) COMP BENEFITS, (3) CIGNA, AND (4) FLORIDA COMBINED LIFE, AND FOR PPO SERVICES, (1) METROPOLITAN LIFE, (2) CIGNA, AND A TIE FOR (3) COMP BENEFITS AND PARAGON; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRMS FOR EACH SERVICE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRMS, IN THE EVENT NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRMS, OR UNTIL AN AGREEMENT HAS BEEN SUCCESSFULLY NEGOTIATED AND TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION.

R-04-0636

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

RE.2 04-01051 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , FINDING THAT ACQUISITION OF PRIVATE PROPERTY, AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, THROUGH NEGOTIATED CONVEYANCE OR EMINENT DOMAIN, SERVES A PUBLIC PURPOSE AND IS NECESSARY FOR THE CREATION OF PARK LAND AND THE CONSTRUCTION OF PUBLIC FACILITIES IN THE LITTLE HAITI COMMUNITY; AUTHORIZING THE CITY ATTORNEY TO INITIATE EMINENT DOMAIN PROCEEDINGS PURSUANT TO THE PROVISIONS STATED HEREIN; AUTHORIZING THE OFFICES OF THE CITY ATTORNEY AND CITY MANAGER TO RETAIN EXPERT WITNESSES AND CONSULTANTS AND TAKE FURTHER ACTIONS THAT ARE REASONABLY REQUIRED TO ACQUIRE SAID PROPERTY.

R-04-0641

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton and Sanchez

NOES: Commissioner Regalado

Direction to the Administration by Chairman Sanchez to meet with business owners with concerns related to proposed Little Haiti Park.

Direction to the Administration by Commissioner Winton to provide him with the new boundary lines of the components of the proposed Little Haiti Park and to publish same on the City's web page.

RE.3 04-00937

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CONTINUED FUNDING OF PROTRACTED, COMPLEX INVESTIGATIONS, IN AN AMOUNT NOT TO EXCEED \$250,000; ALLOCATING SAID FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NOS. 690001, 690002 AND 690003, WITH SUCH EXPENDITURE HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF THE TREASURY AND JUSTICE'S, "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATUTE, CHAPTER 932.704.

R-04-0637

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

RE.4 04-00952

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY OR PERMITTED AGAINST THE CAMILLE AND SULETTE MERILUS FOUNDATION FOR HAITI DEVELOPMENT, INC. ("LICENSEE") TO PROTECT, PRESERVE AND DEFEND THE INTERESTS OF THE CITY OF MIAMI ("CITY") INCLUDING, BUT NOT LIMITED TO, ANY ACTION AUTHORIZED BY LAW OR IN EQUITY TO OBTAIN ANY RELIEF OR TO REMEDY ANY LOSSES OR DAMAGES SUSTAINED BY THE CITY RELATED TO THE LICENSEE'S BREACHES OF A REVOCABLE LICENSE AGREEMENT EXECUTED MAY 13, 2002.

R-04-0638

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton and Sanchez

NOES: Commissioner Regalado

BOARDS AND COMMITTEES

BC.1 04-00188 RESOLUTION

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

APPOINTEE: NOMINATED BY:
Chairman Arthur E. Teele, Jr.

NO ACTION TAKEN

BC.2 04-00444 RESOLUTION

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

APPOINTEE: NOMINATED BY:
Henry S. Harrison Miami Association of Fire Fighters
Shad Fields AFSCME Local 871(for Sanitation employees)

R-04-0639

MOVED: Tomas Regalado
SECONDED: Angel González
UNANIMOUS
Motion that this matter be **ADOPTED PASSED** by the following vote.
AYES: Commissioner González, Winton, Sanchez and Regalado

BC.3 04-00617 RESOLUTION

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

APPOINTEE: NOMINATED BY:
_____ Chairman Arthur Teele

NO ACTION TAKEN

BC.4 04-00933 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE URBAN DEVELOPMENT REVIEW BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:	NOMINATED BY:
Julio S. Diaz	Commissioner Angel González
Robin Bosco	Commissioner Angel González
Bernard Zyscovich	Commissioner Johnny Winton
Todd Tragash (Alternate)	Commissioner Johnny Winton
Carlos Prio-Touzet	Commissioner Tomas Regalado
Willy Bermello	Commissioner Tomas Regalado

R-04-0640

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to appoint Bernard Zyscovitch, Todd Tragash, Carlos Prio-Touzet, Willy Bermello, Julio S. Diaz, and Robin Bosco as members of the Urban Development Review Board.

BC.5 04-00685

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE MODEL CITY COMMUNITY REVITALIZATION DISTRICT TRUST FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: **NOMINATED BY:**

_____ Chairman Arthur Teele

NO ACTION TAKEN

DISCUSSION ITEMS**DI.1 04-00946 DISCUSSION ITEM**

DISCUSSION RELATED TO CITY BOARDS.

MOTION

A motion was made by Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, requesting the City Attorney to draft a resolution sunsetting all inactive boards, particularly those boards that have not had any activity in the past three months.

Discussion on Item DI.1 resulted in the Resolution below:

(DI.1) 04-01110 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO CREATE A COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS TO CONSOLIDATE AS MANY OF THE 48 CITY OF MIAMI ("CITY") BOARDS AS POSSIBLE, WITH SAID STUDY DOCUMENTING THE AMOUNT OF CITY RESOURCES DEDICATED TO FACILITATE THE BOARDS AND COMMISSIONS SUCH AS: COST OF STAFF TIME, COST OF PRINTING BUSINESS CARDS, PROVIDING INSURANCE AND OTHER ITEMS TO BOARD MEMBERS, COST OF ADVERTISING MEETINGS, AND ANY OTHER EXPENSES OF MAINTAINING ALL THE ENTITIES; DIRECTING THE COMMITTEE TO COMPLETE THE STUDY WITH CONSOLIDATION RECOMMENDATIONS AND PRESENT ITS FINDINGS PRIOR TO THE END OF THE 2004 CALENDAR YEAR.

R-04-0658

MOVED: Joe Sanchez

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

PART B

The following items shall not be considered before 2:30 pm.

PZ.1 03-0188 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL FILED BY RIVERHOUSE PIER I LIMITED ("APPELLANTS"), AND REVERSING OR AFFIRMING A DECISION OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), WHICH DESIGNATED EAST COAST FISHERIES LOCATED AT 40 SOUTHWEST NORTH RIVER DRIVE AS A HISTORIC SITE.

REQUEST: Appeal of a Historic and Environmental Preservation Board Decision of a Historic Designation

LOCATION: Approximately 40 SW North River Drive

APPLICANT(S): Planning and Zoning Department

APPELLANT(S): RiverHouse Pier I Limited

APPELLANT(S) AGENT: Jena E. Rissman, Esquire

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended denial of the appeal and uphold the decision of the Historic and Environmental Preservation Board.

HISTORIC & ENVIRONMENTAL PRESERVATION BOARD: Approved the designation on September 16, 2003 by a vote of 9-0.

PURPOSE: The approval of this appeal will not result in the historic designation of this property.

DEFERRED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to CONTINUE item PZ.1 to the Commission Meeting currently scheduled for November 18, 2004.

PZ.2 04-00984 ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62, ZONING AND PLANNING, OF THE CITY OF MIAMI CODE BY ADDING A NEW ARTICLE XI ENTITLED, "ARTS AND ENTERTAINMENT MURAL REGULATIONS"; CREATING DEFINITIONS; PROVIDING FOR LICENSE AND PERMIT REQUIREMENTS; PROVIDING FOR AN APPLICATION AND APPROVAL PROCESS; PROVIDING FOR VIOLATIONS AND ENFORCEMENT PROCESS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend the Miami City Code

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PURPOSE: This will add a new Article XI to the Miami City Code entitled, "Arts and Entertainment Mural Regulations."

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

Direction to the Administration by Commissioner Winton to meet with Ms. Sandra Francis to try to assist small businesses in connection with regulations for murals prior to the second reading of item PZ.2.

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

PZ.3 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**.

DEFERRED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to DEFER item PZ.3.

SUPPLEMENTAL AGENDA

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

SI.1 04-01080 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION, IN THE TOTAL AMOUNT OF \$ 24,000, FROM POSITIVE PARTNERSHIP PROGRAM, INC., TO BE RECEIVED IN TWO INSTALLMENTS OF \$12,000, THE FIRST IN OCTOBER 2004, AND THE SECOND INSTALLMENT OF \$12,000 IN JANUARY 2005, TO SUPPORT THE OPERATION AND ADMINISTRATION OF THE MAYOR'S MENTORING INITIATIVE PROGRAM AT VIRRICK PARK; PROVIDING FOR A PROGRAM FACILITATOR, A CONFLICT RESOLUTION CURRICULUM AND TO PURCHASE MATERIALS FOR PROGRAM PARTICIPANTS; APPROPRIATING SAID FUNDS TO THE MAYOR'S DEPARTMENTAL IMPROVEMENT INITIATIVE FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, ACCEPTING THE DONATION FOR THE IMPLEMENTATION OF SAID PROGRAM.

R-04-0628

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

SI.2 04-01081 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE SAVE A LIFE FOUNDATION, IN THE AMOUNT OF \$100,000, FOR THE PROMOTION OF TRAINING AND EDUCATION IN BASIC LIFE SUPPORT FOR CHILDREN AND ADOLESCENTS WITHIN THE MIAMI HIGH FEEDER PATTERN SCHOOLS LISTED HEREIN; APPROPRIATING SAID FUNDS TO THE MAYOR'S DEPARTMENTAL IMPROVEMENT INITIATIVE FUND; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID GRANT.

R-04-0629

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

DISTRICT 5

CHAIRMAN ARTHUR E. TEELE, JR.

SI.3 04-01077 DISCUSSION ITEM

MS. EVELYN ANDRE' AND MEMBERS OF THE BUENA VISTA HOMEOWNERS ASSOCIATION TO ADDRESS THE COMMISSION.

NO ACTION TAKEN

NON-AGENDA ITEMS**NA.1 04-01111 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION RESCHEDULING THE FIRST AND SECOND COMMISSION MEETINGS OF NOVEMBER TO BOTH TAKE PLACE ON NOVEMBER 18, 2004, AT 9:00 A.M., IN THE CITY COMMISSION CHAMBERS AT CITY HALL.

R-04-0645

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

(NA.1) 04-01112 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION RESCHEDULING THE SECOND COMMISSION MEETING OF DECEMBER TO TAKE PLACE ON THE SAME DATE AS THE FIRST COMMISSION MEETING ON DECEMBER 9, 2004, AT 9:00 A.M., IN THE CITY COMMISSION CHAMBERS AT CITY HALL; FURTHER STIPULATING THAT SAID COMMISSION MEETING BE CONTINUED TO DECEMBER 10, 2004, IF NECESSARY.

R-04-0646

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

NA.2 04-01113 DISCUSSION ITEM

CHAIRMAN SANCHEZ STATED THAT HE WILL BE SCHEDULING A WORKSHOP WITH THE COMMISSION, CITY MANAGER, CITY ATTORNEY, CITY CLERK AND THE ADMINISTRATION TO ADDRESS PARLIAMENTARY PROCEDURES BASED ON MASON'S RULES OF ORDER.

DISCUSSED

NA.3 04-01115 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE (BIC) FOR TERMS AS DESIGNATED HEREIN.

VOTING MEMBER

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

AYES: Commissioner González, Winton, Sanchez and Regalado

NA.5 04-01116 DISCUSSION ITEM

A motion was made by Commissioner Regalado, seconded by Vice Chairman González, and was passed unanimously, approving the request made by Miami-Dade County Elections Department to use the Staff Room in City Hall as a location for early voting for the November 2, 2004 Presidential Election from Monday, October 18th through Sunday, October 31, 2004; further instructing the City Manager and the City Clerk that said room is to be made available solely for the purposes of early voting during said time.