



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

Tuesday, September 28, 2004

5:05 PM

City Hall Commission Chambers

CONTENTS

BH - SECOND BUDGET PUBLIC HEARING TO DISCUSS FISCAL

YEAR 2004-2005 TENTATIVE BUDGET

BEGINNING AT 5:05 P.M. ITEMS BH.1 THROUGH BH.13

5:05 P.M. INVOCATION AND PLEDGE OF ALLEGIANCE

Present: Vice Chairman González, Chairman Sanchez and Commissioner Regalado

Absent: Commissioner Winton

On the 28th 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 special session. The Special Meeting on the FY 2005 Budget was called to order at 5:10 p.m. by Chairman Joe Sanchez, with Commissioner Winton absent, and adjourned at 6:37 p.m. A Special Meeting on emergency Hurricane relief for Haiti was convened at 6:37 p.m. and adjourned at 6:49 p.m. A Special Meeting to discuss filling the vacancy of Commissioner in District 5 was convened at 7:09 p.m. and adjourned at 8:28 p.m.

ALSO PRESENT:

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

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

SECOND BUDGET PUBLIC HEARING

5:05 P.M.

BH.1 04-01063 DISCUSSION ITEM

FINAL PUBLIC HEARING TO DISCUSS THE PROPOSED MILLAGE RATE

AND TENTATIVE BUDGET FOR FISCAL YEAR 2004-2005

THE PROPOSED GENERAL OPERATING MILLAGE RATE OF 8.7625 FOR THE CITY OF MIAMI FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005 IS 15.87% HIGHER THAN ROLLED-BACK RATE OF 7.5624.

SPECIFIC PURPOSE FOR WHICH AD VALOREM TAX REVENUES ARE BEING INCREASED.

RESPONSE: TO ELIMINATE THE ANNUAL STRUCTURAL DEFICIT MATCHING RECURRING ANNUAL EXPENSES WITH RECURRING ANNUAL REVENUES.

PURPOSE: TO FUND ANNUAL MUNICIPAL SERVICES INCLUDING BUT NOT LIMITED TO POLICE, FIRE, AND SOLID WASTE.

<u>COST</u>	<u>%</u>
\$26,964,420	100%

CITY COMMISSION LISTENS AND RESPONDS TO CITIZENS' COMMENTS REGARDING THE PROPOSED MILLAGE RATE.

ACTIONS BY THE CITY COMMISSION:

1. AMEND THE ADOPTED TENTATIVE BUDGET, IF NECESSARY
2. RECOMPUTE THE FINAL MILLAGE RATE, IF NECESSARY
3. ADOPT THE FINAL MILLAGE RATE
4. ADOPT THE FINAL BUDGET OR THE AMENDED FINAL BUDGET AS NECESSARY

DISCUSSED

BH.2 04-00983a

ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION DEFINING AND DESIGNATING THE TERRITORIAL LIMITS FOR THE CITY OF MIAMI FOR THE PURPOSE OF TAXATION; FIXING THE MILLAGE AND LEVYING TAXES IN THE CITY OF MIAMI, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

12595

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 and Regalado

Direction to the Administration by Commissioner Winton to provide the Commission in 60 days with the final analysis of the consultants on long-term personnel and pension costs.

BH.3 04-00983b

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION MAKING APPROPRIATIONS RELATING TO OPERATIONAL AND BUDGETARY REQUIREMENTS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 , AND ENDING SEPTEMBER 30, 2005; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

12596

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 and Regalado

BH.4 04-01064

DISCUSSION ITEM

DISCUSSION OF PROPOSED MILLAGE RATE AND BUDGET FOR THE DOWNTOWN DEVELOPMENT AUTHORITY.

PERCENTAGE INCREASE IN MILLAGE OVER ROLLED BACK RATE.

RESPONSE: NINE AND 77 /100 PERCENT (9.77 %)

SPECIFIC PURPOSE FOR WHICH AD VALOREM TAX REVENUES ARE BEING INCREASED.

RESPONSE

PURPOSE: DOWNTOWN ECONOMIC DEVELOPMENT PROGRAMS

<u>COST</u>	<u>%</u>
\$313,792.08	100

CITY COMMISSION LISTENS AND RESPONDS TO CITIZENS COMMENTS REGARDING THE PROPOSED MILLAGE INCREASE AND EXPLAINS THE REASONS FOR THE INCREASE OVER THE ROLLED BACK RATE.

ACTIONS BY THE CITY COMMISSION:

1. AMEND THE BUDGET, IF NECESSARY
2. RECOMPUTE THE PROPOSED MILLAGE RATE, IF NECESSARY
3. PUBLICLY ANNOUNCE THE PERCENT BY WHICH THE RECOMPUTED PROPOSED MILLAGE RATE EXCEEDS THE ROLLED BACK RATE
4. ADOPT THE FINAL MILLAGE RATE
5. ADOPT THE FINAL BUDGET

DISCUSSED

BH.5 04-00985a ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, RELATED TO TAXATION, DEFINING AND DESIGNATING THE TERRITORIAL LIMITS OF THE DOWNTOWN DEVELOPMENT DISTRICT OF THE CITY OF MIAMI, ("CITY") FLORIDA, ATTACHED AND INCORPORATED; FIXING THE MILLAGE AND LEVYING TAXES IN SAID DOWNTOWN DEVELOPMENT DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005, AT FIVE -TENTHS (.5) MILLS ON THE DOLLAR OF NONEXEMPT ASSESSED VALUE OF ALL REAL AND PERSONAL PROPERTY IN SAID DISTRICT; PROVIDING FOR SAID MILLAGE AND THE LEVYING OF TAXES WITHIN THE TERRITORIAL LIMITS OF THE CITY AS REFLECTED IN THE CITY'S MILLAGE LEVY ORDINANCE FOR THE AFORESAID FISCAL YEAR; PROVIDING THAT THE FIXING OF THE MILLAGE AND THE LEVYING OF TAXES HEREIN SHALL BE IN ADDITION TO SPECIAL ASSESSMENTS; PROVIDING THAT THIS ORDINANCE SHALL NOT BE DEEMED AS REPEALING OR AMENDING ANY OTHER ORDINANCE FIXING MILLAGE OR LEVYING TAXES, BUT SHALL BE DEEMED SUPPLEMENTAL AND IN ADDITION THERETO; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

12597**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****BH.6 04-00985b ORDINANCE****Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION MAKING APPROPRIATIONS FROM THE DOWNTOWN DEVELOPMENT DISTRICT AD VALOREM TAX LEVY AND OTHER MISCELLANEOUS INCOME FOR THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF MIAMI, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005; AUTHORIZING THE DOWNTOWN DEVELOPMENT AUTHORITY TO INVITE AND ADVERTISE REQUIRED BIDS; PROVIDING FOR BUDGETARY FLEXIBILITY; PROVIDING THAT THIS ORDINANCE BE DEEMED SUPPLEMENTAL AND IN ADDITION TO THE ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005 FOR THE OPERATIONS FOR THE CITY OF MIAMI; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

12598**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

BH.7 04-00951 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE PROPOSED BUDGET OF THE CIVILIAN INVESTIGATIVE PANEL FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005.

R-04-0659

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

BH.8 04-01065 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' RETIREMENT TRUST ("GESE RETIREMENT TRUST FUND") TO PROVIDE FOR THE ADMINISTRATION OF THE GESE RETIREMENT TRUST FUND FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005, IN THE AMOUNT NOT TO EXCEED \$2,458,854, EXCLUDING NORMAL COST.

R-04-0660

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Sanchez and Regalado

ABSENT: Commissioner Winton

BH.9 04-01068 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF MIAMI GENERAL EMPLOYEES' & SANITATION EMPLOYEES' EXCESS BENEFIT PLAN ("GESE EXCESS BENEFIT PLAN") TO PROVIDE FOR THE ADMINISTRATION OF THE GESE EXCESS BENEFIT PLAN, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005, IN THE AMOUNT NOT TO EXCEED \$121,943, EXCLUDING THE ACTUARIALLY DETERMINED ANNUAL BENEFIT PAYMENT.

R-04-0661**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**BH.10 04-00995****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE BUDGETS OF THE SOUTHEAST OVERTOWN/PARK WEST AND OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCIES ("CRAS"), ATTACHED AND INCORPORATED, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005, AS APPROVED BY THE CRAS' BOARDS OF DIRECTORS.

R-04-0662**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**BH.11 04-01047****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE VIRGINIA KEY BEACH PARK TRUST FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005, IN AN AMOUNT NOT TO EXCEED \$900,976, IN GENERAL FUNDS AND AN AMOUNT NOT TO EXCEED \$374,100, IN CAPITAL IMPROVEMENT FUNDS, FOR A TOTAL ANNUAL BUDGET AMOUNT NOT TO EXCEED \$1,275,076.

R-04-0663**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**BH.12 04-01048****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE DEPARTMENT OF OFF-STREET PARKING TO PROVIDE FOR THE OPERATION OF GUSMAN CENTER FOR THE PERFORMING ARTS AND

THE OLYMPIA BUILDING, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005, IN THE AMOUNT OF \$985,730, EXCLUDING DEPRECIATION.

R-04-0664

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

BH.13 04-01049

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE DEPARTMENT OF OFF-STREET PARKING FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005, ATTACHED AND INCORPORATED, IN THE AMOUNT OF \$9,493,029, EXCLUDING DEPRECIATION, AND OTHER NON-OPERATING EXPENSES OF \$2,307,667.

R-04-0665

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 Vice Chairman González, seconded by Commissioner Regalado, and was passed unanimously, to adjourn the Special Meeting on the FY 2005 Budget.

Special Meeting for Emergency Hurricane Relief for Haiti

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

04-01125

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CREATION OF AN "EMERGENCY RELIEF TASK FORCE ON HAITI" COMPOSED OF PEOPLE WITH EXPERTISE IN THE FIELDS OF PUBLIC HEALTH, RESEARCH, RESCUE OPERATIONS, MEDIA AND TRANSPORTATION AS NAMED HEREIN, TO CONDUCT A RAPID ASSESSMENT OF THE SITUATION IN HAITI IN THE AFTERMATH OF HURRICANE JEANNE; PRIORITIZING URGENT HEALTH AND SOCIOECONOMIC NEEDS OF THE FAMILIES AFFECTED BY THE HURRICANE; PROVIDING A WRITTEN REPORT, WITHIN ONE WEEK, MAKING RECOMMENDATIONS TO THE BOARD OF CITY COMMISSIONERS AND THE CITY MANAGER ON HOW TO BEST SPEND AN APPROPRIATION OF FUNDS, IN THE AMOUNT NOT TO EXCEED \$25

,000, TO THE VICTIMS OF HURRICANE JEANNE; ALLOCATING FUNDS FROM A SOURCE IDENTIFIED BY THE CITY MANAGER.

R-04-0667

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 and Regalado

Direction to the City Manager by Commissioner Winton to meet with the Chairman Sanchez and Ms. Carline Paul, Vice Chair of the Little Haiti Relief Effort Committee, to try to assist with proposed event to raise funds for victims of Hurricane Jeanne in Haiti.

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to adjourn the Special Meeting on the emergency hurricane relief to Haiti.

Special Meeting to Fill Vacancy in District Five

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

04-01129 DISCUSSION ITEM

A motion was made by Commissioner Regalado, seconded by Vice Chairman González, and resulted in a tie vote (no action), with Commissioner Winton and Chairman Sanchez voting against the measure to schedule a special election for filling the vacant District 5 Commission seat.

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to schedule a Special Commission meeting on Friday, October 1, 2004 at 3 p.m. to consider filling the vacant District 5 Commission seat.

MOTION

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to adjourn the Special Meeting to consider filling the vacant seat in Commission District 5.