



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
Jeffery L. Allen, Commissioner District Five
Joe Arriola, City Manager
Jorge L. Fernandez, City Attorney
Priscilla A. Thompson, City Clerk

Thursday, November 18, 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.17 may be heard in the number sequence or as announced by the Commission

M - MAYOR'S ITEMS

D1 - DISTRICT 1 ITEMS

D2 - DISTRICT 2 ITEMS

D3 - DISTRICT 3 ITEMS

D4 - DISTRICT 4 ITEMS

D5 - DISTRICT 5 ITEMS

PH - PUBLIC HEARINGS

3:00 P.M. - PH.7 - Transferring CDBG Funds to Catholic Charities

3:00 P.M. - PH.8 - Transferring HOPWA Funds

3:00 P.M. - PH.9 - Accepting HUD Grant for the Unleaded Program for FY'04

3:00 P.M. - PH.10 - Transferring CDBG Funds - CIP to Offstreet Parking

3:00 P.M. - PH.11 - Transferring CDBG Funds - Close Out Activities to Goodwill

3:00 P.M. - PH.12 - Transferring CDBG Funds to Rafael Hernandez

SR - SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

RE - RESOLUTIONS

BC - BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS

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

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

On the 18th day of November, 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 9:13 a.m. by Chairman Joe Sanchez, recessed at 12:24 p.m., reconvened at 2:40 p.m., and adjourned at 7:51 p.m. During part of this time, the Planning and Zoning Commission Meeting was also held.

ALSO PRESENT:

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

Note for the Record: The City Clerk came in at 10:00 a.m.

PRESENTATIONS AND PROCLAMATIONS

PR.1 04-01275 CEREMONIAL ITEM

Name of Honoree	Presenter	Protocol Item
Mayor Diaz/City of Miami	South Florida Management District	Ceremonial Check
Dr. Don Cobre	Commissioner Regalado	Salute & Key
Dr. Miguel Manresa	Commissioner Regalado	Salute & Key

1. The South Florida Management District presented the City with a contribution in the amount of \$750,000.
2. A Proclamation was given to the Miami-Dade County Farm Bureau by Mayor Manny Diaz for its support in helping the agricultural community to safeguard our county's rich agricultural resources and create a healthy and strong community; further, declaring this week "National Get Farm-iliar with Dade Agriculture Farm-City Week".
3. Commissioner Regalado presented Salutes and Keys to the City to Dr. Dan Coble, President of the Florida Nursing Board, and and Dr. Miguel Manresa, President of SABER, Inc., for their help in developing programs to recruit more nurses.

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:

Second Budget Hearing Meeting of September 28, 2004

Regular Meeting of October 14, 2004

MOVED: Jeffery L. Allen

SECONDED: Angel González

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

ORDER OF DAY

CONSENT AGENDA

Direction to the City Manager by Chairman Sanchez to ensure that agenda items are thoroughly reviewed and completed before being placed on the agenda for Commission consideration and approval.

CA.1 0401221 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID OF MIAMI ELECTRIC SUPPLY ASSOCIATES, PURSUANT TO INVITATION FOR BIDS NO. 03-04-143, FOR THE PURCHASE OF STREETLIGHT FIXTURES AND POLES FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION ("GSA") ON AN AS-NEEDED CONTRACT BASIS, FOR A TWO-YEAR PERIOD WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN AMOUNT NOT TO EXCEED \$26,738.42, FOR THE FIRST YEAR AND AN INCREASE NOT TO EXCEED THREE PERCENT (3%) FOR EACH SUBSEQUENT YEAR, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$111,863.57; ALLOCATING FUNDS FROM GSA ACCOUNT NO. 504000.420119.6.707.

R-04-0719

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

CA.2 04-01218 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL SERVICES OF FALCON & BUENO, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 03-084, ADOPTED JANUARY 23, 2003, FOR THE PROJECT ENTITLED "MEMORIAL BOULEVARD PROJECT, B-30309 (PREVIOUSLY ENTITLED "CUBAN MEMORIAL LINEAR PARK PROJECT")," FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL SERVICE FEES, IN AN AMOUNT NOT TO EXCEED \$33,510, INCREASING COMPENSATION FROM \$205,500 TO \$239,010, BASED ON THE MODIFIED SCOPE OF SERVICES REQUIRED FOR SAID PROJECT; ALLOCATING FUNDS FOR SAID INCREASE, IN A TOTAL AMOUNT NOT TO EXCEED \$33,510, FOR SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI, FROM CAPITAL IMPROVEMENTS PROGRAM PROJECT NO. 311713 ENTITLED "DISTRICT 3 NEIGHBORHOOD QUALITY OF LIFE;" AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL WORK ORDER, IN SUBSTANTIALLY THE ATTACHED FORM; AMENDING RESOLUTION NO. 03-084 TO REFLECT THE PROJECT NAME CHANGE AND SAID INCREASE.

R-04-0720

This Matter was ADOPTED on the Consent Agenda.

CA.3 04-01219 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BIDS OF VARIOUS VENDORS, FOR THE PURCHASE OF RECREATIONAL EQUIPMENT AND SUPPLIES FOR VARIOUS CITY OF MIAMI PARKS FOR THE DEPARTMENT OF PARKS AND RECREATION, ON AN ITEM-BY-ITEM BASIS FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$121,261.36, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$485,045.44; ALLOCATING FUNDS FROM PARKS AND RECREATION GENERAL ACCOUNT NO. 001000.580301.6.717.

R-04-0721

This Matter was ADOPTED on the Consent Agenda.

CA.4 04-01220 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "FY '04 CERT (COMMUNITY EMERGENCY RESPONSE TEAM/CITIZEN CORPS) GRANT AWARD FUND" CONSISTING OF A GRANT FROM THE STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS, FOR THE PERIOD COMMENCING JULY 1, 2004, AND ENDING SEPTEMBER 30, 2005, FOR ADMINISTRATION OF THE CITY OF MIAMI'S CERT MIAMI PROGRAM, IN THE AMOUNT OF \$28,000; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS, FOR SAID PURPOSE.

R-04-0722

This Matter was ADOPTED on the Consent Agenda.

CA.5 04-01221 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM III (FISCAL YEAR 2004)," CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY PASSED THROUGH THE OFFICE FOR DOMESTIC PREPAREDNESS, DIRECTLY TO THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT; APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN THE AMOUNT OF \$19,033,677; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF SAID GRANT; AUTHORIZING THE EXPENDITURE OF FUNDS TO VARIOUS GOVERNMENTAL AGENCIES DESIGNATED FOR HOMELAND SECURITY EXPENSE PURSUANT TO THE UASI GRANT GUIDELINES.

R-04-0723

This Matter was ADOPTED on the Consent Agenda.

CA.6 04-01222 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE REVOCABLE LICENSE AGREEMENT ("AMENDMENT") BETWEEN THE CITY OF MIAMI AND THE CENTER FOR HAITIAN STUDIES, INC. ("LICENSEE"), A NONPROFIT CORPORATION, TO REDUCE THE MONTHLY USE FEE FROM \$250 PER MONTH TO \$1.00 PER MONTH, FOR LICENSEE'S CONTINUED USE OF THE CITY-OWNED PARKING LOT LOCATED AT 185 NORTHEAST, 82ND TERRACE, MIAMI, FLORIDA, EFFECTIVE MAY 1, 2004.

R-04-0724

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

CA.7 04-01223 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A USE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY ("FAMU") AND THE FLORIDA INTERNATIONAL UNIVERSITY ("FIU") BOARD OF TRUSTEES, RELATING TO THE ORANGE BLOSSOM CLASSIC FOOTBALL MATCH BETWEEN THE FAMU AND FIU TEAMS TO BE HELD AT THE ORANGE BOWL STADIUM ON NOVEMBER 27, 2004; AUTHORIZING A BASIC USE FEE IN THE AMOUNT OF \$5,000; CONDITIONING SAID AUTHORIZATION UPON THE ORGANIZERS (1) OBTAINING ALL PERMITS REQUIRED BY LAW, (2) PAYING FOR ALL NECESSARY COSTS OF CITY OF MIAMI ("CITY") SERVICES AND APPLICABLE FEES ASSOCIATED WITH THE EVENT, (3) OBTAINING INSURANCE TO PROTECT THE CITY IN THE AMOUNT PRESCRIBED BY THE CITY MANAGER OR DESIGNEE, AND (4) COMPLYING WITH ALL CONDITIONS AND LIMITATIONS AS MAY BE PRESCRIBED BY THE CITY MANAGER OR DESIGNEE.

R-04-0725

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

CA.8 04-01224 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE CIVIL ACTIONS AGAINST AMER HOLDING, A LIMITED LIABILITY COMPANY ("LESSOR") AND E.F. HUTTON REALTY CORPORATION, ITS AGENT, TO PROSECUTE, PROTECT AND PRESERVE THE INTERESTS OF THE CITY OF MIAMI ("CITY") INCLUDING, BUT NOT LIMITED TO, ANY ACTION AUTHORIZED BY LAW OR IN EQUITY TO OBTAIN POSSESSION OR ANY OTHER RELIEF OR REMEDY FOR RECOVERY OF DAMAGES SUSTAINED BY THE CITY RELATED TO THE LESSOR'S BREACHES OF A LEASE AGREEMENT EXECUTED ON OR ABOUT OCTOBER 4, 2004.

R-04-0726

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

CA.9 04-01225 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE REVOCABLE LICENSE AGREEMENT ("AGREEMENT") BETWEEN THE CITY OF MIAMI AND MIAMI OVERSEAS CHINESE ASSOCIATION ("LICENSEE"), TO PROVIDE FOR LICENSEE'S CONTINUED USE OF BAY 6 AT THE CITY OF MIAMI OWNED PROPERTY LOCATED AT 1101 NORTHWEST SOUTH RIVER DRIVE, MIAMI, FLORIDA, FOR A SIX-MONTH PERIOD COMMENCING NOVEMBER 1, 2004, EXPIRING MARCH 31, 2005, UNDER THE SAME TERMS AND CONDITIONS OF SAID AGREEMENT.

R-04-0727

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

CA.10 04-01226 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE LEASE AGREEMENT BETWEEN THE CITY OF MIAMI AND NEW ASSIGNEE BAYSHORE LANDING, LLC ("COMPANY"), DATED SEPTEMBER 20, 1985 AS AMENDED ("LEASE AGREEMENT"), TO ADD A NEW SECTION 30.3 TO THE LEASE AGREEMENT TO PROVIDE THAT IN THE EVENT THE LEASE AGREEMENT IS TERMINATED IN ANY PROCEEDING IN BANKRUPTCY INVOLVING THE COMPANY, AT THE REQUEST OF THE LEASEHOLD MORTGAGEE THE CITY WILL ENTER INTO A NEW LEASE WITH THE LEASEHOLD MORTGAGEE, UPON THE SAME TERMS AS THE EXISTING LEASE AND SUBJECT TO THE PROVISIONS SET FORTH IN THE THIRD AMENDMENT; PROVIDED: (1) THE LEASEHOLD MORTGAGEE PAYS ALL PAST DUE RENTS AND OTHER CHARGES DUE TO THE CITY, AND (2) THE ACTIONS OF THE LEASEHOLD MORTGAGEE HAVE NOT ADVERSELY AFFECTED THE INTERESTS OF THE CITY UNDER THE LEASE OR OTHERWISE RESULTED IN THE TERMINATION OF THE LEASE.

R-04-0753

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 Allen

CA.11 04-01227 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("LESSEE") AND RAYOS DEL SOL, LTD., A LIMITED PARTNERSHIP ("LESSOR"), FOR USE OF APPROXIMATELY 1,200 SQUARE

FEET OF OFFICE SPACE, LOCATED AT 185 NORTHWEST 13TH AVENUE, MIAMI, FLORIDA, TO RELOCATE THE OPERATION OF THE EAST LITTLE HAVANA NEIGHBORHOOD ENHANCEMENT TEAM, TO PROVIDE FOR THE FOLLOWING: (1) A SEVEN-YEAR TERM COMMENCING ON THE POSSESSION DATE WHICH SHALL BE NO LATER THAN APRIL 1, 2005, WITH AN OPTION TO EXTEND FOR TWO ADDITIONAL FIVE-YEAR TERMS SUBJECT TO THE MUTUAL CONSENT OF THE PARTIES; (2) LESSEE SHALL PAY RENT FOR THE FIRST YEAR, IN THE AMOUNT NOT TO EXCEED \$12, PER SQUARE FOOT, OR AN AMOUNT NOT TO EXCEED \$1, 200, PER MONTH, WITH RENT FOR SUBSEQUENT TERM YEARS TO BE ADJUSTED BASED ON INCREASES IN THE CONSUMER PRICE INDEX; (3) LESSOR TO PROVIDE LESSEE WITH COMPLETE BUILD-OUT OF THE PREMISES; AND (4) LESSOR TO PAY ALL COMMON AREA OPERATING CHARGES AND PROVIDE FOUR RESERVED PARKING SPACES FOR LESSEE, WITH ADDITIONAL TERMS AND CONDITIONS MORE PARTICULARLY SET FORTH IN THE AGREEMENT.

R-04-0728

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

CA.12 04-01228**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ACQUISITION OF TRAINING COURSES FOR INFORMATION TECHNOLOGY EQUIPMENT AND SOFTWARE FROM NEW HORIZONS COMPUTER LEARNING CENTERS, INC., FOR VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED CONTRACT BASIS UTILIZING EXISTING UNITED STATES GENERAL SERVICES ADMINISTRATION ("GSA") CONTRACT NO. GS-35F-0140J, EFFECTIVE THROUGH DECEMBER 10, 2008, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY GSA, IN AN AMOUNT NOT TO EXCEED \$120,000; ALLOCATING FUNDS FROM THE OPERATING BUDGETS OF VARIOUS AGENCIES AND USER DEPARTMENTS FOR THE CURRENT FISCAL YEAR, WITH FUNDING FOR FUTURE FISCAL YEARS SUBJECT ONLY TO BUDGETARY APPROVAL.

R-04-0729

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

CA.13 04-01229**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF FORTY (40) PORTABLE AND MOBILE RADIOS AND ACCESSORIES FROM MOTOROLA, INC., FOR THE DEPARTMENT OF FIRE-RESCUE, UTILIZING PALM BEACH COUNTY CONTRACT NO. 02C-6CR, EFFECTIVE THROUGH OCTOBER 17, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY PALM BEACH COUNTY, IN AN AMOUNT NOT TO EXCEED \$56,244; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM II, PROJECT NO. 110111, ACCOUNT CODE NO. 280910.6.840.

R-04-0730

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

CA.14 04-01124 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT (S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND THE STATE OF FLORIDA, OFFICE OF THE STATE ATTORNEY FOR THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, TO REIMBURSE THE STATE FOR THE COST OF STATE ATTORNEY PROSECUTION OF CERTAIN CRIMINAL VIOLATIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA.

R-04-0731

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

CA.15 04-01247 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY EDUARDO BADELL, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$70,000 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 EDUARDO BADELL V. CITY OF MIAMI, ET AL., IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, CASE NO. 04-21908 -CIV-HUCK, UPON EXECUTING A GENERAL RELEASE OF 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-04-0732

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

CA.16 04-01248 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY RUBEN ORTIZ, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$490,000 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 RUBEN ORTIZ V. CITY OF MIAMI, ET AL., IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, CASE NO. 00-3533-CIV-GOLD, UPON EXECUTING A GENERAL RELEASE OF 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-04-0733

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

Adopted the Consent Agenda

MOVED: Angel González

SECONDED: Johnny L. Winton

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

CA.17 04-01258

DISCUSSION ITEM

ACCEPTING A REPORT FROM THE CIVIL SERVICE BOARD.

DEFERRED

Item CA. 17 was deferred to the Commission Meeting currently scheduled for January 13, 2005 as a regular item; further requesting that a representative of the Civil Service Board be present to respond to questions by the Commission.

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS**CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****M.1 04-01281 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "DR. MARTIN LUTHER KING JR. RECLAIM THE DREAM INITIATIVE" ("FUND"); ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$50,000, FROM THE SPECIAL REVENUE FUND ENTITLED "POVERTY INITIATIVE;" DIRECTING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO ESTABLISH SAID FUND FOR THE REVENUE AND EXPENDITURE INDEX AS A COST CENTER ENTITLED: "DR. MARTIN LUTHER KING JR. COMMERCIAL FAÇADE PROJECT" COMMENCING IN FISCAL YEAR 2004-2005, FOR SAID PROJECT.

R-04-0734

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

UNANIMOUS

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

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

M.2 04-01205 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "MIAMI'S LEARNING ZONE GRANT AWARD" FOR FUNDING THE 21ST CENTURY COMMUNITY LEARNING CENTER PROGRAM AT HOLMES ELEMENTARY SCHOOL, LOCATED AT 1175 NORTHWEST 67TH STREET, MIAMI, FLORIDA; APPROPRIATING FUNDS IN THE AMOUNT OF \$38,750, CONSISTING OF A GRANT FROM THE FLORIDA DEPARTMENT OF EDUCATION; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENT(S), TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

R-04-0735

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

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

M.3 03-0301 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S)

, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO ESTABLISH AN ENDOWMENT FUND WITH DADE COMMUNITY FOUNDATION, INC., FOR THE DONATION OF FUNDS FOR A HEART OF OUR PARKS ENDOWMENT FUND, TO BENEFIT CHARITABLE PROGRAMS, ACTIVITIES AND SERVICES TO THE CITY'S PARKS, UNDER THE TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT; DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO TRANSFER FUNDS THAT THE CITY HAS ALREADY COLLECTED TOWARDS THE ENDOWMENT OF THE FUND.

R-04-0737

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

DISTRICT 1

VICE CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

D2.1 04-01257 DISCUSSION ITEM

DISCUSSION CONCERNING AN AWARD OF BID FOR FLAGLER STREET PROJECT.

WITHDRAWN

D2.2 04-01270 DISCUSSION ITEM

DISCUSSION CONCERNING HISTORIC PRESERVATION AND ARCHEOLOGICAL ZONES.

WITHDRAWN

DISTRICT 3

CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1 04-01252 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A

DONATION OF FUNDS, IN THE AMOUNT OF \$1,000, TO THE FLORIDA MEMORIAL COLLEGE SCHOLARSHIP FUND, IN HONOR OF INEZ WILCOX; ALLOCATING \$500 FROM THE DISTRICT 4 OFFICE BUDGET NON-DEPARTMENTAL ACCOUNT NO. 001000.920919.6.930, AND \$500 FROM DISTRICT 5 OFFICE BUDGET ACCOUNT NO. 001000.210701.6.930.

R-04-0736

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

D4.2 04-01251 DISCUSSION ITEM

DISCUSSION ABOUT THE MIAMI RESIDENT VEHICLE STORAGE PROGRAM.

MOTION

A motion was made by Commissioner Regalado, seconded by Commissioner Allen, and was passed unanimously, with Vice Chairman González and Commissioner Winton absent, to approve the Miami Parking Authority's program to allow City residents to park their second vehicles in City garages during emergencies; further directing the Administration to have application forms for the "Miami Resident Vehicle Storage Program" available at every Neighborhood Enhancement Team (NET) office and on the City's website.

D4.3 04-01261 DISCUSSION ITEM

DISCUSSION ABOUT IMPLEMENTING MEASURES TO NOTIFY REAL ESTATE COMPANIES ABOUT PROPERTIES WITH ACTIVE CODE ENFORCEMENT CASES.

DISCUSSED

Direction to the Administration by Commissioner Regalado to "red flag" those houses that are aggressive violators of the Code and have code enforcement inspectors check said houses to see if those houses are for sale; further requesting that a letter be sent to the realtors of those houses letting them know that there is an open code enforcement case against the home.

Direction to the Administration by Commissioner González to contact the City of Hialeah, which has an ordinance that states that if a homeowner wishes to sell his or her home, they must first get a certificate of compliance stating that there are no violations on the property, and formulate similar legislation for this Commission to adopt.

Note for the Record: Commissioner Winton suggested that a Code Enforcement Task force should be formed for the purpose of foreclosing on illegal properties, which ignore the Code and allow fines to accumulate.

Direction to the City Manager and the City Clerk by Chairman Sanchez to work with the Administration to post code enforcement violations for properties citywide on the Web; further to do a one-time mailout to all the realtors and realtors' associations as to the City's process; further requesting the City Clerk to research the proposed ordinance regarding inspection of properties for sale that have illegal units, which was discussed by the Commission about a year and a half ago.

D4.4 04-01263 DISCUSSION ITEM

MR. BEN BURTON, EXECUTIVE DIRECTOR OF THE MIAMI COALITION FOR THE HOMELESS INC., TO ADDRESS THE COMMISSION CONCERNING THE FEEDING AND SERVICE PLAN FOR LOW INCOME AND HOMELESS FAMILIES AND INDIVIDUALS IN THE CITY OF MIAMI.

MOTION

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed unanimously, with Vice Chairman González absent, to adopt the draft Feeding and Service Plan presented by the Miami Coalition for the Homeless, Inc.

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN

PUBLIC HEARING**PH.1 04-01232 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING THE ACQUISITION OF REPAIR SERVICES FOR ONE (1) 2001 TELESQURT (PUMPER/AERIAL LADDER) FIRE-RESCUE 8 VEHICLE FOR THE DEPARTMENT OF FIRE-RESCUE, FROM AMERICAN LAFRANCE MEDIC MASTER, THE SOLE SOURCE MANUFACTURER, IN AN AMOUNT NOT TO EXCEED \$34,014.41, WITH A CONTINGENCY RESERVE OF AN AMOUNT NOT TO EXCEED \$1,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$35,014.41; ALLOCATING FUNDS FROM THE DEPARTMENT OF FIRE-RESCUE SPECIAL REVENUE FUND, PROJECT NO. 109001, ACCOUNT CODE NO. 280905.6.840.

R-04-0738

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

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

AYES: Commissioner Winton, Sanchez, Regalado and Allen

ABSENT: Commissioner González

PH.2 04-01234 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO DECLARE SURPLUS CERTAIN CITY-OWNED PROPERTY LOCATED AT 779 NORTHWEST 57TH STREET, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN " EXHIBIT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT (" AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH PROGRESSIVE VISION COMMUNITY DEVELOPMENT CORPORATION, INC. , A FLORIDA NOT-FOR-PROFIT CORPORATION, TO UNDERTAKE THE DEVELOPMENT OF FOUR (4) CONDOMINIUM UNITS, AFFORDABLE TO VERY LOW, LOW AND/OR MODERATE-INCOME FAMILIES AND/OR INDIVIDUALS AND TO CONSUMMATE SUCH TRANSACTION IN ACCORDANCE WITH THE TERMS STATED HEREIN AND THE TERMS AND CONDITIONS OF THE AGREEMENT, WHICH TERMS MAY BE SOLELY AMENDED BY THE CITY MANAGER AS MAY BE NECESSARY TO EFFECT THE SALE IN AN EXPEDITIOUS MANNER.

WITHDRAWN

PH.3 04-01236 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND

CONFIRMING THE CITY MANAGER'S RECOMMENDATION AND FINDING THAT COMPETITIVE NEGOTIATION METHODS ARE NOT PRACTICABLE OR ADVANTAGEOUS PURSUANT TO SECTION 18-86 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; APPROVING THE RECOMMENDATION AND FINDING OF THE CITY OF MIAMI'S DEPARTMENT OF PARKS AND RECREATION THAT THE FOUNDATION OF COMMUNITY ASSISTANCE AND LEADERSHIP, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION ("FOCAL"), IS THE MOST QUALIFIED FIRM TO CONTINUE TO PROVIDE AFTER-SCHOOL TUTORING, COUNSELING, AND COMPUTER EDUCATIONAL SERVICES FOR AT-RISK YOUTH AT THE CITY OF MIAMI'S MOORE PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FOCAL TO CONTINUE TO PROVIDE SAID AFTER-SCHOOL SERVICES FOR THE CONTRACT PERIOD COMMENCING OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, IN AN AMOUNT NOT TO EXCEED \$115,452; ALLOCATING FUNDS FROM NON-DEPARTMENTAL ACCOUNT NO. 001000.921002.6.930 FOR FISCAL YEAR 2004-2005.

R-04-0739

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Sanchez, Regalado and Allen

ABSENT: Commissioner González

PH.4 04-01237**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S RECOMMENDATION AND FINDING THAT COMPETITIVE NEGOTIATION METHODS ARE NOT PRACTICABLE OR ADVANTAGEOUS PURSUANT TO SECTION 18-86 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; APPROVING THE RECOMMENDATION AND FINDING OF THE CITY OF MIAMI'S ("CITY") DEPARTMENT OF PARKS AND RECREATION THAT BELAFONTE TACOLCY CENTER, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION ("BTC") IS THE MOST QUALIFIED FIRM TO CONTINUE TO PROVIDE THE SPORTS DEVELOPMENT PROGRAM AT THE CITY'S BELAFONTE TACOLCY PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH BTC TO CONTINUE TO PROVIDE SAID SPORTS DEVELOPMENT PROGRAM FOR THE CONTRACT PERIOD COMMENCING OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, IN AN AMOUNT NOT TO EXCEED \$86,675; ALLOCATING FUNDS FROM NON-DEPARTMENTAL ACCOUNT NO. 001000.921002.6.930 FOR FISCAL YEAR 2004-2005.

R-04-0740

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

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

AYES: Commissioner Winton, Sanchez, Regalado and Allen

ABSENT: Commissioner González

PH.5 04-01137

ORDINANCE

Public Hearing

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 54/ARTICLE IV/SECTION 54-130 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "STREETS AND SIDEWALKS/NAMING OF STREETS AND NUMBERING OF BUILDINGS/NAMES OF DRIVES AND ROADS," BY CHANGING THE NAME OF SOUTHWEST 15TH ROAD BETWEEN SOUTHWEST 11TH STREET AND BRICKELL AVENUE TO BROADWAY; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE TO THE HEREIN DESIGNATED AGENCIES; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

PH.6 04-01241

ORDINANCE

Emergency Ordinance

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A NON-EXCLUSIVE FRANCHISE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND NUI UTILITIES, INC ., D/B/A NUI CITY GAS COMPANY OF FLORIDA; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

12613

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

3:00 P.M.

Items PH.7 - PH.12 were interpreted by a sign-language interpreter.

PH.7 04-01238 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FUNDS, IN THE TOTAL AMOUNT OF \$80,513, FROM CDBG RESERVE; ALLOCATING SAID FUNDS IN THE AMOUNT OF \$ 25,000, TO CATHOLIC CHARITIES OF THE ARCHDIOCESES OF MIAMI, INC ./GESU MEAL CENTER, AND THE AMOUNT OF \$55,513, TO CATHOLIC CHARITIES OF THE ARCHDIOCESES OF MIAMI, INC./ SERVICES FOR THE ELDERLY (CLAUDE PEPPER CENTER) TO PROVIDE CONTINUAL MEAL SERVICES FOR PARTICIPANTS ALREADY ENROLLED IN THE ELDERLY PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT(S) TO THE AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH SAID AGENCIES.

R-04-0754

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 Allen

PH.8 04-01239 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS FUNDS, IN THE AMOUNT OF \$656,250, FROM THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT 29TH YEAR EMERGENCY RENTAL MORTGAGE & UTILITY ASSISTANCE PROGRAM; ALLOCATING SAID FUNDS TO THE LONG TERM TENANT-BASED RENTAL SUBSIDY PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT(S) TO THE AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH SAID AGENCIES.

R-04-0755

MOVED: Angel González

SECONDED: Tomas Regalado

UNANIMOUS

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

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

PH.9 04-01240 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING A GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, IN THE AMOUNT OF \$3,000,000, FOR THE MIAMI UNLEADED PROGRAM FOR FISCAL YEAR 2004-2005, TO PROVIDE A COMPREHENSIVE APPROACH TO LEAD HAZARD CONTROL IN THE CITY OF MIAMI, BY MAKING IT A PART OF EVERY REHABILITATION, RENOVATION, AND REPAIR UNIT BUILT BEFORE 1978, WHERE LEAD-

BASED PAINT IS PRESENT; DIRECTING THE CITY MANAGER TO REQUEST AN ORDINANCE OF THE CITY COMMISSION TO INCREASE THE DEPARTMENT OF COMMUNITY DEVELOPMENT'S TABLE OF ORGANIZATION, ADDING SIX FULL-TIME UNCLASSIFIED EMPLOYEES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, TO IMPLEMENT ACCEPTANCE OF SAID GRANT.

R-04-0756

MOVED: Angel González

SECONDED: Jeffery L. Allen

UNANIMOUS

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

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

PH.10 04-01265

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 \$750,000, FROM THE CITY OF MIAMI ("CITY") DEPARTMENT OF CAPITAL IMPROVEMENT PROJECTS; ALLOCATING SAID FUNDS TO THE CITY'S DEPARTMENT OF OFF-STREET PARKING FOR CONSTRUCTION COSTS NEEDED TO MEET AMERICANS WITH DISABILITIES ACT REQUIREMENTS FOR THE GUSMAN THEATRE FOR THE PERFORMING ARTS; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCY.

R-04-0757

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

PH.11 04-01266

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 \$2,000,000, FROM CLOSED OUT ACTIVITIES; ALLOCATING SAID FUNDS TO GOODWILL INDUSTRIES OF SOUTH FLORIDA, INC. ("GOODWILL") FOR THE ACQUISITION OF GRAYBAR, A BUILDING LOCATED ADJACENT TO GOODWILL'S HEADQUARTERS, TO CREATE JOB EMPLOYMENT OPPORTUNITIES FOR CITY OF MIAMI RESIDENTS AND INCREASE ECONOMIC GROWTH IN THE ALLAPATTAH AREA; AUTHORIZING THE CITY MANAGER TO EXECUTE A LOAN AGREEMENT FOR SAID PURPOSE.

R-04-0758

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 Allen

PH.12 04-01278

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS, IN THE TOTAL AMOUNT OF \$100,000, FROM THE AGENCIES AND IN THE AMOUNTS AS SET FORTH ON THE LIST, ATTACHED AND INCORPORATED; ALLOCATING SAID FUNDS TO THE RAFAEL HERNANDEZ HOUSING & ECONOMIC DEVELOPMENT CORPORATION TO PROVIDE TECHNICAL ASSISTANCE TO INDIVIDUAL BUSINESSES WITHIN THE WYNWOOD ART COMMUNITY AND CREATE JOBS FOR RESIDENTS CITYWIDE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SAID AGENCY.

R-04-0759

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 Allen

ORDINANCES - SECOND READING**SR.1 04-00740 ORDINANCE Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE VI/SECTION 62-159 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ZONING AND PLANNING/ZONING AND PLANNING FEES/WAIVER OF FEES," TO ALLOW FOR WAIVER OF VARIANCE FEES IN INSTANCES WHEN A VARIANCE IS SOUGHT BY AN OWNER AT THE WRITTEN REQUEST OF THE CITY; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

12614

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

SR.2 04-01136 ORDINANCE Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 55/SECTION 55-15 OF THE CODE OF THE CITY OF MIAMI FLORIDA, AS AMENDED, ENTITLED "SUBDIVISION REGULATIONS/VACATION AND CLOSURE OF RIGHTS OF-WAY AND PLATTED EASEMENTS BY PLAT" TO ELIMINATE THE TIME RESTRICTIONS FOR SUBMISSION OF AN APPLICATION FOR THE ALTERNATIVE METHOD FOR CLOSURE OF ALLEYS ABUTTING PARCELS OF LAND ZONED R-1 AND/OR R-2; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

12615

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner Winton, Sanchez and Allen

ABSENT: Commissioner González and Regalado

SR.3 04-01165 ORDINANCE Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING CHAPTER 2/ARTICLE IV/DIVISION 4 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED: "ADMINISTRATION/DEPARTMENTS/PUBLIC WORKS DEPARTMENT," TO PROVIDE FOR A NEW PARAGRAPH TO SECTION 2-267 ENTITLED "SAME-ENUMERATION," TO AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO EXECUTE AND ISSUE LICENSE AGREEMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH

WILLING PROPERTY OWNERS FOR MINIMAL IMPROVEMENTS TO THEIR PROPERTY WHEN REQUIRED IN CONNECTION WITH RIGHT-OF-WAY IMPROVEMENTS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

12616

MOVED: Jeffery L. Allen

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Sanchez and Allen

ABSENT: Commissioner González and Regalado

ORDINANCES - FIRST READING**FR.1 04-01055 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE CITY OF MIAMI ("CITY") CAPITAL IMPROVEMENTS PROGRAM'S 2004-2005 MULTI-YEAR CAPITAL PLAN, ATTACHED AND INCORPORATED, AS REQUIRED BY SECTION 163.3177, FLORIDA STATUTES (2003) AND CHAPTER 18, ARTICLE IX, DIVISION 2 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO SET FORTH THE CITY'S FISCAL NEEDS FOR CAPITAL IMPROVEMENTS, SUBJECT TO AN ANNUAL REVIEW OF SAID CAPITAL PLAN TO DETERMINE PROJECT PRIORITIES AND TO MODIFY FUNDING ALLOCATIONS, AS NECESSARY.

R-04-0741

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 Allen

Item FR.1 is a companion item to Item FR.2**FR.2 04-00994 ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S)), MAKING APPROPRIATIONS FOR NEW CAPITAL IMPROVEMENT PROJECTS SCHEDULED TO BEGIN IN FISCAL YEAR 2004-2005 AND CONTINUING PREVIOUSLY APPROVED PROJECTS; APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$564,968 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY INTO CAPITAL IMPROVEMENTS PROJECT NO. 311717, ENTITLED: "FLEET MAINTENANCE GARAGE WIND RETROFIT" AND GRANT FUNDS IN THE AMOUNT OF \$5,000 FROM THE UNITED STATES TENNIS ASSOCIATION INTO CAPITAL IMPROVEMENTS PROJECT NO. 333109, ENTITLED: "BRYAN PARK IMPROVEMENTS;" AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANTS AND TO EXECUTE ALL NECESSARY DOCUMENTS, FOR SAID PURPOSES, CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

UNANIMOUS

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

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

Item FR.2 is a companion item to Item FR.1

FR.3 04-01233 ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION SUNSETTING THE FOLLOWING BOARDS: BROWNSFIELDS ADVISORY BOARD, THE ECONOMIC DEVELOPMENT FINANCING AUTHORITY, THE INDEPENDENT COMMUNITY REDEVELOPMENT AGENCY, THE UNITED STATES HOUSING AND URBAN DEVELOPMENT FUNDING POLICY, PROGRAM AND PROCEDURES REVIEW COMMITTEE, THE PROPERTY AND ASSET REVIEW COMMITTEE, THE LITTLE HAVANA FESTIVAL COMMITTEE AND THE AFFORDABLE HOUSING ADVISORY BOARD; MORE PARTICULARLY BY AMENDING CHAPTERS 2, 18, 14 AND 54, OF THE CODE OF THE CITY OF MIAMI, FLORIDA , AS AMENDED, AS STATED HEREIN; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

FR.4 04-01242 ORDINANCE**First Reading**

AN ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE BY AMENDING ARTICLE 6, MORE PARTICULARLY BY AMENDING SECTION 617.2.2.2 (1) (b) 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 OFF-STREET PARKING TO A SET AMOUNT; CONTAINING A REPEALER PROVISION; A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

REMANDED BACK TO PLANNING ADVISORY BOARD

A motion was made by Commissioner Winton, seconded by Commissioner Allen, and was passed unanimously, to remand Item FR.4 back to the Planning Advisory Board.

RESOLUTIONS**RE.1 04-01243 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 QUALIFICATIONS NO. 03-04-031, THAT THE FIRMS MOST QUALIFIED TO PROVIDE A MASTER PLAN FOR THE COCONUT GROVE WATERFRONT ARE, IN RANK ORDER: (1) SASAKI ASSOCIATES, INC., AND (2) EDSA, INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT") WITH SASAKI ASSOCIATES, INC. AND TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, EDSA, INC., SHOULD NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRM; DIRECTING THAT THE NEGOTIATED AGREEMENT BE PRESENTED TO THE CITY COMMISSION FOR CONSIDERATION.

R-04-0742

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

RE.2 04-01244 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE STEERING COMMITTEE, PURSUANT TO REQUEST FOR PROPOSAL NO. 03-04-151, THAT THE FIRMS RECOMMENDED FOR NEGOTIATIONS TO PROVIDE ENTERPRISE RESOURCE PLANNING ("ERP") SOFTWARE SYSTEM INTEGRATOR CONSULTING SERVICES ARE, IN RANK ORDER: (1) SOLBOURNE COMPUTER, INC., AND (2) ANSWERTHINK, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE AN ERP SOFTWARE SYSTEM INTEGRATOR AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH SOLBOURNE COMPUTER, INC., THE TOP-RANKED FIRM, IN AN AMOUNT NOT TO EXCEED SEVEN MILLION DOLLARS (\$7,000,000); ALLOCATING FUNDS FROM THE ERP CAPITAL IMPROVEMENTS PROJECT ("CIP") ACCOUNT CODE NO. 311613, THE OPERATING BUDGETS OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, VARIOUS DEPARTMENTS AND AGENCIES CITYWIDE AND FROM VARIOUS CIP ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND-RANKED FIRM, ANSWERTHINK, INC., SHOULD SOLBOURNE COMPUTER, INC. AND THE CITY OF MIAMI FAIL TO IMPLEMENT THE AGREEMENT APPROVED HEREIN.

R-04-0743

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

RE.3 04-01231 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING AN INCREASE IN THE TOTAL COMPENSATION TO DAVISLOGIC INC., D/B/A ALL HANDS CONSULTING ("DAVISLOGIC"), APPROVED BY RESOLUTION NO. 03-190, ADOPTED FEBRUARY 27, 2003, AMENDED BY RESOLUTION NO. 03-1085, ADOPTED OCTOBER 9, 2003, FURTHER AMENDED BY RESOLUTION NO. 04-0334, ADOPTED MAY 27, 2004, IN AN AMOUNT NOT TO EXCEED \$730,656, FROM \$1,856,693 TO \$2,587,349, TO PROVIDE PART E SERVICES, AND ANY OTHER ADDITIONAL SERVICES CONSISTENT WITH THE OVERALL SCOPE OF WORK, FOR COMPREHENSIVE EMERGENCY PLANNING AND TERRORISM PREPAREDNESS PLANNING AND TRAINING SERVICES FOR THE DEPARTMENT OF FIRE-RESCUE AND ALL OTHER CITY OF MIAMI DEPARTMENTS INVOLVED IN THE URBAN AREA SECURITY INITIATIVE ("UASI") GRANT PROGRAM III, SUBJECT TO CERTAIN LIMITATIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE AGREEMENT BETWEEN THE CITY OF MIAMI AND DAVISLOGIC; AMENDING RESOLUTION NO. 04-0334 TO REFLECT SAID INCREASE(S); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENTS PROVIDING FOR FURTHER INCREASES TO THE EXISTING AGREEMENT WHICH DO NOT EXCEED THE TOTAL COMPENSATION OF \$ 2,587,349, BY MORE THAN TEN PERCENT (10%); ALLOCATING FUNDS FOR SAID INCREASE(S) FROM THE UASI PROGRAM III FISCAL YEAR 2004, SUBJECT TO BUDGETARY APPROVAL.

R-04-0744

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

RE.4 04-01249 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE REPAIR, MAINTENANCE AND INSTALLATION OF ROADWAY SYSTEMS ON AN AS-NEEDED CONTRACT BASIS, FROM WEEKLEY ASPHALT PAVING, INC., FOR THE DEPARTMENT OF CAPITAL IMPROVEMENT, UTILIZING EXISTING BROWARD COUNTY BID CONTRACT, NO. H-9-03-242-B1, EFFECTIVE THROUGH APRIL 27, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY BROWARD COUNTY, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE-YEAR PERIOD, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$20,000,000, INCLUDING

ANY RENEWAL(S), FOR THE TERM OF THE CONTRACT; ALLOCATING FUNDS FROM VARIOUS CAPITAL IMPROVEMENT PROJECT ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL, WITH FUNDING FROM SAID ACCOUNTS FOR FUTURE FISCAL YEARS, SUBJECT ONLY TO BUDGETARY APPROVAL.

R-04-0745

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

Direction to the Administration by Vice Chairman González to provide him with a list of candidate projects that may be completed utilizing this contract with Weekley Asphalt Paving, Inc.

RE.5 04-01277

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE CHIEF PROCUREMENT OFFICER'S DECISION TO UPHOLD THE PROTEST OF WILLIAMS PAVING COMPANY, INC., RESCINDING THE CITY MANAGER'S DECISION TO REJECT ALL BIDS, AND DEEMING WILLIAMS PAVING COMPANY, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE PROJECT ENTITLED "NORTHWEST 14TH STREET IMPROVEMENT PROJECT (THIRD BIDDING) FROM NORTHWEST 34 TH AVENUE TO NORTHWEST 22ND AVENUE," PROJECT NO. B-50686, BID NO. 03-04-129.

R-04-0746

MOVED: Angel González

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

Item RE.5 is a companion item to Item RE.6

RE.6 04-01250

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE BID OF WILLIAMS PAVING COMPANY, INC., FOR THE PROJECT ENTITLED "NORTHWEST 14TH STREET IMPROVEMENT PROJECT, B-50686," IN THE TOTAL AMOUNT NOT TO EXCEED \$1,936,116; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") NO. 311711, IN THE AMOUNT NOT TO EXCEED \$600,000 AND CIP NO. 341183, IN THE AMOUNT NOT TO EXCEED \$1,336,116, FOR CONTRACT COSTS AND AN AMOUNT NOT TO EXCEED \$265,000 FROM CIP NO. 341183, FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI,

FOR TOTAL CONSTRUCTION COSTS NOT TO EXCEED \$2,201,116, AS SET FORTH ON THE FORMAL BID DOCUMENT AND THE DEPARTMENT OF CAPITAL IMPROVEMENTS PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

R-04-0747

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

Item RE.6 is a companion item to Item RE.5**RE.7 04-01164 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY ADORNO & YOSS, P.A. TRUST ACCOUNT, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$7,000,000 (SEVEN MILLION DOLLARS) AS FOLLOWS: \$3,500,000, TO BE PAID NO LATER THAN DECEMBER 5, 2004 AND \$3,500,000, TO BE PAID NO LATER THAN DECEMBER 5, 2005, IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE " REFUND" PORTION OF THE NAGYMIHALY, ET AL V. THE CITY OF MIAMI, IN THE MIAMI-DADE COUNTY CIRCUIT COURT, CASE NO. 98-11208 CA-01, UPON EXECUTING A GENERAL RELEASE OF 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. 109001.280905.9.952.

R-04-0748

MOVED: Angel González

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

RE.8 04-01274 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION WITH ATTACHMENT (S), AMENDING RESOLUTION NO. 04-0427, ADOPTED JUNE 24, 2004, BY AUTHORIZING THE CITY MANAGER TO EXECUTE A REVISED BILL OF SALE FOR BUS SHELTERS AND MUTUAL RELEASES, IN SUBSTANTIALLY

THE ATTACHED FORMS, WITH CLEAR CHANNEL OUTDOOR, INC.

R-04-0749

MOVED: Angel González

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

BOARDS AND COMMITTEES

BC.1 03-0234

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE MIAMI STREET CODESIGNATION REVIEW COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: _____ **NOMINATED BY:**

Chairman Joe Sanchez

DEFERRED

BC.2 04-01098

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES: _____ **NOMINATED BY:**

Vice Chairman Angel González

Commissioner Jeffery Allen

Commissioner Jeffery Allen

DEFERRED

BC.3 04-01200

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE COMMISSION ON THE STATUS OF WOMEN FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES: _____ **NOMINATED BY:**

Vice Chairman Angel González

- _____ Vice Chairman Angel González
- _____ Commissioner Johnny Winton
- _____ Commissioner Johnny Winton
- _____ Commissioner Tomas Regalado
- _____ Commissioner Tomas Regalado
- _____ Chairman Joe Sanchez
- _____ Chairman Joe Sanchez
- _____ Commissioner Jeffery Allen
- _____ Commissioner Jeffery Allen
- _____ Mayor Manuel Diaz

DEFERRED

BC.4 04-01201

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

- _____ Vice Chairman Angel González
- _____ Commissioner Jeffery Allen
- _____ Mayor Manuel Diaz

DEFERRED

BC.5 04-01202

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:

- _____ Commissioner Jeffery Allen
- _____ Commissioner Jeffery Allen

_____ Chairman Joe Sanchez

_____ Chairman Joe Sanchez

DEFERRED

BC.6 04-01216 RESOLUTION

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

APPOINTEES:

NOMINATED BY:

_____ Commissioner Angel González
(Regular Member, unexpired term ending February 12, 2006)

_____ Commission At-Large
(Alternate Member, unexpired term ending February 13, 2007)

DEFERRED

DISCUSSION ITEMS

DI.1 04-01157 DISCUSSION ITEM

DISCUSSION CONCERNING THE CIVILIAN INVESTIGATIVE PANEL (CIP) MONTHLY STATUS REPORT.

DISCUSSED

DI.2 04-01246 DISCUSSION ITEM

A DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

DEFERRED

SUPPLEMENTAL AGENDA**SI.1 04-01162a RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI, THE MIAMI SPORTS AND EXHIBITION AUTHORITY ("MSEA") AND MIAMI-DADE COUNTY RELATING TO THE USE OF THE CONVENTION DEVELOPMENT TAX FUNDS CURRENTLY ALLOCATED TO MSEA, UPON THE SALE OF THE MIAMI ARENA AND THE DEFEASANCE OF THE BONDS WHICH FINANCED THE CONSTRUCTION OF THE MIAMI ARENA; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH OTHER DOCUMENTS AS MAY BE NEEDED TO IMPLEMENT SAID AGREEMENT, SUBJECT TO THE APPROVAL OF THE CITY ATTORNEY.

R-04-0750

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

SI.2 04-01285 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , APPROVING THE CITY OF MIAMI'S OFFICE OF FILM ARTS, CULTURE AND ENTERTAINMENT'S ("FACE") RECOMMENDATION OF (1) ALLOCATING FUNDS FOR THE SPECIAL EVENTS, LISTED ON "EXHIBIT A," ATTACHED AND INCORPORATED, IN AN AMOUNT NOT TO EXCEED \$410,000, AND (2) AUTHORIZING THE ALLOCATION OF FUNDS IN THE AMOUNT OF \$18,000, FOR EACH OF THE FIVE CITY COMMISSION DISTRICTS, FOR A COMBINED AMOUNT NOT TO EXCEED \$90,000, FOR FUNDING OF ADDITIONAL SPECIAL EVENTS WITHIN THE CITY OF MIAMI, CONTINGENT UPON THE PRESENTATION OF DOCUMENTATION FOR REVIEW BY FACE AND SUCH DISTRICT FUNDING COMPLYING WITH FACE RULES AND REGULATIONS AND AS DESIGNATED BY THE DISTRICT COMMISSIONER; DIRECTING FACE TO PRESENT COMMISSION DISTRICT FUNDING REQUESTS FOR SPECIAL EVENTS FOR THE CITY COMMISSION DISTRICTS, TO THE CITY COMMISSION FOR CONSIDERATION.; ALLOCATING FUNDS IN A TOTAL AMOUNT NOT TO EXCEED \$500,000, FROM THE SPECIAL EVENTS FESTIVAL ACCOUNT NO. 001000.921054.6. 289.

R-04-0751

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

NON-AGENDA ITEMS

NA.1 04-01331 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 MIAMI-DADE COLLEGE, SCHOOL OF JUSTICE, TO PROVIDE PREPARE FLORIDA PART 1 AND PART 2 TRAINING TO ITS LAW ENFORCEMENT PERSONNEL, TO COMMENCE ON SEPTEMBER 1, 2004 AND TO BE COMPLETED ON NOVEMBER 30, 2004, WHEREBY MIAMI-DADE COLLEGE WILL COMPENSATE THE CITY OF MIAMI A TOTAL AMOUNT NOT TO EXCEED \$ 24,000, FOR SAID SERVICES.

R-04-0752

MOVED: Joe Sanchez

SECONDED: Jeffery L. Allen

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

AYES: Commissioner Sanchez, Regalado and Allen

ABSENT: Commissioner González and Winton

NA.2 04-01332 DISCUSSION ITEM

Direction to the Administration by Commissioner Regalado to meet with the owner of the service station in District 4 on Coral Way and S.W. 27th Avenue, which has a historic designation, to inform the owner what is possible to be done to the property in terms of renovations and if there are any funds to support said proposed historic renovation.

DISCUSSED

NA.3 04-01333 RESOLUTION

A RESOLUTION OF THE CITY OF MIAMI COMMISSION (subject matter: authorizing a donation in an amount of \$695 to the Manuel Arttime Theater from District 3 funds).

R-04-0768

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 Allen

NA.4 04-01334 RESOLUTION

DONATION OF TWO PAINTINGS CREATED BY ARTIST XAVIER CORTADA, AT AN ESTIMATED FAIR MARKET VALUE OF \$60,000, FROM JOEY GOLDMAN OF GOLDMAN PROPERTIES AND GREG MIRMELLI OF ROYAL PALM COMMUNITIES, TO BE DISPLAYED AT CITY HALL FOR A PERIOD OF NOT LESS THAN 90 DAYS.

R-04-0769

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 Allen

NA.5 04-01335 DISCUSSION ITEM

A motion was made by Commissioner Allen, seconded by Chairman Sanchez, and was passed unanimously, to adjourn today's meeting.

MOTION