



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, December 9, 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.16 may be heard in the number sequence or as announced by the Commission

SS - SPECIALLY SCHEDULED ITEMS

M - MAYOR'S ITEMS

D1 - DISTRICT 1 ITEMS

D2 - DISTRICT 2 ITEMS

D3 - DISTRICT 3 ITEMS

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PH - PUBLIC HEARINGS

3:00 P.M. - PH.6 - Transferring funds to Off-Street Parking

3:00 P.M. - PH.7 - Transferring HOME funds to Little Havana Homeownership

3:00 P.M. - PH.8 - Redevelopment of Edison Plaza Shopping Center

3:00 P.M. - PH.9 - Transferring CDBG Funds to Downtown Miami Partnership Inc.

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: Commissioner Winton, Chairman Sanchez and Commissioner Regalado

Absent: Vice Chairman González and Commissioner Allen

On the 9th day of December, 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 9:22 a.m. by Chairman Joe Sanchez, with Vice Chairman González and Commissioner Allen absent, recessed at 12:29 p.m., and reconvened at 2:45 p.m. The Commission recessed at 6:50 p.m. to take part in the City Hall Christmas tree lighting ceremony, reconvened at 7:47 p.m. and adjourned at 8:32 p.m. During part of this time, the Planning and Zoning Commission Meeting was also held.

Note for the Record: Vice Chairman González came in at 9:26 a.m. and Commissioner Allen came in at 9:28 a.m.

ALSO PRESENT:

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

PRESENTATIONS AND PROCLAMATIONS

PR.1 04-01351 CEREMONIAL ITEM

Name of Honoree	Presenter	Protocol Item
City's Annual Toy Drive	Code Enforcement's Chicken Busters	Ceremonial Check
Brown's Barbershop	Commissioner Winton	Commendation

1. A proclamation was presented by Commissioner Winton to Mr. Lee Brown and Brown's Barbershop for their 50 years of service in Coconut Grove.
2. Ceremonial checks were presented by the Code Enforcement's Chicken Busters team for the Mayor's Poverty Initiative, the Mayor's Annual Toy Drive, the Muscular Dystrophy (MS) Association, and the Juvenile Diabetes Association. Fire Department Captain Raul

Fernandez urged all to give generously to the MS foundation.

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 October 28, 2004

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

Motion to APPROVE PASSED by the following vote.

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

ORDER OF THE DAY

CONSENT AGENDA

Direction to the City Manager by Chairman Sanchez to ensure that all items always be reviewed and approved by the City Attorney prior to placing on the agenda for Commission consideration.

CA.1 04-01262 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY EDWIN DISLA, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$35,000 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 EDWIN DISLA V. JENNY E. LUNA, ET AL., IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 03-23126-CIV-HIGHSMITH, 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-04-0770

This Matter was ADOPTED on the Consent Agenda.

CA.2 04-01305 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY JEAN DORSAINVIL, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$60,000 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 JEAN DORSAINVIL V. CITY OF MIAMI, ET AL., IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE

COUNTY, FLORIDA, CASE NO. 03-23479 CA 06, 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. 515001.624401.6.651.

R-04-0771

This Matter was ADOPTED on the Consent Agenda.

CA.3 04-01288**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "SCHOOL RESOURCE OFFICER PROJECT," FOR THE CITY OF MIAMI DEPARTMENT OF POLICE; APPROPRIATING FUNDS IN THE TOTAL AMOUNT OF \$91,434, CONSISTING OF A GRANT FROM MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES, IN THE AMOUNT OF \$68,575; AND, AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NOS. 690001, 690002, AND 690003, IN THE TOTAL AMOUNT NOT TO EXCEED \$22,859, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND TREASURY'S "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF THE GRANT.

R-04-0772

This Matter was ADOPTED on the Consent Agenda.

CA.4 04-01289**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "CRIMINAL JUSTICE RECORD IMPROVEMENT PROJECT," TO INCREASE EFFICIENCY IN THE CITY OF MIAMI DEPARTMENT OF POLICE'S RECORDS UNIT, APPROPRIATING FUNDS IN THE TOTAL AMOUNT OF \$35,520, CONSISTING OF A GRANT, IN THE AMOUNT OF \$26,634, FROM MIAMI-DADE COUNTY DEPARTMENT OF HUMAN SERVICES; AND, AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS, IN THE AMOUNT OF \$8,886, FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NOS. 690001, 690002, AND 690003, WITH SUCH EXPENDITURES HAVING BEEN APPROVED BY THE CHIEF OF POLICE AS COMPLYING WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND TREASURY'S "GUIDE TO EQUITABLE SHARING," AND FLORIDA STATE STATUTE, CHAPTER 932.7055; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM, TO IMPLEMENT ACCEPTANCE OF THE GRANT.

R-04-0773

This Matter was ADOPTED on the Consent Agenda.

CA.5 04-01290**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE VOLUNTARY COOPERATION MUTUAL AID AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT AND VARIOUS OTHER LAW ENFORCEMENT AGENCIES, TO RECEIVE AND EXTEND MUTUAL AID IN THE FORM OF LAW ENFORCEMENT SERVICES AND RESOURCES TO ENSURE PUBLIC SAFETY AND ADEQUATELY RESPOND TO INTENSIVE SITUATIONS, INCLUDING, BUT NOT LIMITED TO NATURAL AND MANMADE DISASTERS OR EMERGENCIES AS DEFINED IN PART 1, CHAPTER 23, OF THE FLORIDA STATUTES.

R-04-0784

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

CA.6 04-01291**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO CREATE A CITY OF MIAMI ("CITY") LOCAL MITIGATION STRATEGY PROCESS TO IDENTIFY AND PRIORITIZE PROJECTS THAT SERVE TO MITIGATE THE RISK AND THREATS BY FACILITATING STATE AND FEDERAL FUNDING FOR CITY INITIATIVES IN CONNECTION WITH THE MIAMI-DADE COUNTY LOCAL MITIGATION PLANNING INITIATIVE AND THE COMMUNITY RATING SYSTEM FOR NATIONAL FLOOD INSURANCE; DIRECTING THE CITY MANAGER TO UNDERTAKE THE NECESSARY RELATED PROCEDURES AND TO PROVIDE ANY NECESSARY DOCUMENTS AND AGREEMENTS FOR EACH PROJECT TO THE RISK MANAGEMENT ADMINISTRATOR AND THE CITY ATTORNEY FOR PRIOR REVIEW, FOR SAID PURPOSES.

R-04-0774

This Matter was ADOPTED on the Consent Agenda.

CA.7 04-01292**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 01-979, ADOPTED SEPTEMBER 25, 2001, WHICH AWARDED A BID AWARDED TO SOUTH FLORIDA MAINTENANCE SERVICES, FOR THE PROVISION OF GROUNDS MAINTENANCE SERVICES AT THE MIAMI RIVERSIDE CENTER, TO CHANGE THE BID TO A CITYWIDE BID FOR THE DEPARTMENT OF PURCHASING; ALLOWING OTHER DEPARTMENTS AND AGENCIES TO UTILIZE THE CONTRACT, PURSUANT TO SECTION 3.32 OF INVITATION FOR BID NO. 00-01-171, DATED JUNE 11, 2001, ALLOWING THE ADDITION OF NEW FACILITIES AND INCREASES TO THE ANNUAL AMOUNT AS NEEDED, SUBJECT TO BUDGETARY APPROVAL, AND AS ALLOWED BY CONDITIONS OF THE BID; AMENDING RESOLUTION NO. 01-979, TO REFLECT SAID CHANGES.

R-04-0775

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

CA.8 04-01293 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF BOTTLED WATER, AND THE RENTAL OF DISPENSERS WITH ZEPHYRHILLS NATURAL SPRING WATER, FOR THE DEPARTMENT OF PURCHASING TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED CONTRACT BASIS, AWARDED UNDER THE BROWARD SHERIFF'S OFFICE BID NO. 4-1-7-036, EFFECTIVE THROUGH MAY 31, 2006, SUBJECT TO FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS BY THE BROWARD SHERIFF'S OFFICE, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$25,000; ALLOCATING FUNDS FOR THE CURRENT AND FUTURE FISCAL YEARS FROM THE OPERATING BUDGETS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES, SUBJECT TO BUDGETARY APPROVAL.

R-04-0776

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

CA.9 04-01296 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING BIDS FROM A1A EMPLOYMENT OF MIAMI, AEROTEK, PACESETTER PERSONNEL SERVICE, AND WESTAFF (USA), INC., PURSUANT TO INVITATION OF BIDS NO. 03-04-137, RECEIVED AUGUST 30, 2004, FOR THE PROVISION OF TEMPORARY PERSONNEL SERVICES, FOR THE DEPARTMENT OF EMPLOYEE RELATIONS TO BE UTILIZED CITYWIDE, ON AN AS-NEEDED CONTRACT BASIS, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN THE PROPOSED ANNUAL AMOUNT NOT TO EXCEED \$450,000; ALLOCATING FUNDS FROM THE CURRENT FISCAL YEAR'S OPERATING BUDGETS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL AT TIME OF NEED.

R-04-0777

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

CA.10 04-01297 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, IN ACCORDANCE WITH SECTION 18-112 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WITH FLORIDA INTERNATIONAL UNIVERSITY METROPOLITAN CENTER, TO PROVIDE CITYWIDE EMPLOYEE TRAINING AND DEVELOPMENT, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES, ON AN AS-NEEDED BASIS, FOR A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO

ADDITIONAL TWO-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$100,000; ALLOCATING FUNDS FROM THE CURRENT FISCAL YEAR'S OPERATING BUDGETS OF THE VARIOUS USER DEPARTMENTS OR AGENCIES, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

R-04-0807

MOVED: Angel González

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSTAINED: Commissioner Winton

CA.11 04-01298**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A SPECIAL REVENUE FUND ENTITLED: "CPAP/STATE OF FLORIDA EMS MATCHING GRANT M4066 AWARD (FY 2004)," TO SUPPORT THE PRE-HOSPITAL ACTIVITIES AND OTHER EMERGENCY MEDICAL SERVICES ITEMS, AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN THE AMOUNT NOT TO EXCEED \$44,600, CONSISTING OF A GRANT, IN THE AMOUNT NOT TO EXCEED \$33,450, FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMERGENCY MEDICAL SERVICES ("EMS"), "FLORIDA EMS GRANT PROGRAM FOR EMS ORGANIZATIONS," WITH REQUIRED MATCHING FUNDS FROM THE CITY OF MIAMI ("CITY"), IN THE AMOUNT NOT TO EXCEED \$11,150; ALLOCATING FUNDS FROM THE CITY'S OPERATING BUDGET, ACCOUNT CODE NO. 001000.280601.6.714; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF THE GRANT.

R-04-0778

This Matter was ADOPTED on the Consent Agenda.

CA.12 04-01301**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A SPECIAL REVENUE FUND ENTITLED: "AED/STATE OF FLORIDA EMS MATCHING GRANT M4067 AWARD (FY 2004)," TO SUPPORT THE PRE-HOSPITAL ACTIVITIES AND OTHER EMERGENCY MEDICAL SERVICES ("EMS") ITEMS AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$203,000, CONSISTING OF A GRANT, IN THE AMOUNT OF \$152,250, FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMS, FLORIDA EMS GRANT PROGRAM FOR EMS ORGANIZATIONS, WITH REQUIRED MATCHING FUNDS FROM THE CITY OF MIAMI ("CITY"), IN THE AMOUNT OF \$50,750; ALLOCATING SAID MATCHING FUNDS FROM THE CITY'S OPERATING BUDGET, ACCOUNT CODE NO. 001000.921002.6.270; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF THE GRANT.

R-04-0779

This Matter was ADOPTED on the Consent Agenda.

CA.13 04-01302 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO SABRE COMMUNICATIONS CORP., PURSUANT TO RESOLUTION NO. 04-216, ADOPTED APRIL 8, 2004, IN AN AMOUNT NOT TO EXCEED \$8,245, INCREASING THE CONTRACT AMOUNT FROM \$98,963 TO \$107,208, FOR THE CHANGE ORDER PREPARED TO REDESIGN THE TOWER FOUNDATION FROM A MAT AND PIER TO A CAISSON DESIGN, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), FOR SAID PURPOSE; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENT PROJECT NO. 311052.429401.6.840, B-74202; AND AMENDING RESOLUTION NO. 04-216, TO REFLECT SAID INCREASE.

R-04-0780

This Matter was ADOPTED on the Consent Agenda.

CA.14 04-01340 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "2004-2005 OUT-OF-SCHOOL TIME PROGRAM" AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$77,500, FOR THE OPERATION OF SAID FUND, CONSISTING OF GRANT AWARDS FROM THE FLORIDA DEPARTMENT OF HEALTH, BUREAU OF CHILD NUTRITION PROGRAMS ("STATE") TO PROVIDE REIMBURSEMENT FOR THE PROVISION OF FOOD TO THE PARTICIPANTS OF THE CITY OF MIAMI'S 2004-2005 OUT-OF-SCHOOL TIME PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE STATE FOR SAID PROGRAM; AND TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF THE GRANT AWARDS.

R-04-0781

This Matter was ADOPTED on the Consent Agenda.

CA.15 04-01327 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE BID OF MCM CORPORATION, FOR THE PROJECT ENTITLED "FLAGLER STREET MARKETPLACE STREETScape PROJECT, B-40667," IN THE TOTAL BID AMOUNT NOT TO EXCEED \$ 9,112,046.50; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") NOS. 341139, IN THE AMOUNT OF \$1,942,357, 341140 IN THE AMOUNT OF \$3,808,074, AND 341184, IN THE AMOUNT OF \$3,361,616.50, FOR CONSTRUCTION COSTS, PLUS THE AMOUNT NOT TO EXCEED \$728,963 FROM CIP NO. 341184, FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL CONSTRUCTION COSTS NOT TO EXCEED \$9,841,010.50, 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-04-0782

This Matter was ADOPTED on the Consent Agenda.

CA.16 04-01347 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "HOMELESS PROGRAM DONATIONS 2004" AND APPROPRIATING FUNDS IN THE AMOUNT OF \$19,948.16, FOR THE OPERATION OF SAID FUND, CONSISTING OF DONATIONS RECEIVED FROM THE MIAMI-DADE HOMELESS TRUST IN THE AMOUNT OF \$13,500 AND THE MIAMI COALITION FOR THE HOMELESS IN THE AMOUNT OF \$6,448.16, FOR THE PURPOSE OF FUNDING THE POSITION OF FEEDING COORDINATOR TO THE HOMELESS STREET FEEDING PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF SAID DONATIONS.

R-04-0783

This Matter was ADOPTED on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Angel González

SECONDED: Tomas Regalado

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

END OF CONSENT AGENDA

SPECIALLY SCHEDULED ITEMS

SS.1 04-01328 PRESENTATION

PRESENTATION BY THE CITY ATTORNEY, JORGE L. FERNANDEZ, INTRODUCING MANAGEMENT INITIATIVE AND ORGANIZATIONAL STRATEGY OF THE OFFICE OF THE CITY ATTORNEY.

PRESENTED

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

VICE CHAIRMAN 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 5

COMMISSIONER JEFFERY L. ALLEN

D5.1 04-01348 DISCUSSION ITEM

DISCUSSION CONCERNING THE WAGNER CREEK DREDGING.

DISCUSSED

Discussion of item D5.1 resulted in resolution below:

(D5.1) 04-01348a RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THAT THE PARCELS ACCEPTED FROM THE DEPARTMENT OF TRANSPORTATION PURSUANT TO RESOLUTION NO. 04-0488, ADOPTED JULY 22, 2004, DESIGNATED AS PARCEL 1 CONTAINING APPROXIMATELY 1.7 ACRES OF LAND LOCATED AT APPROXIMATELY NORTHWEST 20TH STREET, ADJACENT TO INTERSTATE HIGHWAY NO. 95, MIAMI, FLORIDA AND PARCEL 2 CONTAINING APPROXIMATELY 2.31 ACRES OF LAND LOCATED BETWEEN NORTHWEST 15TH STREET AND 17TH STREET, ALONG NORTHWEST 6TH PLACE, MIAMI FLORIDA, SHALL NOT BE USED FOR STORAGE OR DEWATERING OF THE WAGNER CREEK DREDGE MATERIAL; FURTHER DIRECTING THE ADMINISTRATION THAT NO STORAGE FOR SAID PROJECT BE PLACED IN ANY RESIDENTIAL DISTRICT AND THAT THE DECISION FOR SAID LOCATION BE RETURNED TO THE CITY COMMISSION FOR DETERMINATION AT A PUBLIC MEETING.

R-04-0803

MOVED: Jeffery L. Allen

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

Direction to the City Manager by Commissioner Regalado to check on the barges along the Miami River containing contaminated soil being dredged and to ascertain that the contaminants will be disposed of appropriately.

PUBLIC HEARING

PH.1 04-00948 ORDINANCE

Public Hearing

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2 /ARTICLE IV/DIVISION 4/SECTION 2-272 OF THE CODE OF THE CITY OF

MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/ DEPARTMENTS/PUBLIC WORKS DEPARTMENT/CONSTRUCTION PLANS CHECKING FEE," TO ESTABLISH AN EXPEDITED PLANS REVIEW SERVICE AND A CORRESPONDING FEE TO COVER THE COSTS OF PERFORMING SAID SERVICE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

PH.2 04-00971

ORDINANCE

Public Hearing

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 ("CODE"), ENTITLED: "ADMINISTRATION/DEPARTMENTS/ PUBLIC WORKS DEPARTMENT" TO ADJUST THE FEE SCHEDULE; AND AMENDING CHAPTER 55 OF THE CODE, ENTITLED: "SUBDIVISION REGULATIONS" TO AMEND REVISIONS OF PLATS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Johnny L. Winton

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

PH.3 04-01313

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 AN EMERGENCY, WAIVING COMPETITIVE BIDDING PROCEDURES AND FLORIDA STATUTES 255.20 AND 287.055 (KNOWN AS THE CONSULTANTS' COMPETITIVE NEGOTIATIONS ACT-"CCNA"), FOR SELECTION OF THE ARCHITECT/ENGINEER AND CONTRACTOR FOR ROAD IMPROVEMENTS DEFINED HEREIN, RELATING TO THE MARY BRICKELL VILLAGE DEVELOPMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATION PROJECT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND BRICKELL MAIN STREET, LLLP ("DEVELOPER"), TO PROVIDE FOR THE CITY'S PARTICIPATION IN A COOPERATIVE PROJECT TO MAKE ROADWAY IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAYS ALONG DESIGNATED STREETS DEFINED HEREIN AND ADJACENT TO THE MARY BRICKELL VILLAGE DEVELOPMENT; CREATING A PUBLIC PLAZA ALONG BRICKELL PLAZA (SOUTHEAST 1ST AVENUE, MIAMI, FLORIDA), WHEREIN THE CITY WILL CONTRIBUTE FUNDS FOR SAID PROJECT, IN THE AMOUNT NOT TO

EXCEED \$1,000,000, AND THE DEVELOPER WILL DESIGN AND CONSTRUCT THE IMPROVEMENTS; ALLOCATING SAID FUNDS, SUBJECT TO APPROVAL BY THE CITY'S BOND OVERSIGHT BOARD, IN THE AMOUNT NOT TO EXCEED \$400,000, FROM CAPITAL IMPROVEMENT PROJECT ("CIP") NO. 311712, ENTITLED "DISTRICT 2, QUALITY OF LIFE," B-30176, UNDER THE HOMELAND DEFENSE - NEIGHBORHOOD IMPROVEMENT BOND PROGRAM AND FUNDS FOR THE ROAD IMPROVEMENTS, IN THE AMOUNT NOT TO EXCEED \$600,000, FROM CIP PROJECT NO. 341330 ENTITLED "CITYWIDE TRANSPORTATION & TRANSIT," B-30094.

R-04-0785

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

PH.4 04-01321**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF AN EMERGENCY THAT IT IS IN THE BEST INTEREST OF THE CITY OF MIAMI ("CITY"), WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, PROVIDED IN THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, SECTIONS 18-86 AND 18-87 AND UNDER FLORIDA STATUTES 255.20 AND 287.055, APPROVING THE SELECTION OF THE ARCHITECT/ENGINEER AND/OR CONTRACTOR AS STATED HEREIN, RELATING TO CERTAIN PROJECTS FUNDED FROM THE HOMELAND DEFENSE NEIGHBORHOOD IMPROVEMENT BOND PROCEEDS, SPECIFICALLY, GRAPELAND HEIGHTS PARK WATER THEME PARK (B-35828), GRAPELAND HEIGHTS PARK COMMUNITY RECREATION FACILITY AND PARKING (B-30105), GRAPELAND HEIGHTS PARK FIELDS AND SITE DEVELOPMENT (B-60496), JOSE MARTI PARK GYMNASIUM (B-35857), LITTLE HAITI PARK CULTURAL CAMPUS (B-30295) AND LITTLE HAITI PARK SOCCER AND RECREATIONAL FACILITIES (B-38500); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AGREEMENTS BETWEEN THE CITY AND THE FIRMS NAMED HEREIN TO PROVIDE THE REQUIRED DESIGN (ARCHITECTURE AND ENGINEERING), DESIGN-BUILD, AND/OR CONSTRUCTION MANAGEMENT-AT-RISK SERVICES, FOR THE PROJECTS DEFINED HEREIN, AS APPLICABLE PER PROJECT, AND PRESENT SAID AGREEMENTS TO THE CITY COMMISSION FOR REVIEW AND APPROVAL AT A FUTURE DATE.

R-04-0786

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

PH.5 04-01294 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 EMERGENCY FINDING THAT IT IS PRACTICABLE AND MOST ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") TO WAIVE COMPETITIVE BIDDING PROCEDURES, PURSUANT TO SECTION 18-89 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDING OF THE CITY'S DEPARTMENT OF PUBLIC WORKS THAT CONDO ELECTRIC MOTOR REPAIR CORP. IS THE MOST QUALIFIED FIRM TO CONTINUE TO PROVIDE CITYWIDE STORM WATER PUMP STATION MAINTENANCE SERVICES AND TO ADD SERVICES FOR NEWLY INSTALLED GENERATORS FOR FOUR PUMP STATIONS CITYWIDE AND THE NORTHWEST 14TH STREET PUMP STATION; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID SERVICES FOR THE CONTRACT PERIOD COMMENCING SEPTEMBER 25, 2004 THROUGH SEPTEMBER 24, 2005, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$111,360; ALLOCATING FUNDS FROM PUBLIC WORKS GENERAL FUND ACCOUNT NO. 001000.311003.6.340 FOR FISCAL YEAR 2004-2005, IN THE AMOUNT NOT TO EXCEED \$111,360, FOR CONTRACT COSTS, PLUS \$8,840 FOR ESTIMATED EXPENSES INCURRED BY THE CITY, FOR TOTAL PROJECT COSTS IN THE AMOUNT NOT TO EXCEED \$120,200, WITH FUTURE FISCAL YEAR FUNDING FOR OPTIONAL PERIODS SUBJECT TO BUDGETARY APPROVAL.

WITHDRAWN

Item PH.5 was withdrawn by the City Manager.

3:00 P.M.

Note for the Record: Items PH.6 - PH.9 were translated by a sign-language interpreter.

PH.6 04-01336 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 \$3,000,000, FROM THE AGENCIES AND IN THE AMOUNTS STATED ON THE LIST, ATTACHED AND INCORPORATED; ALLOCATING SAID FUNDS TO THE CITY OF MIAMI DEPARTMENT OF OFF-STREET PARKING FOR THE DEVELOPMENT OF A PUBLIC PARKING FACILITY LOCATED AT 2121 NORTHWEST 21ST STREET, MIAMI, FLORIDA, OWNED BY GOODWILL INDUSTRIES OF SOUTH FLORIDA, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE A LOAN AGREEMENT FOR SAID PURPOSE.

R-04-0795

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.7 04-01337 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF 30TH YEAR HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS IN THE AMOUNT OF \$631,050; ALLOCATING SAID FUNDS TO THE LITTLE HAVANA HOMEOWNERSHIP ZONE TRUST FOR THE CONTINUATION AND COMPLETION OF SET PROJECTS.

R-04-0796

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.8 04-01349 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 \$3,000,000, FROM THE AGENCIES AND IN THE AMOUNTS STATED ON THE LIST, ATTACHED AND INCORPORATED; ALLOCATING SAID FUNDS TO PENINSULA EDISON PLAZA, LLC., FOR THE REDEVELOPMENT OF EDISON MARKETPLACE LOCATED AT 645 NORTHWEST 62ND STREET, MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE A LOAN AGREEMENT

FOR SAID PURPOSE.

R-04-0797

MOVED: Jeffery L. Allen

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.9 04-01350

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE TRANSFER OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS, IN THE TOTAL AMOUNT OF \$305,000, FROM SMALL BUSINESS OPPORTUNITY CENTER, INC.; ALLOCATING SAID FUNDS TO DOWNTOWN MIAMI PARTNERSHIP, INC., IN THE AMOUNT OF \$100,000 AND CAMARA DE COMERCIO LATINA DE LOS ESTADOS UNIDOS, INC. IN THE AMOUNT OF \$ 100,000, TO IMPLEMENT THE COMMERCIAL FAÇADE AND COMMERCIAL CODE COMPLIANCE PROGRAMS OF THE CITY OF MIAMI (" CITY") FOR DISTRICTS 3 AND 4, AND THE AMOUNT OF \$105,000, TO THE CITY'S COMMERCIAL FAÇADE PROGRAM FOR ACTUAL CONSTRUCTION COSTS TO BE PAID DIRECTLY TO THE CONTRACTOR; AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS AND/OR AMENDMENTS TO EXISTING AGREEMENTS, IN SUBSTANTIALLY THE ATTACHED FORMS, WITH SAID AGENCIES.

R-04-0798

MOVED: Tomas Regalado

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

ORDINANCES - SECOND READING**SR.1 04-00994 ORDINANCE Second 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.

12622**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 04-01233 ORDINANCE Second 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.

12623**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.3 04-01137 ORDINANCE**Second Reading**

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.

12624**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**

ORDINANCE - FIRST READING

FR.1 04-01309

ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 35/ARTICLE IV OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CODE"), ENTITLED: "MOTOR VEHICLES AND TRAFFIC/PARKING RATES," BY: (1) CHANGING THE PARKING RATES AT CERTAIN SPECIFIED ON-STREET PARKING METER ZONES AND PARKING LOTS; (2) CHANGING THE PARKING RATES AT CERTAIN MUNICIPAL PARKING GARAGES AND OFF-STREET PARKING LOTS; (3) AUTHORIZING THE DEPARTMENT OF OFF-STREET PARKING ("DOSP") BOARD TO CHANGE RATES BY RESOLUTION BY NOT MORE THAN THREE PERCENT (3%) ANNUALLY; (4) PROVIDING FOR VALET METERED SPACE RENTAL AND ON-STREET NON-METERED SPACE RENTALS AND RENTAL RATES; AND (5) BY INITIATING RATES FOR NEW FACILITIES DURING THE FISCAL YEAR; MORE PARTICULARLY BY AMENDING SECTIONS 35-191, 35-192, 35-193, AND 35-194 OF THE CODE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

MOVED: Angel González

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

RESOLUTIONS**RE.1 04-01310 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING PAYMENT TO MIAMI-DADE COUNTY ("COUNTY") FOR THE DISPOSAL OF CERTAIN SOLID WASTE MATERIALS COLLECTED IN AND BY THE CITY OF MIAMI ("CITY"), PURSUANT TO THE INTERLOCAL AGREEMENTS BY AND BETWEEN THE CITY AND THE COUNTY, EXECUTED ON SEPTEMBER 29, 1995, FOR AN APPROXIMATE AMOUNT OF \$8,160,000, FOR A ONE-YEAR PERIOD; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 422001.320302.6.531; STIPULATING THAT THIS AMOUNT CANNOT BE INCREASED WITHOUT PRIOR APPROVAL OF THE OFFICE OF STRATEGIC PLANNING, BUDGETING AND PERFORMANCE AND THE DEPARTMENT OF PROCUREMENT.

R-04-0787

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.2 04-01312 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT ("CDD"), A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT, WITH THE TERMS AS STATED HEREIN, FOR THE CDD TO PROVIDE CONCEPTUAL AND FINAL DESIGN TO ACCOMMODATE THE PROPOSED MIAMI STREETCAR THROUGH MIDTOWN MIAMI, IN AN AMOUNT NOT TO EXCEED \$613,000; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. 341330, "B-71215 STREETCAR PROJECT."

R-04-0788

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.3 04-01314 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDING OF AN EMERGENCY, WAIVING THE

REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING AN INCREASE IN THE PURCHASE ORDER WITH MEF CONSTRUCTION, INC., PURSUANT TO RESOLUTION NO. 03-926, ADOPTED SEPTEMBER 11, 2003, IN AN AMOUNT NOT TO EXCEED \$120,000, INCREASING THE PURCHASE ORDER FROM \$1,595,658 TO \$1,715,658, FOR ADDITIONAL WORK REQUIRED FOR THE PROJECT ENTITLED "ROADWAY REHABILITATION, B-40656;" ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENT PROJECT NO. 313855; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, FOR SAID PURPOSE.

R-04-0789

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.4 04-01315**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0516, ADOPTED JULY 29, 2004, FURTHER AMENDED BY RESOLUTION NO. 04-0699, BY AUTHORIZING THE CITY MANAGER TO EXERCISE THE SECOND AND THIRD RENEWAL OPTIONS IN THE JOB ORDER CONTRACT WITH C.W. CONSTRUCTION, INC., PURSUANT TO THE EXISTING MIAMI BEACH BID CONTRACT 14-03/04, EFFECTIVE UNTIL MAY 25, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE CITY OF MIAMI BEACH, EACH IN AN AMOUNT NOT TO EXCEED \$2,000,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$8,000,000; ALLOCATING FUNDS FROM VARIOUS CAPITAL IMPROVEMENT PROJECT ACCOUNTS, ON AN AS-NEEDED BASIS, WITH FUTURE FISCAL YEAR FUNDING, SUBJECT TO BUDGETARY APPROVAL.

R-04-0790

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.5 04-01320**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 03-04-131, THAT THE FIRMS MOST QUALIFIED TO PROVIDE CONSTRUCTION ENGINEERING AND OBSERVATION SERVICES, TO BE USED CITYWIDE ON AN AS-NEEDED BASIS, ARE, IN RANK ORDER, THE TWENTY-THREE (23) FIRMS

IDENTIFIED HEREIN; AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH EACH FIRM, FOR A THREE -YEAR PERIOD WITH THE OPTION, DELEGATED TO THE CITY MANAGER, TO EXTEND THE AGREEMENT FOR TWO ADDITIONAL ONE-YEAR PERIODS, IN AN AMOUNT NOT TO EXCEED \$750,000, FOR EACH FIRM, FOR A TOTAL AMOUNT NOT TO EXCEED \$17,250,000; ALLOCATING FUNDS FROM VARIOUS CAPITAL PROJECT ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL.

R-04-0792

MOVED: Angel González

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

RE.6 04-01322

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, EXTENDING THE TERM OF THE COMMUNITY REDEVELOPMENT AGENCY OVERSIGHT COMMITTEE AND THE TERMS OF EACH OF ITS MEMBERS UNTIL MARCH 15, 2005, AT WHICH TIME SAID COMMITTEE SHALL BE DISSOLVED; EXTENDING THE TIME FOR PRESENTATION OF SAID COMMITTEE'S FINAL REPORT UNTIL MARCH 15, 2005, OR AT THE FIRST CITY COMMISSION MEETING THEREAFTER.

R-04-0791

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.7 04-01353

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , BY A FOUR FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDING, PURSUANT TO SECTION 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES FOR THE PROCUREMENT OF GOODS AND SERVICES FROM VARIOUS VENDORS LISTED ON, BUT NOT LIMITED TO, "ATTACHMENT A," ATTACHED AND INCORPORATED, FOR PAST, PENDING, AND FUTURE PURCHASES; AUTHORIZING PAYMENT OF SAID PURCHASES TO OPERATE THE INTERNATIONAL LINKS MIAMI MELREESE GOLF COURSE WITHOUT AN INTERRUPTION IN SERVICES TO THE GENERAL PUBLIC UNTIL A MAINTENANCE AGREEMENT IS PRESENTED FOR CITY COMMISSION

APPROVAL AT A FEBRUARY, 2005, CITY COMMISSION MEETING, IN AN AMOUNT NOT TO EXCEED \$800,000; ALLOCATING FUNDS FROM THE MELREESE GOLF COURSE GENERAL FUND ACCOUNT NO. 416000.580285

R-04-0808

MOVED: Jeffery L. Allen

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

BOARDS AND COMMITTEES

A motion was made by Vice Chairman González, seconded by Commissioner Allen, and was passed unanimously, with Commissioner Regalado absent, to defer Items BC.1 - BC. 7 to the Commission meeting in January 2005.

Note for the Record: Commissioner Regalado later made an appointment to the Code Enforcement Board (Item BC.6).

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
 Gepsie M. Metellus 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
 Luis Mata 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 AN INDIVIDUAL AS A MEMBER OF THE CODE ENFORCEMENT BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

Hugh Ryan Commission At-Large

R-04-0813

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

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

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

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed unanimously, to appoint Hugh Ryan as an at-large member of the Code Enforcement Board.

BC.7 04-01338 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING AN INDIVIDUAL AS A MEMBER OF THE HEALTH FACILITIES AUTHORITY BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE: NOMINATED BY:

_____ Commissioner Johnny Winton

DEFERRED

DISCUSSION ITEMS**DI.1 04-01246 DISCUSSION ITEM**

A DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

DEFERRED

Item DI.1 was deferred to January, 2005.

DI.2 04-01317 DISCUSSION ITEM

DISCUSSION CONCERNING PROPOSED PERMIT SERVICE ENHANCEMENTS.

DISCUSSED

Direction to the City Manager by Vice Chairman González and Commissioner Winton to form a working committee to expedite the building permitting process related to the commercial facade improvement program; said committee to include the City Attorney, the Building Department Director, directors of agencies working on commercial facade improvements and affected contractors. Chairman Sanchez requested that the process be simplified and that the public be educated of proposed changes in said permitting program through Miami Television, NET and other sources to reach out to the community.

DI.3 04-01318 DISCUSSION ITEM

DISCUSSION CONCERNING CIP MONTHLY STATUS REPORT.

DISCUSSED**DI.4 04-01295 DISCUSSION ITEM**

DISCUSSION AND POSSIBLE RESOLUTION REGARDING A POSSIBLE SETTLEMENT IN THE MATTER OF NATIONAL ADVERTISING V. CITY OF MIAMI.
(BILLBOARD LITIGATION)

DEFERRED

A motion was made by Commissioner Allen, seconded by Vice Chairman González, and was passed unanimously, with Commissioners Regalado and Winton absent, to defer Item DI.4 to the January 2005 Commission meeting.