



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, February 10, 2005

9:00 AM

City Hall Commission Chambers

CONTENTS

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

PR - PRESENTATIONS AND PROCLAMATIONS

MV - MAYORAL VETOES

AM - APPROVING MINUTES

CA - CONSENT AGENDA

Item 1 which is comprised of items CA.1 through CA.15 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

10:30 A.M. - PH.4 - Approving the Revised "LHAP" for 2004-2007

10:30 A.M. - PH.5 - Reverting Parcels of Land from BAME Development Corp.

10:30 A.M. - PH.6 - Transferring HOPWA Funds from MOVERS, Inc.

10:30 A.M. - PH.7 - Adopting the Policies for 31st Year CDBG Program Funds

EM - EMERGENCY ORDINANCES

SR - SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

RE - RESOLUTIONS

BC - BOARDS AND COMMITTEES

DI - DISCUSSION ITEMS

PART B

PZ - PLANNING AND ZONING ITEMS

The Planning and Zoning item shall not be considered before 10:00 am.

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

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

On the 10th day of February, 2005, 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 by Chairman Joe Sanchez at 9:13 a.m., recessed briefly at 11:02 a.m., reconvened at 11:39 p.m., and adjourned at 12:27 p.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 05-00111 CEREMONIAL ITEM

Name of Honoree Presenter Protocol Item

Guillermo Borges Chairman Sanchez Plaque

05-00111-cover page.pdf, 05-00111-protocol.pdf

PRESENTED

1. Chairman Sanchez presented Guillermo Borges with a plaque for his efforts in raising \$ 15,000 to buy toys for needy children in the community during the Christmas season. He also recognized East Little Havana NET Director Pablo Canton for his efforts in this event.
2. Mayor Diaz presented a commendation to Pedro Diaz, general director of Real Estate

Hoy, for his outstanding service to the community and his career as a long-time journalist.

3. Tony Abelo presented the 2005 Mayor's Cup Fishing Trophy to the City of Miami.

4. Mayor Diaz recognized City Hall Policeman Michael Shapiro.

5. William T. Sims, Special Agent-in-Charge, United States Secret Service, presented the Miami Police Department with the U.S. Secret Service Director's Recognition Award for its assistance during the 2004 Presidential Election.

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:

MOVED: Angel González

SECONDED: Tomas Regalado

APPROVE

Special Meeting of July 8, 2002

MOVED: Angel González

SECONDED: Tomas Regalado

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

Planning and Zoning Meeting of July 25, 2002

MOVED: Angel González

SECONDED: Tomas Regalado

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

Regular Meeting of January 13, 2005

MOVED: Angel González

SECONDED: Jeffery L. Allen

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

ORDER OF THE DAY

CONSENT AGENDA**CA.1 05-00025 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF THIRTY-NINE EVOLUTION 5000 THERMAL IMAGING CAMERAS WITH ACCESSORIES, INCLUDING WARRANTY AND INSTALLATION, FROM MSA, C/O TEN-8 FIRE EQUIPMENT, INC., UTILIZING THE CITY OF SUNRISE, FLORIDA, AWARD OF REQUEST FOR PROPOSAL ("RFP") NO. (04)-A-02, FOR THE DEPARTMENT OF FIRE-RESCUE, IN AN AMOUNT NOT TO EXCEED \$302,252; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE ("UASI") GRANT PROGRAM II, PROJECT NO. 110111, ACCOUNT CODE NO. 280910.6.840.

05-00025-summary form.pdf, 05-00025-quote.pdf, 05-00025-evolution 5000.pdf, 05-00025-ten-8 letter.pdf, 05-00025-msa letter.pdf, 05-00025-city of sunrise.pdf, 05-00025-schedule A.pdf, 05-00025-schedule B.pdf, 05-00025-schedule C.pdf, 05-00025-schedule D.pdf, 05-00025-schedule E.pdf, 05-00025-schedule F.pdf, 05-00025-code of ethics.pdf, 05-00025-attachment A.pdf, 05-00025-attachment B.pdf, 05-00025-approval form.pdf, 05-00025-pre resolution.pdf, 05-00025-attachment A2.pdf, 05-00025-city of sunrise2.pdf, 05-00025-purchase order.pdf, 05-00025-resolution.pdf

R-05-0079

This Matter was ADOPTED on the Consent Agenda.

CA.2 05-00026 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL SERVICES OF EDWARDS & KELCEY, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 03-256, ADOPTED MARCH 27, 2003, AND AMENDED BY RESOLUTION NO. 04-0107, ADOPTED FEBRUARY 26, 2004, FOR THE DESIGN OF THE BICENTENNIAL PARK SHORELINE STABILIZATION PROJECT ("PROJECT"), IN AN AMOUNT NOT TO EXCEED \$292,440, FROM \$616,508 TO \$908,948, BASED ON THE MODIFIED SCOPE OF SERVICES FOR ADDITIONAL PROFESSIONAL SERVICES REQUIRED FOR THE DESIGN OF PHASE III OF THE PROJECT; ALLOCATING FUNDS FOR SAID INCREASE, IN A TOTAL AMOUNT NOT TO EXCEED \$292,440, FOR SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI, FROM CAPITAL IMPROVEMENTS PROJECT NO. 331418 ENTITLED "BICENTENNIAL PARK IMPROVEMENTS;" AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL WORK ORDER AUTHORIZATION, IN SUBSTANTIALLY THE ATTACHED FORM FOR SAID PURPOSE; AMENDING RESOLUTION NO. 03-256 AS AMENDED TO REFLECT SAID INCREASE REQUIRED FOR SAID PROJECT.

05-00026-summary form.pdf, 05-00026-pre resolution1.pdf, 05-00026-attachment A.pdf, 05-00026-pre resolution2.pdf, 05-00026-pre resolution3.pdf, 05-00026-resolution.pdf, 05-00026-exhibit1.pdf, 05-00026-exhibit2.pdf, 05-00026-exhibit2A.pdf, 05-00026-exhibit2B.pdf, 05-00026-exhibit3.pdf, 05-00026-exhibit4.pdf, 05-00026-exhibit5.pdf, 05-00026-exhibit6.pdf

R-05-0080

This Matter was ADOPTED on the Consent Agenda.

CA.3 05-00027 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "RED VELVET ARTS FESTIVAL" AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$4,041, FOR THE OPERATION OF SAID FUND, CONSISTING OF A GRANT AWARD FROM THE MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS ("COUNTY") TO PROVIDE SUPPORT TO THE RED VELVET ARTS FESTIVAL TO BE HELD ON FEBRUARY 26, 2005, IN OVERTOWN; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AWARD AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE COUNTY FOR SAID PURPOSE, AND TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF THE GRANT AWARD.

05-00027-summary form.pdf, 05-00027-resolution.pdf, 05-00027-exhibit1.pdf, 05-00027-exhibit2.pdf, 05-00027-exhibit3.pdf, 05-00027-exhibit4.pdf, 05-00027-exhibit5.pdf, 05-00027-exhibit6.pdf, 05-00027-exhibit7.pdf, 05-00027-exhibit8.pdf, 05-00027-exhibit9.pdf

R-05-0081

This Matter was ADOPTED on the Consent Agenda.

CA.4 05-00028 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A BOAT SHOW AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH NMMA BOAT SHOWS, INC. FOR USE OF DOCKAGE SPACE AT MIAMARINA AT BAYSIDE FROM FEBRUARY 13 THROUGH FEBRUARY 24, 2005, FOR PRESENTATION OF THE STRICTLY SAIL VENUE OF THE MIAMI INTERNATIONAL BOAT SHOW, UNDER THE TERMS AND CONDITIONS OF SAID AGREEMENT.

05-00028-cover memo.pdf, 05-00028-nmma.pdf, 05-00028-certificate of liability insurance.pdf, 05-00028-resolution.pdf, 05-00028-exhibit.pdf

R-05-0082

This Matter was ADOPTED on the Consent Agenda.

CA.5 05-00029 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "LOVE IS IN THE AIR DISABILITIES TALENT SHOWCASE" AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$5,388, FOR THE OPERATION OF SAID FUND, CONSISTING OF A GRANT AWARD FROM THE MIAMI-DADE COUNTY DEPARTMENT OF CULTURAL AFFAIRS ("COUNTY") TO PROVIDE SUPPORT TO THE 2005 DISABILITIES SHOWCASE TO BE HELD ON FEBRUARY 11, 2005, AT THE MANUEL

ARTIME THEATER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AWARD AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE COUNTY FOR SAID PURPOSE, AND TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF THE GRANT AWARD.

05-00029-summary form.pdf, 05-00029-resolution.pdf, 05-00029-exhibit1.pdf, 05-00029-exhibit2.pdf, 05-00029-exhibit3.pdf, 05-00029-exhibit4.pdf, 05-00029-exhibit5.pdf, 05-00029-exhibit6.pdf, 05-00029-exhibit7.pdf

R-05-0083

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

CA.6 05-00030

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING RESOLUTION NO. 03-1024, ADOPTED SEPTEMBER 25, 2003, THAT AWARDED A BID TO CONDO ELECTRIC MOTOR REPAIR, INC., FOR THE PROJECT ENTITLED "CITYWIDE STORMWATER PUMP STATION MAINTENANCE CONTRACT, B-56960" BY AMENDING SAID RESOLUTION TO REFLECT THE CORRECT JOB NUMBER, TO INCLUDE THE RENEWAL TERMS OF THE CONTRACT, AND TO INCLUDE THE WORD "ANNUAL" IN THE CONTRACT AMOUNT, THE CITY EXPENSES AMOUNT, AND THE TOTAL PROJECT AMOUNT, AS STATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

05-00030-summary form.pdf, 05-00030-pre resolution.pdf, 05-00030-fact sheet .pdf, 05-00030-tabulation of bids.pdf, 05-00030-contract.pdf, 05-00030-resolution.pdf, 05-00030-exhibit1.pdf, 05-00030-exhibit1A.pdf, 05-00030-exhibit1B.pdf

R-05-0084

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

CA.7 05-00031

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING RESOLUTION NO. 04-0003, ADOPTED JANUARY 8, 2004 WHICH AWARDED A BID TO SOUTH FLORIDA MAINTENANCE SERVICES, INC., FOR THE PROJECT ENTITLED "BRICKELL AVENUE MEDIANS LANDSCAPE MAINTENANCE CONTRACT, B-60495" BY AMENDING SAID RESOLUTION TO REFLECT THE CORRECT JOB NUMBER, TO INCLUDE THE RENEWAL TERMS OF THE CONTRACT, AND TO INCLUDE THE WORD "ANNUAL" IN THE CONTRACT AMOUNT, THE CITY EXPENSES AMOUNT, AND THE TOTAL PROJECT AMOUNT, AS STATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

05-00031-summary form.pdf, 05-00031-pre resolution.pdf, 05-00031-resolution .pdf, 05-00031-exhibit1.pdf, 05-00031-exhibit1A.pdf, 05-00031-exhibit1B.pdf

R-05-0085

This Matter was ADOPTED on the Consent Agenda.

CA.8 05-00032 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH ACCURINT (SEISINT, INC.), TO PROVIDE ON-LINE SERVICE FOR PUBLIC RECORDS RESEARCH, FOR THE DEPARTMENT OF POLICE, PURSUANT TO RESOLUTION NO. 04-0549, ADOPTED SEPTEMBER 9, 2004, FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR THREE ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$50,000; ALLOCATING FUNDS FROM THE POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.270 FOR THE CURRENT FISCAL YEAR, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

05-00032-summary form.pdf, 05-00032-budgetary impact.pdf, 05-00032-pre resolution.pdf, 05-00032-pre resolution2.pdf, 05-00032-resolution.pdf, 05-00032-exhibit1.pdf, 05-00032-exhibit1A.pdf, 05-00032-exhibit1B.pdf, 05-00032-exhibit2.pdf

R-05-0086

This Matter was ADOPTED on the Consent Agenda.

CA.9 05-00033 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING RESOLUTION NO. 04-0002, ADOPTED JANUARY 8, 2004 WHICH AWARDED A BID TO FLORIDA LAWN SERVICE, INC., FOR THE PROJECT ENTITLED "US-1 MEDIANS LANDSCAPE MAINTENANCE CONTRACT, B-60489" BY AMENDING SAID RESOLUTION TO REFLECT THE CORRECT JOB NUMBER, TO INCLUDE THE RENEWAL TERMS OF THE CONTRACT, AND TO INCLUDE THE WORD "ANNUAL" IN THE CONTRACT AMOUNT, THE CITY EXPENSES AMOUNT, AND THE TOTAL PROJECT AMOUNT, AS STATED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

05-00033-summary form.pdf, 05-00033-pre resolution.pdf, 05-00033-resolution .pdf, 05-00033-exhibit1.pdf, 05-00033-exhibit1A.pdf, 05-00033-exhibit1B.pdf

R-05-0087

This Matter was ADOPTED on the Consent Agenda.

CA.10 05-00034 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE TWENTY-THIRD AMENDMENT TO THE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN TINA HILLS AND THE CITY OF MIAMI REGARDING THE CONSTRUCTION OF SEVEN PLAY

SCULPTURES IN BAYFRONT PARK; EXTENDING THE PRIOR AGREEMENT UNTIL DECEMBER 31, 2005, SUBJECT TO ALL OTHER TERMS AND CONDITIONS SET FORTH IN SAID AGREEMENT.

05-00034-cover memo.pdf, 05-00034-pre resolution.pdf, 05-00034-agreement.pdf, 05-00034-attachment1.pdf, 05-00034-attachment2.pdf, 05-00034-attachment3.pdf, 05-00034-diagrams.pdf, 05-00034-extended agreement.pdf, 05-00034-resolution.pdf, 05-00034-exhibit.pdf

R-05-0088

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

CA.11 05-00035

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY KIMBERLY DUFF, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHARD BEATTY, DECEASED, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$400,000 (FOUR HUNDRED THOUSAND DOLLARS) 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 KIMBERLY DUFF, ETC., ET AL. V. CITY OF MIAMI, ETC., ET AL., CASE NO. 02-23643 CIV-COOKE, UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS ON A FORM ACCEPTABLE TO THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

05-00035-cover memo.pdf, 05-00035-budget impact.pdf, 05-00035-resolution.pdf

DEFERRED

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to defer item CA.11 to the next Commission Meeting.

CA.12 05-00036

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY LENORA SHAW AND JAMES SHAW, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$60,000 (SIXTY THOUSAND DOLLARS) 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 LENORA SHAW AND JAMES SHAW VS. CITY OF MIAMI AND MIAMI-DADE COUNTY, IN THE MIAMI-DADE COUNTY CIRCUIT COURT, CASE NO. 01-22234 CA 25, 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, ON A FORM ACCEPTABLE TO THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.651.

05-00036-cover memo.pdf, 05-00036-budget impact.pdf, 05-00036-resolution.pdf

R-05-0089

This Matter was ADOPTED on the Consent Agenda.

CA.13 04-01445 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE SUM OF \$220,000 TO THE LAW OFFICE OF MANUEL CASABIELLE, P.A., IN FULL SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, FOR ATTORNEYS' FEES AND COSTS INCURRED FOR THE REPRESENTATION OF POLICE OFFICER RALPH FUENTES, IN THE CASE OF THE UNITED STATES VS. ACUNA, ET AL. IN THE UNITED STATES DISTRICT COURT, CASE NO. 01-208-CR-GOLD; ALLOCATING FUNDS FROM THE CITY OF MIAMI SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO . 515001.624401.6.652.

04-01445-cover memo.pdf, 04-01445-budget.pdf, 04-01445-resolution.pdf

DEFERRED

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to defer item CA.13 to the next Commission Meeting.

CA.14 05-00056 **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 ("CITY") AND CENTENNIAL INTERIORS CORPORATION ("LESSOR"), FOR THE CITY'S USE OF APPROXIMATELY 5,000 SQUARE FEET OF OFFICE SPACE WITHIN THE PROPERTY LOCATED AT 1400 NORTHWEST 36TH STREET, MIAMI, FLORIDA, COMMENCING ON THE DATE LESSOR DELIVERS POSSESSION OF THE PREMISES WITH AN INITIAL MONTHLY RENT OF \$3,383.25; ADJUSTING THE MONTHLY RENT TO \$5,358.33, EFFECTIVE OCTOBER 1, 2005 UNTIL DECEMBER 31, 2007, WITH THE OPTION TO RENEW THE AGREEMENT FOR TWO (2) FIVE- YEAR PERIODS, AND A MONTHLY RENTAL ADJUSTMENT BY ANY INCREASE IN THE CONSUMER PRICE INDEX NOT TO EXCEED THREE (3) PERCENT AT THE BEGINNING OF EACH FIVE-YEAR OPTION PERIOD, WITH OTHER TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN SAID AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO APPROVE AND EXECUTE AMENDMENTS FOR NON-SUBSTANTIVE MODIFICATIONS TO SAID AGREEMENT AS NECESSARY.

05-00056-summary form.pdf, 05-00056-resolution.pdf, 05-00056-exhibit1.pdf, 05-00056-exhibit1A.pdf, 05-00056-exhibit1B.pdf

R-05-0090

This Matter was ADOPTED on the Consent Agenda.

CA.15 05-00108 **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE

DIRECTOR OF FINANCE TO PAY KEITH MILLS AND DEVON WOODS, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$36,000 EACH, FOR A TOTAL OF \$72,000, 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 KEITH MILLS, ET AL. VS. CITY OF MIAMI, ET AL., IN THE UNITED STATES DISTRICT COURT, CASE NO. 03-20746-CIV-HOEVELER, UPON EXECUTING A GENERAL RELEASE AND DISMISSAL OF THE CITY OF MIAMI, AND ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS, ON A FORM ACCEPTABLE TO THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

05-00108-cover memo.pdf, 05-00108-budget.pdf, 05-00108-resolution.pdf

R-05-0091

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

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS**CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****M.1 05-00084 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE ALLOCATION OF FUNDS IN THE AMOUNT NOT TO EXCEED \$2,400, FOR THE REFURBISHING OF THE "MANNY MOBILE," TO BE USED AT VARIOUS TAX PREPARATION EVENTS THROUGHOUT THE CITY OF MIAMI FOR THE 2005 TAX SEASON; ALLOCATING SAID FUNDS FROM THE MAYOR'S POVERTY INITIATIVE ACCOUNT NO. 119005.250103.6.

05-00084-resolution.pdf

R-05-0092

MOVED: Tomas Regalado

SECONDED: Angel González

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

AYES: Commissioner González, Sanchez and Regalado

ABSENT: Commissioner Winton and Allen

DISTRICT 1

VICE CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

DISTRICT 3

CHAIRMAN JOE SANCHEZ

D3.1 05-00109 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING A DONATION OF A SMALL MONUMENT, IN THE FORM OF A MAP, OF THE MUNICIPALITY OF PLACETAS, CUBA, FROM THE MUNICIPIO DE PLACETAS EN EL EXILIO ("MUNICIPIO"), FOR PLACEMENT IN JOSE MARTI PARK, MIAMI, FLORIDA ("PROJECT"); DIRECTING THE CITY MANAGER TO COORDINATE CITY OF MIAMI RESOURCES WITH MUNICIPIO FOR THE COMPLETION OF SAID PROJECT.

05-00109-resolution.pdf

R-05-0093

MOVED: Tomas Regalado

SECONDED: Angel González

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

AYES: Commissioner González, Sanchez and Regalado

ABSENT: Commissioner Winton and Allen

DISTRICT 4

COMMISSIONER TOMAS REGALADO

D4.1 05-00114 DISCUSSION ITEM

DISCUSSION ABOUT IMPLEMENTING AN INFORMATION CAMPAIGN FOR CITY RESIDENTS REGARDING THE SPECIAL ELECTION ON MARCH 8, 2005.

05-00114-cover memo.pdf

This matter was DISCUSSED.

Direction to the City Manager by Commissioner Regalado to implement an information campaign for City residents including the use of Miami Television cable channel 9, regarding the upcoming March 8, 2005 City of Miami election straw ballot question "Shall the voters of Miami-Dade County elect the Tax Assessor instead of the County Manager of Miami-Dade County appointing the Tax Assessor?" and further to place three signs in Spanish, English and Creole, in front of each of the early voting precincts in the City of Miami (50 feet from the entrance at City Hall, Stephen P. Clark County Hall, and Lemon City Library), informing voters of the straw ballot question.

D4.2 05-00115 DISCUSSION ITEM

DISCUSSION ABOUT BENEFITS THAT THE CITY OF MIAMI WILL RECEIVE IF THE COUNTYWIDE BALLOT REFERENDUM REGARDING SLOT MACHINES IS APPROVED BY THE ELECTORATE.

05-00115-cover memo.pdf

DISCUSSED

D4.3 05-00116 DISCUSSION ITEM

DISCUSSION ABOUT RENAMING SW 14TH STREET BETWEEN SW 27TH AVENUE AND SW 31ST AVENUE AS TWO HEARTS WAY.

05-00116-cover memo.pdf

MOTION

A motion was made by Commissioner Regalado, seconded by Vice Chairman González, and was passed unanimously, to refer to the Miami Street Codesignation Review Committee proposed codesignation of Southwest 14th Street between Southwest 27th and 31st Avenues, as "Two Hearts Way."

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN**PUBLIC HEARINGS****PH.1 05-00038 RESOLUTION**

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

05-00038-summary form.pdf, 05-00038-memo.pdf, 05-00038-notice of public hearing.pdf, 05-00038-memo2.pdf, 05-00038-department notice.pdf, 05-00038-legal description.pdf, 05-00038-resolution.pdf, 05-00038-exhibit1.pdf, 05-00038-exhibitA.pdf, 05-00038-exhibit2.pdf, 05-00038-exhibit3.pdf, 05-00038-exhibit maps.pdf, 05-00038-exhibit4.pdf, 05-00038-exhibit4A.pdf, 05-00038-exhibit4B.pdf

R-05-0094

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

PH.2 05-00045 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER A PUBLIC HEARING, PURSUANT TO SECTION 2-614 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), WAIVING THE CONFLICT OF INTEREST PROVISIONS CONTAINED IN SECTION 2-612 OF THE CITY CODE, TO ENABLE CHARLES C. MAYS TO ENTER INTO AN AGREEMENT TO TRANSACT BUSINESS WITH AND FOR THE CITY AND APPEAR BEFORE THE CITY COMMISSION RELATED TO CIVILIAN INVESTIGATIVE PANEL MATTERS.

05-00045-cover memo.pdf, 05-00045-memo.pdf, 05-00045-resolution.pdf

R-05-0095

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

PH.3 05-00046 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH CHARLES C. MAYS FOR THE PROVISION OF LEGAL SERVICES, PURSUANT TO THE COMPENSATION AND TERMS SET FORTH IN SAID AGREEMENT.

05-00046-cover memo.pdf, 05-00046-memo.pdf, 05-00046-resolution.pdf, 05-00046-exhibit1.pdf, 05-00046-exhibit1A.pdf, 05-00046-exhibit1B.pdf

R-05-0096

MOVED: Jeffery L. Allen

SECONDED: Johnny L. Winton

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

AYES: Commissioner Winton, Regalado and Allen

NOES: Commissioner González and Sanchez

10:30 A.M.

Note for the Record: A sign language interpreter was present during Items PH.4 through PH.7, however, the interpreter was not present through the duration of PH.7.

PH.4 05-00039 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE REVISED CITY OF MIAMI ("CITY") LOCAL HOUSING ASSISTANCE PLAN ("LHAP"), ATTACHED AND INCORPORATED, FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2007, FOR THE CONTINUED PARTICIPATION OF THE CITY IN THE FLORIDA STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM; AUTHORIZING THE REPLACEMENT HOME INVESTMENT PARTNERSHIP PROGRAM MAXIMUM AMOUNT AWARD CHANGE FROM AN AMOUNT NOT TO EXCEED \$95,000 TO AN AMOUNT NOT TO EXCEED \$110,000; AUTHORIZING THE CHANGING OF THE TERMS OF SECOND MORTGAGES FOR HOMEBUYERS AND HOMEOWNERS TO BE CONSISTENT WITH THE CURRENT HOUSING POLICIES; AUTHORIZING THE REMOVAL OF SHIP FUNDING FOR THE RENTAL DEVELOPMENT PROGRAM; AUTHORIZING THE USE OF THE MAXIMUM PURCHASE PRICE DETERMINED BY THE FLORIDA HOUSING FINANCE CORPORATION'S BOND PROGRAM CHANGE FROM AN AMOUNT NOT TO EXCEED \$173,701, FOR AN EXISTING HOME AND AN AMOUNT NOT TO EXCEED \$199,117, FOR A NEW HOME TO AN AMOUNT NOT TO EXCEED \$236,835, FOR BOTH NEW AND EXISTING CONSTRUCTION; AUTHORIZING THE MAXIMUM DOWN PAYMENT AWARD FOR THE FIRST TIME HOMEBUYER PROGRAM CHANGE BASED ON THE NUMBER OF BEDROOMS OR THE AMOUNT

NEEDED TO MEET CREDIT UNDERWRITING; AUTHORIZING THE CITY MANAGER TO SUBMIT A MODIFIED LHAP FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENT(S), TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SHIP PROGRAM AND THE LHAP.

05-00039-summary form.pdf, 05-00039-public notice.pdf, 05-00039-pre resolution.pdf, 05-00039-memo.pdf, 05-00039-resolution.pdf, 05-00039-exhibit .pdf

R-05-0097

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

PH.5 05-00040

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING, DIRECTING AND CONFIRMING THE REVERSION OF THE PARCELS OF LAND PREVIOUSLY CONVEYED TO BAME DEVELOPMENT CORPORATION OF SOUTH FLORIDA, INC., LEGALLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO THE CITY OF MIAMI, WITH SAID TERMS AS DESCRIBED HEREIN.

05-00040-summary form.pdf, 05-00040-public notice.pdf, 05-00040-pre resolution1.pdf, 05-00040-pre resolution2.pdf, 05-00040-letter.pdf, 05-00040-pre resolution3.pdf, 05-00040-pre resolution4.pdf, 05-00040-BAME.pdf, 05-00040-pre memo.pdf, 05-00040-pre resolution5.pdf, 05-00040-pre resolution6.pdf, 05-00040-loan committee.pdf, 05-00040-pre resolution7.pdf, 05-00040-pre resolution8.pdf, 05-00040-pre resolution9.pdf, 05-00040-resolution.pdf, 05-00040-exhibitA.pdf

DEFERRED

A motion was made by Commissioner Allen, seconded by Vice Chairman González, and was passed unanimously, to defer Item PH.5 to the Commission meeting currently scheduled for February, 24, 2005.

PH.6 05-00041

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FUNDS, IN THE AMOUNT OF \$63,000, FROM MOVERS, INC., FOR THE OPERATING SUPPORT OF LIFEQUEST I AND II AND THE AMOUNT OF \$80,500, FROM MOVERS, INC., FOR THE OPERATING SUPPORT OF SUGAR HILL PROPERTIES, FOR A TOTAL AMOUNT OF \$143,500; ALLOCATING SAID FUNDS TO THE CITY OF MIAMI LONG TERM RENTAL ASSISTANCE PROGRAM.

05-00041-summary form.pdf, 05-00041-public notice.pdf, 05-00041-pre resolution.pdf, 05-00041-Master report.pdf, 05-00041-pre resolution2.pdf, 05-00041-Master report2.pdf, 05-00041-memo.pdf, 05-00041-resolution.pdf, 05-00041-exhibit.pdf

R-05-0098

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.7 05-00112

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADOPTING THE 31ST YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND POLICIES, ATTACHED AND INCORPORATED, RELATED TO PUBLIC SERVICE, ECONOMIC DEVELOPMENT, HOUSING ACTIVITIES AND THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FUNDS.

05-00112-summary form.pdf, 05-00112-public notice.pdf, 05-00112-resolution.pdf, 05-00112-exhibit1.pdf, 05-00112-exhibit2.pdf, 05-00112-exhibit3.pdf, 05-00112-exhibit4.pdf, 05-00112-exhibit5.pdf, 05-00112-exhibit6.pdf, 05-00112-exhibit7.pdf, 05-00112-exhibit8.pdf

R-05-0099

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

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

AYES: Commissioner González, Winton, Sanchez and Regalado

ABSENT: Commissioner Allen

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to approve modifications to the public service portion of the 31st Year Community Development Block Grant Program Fund Policies, as discussed during today's Commission meeting.

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to approve modifications to the economic development portion of the 31st Year Community Development Block Grant Program Fund Policies, as discussed during today's Commission meeting.

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Allen absent, to approve modifications to the housing portion of the 31st Year Community Development Block Grant Program Fund Policies, as discussed during today's Commission meeting.

A motion was made by Vice Chairman González, seconded by Commissioner Regalado, and was passed unanimously, to approve modifications to the housing opportunities for persons with AIDS portion of the 31st Year Community Development Block Grant Program

Fund Policies, as discussed during today's Commission meeting.

ORDINANCE - EMERGENCY

EM.1 05-00043

ORDINANCE

Emergency Ordinance

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT A CONTRIBUTION OF FUNDS FROM MIAMI-DADE COUNTY, IN THE AMOUNT OF \$500,000, FOR THE MIAMI RIVER TUNNEL FEASIBILITY STUDY; AMENDING ORDINANCE NO. 12622, ADOPTED DECEMBER 9, 2004, TO APPROPRIATE SAID FUNDS INTO A NEW CAPITAL IMPROVEMENT PROJECT NO. 341332, ENTITLED "MIAMI RIVER TUNNEL FEASIBILITY STUDY;" AUTHORIZING THE CITY MANAGER TO EXECUTE THE JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

05-00043-summary form.pdf, 05-00043-ordinance.pdf, 05-00043-exhibit1.pdf, 05-00043-exhibit1A.pdf, 05-00043-exhibit2.pdf

12653

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

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

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

ORDINANCE - SECOND READING

SR.1 04-01429

ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 18/ARTICLE III OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "CITY OF MIAMI PROCUREMENT ORDINANCE;" MORE PARTICULARLY BY AMENDING SECTION 18-89(B), ELIMINATING THE APPLICABILITY OF THE TEN PERCENT (10%) LOCAL PREFERENCE FOR CONTRACTS FOR PUBLIC WORKS OR IMPROVEMENTS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, PROVIDING FOR AN EFFECTIVE DATE; SUNSETTING SAID CHANGE AT THE END OF ONE YEAR FROM THE EFFECTIVE DATE, WITH THE OPTION TO RENEW FOR AN ADDITIONAL ONE-YEAR PERIOD.

04-01429-summary form.pdf, 04-01429-miami code.pdf, 04-01429-ordinance.pdf

12654

MOVED: Jeffery L. Allen**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****Direction to the Administration by Commissioner Winton to provide a status report on February 17, 2005, regarding the progress of the Miami Works Program.**

ORDINANCES - FIRST READING**FR.1 05-00044 ORDINANCE First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 10/ARTICLE I, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "BUILDINGS/IN GENERAL," BY AMENDING SECTION 10-4(D) OF THE CITY CODE THAT SET FEES FOR BUILDING, PLUMBING, ELECTRICAL, MECHANICAL, (INCLUDING BOILER AND ELEVATOR) INSPECTION, PERMIT AND CERTIFICATE FEES AND ADDING SECTION 10-4(I) TO INCLUDE A NEW PERMITTING CATEGORY ; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

05-00044-summary form.pdf, 05-00044-ordinance.pdf

DEFERRED

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, to defer Item FR.1 to the next Commission meeting, in order for Vice Chairman González to meet with the Administration on this issue.

FR.2 05-00048 ORDINANCE First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 12613, ADOPTED NOVEMBER 18, 2004, EXTENDING THE TERM OF THE FRANCHISE AGREEMENT WITH NUI UTILITIES, INC., PREVIOUSLY D/B/A NUI CITY GAS COMPANY OF FLORIDA, NOW D/BA FLORIDA CITY GAS ("FRANCHISEE") UNTIL THE EARLIER OF 1) AUGUST 28, 2005, OR 2) THE DATE IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF ANY SUBSEQUENT FRANCHISE AGREEMENT ENTERED INTO BY THE CITY OF MIAMI AND THE FRANCHISEE; AUTHORIZING THE CITY MANAGER TO EXECUTE A FRANCHISE EXTENSION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

05-00048-summary form.pdf, 05-00048-letter.pdf, 05-00048-ordinance.pdf, 05-00048-exhibit.pdf

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

FR.3 05-00095 ORDINANCE First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "BICYCLES" TO PROVIDE DEFINITIONS AND REGULATIONS FOR THE PROHIBITION OF THE OPERATION OF BICYCLES, MOPEDS, MOTORIZED

SCOOTERS, SCOOTERS, SKATEBOARDS, AND OTHER SIMILAR DEVICES ON THE SIDEWALKS OF THE EASTERN SIDE OF BRICKELL AVENUE BETWEEN SOUTHEAST 4TH STREET AND SOUTHEAST 26TH ROAD, MIAMI, FLORIDA; MORE PARTICULARLY BY AMENDING SECTION 8-6; DIRECTING THE CITY MANAGER TO INITIATE A PUBLIC EDUCATION AND INFORMATION PROGRAM REGARDING THE APPLICABILITY OF SAID ORDINANCE; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

05-00095-cover memo.pdf, 05-00095-ordinance.pdf

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, with Chairman Sanchez absent, to continue item FR.3 to the Commission meeting currently scheduled for April 14, 2005, at 10 a.m. or soon thereafter, to give the Administration and the Brickell Homeowners Association a chance to work with Miami-Dade County to resolve outstanding issues related to the proposed bicycle plan on Brickell Avenue.

RESOLUTIONS**RE.1 04-01395 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF TWO (2) AMERICAN HAWK TRASH BODY AND CRANE TRUCKS, FROM ATLANTIC TRUCK CENTER, FOR THE DEPARTMENT OF SOLID WASTE, UTILIZING EXISTING FLORIDA SHERIFFS ASSOCIATION/ FLORIDA ASSOCIATION OF COUNTIES/FLORIDA FIRE CHIEFS' ASSOCIATION BID AWARD NO. 04-12-0823, EFFECTIVE UNTIL SEPTEMBER 30, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY SAID ASSOCIATIONS, IN AN AMOUNT NOT TO EXCEED \$126,882, PER TRUCK, FOR A TOTAL AMOUNT NOT TO EXCEED \$253,764; ALLOCATING FUNDS FROM THE CAPITAL IMPROVEMENTS PROJECT NO. 353018.329401.6.840.

04-01395-summary form.pdf, 04-01395-bid award announcement.pdf, 04-01395-sheriff memo.pdf, 04-01395-2005 sterling acterra.pdf, 04-01395-quotations.pdf, 04-01395-specs proposal.pdf, 04-01395-resolution.pdf

R-05-0100

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

Direction to the Administration by Commissioner Winton to include thorough quantifiable data in the justification of procurement items.

RE.2 04-01396 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF TWELVE (12) DUMP BODY TRASH TRUCKS, FROM ATLANTIC TRUCK CENTER, FOR THE DEPARTMENT OF SOLID WASTE, UTILIZING EXISTING FLORIDA SHERIFFS ASSOCIATION/FLORIDA ASSOCIATION OF COUNTIES/FLORIDA FIRE CHIEFS' ASSOCIATION BID AWARD NO. 04-12-0823, EFFECTIVE UNTIL SEPTEMBER 30, 2005, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY SAID ASSOCIATION(S), IN A TOTAL AMOUNT NOT TO EXCEED \$832,404; ALLOCATING FUNDS FROM THE CAPITAL IMPROVEMENTS PROJECT NO. 353019.329401.6.840.

04-01396-summary form.pdf, 04-01396-detailed revenue.pdf, 04-01396-equipment surplus list.pdf, 04-01396-daily inventory in repairs.pdf, 04-01396-heavy equipment replacement.pdf, 04-01396-work order cost.pdf, 04-01396-bid award announcement.pdf, 04-01396-sheriff's memo.pdf, 04-01396-quotations1.pdf, 04-01396-quotations2.pdf, 04-01396-Specification Proposal.pdf, 04-01396-resolution.pdf

R-05-0101

MOVED: Jeffery L. Allen

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.3 05-00042 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RESCINDING RESOLUTION NO. 04-0788, ADOPTED DECEMBER 9, 2004, IN ITS ENTIRETY, AND THE INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF MIAMI ("CITY") AND MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"), PURSUANT TO SAID RESOLUTION; AUTHORIZING THE CITY MANAGER TO EXECUTE A REVISED INTER-LOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE DISTRICT, A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT, FOR THE DISTRICT TO PROVIDE CONCEPTUAL, FINAL DESIGN AND CONSTRUCTION SERVICES TO ACCOMMODATE THE PROPOSED MIAMI STREETCAR PROJECT WITHIN THE MIDTOWN MIAMI PROJECT, IN AN AMOUNT NOT TO EXCEED \$1,163,000; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. 341330, "B-71215 STREETCAR PROJECT."

05-00042-summary form.pdf, 05-00042-pre memo.pdf, 05-00042-pre budgetary impact.pdf, 05-00042-pre resolution.pdf, 05-00042-pre interlocal agreement.pdf, 05-00042-scope of services.pdf, 05-00042-resolution.pdf, 05-00042-exhibit1.pdf, 05-00042-exhibit1A.pdf, 05-00042-exhibit1B.pdf

R-05-0102

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

BOARDS AND COMMITTEES

BC.1 05-00016 RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Yvonne Mc Donald

Commissioner Johnny Winton

Patrick Range, Jr.

Commissioner Johnny Winton

Gaston Smith

Commissioner Tomas Regalado

Charles J. Flowers

Commissioner Jeffery Allen

Charles Cutler

Commissioner Jeffery Allen

Henry S. Harrison

Miami Association of Fire Fighters

Maria V. Bao

AFSCME Local 1907

Viona Brown

Fraternal Order of Police

Shad Fields

AFSCME Local 871

05-00016-memo-1 .doc, 05-00016- members-2.doc, 05-00016-Union Nominees-3.pdf, 05-00016-Nomination FOP-4.pdf, 05-00016-Sanitation-5.pdf

R-05-0103

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

A motion was made by Commissioner Winton, seconded by Commissioner Allen, and was passed unanimously, with Commissioner Regalado absent, to appoint Yvonne McDonald and Patrick Range, Jr. as members of the Equal Opportunity Advisory Board; further waiving the attendance requirements in Section 2-886 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to Patrick Range, Jr. as a member of the Equal Opportunity Advisory Board.

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, with Commissioner Regalado absent, to appoint Gaston Smith as a member of the Equal Opportunity Advisory Board.

A motion was made by Commissioner Allen, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to appoint Charles Flowers and Charles Cutler, Jr. as members of the Equal Opportunity Advisory Board; further

waiving the attendance requirements in Section 2-886 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to past absences of Charles Cutler, Jr. as a member of the Equal Opportunity Advisory Board.

A motion was made by Vice Chairman González, seconded by Commissioner Allen, and was passed unanimously, with Commissioner Regalado absent, to confirm the following representatives of City employees bargaining organizations as members of the Equal Opportunity Advisory Board: Henry S. Harrison, nominated by Miami Association of Fire Fighters, Maria V. Bao, nominated by AFSCME, Local 1907, Viona Brown, nominated by Fraternal Order of Police, and Shad Fields, nominated by AFSCME, Local 871.

BC.2 04-01199 DISCUSSION ITEM

DISCUSSION OF NOMINATIONS TO BE MADE BY COMMISSIONER ALLEN TO CERTAIN BOARDS.

04-01199-memo.doc

Discussion on Item BC.2 resulted in the resolution below:

[BC.2] 04-01199a RESOLUTION

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

APPOINTEES:

James Moss
(term expires February 10, 2006)

Rudolph Moise
(term expires June 3, 2006)

Albena Sumner
(term expires March 14, 2005)

Sam Burstyn
(term expires January 24, 2006)

Laurinus Pierre
(term expires January 24, 2006)

Thomas S. Armbrister
(term expires April 13, 2005)

Albena Sumner
(term expires April 13, 2005)

John Harris
(term expires January 12, 2006)

Bob Beamon
(term expires January 12, 2006)

Bernice Sawyer
(term expires February 8, 2006)

BOARD/COMMITTEE:

Code Enforcement Board

Health Facilities Authority

Homeland Defense/Neighborhood Improvement Bond Program

Orange Bowl Advisory Board

Orange Bowl Advisory Board

Parks Advisory Board

Parks Advisory Board

Miami Sports & Exhibition Authority

Miami Sports & Exhibition Authority

Virginia Key Beach Park Trust

Phillip B. Everingham (term expires May 5, 2005)	Waterfront Advisory Board
Ernest Lee Martin (term expires May 5, 2005)	Waterfront Advisory Board
Candis Trusty (term expires September 9, 2005)	Finance Committee
Grady Mohammed (term expires May 9, 2006)	Model City Community Revitalization District Trust
Henry Crespo (term expires May 9, 2006)	Model City Community Revitalization District Trust
Roy Hardemon (public advocate seat, term expires May 9, 2006)	Model City Community Revitalization District Trust

R-05-0107**MOVED: Jeffery L. Allen****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****BC.3 05-00051****RESOLUTION**

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

APPOINTEES:

Luis Revuelta

Kricket Snow

NOMINATED BY:

Commissioner Johnny Winton

Commissioner Johnny Winton

05-00051-memo-1 .doc, 05-00051- members-2 .doc, 05-00051-application-3.pdf, 05-00051-resignation-4.pdf

R-05-0104**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

Note for the Record: Commissioner Allen nominated James Black to the Planning Advisory Board, however, said motion died for lack of a second.

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to appoint Luis Revuelta and Cricket Snow as members of the Planning Advisory Board; further waiving the attendance requirements in Section 2-886 of the Code of the City of Miami, as amended, by a four/fifths (4/5) vote of the members of the full City Commission, as it relates to past absences of Luis Revuelta as a member of the Planning Advisory Board.

BC.4 05-00061

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:

Paula Xanthopoulou

Mary Racilia Smith

Nancy Dawkins

Karen Cartwright

NOMINATED BY:

Commissioner Johnny Winton

Chairman Joe Sanchez

Commissioner Jeffery Allen

Commissioner Jeffery Allen

05-00061-memo-1.doc, 05-00061-MEMBERS-2.doc

R-05-0105

MOVED: Jeffery L. Allen

SECONDED: Angel González

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

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

A motion was made by Commissioner Allen, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to appoint Paula Xanthopoulou, Mary Smith, Karen Cartwright and Nancy Dawkins as members of the Commission on Status of Women.

DISCUSSION ITEMS**DI.1 04-01316 DISCUSSION ITEM**

DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

04-01316-cover memo.pdf

DEFERRED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to defer Item DI.1 to the Commission meeting currently scheduled for February, 24, 2005.

DI.2 04-01295 DISCUSSION ITEM

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

04-01295-email.pdf

DEFERRED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to defer Item DI.2 to the Commission meeting currently scheduled for February, 24, 2005.

PART B

The following item shall not be considered before 10:00 am.

PZ.1 04-01389 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF A TEN-FOOT ALLEY LOCATED SOUTH OF NORTHEAST 17TH STREET BETWEEN NORTH MIAMI AVENUE AND NORTHEAST MIAMI COURT, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

REQUEST: Official Vacation and Closure of an Alley

LOCATION: Approximately South of NE 17th Street Between N Miami Avenue and NE Miami Court

APPLICANT(S): Filling Station Lofts LLC, Owner and Contract Purchaser and Jersey Ltd

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PUBLIC WORKS DEPARTMENT: Recommended approval.

PLAT & STREET COMMITTEE: Recommended approval on September 22, 2004 by a vote of 6-0.

ZONING BOARD: Recommended denial to City Commission on November 22, 2004 by a vote of 4-4.

PURPOSE: This will allow a unified commercial development site.

04-01389 Fact Sheet.pdf, 04-01389 Public Works Analysis.PDF, 04-01389 Public Works Letter.PDF, 04-01389 P&Z Analysis.PDF, 04-01389 Zoning Map.pdf, 04-01389 Aerial Map.pdf, 04-01389 ZB Reso.PDF, 04-01389 Application & Supp Docs.PDF, 04-01389 Legislation.PDF, 04-01389 Exhibit A.PDF

R-05-0106

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

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

AYES: Commissioner González, Winton and Allen

ABSENT: Commissioner Sanchez and Regalado

NON-AGENDA ITEMS**NA.1 05-00148 DISCUSSION ITEM**

Presentation by Mayor Diaz regarding concerns related to the impact on the City of Miami from proposed cuts and changes to the Community Development Block Grant (CDBG) funding under proposed federal budget.

DISCUSSED

NA.2 05-00145 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION TRANSFERRING FUNDS IN THE AMOUNT OF \$5,000, TO THE CITY OF MIAMI ("CITY") DEPARTMENT OF POLICE, TO CONTINUE THE CITY GUN BUY BACK PROGRAM IN THE AREAS OF SHENANDOAH AND WEST LITTLE HAVANA, WITHIN DISTRICT 4 OF THE CITY; ALLOCATING SAID FUNDS FROM THE DISTRICT 4 BUDGET RESERVE.

R-05-0108

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

NA.3 05-00134 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT, IN AN AMOUNT NOT TO EXCEED \$1,000, TO FACILITATE THE 22ND ANNUAL PASSOVER/GOOD FRIDAY BRUNCH OF THE HOLY REDEEMER CATHOLIC CHURCH IN LIBERTY CITY, FLORIDA; ALLOCATING FUNDS FROM THE DISTRICT 5 ACCOUNT NO. 001000.920922.6.930; FURTHER DIRECTING THAT SAID ALLOCATION BE MADE TO THE BISCAYNE BAY MARRIOTT, 1633 NORTH BAYSHORE DRIVE, MIAMI, FLORIDA, TO ASSIST WITH THE RELATED COSTS OF THE EVENT.

R-05-0109

MOVED: Jeffery L. Allen

SECONDED: Johnny L. Winton

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

AYES: Commissioner González, Winton and Allen

ABSENT: Commissioner Sanchez and Regalado