



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
Arthur E. Teele, Jr., Chairman
Joe Sanchez, Vice Chairman
Angel González, Commissioner District One
Johnny L. Winton, Commissioner District Two
Tomas Regalado, Commissioner District Four
Joe Arriola, City Manager
Alejandro Vilarello, City Attorney
Priscilla A. Thompson, City Clerk

Thursday, April 29, 2004

3:00 PM

City Hall Commission Chambers

3:00 P.M. INVOCATION AND PLEDGE OF ALLEGIANCE

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

On the 29th day of April, 2004, the City Commission of the City of Miami, Florida, met at its regular meeting place in City Hall, 3500 Pan American Drive, Miami, Florida, in Special Session. The Special Meeting was called to order at 3:46 p.m. by Chairman Arthur E. Teele, Jr. A non-agenda Special Commission Workshop convened at 3:47 p.m. and adjourned at 4:07 p.m. The Commission recessed at 4:07 p.m., reconvened at 4:30 p.m. and adjourned at 7:09 p.m.

ALSO PRESENT:

Joe Arriola, City Manager
Alejandro Vilarello, City Attorney
Priscilla A. Thompson, City Clerk
Sylvia Scheider, Assistant City Clerk

SPECIAL PLANNING AND ZONING ITEM**PZ.1 04-00108****ORDINANCE****Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6, SPECIAL DISTRICTS, IN ORDER TO AMEND SEC. 609. SD-9 BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT TO MODIFY SPECIAL DISTRICT REQUIREMENTS, INCLUDING REQUIREMENTS RELATED TO HEIGHT, SETBACK AND FOOTPRINT LIMITATIONS AND TO INCORPORATE CERTAIN DESIGN STANDARDS AND GUIDELINES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on February 4, 2004 by a vote of 5-3.

*See supporting documentation.

PURPOSE: This will modify special district requirements along the SD-9 Biscayne Boulevard North Overlay District.

04-00108 SR Fact Sheet.pdf, 04-00108 PAB Reso.PDF, 04-00108 SR Legislation.PDF, 04-00108 Exhibit A.PDF, 04-00108 - submission - memo.pdf, 04-00108 - submission - overlay.pdf, 04-00108 - submittal.pdf, 04-00108 - submission - correspondence 1.pdf, 04-00108 - submission - correspondence 2.pdf, 04-00108 FR Fact Sheet.PDF, 04-00108 FR Legislation DRAFT.PDF

12530

MOVED: Johnny L. Winton

SECONDED: Joe Sanchez

UNANIMOUS

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

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

Direction to the City Attorney by Chairman Teele to allow the attorneys involved in the SD-9 issue to review, through the City Attorney's Office, the full record on the SD-9 issue, after the Mayor's 10-day veto period and within the next 30 days, in order to conduct an informal review.

SPECIAL MEETING**DISTRICT 3****VICE CHAIRMAN JOE SANCHEZ****SP.1 04-00455 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST") TO ACCEPT THE TRANSFER AND ASSIGNMENT OF THE AGREEMENTS WITH THE TRUST FROM CONCORDE CRUISES, INC. ("CONCORDE") TO SOUTHEAST CRUISE HOLDINGS, LLC; AUTHORIZING THE TRUST'S EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT AND RESTATEMENT TO THE USE AGREEMENT EXECUTED JUNE 25, 1997, AND AN AMENDMENT AND RESTATEMENT TO THE VALET PARKING CONCESSION AGREEMENT DATED DECEMBER 8, 1998, WITH SOUTHEAST CRUISE HOLDINGS, INC., IN SUBSTANTIALLY THE ATTACHED FORM; AND AUTHORIZING THE CITY MANAGER AND THE TRUST'S EXECUTIVE DIRECTOR TO EXECUTE ALL DOCUMENTS NECESSARY TO RELEASE OF CONCORDE'S GUARANTY UPON THE OCCURRENCE OF CONDITIONS PRECEDENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY.

04-00455- cover memo.pdf

R-04-0287

MOVED: Joe Sanchez

SECONDED: Angel González

UNANIMOUS

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

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

A motion was made by Vice Chairman Sanchez, seconded by Commissioner González, and was passed unanimously, to adopt Item SP.1.

A motion was made by Vice Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, to reconsider previous vote on Item SP.1.

Item SP.1 was subsequently ADOPTED WITH MODIFICATIONS.

DISTRICT 5**CHAIRMAN ARTHUR E. TEELE, JR****SP.2 04-00456 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PROVIDING SUPPORT RELATED TO THE CELEBRATION AND DEDICATION OF THE 50TH ANNIVERSARY OF BROWN V. THE BOARD OF EDUCATION, HOSTED BY THE "MIAMI-DADE BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ("NAACP") YOUTH POWER SUMMIT," WHICH PROVIDES EDUCATIONAL EMPOWERMENT TO YOUTH, TO BE HELD ON FRIDAY, MAY 7, 2004 THROUGH SUNDAY, MAY 9, 2004, AT THE COCONUT GROVE EXPO CENTER, 2700 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, IN AN AMOUNT NOT TO EXCEED \$30,000; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$5,000, FROM THE DISTRICT 5 ROLLOVER ACCOUNT NO. 001000.920922.6.930, OR ALTERNATIVELY FROM THE DISTRICT 5 SPECIAL EVENTS ACCOUNT NO. 001000.921054.6.289, AN AMOUNT NOT TO EXCEED \$5,000 FROM THE DISTRICT 1 ROLLOVER ACCOUNT NO. XXX, AN AMOUNT NOT TO EXCEED \$5,000 FROM THE DISTRICT 2 XX ACCOUNT NO. XX, AN AMOUNT NOT TO EXCEED \$5,000 FROM THE DISTRICT 4 XX ACCOUNT NO. XX; FURTHER DIRECTING THAT THIS ALLOCATION BE MADE TO THE COCONUT GROVE EXPO CENTER TO ASSIST WITH COSTS ASSOCIATED WITH SAID EVENT INCLUDING THE FACILITY, POLICE, FIRE, GENERAL SERVICES ADMINISTRATION, AND OTHER RELATED DEPARTMENTS AND ANY ADDITIONAL ITEMS FROM THIS ACCOUNT.

R-04-0286**MOVED: Tomas Regalado****SECONDED: Angel González****UNANIMOUS****Motion that this matter be ADOPTED WITH MODIFICATIONS PASSED by the following vote.****AYES: Commissioner González, Winton, Sanchez, Regalado and Teele**

SP.3 04-00438 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE EXPENDITURE OF \$2,000,000 FROM THE HOMELAND DEFENSE AND NEIGHBORHOOD IMPROVEMENT DISTRICT 5 QUALITY OF LIFE BOND FOR A FOOTBALL/SOCCER MINI-STADIUM WITH A SEATING CAPACITY OF APPROXIMATELY 5,000 TO 6,000 TO BE LOCATED IN THE DISTRICT 5 AREA; FURTHER AUTHORIZING THE EXPENDITURE OF \$1,000,000 FROM THE HOMELAND DEFENSE AND NEIGHBORHOOD IMPROVEMENT RANGE PARK BOND ALLOCATION, FOR TOTAL PROJECT COSTS NOT TO EXCEED \$3,000,000.

DEFERRED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item SP.3 to the Commission Meeting currently scheduled for May 6, 2004.

SP.4 04-00442 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ("FUND") ENTITLED "DISTRICT 5 MINI-STADIUM FUND," AND APPROPRIATING SAID FUND WITH PROCEEDS GENERATED FROM THE FIRST FOUR YEARS OF OPERATION OF THE MINI-STADIUM (FOOTBALL/SOCCER) TO BE LOCATED IN THE DISTRICT 5 AREA, SAID PROCEEDS FROM THIS FUND WILL BE USED TO REPAY, TO THE EXTENT IT IS FINANCIALLY FEASIBLE, THE HOMELAND DEFENSE AND NEIGHBORHOOD IMPROVEMENT DISTRICT 5 QUALITY OF LIFE BOND.

DEFERRED

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, with Vice Chairman Sanchez absent, to DEFER item SP.4 to the Commission Meeting currently scheduled for May 6, 2004.

SP.5 04-00384 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTER-LOCAL AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM IDENTIFIED AS "EXHIBIT A," WITH MIAMI-DADE COUNTY, FLORIDA, ("COUNTY") A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AND THE MIDTOWN MIAMI COMMUNITY DEVELOPMENT DISTRICT ("DISTRICT"), A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT, BOUNDARIES OF WHICH ARE IDENTIFIED IN "EXHIBIT B," ATTACHED AND INCORPORATED; FURTHER AUTHORIZING THE CITY MANAGER TO PREPARE A "FINDING OF NECESSITY STUDY" FOR THE DISTRICT, PURSUANT TO REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES FOR THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY.

R-04-0288

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 Teele

Note for the Record: Vice Chairman Sanchez requested that the Administration consider committing some of the revenues from this project for long-term capital improvements, including parks, throughout the entire City of Miami.

PART B

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

SECOND READING ORDINANCES

PZ.1 04-00082a ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION ESTABLISHING A 90-DAY TEMPORARY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR NEW BUILDINGS IN EXCESS OF 40 FEET IN HEIGHT FOR THAT AREA LOCATED IN AND REGULATED UNDER THE SD-9 BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT OF THE ZONING ORDINANCE AND ZONING ATLAS OF THE CITY OF MIAMI; PROVIDING FOR A TERM; PROVIDING FOR PENDING APPLICATIONS; PROVIDING FOR ADMINISTRATIVE AND JUDICIAL REVIEW; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval. This is related to File ID 04-00082.

PURPOSE: This will establish a 90-day temporary moratorium on the acceptance of applications for new buildings over a certain height along the SD-9 Biscayne Boulevard North Overlay District.

04-00082a SR Fact Sheet.pdf, 04-00082a Legislation.pdf, 04-00082a FR Fact Sheet.PDF

DENIED

A motion was made by Commissioner Winton, seconded by Commissioner González, and was passed unanimously, with Vice Chairman Sanchez absent, to DENY Item PZ.1

NON-AGENDA ITEMS**NA.1 04-00483 DISCUSSION ITEM****SPECIAL WORKSHOP**

A Special Workshop was scheduled for 3:30 p.m. to receive a report from the City Manager regarding the status of discussions with the Florida Marlins concerning proposed ballpark stadium at the Orange Bowl site.

DISCUSSED

Miami-Dade County Manager George Burgess addressed the City Commission stating that the plan for the new proposed ballpark stadium for the Florida Marlins would be to have it developed at the Orange Bowl site.

Note for the Record: Vice Chairman Sanchez stated that he would like the stadium study to be expanded to include further development in the area surrounding the Orange Bowl.

This issue is to come back at the May 6, 2004 Commission meeting.

NA.2 04-00488 DISCUSSION ITEM

Direction to the City Attorney by Commissioner Regalado to meet with the members of the Commission to explain current situation regarding the advertisement of the moratorium on building permits along the Southwest 27th Avenue Corridor and criticism from some residents of Silver Bluff.

DISCUSSED

Direction to the City Attorney by Commissioner Regalado to meet with the members of the Commission to explain current situation regarding the advertisement of the moratorium on building permits along the Southwest 27th Avenue Corridor and criticism from some residents of Silver Bluff.