

# **City of Miami**

*City Hall*  
3500 Pan American Drive  
Miami, FL 33133  
[www.ci.miami.fl.us](http://www.ci.miami.fl.us)



## **Meeting Agenda**

**Thursday, July 8, 2004**

**9:00 AM**

**SUPPLEMENTAL**

**City Hall Commission Chambers**

## **City Commission**

*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*

ANY PERSON WHO ACTS AS A LOBBYIST PURSUANT TO CITY OF MIAMI ORDINANCE NO. 11469, CODIFIED IN CHAPTER 2, ARTICLE VI OF THE CITY CODE, MUST REGISTER WITH THE CITY CLERK, PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, AND COMMITTEES AND THE CITY COMMISSION. A COPY OF SAID ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK, CITY HALL.

PURSUANT TO SECTION 4(g)(5) OF THE CHARTER OF MIAMI, FLORIDA, THE MAYOR MAY VETO CERTAIN ITEMS APPROVED BY THE CITY COMMISSION WITHIN TEN CALENDAR DAYS FOLLOWING THE COMMISSION ACTION. THE COMMISSION MAY, AFTER THE VETO OCCURS, OVERRIDE SUCH VETO BY A FOUR-FIFTHS VOTE OF THE COMMISSIONERS THEN PRESENT.

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THIS PRINTED AGENDA IS DISTRIBUTED AT LEAST FIVE DAYS BEFORE THE MEETING, AND THE MATERIAL IN CONNECTION WITH EACH ITEM APPEARING ON THE AGENDA IS AVAILABLE FOR INSPECTION DURING BUSINESS HOURS AT THE OFFICE OF THE CITY CLERK IN CITY HALL.

ANY PERSON WHO SEEKS TO ADDRESS THE CITY COMMISSION ON ANY ITEM APPEARING IN THE FOLLOWING PORTIONS OF THIS AGENDA: "CONSENT AGENDA", "PUBLIC HEARINGS", OR "PUBLIC DISCUSSION" IS INVITED TO DO SO AND SHALL AS SOON AS POSSIBLE INFORM THE CITY CLERK OF HIS/HER DESIRE TO SPEAK, GIVING THE CITY CLERK HIS/HER NAME. AT THE TIME THE ITEM IS HEARD, THAT PERSON SHOULD APPROACH THE MICROPHONE AND WAIT TO BE RECOGNIZED BY THE PRESIDING OFFICER.

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Formal action may be taken on any item discussed or added to this Agenda. Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Any person with a disability requiring auxiliary aids and services for meetings may call the City Clerk's Office, 250-5360, with requests at least two business days before the meeting date.

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The City Commission has established a policy that the lunch recess will begin at the conclusion of deliberations of the agenda item being considered at Noon; further, that Commission meetings will adjourn at the conclusion of deliberations on the agenda item being considered at 9:00 PM. (Resolution No. 87-115)

**DISTRICT 3****VICE CHAIRMAN JOE SANCHEZ****SI.1****04-00783****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 14/ARTICLE V/SECTION 14-251 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "SOUTHEAST OVERTOWN/PARK WEST REDEVELOPMENT DISTRICT AND COMMUNITY REDEVELOPMENT AGENCY/GENERALLY/DEFINITIONS;" CHANGING THE GOVERNING BODY; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

**DISTRICT 4****COMMISSIONER TOMAS REGALADO**

- SI.2**      **04-00757**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE MIAMI-DADE COUNTY MANAGER AND THE MEMBERS OF THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO TAKE ALL ACTIONS NECESSARY TO PROVIDE GREATLY NEEDED SERVICES FOR THE ELDERLY RESIDING IN PUBLIC HOUSING DEVELOPMENTS, SUCH AS HOUSING AND URBAN DEVELOPMENT ("HUD") BUILDINGS, WITHIN THE LIMITS OF THE CITY OF MIAMI.
- SI.3**      **04-00759**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING A RESOLUTION TO ALLOCATE \$500,000 FROM THE DISTRICT 4 HOUSING RESERVE TO MDHA DEVELOPMENT CORPORATION FOR THE SMATHERS CENTER.

**DISTRICT 5**

**CHAIRMAN ARTHUR E. TEELE, JR.**

**SI.4**      **04-00798**      **DISCUSSION ITEM**  
DISCUSSION REGARDING A LIVING WAGE ORDINANCE.

**SI.5          04-00782          RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT (S), AUTHORIZING THE RELEASE OF THE CITY OF MIAMI'S REVERSIONARY INTERESTS IN MIAMI-DADE COUNTY ("COUNTY") OWNED PROPERTY LOCATED IN WEST MIAMI-DADE AND LEGALLY DESCRIBED IN THE RELEASE AND AGREEMENT ATTACHED HERETO AS "EXHIBIT A," IN EXCHANGE FOR MIAMI-DADE COUNTY'S RELEASE OF RESTRICTIONS AND REVERSIONARY INTERESTS IN THE PROPERTY KNOWN AS THE MARINE STADIUM AND PAYMENT TO THE CITY IN THE SUM OF TWO MILLION DOLLARS (\$2,000,000); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY AND A RELEASE OF REVERSIONARY INTERESTS, IN SUBSTANTIALLY THE FORMS ATTACHED AND INCORPORATED AS "EXHIBIT A."

**SI.6          04-00781          RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT (S), AUTHORIZING A SETTLEMENT OF APPELLATE CASE NOS. 02-284-AP; 02-330-AP; AND 02-477-AP; *MARK'S CLASSICS CORP. ET AL. V. CITY OF MIAMI*; APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND CLEAR CHANNEL OUTDOOR ("CCO"), AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO RESOLVE THE LITIGATION AND ADMINISTRATIVE PROCEEDINGS THAT HAVE ACCOMPANIED THE CITY'S EFFORTS TO ENFORCE ZONING REGULATIONS APPLICABLE TO CCO'S OUTDOOR ADVERTISING SIGNS ("BILLBOARDS") LOCATED WITHIN THE CITY; PROVIDING FOR REMOVAL OF CERTAIN BILLBOARDS AND THE ISSUANCE OF AMENDED PERMITS; PROVIDING FOR PAYMENT OF AMENDED PERMIT FEES, BACK PERMIT FEES AND REIMBURSEMENT OF THE CITY'S FEES AND EXPENSES TOTALING APPROXIMATELY ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000) AND PROVIDING FOR CCO TO PROVIDE OUTDOOR ADVERTISING SPACE FOR DISPLAY OF CITY-PREPARED ADVERTISING AT A RETAIL VALUE OF FIFTY THOUSAND DOLLARS (\$50,000) PER YEAR DURING THE 25-YEAR TERM OF THE AGREEMENT; PROVIDING FOR THE PAYMENT OF AN ANNUAL SETTLEMENT FEE TO THE CITY OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) PER YEAR DURING THE 25-YEAR TERM OF THE SETTLEMENT AGREEMENT; PROVIDING FOR THE ESTABLISHMENT OF A NEIGHBORHOOD ENHANCEMENT ACCOUNT OF FIFTY THOUSAND DOLLARS (\$50,000) PER YEAR DURING THE 25-YEAR TERM OF THE SETTLEMENT AGREEMENT; AND PROVIDING FOR STATUS, RETROFITTING, REPLACEMENT AND RELOCATION OF REMAINING SIGNS.

**SI.7            04-00799            DISCUSSION ITEM**

DISCUSSION CONCERNING A RESOLUTION DIRECTING THE CITY MANAGER TO WITHHOLD ENFORCEMENT FOR A PERIOD OF THREE (3) YEARS, OF ARTICLE 4/SECTION 401 OF ZONING ORDINANCE NO. 11000, AS AMENDED, ENTITLED "ZONING DISTRICT/SCHEDULE OF DISTRICT REGULATIONS" RELATED TO RESIDENTIAL PROPERTIES IN THE CITY OF MIAMI ("CITY") WITH A SINGLE UNPERMITTED DWELLING UNIT.

**SI.8            04-00755            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:

- |       |                             |
|-------|-----------------------------|
| _____ | Commissioner Angel González |
| _____ | Commissioner Angel González |
| _____ | Commissioner Tomas Regalado |
| _____ | Commissioner Tomas Regalado |
| _____ | Vice Chairman Joe Sanchez   |
| _____ | Vice Chairman Joe Sanchez   |
| _____ | Chairman Arthur Teele       |
| _____ | Chairman Arthur Teele       |