

City of Miami

City Hall
3500 Pan American Drive
Miami, FL 33133
www.ci.miami.fl.us



Meeting Agenda

Thursday, July 22, 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
Maria J. Chiaro, Interim 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 4**COMMISSIONER TOMAS REGALADO**

- SI.1** **04-00846** **DISCUSSION ITEM**
DISCUSSION CONCERNING LEGISLATION INSTRUCTING THE CITY ATTORNEY TO DRAFT THE NECESSARY DOCUMENTATION IN ORDER TO PLACE A CHARTER AMENDMENT ON THE BALLOT FOR THE NOVEMBER GENERAL ELECTION AS A QUESTION TO " REFORM THE MIAMI CITY COMMISSION AS A PURE LEGISLATIVE BRANCH" OR A GOVERNMENTAL BODY IDENTICAL TO THE MIAMI-DADE COUNTY COMMISSION AFTER THE REFORMS THAT WERE APPROVED BY THE MIAMI-DADE COUNTY ELECTORATE IN NOVEMBER OF 2002.
- SI.2** **04-00847** **DISCUSSION ITEM**
DISCUSSION CONCERNING LEGISLATION INSTRUCTING THE CITY ATTORNEY TO PREPARE A NON-BINDING BALLOT QUESTION FOR THE NOVEMBER GENERAL ELECTION TO ASK THE ELECTORATE IF THE CITY OF MIAMI SHOULD ANNEX ADJACENT UNINCORPORATED LAND FOR THE PURPOSE OF GAINING AN ADDITIONAL 500,000 RESIDENTS.

RESOLUTIONS

- SI.3** **04-00849** **RESOLUTION**
A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO SEEK INJUNCTIVE RELIEF, OR ANY OTHER ACTIONS IN LAW OR IN EQUITY, TO TERMINATE THE MONTH-TO-MONTH TENANCY BETWEEN THE CITY OF MIAMI AND GARCIA BROTHERS SEAFOOD, INC., FOR THE OCCUPANCY OF CITY-OWNED PROPERTY LOCATED AT 236 SOUTHWEST NORTH RIVER DRIVE, MIAMI, FLORIDA.
- SI.4** **04-00843** **RESOLUTION**
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT (S), AUTHORIZING THE CITY MANAGER TO EXECUTE A SOFTWARE LICENSE AND SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH ORACLE CORPORATION, THE TOP-RANKED FIRM, PURSUANT TO INFORMAL REQUEST FOR PROPOSAL ("RFP") NO. 03-04-104, ISSUED ON APRIL 22, 2004, AS AUTHORIZED BY THE CITY COMMISSION PURSUANT TO RESOLUTION NO. 04-00235, ADOPTED APRIL 8, 2004, WAIVING FORMAL COMPETITIVE BIDDING PROCEDURES, FOR THE ACQUISITION OF ORACLE'S ENTERPRISE RESOURCE PLANNING ("ERP") APPLICATION, DATABASE, TOOLS, SOFTWARE AND TRAINING, IN AN AMOUNT NOT TO EXCEED \$1,021,816, AND PROVIDING SUPPORT AND MAINTENANCE AS SET FORTH IN THE ATTACHED AGREEMENT FOR FIVE (5) YEARS AT A TOTAL FIXED COST OF \$1,009,320, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,031,136, AND ANY NECESSARY THIRD-PARTY APPLICATION SOFTWARE, AS NEEDED, FROM A THIRD-PARTY PROVIDER, IN AN AMOUNT NOT TO EXCEED \$357,000, AND A CONTINGENCY AMOUNT NOT TO EXCEED \$250,000, FOR UNFORESEEABLE CIRCUMSTANCES; ALLOCATING FUNDS FROM THE INFORMATION TECHNOLOGY ERP CAPITAL IMPROVEMENT ACCOUNT CODE NO. 311613, AND FROM THE OPERATING BUDGETS OF THE DEPARTMENT OF INFORMATION TECHNOLOGY, VARIOUS DEPARTMENTS CTYWIDE AND FROM VARIOUS CAPITAL IMPROVEMENT PROJECT ACCOUNTS, SUBJECT TO BUDGETARY APPROVAL.