

City of Miami

*City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com*



Meeting Minutes

Thursday, February 12, 2015

9:00 AM

REGULAR

City Hall Commission Chambers

City Commission

*Tomás Regalado, Mayor
Wifredo (Willy) Gort, Chair
Keon Hardemon, Vice Chair
Marc David Sarnoff, Commissioner District Two
Frank Carollo, Commissioner District Three
Francis Suarez, Commissioner District Four
Daniel J. Alfonso, City Manager
Victoria Méndez, City Attorney
Todd B. Hannon, City Clerk*

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

Present: Chair Gort, Commissioner Sarnoff, Commissioner Carollo and Vice Chair Hardemon
Absent: Commissioner Suarez

On the 12th day of February 2015, 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 Commission Meeting was called to order by Chair Gort at 9:04 a.m., recessed at 11:58 a.m., reconvened at 3:47 p.m., and adjourned at 5:34 p.m.

Note for the Record: Commissioner Sarnoff entered the Commission chamber at 9:05 a.m., Commissioner Carollo entered the Commission chamber at 9:06 a.m., and Vice Chair Hardemon entered the Commission chamber at 9:38 a.m.

ALSO PRESENT:

*Victoria Méndez, City Attorney
Daniel J. Alfonso, City Manager
Todd B. Hannon, City Clerk*

Chair Gort: Welcome to the February 12 meeting of the City of Miami Commission in these historic chambers. The members of the City Commission are: Frank Carollo; Francis Suarez; Marc Sarnoff; Vice Chairman Keon Hardemon; and myself, Chairperson, Wifredo "Willy" Gort. Also on the dais, we have City Manager Danny Alfonso; City -- I almost changed your title, Victoria -- City Attorney Victoria Méndez; and Todd Hannon, the City Clerk. I would ask you to stand for the invocations and -- Todd, you have the pledge of allegiance.

Invocation and pledge of allegiance delivered.

PRESENTATIONS AND PROCLAMATIONS**PR.1****15-00154****PRESENTATION**

<u>Honoree</u>	<u>Presenter</u>	<u>Protocol Item</u>
Close Up Washington Students	Commissioner Sarnoff	Lapel Pins
Alpha Phi Alpha - UM	Chairman Gort	Proclamation
2014 New Year's Eve Event at Bayfront park	Commissioner Carollo	Certificates of Appreciation

15-00154 Protocol Item.pdf

PRESENTED

1. Commissioner Sarnoff presented lapel pins to students who are participating in the Washington Flagship Program through Close Up, a not-for-profit organization. Close Up's flagship High School Program is a one-of-a-kind opportunity for students to experience their government in action. From visits to Washington's famous monuments, memorials, and institutions, to meetings with their Congressional delegation on Capitol Hill, Close Up students get a first-hand look at the American political system and consider what role they, as students,

play in our democracy.

2. Chair Gort presented a Proclamation to the Alpha Pi Alpha, Iota Pi Lambda, an association of college-educated men established nationally 108 years ago with a mission that cuts across racial, international, physical and social barriers to elevate the quality of life of individuals and communities; furthermore providing critical volunteer services and outstanding programming for over 40 years and has the distinction of being the first collegiate Greek-lettered fraternal organization founded by African-Americans; and are exemplars of service and philanthropy that unite in a non-profit brotherhood based on the principles of human welfare and a commitment to public service promoting a global agenda, undertaking social service projects such as domestic violence awareness, providing resources for the homeless, youth athletic programs, youth tutoring programs, meal donation programs, scholarships, domestic and international relief campaigns and many more.

3. Commissioner Carollo presented Certificates of Appreciation to various members of the Miami Police Department and Fire Rescue paying tribute in recognition of their valuable contribution to the success of Pitbull's Inaugural New Year's Revolution held at Bayfront Park and live broadcast nationally on FOX on December 31, 2014; furthermore thanking them for their commitment, dedication and hard work that enabled 150,000 residents and visitors to enjoy themselves in this history-making event in a safe environment.

Commissioner Carollo: Commissioner, can we do presentations?

Chair Gort: Now we do. Yes. At this time, we'll start with presentations.

Presentations made.

APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, to APPROVE PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, to APPROVE PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, to APPROVE PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

Chair Gort: Hold on a minute. Do we have any minutes to approve?

Todd B. Hannon (City Clerk): Yes, sir. I have for Commission consideration and approval the regular meeting minutes from December 11; Planning & Zoning meeting minutes from December 11; and regular meeting minutes from January 8.

Chair Gort: Do I have a motion?

Commissioner Sarnoff: Move.

Commissioner Carollo: Second.

Chair Gort: Second. Any further discussion? Being none, all in favor, state it by saying &ye;."

The Commission (Collectively): Aye.

END OF APPROVING MINUTES

MAYORAL VETOES

NO MAYORAL VETOES

Chair Gort: At this time, we have to wait for other Commissioners to get here. Good morning.

Victoria Méndez (City Attorney): Chairman, would you like me to read my statement in the meantime?

Chair Gort: No, not yet; let's make sure we have enough people here when you read your statement. Mr. Clerk, do we have any Mayor's veto?

Todd B. Hannon (City Clerk): Chair, there are no mayoral vetoes.

Chair Gort: We do have minutes, but we don't have quorum to do so.

ORDER OF THE DAY

Chair Gort: We'll now proceed with the regular meeting. Madam Attorney, can you go over the procedures?

Victoria Méndez (City Attorney): Yes, Chairman. Good morning. Any person who is a lobbyist must register with the City Clerk before appearing before the City Commission. A copy of the Code section about lobbyists is available in the City Clerk's Office. The material for each item on the agenda is available during business hours at the City Clerk's Office and online 24 hours a day at www.miamigov.com [sic]. Any person may be heard by the City Commission through the Chair for not more than two minutes on any proposition before the City Commission unless modified by the Chair. If the proposition is being continued or rescheduled, the opportunity to be heard may be at such later date before the City Commission takes action on such proposition. Anyone wishing to appeal any decision made by the City Commission for any matter considered at this meeting may need a verbatim record of the item. A video of this meeting may be requested at the Office of Communications or viewed online at www.miamigov.com [sic]. No cell phones or other noise-making devices are permitted in Commission chambers; please silence those devices now. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his remarks or her remarks shall be permitted. Any person making offensive remarks or who becomes unruly in the Commission chambers will be barred from further attending Commission meetings and may be subject to arrest. No signs or placards shall be allowed in Commission chambers. Any person with a disability requiring assistance, auxiliary aids and services for this meeting may notify the City Clerk. The lunch recess will begin at the conclusion of the deliberation of the agenda item being considered at noon. The meeting will end either at the conclusion of deliberation of the agenda item being considered at 10 p.m., or at the conclusion of the regularly scheduled agenda, whichever occurs first. Please note, Commissioners have generally been briefed by City staff and the City Attorney on items on the agenda today. At this time, the Administration will announce which items, if any, are being either withdrawn, deferred or substituted. Thank you.

Chair Gort: Thank you.

Later...

Daniel J. Alfonso (City Manager): Morning, Mr. Chairman, Commissioners.

Chair Gort: Mr. Manager, you're recognized.

Mr. Alfonso: We would like to defer item SR.2 to March 26, and we'd like to request that RE.8 be deferred to February 26.

Chair Gort: Mr. Manager, I apologize; I didn't have a pen. Can you give us those numbers again?

Mr. Alfonso: I'm sorry?

Chair Gort: What are you deferring?

Mr. Alfonso: SR.2 to be deferred to March 26 and RE.8 to be deferred to February 26.

Commissioner Sarnoff: RE.8.

Mr. Alfonso: RE.8; that is correct, Commissioner.

Commissioner Sarnoff: So move.

Chair Gort: It's been moved. Is there a second?

Commissioner Carollo: Second.

Chair Gort: Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

Chair Gort: Any of the Commission would like to pull any of the items? Okay.

Later...

Chair Gort: Do we have any other items?

Commissioner Carollo: Mr. Chairman.

Chair Gort: Yes, sir.

Commissioner Carollo: If I may, I have two discussion items. What I would like to do is I would like to defer D3.2 to the next Commission meeting, and I'd like to defer D3.1 to the second meeting in -- no, to the first meeting in March.

Vice Chair Hardemon: I'll second his motion.

Todd B. Hannon (City Clerk): No motion necessary, sir.

Chair Gort: Been moved and second.

Mr. Hannon: No motion -- no votes necessary. It's Commissioner Carollo's item.

Chair Gort: Okay.

Commissioner Carollo: So I --

Chair Gort: That's it?

Commissioner Sarnoff: That's it.

Chair Gort: Done? Do I have a motion to adjourn?

Commissioner Carollo: So moved.

Commissioner Sarnoff: Moved -- second. All in favor, "aye."

Commissioner Carollo: Meeting adjourned?

Chair Gort: Meeting adjourned.

CONSENT AGENDA**CA.1****RESOLUTION****15-00005***Department of
Fire-Rescue*

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF AMBULANCE COTS AND ACCESSORIES FROM STRYKER SALES CORPORATION, FOR THE CITY OF MIAMI DEPARTMENT OF FIRE-RESCUE, PURSUANT TO SECTION 18-111 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, UTILIZING THE EXISTING AND COMPETITIVELY BID CONTRACT OF SEMINOLE COUNTY, PURSUANT TO INVITATION FOR BID NO. 601038-10/LJS, FOR AMBULANCE COTS, STAIR PRO CHAIRS, SERVICES, WARRANTY, AND RETROFIT ACCESSORIES, SUBJECT TO ANY RENEWALS, EXTENSIONS, AND/OR REPLACEMENT CONTRACTS BY SEMINOLE COUNTY; ALLOCATING FUNDS FROM GRANT 18-180053 - FEMA/USAR 2006, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

15-00005 Summary Form.pdf

15-00005 Seminole County Contract.pdf

15-00005 Corporate Detail.pdf

15-00005 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.**Votes:** Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0034**CA.2****RESOLUTION****15-00012***Department of
Fire-Rescue*

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID RECEIVED ON NOVEMBER 24, 2014, PURSUANT TO INVITATION FOR BID NO. 472377, FROM MEDIGREEN WASTE SERVICES, LLC, FOR THE DISPOSAL OF BIO-HAZARDOUS MEDICAL WASTE, ON A CITYWIDE, AS-NEEDED CONTRACTUAL BASIS, FOR AN INITIAL CONTRACT PERIOD OF FIVE (5) YEARS, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL FIVE (5) YEAR PERIOD; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS FROM THE USER DEPARTMENTS AND AGENCIES, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

15-00012 Summary Form.pdf

15-00012 Bid Tabulation.pdf

15-00012 Invitation For Bid.pdf

15-00012 Corporate Detail.pdf

15-00012 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.**Votes:** Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0035

CA.3**RESOLUTION****15-00014***Department of
Procurement*

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BIDS RECEIVED OCTOBER 27, 2014, PURSUANT TO INVITATION FOR BID NO. 472335, FROM STEIN PAINT COMPANY (PRIMARY VENDOR) AND THE SHERWIN-WILLIAMS COMPANY (SECONDARY VENDOR), FOR PAINT AND PAINT SUPPLIES, CITYWIDE, ON AN AS-NEEDED BASIS, FOR AN INITIAL CONTRACT PERIOD OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE (1) YEAR PERIODS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS FROM THE USER DEPARTMENTS AND AGENCIES, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

15-00014 Summary Form.pdf

15-00014 Bid Tabulation.pdf

15-00014 Invitation For Bid.pdf

15-00014 IFB - Stein Paint.pdf

15-00014 Corporate Detail - Stein Paint.pdf

15-00014 IFB - Sherwin-Williams.pdf

15-00014 Corporate Detail - Sherwin-Williams.pdf

15-00014 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0036**CA.4****RESOLUTION****15-00015***Department of
Procurement*

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BIDS FROM CENTRAL POLY-BAG CORPORATION AND INTERBORO PACKAGING CORPORATION, PURSUANT TO INVITATION FOR BID NO. 472336, FOR GARBAGE BAGS AND LINERS, ON AN AS-NEEDED BASIS, FOR AN INITIAL CONTRACT PERIOD OF TWO (2) YEARS, WITH THE OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE (1) YEAR PERIODS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS FROM THE USER DEPARTMENTS AND AGENCIES, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT TIME OF NEED.

15-00015 Summary Form.pdf

15-00015 Bid Tabulation.pdf

15-00015 Invitation For Bid.pdf

15-00015 IFB - Central Poly-Bag Corp..pdf

15-00015 Corporate Detail - Central Poly-Bag Corp..pdf

15-00015 IFB - Interboro Packaging Corp.pdf

15-00015 Corporate Detail - Interboro Packaging Corp.pdf

15-00015 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0037**CA.5****RESOLUTION****15-00007***Department of Police*

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A SPECIAL REVENUE PROJECT ENTITLED: "2014-2015 UNITED STATES MARSHALS SERVICE," CONSISTING OF REIMBURSEMENT FUNDS, IN AN AMOUNT NOT TO EXCEED \$91,000.00, FOR OVERTIME WORK PROVIDED BY MEMBERS OF THE CITY OF MIAMI ("CITY") POLICE DEPARTMENT FELONY APPREHENSION TEAM ASSIGNED TO ASSIST THE UNITED STATES MARSHALS SERVICE, PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MARSHALS SERVICE AND THE CITY POLICE DEPARTMENT FOR FISCAL YEAR 2015; AUTHORIZING THE CITY MANAGER TO DESIGNATE THE CHIEF OF POLICE TO EXECUTE ANY OTHER NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, IN ORDER TO IMPLEMENT THE ACCEPTANCE OF SAID REIMBURSEMENT FUNDS.

15-00007 Summary Form.pdf

15-00007 Back-Up Documents.pdf

15-00007 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0038**CA.6****RESOLUTION****15-00003***Department of Police*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE PROJECT ENTITLED: "RECORDS IMPROVEMENT PROJECT," AND APPROPRIATING FUNDS IN THE AMOUNT OF \$20,589.00, CONSISTING OF A GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, JUSTICE ASSISTANCE GRANT, FOR THE CITY OF MIAMI DEPARTMENT OF POLICE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, IN ORDER TO IMPLEMENT THE ACCEPTANCE AND ADMINISTRATION OF SAID GRANT.

15-00003 Summary Form.pdf

15-00003 Application for Funding Assistance.pdf

15-00003 Legislation.pdf

15-00003 Exhibit.pdf

This Matter was ADOPTED on the Consent Agenda.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0039

CA.7

RESOLUTION

15-00086

*Office of the City
Attorney*

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY POLINI SANON THE TOTAL SUM OF \$80,000.00, WITHOUT ADMISSION OF LIABILITY, IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND EMPLOYEES, IN THE CASE OF POLINI SANON VS. CITY OF MIAMI, ET AL., PENDING IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 14-CV-21663-CMA, UPON THE EXECUTION OF A GENERAL RELEASE OF ALL CLAIMS AND DEMANDS, AND A DISMISSAL OF THE DEFENDANTS WITH PREJUDICE; ALLOCATING FUNDS FROM ACCOUNT NO. 50001.301001.545010.0000.00000.

15-00086 Memo - Office of City Attorney.pdf

15-00086 Memo - Budget Sign-Off.pdf

15-00086 Legislation.pdf

This Matter was ADOPTED on the Consent Agenda.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0040

Adopted the Consent Agenda

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

END OF CONSENT AGENDA

Chair Gort: Do I have a motion for the consent agenda?

Commissioner Sarnoff: So move.

Commissioner Carollo: Second.

Chair Gort: Moved by Commissioner Sarnoff; second by Commissioner Carollo. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

PUBLIC HEARINGS

PH.1

RESOLUTION

15-00006

*Department of
Information
Technology*

A RESOLUTION OF THE MIAMI CITY COMMISSION BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, PURSUANT TO SECTION 18-92 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, AND APPROVING THE END USER LICENSING AGREEMENT, FROM ARGENT SOFTWARE, INC., FOR THE CITY OF MIAMI ("CITY") INFORMATION TECHNOLOGY DEPARTMENT IN AN END USER LICENSE AGREEMENT, FOR AN INITIAL PERIOD OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS, SUBJECT TO AN ANNUAL FINDING OF A SOLE SOURCE BY THE CITY'S CHIEF PROCUREMENT OFFICER AND APPROVED BY THE CITY MANAGER; ALLOCATING FUNDS FROM THE INFORMATION TECHNOLOGY BUDGET GENERAL FUND, ACCOUNT CODE NO. 50001.251000.546000.0.0, WITH FUTURE PURCHASES TO BE ALLOCATED FROM THE VARIOUS SOURCES OF FUNDS FROM THE USER DEPARTMENT, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

15-00006 Summary Form.pdf

15-00006 Notice to the Public.pdf

15-00006 Memo - Sole Source Findings.pdf

15-00006 Memo - Request for Sole Source Finding.pdf

15-00006 Legislation.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0041

Chair Gort: PH.1. This is by four-fifths, so we can --

Daniel J. Alfonso (City Manager): We got --

Kevin Burns (Director, Information Technology): Good morning.

Chair Gort: We can't; we don't -- it's a four-fifths.

Commissioner Carollo: Commissioner Hardemon's here.

Chair Gort: Okay, we -- morning, sir; you're welcomed back.

Vice Chair Hardemon: Thank you.

Chair Gort: We have a quorum now.

Mr. Burns: Good morning, Mr. Chairman, Commissioners. My name is Kevin Burns, the director of Information Technology. This resolution is for a software that will assist us in monitoring all of the network within the City environment, and help us to proactively prevent any problems that we may encounter in future. We would appreciate your support in us pursuing this purchase.

Chair Gort: Okay, is there any questions? It's a public hearing. Is anyone in the public would like to address the Commission? Yes, sir, go right ahead.

Mariano Cruz: Morning. Mariano Cruz, 1227 Northwest 26th Street. I am a Microsoft specialist, you know. I got a -- I took -- and I don't work, because the people at my office do the work; they get paid to do it. I don't get paid, but it bothers me when I see the thing to be taking sole, so surprise when there is a lot of competition out there in all of this, okay? Even now, you got Facebook, and now we get global thing coming in and other thing. It's not only -- it's a lot of competition in this thing. I don't know, maybe they want to renew it, they want to do it. Sure, it goes faster this way, but sometimes, that's not the best way to do something, because the way here, we waste a lot of money years ago; not my money, not my money. You know, you know me; I don't have to pay taxes or anything. Thank you.

Chair Gort: Thank you. Anyone else in the public would like to address this issue? Seeing none, hearing none, close the public hearing. Commissioners?

Commissioner Sarnoff: So move.

Chair Gort: Been moved by Commissioner Sarnoff.

Commissioner Carollo: Second.

Chair Gort: Second by Commissioner Carollo. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

PH.2

15-00150

*District 3-
Commissioner Frank
Carollo*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, CONFIRMING, APPROVING AND RATIFYING THE CITY MANAGER'S FINDINGS AND RECOMMENDATIONS, PURSUANT TO SECTION 18-85 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING METHODS AS NOT PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI FOR THE PLACEMENT, REPLACEMENT, REPAIR, RELOCATION MAINTENANCE AND UPKEEP OF THE EXISTING AND FUTURE STARS OF CALLE OCHO; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE KIWANIS OF LITTLE HAVANA FOUNDATION, INC. (KIWANIS), A FLORIDA NOT-FOR-PROFIT CORPORATION, FOR THE PROVISION OF SAID SERVICES, FOR AN INITIAL CONTRACT PERIOD OF FIVE (5) YEARS, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL CONTRACT PERIOD OF FIVE (5) YEARS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS FROM THE NOT-FOR-PROFIT.

15-00150 Notice to the Public.pdf
15-00150 Memo - Bid Waiver Approval.pdf
15-00150 Legislation.pdf
15-00150 Exhibit - Agreement.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0042

Chair Gort: PH.2 has been deferred?

Commissioner Carollo: No.

Chair Gort: No.

Commissioner Carollo: PH.2 --

Daniel J. Alfonso (City Manager): SR.2 is deferred.

Chair Gort: I meant SR.2.

Commissioner Carollo: SR.2.

Chair Gort: PH.2, yes.

Commissioner Carollo: PH.2. Thank you, Commissioner. And I'm going to ask the Commission to -- after PH.2 if we could possibly see FR.4 and RE.7, which are all related. PH.2, if you remember, not so long ago, we had a request with regards to the Stars of Southwest 8th Street, and it was mentioned in that meeting that we should try to move as expeditiously as possible with this; that this process shouldn't take that long. However, there was no process in place, so I am bringing this to you, so a not-for-profit organization that is a credible not-for-profit organization that has the resources, that has been around for 40 years be the organization from Little Havana, which is the Kiwanis from Little Havana to be able to do the installation, do the maintenance of these stars at no cost to the City of Miami, so I make a motion to approve PH.2.

Chair Gort: Okay, there's a motion. Is there a second?

Commissioner Sarnoff: Second.

Chair Gort: Motion and a second. This is a public hearing. Yes, sir, you're --

Eloi Aparicio: (Comments in Spanish not translated).

Chair Gort: He needs a translator.

Commissioner Carollo: Translator.

Mr. Aparicio: (Comments in Spanish not translated).

Commissioner Carollo: (Comments in Spanish not translated).

Mr. Aparicio (As translated by official Spanish interpreter Maribel Alonso): My name is Eloi Aparicio. I am the president of the Board of Commerce of 8th Street. We have been in Little Havana for more than four decades. We have been developing economically and socially Little Havana. For many years, we have been working and trying to improve Little Havana, working together with all the leaders and the Commissioners, and the Mayors of District 5 in Little Havana. There are many different organizations interested in developing Little Havana. Some

people do it because they feel it and some people do it out of economic interest.

Chair Gort: They believe that they can establish anyone -- they can select anyone they would think respectable to go ahead and take over the Stars of Little Havana.

Mr. Aparicio (As translated by official Spanish interpreter Maribel Alonso): But something is true: That we who are inside the project and we have been doing this for 40 years. What we have seen is that the Kiwanis of Little Havana have been doing an extremely excellent work and very favorable for the economic and social development of District 5 in Little Havana. We have seen that the Kiwanis had the privilege of having access to the 8th Street for \$1, and they make lots of money there, and we don't mind; we agree to them making a lot of money, but we believe that they should invest all that money in beautifying and improving District 5. Well, something is true: That we believe that the ones who should be deciding who gets the Stars in Little Havana are -- is this Board of Commerce, because we have the prestige, and the quality, and the honesty and we have the responsibility to do an honest and responsible work, working together with the City of Miami and with different organizations, and we will be giving these stars to different artists, and people in the arts and in the sports. Okay, thank you very much. Have a good day.

Chair Gort: Yes, sir, you're recognized.

Calixto Garcia: Hi. My name is Calixto Garcia. I live at 2950 Southwest 3rd Avenue. I'm here -- I'm the vice president of the Chambers of Commerce of Calle Ocho. I'm not here to tell you who to give the stars to. All I want is an opportunity for us to bid for the stars, as well. So, I mean, the Kiwanis is an excellent organization. I mean, I'd be proud to be part of them, in the same fashion that I am proud to be part of the Calle Ocho Chambers of Commerce. All I'm asking for is the opportunity to bid for the stars and to open that a little more, okay? I think we did an excellent job. We have done two stars, which one we stood to -- we need to put that one in the ground. I think that it was the star for SBS, Raul Alarcon, Sr. I think that he deserves -- he was a great Cuban, but he was even a greater American, and I think he deserves to have that star in the ground already, and we been delaying that. Beyond that, I mean, just open up the RFP (Request for Proposals), and whoever is the best bidder, they have the contract; not a big issue. Okay, thank you.

Chair Gort: Thank you. Yes, sir.

Mariano Cruz: Yeah, sure. Mariano Cruz, 1227 Northwest 26th Street in the neighborhood Allapattah, District 1; my Commissioner there, Mr. Gort, and all the other Commission. But, you know, I don't live in Little Havana, but I spend a lot of money there. I go to the Pub Restaurant; go to the Tower Theater there; go to Cuba Ocho with Roberto and Yoney, so I know the place, because the main thing is to spend money. And I know the stars are good, but I get really in a way pissed off when I see people making allegations. If you make an allegation of something, I like you to be specific; name the people and name the actions. Don't say, "Oh, they do this." People tell me that they sell here the proclamation from the Mayor and that. I told, "You know who they are? Go there in front of the Commission and mention it, mention what they doing. If somebody's benefiting for a proclamation from the Mayor or from a Commissioner, mention it. It doesn't cost you anything. The First Amendment give you that right to stand up and to" -- "as long as you don't say 'fire' in a crowded place, you can say anything you want," because, like me, I belong to the ACLU (American Civil Liberties Union) and to NRA (National Rifle Association). I am covered by the two amendments, by the first and the second. Anyway, I am all for the Stars in Calle Ocho there, because that is -- that's good. Thank you.

Commissioner Carollo: Thank you.

Chair Gort: Thank you. Is anyone else would like to address this? Seeing none, hearing none,

we'll close the public hearings. I know this is your item, if you allow me?

Commissioner Carollo: Mr. Chairman, please.

Chair Gort: If we going to talk about Little Havana, we had a business in Southwest 8th Street and 16th Avenue since 1954. I grew up in Little Havana; I grew up in Calle Ocho. The Kiwanis of Little Havana -- and I'm proud to be a member of the Kiwanis of Little Havana. And by the way, I will translate for the individual. The Kiwanis of Little Havana, they use the Calle Ocho and many other events. The money they raise, they have baseball clinics, free for the kids; they have basketball; they give out Christmas toys, quite a lot they spend on that. At the same time, they give a lot of scholarship. Their books are open. They can tell you all the scholarships they give out and all the money they spend on this community.

Comments translated into the Spanish language by Chairman Gort.

Chair Gort: Most important, they do the scholarships, so kids that cannot afford to go to college can go ahead to college, because we all know how much -- important education is. The Star program I started in 1993 myself, and we had certain guidelines, and we're going to follow the same guidelines. I'm all for it. I think the Kiwanis of Little Havana is a responsible -- and if you want to take it for bid, CAMACOL (Latin Chamber of Commerce) is the one; the Latin Chamber of Commerce of the United States are the one that began all the projects in Little Havana as a Calle Ocho event. As I said, that's it; I support it.

Commissioner Carollo: Mr. Chairman.

Chair Gort: Go ahead, sir.

Commissioner Carollo: If you would indulge me, there's a few things that I do want to mention. First of all, you just saw the two -- okay? -- Calle Ocho Chambers of Commerce; you saw one Calle Ocho Chamber of Commerce and another Calle Ocho Chambers of Commerce, and there's actually more organizations in all fairness. Now, I can tell you this: I've known both gentlemen for a very long time. Calixto Garcia, I've known you for a very long time. I've known Eloi Aparicio, and I appreciate both, the hard work that you have done in the Little Havana area; I truly do. But I'm seeing an organization that not only has come forward and requested to do this work, but they're putting their resources. The Calle Ocho event is a world-known event that happens every year, and monies from that event is what's going to go to pay for some of this installation, maintenance and they've been around -- it's an organization that's been around for 40 years; that's exactly what we want. I mean, we want an organization that is going to take care of what we all want: a good, a clean, a nice Little Havana; and not only that, the stars are such a part of it. So, listen, for the past -- I don't know how many years -- nothing has been done with the Stars, and you can't have it both ways. You can't criticize and say, "Well, there's been no maintenance to the stars. Oh, the program has gone" -- you know -- "down" or "hasn't been functioning," and then all of a sudden, when we're moving, when we have this organization that will say, "Hey, we'll stand up, we'll take on the task, we'll put our resources." It's not a money-making event. It's not going to cost the City anything, you know. I think once you see an opportunity like this, you need to move forward, you need to take it. Therefore, I think that it's the right decision, and I think we need to move forward. And with regards to Mr. Raul Alarcon, well, that's in RE.7, so we'll address that with RE.7, because, like I said, there's going to be some related items. So with that said, Mr. Chairman, if we can move forward, and I don't know if any of my colleagues would like to say anything. And by the way, you've seen how critical we're being with this and you're seeing how much attention has gone to this, and if you read the agreement, a lot of attention; we're requiring a lot. You know, now we need the indemnification, but insurance, and surety bond and so forth. And with that said, you know there's another place in the City of Miami that do also do the stars, and you know what? We have no say in it. I don't even know who are the members of that committee that names the stars or anything, and some

might say, "Well, even though it's City land, it's leased now and it's private," and the bottom line is it's still City land, and they still use the name of the City of Miami, so, you know, I think this has been around for a long time, and I think we need an organization that has been around for a long time, that is credible, and we should move forward. Thank you.

Chair Gort: Okay, is anyone else would like to address? Hearing none, seeing none, close the public hearings. There's a motion by Commissioner Carollo; second by Commissioner Sarnoff. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

END OF PUBLIC HEARINGS

SECOND READING ORDINANCES

SR.1

ORDINANCE

Second Reading

14-01162

**District 1 -
Commissioner
Wifredo (Willy) Gort**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 37 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "OFFENSES-MISCELLANEOUS", MORE PARTICULARLY BY ADDING A NEW SECTION ENTITLED "PUBLIC URINATION OR DEFECATION PROHIBITED; EXCEPTIONS; PENALTIES"; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

14-01162 Legislation FR/SR.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Noes: 1 - Commissioner(s) Hardemon

Absent: 1 - Commissioner(s) Suarez

13495

Chair Gort: Next.

Daniel J. Alfonso (City Manager): Okay, we have SR.1, Commissioner; that would be the discussion that you placed on the Commission reference urination, and it's SR.1.

Chair Gort: Yes, sir. You want to read it?

The Ordinance was read by title into the public record by the City Manager.

Chair Gort: Thank you. By the way, let me tell you, I checked with the -- I had the Administration check with several cities. Quite a few cities, they have it. Miami Beach has it; Miami Garden has it. There's quite a few cities that have the same ordinance. Okay, this is the public hearing. Is anyone in the public would like to address it? Yes, sir.

Horacio Stuart Aguirre: Morning, Mr. Chairman. Horacio Stuart Aguirre, as chairman of the Miami River Commission; offices at 1407 Northwest 7th Street. Miami River Commission had a special meeting in January of 2013 to discuss improper public conduct in the Miami River Corridor, and one of the issues that came up as complaints by most of the residents and business owners on the Miami River Commission was public urination; especially on park benches, against walls of restaurants, business establishments, and underneath the bridges. Miami River Commission does cleanups about 26 times a year around the Miami River Corridor, and one of

the biggest challenges we have is picking up fecal matter; feces that people leave on the grass, on the lawns, on the concrete sidewalks. We strongly encourage severe measures to prevent this. Thank you.

Chair Gort: Anyone else? Seeing none, hearing none, close the public hearing.

Commissioner Sarnoff: So move, Mr. Chair.

Commissioner Carollo: Second.

Chair Gort: Moved by Commissioner Sarnoff; second by Commissioner Carollo. Any further discussion?

Todd B. Hannon (City Clerk): Roll call on item --

Chair Gort: No, wait a minute.

Vice Chair Hardemon: Is this SR.1?

Chair Gort: Yes.

Vice Chair Hardemon: Madam City Attorney, was the language added to modify this?

Victoria Méndez (City Attorney): Between first and second reading, there was no language to modify; it was the two proposed language alternatives that were read at first reading that were proposed, which you proposed, and the language was either: "A first violation of the section shall result in a written warning. A second and subsequent violation shall be punishable by a fine of 'X,'" which we haven't determined, "and/or 60 days imprisonment in jail," or both. So it was the process of a warning or --

Chair Gort: Commissioner, I stated before, I checked with many other cities, in Miami Gardens, Miami Beach -- there's quite a few cities that do have the same ordinance. Any further discussion? Roll call.

Mr. Hannon: Roll call on item SR.1. Vice Chair Hardemon?

Vice Chair Hardemon: Against.

Mr. Hannon: Commissioner Carollo?

Commissioner Carollo: Yes.

Mr. Hannon: Commissioner Sarnoff?

Commissioner Sarnoff: Yes.

Mr. Hannon: Chair Gort?

Chair Gort: Yes.

Mr. Hannon: The ordinance passes on second reading, 4-0.

Ms. Méndez: No --

Daniel J. Alfonso (City Manager): Three-one.

Mr. Hannon: Oh, my apologies; I -- 3-1.

Mr. Alfonso: Hardemon was recorded --

Unidentified Speaker: Right.

SR.2**ORDINANCE****Second Reading****14-01248**

*District 2-
Commissioner Marc
David Sarnoff*

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 14/ARTICLE II/DIVISION 2, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "DOWNTOWN DEVELOPMENT/DOWNTOWN DISTRICT/DOWNTOWN DEVELOPMENT AUTHORITY," MORE PARTICULARLY BY AMENDING SECTIONS 14-52 AND 14-53 TO INCREASE THE NUMBER OF BOARD MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") BOARD, AND TO INCREASE THE NUMBER OF BOARD MEMBERS NECESSARY TO CONSTITUTE A QUORUM; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

14-01248 Legislation SR.pdf

14-01248 DDA Resolution FR/SR.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be DEFERRED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

Note for the Record: Item SR.2 was deferred to the March 26, 2015 Planning and Zoning City Commission Meeting.

SR.3**ORDINANCE****Second Reading****14-01245**

*Department of Real
Estate and Asset
Management*

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 50 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "SHIPS, VESSELS, AND WATERWAYS," MORE PARTICULARLY ARTICLE II, "OPERATION OF VESSELS," TO SET FORTH BOATING RESTRICTED AREA PROVISIONS TO SAID CITY CODE; CONTAINING AN IDLE SPEED/NO WAKE ZONE PROVISION, WITHIN DEFINED BOUNDARIES OF A PUBLIC MARINA; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

14-01245 Summary Form SR.pdf

14-01245 Back-Up Document FR/SR.pdf

14-01245 Back-Up from Law Dept FR/SR.pdf

14-01245 Legislation FR/SR.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

13496

Chair Gort: *SR.1. We got SR.2; we got into 3 --*

Daniel J. Alfonso (City Manager): *We're into the RE's (resolutions) now, Mr. Chairman.*

Horacio Stuart Aguirre: *You didn't do SR.3.*

Mr. Alfonso: *Oh, excuse me; SR.3.*

Daniel Rutenberg: *Good morning. Daniel Rutenberg, director of Real Estate & Asset Management. SR.3 is a second reading ordinance of the Miami Commission entitled "Ships, Vessels and Waterways." It's changing the languages within the wake zones around the City marinas.*

Chair Gort: *Thank you. Do I have a motion?*

Commissioner Sarnoff: *So move.*

Chair Gort: *Been moved by Commissioner Sarnoff. Is there a second?*

Commissioner Carollo: *Second.*

Chair Gort: *Second by Commissioner Carollo. It's a public hearing.*

Mr. Aguirre: *Mr. Chairman, thank you. Horacio Stuart Aguirre, as chairman of the Miami River Commission; offices at 1407 Northwest 7th Street. We would respectfully encourage this motion, but we would also request that at a very early later date you come back with an amendment to include the Miami River, its tributaries and perhaps even the Little River Waterway. The Miami River is covered and protected by Miami-Dade County and DERM (Department of Environmental Resource Management), but strangely, it was always omitted by the City of Miami, even though the river goes up to 20 -- the City part of the river goes up to 27th Avenue.*

Chair Gort: *I understand, but at this time, I discussed it with the Law Department, and they're going to come up with another one to protect in particular the river --*

Mr. Aguirre: *Good.*

Chair Gort: *-- and those marinas throughout the City of Miami, because the marina is the one that get affected when you have the boats mooring in there and people going at high speed, and it affects all the boats in there, so we're going to make sure we cover all the marinas even within that district. For that reason, I will not accept the amendment. We'll come up with a different ordinance, but at the same time, the Miami Police knows that they can implement the State and Federal Government laws.*

Mr. Aguirre: *Thank you, Commissioner.*

Chair Gort: *Thank you, sir.*

Mr. Aguirre: *Thank you.*

Chair Gort: *Anyone else? Anyone else? Seeing none, hearing none, close the public hearings.*

Victoria Méndez (City Attorney): *Chairman, as you said, this ordinance brings it in line with State Statute, but we will work on another item to be able to address Mr. Aguirre's concerns.*

The Ordinance was read by title into the public record by the City Attorney.

Todd B. Hannon (City Clerk): Roll call on item SR.3.

A roll call was taken, the result of which is stated above.

Mr. Hannon: The ordinance passes on second reading, 4-0.

Chair Gort: Thank you.

END OF SECOND READING ORDINANCES

FIRST READING ORDINANCES

FR.1

ORDINANCE

First Reading

15-00010

*Office of the City
Attorney*

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2/ARTICLE XI OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED: "ADMINISTRATION/BOARDS, COMMITTEES, COMMISSIONS," MORE PARTICULARLY BY AMENDING DIVISION 2/SECTION 2-883 ENTITLED: "STANDARDS FOR CREATION AND REVIEW OF BOARDS GENERALLY/CREATION OF NEW BOARDS," TO PROVIDE THAT NEW BOARDS IN THE CITY OF MIAMI MAY BE CREATED BY EITHER ORDINANCE OR RESOLUTION; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

15-00010 Memo - Office of the City Attorney SR.pdf

15-00010 Legislation FR/SR.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be PASSED ON FIRST READING PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Carollo and Hardemon

Absent: 2 - Commissioner(s) Sarnoff and Suarez

Chair Gort: FR.1.

Daniel J. Alfonso (City Manager): FR.1; City Attorney. "F" --

Victoria Méndez (City Attorney): FR.1 --

Mr. Alfonso: FR.1 is a ordinance of the Miami City Commission amending Chapter 2, Article 11 of the Code of the City of Miami, Florida, as amended, entitled "Administration, Boards, Committees, Commissions"; more particularly by amending Division 2, Section 2883 entitled "Standards for Creation and Review of Boards Generally/Creation of New Boards," to provide that new boards in the City of Miami may be created by either ordinance or resolution; containing a severability clause and providing for an effective date.

Ms. Méndez: Thank you, Mr. Manager. This item has to do with the creation of boards. We have several boards and committees that have been created in the past by resolution, and depending on the length of time as well as some things created by resolution or ordinance, we wanted to make sure that it is codified in our City Code. For those that we have created by resolution, the better practice is to have, obviously, by ordinance so that it could be codified, and then you could just sunset it, but a resolution is also good for ad hoc and shorter-term committees, like the Charter Review Committee that is happening now, so we just wanted to

make sure that we codified our practice of created by a resolution or ordinance, and that's what this is about; it's a cleanup ordinance. Thank you.

Chair Gort: Thank you. This is a public hearing. Is anyone in the public would like to address this? FR.1, anyone in the public? Seeing none, hearing none, close the public hearings.
Comments. Motions.

Commissioner Carollo: I'll move it.

Chair Gort: Moved by Commissioner Carollo.

Vice Chair Hardemon: Second.

Chair Gort: Second by Commissioner Sarnoff [sic]. Any further discussion?

Ms. Méndez: An ordinance of the --

Todd B. Hannon (City Clerk): Chair, the title was actually read by the City Manager earlier, so I will now proceed with the roll call. Vice Chair Hardemon -- roll call on item FR.1.

A roll call was taken, the result of which is stated above.

Mr. Hannon: The ordinance passes on first reading, 3-0.

FR.2**ORDINANCE****First Reading****15-00011****Department of
Planning and Zoning**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "HISTORIC PRESERVATION," MORE PARTICULARLY BY AMENDING SECTION 23-4 BY REFINING THE PROCESS BY WHICH PROPERTIES ARE NOMINATED TO BE EVALUATED FOR DESIGNATION; SECTION 23-6 BY RESTRICTING CERTAIN USES IN THE MIAMI MODERN/BISCAYNE HISTORIC DISTRICT; AND UPDATING THE MULTIPLIER USED IN THE TRANSFER OF DEVELOPMENT RIGHTS CALCULATION; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

15-00011 Summary Form FR.pdf

15-00011 Legislation FR.pdf

15-00011-Submittal-Lucia Dougherty-Legislation Amendment Suggestions.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be PASSED ON FIRST READING WITH MODIFICATIONS PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Noes: 1 - Commissioner(s) Hardemon

Absent: 1 - Commissioner(s) Suarez

Chair Gort: FR.2.

Francisco Garcia: Mr. Chair, Commissioners, for the record, Francisco Garcia, Planning & Zoning director. FR.2 is before you on first reading today, and it is a proposed amendment to Chapter 23 of the City Code, which happens to be the Historic Preservation Chapter of the City Code, and it proposes to do three things. The first thing it does is it amends the provisions for who is eligible, who can actually propose individual items for designation by the board, and I'll

be more explicit about that, but I wanted to list the three items that we are going to be proposing. So the first one changes who can propose items for designation to the board. The second one adds a multiplier -- actually establishes for the first time a multiplier for individually designated properties in the City of Miami for transfer of development rights. And the third one is a -- an amendment to the MiMo (Miami Modern) Historic District to change the sorts of uses that can be implemented throughout the district, and I'll be a little more explicit and close briefly as I expect that there will be some feedback and comments. As pertains to who can propose items to the board, I first want to emphasize that it is not the case that we are changing our ordinance to require property owner consent. Other municipalities do. Miami does not do that presently, nor are we proposing that that be the case. Property owner consent is not required. What we are proposing be required is -- let's call it a filtering mechanism whereby any individual interested in having a property designated must approach any of the members of the board, the Mayor, the City Manager, the City Commission by resolution, the Planning, Zoning & Appeals Board by resolution, the County Preservation Board by resolution, a registered, not-for-profit organization with established interest in historic preservation or the Preservation Office. These are the entities charged with the ability to propose for consideration of the HEP (Historic and Environmental Preservation) Board the designation of an individual structure or site in the City of Miami for designation. In doing this -- and incidentally, a significant amount of research has been done to establish what are best practices in the field. We have found that this is the most common approach to designations everywhere in the United States. I can cite as comparable municipalities with a great interest and very well established reputations as pertains to historic preservation the cities of Savannah, Georgia and Charleston, South Carolina as municipalities that follow this same template. So that's the first proposal. I expect again that there will be some feedback on that. The second one I think is fairly straightforward, and I think it's going to be fairly well received. There is at present no multiplier for the transfer of development rights for individually designated buildings. There are, as you know, established multipliers for contributing structures within historic districts and for noncontributing structures. Certainly, individually designated structures are of a higher caliber preservation-wise speaking, and therefore, we are proposing that they be placed at par with contributing structures within historic districts at a multiplier of 2.25. It is written out in the ordinance as 225 percent of the square footage of transferable development capacity. I'm happy to elaborate on that as you see fit. And last but not least, we are proposing that the uses permissible within the MiMo Historic District be limited to those in T4-O. As you may know, there are many properties along the Biscayne Boulevard Corridor within the MiMo District that are T6-8-O, T5-O, T4-O. We are proposing that the commercial uses and the civic uses along -- and the educational uses, as well along the MiMo Historic District be limited to those available presently in T4-O. The reason for that is that we feel that T4-O provides restrictions, regulations that provide for the proper scaling and proper sizing of these commercial civic uses that are most appropriate with the character and scale of the Biscayne Boulevard Corridor; in particular, the MiMo District. Again, before you on first reading. I'll stand aside and let others speak. I'm happy to answer any questions you may have.

Chair Gort: Thank you. It's a public hearing. Is there anyone in the public would like to address this issue?

Mariano Cruz: Mariano Cruz. I am chairman of ABDA, Allapattah Business Development Associate [sic], and we got problems with houses are being declared historic. The City gave us an old house on 26th Street. We can't, we cannot raise the property there or anything. According to the Historic Preservation, you have to fix it. It cost more money to fix the property as -- well, we could raise it, and use the lot and put a duplexes out to there, because we are not building any more -- doing homes since there is no financing from the bank or anything. Now, we're building duplexes for rent, and that's bad, and I know it's bad, because I remember -- I have been here since 1962. I remember the gas station of 16th and Flagler, when the guy was going to fix it, Armandito Tundidor, and he going to put new bathroom. Know what they told him at the time? "No, you got to put the bathroom the way they were; a bathroom for white

people and a bathroom for black people.” And I’m talking about segregation, so that’s historic, so the person couldn’t put the bathroom the way he saw. Sometimes, like I say, the -- all these things they use for historic, you know, there are a lot of people working. You got somebody saying (UNINTELLIGIBLE) “historic” there. I don’t bother in the question day to day in ABDA. I leave it to the staff; they get paid for that. I don’t get paid. I do my work for ABDA volunteering, the way I do it. I don’t get paid, because I have the time and the wherewithal to do it, even if some of the Commissioners don’t like it, but also, I would like to be a member of the Civil Service Board. Thank you. Bye.

Vice Chair Hardemon: Thank you very much, sir.

Commissioner Sarnoff: Mr. Chair.

Mr. Cruz: BC.5.

Vice Chair Hardemon: You are recognized, Commissioner.

Commissioner Sarnoff: Francisco Garcia, I’m a little curious on the third bucket. The third bucket is the issue with regard to the permitted uses in T4-O, and if I look at the permitted uses in T4-O, I would notice that hotel is not allowed, and I thought -- you know, candidly, I was the one that created the transfer development rights program. I was the one that promoted the use of it in the MiMo District, and I thought primarily it would be used to restore hotels and motels, and I think it has done that from the Vagabond to the New Yorker, and I can go down the next six hotels, but if a T4-O, which is what you’re proposing, doesn’t afford them the opportunity to even have that in their Zoning Code, why would you propose such a T4-O?

Mr. Garcia: Thank you for the opportunity to address that, Commissioner Sarnoff, and that type of question has been also forwarded to us from different sources. It’s understandable that there might be that misreading, but let me first state emphatically and clearly that, of course, hotel uses, lodging uses, whether they be motels, bed and breakfast inns, et cetera, along Biscayne Boulevard are very well established and an integral part of the character of the district, full stop, so that’s clear. What we’re doing here is not restricting at all the regime of lodging uses available along Biscayne Boulevard or the MiMo District. We begin deliberately in the underlying language with commercial uses, so excluding lodging; lodging is a separate category of uses. We are restricting commercial uses, civic uses, civil support uses and educational uses. It does not affect residential uses; it does not affect office uses, purposely so, because, as you mentioned, there is a very well established character for those in the area.

Commissioner Sarnoff: So you’re saying that language could not be interpreted by someone other than yourself -- a court of law, some zoning attorney as some people would say, when they go down the chart, this is supposed to be a very easily used code, because it is a form-based code, so if I was a lawyer, not of the intellect of my colleague over here, but just a simpleton and just turned around and said, “T4-O, urban general,” I would see a non-permitted use hotel in a T4 transect -- T4-O transect. So why would I create an ambiguity? Why would I create something that could be interpreted many different ways?

Mr. Garcia: Right. The -- this is a fine balance we’re trying to strike, and again, I’ll try to explain it as clearly as I can. We have for every property citywide a set of established uses available under the zoning regime in the table you were making reference to; I believe that is Table 2 or Table 4 and Article 2.

Commissioner Sarnoff: It’s Article 4, Table 3, building function: uses.

Mr. Garcia: Table 3, precisely. So Table 3, Article 4 in the Zoning Ordinance sets forth all the available uses by zoning, and then what we do on the City Code side of things, particularly --

and this is for historic preservation tetra the City Code, is we apply further restrictions that's necessary to preserve the historic character of the area. What we're doing in this particular legislation is we are introducing a section in the Historic Preservation ordinance that says that in Biscayne Boulevard, in the MiMo District, the uses available for all the properties within the MiMo District shall be as set forth by their zoning designation for residential, and lodging, and office, but not so for commercial, civic, civil support and educational uses, because those tend to be sometimes of a size and a scale that are not compatible with the character of the area. But again, I think it's very straightforward and anyone wants to chime in, I'd certainly respect the many architects and land use attorneys that are present here today. We think we've got it right. We think we've got the language calibrated exactly right to accomplish the intended purpose.

Commissioner Sarnoff: So Marc Sarnoff has -- I don't know. I'm trying to pick some -- so the Sarnoff Inn wants to come to MiMo.

Mr. Garcia: Right.

Commissioner Sarnoff: It's not there yet.

Mr. Garcia: Right.

Commissioner Sarnoff: I read T4-O, I'd say, "I have to go look to other places, not Miami, because I can't put the Sarnoff Inn."

Mr. Garcia: No. You would read the Zoning Ordinance -- with all due respect, of course, you would read the Zoning Ordinance, and according to your zoning designation, you would find out whether the use is eligible or not. Incidentally, if you are in T4-O presently, the hotel use is not available; that's the case today without any changes, right? And what you would find is that if you're in T5-O or T6-8-O, that hotel use is available. And the ordinance that we're proposing to you today doesn't change that at all, because it specifically leaves out lodging uses from the restrictions. Phrased in an inverted fashion, lodging uses -- the lodging use regime for MiMo is not changed in any way, whatsoever, by the ordinance proposed to you today.

Commissioner Sarnoff: But -- so -- I mean, I go to court all the time, believe it or not, to this day, and I would argue that the part of the City Code that is more cogent to my use, I would persuasively argue, I think, to a court, would be Chapter 23, and I would tell a court, "You know what the Zoning administrator or the Planning administrator prescribably [sic] zoned out? Hotel uses." And I would cite to the court -- this is what I would do: I would cite to the court, "Look, Judge, it's pretty simple, I'm not a complicated guy. See that little yellow spot there? You see that it says 'no uses allowed'?" Because that's what it means, essentially, "no uses allowed." I'm not trying to trick you. And then you would then persuasively argue to the court, "Well, you know what, Judge? We have another part of the Code called the Zoning Code, and the Zoning Code allows that." And the court would go, "I got an ambiguity now, because I have two diametrically opposed codes. I'm going to interpret it as I want to interpret it." I can't see -- and I could see the unintended consequence of us moving forward here, not seeing what we're doing wrong, but we're -- now we're seeing we're creating a dichotomy between the Zoning Code and Chapter 23 of the City Code, and I just think there's a better practice.

Mr. Garcia: I understand especially -- and thank you for showing me the chart with the highlighted area that you were concerned about. I'm going to say again in clearer terms that you are exactly right; presently, T4-O zoning does not allow any lodging uses. The ordinance before you today amending Chapter 23 does not change that one way or the other. It is not more restrictive, it is not less restrictive; it simply doesn't touch that at all. Frankly, and this is a bit of a harbinger, perhaps, of things to come before you, we think it is appropriate for those properties zoned T4-O along Biscayne Boulevard to be able to receive those lodging uses, but presently, that's not possible. That notwithstanding --

Commissioner Sarnoff: Right.

Mr. Garcia: -- the ordinance before you today does not affect any of the lodging uses. The ones that are there can stay, if new ones come, they come, subject to zoning regulations, because we are not touching at all the lodging uses on Biscayne Boulevard.

Commissioner Sarnoff: But --

Chair Gort: Vice Chair.

Commissioner Sarnoff: I'm sorry. I don't want to --

Chair Gort: Vice Chair Hardemon has the --

Vice Chair Hardemon: No, no, I would yield my time to the Commissioner from the second district.

Commissioner Sarnoff: I -- so if we know there is -- if we know in our -- a lawyer could argue one way, another lawyer could argue another, and we are touching an ordinance right now, why not fix it?

Mr. Garcia: Absolutely. Thank you so much for the opportunity, Commissioner. We want to fix it, and we think the right fix is at some point in time in the not too distant future, hopefully introduce the appropriate zoning designation for those areas in Biscayne Boulevard that presently don't allow for lodging uses to occur. That's what is the right solution and we will be coming to you with something along those lines in the not too distant future, because that hole exists today, but that hole, the remedy to that hole is one that has proven exceedingly difficult, and we're trying to build consensus around a solution.

Chair Gort: Wait a minute. We have several people in the public would like to speak. Will you call the names?

Todd B. Hannon (City Clerk): Mr. D.B. Lewis.

Dean Lewis: Yes, thank you. Dean Lewis, architect, 5910 North Bayshore Drive. I'm also co-chair of the Urban Development Review Board for the City of Miami, and I wanted to just put into perspective what this is attempting to do. As -- Remember, there are T6-8 zoned properties in MiMo, there are T5 zoned properties in MiMo, and there are T4, so there's going to be some sort of compromise. Even if -- to try to limit the uses of those three zones to only the zoning uses available in T4, we're going to miss something, and there are a few larger properties that are zoned properly, T6-8, that still remain that are going to be compromised. One of the compromises -- and I'd like to know whether this ordinance also addresses the limitation of coverage, or is it strictly for use? For example, in T5s and T6s, I'm allowed to have a building footprint that is 80 percent of my lot; whereas T4, my coverage is limited to 60 percent. That's a significant reduction. Particularly with a height limit of only 35 feet, I want to be able to cover my lot and get as much square footage as I can, so it seems to me we have the belt and the suspenders, and we're now adding another tighter notch in the belt that is unnecessary, so I don't understand the intent. Lodging, by the way, in the hotel, Mr. Sarnoff, you bring up a very good point. It's very clear, lodging and hotel use is excluded from T4; it's very clear. Now, we have to double back and get into a complicated re-lecture of the Code to say, "Wait a minute, here's the exception." We're getting back into the 11000 Code zoning issues and compromises with overlaps, overlays and everything else. I'd like to keep it clear and understand why this is being done. What is the impetus of the City to bring forth this limitation? And if there is a need they feel that T6-8 and T6 -- excuse me -- T5 have uses that could be too large, such as exceeding

4,000 square feet for a single establishment, attack it from the other end. Put limits in the uses of T6-8 and T5 as opposed to compromising it all down to T4. Thank you very much for your consideration.

Chair Gort: Thank you. Next.

Lucia Dougherty: Morning, Mr. Chairman, members of the Commission. Lucia Dougherty, with offices at 333 Avenue of the Americas, in downtown Miami. Commissioner Sarnoff, initially, when I read the ordinance, I read it exactly as you did. It would prevent motels in -- anywhere on Biscayne Boulevard, but the Planning director explained to me how the language is written, and I agree with him that the way that he is interpreting it, you can have hotels everywhere on Biscayne Boulevard except for the T4. So -- but I have proposed -- and I'm here on behalf of Arva Jane (phonetic), who owns 10 properties on Biscayne Boulevard in the MiMo District, including the world famous now Vagabond Hotel. We support the ordinance and we believe it's a -- it will encourage local designation of historic properties, and maybe even someplace like St. Jude, when they get the 2.25 multiplier may actually reconsider its designation, because now, the TDRs (Transfer of Development Rights) that they'll be able to sell are much higher than they were before. The TDR ordinance has been very successful. It's incentivized many people to purchase and rehabilitate historic properties, and we congratulate you for, you know, having that kind of foresight. The MiMo in -- there are -- as was mentioned, in the MiMo District, there are T6-8, there are T5 and there are T4. The T4 is the lowest classification, and Arva Jane has purchased a office building in the T4 District, and I'm going to show you it right here. This is the office building as it was. This is the office building as it's under construction. And this is the office building at 5555 Biscayne Boulevard that the Historic Preservation Board has already approved and we're under construction. So she's put her money where her mouth is, but we cannot get any TDRs in this particular building because it's actually built over the specifications of the T4 in the zoning classification that it's in. In other words, the building, as built, exceeds what the Zoning Code is now, which was down-zoned under Miami 21 to T4. So there are two issues that I would like you to look at, and they're both on page 4 of the document that I passed out to you.

Chair Gort: Lucia, let me ask you a question. Let me interrupt you for a minute.

Ms. Dougherty: Sure.

Later.....

Chair Gort: Lucia, I'm sorry. My apology, but the presentation was supposed to be at 10:30.

Ms. Dougherty: Okay. So I passed out to you an ordinance on page 4 of 5 that I would request a couple of amendments. In the T4, which again, this office building is in the T4, you can't have any use that exceeds 4,000 square feet, so this office building was a single-purpose office building when it was originally built. Each floor has 5,000 square feet, so under the T4 ordinance currently in the MiMo District, which this was down-zoned to, you could not have a single user or even a user that took 5,000 square feet. So what we're requesting is an amendment at the end of -- that's highlighted in yellow that says, "However, commercial uses in existing office structures are permitted without size limitations for establishments." I don't think this is going to have a far-reaching effect. I don't know of any other office buildings in this T4 MiMo District, but if there is, I don't know why you'd want to limit a single user to 4,000 square feet. The second request that we would make is that -- and there's lots of ways to do this. And how this came up is that I requested a rezoning of this office building to T5. I requested it because we are a T5 use in a T4 zoning classification. That would give us the right to have some TDRs in the T5. The Planning director did not recommend approval. It's been pending before the Planning Advisory Board. And what we had asked is that we amend the Code instead of the rezoning the property. Amend the Code to say that TDRs for properties located in the T4

transect zone shall be calculated as if they're a T5. We have support from the Morningside Civic Association. Elvis [sic] Cruz is here; he's supporting this amendment. I know that Francisco Garcia, who I have the highest respect for -- love him as a Planning director. He's the greatest -- he does not believe that it ought to be done this way. He would prefer to have the entire area rezoned T5; not my single zone, not my single lot nor this amendment to the Code. This is the easiest most effective way to be able to encourage people to transfer their development rights in the T4 District for properties which are actually built over the current zoning classification. So with that, I'd close. The two amendments that I request that you consider are highlighted on page 4 of 5.

Commissioner Sarnoff: Mr. Chair.

Chair Gort: Yes, sir.

Commissioner Sarnoff: Mr. Garcia, when -- you have to admit, when I first brought the TDRs to you, you were very skeptical. I try to be candid with you. I think you should be candid with me. It was a struggle to simply do the first one. Remember the struggle?

Mr. Garcia: I do, sir, and I know you're not inviting comment, but, yes; I think we were all challenged originally when we tried to accept the TDR process; I agree with that.

Commissioner Sarnoff: It may have even taken us almost one year to actually do the first transfer, the TDR.

Mr. Garcia: It was a learning curve, absolutely.

Commissioner Sarnoff: And there were a lot of skeptical people in your department. On a score of 1 to 10, how would you say the TDR program is going in the MiMo District?

Mr. Garcia: It has been absolutely instrumental to the incredible revitalization we have seen of the Biscayne Boulevard Corridor and particularly of the MiMo District, no question about it.

Commissioner Sarnoff: Okay. I'm going to quote you a passage in now one of my favorite movies. It's "Fury." It happens to be done by Brad Pitt. And the passage is: "Ideals are peaceful. History is violent." So sometimes, a purist approach to things looks great, and I completely understand from hence and where you come, and I actually may even have more respect for you than Ms. Dougherty.

Mr. Garcia: Thank you.

Commissioner Sarnoff: But history, which is the rugged part of where we live, where the rubber meets the road, where the politics and the spin masters do their spinning, is a violent place. So with that said, I'm going to adopt the amendments to -- that Ms. Dougherty has presented, and I'm going to make a motion, but I do so with great trepidation and great hesitation to your skill and to your acumen, but I would ask you to at least recognize for a moment -- not very long, but just for the moment -- that you and I did butt heads on the TDR program for almost a solid year, and it has turned out to be a wonderful program. So with that, Mr. Chair, I'm going to make a motion, as amended, as modified by the document that's just been provided to us that's been read into the record by Ms. Dougherty.

Chair Gort: Okay, there's a motion. Is there a second?

Commissioner Carollo: Second.

Chair Gort: Second by Commissioner Carollo.

Peter Ehrlich: Mr. Chair.

Chair Gort: Wait a minute, there's -- don't worry, don't worry. Did I ever keep you from talking?

Mr. Ehrlich: No.

Chair Gort: Okay. See, I get Mariano to talk all the time. How can I not allow you to talk? It's moved and second. Yes, sir, you're recognized.

Mr. Ehrlich: Thank you very much. Good morning, Mr. Chair, Commissioners. My name is Peter Ehrlich. My address is 720 Northeast 69th Street in Bayside, adjacent to the MiMo District; and I'm also a stakeholder in Lemon City, which is also adjacent to the MiMo District. And I'm speaking generally opposed to this legislation; at least opposed to it at this time. I'm in favor of Chapter 23, Historic Preservation Ordinances; I'm in favor of T4, but there are many facets of this legislation; there are many different elements, and some of them don't relate to each other. As you probably know -- you might have gotten material from Belle Meade, Belle Meade stakeholders. They're opposed to this legislation. They'd like more public hearings. They'd like more time to discuss the aspects, the various aspects of it with all of you. There's a property owner in Morningside who's building a restaurant in Morningside with two parking spots. This is adjacent to the area that's being proposed to go to -- from T4 to T5. It's a complicated area. There appears to be no community need to up-zone T4 properties to T5, so I'm asking you not to pass this on first reading. Please have some more public hearings, and especially include the stakeholders from Belle Meade. Thank you very much.

Commissioner Sarnoff: Mr. Chair.

Chair Gort: Thank you. Yes, sir.

Commissioner Sarnoff: Just to correct the record, this does not up-zone T4 to T5.

Chair Gort: Thank you. Next.

Dolly McIntyre: Good morning. I'm Dolly McIntyre, 409 Vizcaya Avenue in Coral Gables. I'm the advocacy chairman for Dade Heritage Trust. As I understand the proposed change regarding initiation of designation, as I understand it, this change adds one layer to a citizen non-owner initiating a designation. An individual citizen can go to you, the Preservation Board, Dade Heritage Trust, MDPL (Miami Dade Preservation League), and initiate the request for designation. I think this serves to put in a little bit of a screening process so that requests for designation are valid and are not used for purposes other than historic preservation, so basically, I would support that part of the ordinance change. I'm not as well informed on the MiMo and TDR issues, and I would ask only that whatever decision is made, it be made with the purpose of protecting our historic resources, which are ever dwindling, and which you have great control over, so, please, do the right thing.

Chair Gort: Thank you.

Commissioner Sarnoff: Mr. Chair.

Chair Gort: Yes, sir.

Commissioner Sarnoff: And just so the record's clear, the multiplier went from a 1 or no multiplier to 2.25 times, if your building is historic, so you could say this ordinance is two and a half times better than it was before, and candidly, Mr. Garcia, I've been asking for that multiplier

for the better part of 10 months, but I guess it took your department about 10 months of study to figure that that would be a betterment for historic structures.

Mr. Hannon: You may proceed, Mr. Cruz.

Elvis Cruz: Thank you. Elvis Cruz, 631 Northeast 57th Street. Gentlemen, the preamble to the legislation says in the second line: "Whereas the public's ability to nominate historic resources should be protected," but then on the paragraph on the next page, it strikes the language that says: "Any interested citizen, organization, agency or association may propose for designation." And that could have negative consequences. Three examples come to mind. The Art Deco District, that was initiated by concerned citizens many years ago. Secondly, myself, in 1980 or '81, I went to the City of Miami Planning Department and said, "Hey, I live in a neighborhood called Morningside. This should be a historic district," and it has been so now for over 30 years. It's been very successful for us. And more recently, Saint-Gaudens Road in the Grove, concerned citizens wanted to protect a house there. I understand the concept. I don't think it's necessary. This language has been in the Historic Preservation Ordinance since at least the early '80s. Now, regarding the proposal to calculate TDRs for the T4 properties as if they were in a T5 zone, that is very logical and beneficial to both the commercial and the residential neighborhoods. That was proposed several months ago when the up-zoning of this 5555 Building was first proposed, and it's been proposed at PZAB and as well to the Planning Department. The Planning Department has been wanting to up-zone 10 blocks of Biscayne Boulevard from T4 to T5 in order to increase the TDR capacity for those properties. The proposal would accomplish that goal without the unintended consequences of increasing density, increasing lot coverage and decreasing setbacks that would happen with that up-zoning. So, yes, please amend the legislation to include that change in the TDR calculation method for T4 in the MiMo District. Lastly, I have a question for the Planning Department. There may be some T4-L properties -- T4-L, not T4-O -- in the MiMo District. I'm hoping to hear assurance that T4-L will stay T4-L and not have their uses calculated as if they are T4-O, unintended by this legislation.

Chair Gort: Thank you, sir. Next.

Mr. Cruz: Thank you.

Neisen Kasdin: Mr. Chair, Neisen Kasdin, 1 Southeast 3rd Avenue. I just wanted to correct something for the record. City of Miami Beach Preservation Ordinance very specifically limits and provides certain groups or parties that have standing, and it's not wide open. The City of Miami's ordinance, as it stands before what is proposed is an anomaly as most zoning ordinances and preservation ordinances require specific standing and designate which parties have that standing. I think this is the correct thing to do.

Chair Gort: Thank you, sir. Anyone else? Anyone else? Seeing none, hearing none, the public hearing is closed. Any additional discussion by Board Members? You're recognized, Vice Chairman.

Vice Chair Hardemon: Thank you very much. I definitely was moved by what Commissioner Sarnoff said about the legislation that's proposed before us today, and it made me think of the necessity for us to have something brought back to us that is -- that would solve the issues that were presented before us, and Ms. Dougherty presented an option to us that was used in this motion to modify this legislation. However, as she stated, it benefits the property that she represents, which is not a problem, but my question then becomes: Does it benefit or solve the issues that we were presented before that Commissioner Sarnoff brought forth? So personally -- and I'm not asking for a continuance, but personally, I would rather see this information come back before me again, another briefing, so I can properly understand what is being presented before me today and not necessarily presented on a dais as a motion because of those concerns, and so because of that, I'm not in favor of it as it is.

Chair Gort: Okay, anyone else? Madam Attorney.

Victoria Méndez (City Attorney): Am I reading the ordinance, Chairman?

The Ordinance was read by title into the public record by the City Attorney.

Chair Gort: Okay, roll call.

Mr. Hannon: Roll call on item FR.2. Vice Chair Hardemon?

Vice Chair Hardemon: Against.

Mr. Hannon: Commissioner Carollo?

Commissioner Carollo: Yes.

Mr. Hannon: Commissioner Sarnoff?

Commissioner Sarnoff: Yes.

Mr. Hannon: Chair Gort?

Chair Gort: Yes.

Mr. Hannon: The ordinance passes on first reading, as amended, 3-1.

Ms. Dougherty: Thanks very much.

FR.3

ORDINANCE

First Reading

15-00058

*District 2-
Commissioner Marc
David Sarnoff*

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 37 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "OFFENSES-MISCELLANEOUS," MORE PARTICULARLY BY ADDING A NEW SECTION TO PROHIBIT CAMPING ON PUBLIC PROPERTY; PROVIDING FOR DEFINITIONS AND PENALTIES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

15-00058 Legislation SR.pdf

Motion by Commissioner Sarnoff, seconded by Vice Chair Hardemon, that this matter be PASSED ON FIRST READING PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

Daniel J. Alfonso (City Manager): SR.2 --

Chair Gort: SR.2 was pulled, right?

Commissioner Sarnoff: Yes.

Chair Gort: (UNINTELLIGIBLE).

Mr. Alfonso: I'm sorry, SR.2 was deferred.

Commissioner Carollo: FR.1.

Commissioner Sarnoff: Would you mind, Mr. Chair, if we took something out of order, which would be FR.4 -- sorry -- FR.3, and that's kind of on the same vein of the defecation and urination ordinance? And I think Officer Bernat is here.

Chair Gort: Which item?

Commissioner Sarnoff: It would be FR.3, Mr. Chair.

Chair Gort: FR.3.

James Bernat: Good morning, Commissioners. I want to thank the Chief, and the Majors and the command staff for allowing me to speak in front of you today, and I'd like to address the issue of tents and camping in the City of Miami. I'm Executive Assistant James Bernat to the Chief of Police, and the homeless coordinator for the Miami Police Department. As you see, the training that we do through the Police Department, you know -- and I instill to the officers that we cannot arrest our way out of homelessness. And in this first picture, you see an officer with a Vietnam veteran who is not committing any violation, who is sitting in the park, and he's just taken his information. The pictures you will see after, this individual did not want shelter, and there was no shelter beds available, but we offered him a shelter mat, and he did not want a mat, but he had a wound that was a severe wound on his arm and I was very concerned about that. This is a social worker that I brought out the next day to talk to him to try to convince him to get some medical treatment. He refused the Rescue. And here is the nurse practitioner I brought out the day after that to treat his wound and he was reluctant to go into shelter; a very nice gentleman, and we were persistent, going out every day, talking to him. This is the actual wound that he had on his arm that we were treating in the field, and that following Monday, we were -- convinced him to go into the clinic and he was getting treated by the nurse. And that is his arm afterwards, and because of the persistence of the City of Miami Police and the collaboration with outreach and Camillus Health Concerns, he is now -- he went into the mat program and he now has his own bed and a dorm at Camillus House. I just wanted to indicate how we are doing outreach and helping the homeless individuals on a regular basis every day, and because of the Commission's foresight in approving the mat program, we're able to help the homeless, the chronic homeless in the street. This is a tent in downtown Miami, and this is a social worker that I brought over, and this is a seven-month female who I could not convince to go into the shelter, and she eventually was convinced by her to go into shelter, and she had the baby two months ago, and she is now at the shelter facility trying to end her homelessness and is in a program to find employment. These next pictures are going to show the different NET (Neighborhood Enhancement Team) areas and some of the problems faced out there on the issues when it comes to tents and camping paraphernalia. And this is not an issue in one particular NET area; this is an issue that we have for the entire City of Miami. This picture is Allapattah. This is near Mother Teresa's and these tents pop up from one day to the next. And as you see, there are several tents going down the sidewalk, which causes many, many, many issues. There's issues of safety to the public, safety to the homeless; there's sanitary issues; unknown individuals are inside. For law enforcement, we don't know if there's weapons inside or any dangerous situations, or if there's illness or someone who's sick inside these tents. This is another area in the same NET area where a tent is in an open field. This is downtown Miami. This area is near Northwest 1st Avenue and 6th Street, and at one time, we've had accumulated up to 17 tents in a one-block area. And as you see, the tents do not necessarily block the whole sidewalk. Some of the tents, because the sidewalks are very wide, they block part of the sidewalk, but the same safety issues and concerns exist. This is the 2nd Avenue bridge by the MRC (Miami Riverside Center). Tents also pop up under the bridges and they're -- these are challenging for law enforcement to address. And by the way, in all these circumstances, we offer shelter and the shelter mats before we even engage. This is the same area as the previous. This is actually across the street, and this particular tent is covered, so when we approach the tent, we don't know who's inside, if someone's unconscious, or if someone is being held against their will inside

this tent or they may have weapons. This is an area about a block away, and as you see, the tents and the camping paraphernalia does -- not only in one particular area. Sometimes, these items and tents will cover a block long, and it causes the -- a trip hazard or a safety issue for anyone who wished to walk down the sidewalk. Downtown Miami again, this is another street, and these are -- this is part of the same area where I referenced that there were 17 tents. This is Little Haiti, and this tent is in an open field. And tents are not necessarily purchased at Walmart or any other department stores. This is a tent that's made from sheets or tarp, and tents are made with any material and causes the same concerns for safety and hazardous conditions.

Chair Gort: Let me ask you a question. I can see the difference between the two tents. The camping tents that you buy, what do they go for?

Officer Bernat: Well, these tents are pretty expensive. These are a few hundred dollars at least.

Chair Gort: A hundred?

Officer Bernat: Yes.

Chair Gort: Thanks.

Officer Bernat: This is a -- the Brickell area, and this is near the bridge, and this is a tent that is on the public right-of-way, and it's hidden behind the shrubbery, and it's concealed, and that -- especially at night, that's a concern, because we don't know who's inside or the situation that we're -- as law enforcement that we're coming upon, or if the person needs help or is ill. This is in the same area, and this is a -- across the street, there's a condominium, and this is an individual that actually took shelter, so this was an easy solution, but this is on a dead-end street on the right-of-way with no pedestrian traffic, and this -- if this individual did not take shelter, then what would be the recourse in trying to resolve this particular situation? Wynwood, another NET area, this is, as you see, this is a sidewalk completely blocked with the occupant of the tents sitting in front of the tent with their camping paraphernalia adjacent to the tent. This area here is Flagami, and this is the border between Flagami and Miami-Dade County near the underpass of a bridge, and as you see, there's a tent and a whole array of camping paraphernalia. This area is Overtown, and that area, as you see, this is an open field; this was a few weeks ago. These tents popped up over the weekend, and these were nine tents that were occupied. Some of these tent individuals were three or four, five to a tent, and as you see, besides the tent, there is chairs, table -- they had a dining room table there, and they were making the whole area as an encampment. The next picture is the same area, about two weeks earlier, about 5 in the morning, and these individuals were -- about four or five were living in -- behind some shrubbery in a tent in the same field in Overtown. This is off of 13th Street and 1st Avenue. These are not tents, but you could see all the camping paraphernalia, how it has obstructed the sidewalk. It's dangerous for the homeless themselves to walk through; it's dangerous for the citizens to walk through; there's unsanitary conditions that exist among the items that are there, and I just wanted to demonstrate how this issue encompasses the whole City. This is off in front of -- just west of the Overtown transit station. This is about 5 in the morning, and as you could see how the sidewalk is full of camping paraphernalia and individuals that are residing in that area; the same area, but across the street, same date and at 5 o'clock in the morning. This is back on 13th Street. This is a -- across the street, and you could see the accumulation, all the camping paraphernalia that has been accumulating there for a period of time. Now, we currently have temporary structures in the park, and it is an arrestable offense, and in Little Havana, for example, in Fern Island Park, this was a wooden structure that was there. This individual was offered a shelter mat, and as you see, there's a boat, and, you know, the very first slide that I showed was where -- when I said that we cannot arrest our way out of homelessness. This is an existing ordinance. We did not arrest this individual, even though he refused shelter. We allowed him to take his possessions and take down the structure, and he chose to move on and he did. So the reason why I'm saying that is because I want to make it clear that the ordinance we have on the book, as

officers, we're here to help the community and help the homeless individuals, so we don't necessarily choose to arrest the homeless just because we can, and I want to make that clear, so this is a prime example where we didn't choose to -- we offered shelter, and he was not arrested and we dealt with the situation the best we could. And this is downtown Miami. This is at Fort Dallas Park. As you see, this person decided to use electricity of the park. He has a laptop inside, and this individual was not arrested, either. And this is a tent inside the park, and we have an ordinance right now that we're able to take action if we needed to and able to give the warnings because of the ordinance. And that's the end of the presentation. Thank you.

Commissioner Sarnoff: Mr. Chair.

Chair Gort: Thank you. Yes, sir.

Commissioner Sarnoff: I thought it'd be appropriate for Officer Bernat to try to give us an update with how the mat program is doing, and to also let you know that I probably meet with Officer Bernat -- pretty much once a week now, isn't it? -- and to let you know that I think you may have read in the Miami Herald or you may have read in other sources that a man by the name of Tom Redman happens to be the person who's been living experimentally, if you will, or for teaching purposes with the homeless for the past six to nine months here in Miami. Officer Bernat and I were on a phone call with Mr. Redman very recently, and I think it's fair to say, officer, that Mr. Redman extolled the virtues of the mat program. As he said, some in Miami-Dade County think it's appropriate to actually let people live on the street while a shelter bed opens up, and he made a statement, Officer Bernat, that there are no shelter beds. What is the average waiting time in your experience for a shelter bed?

Officer Bernat: Currently, right now, officially, there's 30 days and there's 177 individuals waiting to go into a shelter bed. And if I may add, up to date, since August 1, the City of Miami Police have placed 918 individuals in the shelter mats in lieu of an arrest.

Commissioner Sarnoff: And of those 900, how many have moved on to a different continuum of care?

Officer Bernat: It's actually 32 percent have either moved within the continuum of care, back to their families or their own apartment.

Commissioner Sarnoff: So the purpose -- as you could see, Mr. Chair, the mat program is working, and it's working extremely effectively. As a matter of fact, we could compare it and contrast it if we wanted to shelter beds, and we could show you how effective it is. In part, we think of the reason is that some people need a hybrid approach. They want to still feel like they're free, which is under the skies, and then they -- inevitably, when they gain -- when the system affords them the opportunity to gain their confidence, they then take other services attendant to the homeless. The purpose behind this legislation today is to provide the police officers another bow in the quiver of a lawful order. As you can see, and ironically, today, we're going to be dealing with an area that I would tell you 60 percent of those slides showed an area where Miami, for the -- actually, for the Worldcenter project, that's primarily where all the tents are, and that's a big source of homeless people. It is the definition of "slum and blight"; would you agree, officer?

Officer Bernat: I agree.

Commissioner Sarnoff: Okay. So the purpose behind this legislative change is to give Officer Bernat and his legion of officers another bow in the quiver to give them a lawful order, to try to get them into the continuum of care, so with that, Mr. Chair, I'd like to move this item.

Vice Chair Hardemon: Second.

Chair Gort: There's a motion. Is there a second?

Vice Chair Hardemon: Second.

Chair Gort: Second. Let me tell you, the -- I read the quote of the individual talked about, and the article, not only did he spend time in Miami, but he went -- spend time in many of the cities throughout the State, major cities where they have homeless, and his -- he agreed that Miami is where the homeless -- the best treated. I had the experience the other day. I had to go to a baseball field to throw the first pitch, and somebody came up to me and says, "Commissioner, you know, I don't see how come you guys don't do anything? I had to go to the arena to a basketball game. I parked about five blocks away and it was terrible, walking through the arena, that -- what I saw in the street." And I tried to explain to this gentleman -- people don't know this -- the City of Miami is the only one that have the obligations, and we -- I think we have been dealing with the homeless in a very fair way. We're under a consent agreement, so there's certain things that we can do only in the City of Miami. They can go to Miami Beach and they -- they'll get out of there right away. They can go to Coral Gables and get them out of there right away, and I think somehow, we need to let the people know what do we do for the homeless in here, and I think the officer and the team that he has put together have done a great job. Like you saw that man with his arm. That man could have died from an infection if he had not been taken care of. There's some people that believe warehousing in the street is a lot better than warehousing in a place. I have to tell you -- and I been told it's a failure now -- but in 1994, when I first got elected first time, the homeless problem was going around. I went to Orlando to see the facility that was built in Orlando. And what happens is the mat services provide the people the ability to go there, experience a little bit of a change, and later on, they expand into the other programs, and that's what the -- I believe the mat can do, and that's what it's been doing. And at the same time, all those -- from what I seen here, thousands of dollars has been spent on the tents. Somebody's doing that; I don't know who, but that person should take that money and try to give them direct benefit to it or donate it to someone that can give the benefits to them.

Commissioner Sarnoff: So the story we're hearing is that it's an organization with the four letters to it; starts with an "A" and it ends with a "U." And if they're spending the money on those tents, maybe they could help in different ways that would be more effective than trying to get attorney's fees against the City of Miami.

Chair Gort: Okay. I didn't know that. Okay. Any further discussion? All in favor, state it by saying "aye."

Todd B. Hannon (City Clerk): Excuse me, Chair.

Chair Gort: Yes.

Mr. Hannon: Public hearing, and then we'll have the title read by the City Attorney.

Chair Gort: Public hearing?

Mr. Hannon: Yes, sir; first reading ordinance.

Chair Gort: Oh, it's an ordinance. Sorry about that. Yes, sir, open to the public.

Horacio Stuart Aguirre: Mr. Chair, Horacio Stuart Aguirre, as chairman of the Miami River Commission; offices at 1407 Northwest 7th Street. We strongly support this initiative. You were recently with me and Mayor Regalado at an event in Spring Gardens where residents came up to you and complained about the tents and inhabitants underneath the 12th Street bridge. We find this underneath the other bridges along the south side of the river, especially as we get closer to

the downtown corridor. While people may think that they're safe by setting up a tent under a bridge, if you've ever been under a bridge while the bridge is opening and closing, you'd be scared to death to be anywhere near that, so we strongly encourage this measure. Thank you.

Chair Gort: Thank you. Does anyone else in the public would like to address this?

Mariano Cruz: (UNINTELLIGIBLE).

Chair Gort: The tent, the homeless; the tent.

Mr. Cruz: Homeless? (UNINTELLIGIBLE). Mariano Cruz, 1227 Northwest 26th Street. I don't need to be a lawyer. I am not a lawyer. Anyway, lawyer, they live off the people problems.

Chair Gort: You got a few here. You better be careful.

Mr. Cruz: Yeah, sure. We are not lawyers, right? We're not -- you're no lawyer, I'm no lawyer, but the homeless, the McKinney ad provides big money for many people. Are you -- I was at Camillus House at the office of Dr. Ahr; he just retired. He just retired, but you go to his office, and it's a sanctuary for Notre Dame. You were there, they got the Rudy movies the -- no Rudy -- Rudy, Rudy, go Rudy, all that. No, all that talk. It's -- and you know, the people come with Dr. Ahr. I help -- Allapattah help him to move, and he didn't provide a single job for the people in Allapattah. You know what he answered me when I tell? "Oh, that's coastal." Coastal, yeah. And I ask him, "Don't insult my intelligence. You are the one that sign the checks for Coastal." But he's gone; he retired. Maybe he's gone out with his -- Notre Dame and the whole thing. Every time Notre Dame plays, I make sure -- I pray for them to lose. Anyway, but I don't know with the new director we have in the homeless, maybe he will do better, but there's still a lot of problem, even that the camping, they want to pass a camping ordinance, was very easy for us. I got my needs cover, I got all my bills paid. Everything is paid at home. I don't have to worry about anything. I have to pay the electric bill and I pay very little, because I bought induction appliances for the household so I don't have to pay so much money, but I got my needs cover. But you tell somebody in the street that was fire now? You know, you are two pays away from being in the street; that's what the people here who sit here, they got big -- all of you got salaries, all the needs cover, don't realize how the people in the street there live. I know, because people every day ask me, "Could you get me a job? Could you get me a job?" And I don't know. I say, "If you go and see" -- "I don't know who you got to see."

Chair Gort: Mariano, in conclusion.

Mr. Cruz: Oh, no --

Chair Gort: But let me tell you --

Mr. Cruz: But the homeless thing is --

Chair Gort: -- let me tell you --

Mr. Cruz: -- anybody can be homeless.

Chair Gort: -- what you can do to those people that ask you for a job. Send them to Miami Career Center.

Mr. Cruz: I send them to 7th and 20th.

Chair Gort: Seventh and 20th, and fourth floor. They can go there and list themselves, and they'll try to get them a job. Thank you, sir.

Mr. Cruz: Okay, well, I will see. We'll see that. But remember, we have to be realistic --

Chair Gort: Yes, sir.

Mr. Cruz: -- of the way things are out there.

Chair Gort: We try. Anyone else in the public? Anyone else? Seeing none, hearing none, we close the public hearings. It's an ordinance.

George Wysong, III (Assistant City Attorney, Supervisor): Thank you, Mr. Chair. And just a quick comment. This is not necessarily intended to affect the homeless; it's intended to affect camping on City property where the property is not designed as a campsite, campground, does not have the facilities to enable people to safely camp, so it will apply to anybody who camps within the City.

The Ordinance was read by title into the public record by Assistant City Attorney George Wysong, III.

Mr. Hannon: Roll call on item FR.3.

A roll call was taken, the result of which is stated above.

Mr. Hannon: The ordinance passes on first reading, 4-0.

FR.4

ORDINANCE

First Reading

15-00149

District 3-
Commissioner Frank
Carollo

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, ENTITLED "ADMINISTRATION", ARTICLE XI ENTITLED "BOARDS, COMMITTEES, COMMISSIONS", BY ESTABLISHING A NEW DIVISION 22 ENTITLED "STARS OF CALLE OCHO WALK OF FAME CELEBRITY AND COMMUNITY RECOGNITION ADVISORY COMMITTEE", SETTING FORTH THE ESTABLISHMENT, PURPOSE, POWERS AND DUTIES, ITS MEMBERSHIP, QUALIFICATIONS, ORGANIZATION, MEETINGS AND QUORUM, AND SUNSET REVIEW OF THE COMMITTEE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

15-00149 Legislation SR.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be PASSED ON FIRST READING PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

Commissioner Carollo: And Mr. Chairman --

Chair Gort: Yes, sir.

Commissioner Carollo: If we could now move to --

Chair Gort: FR.4.

Commissioner Carollo: -- FR.4, which is now going to be the creation of a board, of a committee to be able to solicit, receive nominations for the stars, and, you know, maybe Eloi,

maybe Mr. Garcia, you can be part of that committee; I'm not sure, but, you know, I think we are establishing a process as opposed to someone getting a star and no one knows what's going on, but there's a press conference, and realistically, you know, there is no process.

Chair Gort: And the two chambers can be part of it.

Commissioner Carollo: Exactly, exactly, so if you indulge me, if we could move to FR.4, please, Mr. Chairman.

Chair Gort: FR.4.

Commissioner Carollo: And I stated what it is. I don't know if you need more explanation, but I make a motion to move FR.4.

Commissioner Sarnoff: Second.

Chair Gort: There's a motion by Commissioner Carollo; second by Commissioner Sarnoff. Any further discussion? Being none, all in favor, state it by saying "aye."

Todd B. Hannon (City Clerk): Chair.

Chair Gort: Yes.

Mr. Hannon: Excuse me, Chair; public hearing.

Commissioner Carollo: Public hearing is -- it's an ordinance.

Chair Gort: Wait a minute. FR.4, first reading, okay. Anyone in the public would like to address FR.4? Anyone in the public would like to address FR.4? Seeing none, hearing none, close the public hearings.

The Ordinance was read by title into the public record by the City Attorney.

Mr. Hannon: Roll call on item FR.4.

A roll call was taken, the result of which is stated above.

Mr. Hannon: The ordinance passes on first reading, 3-0.

END OF FIRST READING ORDINANCES

RESOLUTIONS

RE.1

15-00020

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE EXPENDITURE OF ATTORNEY'S FEES AND COSTS FOR THE ENGAGEMENT OF THE LAW OFFICES OF MARRERO & WYDLER FOR REPRESENTATION OF JEAN PAUL GUILLOT IN THE CASE OF MIGUEL RAMOS VS. THE CITY OF MIAMI, ET. AL., PENDING IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, CASE NO. 14-CV-24628-SCOLA; ALLOCATING FUNDS FROM THE NON-DEPARTMENTAL ACCOUNT CODE NUMBER 00001.980000.531010.0000.00000.

15-00020 Memo - Office of the City Attorney.pdf
15-00020 Legislation.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0043

Chair Gort: FR.4 has already been approved. We're going to the REs (resolutions). RE1, engagement of law offices.

Daniel J. Alfonso (City Manager): Commissioners, RE.1 is a resolution authorizing the expenditure of attorney's fees in a conflict counsel case.

Victoria Méndez (City Attorney): Thank you, Mr. Manager. This is a case where our City Attorney's Office has a conflict with regard to one of the officers where prosecuting -- we have labor issues within, and we cannot defend on this case, so we're asking for conflict counsel in this case.

Chair Gort: Okay.

Commissioner Sarnoff: So move.

Chair Gort: It's moved by Commissioner Sarnoff. Is there a second?

Commissioner Carollo: Second.

Chair Gort: Second by Commissioner Carollo. Any discussion? Hearing none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.2

14-01099

Department of Real Estate and Asset Management

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO EXERCISE THE FIRST ONE (1) YEAR OPTION TO RENEW REQUEST FOR PROPOSAL CONTRACT NO. 369316, BETWEEN THE CITY OF MIAMI ("CITY") AND WLS, L.C. D/B/A NAI MIAMI, PURSUANT TO RESOLUTION NO. 13-0453, ADOPTED NOVEMBER 21, 2013, FOR REAL ESTATE LEASING SERVICES FOR THE CITY DEPARTMENT OF REAL ESTATE AND ASSET MANAGEMENT, ON AN AS-NEEDED CONTRACTUAL BASIS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

14-01099 Summary Form.pdf
14-01099 Activity Report.pdf
14-01099 Pre-Legislation.pdf
14-01099 Legislation.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be CONTINUED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

Note for the Record: Item RE.2 was continued to the March 12, 2015 Regular City Commission Meeting.

Chair Gort: RE.2.

Commissioner Carollo: Mr. Chairman.

Chair Gort: Yes.

Commissioner Carollo: With RE.2, I apologize. There was some information that I requested, not necessarily from the Administration; from Miami Parking Authority. I had a meeting with them, but I didn't receive the additional information, so can we defer this? And I apologize. I would have done it at the beginning of the meeting, but, you know, I guess there were too many things going on, so.

Chair Gort: I just want to ask a question. Is this contract for a specific facility?

Daniel J. Alfonso (City Manager): No, Mr. Chairman. This is the contract with the company that is helping us recruit the people that will be in the facility.

Chair Gort: In the facility?

Mr. Alfonso: Yes. So you -- we use a real estate broker, basically, to help us bring --

Chair Gort: To all our facilities or --

Mr. Alfonso: No, no.

Chair Gort: -- is this for a particular facility?

Mr. Alfonso: This is for the Marlins.

Chair Gort: All right.

Mr. Alfonso: This is for the Marlins retail space.

Commissioner Carollo: Retail space, and --

Chair Gort: I'd like to get a report what has been done in the past, because -- how long has it been open now; three years, right?

Mr. Alfonso: The facility has been open for three full seasons.

Chair Gort: I'd like to get the report.

Mr. Alfonso: There is a report attached of how much is currently occupied and what efforts have been done; how much is still vacant. This particular company was brought on about nine, 10 months ago. We still have a fair amount of vacant space in there, and we're trying to get it for this.

Chair Gort: That's why I'm asking. I mean, we've had several companies going through here. It's been three years, and we still have a lot of empty spaces there and --

Commissioner Carollo: Chairman Gort.

Chair Gort: Yes, sir.

Commissioner Carollo: And exactly, that's why I'm going to request a deferral. And I'll be honest with you, some of the tenants that have been there, I requested it specifically, how much tenant improvement dollars have gone to each one of the ones that have (UNINTELLIGIBLE) lease, how much in tenant improvement is left and so forth. So there's information that I want to see before we just, you know, once again, approve them to be here for another year. So that's why I would, you know, respectfully request a deferral. As a matter of fact, you know what? I respectfully request a continuance on RE.2, and again, it's to obtain the information that you now are requesting and --

Mr. Alfonso: That information, we believe, is part of the backup that we have provided, Commissioner, and I'm not sure about what MPA (Miami Parking Authority) information you're asking about, but that was not requested before.

Commissioner Carollo: No, I understand, but I spoke to Mr. Noriega, our director and Mr. Larkin from NAI, and like I said, I met with them, but there is still pending information that I have not received. So with that said, I make a motion to continue RE.2.

Chair Gort: There's a motion to continue.

Commissioner Sarnoff: Second.

Chair Gort: Been second by Commissioner Sarnoff. Under discussion. Let me tell you all what my problem is. There's been three or four company or three companies have gone through. They have not had the ability and I want to know if there's some restriction that we put on the place that makes it so difficult to rent, and that's the information I'd like to get, okay? Thank you. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.3

15-00004

Department of Police

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE PROJECT ENTITLED: "SCHOOL RESOURCE OFFICER PROJECT," AND APPROPRIATING FUNDS IN THE AMOUNT OF \$20,590.00, CONSISTING OF A GRANT FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, JUSTICE ASSISTANCE GRANT, FOR THE CITY OF MIAMI DEPARTMENT OF POLICE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, IN ORDER TO IMPLEMENT THE ACCEPTANCE AND ADMINISTRATION OF SAID GRANT.

15-00004 Summary Form.pdf

15-00004 Application for Funding Assistance.pdf

15-00004 Legislation.pdf

15-00004 Exhibit.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0044

Chair Gort: RE.3.

Jorge Gomez: Good morning, Commissioners. Assistant Chief Jorge Gomez. RE.3 is a resolution accepting a grant from the Florida Department of Law Enforcement for \$20,590. These dollars will be used for overtime to combat truancy in our high schools and junior high schools, and in all three districts, and also to teach elementary school kids the Rad Kids curriculum when it comes to deal with aggressiveness. This will be done by our school resource officers that are full-time officers assigned to the three districts, and officers that work the community relations section. There's no match by the City on this grant.

Chair Gort: Thank you. Do I have a motion?

Commissioner Sarnoff: So move.

Chair Gort: It's been moved by --

Commissioner Carollo: Second.

Chair Gort: -- Commissioner Sarnoff; second by Commissioner Carollo. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.4

15-00145

**District 3-
Commissioner Frank
Carollo**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION REQUESTING THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT TO DISCONTINUE THE PRACTICE OF PLACING COMPLETE SOCIAL SECURITY NUMBERS IN INVOICES SENT TO MUNICIPALITIES REQUESTING BACKGROUND SEARCHES FOR THEIR FUTURE EMPLOYEES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS STATED HEREIN.

15-00145 Legislation.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0045

Chair Gort: RE.5.

Todd B. Hannon (City Clerk): RE.4, Chair; RE.4.

Chair Gort: I mean RE.4. Sorry. No, that's -- that was done. Oh, yes, RE.4.

Commissioner Carollo: Thank you, Mr. Chairman. This is a resolution that I'm sponsoring and bringing before my colleagues for possible approval. I think it's a no-brainer, and simply, what I'm requesting is that the Florida Department of Law Enforcement discontinue the practice of

including Social Security numbers in their invoices to the City of Miami. So it's as simple as that, and I move RE.4.

Chair Gort: There's a motion by Commissioner Carollo. It's a second by Commissioner --

Commissioner Sarnoff: Second.

Chair Gort: -- Sarnoff. Any further discussion?

Commissioner Carollo: Yeah, Mr. Chairman. Obviously, identity theft is a big issue, and I don't have to educate anybody anymore with regards to the importance of Social Security numbers and preventing people from obtaining those numbers in the prevention of identity theft, so thank you.

Chair Gort: Thank you. All in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.5

15-00095

Department of Public Works

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE TWENTY-TWO (22) COVENANTS TO RUN WITH THE LAND, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH DACRA DESIGN MOORE (DEL.), LLC, PENNY LANE ACQUISITIONS, LLC, OAK PLAZA ASSOCIATES (DEL.), LLC, LOVELY RITA ACQUISITIONS, LLC, SWEET VIRGINIA ACQUISITIONS, LLC, UPTOWN GIRL DEVELOPMENT, LLC, FCAA, LLC, TINY DANCER ACQUISITIONS, LLC, BEN NEWTON, LLC, AND NORWEGIAN WOOD ACQUISITIONS, LLC ("OWNERS"), TO CONSTRUCT AND MAINTAIN NON-STANDARD IMPROVEMENTS WITHIN THE DEDICATED PUBLIC RIGHT-OF-WAY THAT ABUTS THE OWNERS' PROPERTIES IN THE DESIGN DISTRICT.

15-00095 Summary Form.pdf

15-00095 Letter - Akerman LLP.pdf

15-00095 Pre-Legislation.pdf

15-00095 Back-Up from Law Dept.pdf

15-00095 Legislation.pdf

15-00095 Exhibit A.pdf

15-00095 Exhibit - Covenant.pdf

Motion by Commissioner Sarnoff, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0046

Chair Gort: RE.5 -- 4, I'm sorry -- 5 now, yes; RE.5.

Victoria Méndez (City Attorney): RE.5, the covenants with Dacra, correct; or Dakra?

Chair Gort: Twenty-two covenants, yes.

Eduardo Santamaria: Good morning, Commissioners. Ed Santamaria, director of Public Works.

Commissioner Sarnoff: I don't want to hear it.

Mr. Santamaria: RE.5 is a resolution authorizing the City Manager to execute 22 covenants to run with the land with property owners in the Design District to construct and maintain non-standard improvements within the dedicated public right-of-way that abuts their property.

Chair Gort: Okay, thank you. Is there a motion?

Commissioner Sarnoff: So move.

Chair Gort: Commissioner Sarnoff. Is there a second?

Vice Chair Hardemon: Is this RE.5?

Chair Gort: Second?

Vice Chair Hardemon: Yes.

Commissioner Carollo: Second.

Ms. Méndez: Yes.

Vice Chair Hardemon: Okay.

Chair Gort: Second by Vice Chairman Hardemon. Discussion; any discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.6

15-00082

*District 5 -
Commissioner Keon
Hardemon*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING THAT THE MEANS BY WHICH THE FUNDS FOR THE ANTI-POVERTY INITIATIVE BE ALLOCATED AMONG THE FIVE (5) DISTRICTS OF THE CITY OF MIAMI BE PROPORTIONATE TO THE PERCENTAGE OF POVERTY LEVELS BASED ON THE FIVE (5) YEAR POVERTY RATE AS DETERMINED BY THE AMERICAN COMMUNITY SURVEY, AS ADJUSTED ANNUALLY.

15-00082 Legislation.pdf

Motion by Vice Chair Hardemon, seconded by Commissioner Sarnoff, that this matter be DEFERRED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
Absent: 1 - Commissioner(s) Suarez

Note for the Record: Item RE.6 was deferred to the February 26, 2015 Planning and Zoning City Commission Meeting.

Chair Gort: RE.6.

Vice Chair Hardemon: Actually, if I can, I know that I want the full board to be able to vote to RE.6 because it affects a lot of our different districts --

Chair Gort: Right.

Vice Chair Hardemon: -- all of them, actually, so I want to give Commissioner Suarez the pleasure of having the opportunity to vote on this and give his opinion, so I want to defer this to the February 26 meeting, so that's -- I move to defer it to the February 26 meeting.

Chair Gort: Okay, it's been moved to defer. Is there a second?

Commissioner Carollo: I'm sorry?

Chair Gort: The motion to defer.

Commissioner Carollo: Defer --

Vice Chair Hardemon: Motion to defer RE.6 to February 26.

Commissioner Carollo: So move or second.

Chair Gort: Second.

Commissioner Sarnoff: Obvious -- yeah, second.

Chair Gort: Discussion. I would like to see -- the numbers that was given to me by the districts, I don't think they're realistic. Also, I would like to see if there's a way -- I ask the Administration to -- ask for studies that can tell us what's the best way to implement those funds to really help the community. I think we have passed laws here to help improve the jobs placement of the people in that district. In certain districts, it was much needed; also, to increase the salary that -- a great benefit, but I would like to see kids in our districts that qualify because of the zip codes that we had selected before to be given a scholarship. There's a lot of kids that need to go to college and want to go to college; not all want to go to college, some might want a profession. It's for us to see if we can create a scholarship and select those individuals to go ahead and get additional education; just food for thought. Since we cannot talk to each other, I thought I would bring that up.

Vice Chair Hardemon: Right. And so part of the discussion that we'll have is how we go about doing things, and many of us have different points of view about how we go about solving poverty within our districts, and so that's why I presented this in a way that I thought would present all of us with an opportunity to do that --

Chair Gort: Right.

Vice Chair Hardemon: -- without -- to create that opportunity. So especially with -- \$1.25 million is not really a lot of money, so that's why we requested that the funds -- we can fact-check the percentages and how they apply, and I have no problem with that, but I appreciate what you're saying because --

Chair Gort: My understanding, they can be citywide and implement the same way it's been implemented for the job placements; the zip codes and we need it more than ever.

Vice Chair Hardemon: Right. So, I mean, like I know I have different issues within my community, within my district, and for us, there's some things that -- say, for instance a scholarship may not be the most effective thing to implement for poverty initiatives, but it may be something that we could use. It may not be something that I want to use a hundred percent of my funds on, but maybe 10 percent, so it just gives us that flexibility that if we have it amongst the districts, we can implement the programs the way that we see best fit within our districts.

Chair Gort: Just food for thought.

Vice Chair Hardemon: No, understood.

Chair Gort: But I want to make sure we get the right numbers, because I know those numbers are not correct.

Commissioner Carollo: Mr. --

Chair Gort: Yes, sir.

Commissioner Carollo: -- Chairman.

Chair Gort: Yes, sir.

Commissioner Carollo: Thank you. With regards to the numbers are not correct, I'm just going to say, yes, I asked for the numbers. I obtained it -- I think it was Tuesday -- and briefly looking at them, I believe there are flaws with the allocations.

Vice Chair Hardemon: And if it's a flaw then we can -- you know, I didn't create the numbers, so.

Chair Gort: I know.

Vice Chair Hardemon: Yeah, if there are flaws --

Commissioner Carollo: Okay. So --

Vice Chair Hardemon: -- I mean, I did this out of, I mean, due candor. I'm -- when I requested for this to be split, I had no idea what the numbers would be, so this is not one of those things where like in a courtroom -- and I'm sure Commissioner Sarnoff understands this -- where you never ask a question that you don't know the answer to; and this, I did not know the answer to it.

Commissioner Sarnoff: If I only knew that I would have been so much better.

Vice Chair Hardemon: But I rely on our Administration to give us the right information.

Commissioner Carollo: Okay.

Chair Gort: Okay, there's a motion and a second. Further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

RE.7

15-00151

***District 3-
Commissioner Frank
Carollo***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE HONORING OF PABLO RAUL ALARCON WITH THE INSTALLATION OF A NAME PLAQUE ("STAR") ON THE CALLE OCHO WALK OF FAME NEAR THE INTERSECTION OF SOUTHWEST 8TH STREET AND SOUTHWEST 15TH AVENUE, MIAMI, FLORIDA; WHICH WILL CONSTITUTE A STAR OF THE RENOWN "STARS OF CALLE OCHO WALK OF FAME CELEBRITY AND COMMUNITY RECOGNITION PLAQUES" ("HONOREES"), DIRECTING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE HONOREE'S REPRESENTATIVE, CALLE OCHO CHAMBER OF

COMMERCE, USA, A NOT-FOR-PROFIT CORPORATION, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR THE ACCEPTANCE OF THE INSTALLATION AND INDEMNIFICATION OF THE STAR FOR PABLO RAUL ALARCON; FURTHER DIRECTING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A SEPARATE AGREEMENT WITH A NOT-FOR-PROFIT ORGANIZATION RESPONSIBLE FOR THE MAINTENANCE AND REPAIR OF THE STARS ON THE CALLE OCHO WALK OF FAME, AFTER INSTALLATION OF THE HONOREE'S STAR, IN FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

15-00151 Legislation.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo
Absent: 2 - Commissioner(s) Suarez and Hardemon

R-15-0047

Commissioner Carollo: And Mr. Chairman, if I may, there is one more item related, is RE.7, which, if you remember, a few months back, the Mayor came before us with regards to the Raul Alarcon Star for Calle Ocho, and my objection was the process; we needed to have a process in place, but it was not with Raul Alarcon or with the family. So true to my word, I am bringing it back now. Now, as I mentioned, there are two with very similar names, Calle Ocho Chambers of Commerce, so what's stated here is: "Calle Ocho Chambers of Commerce, USA," or "US." So, again, I'm going to, as the resolution says, have the City Manager negotiate with them with regards to the installation and so forth, and then have the not-for-profit Kiwanis be the ones that maintain it and so forth. So with that said, I make a motion to move RE.7 for the Raul Alarcon star in Calle Ocho Walk of Fame.

Chair Gort: Okay, there's a motion. Is there a second?

Commissioner Sarnoff: Second.

Chair Gort: Second by Commissioner Sarnoff. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

Commissioner Carollo: Thank you, Commissioners.

RE.8

15-00021

Department of Real Estate and Asset Management

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE CITY MANAGER'S RECOMMENDATION APPROVING THE FINDINGS OF THE SELECTION COMMITTEE THAT VIRGINIA KEY OUTDOOR CENTER, LLC ("PROPOSER") IS THE TOP RANKED PROPOSER FOR REQUEST FOR LETTERS OF INTEREST NO. 12-13-068, FOR A LEASE OF CITY OF MIAMI OWNED PROPERTY FOR A RECREATIONAL SUPPORT FACILITY LOCATED AT 3801 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A LEASE, IN SUBSTANTIALLY THE ATTACHED FORM, SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY

ATTORNEY, FOR A TERM OF FIVE (5) YEARS AND MINIMUM RENT FOR LEASE YEAR ONE (1) OF SEVEN HUNDRED FIFTY DOLLARS (\$750.00) PER MONTH, AND PERCENTAGE RENT OF FIVE PERCENT (5%) OF GROSS REVENUES UP TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) AND TEN PERCENT (10%) OF GROSS REVENUES IN EXCESS OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00); FOR LEASE YEAR TWO (2) AND THEREAFTER, TENANT SHALL PAY A MINIMUM RENT OF ONE THOUSAND DOLLARS (\$1,000.00) PER MONTH AND A MINIMUM PERCENTAGE RENT OF TEN PERCENT (10%) OF GROSS REVENUES UP TO FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) AND TWELVE PERCENT (12%) OF GROSS REVENUES IN EXCESS OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), WITH TERMS AND CONDITIONS MORE PARTICULARLY DESCRIBED IN THE LEASE.

15-00021 Summary Form.pdf

15-00021 Memo - City Manager's Approval.pdf

15-00021 Evaluation Forms.pdf

15-00021 Request for Letters of Interest.pdf

15-00021 Legislation.pdf

15-00021 Exhibit - Agreement.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be DEFERRED PASSED by the following vote.

Votes: Ayes: 3 - Commissioner(s) Gort, Sarnoff and Carollo

Absent: 2 - Commissioner(s) Suarez and Hardemon

Note for the Record: Item RE.8 was deferred to the February 26, 2015 Planning and Zoning City Commission Meeting.

RE.9

RESOLUTION

15-00153

Office of Management and Budget

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE CITY OF MIAMI ("CITY") FISCAL YEAR 2014-2015 MULTI-YEAR CAPITAL PLAN ADOPTED SEPTEMBER 9, 2014, PURSUANT TO RESOLUTION NO. 14-0322, AS SUBSEQUENTLY AMENDED ("PLAN"), REVISING AND AMENDING CURRENT APPROPRIATIONS AMONG NEW AND PREVIOUSLY APPROVED PROJECTS AS INDICATED IN CONSOLIDATED EXHIBIT "A", ATTACHED AND INCORPORATED; RATIFYING, APPROVING, AND CONFIRMING CERTAIN NECESSARY ACTIONS BY THE CITY MANAGER AND DESIGNATED CITY DEPARTMENTS IN ORDER TO UPDATE THE RELEVANT FINANCIAL CONTROLS AND COMPUTER SYSTEMS IN CONNECTION THEREWITH.

15-00153 Summary Form.pdf

15-00153 Legislation.pdf

15-00153 Consolidated Exhibit A.pdf

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0048

Chair Gort: RE.7.

Todd B. Hannon (City Clerk): That item was already addressed, Chair.

Chair Gort: That's already been addressed. RE.8.

Mr. Hannon: RE.8 was deferred to February 26, sir.

Daniel J. Alfonso (City Manager): RE.9, Commissioner.

Christopher Rose (Director): Good morning, Commissioners. Chris Rose, Office of Management & Budget. RE.9 is a resolution before the City Commission amending the capital plan; moving funds from four different locations into one "B" number for Regatta Park. I'll be happy to take any questions you may have.

Commissioner Sarnoff: So move.

Chair Gort: It's been moved by Commissioner --

Commissioner Carollo: Second.

Chair Gort: -- Sarnoff; second by Commissioner Carollo. Discussion; any discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

Chair Gort: Thank you, sir.

Mr. Rose: Thank you, Commissioners.

END OF RESOLUTIONS

BOARDS AND COMMITTEES

BC.1

14-01130

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE ARTS AND ENTERTAINMENT COUNCIL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

Sonja Bogensperger

Eduardo Cantera

Eliana Ramos

NOMINATED BY:

Mayor Tomás Regalado

Mayor Tomás Regalado

Chair Wifredo (Willy) Gort

14-01130 Arts CCMemo.pdf

14-01130 Arts Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
Absent: 1 - Commissioner(s) Suarez

R-15-0049

A motion was made by Commissioner Carollo, seconded by Vice Chair Hardemon, and was passed unanimously, with Commissioner Suarez absent, to appoint Eduardo Cantera and Eliana Ramos as members of the Arts and Entertainment Council; further waiving the attendance requirements in Section 2-886 of the Code of the City of Miami, as amended, by a four-fifths (4/5ths) vote of the members of the full City Commission, as it relates to past absences on record for Eduardo Cantera and Eliana Ramos as members of the Arts and Entertainment Council.

Chair Gort: BCs (Boards & Committees).

Nicole N. Ewan (Assistant City Clerk): Good morning, Chair and Commissioners. BC.1, Arts & Entertainment Council, Mayor Regalado will be reappointing Sonja Bogensperger. Mayor Regalado will also be reappointing with a four-fifths attendance waiver Eduardo Cantera and Chair Gort will be reappointing with a four-fifth attendance waiver Eliana Ramos.

Commissioner Carollo: Move it.

Chair Gort: Okay, it's been moved by Commissioner Carollo. Is there a second?

Vice Chair Hardemon: Second.

Chair Gort: Second by Vice Chairman Keon. Any discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.2

14-00964

*Office of the City
Clerk*

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Commissioner Marc David Sarnoff

Commissioner Francis Suarez

14-00964 Audit CCMemo.pdf

14-00964 Audit Current_Board_Members.pdf

NO ACTION TAKEN

BC.3

15-00134

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE BAYFRONT PARK MANAGEMENT TRUST FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Jose Migoya

NOMINATED BY:

Commissioner Frank Carollo

15-00134 Bayfront CCMemo.pdf
 15-00134 Bayfront Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
 Absent: 1 - Commissioner(s) Suarez

R-15-0050

Nicole N. Ewan (Assistant City Clerk): BC.3, Bayfront Park Management Trust, Commissioner Carollo will be appointing Jose Migoya.

Commissioner Carollo: Move it.

Chair Gort: Moved by Commissioner Carollo; second by --

Commissioner Sarnoff: I'll second that one.

Chair Gort: -- Commissioner Sarnoff: Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.4**15-00135**

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE CHARTER REVIEW AND REFORM COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Iris Escarra

NOMINATED BY:

Mayor Tomás Regalado

15-00135 Charter Review CCMemo.pdf
 15-00135 Charter Review Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
 Absent: 1 - Commissioner(s) Suarez

R-15-0051

Nicole N. Ewan (Assistant City Clerk): BC.4, Charter Review & Reform Committee, Mayor Regalado will be appointing Iris Escarra.

Commissioner Carollo: Move it.

Chair Gort: It's been moved by Commissioner Carollo; second by --

Vice Chair Hardemon: Second.

Chair Gort: -- Vice Chairman Hardemon. Being no further discussion, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.5

14-01243

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE CIVIL SERVICE BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Commission-At-Large

14-01243 Civil Service CCMemo.pdf
14-01243 Civil Service Current_Board_Members.pdf

NO ACTION TAKEN

BC.6

14-00967

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CONFIRMING THE APPOINTMENT OF CERTAIN INDIVIDUALS AS MEMBERS OF THE CIVILIAN INVESTIGATIVE PANEL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Civilian Investigative Panel
Civilian Investigative Panel
Civilian Investigative Panel
Civilian Investigative Panel
Chief of Police

14-00967 CIP CCMemo.pdf
14-00967 CIP Current_Board_Members.pdf
14-00967 CIP Memo and Resumes.pdf

NO ACTION TAKEN

BC.7

RESOLUTION

14-00304

Office of the City Clerk

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

APPOINTEES:

NOMINATED BY:

(Alternate Member)

Commission-At-Large

Commission-At-Large

(Alternate Member)

Commission-At-Large

14-00304 CEB CCMemo.pdf

14-00304 CEB Current_Board_Members.pdf

NO ACTION TAKEN

BC.8

RESOLUTION

14-01131

Office of the City Clerk

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

APPOINTEES:

NOMINATED BY:

Chair Wifredo (Willy) Gort

Vice Chair Keon Hardemon

Vice Chair Keon Hardemon

Commissioner Marc David Sarnoff

Commissioner Marc David Sarnoff

14-01131 CRB CCMemo.pdf

14-01131 CRB Current_Board_Members.pdf

14-01131 CRB Memo and Resumes.pdf

DISCUSSED

Nicole N. Ewan (Assistant City Clerk): BC.8, Community Relations Board, Chair Gort will be reappointing, with a four-fifths attendance waiver, Victoria Cervantes.

Commissioner Carollo: Move it.

Vice Chair Hardemon: Second.

Chair Gort: And I appreciate it, but I'd like to hold that one.

Ms. Ewan: Okay, not a problem. We'll continue that item.

Commissioner Carollo: Okay.

BC.9

RESOLUTION

15-00136

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION WAIVING THE TERM LIMIT BY A FIVE-FIVE UNANIMOUS AFFIRMATIVE VOTE, AS IT RELATES TO JASON NEAL AS A MEMBER OF THE COMMERCIAL SOLID WASTE MANAGEMENT ADVISORY COMMITTEE.

15-00136 CSWMAC CCMemo.pdf

15-00136 CSWMAC Current_Board_Members.pdf

NO ACTION TAKEN

BC.10

RESOLUTION

14-00393

Office of the City Clerk

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:

Chair Wifredo (Willy) Gort

Chair Wifredo (Willy) Gort

Vice Chair Keon Hardemon

Vice Chair Keon Hardemon

Commissioner Marc David Sarnoff

Commissioner Marc David Sarnoff

Commissioner Frank Carollo

Commissioner Frank Carollo

14-00393 CSW CCMemo.pdf

14-00393 CSW Current_Board_Members.pdf

NO ACTION TAKEN

BC.11

RESOLUTION

14-00976

Office of the City Clerk

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

APPOINTEES:

NOMINATED BY:

(Ex-Officio Non Voting Member) City Manager Daniel J. Alfonso
(Ex-Officio Non Voting Youth Member) City Manager Daniel J. Alfonso

14-00976 EAB CCMemo.pdf
14-00976 EAB Current_Board_Members.pdf
14-00976 EAB Resume.pdf

DISCUSSED

Nicole N. Ewan (Assistant City Clerk): BC.11, Education Advisory Board, City Manager Alfonso will be appointing Jennifer Bonet, who requires a four-fifth conflict of interest waiver.

Chair Gort: Okay.

Commissioner Carollo: What's the conflict, Madam City Clerk?

Chair Gort: (UNINTELLIGIBLE).

Ms. Ewan: Ms. Bonet receives funds from the Children's Trust, and we are a conduit to the Children's Trust. She operates a daycare center.

Vice Chair Hardemon: Can you better explain that for me again?

Ms. Ewan: Ms. Bonet receives funds from the Children's Trust. The City of Miami is a conduit to receive -- to giving those funds to Ms. Bonet. She operates a daycare center.

Vice Chair Hardemon: So those are the facts of it, so the exact conflict is what, though; like what, in laymen's terms?

Ms. Ewan: That she is doing -- she has a contract transacting business with the City.

Vice Chair Hardemon: With the City.

Ms. Ewan: Yes, correct.

Vice Chair Hardemon: Okay.

Victoria Méndez (City Attorney): And, well, the contract waiver then is based on our City Code.

Ms. Ewan: Correct.

Ms. Méndez: But I don't know -- if we can pass this one just so that we can look at any other -- just --

Commissioner Carollo: I would prefer to defer this one so you could look at it.

Ms. Méndez: Okay, that'll work, too.

Commissioner Carollo: Instead of passing it with -- and then we look at it.

Daniel J. Alfonso (City Manager): That's fine.

Ms. Méndez: No, no, I said -- I'm sorry. I was inarticulate. I said, pass it to -- for me to look at

it --

Commissioner Carollo: Oh, I get it.

Ms. Méndez: -- not pass for you to -- I apologize.

Vice Chair Hardemon: Court term.

Commissioner Sarnoff: Wow, you're a lawyer?

Commissioner Carollo: Oh.

Ms. Ewan: We'll continue the item, Commissioner.

BC.12

15-00137

Office of the City
Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE EQUAL OPPORTUNITY ADVISORY BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Edilfa Perez

NOMINATED BY:

Commissioner Francis Suarez

15-00137 EOAB CCMemo.pdf

15-00137 EOAB Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0052

A motion was made by Commissioner Carollo, seconded by Vice Chair Hardemon, and was passed unanimously, with Commissioner Suarez absent, to appoint Edilfa Perez as a member 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 (4/5ths) vote of the members of the full City Commission, as it relates to past absences on record for Edilfa Perez as a member of the Equal Opportunity Advisory Board.

Nicole N. Ewan (Assistant City Clerk): BC.12, Equal Opportunity Advisory Board, Commissioner Suarez will be reappointing with a four-fifths attendance waiver Edilfa Perez.

Commissioner Carollo: Move it.

Vice Chair Hardemon: Second.

Chair Gort: It's been moved and second. Any further discussion? Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.13**RESOLUTION****14-00979***Office of the City
Clerk*

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE FINANCE COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:**NOMINATED BY:**

Vice Chair Keon Hardemon

Commissioner Marc David Sarnoff

Commissioner Frank Carollo

Commissioner Francis Suarez

14-00979 Finance CCMemo.pdf

14-00979 Finance Current_Board_Members.pdf

NO ACTION TAKEN**BC.14****RESOLUTION****14-01317***Office of the City
Clerk*

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/CATEGORIES:**NOMINATED BY:**Jordan Trachtenberg
(Architect - Category 1)

Chair Wifredo (Willy) Gort

Lynn Lewis
(Citizen - Category 7)

Chair Wifredo (Willy) Gort

Todd Tragash
(Architect or Architectural Historian
- Category 4)

Commissioner Francis Suarez

14-01317 HEP CCMemo.pdf

14-01317 HEP Current_Board_Members.pdf

14-01317 HEP Applications.pdf

14-01317 HEP Application Summary.pdf

Motion by Commissioner Carollo, seconded by Commissioner Sarnoff, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0053

Nicole N. Ewan (Assistant City Clerk): BC.14, Historic & Environmental Preservation Board, Chair Gort will be appointing Jordan Trachtenberg; will also be reappointing Lynn Lewis. Commissioner Suarez will be reappointing Todd Tragash to category 4 architect or architectural historian.

Commissioner Carollo: Move it.

Chair Gort: Been moved by --

Commissioner Sarnoff: Second.

Chair Gort: -- Commissioner Carollo; second by Commissioner Sarnoff.

Commissioner Carollo: And Mr. Chairman.

Chair Gort: Yes, sir.

Commissioner Carollo: Quick discussion. I just want to verify, Madam City Clerk, the only reason that my nominations isn't coming forth is because we have to notice it and we're not within the time frame, correct?

Ms. Ewan: That is correct.

Commissioner Carollo: Okay.

Ms. Ewan: We do have to post it five days prior to the appointment; that is correct.

Commissioner Carollo: Understood. Thank you.

Ms. Ewan: You're welcome.

Commissioner Carollo: So it'll come back in the next --

Ms. Ewan: On March 12, correct.

Commissioner Carollo: Okay, thank you.

Chair Gort: Thank you. All in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.15

15-00138

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE MAYOR'S INTERNATIONAL COUNCIL FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Wasim Shomar

NOMINATED BY:

Mayor Tomás Regalado

15-00138 MIC CCMemo.pdf

15-00138 MIC Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
Absent: 1 - Commissioner(s) Suarez

R-15-0054

Nicole N. Ewan (Assistant City Clerk): BC.15, Mayor's International Council, Mayor Regalado will be appointing Wasim Shomar (phonetic).

Commissioner Carollo: Move it.

Chair Gort: Been moved by Commissioner Carollo; second by Vice Chairman Hardemon. All in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.16

14-00396

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Keon Hardemon

NOMINATED BY:

Vice Chair Keon Hardemon

14-00396 MSEA CCMemo.pdf
14-00396 MSEA Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
Absent: 1 - Commissioner(s) Suarez

R-15-0055

Nicole N. Ewan (Assistant City Clerk): BC.16, Miami Sports & Exhibition Authority, Vice Chair Hardemon will be reappointing himself to the board.

Commissioner Carollo: Move it.

Vice Chair Hardemon: Second.

Chair Gort: Okay, it's been moved by Commissioner Carollo. Is there a second?

Vice Chair Hardemon: Second.

Chair Gort: Second by Vice Chairman Hardemon. All in favor, state it by saying "aye."

The Commission (Collectively): Aye.

BC.17

RESOLUTION

14-01244

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

City Manager Daniel J. Alfonso

14-01244 PRAB CCMemo.pdf
14-01244 PRAB Current_Board_Members.pdf

NO ACTION TAKEN

BC.18

RESOLUTION

14-00982

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE PLANNING, ZONING AND APPEALS BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chair Keon Hardemon

Vice Chair Keon Hardemon

14-00982 PZAB CCMemo.pdf
14-00982 PZAB Current_Board_Members.pdf
14-00982 PZAB Applications.pdf

NO ACTION TAKEN

BC.19

RESOLUTION

14-00313

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE URBAN DEVELOPMENT REVIEW BOARD (UDRB) FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Fidel Perez

Commissioner Francis Suarez

14-00313 UDRB CCMemo.pdf
14-00313 UDRB Current_Board_Members.pdf

Motion by Commissioner Carollo, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon
Absent: 1 - Commissioner(s) Suarez

R-15-0056

A motion was made by Commissioner Carollo, seconded by Vice Chair Hardemon, and was passed unanimously, with Commissioner Suarez absent, to appoint Fidel Perez as a member of the Urban Development Review Board (UDRB); further waiving the attendance requirements in Section 2-886 of the Code of the City of Miami, as amended, by a four-fifths (4/5ths) vote of the members of the full City Commission, as it relates to past absences on record for Fidel Perez as a member of the Urban Development Review Board (UDRB).

Nicole N. Ewan (Assistant City Clerk): And BC.19, Urban Development Review Board, Chair Gort will be reappointing Jesus Permuy with a four-fifth attendance waiver and Commissioner Suarez will be reappointing Fidel Perez with a four-fifth attendance waiver.

Chair Gort: Pull mine.

Ms. Ewan: Okay, not a problem.

Commissioner Carollo: So then it's only Fidel Perez for --

Ms. Ewan: It will only be Fidel Perez with a four-fifth attendance waiver for Commissioner Suarez.

Commissioner Carollo: Move it.

Vice Chair Hardemon: Second.

Chair Gort: Been moved and second. Any further discussion?

Ms. Ewan: That conclude --

Chair Gort: Being none, all in favor, state it by saying "aye."

The Commission (Collectively): Aye.

Ms. Ewan: Thank you, Chair and Commissioners.

Chair Gort: Let me ask you a question. The four-fifth is needed because they don't comply a little bit?

Ms. Ewan: With the attendance.

Chair Gort: With the attendance.

Ms. Ewan: They have missed either three consecutive absences or four in a calendar year, correct.

Chair Gort: Okay, that's why I held mine. Okay.

Ms. Ewan: Okay.

BC.20**14-00867**

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE VIRGINIA KEY BEACH PARK TRUST FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Commissioner Marc David Sarnoff

Commissioner Frank Carollo

14-00867 VKBPT CCMemo.pdf
14-00867 VKBPT Current_Board_Members.pdf

NO ACTION TAKEN

BC.21

14-01137

*Office of the City
Clerk*

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Mayor Tomás Regalado

Vice Chair Keon Hardemon

Vice Chair Keon Hardemon

Commissioner Marc David Sarnoff

Commissioner Marc David Sarnoff

Commissioner Frank Carollo

Commissioner Frank Carollo

14-01137 WAB CCMemo.pdf
14-01137 WAB Current_Board_Members.pdf

NO ACTION TAKEN

END OF BOARDS AND COMMITTEES

DISCUSSION ITEMS

DI.1

15-00009

City Commission

DISCUSSION ITEM

STATUS OF HIRING POLICE OFFICERS.

15-00009-Submittal-City Manager-Police Department Hiring and Staffing Update.pdf

DISCUSSED

Chair Gort: Do we have the information, the map for the housing? DI.2, it's the --

Daniel J. Alfonso (City Manager): Yeah. That was DI.2, Commissioner.

Vice Chair Hardemon: DI.1 [sic].

Chair Gort: What happened to DI.1?

Mr. Alfonso: Commissioner, the DI.1, which is the status of hiring police officers, our Police Chief could not be here this morning due to a personal matter, and he asked if we can --

Chair Gort: Hear it later.

Mr. Alfonso: -- hear this item in the afternoon, please.

Commissioner Sarnoff: That's fine. I just -- I do have something worth saying --

Chair Gort: Yes.

Commissioner Sarnoff: -- but I'll wait for him to be here, Mr. Chair, and it will not take, I promise you, more than two minutes. So if we do it this afternoon, you won't feel like, "Oh, now we have to hear this again."

Chair Gort: No problem.

Later...

Chair Gort: (UNINTELLIGIBLE) back.

Todd B. Hannon (City Clerk): Three forty-five.

Chair Gort: Okeydoke. I need one more Commissioner and the Administration.

Barnaby Min (Deputy City Attorney): Mr. Chair, if you'd like, I could read the Planning & Zoning language into the record.

Chair Gort: Yes, but we can't start the time certain until 4 o'clock. Let's wait until everyone gets here so you can swear in everyone at the same time. Well, we have quorum now. DI.1.

Rodolfo Llanes (Chief of Police): Shall I begin?

Chair Gort: DI.1, Chief, go ahead.

Chief Llanes: Rodolfo Llanes, Chief of Police. Mr. Chair, since the last Commission meeting, we've hired eight police officers. That's a total of 14 for this calendar year. Four officers -- or four candidates are awaiting medical clearance and 13 are undergoing background checks right now. If you would like, I will get into the FTO (field training officer) issue that was brought last time --

Chair Gort: This is --

Chief Llanes: -- and what has been done since.

Chair Gort: -- Commissioner Sarnoff.

Commissioner Sarnoff: Yeah, Chief, it seems like we've lost -- we went from 102 vacancies to 109 vacancies.

Chief Llanes: *We've had some separations also in the last two weeks as a result of discipline and retirements.*

Commissioner Sarnoff: *Okay. Unanticipated?*

Chief Llanes: *The retirements are anticipated; the discipline, we couldn't schedule as to when it was going to happen, but we knew that it was going to be done.*

Commissioner Sarnoff: *So there's really two kinds of folks we're talking about with the Police Department: one that we can anticipate and project, and those that we can't anticipate and project for a host of reasons?*

Chief Llanes: *Yes.*

Commissioner Sarnoff: *Okay. So in that pool or that bucket of anticipated separations, I believe it's September of 2017. If I cumulate -- I think I'm right on this, and if Armando Aguilar, Jr. says I'm wrong, I'll accept that -- but I believe by September 2000 -- only from him, Chief; not from you -- by September 2017, you'll have 238 separations anticipated.*

Chief Llanes: *Yes. In the ballpark, yes.*

Commissioner Sarnoff: *So I know that -- I know how Commissioner Gort is probably planning his election; you count backwards. So for you to have 238 police officers just to maintain where you are today, you would have to be planning many, many years in advance. Because you're going to go from 2.89 police officers per 1,000 -- and we did a modest 3 percent increase in population, despite the fact there are 27,000 planned new condos in this building cycle. We didn't even bother to go that high. We went 3 percent, which is an extremely low, extremely conservative number. So we would go from 2.89 police officers to 2.39 police officers; and this Commission, I think, has done everything it could do to get you to the allocated number of 3, but if we maintain the pace we're going right now, we'll actually fall behind in September 2017.*

Mr. Alfonso: *May I, Mr. Chair -- Commissioner, through the Chair?*

Chair Gort: *Yes.*

Mr. Alfonso: *In the past calendar year, I believe we hired a little over 100 police officers.*

Commissioner Sarnoff: *Yeah.*

Mr. Alfonso: *And over the next two and a half years or so, we will lose over 200 officers. If we keep our foot on the gas at the rate we're hiring today, we should be fine. Now, at some point, what's going to happen, if we don't add more positions and move the goal up, what should happen is that at some point, we may actually have to have some temporary positions built in so that you can get people and put them in the academy just short of the period of time where you're going to have a large exodus, so that they may overlap a little bit, and we'll have to figure that out and do the budget when we get around to '16/'17. But if we keep our foot on the gas right now at the rate that we're going, a little over 100 a year, I mean, the next three years, we'll hire over 300 officers. That's fiscal year -- I'm sorry; calendar year '15, '16 and '17.*

Commissioner Sarnoff: *And you kind of fell into my trap, so thank you.*

Mr. Alfonso: *The numbers are the numbers. It's not even a trap.*

Commissioner Sarnoff: *Right. And all I'm saying is in -- by September 2017, you will erase*

every one of your increases. You'll be -- you will lose it all back to where you are today.

Mr. Alfonso: No.

Commissioner Sarnoff: You will.

Mr. Alfonso: No.

Commissioner Sarnoff: You will. I mean, the math is the math for you or me. At 238 positions anticipated -- and I --

Mr. Alfonso: You're right, and I -- okay, so let me say this: We have right now 1,269 positions?

Commissioner Sarnoff: Twelve fifty-nine.

Mr. Alfonso: Closer to 59?

Commissioner Sarnoff: Twelve fifty-nine and a hundred and nine vacancies.

Mr. Alfonso: Vacancies, right.

Commissioner Sarnoff: Right.

Mr. Alfonso: So the whole point is to get to the 1,259, as long as you don't move the goal post.

Commissioner Sarnoff: Well, yeah, I hear what you're saying, Mr. Alfonso: "You know, Commissioner, don't be asking for more cops," but that's the point I want to make to you in as artful a fashion as I can without sounding like, you know, a canary in the minds, if you will. If you just stay where you are right now and you go to 1,259, so I think -- let me look at Commissioner Gort, because I like -- he has a smiling, happier face. And I think, Commissioner Gort, by 2017, I can guarantee you, you will have 259 missing officers. You will then be at 1,000 police officers. So every -- so I know you're tired of me and I know you're tired of --

Chair Gort: No, no, I'm not tired. I think you're making good points, but I'm going to go into the numbers in a minute.

Commissioner Sarnoff: Okay. So if we just stay where we are today, we will actually be back to 1,000 police officers in less than that, because you know, as I know, we know 238 are leaving, probably more than 259 will leave, some voluntarily, some involuntarily; and you know for a fact that unless we do something to significantly escalate that number, that fallback date of September 2017 will impact us like a hammer. That's -- my point is, elected officials, Mr. Alfonso, really do understand how to count backwards.

Mr. Alfonso: Mr. Chairman, let me try it this way: Right now we have about 1,150 officers --

Chief Llanes: Yes.

Mr. Alfonso: -- just for rounding math. If under the next three years we lose 250, that gets me to 900, but I'm planning to add 300, which will get me back up to the 1,200.

Chair Gort: Let me tell you what the problem I think it is, and it's been -- we've been here talking all this. Every time we have application -- we open up for application, we get over 1,000 applicants.

Mr. Alfonso: And we got 2,200 last time.

Chair Gort: Twenty-two hundred applicants last time. The problem that we have, it takes -- to recruit those applicant, train them and get them going, it takes a long, long time. What we've talked in the past is what can we do to expedite it. I don't have any problem that we can hire people. I think there's enough qualified people in the City of Miami that will want to apply for and they can be qualified. It's the system, and we've been asking for a while, "What can we do to make it better so we can expedite what's taking place?" At one time, if you recall, we mentioned about the hiring policies of Miami-Dade County. I don't know if we can apply the same thing. My understanding is they do it directly and it works for them. So, we understand the work that the -- the Chief has to go through a lot. The process takes a long time, and this is something we need to work on. Because I understand, we can get 298 away, but we should be able to hire 300 people.

Mr. Alfonso: And we believe we will, Mr. Chairman. As I said, I think we have made changes. We've added staff both in backgrounds. We've added staff in the Human Resources Department to move the process. We've enlisted the help of various groups in terms of recruiting qualified candidates to get them to the list, because that's another issue. You have 2,000 applicants, but on average, we've been getting 10 percent -- about 10 percent of the applicants are the ones that finally make it through the process. So of that 2,000, we'll get 200 folks. We've advertised when we weren't finished with the previous list. So right now, we were just about finished with the other list, but we went ahead and advertised ahead so that we don't miss a beat and keep the --

Chair Gort: That's what I'm talking; you're still working on the list of two years ago or a year and a half ago.

Mr. Alfonso: It was a little over a year ago, yeah.

Chair Gort: We have to wait to start screening the new ones until we get rid of this list. Then we cannot do another list until we get rid of this one. Am I correct? If I'm wrong, please tell us.

Commissioner Sarnoff: I think you're --

Chief Llanes: I mean, we're at -- about to exhaust that list anyway, and so it'll be a transition time here and it won't be very long, because our orientations are already set up in order to, you know, start bringing in candidates to start working on their backgrounds. So, Commissioners, just -- if you stopped hiring today, you would have that issue that you're talking about, but we didn't -- we're not stopping hiring today. We're going to hire anywhere between 100 and 120 a year until that time. And so, yeah, you're going to lose that, but you're losing that we've hired a hundred last year; I think close to a hundred the year before that; and then a hundred this year, minimum; a hundred that following year. That's a whole lot of hires. We're not stagnant waiting for that cliff to drop.

Commissioner Sarnoff: So -- just so that we're all speaking out of the same sides of our mouth, so you're at -- I'm going to round up 1,260, right? So let's say this year you do another hundred; 1,360 allocated. Doesn't mean you ever hit your allocation; it just means you have the budget for it. Let's go to 1,460. So this is the -- what? -- '15/'16 budget, and this would be the '17/'18 budget, right? If you get to 1,460, which don't know if this Commission will vote for it, and I won't be here, and I won't be the voice of whatever you think I'm the voice of, either it's the voice of reason or rationality and with a smile on your face --

Chair Gort: Somebody'll pick it up.

Commissioner Sarnoff: You know, it's probably somewhere in between, as they say. So let's just even round up to the 1,500 police officers, okay? That's a good day, guys. You guys, I will vote for all of you, if I could. You'll be at 1,500 police officers. Then on September 17 -- or I should

say, September of 2017, you'll be at 1,200 police officers in one fell swoop, and that -- what I'm trying to impress upon my brothers is how much planning it takes to absorb that kind of blow. It takes an enormous amount of planning, overstocking, so that when there's a run-on on the shelves, it doesn't look like there's a run on the shelves. So in my opinion, to absorb that blow, you would have to be over 1,500 just to be where you are today. You know, Danny math is math, and even a lawyer could do this. I know we're handicapped --

Mr. Alfonso: Commissioner, I just did the math, again, with you.

Commissioner Sarnoff: Right.

Mr. Alfonso: If we're at 1,150 right now --

Commissioner Sarnoff: You're at 12 -- you're at -- you're right, 1,150.

Mr. Alfonso: No, no, bodies, bodies.

Commissioner Sarnoff: Got you.

Mr. Alfonso: Bodies.

Commissioner Sarnoff: Right.

Mr. Alfonso: We're at 1,150 right now. We lose 250 over the next two and a half, three years.

Commissioner Sarnoff: Right.

Mr. Alfonso: So that gives us three years. So that gets us down to 900, right?

Commissioner Sarnoff: Right.

Mr. Alfonso: But I'm going to add 300. See, now, what you're saying is that if you add the 300 more or 200 more to the list of available positions, then, yeah, we will not make that, not with the current rate of hire. We would have to --

Commissioner Sarnoff: Right.

Mr. Alfonso: -- increase that effort even greater. We're not going to get to 1,500, if that's what you're trying to get to, not with the current rate.

Commissioner Sarnoff: Yeah, I'm -- I happen to think you should be at Tampa's hire. Tampa's at 3.5 police officers per 1,000. You'll never make New York 4.6; you'll never make Philadelphia 4.7; and you won't make Atlanta 4.1. But I think you should be on par with Atlan -- you know, with Tampa; and daytime population right now, you're at 1.78 and nighttime population, you're at 2.7. You know, I just want everybody to understand what it's going to take to absorb that kind of blow. That's all. And I'll be talking about this a lot, Mr. Alfonso. And both you and the Chief can --

Mr. Alfonso: Understood, Commissioner.

Commissioner Sarnoff: -- humor me.

Chair Gort: Thank you. Any questions?

Chief Llanes: I'll humor you, sir.

Chair Gort: Any further questions? Thank you, sir. Thank you, Chief.

DI.2**DISCUSSION ITEM****15-00144**

*District 1 -
Commissioner
Wifredo (Willy) Gort*

DISCUSSION REGARDING SUPPORT FOR AN AMENDMENT TO THE FLORIDA CONSTITUTION THAT WOULD PERMIT SCHOOL DISTRICTS TO ADOPT LEGISLATION TO ALLOW FOR ADDITIONAL LOCAL OPTION HOMESTEAD EXEMPTIONS FOR LOW INCOME SENIORS, WITH RELATED LOST SCHOOL DISTRICT FUNDING TO BE REPLACED BY THE STATE.

15-00144 Draft Legislation.pdf
15-00144 Back-Up from Law Dept.pdf

DISCUSSED

(DI.2)**RESOLUTION****15-00144a**

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE FLORIDA LEGISLATURE TO PASS A JOINT RESOLUTION THAT WOULD PLACE A PROPOSED AMENDMENT TO THE FLORIDA CONSTITUTION ON A STATEWIDE BALLOT THAT WOULD PERMIT SCHOOL DISTRICTS TO ADOPT LEGISLATION TO ALLOW FOR ADDITIONAL HOMESTEAD EXEMPTIONS ONLY IF THE STATE OF FLORIDA REPLACES ANY LOST REVENUE TO THE SCHOOL DISTRICTS RESULTING FROM THE SAME; MAKING THIS A STATE LEGISLATIVE PRIORITY FOR THE CITY OF MIAMI DURING THE 2015 LEGISLATIVE SESSION; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DESIGNATED OFFICIALS STATED HEREIN.

Motion by Commissioner Sarnoff, seconded by Vice Chair Hardemon, that this matter be ADOPTED PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

R-15-0057

Chair Gort: Next.

Daniel J. Alfonso (City Manager): If we can go to the discussion items, Commissioner?

Chair Gort: Yes, sir.

Mr. Alfonso: DI.2, it's one that you had brought up; a discussion regarding support for an amendment to the Florida Constitution.

Chair Gort: Go ahead.

Mr. Alfonso: Well, would you care to --? It's a --

Chair Gort: This one, I wanted --

Mr. Alfonso: -- discussion --

Chair Gort: Yeah.

Mr. Alfonso: -- regarding an amendment to the Florida Constitution that would permit school districts to adopt legislation to allow for an additional local option homestead exemption for low-income seniors with related lost school district funding to be replaced by the State.

Chair Gort: So this was currently brought to my attention. I met with the real estate agent, and we talked about the amount of property that exists within the City of Miami. Am I correct? Or they're talking about a different --

Mr. Alfonso: No, no.

Chair Gort: I have two of them, but --

Mr. Alfonso: Right. This is DI.2. This one's a constitutional change.

Chair Gort: Okay, this one with --

Victoria Méndez (City Attorney): The senior homestead exemption.

Chair Gort: Right. If you had been hearing what the Governor stated; that he wants to lower the taxes in order to use those funds and reduce the taxes, but what I'm suggesting is why don't we try to pass a resolution or make a change with the -- we have a lot of senior individuals that cannot hardly afford to pay any of their taxes and (UNINTELLIGIBLE) live themselves and they're a property owner. This is mainly asking the Governor, instead of reducing the taxes, why don't we try to get the school system to reduce their ad valorem taxes that -- to apply the senior consent [sic] that we have today where the seniors are paid less funds in the County and less -- I believe it's 25,000 or less; that we can apply the same amount of deductions from the school ad valorem taxes, which is 50 percent of the taxes that people pay, and be replaced by the funds that -- surplus funds that the State has. This is a discussion item.

Commissioner Carollo: Mr. --

Chair Gort: Just food for thought. Yes, sir.

Commissioner Carollo: I mean, it seems to me what you're requesting is for them to have the option in order to vote, whether they want to give an additional homestead exemption to seniors and whether they want to reduce their taxes or not. You're not forcing them to do anything. All you're doing is giving them the option, so I don't see what's wrong with giving people options, so -- because --

Chair Gort: No, the problem --

Commissioner Carollo: -- before this could be approved, the School Board would have to actually --

Chair Gort: Right.

Commissioner Carollo: -- take a vote. So I'm not -- I don't see was there a harm of giving them the option of taking a vote. And if they want to reduce, you know, people's taxes, then they could.

Chair Gort: No, I understand that, but the tricky part is, as you know, we're -- State determines that make this statement how much funds the school -- Miami-Dade County school System

applies to each one of those students. The thing is, yes, if they accept it, they need to replace those funds. What we're asking the Governor, instead of reducing the taxes at the State level, to use those funds, excess funds, and make up for whatever deficits can be created by the School Board approving that deduction. I'll let the attorneys --

Mr. Alfonso: If I -- I mean, I'm not an expert.

Chair Gort: I know (UNINTELLIGIBLE).

Mr. Alfonso: I'm not an attorney, but --

Chair Gort: No, no.

Mr. Alfonso: -- I think that this would require a constitutional change. Tallahassee would have to have a constitutional amendment. Commissioner, I don't think it's about an option. What the --

Chair Gort: The school system, it's out. It's out of the State (UNINTELLIGIBLE).

Mr. Alfonso: It's a local option for seniors.

Chair Gort: But my understanding is, the school system's out.

Commissioner Carollo: Right, the School Board doesn't have that.

Mr. Alfonso: No, no, I understand. The question would be -- and I'm just going to try to ask this question. So let's say the State has a constitutional amendment that says, 'Okay, the senior exemption can be taken by the School Boards.'

Commissioner Carollo: Right.

Mr. Alfonso: So different School Boards across the State would then opt to either take the hit or not take the hit, and then the State would have to make it up based on whatever the local government decides.

Chair Gort: Right.

Commissioner Carollo: And I don't know if I would phrase it as 'take the hit,' but that's what I'm saying about it gives them the option of whether they want to pass the additional exemption or not.

Mr. Alfonso: Right. But what you're saying is that if the local school government says, 'Okay, we'll reduce our taxes, but the State has to make it up.'

Chair Gort: The reason that was brought up -- I mean, the Governor's been talking about the -- he wants to reduce taxes because they have surplus, and they projecting surplus for the next three or four years. So instead of reducing taxes, why don't we use those surplus to help those individuals so much needed through our community. We have a lot of property owners here that want to maintain their properties; they can hardly maintain it. And if we can give them any benefits like we did in the County and the City, it would be very helpful.

Commissioner Carollo: And Mr. Chairman.

Chair Gort: Yes.

Commissioner Carollo: And I don't know if the State has to or should make it up. I think that language, it might be a little strong that it has to, because you could still have the option. But I think that what Commissioner Gort is saying -- or Chairman Gort is saying is that the State should make it up, because that's what the Governor's been saying, correct, Chairman Gort?

Chair Gort: The school cannot have any deductions. Right now we can see the problems that they're having maintaining the expenditure in our school system. The only way that I think they will vote for it, if they could have an assured [sic] that those funds will be replaced by the State. Commissioner Sarnoff.

Commissioner Sarnoff: No. I was going to stay out of the discussion, because probably, political prudence would say stay out of it, but I understand your goal, and I certainly laud your goal, which I think is folks in their golden years ability to hold on to their homes that are probably on fixed incomes and their tax bills theoretically going up, whether it's by 3 percent or they don't have a homestead exemption, that would be a problem. And I understand every dollar's important. The other side of that equation is we just got a report from Superintendent Carvalho that, maybe for the first time, we've been rated number one in something in a public scenario for schools. I know we certainly pay on the bottom third of every state in the United States for per-child education, and I'm not saying that's the telltale sign of a good school, because I could tell you the number-one payer is New York, and New York does not have the number-one school system by any stretch of the imagination any longer. But I don't know, Commissioner Gort -- and I've tried to support you on everything you do. I don't know that I could actually affirmatively take a vote without better understanding the impact -- and I know it'd just be a resolution, so it would just be a formal -- not a formality, but certainly a recommendation. I just don't know that I know enough about the school system, their internal workings, the fact that we just passed a bond because they didn't have enough money for their capital expenditures, and what little I do know is a superintendent coming here today and saying, I've been bailing out the boat so much that"--

Chair Gort: Right.

Commissioner Sarnoff: -- the boat's actually sailing pretty well, and the first time I've ever gotten that we have a good sailing report, and, you know, me, as a Commissioner, I turn around, I take that information, and I front-load it to economic development hedge funds, because the number-one issue I'm asked by -- I'm going to say, upper, middle income, and wealthy people -- are for their middle managers, Is it viable to send my child to public education in Miami?" And, you know, it used to be a question you hesitated answering. No. Are there Ransom Everglades? Are there Cushman schools? Are there Palmer Trinities? Are there -- we have some of the best private schools in the nation, but when you making a 150,000 a year and all of a sudden somebody says it's 20,000, 25,000, some of them 30,000 to send your kid to a private school, well, you're no longer making 120, 50,000 a year, and that's post-tax income, so, you know, I want to support you on this. I like your goal. I think your goal's laudable. I just wonder if there's not a better way of achieving your goal, which is tax relief for -- I'm going to use the word senior." If that's incorrect, I apologize to anyone -- senior citizens on fixed incomes that are trying to hold onto their homestead or their homes, and that's all I'll say.

Chair Gort: The goal -- and I understand what you're saying. My goal is not to lower the amount of funds that the City -- the school system gets; on the contrary, but since that we're saying -- the State saying that they have a surplus and they want to reduce taxes because of the surplus, maybe they'll -- instead doing the reduction in taxes, take those surplus and utilize it to help the people that much need it. So in reality, I brought it over because -- for discussion, because I know it sounds very tricky, and for the State -- I don't know if the State were willing to do that. I would not be asking the school system to do that unless we can supplement those funds from the State.

Commissioner Sarnoff: *And you bring up an interesting point, because I think the Governor's publicly stated he wants to lower the taxes for FCC (Federal Communication Commission) communications, which is our cell phone bills -- right -- and I think your point being, 'Come on, Commissioner Sarnoff, you can afford to pay your cell phone bill.' And you're right, I can. Shouldn't that tax relief go to those that really need the tax relief? That's the part of the conversation I like that you're making.*

Chair Gort: *Right.*

Commissioner Sarnoff: *You know, I hear you. I wish I knew a little more about it.*

Chair Gort: *Maybe the idea be a resolution out of the City Commission, if it's all agree -- if not, we can table it and bring it back -- asking the Governor not to reduce the taxes; and instead of reducing the taxes, to utilize those funds to help those so much needed, like we've done in the past.*

Commissioner Sarnoff: *So --*

Chair Gort: *Senior citizens.*

Commissioner Sarnoff: *-- your reso would be tax relief for a certain segment of the elder population that are homeowners, and asking the Governor to find a substitution budgetary process at the State level for the -- in the event the local School Board passes that resolution?*

Chair Gort: *Correct. And all the criteria is already set up by the previous law that was passed in Tallahassee, so it's an standard criterias [sic] that exist already.*

Victoria Méndez (City Attorney): *Right. It's an option -- basically, the exemption only applies to taxes levied by the county of the city enacting the exemption, and it's something that they would have to do. And then what the Chairman is saying is to make sure that if something like that is done, for those monies to be subsidized.*

Chair Gort: *Right.*

Commissioner Sarnoff: *I'll tell you what, I'll be the mover. I'll be the mover of that.*

Chair Gort: *Okay, moved by Commissioner Sarnoff.*

Commissioner Carollo: *Second.*

Vice Chair Hardemon: *I'll second.*

Chair Gort: *Second by Commissioner Hardemon and Commissioner Carollo. Any further discussion? All in favor, state it by saying 'aye.'*

The Commission (Collectively): *Aye.*

Chair Gort: *And I apologize. It was confusing, which one I was bringing up.*

END OF DISCUSSION ITEMS

PART B: PLANNING AND ZONING ITEMS

Chair Gort: *It's 4 o'clock, 4:02. PZ.1.*

Barnaby Min (Deputy City Attorney): *Mr. Chair, if I could read the speech into the record?*

Chair Gort: Is the applicant here? Yes, please do so.

Mr. Min: PZ (Planning & Zoning) items shall proceed according to Section 7.1.4 of the Miami Zoning 21 Code. Before any PZ item is heard, all those wishing to speak will be sworn in by the City Clerk. Please note, City Commissioners have generally been briefed by City staff and the City Attorney on items on the agenda today. The members of the City Commission shall disclose any ex parte communications to remove the presumption of prejudice pursuant to Florida Statute Section 286.011(5) and Section 7.1.4.5 of the Miami 21 Zoning Code. Staff will briefly present the items to be heard. The appellant or petitioner will then present their application request to the City Commission, if the applicant agrees with the staff recommendation and no one from the audience wishes to speak for or against the item. They may also waive the right to an evidentiary hearing. The order of presentation shall be as described in the City Code and Miami 21. Members of the public will be permitted to speak through the Chair for not more than two minutes, unless modified by the Chair. The City of Miami requires that anyone requesting action by the City Commission must disclose before the hearing anything provided to anyone for agreement to support or withhold objection to the requested action, pursuant to Section 2-8 of the City Code. Any documents offered to the City Commissioners that have not been provided seven days before the meeting as part of the agenda materials will be entered into the record at the City Commission's discretion. Thank you.

Chair Gort: Thank you. Mr. Clerk.

Todd B. Hannon (City Clerk): Good afternoon, ladies and gentlemen. If you will be speaking on today's Planning & Zoning item, may I please have you stand and raise your right hand?

The City Clerk administered the oath required under City Code Section 62-1 to those persons giving testimony on zoning issues.

Mr. Hannon: Thank you, Chair.

Chair Gort: Thank you.

PZ.1

08-01015da2

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A DEVELOPMENT AGREEMENT, PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BETWEEN THE CITY OF MIAMI AND FORBES MIAMI NE 1ST AVENUE, LLC; MIAMI WORLDCENTER HOLDINGS, LLC; AND AFFILIATES AND SUBSIDIARIES OF MIAMI WORLDCENTER HOLDINGS, LLC RELATING TO THE PROPOSED DEVELOPMENT OF A PROJECT KNOWN AS "MIAMI WORLDCENTER" ON APPROXIMATELY ± 24 ACRES, ZONED "MIAMI WORLDCENTER DISTRICT" AND IDENTIFIED AS APPENDIX D OF THE MIAMI 21 CODE, AND LOCATED BETWEEN NORTHEAST 6TH STREET AND NORTHEAST 11TH STREET AND BETWEEN NORTH MIAMI AVENUE AND NORTHEAST 2ND AVENUE, MIAMI, FLORIDA, FOR THE PURPOSE OF REDEVELOPMENT OF SUCH LAND FOR MIXED USES; AUTHORIZING THE FOLLOWING USES: RESIDENTIAL, OFFICE, HOTEL, RETAIL, COMMERCIAL, ACADEMIC SPACE, AND ANY OTHER USES PERMITTED BY THE APPLICABLE ZONING DISTRICT REGULATIONS; DESIGNATING EACH BLOCK OF THE DISTRICT AS A RETAIL SPECIALTY CENTER AND ENTERTAINMENT SPECIALTY DISTRICT PURSUANT TO CHAPTER 4 OF THE CITY CODE; AUTHORIZING CERTAIN ENCROACHMENTS INTO

CITY-OWNED PUBLIC RIGHTS-OF-WAY PURSUANT TO CHAPTER 55 OF THE CITY CODE; AUTHORIZING DENSITY, BUILDING INTENSITIES, AND BUILDING HEIGHTS ALL IN COMPLIANCE WITH THE MIAMI 21 CODE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

08-01015da2-Submittal- Javier Betancourt-DDA Resolution in Support of Miami Worldcenter.pdf

08-01015da2-Submittal-Frank Telfort-Letter of Support.pdf

08-01015da2-Submittal-Iris Escarra-Magazine Article.pdf

08-01015da2-Submittals-Paul Savage-Florida Statutes, CityCode, and documents.pdf

08-01015da2-Submittal-Paul Savage-Emails Regarding File 08-01015zt1-Appendix D.pdf

08-01015da2 SR Fact Sheet.pdf

08-01015da2 Exhibit.pdf

08-01015da2 Legislation (v2).pdf

LOCATION: Between NE 6th Street and NE 11th Street and Between N Miami Avenue and NE 2nd Avenue [Commissioner Marc David Sarnoff - District 2]

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval. Please also refer to the record for File ID 08-01015da1, which is being incorporated and made a part of File ID 08-01015da2.

PURPOSE: This ordinance will allow the City Manager to execute a Development Agreement for the proposed Miami Worldcenter project.

Motion by Commissioner Sarnoff, seconded by Commissioner Carollo, that this matter be PASSED ON FIRST READING PASSED by the following vote.

Votes: Ayes: 4 - Commissioner(s) Gort, Sarnoff, Carollo and Hardemon

Absent: 1 - Commissioner(s) Suarez

Chair Gort: Francisco.

Francisco Garcia: Yes, sir. Thank you. For the record, Francisco Garcia, Planning & Zoning director. Item PZ.1 is before you on first reading. This is the development agreement for the Miami Worldcenter development proposal. This item is, I'm certain, familiar to you, as it has been previously reviewed and acted on by the City Commission. It is before you today for mostly two substantive changes, and those are changes to the landscape requirements for the project. It is now the case after the landscaping section has been essentially stricken -- and I'm going to make reference to Section 9, which section landscaping was, as it is being proposed to be stricken. It is now the case that the development in Miami Worldcenter must come into full compliance with the last landscaping requirements in each and every phase of the project, and that should make enforcement of that section much clearer, much more straightforward. And to the extent that this amendment will be passed, I can certainly tell you that the development agreement, it is now stricter as a result, not less so. And the other component that is substantive in terms of changes proposed today is an amendment to the section providing for alcoholic beverage licenses. The previous language allowed a certain number of licenses to be assigned or distributed throughout the district, the Miami Worldcenter area. And now this language is being amended to align it perfectly with the language already provided in the City Code, in the Miami City Code, and the language makes reference to the fact that five alcoholic beverage licenses will be available under specialty retail centers only. And again, that is already

language that exists in the Code. Those are the two substantive changes; there really are no others. The only other thing that I would like to add to the record, perhaps, for clarity sake and perhaps, for the sake of those who are here interested in this item is that generally speaking, development agreements are a document above and beyond the zoning regulations that pertain to any property and allow for its development. The zoning component of this particular project has already been passed as an amendment, a text amendment that was before you some time ago to amend what we know as "Special District 16.3," which presides presently -- again, just to make the reference for the record -- in the Miami 21 document as an appendix, and that zoning document is already approved and has already been found in compliance with our regulations and those of the Comprehensive Plan. The development agreement essentially is in place, pursuant to Florida Statute, to ensure for the developer that those zoning regulations continue to apply into the future -- the period specified is 30 years -- and also to provide for some specific characteristics of the development proposal to ensure that as a result of the development proposal, the project benefits the City and leaves the area in better shape than it was found originally. I think that covers the essence of it. I'm certainly available to answer any additional questions you have, and I expect there will be a healthy debate.

Chair Gort: Thank you. The proponent.

Ryan Bailine: Mr. Chair, Ryan Bailine. Our office is at 333 Southeast 2nd Avenue. We're here on behalf of Miami Worldcenter and its affiliates. We agree with what Mr. Garcia just read into the record. We're here to answer any questions that, you know, you may have, and we appreciate your continued support of this project.

Chair Gort: Thank you. I understand we have a group of speakers. Will you call the names, Mr. Clerk?

Todd B. Hannon (City Clerk): Yes, sir. The first three speakers: Javier Betancourt, James Adams and Walter Dennis.

Javier Betancourt: Good afternoon, Mr. Chair, Commissioners. For the record, Javier Betancourt, deputy director of the Miami Downtown Development Authority. Currently, City Clerk's Office is passing out Resolution Number 16-2014 in support of Miami Worldcenter that was approved unanimously by the Miami DDA (Downtown Development Authority) board of directors. Miami Worldcenter will completely transform Park West from a largely disinvested, dare I say, blighted area into a vibrant, pedestrian-oriented urban neighborhood. Only a project of this size and scope provides the critical mass necessary to completely transform the area in a short time frame. The project provides a critical link between All Aboard Florida and Miami Central Station, the downtown Conference Center, American Airlines Arena and Museum Park. It will help to realize multiple goals and objectives of the 2025 Downtown Miami Master Plan, including those aimed at creating a downtown conference center, attracting national retailers, promoting walkable streets and transit-oriented development and encouraging connectivity to adjacent neighborhoods, and the park -- and the project will create thousands of jobs across the entire spectrum of income levels. Simply stated, the project is critically important to the continued economic revitalization and enhancement of downtown Miami, and we strongly urge your support. Thank you.

Chair Gort: Thank you. Yes, sir. Next.

James Adams: My name is Bishop James Adams. I'm the senior pastor of the St. John Institutional Missionary Baptist Church in Overtown. And really, let's be honest that the impact of the Worldcenter, it's really about the permanent jobs. Only 10 percent of the jobs currently are available to the Overtown residents, which means it's 1 in 10 that's in construction. The reality is that the permanent jobs are really the issue, as we do know that those who will occupy those jobs will be from a lower income community, predominantly the African-American

community, and in particular, Overtown itself. It's appreciated that our District 5 Commissioner has fought to have a responsible wage, but it is certainly necessary and incumbent, since we are pressing the reset button, is to consider the permanent jobs and the wages of those jobs. Let me say in closing that the reason we're standing here today is because our focus is those permanent jobs. And this is why we were disappointed as a community for the fact that the Commission has not, in our opinion, considered the broader issue, which is the impact on this immediate community. Certainly, if \$175 million of CRA (Community Redevelopment Agency) funds is to be allocated for this project or to this project, whatever way that is, whether it's in cash money, whether it's in tax refunds, whatever the case may be, it's all that more important, because it comes out of the piggybank of the Overtown/Park West CRA. And so we urge you -- yes, we do support the responsible wage and we also support the center, but we reserve the right not to support it based on upon the intricacies of the job and the hiring. Thank you.

Chair Gort: Thank you, sir. Next.

Walter Dennis: Good afternoon, everyone. My name is Walter Dennis, and I'm a member of the church, Bishop Adams' church, and I'm going to look at things from another perspective. The jobs are extremely important, because people need to work; however, if families can find stable employment, then it makes an impact on the children that are in the neighborhood. These kids need good education, and the only way that that can happen is that their parents are gainfully employed. And St. John has been in the area for over 100 years, 100-- -- about 110 years now, and the focus -- one of the forci of the -- of St. John Institutional Baptist Church is to be of service to the community, and so we want -- we are 100 percent behind the initiative of getting jobs for the residents of Overtown so that they can make an impact, so that this will make an impact on the families and the future of our kids will be ensured, because if the kids aren't impacted in a positive way, then the community is dead anyway, and we need some life into Overtown. And we fully support living wages for the residents of the area. Thank you very much.

Chair Gort: Thank you, sir. Next.

Mr. Hannon: Next three speakers: Andy Madtes, Henry Brown, and Carolyn McGee.

Andy Madtes: Thank you, Mr. Chairman, Commissioners. It's great to be here. I'll make my comment brief. Two years ago, right here in this very chamber, we passed a labor peace resolution. And the spirit of that resolution was to ensure that there would be labor harmony in the community any time that the City made a significant investment in a project, and I believe that this particular project is going to have that type of investment. And I would urge you to take a look at that resolution and apply it to this project. I believe that it's critical importance. I believe in today's time, when you have more income inequality than we ever had, it's all that's talked about in political circles all around the country, even some of those who you would think wouldn't be talking about income inequality are talking about it. It's important, it makes a difference, it lifts our community, and I really hope that you'll consider my gesture of taking a look at the labor peace resolution that you have on the books here in the City of Miami. Thank you very much.

Chair Gort: Thank you, sir. Next.

Henry Brown: Good afternoon. My name is Henry Brown, and I'm a resident of Overtown. I grew up Overtown. I'm also the liaison for a organization called "ESTOP." ESTOP is "Eradicating the School to Prison Pipeline." And I think that the building of the Miami Worldcenter is directly related to the projects that I'm working in -- I'm working on right now. I've been organizing and advocating in Overtown area for several years now. And with this project going up, one of the things that we're most concerned about is that if the parent doesn't have a job, then the kids don't get a good education; and when they don't get a good education,

the crime rate goes up. So everything is connected as one. And I believe that the Commissioners today are in a very dynamic situation and that you could be a great service to the community. The reason that we voted for you is because we counted on you. We believed in the things that you put forth before us. And I believe that the agreement with this developer is short of conditions, you know. It should be some agreements in there, some things that they need to do. One of the things that they need to do is make sure that the people in Overtown are hired first. These people lived in a traumatic community, and without these jobs for these people first, then you're just putting them down. You could fumble the ball right now. If you fumble the ball, Overtown goes down even further, you know. So it must be some checks and balances in place. It has to be sanctions. You know, these people need to have these jobs first. That's the bottom line. A hundred and seventy-five million dollars and two people from Miami Overtown working on these jobs is -- that's not -- that's a shame. And we put you here because we believe in you, and we believe that you have the ball in your hand today, and we believe that you can amend those agreements and put some checks -- some real checks and balances in those agreements.

Chair Gort: Thank you.

Mr. Brown: Thank you.

Carolyn McGee: Good afternoon. My name is Carolyn McGee. I live in Overtown, and we are angry in Overtown.

Chair Gort: Put your address (UNINTELLIGIBLE). Your address.

Ms. McGee: Pardon me?

Chair Gort: Your address.

Ms. McGee: 225 Northwest 22nd Street, Apartment 302. We have unemployment rate more than double, but it's just across the tracks in Park West. Half of Overtown residents earn less than \$15,000 a year. Half of -- I mean, we have sat and watched; the City of Miami has grown. We have watched towers go up, condos go up, and hotels go up, but Overtown's remained neglected. The project is different -- this project is no different. The agreement does not require the developer to hire anyone from Overtown. It appears to give us priority, but there is no enforcement. The developer is only required to hire 25 percent from anywhere in Miami-Dade County; no guarantees for Overtown. The developer could not hire one person from Overtown and still be in compliance with this agreement. On top of this, the developer gets to keep the secret, whether or not they hire anyone from Overtown; no disclosure necessary. We are giving this developer 175 million in public incentives, and there is no incentives for the developer to hire a single worker from Overtown. It's a shame.

Chair Gort: Thank you. Next.

Mr. Hannon: Next three speakers: Julia Bain, Joe Scott and Maurice Darling.

Chair Gort: Go ahead.

Joe Scott: Good afternoon. My name is Joe Scott, and my address is 20920 Northwest 30th Court. I'm not a citizen of Overtown, but my grandparents is from there. And everybody's talked about jobs, but I want to touch on another point. I believe that in this, it need to be some provisions to transit workers not from just being laborers, but to make them skilled workers, so any time that there is another building that comes up, that we already have the database for the skilled workers to work in that area, because it seem like everywhere -- every time I turn around, they're putting buildings there, but we don't see the workers from the area. So I think y'all need to really seriously think about that. And that's all I have to say. Thank you.

Chair Gort: Thank you, sir. Yes, ma'am.

Juliette Bain: Good afternoon. My name is Juliette Bain. I live on 58 and 2nd. I just don't understand why this is so complicated. Today you are going to approve the Worldcenter, which will continue this project on the path to receiving millions in public subsidies. What we need to come out of this are good jobs for Overtown residents; we need those jobs to be permanent and we need real commitments, not promises. I grew up in Little Haiti. I have a lot of friends in Overtown. I've seen multiple families struggle for a decent living. It is hard to find a good job paying with steady work here in Miami. A lot of the jobs pay \$9 an hour with no health benefits. No one can pay their bills and take care of their families making this little. In front of the Commission is an opportunity to do the right thing by the people in Overtown and the poor neighborhoods in Miami. We are all going to stare at a new large mall and hotel. It would be nice to say that the people working there are from the neighborhood and are moving up. Thank you.

Chair Gort: Thank you. Next.

Maurice Darling: Good afternoon. My name is Maurice Darling, from unite -- here, Local 355. I live in Liberty City area. My address is 6016 Northwest 24th Avenue. I just want to start by saying, you know, I work here at the Marlin's Stadium; and some of the things that I, you know, have as a result, me fighting for these things and how I believe in the same thing with the project here that these people are trying to fight for. At Marlins, we have, you know, wage increase, health care benefits and seniority, and I'm thinking of the same thing for these people here. How will they be able to fare if they don't have these things, you know? And then it's something else I noticed too. In the last two meetings regarding the Worldcenter -- I've been to a few of them, and it feels like our elected officials had not even listened to us and even pushed us aside, so in regards to that, you know, I'm looking at what are we going to do to close the gap between those with more wealth and those with no wealth? Thank you.

Chair Gort: Thank you, sir. Next.

Mr. Hannon: Next three speakers: Ted Weitzel, Michelle Louink, and Stephen Beatus.

Ted Weitzel: Commissioners, Ted Weitzel, Poinciana Village, 201 Northwest 7th Street, Miami. I live in Overtown, and I've been in Overtown for 35 years. I've hired a lot of people from Overtown. In fact, it makes the best sense to hire from Overtown. Hire the local people. Hire the people who are close to the job. I mean, that's what I've always done, and they get to work on time; they don't have transportation costs. I've talked to Worldcenter people a couple of times, and they will hire people from Overtown as long as they can do the job. I mean, it makes good sense. See, I've been doing it for 35 years, and I'm ready to do another project now and it's --

Chair Gort: I think she agrees with you.

Mr. Weitzel: Sorry?

Chair Gort: No, go ahead.

Mr. Weitzel: Okay. And I'm ready to start another project, and it's very important to me that Worldcenter gets going, because I have hiring requirements in my project, Poinciana Village, to build the last phase, and one of the requirements is to hire people from Overtown, and we will hire people from Overtown, the way we've always done it. So, please, let's not delay over Worldcenter, because it's critical for not only the Worldcenter, but the Marriott Hotel, Convention Center, for all these things to get going so I can get going on my project, and I will

hire people from Overtown. Thank you, Commissioners.

Chair Gort: Thank you, sir. Next.

Michele Louink: My name is Michele Louink. I'm a part owner --

Chair Gort: Please, ma'am, put the phone --

Ms. Louink: Sorry. My name is Michele Louink. I'm part owner of several properties in the Park West and also owner of several businesses in the area.

Chair Gort: Your address, ma'am.

Ms. Louink: We employ --

Chair Gort: We need your address.

Ms. Louink: Sorry?

Chair Gort: Your address.

Ms. Louink: Where is it?

Chair Gort: Your address. You have to give out your address.

Ms. Louink: The address.

Chair Gort: Yes.

Ms. Louink: It's Northwest 23 11 Street in Overtown -- in Park West. We employ several people, and we've been paying faithfully our very high real estate taxes. We've never had any help from the City or any abatement to us. We oppose the City's massive giveaway to the developers. We oppose also the proposal that there should not be any hearings to -- for these giveaways. There will be 24 liquor licenses that will be given away and several billboards. These massive giveaways should have the public participate in them. We would -- we plan to oppose the proposal of no hearing, because we think that the City -- the citizens would have a very good input for this project. We do not want to delay Worldcenter, but we would like to have public hearings. Thank you very much.

Chair Gort: Thank you, ma'am. Next.

Stephen Beatus: Commissioners, good afternoon. My name is Stephen Beatus. I'm the executive vice president for the Miami-Dade Beacon Council, 80 Southwest 8th Street, Miami, Florida. The Miami-Dade Beacon Council supports the development of the Miami Worldcenter project. As Miami-Dade County's official economic development partnership, the Beacon Council is charged with bringing new job-generating investments to our community. A comprehensive economic impact analysis of the Miami Worldcenter project forecast the creation of over 20,000 construction and construction-related jobs during the first phase of the project, and over 14,000 direct and indirect permanent jobs created by the residential, commercial and convention center activities also associated with the first phase of the project. Along with the significant new job creation, the project will generate more than a billion dollars of positive economic impact to the downtown Miami area. Miami Worldcenter will transform 27 acres of economically disadvantaged urban core into a retail, residential and tourist destination. The project will also improve connectivity by incorporating mass transit and Lincoln Bay, Biscayne Bay and Overtown and the Central Business District together. This expansive new job creation for the

residents of the City of Miami and Miami-Dade County, coupled with the potential for significant new public sector revenues that will be generated, make the Miami Worldcenter economically compelling and truly a landmark project. It's very encouraging to support a project with this enormous potential to stimulate job creation and significant economic growth both in Miami and the surrounding areas. Thank you very much.

Chair Gort: Thank you. Next.

Mr. Hannon: Next three speakers: Elizabeth Renioso, Charlene Conill, and Paolo Marchesini.

Elizabeth Renioso: Good afternoon. My name is Elizabeth Renioso. I've been a resident of downtown for seven years. My address is 320 Northeast 29th Street, Apartment 2, Miami, Florida 33137, and I'm here to support the Miami Worldcenter project. Thank you.

Chair Gort: Thank you. Next.

Charlene Conill: Hello. My name is Charlene Conill. I live at 6043 Southwest 34th Street. I work in marketing and PR (Public Relations) in downtown Miami and I have for seven years. And I just think that the Miami Worldcenter project is a big deal for Miami, downtown Miami, and that it will do nothing but improve the economic situation of the City. Thank you.

Chair Gort: Next.

Paolo Marchesini: Good afternoon. My name is Paolo Marchesini. I live at 850 North Miami Avenue. And I can't begin to say how excited I am for the development of the Worldcenter. I know it's going to generate a lot of jobs for the local residents of Miami and great revenue for our city. I'm for the Worldcenter.

Chair Gort: Next.

Mr. Hannon: Next three speakers: Adriana Ortiz, Daniel Solomon, and Carl Morrison.

Adriana Ortiz: Hi. My name is Adriana Ortiz, and I work at 1010 Northeast 2nd Avenue, which is on the Miami Worldcenter property. I'm here representing 31 startups that work in downtown Miami. The more than 70 entrepreneurs and the jobs they have created would not be in downtown if Miami Worldcenter hadn't offered us space for us to build and to work and build our businesses. Not only have jobs been created, but we shop and eat in downtown too, supporting the small businesses all over Park West and the Omni area. We have a building packed with job creators from all over the world, and we also host the first Microsoft Innovation Center in the US (United States). Park West has been reinvigorated and is only going to get better. People visit us from all over the world to see what has been built in downtown Miami in just two years. Imagine when we have All Aboard Florida connecting us to Orlando, when companies can have direct connection to the Terremark NAP (Network Access Point) from their homes and their offices in -- near the Miami Worldcenter. In the meantime, tens of thousands of jobs will be created to make that dream a reality. On behalf of the 31 tech companies working in Park West, we would like to thank Miami Worldcenter for giving us a home that could have a \$17 -- \$7 million impact on Miami-Dade County in our first 18 months. Thank you for your time.

Chair Gort: Thank you. Next.

Daniel Solomon: Good afternoon. My name is Daniel Solomon. I'm a partner of E11EVEN Miami, 29 Northeast 11th Street. We've created 300 jobs, being in the market now for exactly a year. We opened February 5, 2014. We had our one-year anniversary this last weekend. And with the 300 jobs that we've provided for the area, on average, \$40,000 a year, you know, the stimulation of what Miami Worldcenter can offer downtown Miami is another 14,000 jobs. We

only really impact 2 percent of what jobs can be added to downtown Miami. Without the knowledge of Miami Worldcenter being added into the market, we probably wouldn't even have built -- or we wouldn't have built E11EVEN Miami knowing that the infrastructure of downtown Miami is completely dependent on how big of an impact that will draw. I've now lived in and moved into Miami 14 months ago from Las Vegas, and only 5 percent of the jobs that we provided for E11EVEN Miami come from out of state; 95 percent of the jobs that we provided for E11EVEN Miami are here locally and within the area. You know, we've proven to have an impact this last week -- or actually, on Monday, we were announced a top ten hospitality establishment in the United States by Night Club and Bar Association with only operating 11 months. So we know that the traffic and the monies is there; it's just us taking now the roll and the establishing those jobs and creating the market. Thank you.

Chair Gort: Thank you. Next.

Carl Morris son: Good afternoon, everyone. My name is Carl Morrison, and I live at 7211 North Shalimar Street, in Miramar. I'm currently employed at E11EVEN Miami on 11 Northeast 29th Street, and my title is lead service assistant and hospitality extraordinaire. I am here in support of the Worldcenter establishment just for the mere fact that it's going to provide so much life for everything that's taking place in downtown Miami; coming up from what we have to be better, and it's going to impact everyone greatly. And we need this change, because change is imminent, and that's the only way that we're going to grow. So I'm in great regards to it, and I'm looking forward to the establishment being brought up. Thank you for your time.

Chair Gort: Thank you. Next.

Mr. Hannon: Next three speakers: Joseph Herndon, Michael Slyder, Neil Hall.

Joseph Herndon: Good afternoon, Commissioners. My name is Joseph Herndon. I live at 300 South Biscayne Boulevard in downtown Miami. And I am a proponent of the project. I came to Miami first in 1983 to build the -- renovate the Biltmore Hotel in Coral Gables. Since that time, there have been at least five real estate cycles of downs and ups, and it's very important, obviously, that projects that get approved and get built happen within the upside of those real estate cycles. This is one of those. But as we've all learned, they don't last forever, so timing is of an issue. I will tell you that the agreement that has been crafted by yourselves with Miami Worldcenter is a fine agreement, an excellent agreement. It has been worked out in a great deal of detail. It addresses jobs, the multitude of jobs; it addresses construction jobs, operational jobs; it addresses wages; it addresses the locations for -- where preferences will come from to have those jobs, including Overtown and immediately adjacent; and it will make a substantial tax introduction and growth for the City as a whole and the County as a whole as we go forward. It is an opportunity that is transforming the downtown of Miami and will transform your budgets as well, we hope. Thank you.

Chair Gort: Thank you, sir. Next.

Michael Slyder: Good afternoon, Commissioners. Michael Slyder, 950 Northeast 2nd Avenue. On behalf of Miami Entertainment District Association and Mekka Miami, which is the nightclub that I've owned for the last five years, I think in the first hearing about this, I mentioned to you that the beginning of the Miami Worldcenter project would mean the end of my business, and that remains true. I believe in this project so much that I come to every hearing to support it. One of the reasons I believe in it so much is because of job growth. Jobs sometimes are created directly, but they're also created by facilitators; and in my situation, I've been able to have a successful nightclub for the last five years with a landlord that has worked hand in hand with me. Now, I employ between 50 and 100 people, depending on the time of year. And I cannot tell you enough about the support that I've had over the years by these really decent people. They've worked really closely with my business, and it hasn't always been easy, as we all know. Miami

Worldcenter is exactly what we need, and I can tell everybody here that if you give them a chance, they've done well by me and I believe they'll do well by you. Thank you very much.

Chair Gort: Thank you. Next.

Neil Hall: Good afternoon. My name is Neil Hall. I'm a local architect in Miami for the past 30 years. I'm here in support of the Worldcenter project. And I applaud this Commission and the Commissioner for the district in pushing forward this agreement with Worldcenter. My comment having to do with jobs has to do with my own personal profession, having to do with architects, engineers, landscape architects. If you look at all the buildings that are coming up in and around our community, not one of them -- and I'm going to stress it -- not one of them have an architect as a joint venture partner, have black engineers. And I feel that as we go forward that we need to include the professionals that are in our community, because it is an impetus for our young people to say that "I can stay in Miami and earn a living." Ten years ago, we had an organization called the Association of African American Architects and Engineers. We had about 15 firms. Today we are left with three. Fortunate for me, I'm the eldest stateman [sic], and I'm not pushing that agenda, but I need to make sure that those of us who are going to school, taking our exams, passing it and becoming leaders in our community, we also need to make sure that some of the buildings that are in and around Miami reflects the talent and creativity of our architects and engineers; and I implore those who are building in and around Miami that look to us, look to the creative force of our community so that we could continue to prosper. I applaud you again, your effort to keep this project going. Thank you.

Chair Gort: Thank you, sir. Next.

Mr. Hannon: Next three speakers: Frank Telfort, Juan Cuba, and Andre Williams.

Juan Cuba: Juan Cuba, address is 253 Northeast 2nd Street, Apartment 2804, Miami, Florida 33132. Commissioners, we all want to see a world-class city. I just moved to downtown. No one wants to see a thriving urban core more than me. But we live in a great city, and we are in an economic boom right now. We shouldn't think that we're in a position of weakness. We're in a position of strength. The developers are just doing their jobs. Their jobs is to maximize their profits for their investors, and they are really good at doing their jobs. We need you to do your job on our behalf. That job is to protect the taxpayers and protect our communities; not just build a community for rich investors or the affluent. I've heard -- of all the people supporting this project, I've only heard the word "Overtown" once, and this isn't just about Overtown. This is happening in Little Havana. This is happening along the river. This is happening in Little Haiti. We are setting a precedent right now with this project. No one who is opposing said "don't build it," but when we're talking about our public money and we're talking about hundreds of millions of dollars, what are we getting for it in the long term? Right now you're getting temporary, low-wage jobs and permanent low-wage jobs. How are you building the middle class with that? If developers are demanding a hundred-plus million in our money, the very least you can demand back is jobs that have a living wage. What does that mean? Fifteen dollars and benefits at the very least. I also want to see if you can ask yourself what else could you do with a hundred million dollars? What else could you do? Commissioners, you have a chance to do a do-over. Please negotiate better terms. Thank you.

Applause.

Chair Gort: Thank you. Yes, sir.

Applause.

Chair Gort: We're going to have a lot of speakers. It's going to be a long night. If you want to -- that's it. The show's a lot more. Yes, sir.

Frank Telfort: Thank you. On behalf of Allied Minority Contractors Association, South Florida Chapter of the National Black Contractors Association, I am Frank Telfort, president, 697 North Miami Avenue, Miami, Florida 33136, in support for the Worldcenter Miami project, Coastal/Tishman and Suffolk Construction. "Please consider this letter as evidence of full support from the Allied Minority Contractors Association, the largest Black Contractors association in South Florida in favor of the Worldcenter project. Ownership for this project, Coastal/Tishman and Suffolk Construction have agreed to the initial framework to ensure black contractors and black vendors participation. We present to you some of the initial guidelines agreed upon to produce meaningful results: independent review and promotion of black participation in packages designed to fit black firm capacity by a component of the Coastal Construction Team and Tishman and Suffolk; subcontractor partners with prime contractors; a percentage of labor; reasonable costs plus burden markup; limited retainage; shortened pay cycle; reasonable portion material cost in contract; equipment allowance to conform with trade performed; mentoring program between the prime subcontractors and black subcontractors to increase capacity by reviewing; shared process and procedures; material procurement guidelines; equipment procurement methods; insurance solutions; workers' comp liability and so on; bonding requirements; scheduling execution; submittal format, specification review for compliance; plans review and estimating. While all details cannot be confirmed until plans are complete, both parties have agreed to begin the same format which leads to the success that the American Airlines Arena project gave to black -- to the black community. Thank you very much."

Chair Gort: Thank you, sir. Next.

Andre Williams: Good day to my Commissioners. How you guys doing? I think you guys are doing a wonderful job. Big shout out to you, Marc; New Jersey implant like me. My name is Andre Williams. I'm the owner of Eye Urban TV (Television), a visual media company in Overtown media hub, a production space for creators located at 175 Northwest 14th Street, Miami, Florida 33136 in Overtown. I have been a resident of Miami for the past 25 years. I spent half of my life here, half in Jersey, but mostly here, the last 25, and I've been a Overtown business and resident for the past three years. My concern with -- it's not a concern. I am very pro-development. Being from the north, I know what it's like to live in a metropolitan city, and I see Miami going in that direction, and I definitely, definitely, after being here 25 years, support the Worldcenter coming in, big time; it's needed. A lot of people talking about or speaking mainly about just having jobs, but as opposed to just having jobs, you have businesses within the community of Overtown that are looking for partnerships, that are looking for stake, that are looking for the opportunity to become involved with the major developers so that we ourselves can be the catalyst and the bearers of that which does go in regarding employment for the residents of Overtown and the community of Overtown long after the developments have been completed. That is what I'm not hearing a lot of, and that is what my major concern is. How do we tie in with the small businesses so that we, as small businesses in the community and of the community of Overtown, can employ the residents there after the development are done? Thank you.

Chair Gort: Thank you, sir. Next.

Mr. Hannon: Next three speakers: Rob Crosoli, Tammy Scott, Charles Haynes

Rob Crosoli: Hi. My name is Rob Crosoli. I'm a resident at the Madison Complex, 850 North Miami Avenue, Unit 803. I moved here about a year and a half ago to help start up a business that was weighted heavily on the development and the creation of the Miami Worldcenter. In that time, I've heard nothing but positive things; jobs on a local level as well as a national level, as well as hype from friends and family, and just people -- acquaintances that I know from coast to coast. It's driving a lot of excitement, a lot of attention to the area, and I can't find anything

negative about that. I am very for the Miami Worldcenter. Thank you.

Chair Gort: Thank you. Next.

Charles Haynes: Good evening. My name is Charles Haynes. I live at 219 Northwest 14th Terrace. I've been coming to -- this gives me the sixth meeting, and I'm supporting the Miami Worldcenter, but I don't understand; the more I come, it's different people I see. I was born in Overtown. For 52 years, I went through riots and hurricane, and I ain't never seen this much support for Overtown, so it's got to be more than helping Overtown. So what I'm saying, let's get together and let this happen, because we need these jobs. And it's not only for Overtown; Little Haiti, Liberty City, Little Havana; everybody need jobs, but everybody don't want to come and support the jobs. As close it get to the time to get the job, now everybody come out, and they hate the idea. It's too late for that. Let's keep this thing moving. Thank you.

Chair Gort: Thank you, sir. Next.

Tammy Scott: Hello. My name is Tammy Scott. I am from Miami Gardens, but I work in Overtown at the Overtown Media Hub, and I represent Eye Urban TV. And to represent the youth of Overtown or the young adults, I just wish -- I mean, hope for the positivity of the Worldcenter in Overtown for best results. Thank you.

Chair Gort: Thank you. Next.

Mr. Hannon: Next three speakers: Saliha Nelson, Jihad Rashid, and Lillian Slater.

Saliha Nelson: Good afternoon, Commissioners.

Chair Gort: Yes, ma'am.

Ms. Nelson: Saliha Nelson, 1000 Northwest 1st Avenue, 33136, and I'm here in support of the Worldcenter, because what's most exciting is that we're going to have new opportunities for young people to work in the community that haven't been here before. And here is where the great opportunity lies. The great opportunity is that through the investments of the CRA and the City of Miami coming together on the antipoverty initiative, the My Brother's Keeper initiative, and all the summer job training investment that you guys have done over the last several years, here's an opportunity to converge all of these forces and come together and make a strategic plan so that we really grow career development pathways for our young people. And as part of Urgent, Inc. and the Overtown Children and Youth Coalition, we are ready to engage with the City, with the CRA so that we can create broader opportunities for the young people. There are only -- listen to this, okay? There are only a little over 5,000 young people between 0 and 24 in Overtown; only about 1,300 now between the ages of 16 to 24. If we come together and formulate a strategic plan, we can work to hire and train every single one of those young people. That number is not insurmountable. So how can we do this? I am ready. We are here and we hope to engage with the City, and the CRA and the Worldcenter as we move forward on this exciting project. Thank you very much.

Chair Gort: Thank you. Next.

Jihad Rashid: Good evening, Commissioners. My name is Jihad Rashid. I'm president and CEO (Chief Executive Officer) of the Collaborative Development Corporation, 3628 Grand Avenue. I'm here to convey my support for the Worldcenter project. Our organization has tasted the fruits of some successes, and we can clearly see that the leadership of Commissioner Hardemon and the astuteness of my Commissioner Sarnoff, including among the targeted zip codes, West Grove, I'm very encouraged. And in my tenure in Miami for 30 years, I've never seen approach like this. If I would add anything, I would encourage you to also consider those

professional services. A speaker before me spoke of architects and engineers, so forth, so let's do that. But I'm very comfortable. And I think I want to publicly say I'm very happy with the leadership in the Commissioner Hardemon and the rest of you and my Commissioner of being very comprehensive about it. So we're on our way. So thank you.

Chair Gort: Thank you. Yes, ma'am.

Lillian Slater: Yes. Good afternoon. Commissioners --

Chair Gort: Name and address.

Ms. Slater: Oh. Lillian Slater, 1640 Northwest 4th Avenue, Apartment 10C. For over 40-some years, I've been coming here with all the Commissioners: Commissioner Gort -- well, some of them not here -- Commissioner Suarez and the rest of them, they're not here, but I know all these years with all these Commissioners going through here, when they first started -- Commissioner Gort; the first lady was on here years ago. So I thank God for all of you, but I'm still looking for my money for Town Park Village. Around these years, I've been coming, looking, looking at all of you, and I -- no, I'm not afraid of coming. I don't make no appointments; I come on my own. You know that. When they (UNINTELLIGIBLE) was with it, I come years ago, and we got those fund and I'm still -- the Worldcenter good. You know, I think it's a good thing, but it's other things Overtown need to be done. The people, their houses over there, they need some work did on them houses. And that's why I'm here. I wrote that down too, along with that. And the CRA, they know of that money; must come to Town Park all over. The last Commissioner send it here and I'm waiting for that money. Thank you.

Chair Gort: Thank you. Next.

Derek Cole: Derek Cole, 1010 Northwest 11th Street. I don't think the question is whether people support the project or not. It's a beautiful project. I totally support it. I think the big question is, is whether the developer should receive all the benefits from the City of the tax monies and the subsidies. There's other developers that don't need it. Thank you.

Chair Gort: Thank you.

Mr. Hannon: The next three speakers: Paul Savage, Bill Riley, and Andrew Mirmelli.

Chair Gort: Go ahead, Bill.

Bill Riley: Thought I was next.

Chair Gort: Could you (UNINTELLIGIBLE) now, please.

Mr. Riley: Sorry, no problem. Good afternoon, Mr. Chairman and Commissioners. First, I want to thank all of you for taking the time that you've taken and the hard work that you've put into this project, you know. I know many, many hours have gone into it. It's a new concept for us. My name for the record is Bill Riley, president of South Florida Building Trades Council.

Chair Gort: Address.

Mr. Riley: And, you know, I'm just --

Chair Gort: Your address.

Mr. Riley: 1657 Northwest 17th Avenue, Miami, 33125. But we just wanted to express our support. We wanted to express our thanks for what you've done putting this thing together. I

know it wasn't easy; a lot of hours went into it. But one of the most important things and why we're supporting this project the way we have and had previously supported the project, that this is one of the first projects or the first project in the City of Miami that has any reference to responsible wages and living wages in the documents. So you're on the cusp of helping your constituents. You're on the cusp of helping the people that live in the area. And I would hope that this concept continues, and that the local employees working in the facilities that come after the construction have the same opportunity and benefits. Thank you very much for your time.

Chair Gort: Thank you. Next.

Paul Savage: Thank you, Mr. Chairman. My name is Paul Savage, with offices at 100 Almeria Avenue, Suite 220, Coral Gables, Florida. I'm here on behalf of the Omni/Park West Redevelopment Association and Grand Central, Inc. We have standing under this -- we have a property interest under the defined tax of the development agreement and we also have a court order saying that we have standing in addition and above the community at large. I just want to make two or three significant points. Point number one is that the -- this development agreement is a creature of Florida Statute. It's not a creature of Miami -- City of Miami ordinance, and that statute has at all times been very clear that the develop agreement is really no place to amend or change your development regulations, and development regulations under the statute have a broad meaning. It includes all existing zoning and other regulations. This development agreement, by its own text, gives waivers and exceptions under sections of the Code, principally the area involving Section 55-14 of the City of Miami Code of Ordinances governing easements, and air rights, and fees and the like. One important distinction is that the development agreement does not call for any payment of use of, quote, "easements," while the existing text of 55-14 does require the payment of easements. There's -- and other speakers have alluded to the special liquor licenses and to the special signage and the like. You just can't do it in a development agreement under the Florida Statutes. That's the law. The fact that maybe other developers were able to get away with it doesn't make it right. It doesn't authorize it. So the development agreement remains unlawful under the governing Chapter 163. Another point I'd like to make is that the Appendix "D" that is an exhibit, which is the zoning amendment, is not final. We've been requesting it from the City since October, and it's still not final, and I don't know how it could serve as an exhibit and be in a lawful part of the development agreement that we're publishing to everyone if it's still, in fact, not final. So I'm not sure how we're processing their warrant, for example, currently. I'm not sure what the City's position is on that. And if you'll just give me one more minute, I'll show you my exhibits and take any questions you might have. As I was pointing out, under the Florida Statutes, they say, "It shall be consistent with the land development regulations." This one is not. The end, that your laws will govern the development of the land for the duration of the agreement. And then we go into the text itself. It says, "Notwithstanding the requirements of 55-14, the City waives the payments of fees." They put some language back in, but the easement language is still not there. Why that might be important is that under 8th Street, there is going to be a public easement to allow traffic to travel underneath the building in 8th Street, as depicted on this exhibit, and there's going to be -- a big part of the mall will be over 8th Street. So the developer will be using quite a bit of square footage over the top of 8th Street in this proposal. This is a screen shot of a rendering of an entrance going into 8th Street under -- and you can see here, there's quite a -- many floors of development that are on top, and that could be a very valuable fee that's being waived. This is another depiction of the approach into 8th Street. The cars are under here. All these floors here will be on top of the easement, the public easement. Also, I think it's about 350 feet. It's definitely -- and I'm not an expert. I don't have an expert today. But I do think that this is an exception from 54; it's therefore unlawful. And I -- and lastly, again, just to repeat, and then I'll -- and I appreciate the Chair's extra time. This -- and I promise you, this is my last point -- is that the Exhibit "D," which corresponds to, by the way, Appendix "D" to Miami 21, it's just not yet final, and I don't know why. That legislation has been passed since September 29. I don't know why it's not final. It should not be an exhibit to this item. Thank you, sir. You've been very generous. Thank you.

Chair Gort: Thank you. Next. Next.

Andrew Mirmelli: Good afternoon, Commissioners. Andrew Mirmelli, 127 Northeast 11th Street, Properties, LLC (Limited Liability Company); M & G Northeast 2 and 6, LLC; Pat Center Garage, LLC; 116 West Flagler, LLC and 49 Northwest 1st, LLC. Again, I'm here to voice my support for the Miami Worldcenter project. Today, in particular, I was listening to some of the comments of reasons why the Miami Worldcenter project should not proceed. And to anybody who has dealt with the Miami Worldcenter, with Nitin, with Van, with the Falcon Group, which I have for years; I've been a tenant of theirs, and I just want to say that it's completely preposterous. I've dealt with a lot of other landlords, and some of the things that people have been suggesting were true with other landlords but not with the Miami Worldcenter people. For example, if you could get one penny more in rent from me, you know, they'll charge it. With the Miami Worldcenter, it's the exact opposite. I'll give several examples. There's a group called Venture Hive on 10th Street and Northeast 2nd Avenue. They could rent that place out to a convenience store and make a half million or a million dollars a year. It's a prime location. They're giving it away for free. On top of giving it away for free, they're giving me a price break on my rent so I could give them free parking. The same holds true for primary and for some of the other artists that are also pretty much occupying Miami Worldcenter land for the last five years, more or less, rent free; most cases, rent free, just to enhance the neighborhood while everything is happening, while we keep coming back again and again for an approval that it is so obvious. Just recently, I was watching this attorney for the opposition. He was saying how they were building over the City streets. I'm not a genius, but I can imagine that that's going to add to the real estate values, which will be taxed, and the taxes on that real estate will probably bring in more money to the City than -- I guess they're saying the City should ask for it in the first place. And the prime value on that money -- not just to the Worldcenter, but through other land owners like myself -- is staggering. It's keeping the entire City from proceeding, because everyone is waiting on them to go first. Please, don't make us wait any longer. Thank you.

Chair Gort: Thank you. Next.

Mr. Hannon: Next three speakers: Justin Toal, Jaret Turkell, and Irby McKnight.

Justin Toal: Good afternoon. Justin Toal, offices at 47 Northeast 36th Street. I too am here to speak in favor of the project. I first want to commend the Commission for your comprehensive evaluation of this. I know you spent a lot of time and effort on it, and you've done a tremendous job. I'd also commend the developer for having a lot of staying power in this neighborhood. They came in at a tough economic time and stuck around when a lot of other developers viewed Miami as a way to drop in and out, parachute in and out, make money, and leave no positive effect behind. I think the big picture here for me is that for Miami to truly become a really meaningful global city, we have to have urban connectivity with projects like this that connect people, and homes, and entertainment and shopping. What we've created is a concrete jungle of monolithic condo towers stacked on top of each other with very little connectivity, very little pedestrian friendliness, very little pedestrian feel, and we have an opportunity in this particular neighborhood that maybe needs it more than any other to change that. These kind of truly transformative projects are way overdue, and the co-investment and incentives that the City is considering making in this are the only things that make these kind of projects possible. So I would say that the City and the neighborhood, in particular, of Overtown, they deserve the City's co-investment. They deserve the incentive structure to come in and dramatically improve the economic health, the job creation, and the safety and enhanced lifestyle of -- that this neighborhood will have. Thank you again.

Chair Gort: Thank you. Next.

Jaret Turkell: My name is Jaret Turkell; address, 1450 Brickell Avenue. I'm a huge supporter of Miami Worldcenter. I think the real estate, actual location that encompasses some of the best in

our city. I think it's going to be fantastic. Once completed, it's going to transform the entire area. And it is just critical to Miami moving forward as a true global city. So again, I can't state enough how big of a supporter I am of this project

Chair Gort: Thank you. Next.

Irby McKnight: Good evening. I am Irby McKnight, 1600 Northwest 3rd Avenue. I am here first to say I support this project wholeheartedly. We have to have this project. I support it because I see it as a gateway to getting other projects that we need desperately done in Overtown. Some of those projects are the computer lab at Greater Bethel; needs to be opened, operating and running with the same zest that we are here about some menial jobs. There's nothing wrong with having a job. I've had one 45 years. So if it was so bad, I wouldn't have done it. However, wouldn't having a business in the vicinity be a lot better than answering and working for me, who don't like what your eyebrow look like today so I fired you? Wouldn't you be better off asking for the CRA to work with you and small groups and set up businesses? If we are going to redevelop the Overtown community and use Park West as a subsidy where the tax will come from to support the CRA, then let's use it to the best of our ability. Let's get that computer lab up. Let's get some transportation to the senior program so seniors in Overtown don't have to pay \$6 -- \$7 a day with STS (Special Transportation Service) to get to a program for a hot meal. There's just so many other things that we should be fighting over that will improve the quality of life. How long do you think these construction jobs will last? Like I say, I've worked 45 years. You're not going to be there 45 years. So 2 years, 18 months, 27 months, and it's over with. What do you do then? You need to open a business.

Chair Gort: Thank you, sir.

Mr. Hannon: The last two speakers I have signed up for item PZ.1 are Tony Recio and David Polinsky.

Tony Recio: Good afternoon, Mr. Chair and members of the Commission. I'll be very brief in my expressing support, but I am here on behalf of MDM Development, who is building the Expo Center and Hotel, which I was before you a few months ago on. I'm also here in -- on behalf of Miami Big Block and the Simkins Related Industries in the area, as well the Heat Group Basketball Properties Limited. All three are in favor of this groundbreaking development, of this immensely important development. They're just eager to get it started. There's been delays. We would like to get this thing moving as soon as possible. It's catalytic for the area that has long been ignored, and this is a very important project to get things moving. It's a key component of the other properties that are -- that will be developed over time, both with two -- with MDM and with the Miami Big Block Properties, as well as a key component of the arena, who's been there, but this -- we will actually see something occurring on there. There's been some talk about certain numbers. I believe I heard \$175 million. I don't know anything about that number. I've never seen that number. The number that I have heard and seen is far lower, in the 80 to the 90 million dollar range. So I just don't want anyone to be confused by certain numbers that get thrown out. I think it's important that we kind of keep our eye on the goal of this project, which is to change this area and really bring new development there. So I appreciate the time. Thank you so much.

Chair Gort: Thank you.

David Polinsky: My name is Dr. David Polinsky. I reside at 1040 Biscayne Boulevard, Miami. I'm a resident of Museum Park and a developer of Boutique Mixed-Use Projects in Wynwood. I'm here speaking in support of the project. I think it has the potential to finally take Miami from being an urban city to a metropolitan city. I think all of the districts of the City of Miami will benefit in every economic class. And speaking as a developer, if I were sitting where the Miami Worldcenter developers are sitting today, I'd be nervous about time ticking, so I think it's time to

pass this. Thanks.

Chair Gort: Thank you, sir. Anyone else? That's it? We'll close the public hearing at this time and --

Commissioner Sarnoff: Mr. Chair, I'd like to --

Chair Gort: -- question. Yes.

Commissioner Sarnoff: -- make a motion to approve PZ.1 for discussion.

Chair Gort: Been moved by Commissioner Sarnoff. Is there a second?

Commissioner Carollo: Second for discussion.

Chair Gort: Second by Commissioner Carollo. Discussion.

Commissioner Sarnoff: Thank you, Mr. Chair. You know, I've said this before in my nine years up here, so I may as well say it again and finish. So let's say we do nothing. Let's say we just turn around; we say, "You know what? Some points were brought up. There's a great big document; I'm sure every one of you who had spoke [sic] read every page of this. I'm equally sure that every one of you that spoke read every page of this CRA agreement and you understand each and every line about it," but I suspect that's not truly the case. By the way, this is a tough agreement. I almost didn't approve it, because I thought he was too tough, meaning Commissioner Hardemon. I thought the developer would walk. Let's also clarify one other thing. Nobody's getting a check. Let me repeat myself: Nobody is getting a check from anyone in government. What happens is, if they build it -- that means if they build it -- they will get what's called a "TIF (Tax Increment Funds) revenue rebate." That means that first they have to build it, generate the TIF, and then they won't be subject to a certain tax. That is the agreement for the purposes of when you say "175 million" or somebody else said "whatever way it is," because whatever way it is really does matter, because what is left in the minds of some folks is that all these Commissioners up here are going to sign a check, and Danny Alfonso's going to issue it, and they're going to walk away, and that's not the case at all. That is not what's going to happen. Does it matter that there's going to be 14,000 jobs? To some, it does; to others, they're not the right jobs; and still others, it's not significant enough. But I could tell you this: In the struggles of this Commission and in this poverty initiative that we've tried to come up with, we have never even contemplated 14,000 jobs. We'd be lucky if we've contemplated 140 jobs, and that's the shouldering and the ability of this government. It just doesn't have that kind of stroke to effect 14,000 jobs. Now, the 14,000 jobs I've mentioned are not construction jobs. Those are permanent jobs. Now, any good lawyer should be able to go through this line by line and find problems with it, okay? And some lawyers have done that. But here is what compels me: This happens to be primarily in my district, and this is what it primarily looks like today. We had a discussion this morning on homeless or encampments. If this is not the definition of blight, what is the definition of blight? If this isn't what it looks like today, why should I even contemplate leaving it there tomorrow without a plan in place to fix it? Now, I've never seen ever, since I've been here, a major scale of 32-acre project. Nobody's ever done 32 acres. Think we've had Swire do 10.5 acres, but nobody's contemplated 32 acres. Most cities in the United States -- Chicago, New York namely -- built their cities in spurts; 1920s, Chicago was built significantly; the 1930s, New York City was built significantly. And Miami's going to be no different. We're going to build in spurts. It's going to happen. It's going to slow down, and it's going to happen again. Some people call that "building cycles." Some people call it the "circanian [sic] rhythm of life," but it is a reality that every developer faces, and there's nothing wrong with it, because in retrospect, when you go to Chicago and you look at the Wriggley Building right on the river, you marvel at it. You marvel at the vision. You marvel at the simple beauty of that building. And New York City, the Chrysler Building, built during a period of significant expansion in New York,

and you revel at it. You can always find something wrong, but what would be wrong would be for this Commission to change its mind from a decision it's already made as a result of process more so than substance. So Mr. Chair, I wholeheartedly endorse and certainly look forward to the commencement of the Worldcenter project and its 32-acre vision.

Chair Gort: Thank you. Commissioner. Vice Chairman.

Vice Chair Hardemon: Although this agreement isn't about an incentive, that's what most people spoke about, the incentive that there is to build within a place in the community redevelopment area that was named to be slum and blight, where the conditions that the people live in are so deplorable that 95 percent of us here couldn't sleep two to three days in it. And the Community Redevelopment Agency wasn't granted a bunch of money. It wasn't gifted that from the State or from the County upon its creation. It did not have a single red cent. The Community Redevelopment Agency was able to create dollars by the incremental values that were growing from those property tax values in that area. And as we sit here and discuss an agreement that will give a tax rebate to Worldcenter in an amount of nearly 80-something million dollars, we have to understand that we don't have that money. That money has to be generated. It has to be created. And the only way that you could create that money and the only way they can get that rebate is that there is development. But why is that important? It's important to have that development because when they start to generate those dollars over the term of these 14 years that are left in the life of the CRA, 14 years that it has an opportunity to generate some type of income so they can solve a lot of the problems that we have within the Overtown community. In these short 14 years we have left, the CRA will get upwards of \$62 million; \$62 million that it'll be able to use to train people, to eliminate the slum and blight in the apartment complexes that are on 1st Court, 1st Avenue, so they can create more opportunities for people to have businesses and put more police on the street. When people tell me that Brickell City Centre is building in Brickell and they didn't need a tax incentive, I laugh. I laugh because, one, if they were in the Community Redevelopment Agency or a redevelopment area, they would be before us asking for dollars. That's how I feel. I laugh again because when is the last time -- and I guess this was more sad than anything -- but when is the last time that you heard of six, seven, eight, nine, 10 black males being shot down on Brickell? People don't build in Overtown not because the land isn't there; because it's an untested market. It's a market where the people are dying in the street and no one feels safe to walk that community. So when you have an opportunity to develop a community, to bring in tourism, to provide more services, to create more opportunities, to put more police, to follow through on promises of jobs, to build the income necessary to rid that community of slum and blight, you have to seize it. In the six to eight years -- maybe eight years, as I understand it, that this property, private property has been held, tell me the development that's been on it. Tell me the opportunity that someone from Overtown has had on that property. Tell me about the thousands of jobs that it created. Tell me about the millions of dollars that it created that we can give back to the community to give us an opportunity in that community to prosper. You can't. And the reason that you can't is because there hasn't been any significant development, because we haven't come together as a partnership between the community and the developer to make it happen and rid this community of slum and blight. Mr. McKnight was right when he said that the Park West area generates the most TIF revenue that we use to spend our dollars in Overtown. And when you look at the projects that are being presented in Overtown, they are all meant to bring tourism to that area, to improve upon the businesses that are there, to give people better, decent places to live; a \$60 million bond issuance that's giving more affordable housing that we just had. How many years did it take to even issue that bond? We're arguing about dollars that we're going to have to be able to invest back into our community, when the County want to take those very same dollars from us and end the blood line that we had to give the CRA dollars to build more in our future. We need you then. Fortunately for us, we won that fight. So we sit here with the ability to fund more and more projects. What we need is to hold their feet to the fire when it comes to these jobs, to building this development, to improving our communities, because if they build it, then we'll have an opportunity to really and truly invest in a community that no one wants to invest into. If this was Liberty City, like many

people know Liberty City, where there is no CRA, you would never see this type of investment; if you know one, let me know. If you know a billion dollars to go into a community that's been suffering from crime and poverty in the City of Miami, let me know. People don't invest money there. Developers or property owners buy property and hold it for decades and watch the people die. They won't improve upon the façade. They won't make improvements into the interiors. They run people who have an opportunity to put businesses in those businesses to home businesses. They don't give you an opportunity in my community that I've seen, that I grew up in all my life -- I didn't fall here five years ago. My family came here in 1955, and this community is in a worse condition that it was then, and Overtown has not changed for the better. And since the CRA has been in existence, if you are truly from Overtown, tell me that you're happy with where we are today. The only way that we'll be able to make significant improvement in this community is if we have the money to do it, and right now we do not. Right now, if I had -- if I want to invest in improving the living conditions of every single major -- not major -- of every single apartment complex that's in Overtown, we won't have the money to do it. We'll be broke on one block, because it takes millions of dollars of investment to make these situations turn around, and we're not even talking about the issues that are involved in crime and drug use. We're not talking about the issues that are plaguing not only this community, but all of our communities. I'm just talking about changing the way it looks; improving the living conditions; giving someone the confidence that the same way they feel like they can walk into Wynwood, that they can walk into Overtown. So you can walk and prance on 3rd Avenue all you want to, but when you walk in the hole, it's a different story. The hole is a different beast. When you go knock on those doors looking for one or two voters in that entire complex that houses 80 people, then you'll be able to see exactly the type of terror we're dealing with in our community that we have to get rid of. I've said from the very beginning that this deal isn't perfect, but it's definitely the best deal that we've had to benefit our community, where we can hold people accountable and enforce the regulations that we put in place than we've ever seen before. This is the first time that we've ever had responsible wages, and not living wages, but enhanced lives wages in a contract; never happened before. And the City of Miami, with my help, I hope, will always continue to put responsible wages not only in its government contracts, but any contract that we work with within the CRA where we're giving away dollars. This is a new start for us. This is a start that we haven't seen before. I want to see the Overtown community change to something that we can all be proud of. I want to see the buildings improved upon. I want to see, like Ms. Slater said, the homes that need improvements to be improved. It will be a shame when we allow people who don't have the ability to change these circumstances that we are in to run away a project that will have an impact that will not only last for these next 14 years when the incentives end, but for the next 100, 150 years for the life of Overtown. Are we really going to give away the life of a community for 14 years? That land has been there for 14, 20, 30, 40 years. Do you see a high-rise condo there? Do you see a mall? Do you see a shopping center? Do you see a food court? Do you see a grocery store? Do you see an ice cream parlor? Do you see a minority business? You don't see any of it. And it will never be what we want it to be. It will never generate the tax income that we want to if we kill this project. This is bigger than 80-something, \$90 million over 14 years. This is our opportunity to change that community for the long term, for the best. The worst thing that happened to Overtown was I-395, 95. Worst. Our biggest opportunity that we have now is the Community Redevelopment Agency. And Mr. McKnight can testify that we've lost too much time. This is it. If we can't get it done in these next 14 years, this is it. Worldcenter may develop something. They may sell some of their acres. You may see a few condos go up. But I guarantee you, Overtown residents won't be working in them. I guarantee you Overtown residents won't get the jobs. I guarantee you, Overtown residents won't have the ability to have the training to earn income to move into those units. I guarantee you that it'll be full of everyone but Overtown people because we won't have the ability to prepare our community for what's coming forward in the future. This CRA has the only mechanism that we can use to combat gentrification. We watched it happen in other places just north of it and now we have an opportunity to slow it down here in this community by investing in the businesses and the homes that are already there, and in creating more of them and by giving us an opportunity to truly develop a project that will bring people from all over the nation

into Overtown. Yes, the big bus drives through Overtown, but it doesn't stop. They watch the Negroes as they walk by on the vacant lots, sitting on the chairs, rolling dice, drinking beer. That's what they do. The real residents of Overtown are working. They're fighting for their community. And we want to give them every fighting chance that we can to be prosperous; and at the end of the day, that's all that I care about, making sure that my community has an opportunity to succeed. Thank you, Mr. Chairman.

Chair Gort: Thank you. Commissioner Carollo.

Commissioner Carollo: I'm good.

Chair Gort: A lot has been said. I'm just going to give a little history to back up what was stated a little while ago. First of all, a lot of questions I think will be answered at this time by the Commissioners. The CRA for Overtown was created in 1985. Three years later, they had to add the Park West because the CRA did not have -- produce enough money in Overtown to do anything there. The City of Miami went back; tried to do some help. They build a shopping center right there on 3rd Avenue. That shopping center open; it was great for a year. A lot of people open business in there. A lot of people close their businesses. Didn't last. This CRA has taken care of that, has improved that area, and has -- is trying to improve the whole 3rd Avenue. I think some of you that lived in Overtown can see some of the differences taking place on 3rd Avenue. You might not see. At the same time, it took 14 years for the CRA to receive any funding to be able to establish something. Fourteen years. And it's not only the employment jobs. When you have a facility like that, you're going to need people to work in the stores, you're going to need people to provide the services in there, you're going to need businesses to -- that are going to be hiring people. At the same time, when so close to Overtown, we do the job that should be done to create a tourist attraction 'cause ethnic traveling is very much in favor today in that we can look at what happened in Little Havana. Today we have -- in the Latin Quarter, we have anywhere from 10 to 15 buses stopping there with tourism. That means economic development and it also gives an opportunity to learn about the culture of the area. So that's the reasons why I'm in favor of this. I'm not going to say anything else, but it's an ordinance.

Mr. Min: Thank you, Mr. Chair. There's actually two things that need to be read into the record prior to reading the title.

Chair Gort: Go ahead.

Mr. Min: The first thing is the second reading of this ordinance is going to be on Thursday, February 26. And additionally, there is going to be one modification between first and second reading. Apparently, Appendix "F" -- or Exhibit "F" of the development agreement, which is the public and open space easement agreement, has the wrong legal description, so that would be corrected for second reading.

The Ordinance was read by title into the public record by Deputy City Attorney Barnaby Min.

Mr. Hannon: Roll call on item PZ.1. Vice Chair Hardemon?

Vice Chair Hardemon: For.

Mr. Hannon: Commissioner Carollo?

Commissioner Carollo: Yes.

Mr. Hannon: Commissioner Sarnoff?

Commissioner Sarnoff: Yes.

Mr. Hannon: Chair Gort?

Chair Gort: Let me tell you all something. This Commissioner, during the negotiation, keep having the -- people back and forth. At one time, I told the developers, "Why don't you guys just walked out?" Yes.

Mr. Hannon: The ordinance passes on first reading, 4-0.

END OF PLANNING AND ZONING ITEMS

MAYOR AND COMMISSIONERS' ITEMS

CITYWIDE

HONORABLE MAYOR TOMAS REGALADO

END OF CITYWIDE ITEMS

DISTRICT 1

CHAIR WIFREDO (WILLY) GORT

D1.1

15-00051

DISCUSSION ITEM

DISCUSSION OF ABANDONED PROPERTIES, COUNTY LAND USE CODE (CLUC) 90 PROPERTIES IN THE CITY OF MIAMI.

15-00051 E-Mail - Discussion Item.pdf

15-00051-Submittal-Commissioner Gort-CLUC 90 Updated Maps.pdf

DISCUSSED

Daniel J. Alfonso (City Manager): D1.1, which is the discussion of abandoned properties, the County land use code. There's 90 properties in the City.

Chair Gort: Okay, I've looked at the abandoned properties that we have within the City of Miami. There's a map that we have about 67 different properties throughout the districts that the City of Miami could be taking over and put them on the tax roll. Mainly, a lot of them are owned by the City of Miami. It's County land, and there's the City land, and we can request those land to -- and vacant spaces to come to the City of Miami where we can create a lot of the use for affordable housing. We can put people for home ownership to rental. For Commissioner district, available property in District 1, there's seven; District 2, there's three; District 3, there's one; District 4 is six; District 5 is 37. Own properties by the City, there's three in District 1; one in District 3; four in District 5, and five in District 12 -- in District 5, I mean 12 owned by the City. There's property that sit there vacant, and I think this is some properties that we should be looking at. I had some discussion with the gentleman from the real estate, and he's going to be working on it, it's my understanding. So I'd like to look at this and see if we can take possession of these properties and put them for RFP (Request for Proposals) or do something with them, because they're sitting there; they're abandoned properties; they become nuisance to the neighborhoods; abandoned properties used by everyone to illegal dumping and I'd like to ask the Administration to look -- let's look into this, like the one -- the land we just sold for \$30,000 at last meeting --

Mr. Alfonso: Right.

Chair Gort: -- that was being used by the owners there.

Mr. Alfonso: Right.

Chair Gort: At least we got \$10,000, and it's back on the tax roll.

Mr. Alfonso: You're absolutely right. Mr. Chairman, we were going to -- really taking a close look at all these. Some of these are useable. There's a few that are like 7,000 square feet and whatnot. All of them are 200, a thousand. This should probably just be annexed to the next property owner and let's get some value and put it back on the tax roll.

Chair Gort: Right.

Mr. Alfonso: I agree. There's even some that are land-locked; they got houses on both sides and they're locked inside of a backyard that I'm sure is already been used.

Chair Gort: There was one in my district, which is that whole street --

Mr. Alfonso: Right.

Chair Gort: -- and it's vacant now because it's not -- it was a dead-end street, but the property owners don't want it because, I understand, they have to pay taxes on it.

Mr. Alfonso: That is correct.

Vice Chair Hardemon: Mr. Chairman.

Chair Gort: Yes, sir.

Vice Chair Hardemon: May I have a copy of the list of abandoned -- I believe you said abandoned properties.

Chair Gort: Right.

Vice Chair Hardemon: So a copy of those lists for me, please.

Chair Gort: We have it in -- you can keep this one.

Vice Chair Hardemon: I'm looking at -- the cover sheet of it says "properties available for taxes," which means that they've been abandoned; no taxes are being paid. And who owns them at this point?

Mr. Alfonso: Some of them, actually, the City owns, but I checked on the tax roll, and even though it says they're available for taxes, there's actually no taxes due, so it's kind of an interesting -- but they're like 160 square feet or --

Chair Gort: Or at least they could convert it into tax property.

Mr. Alfonso: Yes, that's correct. Yes.

Vice Chair Hardemon: So they still belong to someone who is not being responsible with the property? And help me define what "responsible" is. I'm just trying to understand what these types of properties are.

Victoria Méndez (City Attorney): Technically -- and we have to double check the list, but technically, these are properties that escheated to the County. So they're on a list of lands that escheated to the County, and then those technically can be requested by the municipality, and that's what we're trying to confirm on that list.

Chair Gort: State law.

Ms. Méndez: Because pursuant to Florida Statute 197, 592 and 502, the City can request these from the County and then get them transferred over. So we're looking at the list that was generated based on that land use code that the County has. Apparently, the County isn't using that land use code anymore, so we don't know how accurate at the end of day or it's a smaller list; there may be more. But we're trying to figure out that information, and we'll be working with DREAM (Department of Real Estate and Asset Management) to figure it out.

Chair Gort: We've also done research. There's a lot of properties in Miami-Dade County that have not paid taxes, nobody has bought those taxes liens, because they have large liens from the City. And I believe this is a property that we can purchase back and make something out of it. I mean, abandoned properties are the biggest problem that we have.

Ms. Méndez: Well, maybe we also need to look at the list -- the bigger list outside of the City and see if any of those properties are funds that we have lent out monies on, whether it's through HOPWA (Housing Opportunities for Persons Living with AIDS) funding or Community Development dollars that sometimes we are the administrator of, so that's a good point that we can look into as well.

Chair Gort: No, but I understand. But this is where CDBG (Community Development Block Grant) and the Real Estate Department can work with the -- together as a team. He can identify the facilities that we might be able to purchase because they're worthwhile, and I'm sure we can use CDBG funds for those property, but we can get the return on those investment, okay? Thank you.

Mr. Alfonso: Yes, Mr. Chairman.

Chair Gort: Let's come back at 3?

END OF DISTRICT 1

DISTRICT 2

COMMISSIONER MARC DAVID SARNOFF

END OF DISTRICT 2

DISTRICT 3

COMMISSIONER FRANK CAROLLO

D3.1

DISCUSSION ITEM

14-01093

UPDATE REGARDING DISCUSSION ON IMPROVING THE CAPITAL IMPROVEMENT PROJECT (C.I.P) PROCESS.

14-01093 CIP Baseline Proj. Schedules.pdf

CONTINUED

Note for the Record: Item D3.1 was continued to the March 12, 2015 Regular City Commission Meeting.

D3.2**DISCUSSION ITEM****15-00152**

DISCUSSION REGARDING THE CREATION OF A PENSION STABILIZATION PLAN.

15-00152 E-Mail - Discussion Item.pdf

DEFERRED

Note for the Record: Item D3.2 was deferred to the February 26, 2015 Planning and Zoning City Commission Meeting.

END OF DISTRICT 3**DISTRICT 4****COMMISSIONER FRANCIS SUAREZ****END OF DISTRICT 4****DISTRICT 5****VICE CHAIR KEON HARDEMON****END OF DISTRICT 5****NON AGENDA ITEM(S)****NA.1****DISCUSSION ITEM****15-00222**

MAYOR REGALADO AND MIAMI-DADE COUNTY PUBLIC SCHOOLS SUPERINTENDENT ALBERTO CARVALHO CONGRATULATED THE CITY OF MIAMI AND MIAMI-DADE COUNTY FOR RANKING NUMBER ONE (#1) FOR RETURN ON EDUCATIONAL INVESTMENT, BEST IN THE NATION BASED UPON A STUDY CONDUCTED BY WALLETHUB, A NATIONAL FINANCIAL WEBSITE FOR CONSUMERS AND SMALL BUSINESS OWNERS.

DISCUSSED

Chair Gort: The Mayor asked for a -- to introduce Administrator Carvalho here; that he was put -- he was the 10:30 time certain, but I know this is going to take a while, so I understand he has another engagement. Mr. Mayor, you're recognized.

Mayor Tomás Regalado: Thank you, Mr. Chairman. Thank you, Lucia. I think that this is important, and we are dealing with a very important issue for the present and the future of Miami, but what we are going to see now is the details of a decision made by an important agency that look at 90 cities in the US (United States) and found that Miami is number one in terms of money spent for education and how the money was spent. This decision puts Miami in the national map, and I am honored to introduce the superintendent of the School System of

Miami-Dade County, Alberto Carvalho. Alberto Carvalho and his team, along with the School Board of the City of Miami has made Miami a city where the students are getting the most education and the dollars that are spent for students are very well used. Miami, as you know, is the city with most public schools in all South Florida, and we are proud of that, because our children are in good hand. So with that, I would like to introduce the best superintendent in the US, Alberto Carvalho.

Alberto Carvalho: Thank you very much for that very kind introduction. Mr. Mayor, Mr. Chair, members of the City Commission, it's great to be here once again. The Mayor is right. I mean, it's not often that you read about being number one in the country, and after a publication was made public last week from Wallet Hub, which is a financial website that ranks cities and different organizations that looked specifically -- and this is the first time ever -- at the ROI in education, return on investments. So can we determine which is the best or the best cities in America as far as efficiency when it comes to educational spending, taking into account educational outcomes? That's what Wallet Hub did, using information, economic information from Harvard University; using four renowned economists to conduct the study. They looked at the 90 most populated cities in America, and the conclusion was rather impressive. As a function of per people investment across all of these 90 cities, looking at student achievement data for fourth and eighth graders in reading and mathematics; looking at the poverty level in cities, household income, percentage of students who are English language learners and the percent of single-family homes, Miami-Dade was ranked number one in efficiency; meaning the best student achievement data anywhere in the country, taking into account the amount of funding spent. The implications for this, obviously, beyond the celebration, is that it bodes well for the City of Miami; it bodes well for Miami-Dade County Public Schools. As the Mayor correctly said, even though the study looked specifically at cities, the per people funding in all of Miami-Dade County is the same, so that level of efficiency can certainly be taken over to other cities and unincorporated Dade, but because Miami is by far the largest city with the largest number of constituents and number of children attending Public Schools, it is a strong mark of efficiency, and it tells us that Miami continues to be well placed, not only on the national landscape, but now internationally. Gone are the days when people used to question the vitality of Miami-Dade County Public Schools. Today, the Beacon Council, the County's economic arm, leads its recruitment efforts by proclaiming Miami-Dade County Public Schools' graduation rates and the choice available to parents. So having Miami-Dade seen in this light, and specifically today the City of Miami, from an efficiency perspective, guaranteeing well spent tax dollars in support of public education with real value ad is something that I believe all of us can take pride in and celebrate. There's still a lot of work to be done, but I take pride today in joining the Mayor and this City Council in saying Miami is number one this time around because of the wise investment in public education, looking at the results that we can accrue. So congratulations to you. I have already congratulated the teachers and leaders of the School Board on our side. I think jointly, through our compact and our joint efforts, we're building a better quality of life by investing wisely in education as we have done. So thank you very much for your service, for your work and for the time you've afforded me today.

Commissioner Sarnoff: Mr. Chair.

Chair Gort: Yes, sir.

Commissioner Sarnoff: Mr. Carvalho, where could we find that study? Because I'm going to be meeting with some hedge fund folks again, and you're right; that'd be the first thing I would say.

Mr. Carvalho: Mr. Sarnoff, you can actually go on wallet-hub.com.

Commissioner Sarnoff: Wallet hub.

Mr. Carvalho: Hub.com. It's wallet-hub.com. You can view the report there. We also put it out

through the media. It's been published in the Herald in the business section, actually. It was kind of neat to have City of Miami and Miami-Dade County Public Schools have an article published, not on the local section, but in the business section, because it dealt with efficiency. We already have it also on our website as a source of pride.

Commissioner Sarnoff: Thank you.

Chair Gort: Thank you and congratulations. And to us, I think education is the most important thing we can do for our children; that's very important. Yes, sir.

Vice Chair Hardemon: I would be remiss if I didn't take this opportunity just to say this: Well, first of all, congratulations on all your successes that you've been having within Miami-Dade County and across the nation. You've been recognized, rightfully so, by many thought leaders as someone who is doing amazing things for our children and our communities, and because I have you here, I just wanted to say to you that -- and I know you'll tackle this issue, and that's why I'm bringing it up at this point. I know the bond issuance passed to help support the schools and infrastructure, and I'm not sure if this fits within that bond issuance, so I'll just make this request of you here. At Miami Northwestern Senior High School, the parking lot where -- that is adjacent to the court, to the basketball courts and the track and field, the lights have been out for a very long time there, and I know the children that practice in track and field in the evenings are limited by the amount of natural sunlight that comes there. So maybe around 5:30, 6 o'clock when you start, the -- you have children ranging from the age of three to -- it appears to be about 16 years old that are there in the dark, in the night, and we recognize exactly the proximity to local ills that we have within that community are with that place. So I didn't know exactly the avenue to travel to make a request about the lights.

Mr. Carvalho: You just made it.

Vice Chair Hardemon: Right, so that's why I'm telling you now. So it's the parking lot that is where the cars are.

Mr. Carvalho: Sure.

Vice Chair Hardemon: And also the track and field. It appears to be all the copper has been stolen out of those lights, so it's --

Mr. Carvalho: There are no lights there now.

Vice Chair Hardemon: There are no lights, whatsoever.

Mr. Carvalho: Right. Yeah, actually, it's a request that's been made to me already; that when they built the school and they built a new field they replaced in Northwestern Senior High School, they didn't install lights. I will verify and get back to you as to whether or not it's reflective of the bond program. It's something I would actually pay attention to and try to do something about it if it's not included, but I think it may actually be included.

Vice Chair Hardemon: Okay.

Mr. Carvalho: It makes sense. It actually gives an edge to competing schools that have lights on their fields as compared to Miami Northwestern Senior High School; right thing to be done.

Vice Chair Hardemon: Thank you so much. I appreciate it.

Mr. Carvalho: Thank you.

Chair Gort: Thank you, sir.

Mr. Carvalho: Thank you very much. Have a fantastic day.

NA.2**15-00223****DISCUSSION ITEM**

PURSUANT TO THE PROVISIONS OF SECTION 286.011(8) FLORIDA STATUTES, AN ATTORNEY CLIENT SESSION, CLOSED TO THE PUBLIC, WAS REQUESTED AND SCHEDULED FOR FEBRUARY 26, 2015, AT MIAMI CITY HALL, FOR THE PURPOSE OF DISCUSSING THE PENDING LITIGATION IN THE CASE OF: SHANIKA A. GRAVES, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TRAVIS MCNEIL, AND ON BEHALF OF THE ESTATE OF TRAVIS ESTATE AND THE SURVIVORS OF THE ESTATE, T.M. AND K.J.P. VS. CITY OF MIAMI, CASE NO. 13-22501-CIV-KMM, PENDING IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA. THE SUBJECT OF THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS OR STRATEGY SESSIONS RELATED TO LITIGATION EXPENDITURES.

DISCUSSED

Victoria Méndez (City Attorney): Mr. Chairman, could I read a statement really quick --

Commissioner Carollo: Four?

Ms. Méndez: -- before you go?

Chair Gort: Yes.

Commissioner Sarnoff: Four, right? May as well --

Commissioner Carollo: Yeah, because there's (UNINTELLIGIBLE).

Commissioner Sarnoff: You want to do like quarter to 4, and we can get whatever little business we have? Then you have your -- isn't that the only thing left?

Chair Gort: (UNINTELLIGIBLE) only thing left.

Commissioner Carollo: Three forty-five.

Commissioner Sarnoff: Yeah, 3:45.

Chair Gort: Okay.

Commissioner Carollo: Three forty-five.

Chair Gort: Sounds good.

Commissioner Carollo: Okay.

Ms. Méndez: This is a statement that I have to read for an attorney-client session. Mr. Chairman and members of the Commission, pursuant to provisions of Section 286.011(8) Florida Statutes, I'm requesting that at the next City Commission meeting of February 26, 2015, an attorney-client session, closed to the public, for purposes of discussing the pending litigation in the case of Shanika Graves, as personal representative of the estate of Travis McNeil, and on

behalf of the estate of Travis McNeil and the survivors of the estate of T.M. and K.J.P. versus City of Miami, case number 13-22501, Civil-Moore Division, pending in the United States District Court for the Southern District of Florida. The subject of the meeting will be confined to settlement negotiations or strategy sessions related to litigation expenditures. Thank you.

Chair Gort: Thank you. We'll see you all back at 3:45.

ADJOURNMENT

The meeting adjourned at 5:34 p.m.