

# **City of Miami**

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



## **Meeting Minutes**

**Thursday, April 26, 2018**

**9:00 AM**

**Planning and Zoning**

**City Hall**

## **City Commission**

*Francis Suarez, Mayor  
Keon Hardemon, Chair  
Ken Russell, Vice Chair  
Wifredo (Willy) Gort, Commissioner, District One  
Joe Carollo, Commissioner, District Three  
Manolo Reyes, Commissioner, District Four  
Emilio T. Gonzalez, City Manager  
Victoria Méndez, City Attorney  
Todd B. Hannon, City Clerk*

**9:00 AM**                      **INVOCATION AND PLEDGE OF ALLEGIANCE**

*Present: Chair Hardemon, Vice Chair Russell, Commissioner Gort, Commissioner Carollo and Commissioner Reyes.*

*On the 26th day of April, 2018, 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 Hardemon at 9:01 a.m., recessed at 12:06 p.m., reconvened at 2:23 p.m., and adjourned at 2:53 p.m.*

*Note for the Record: Commissioner Reyes entered the Commission chambers at 9:02 a.m., Vice Chair Russell entered the Commission chambers at 9:02 a.m., and Commissioner Carollo entered the Commission chambers at 9:45 a.m.*

**ALSO PRESENT:**

*Emilio T. Gonzalez, Ph.D., City Manager  
Victoria Méndez, City Attorney  
Todd B. Hannon, City Clerk*

*Chair Hardemon: Welcome to the April 26, 2018 meeting of the Miami City Commission in these historic chambers. The members of the City Commission are Wifredo Gort, Joe Carollo, Manolo Reyes; Ken Russell, the Vice Chairman; and me, Keon Hardemon, the Chair. Also on the dais are Daniel -- I'm sorry -- is Emilio T. Gonzalez, our City Manager; Victoria Méndez, our City Attorney; and Todd Hannon, our City Clerk. The meeting will be opened with a prayer by Commissioner Gort, and I will lead the pledge of allegiance. All rise.*

*Invocation and pledge of allegiance delivered*

**PART A - NON-PLANNING AND ZONING ITEM(S)**

**PR - PRESENTATIONS AND PROCLAMATIONS**

**PR.1                      PROTOCOL ITEM**

4040

<u>Honoree</u>	<u>Presenter</u>	<u>Protocol Item</u>
City Commission	Representatives Nick Duran and Bryan Avila	Check Presentation
City of Miami Police Officer Miguel Aguilera	Commissioner Reyes	Commendation
City of Miami Police Sergeant Raul Delgado	Commissioner Reyes	Commendation

<b>RESULT:</b>	<b>PRESENTED</b>
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- 1) *Florida State Representatives Nick Duran and Bryan Avila presented a check to the City of Miami for the City's Mobile Command Vehicle and expressed their continued support to the community in the City of Miami.*

- 2) *Mayor Suarez and City Commissioners honored and paid tribute to Officer Michael Aguilera for serving devotedly and selflessly on behalf of the people of the City of Miami. Officer Aguilera's valiant efforts and unyielding courage in rapidly responding to a situation on March 25, 2018, helped track down the suspects of an armed robbery in the City of Miami. Together with Sergeant Raul Delgado, and members of the Miami-Dade Police Department, Officer Aguilera successfully applied his investigative skills that led to the eventual apprehension of these suspects and to the victim's property being recovered. Officer Aguilera's efforts and actions on this day helped bring justice to a resident of our community. Elected Officials paused in their deliberations of governance to applaud Officer Aguilera's expertise and outstanding professionalism, dedication and relentless pursuit of justice to ensure the welfare and security of all residents in the City of Miami.*
- 3) *Mayor Suarez and City Commissioners honored and paid tribute to City of Miami Sergeant Raul Delgado for serving devotedly and selflessly on behalf of the people of the City of Miami. Sergeant Raul Delgado's leadership, tireless efforts, and courage were displayed on numerous occasions when he bravely responded to several situations in March 2018. During this month, Sergeant Delgado, with the assistance of fellow City of Miami Police Officers and members of the Miami-Dade Police Department, helped coordinate an investigation involving multiple jurisdictions, tracked down the suspects of an armed robbery, recovered stolen property, discovered narcotics, and seized a stolen firearm. In addition to leading these proactive law enforcement efforts, Sergeant Delgado also dedicated his time to mentoring the City of Miami Police Explorers Post 122 in their efforts to prepare for their annual law enforcement explorer competition. Elected Officials paused in their deliberations of governance to honor Sergeant Delgado's leadership and professionalism, and commitment to the pursuit of justice for the safety and security of all of our residents.*

*Chair Hardemon: We will now make presentations and proclamations.*

*Presentations and proclamations made.*

### **AM - APPROVING THE MINUTES OF THE FOLLOWING MEETINGS:**

#### **AM.1**

City Commission - Planning and Zoning - Feb 22, 2018 9:00 AM

<b>MOTION TO:</b>	<b>Approve</b>
<b>RESULT:</b>	<b>APPROVED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Manolo Reyes, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Chair Hardemon: Is there a motion to approve AM.1, the Planning and Zoning Meeting minutes from February 22?*

*Commissioner Reyes: Move it.*

*Vice Chair Russell: Second.*

*Chair Hardemon: It's been properly moved and seconded. All in favor, say "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: That motion carries.*

### **PUBLIC COMMENT PERIOD FOR REGULAR ITEM(S)**

*Chair Hardemon: At this time, I'd like to open up the floor for public comment. If there's anyone from the public that'd like to make a comment on any item that's on the agenda, now is your time to speak. So if you want to make a comment on any item that's on the agenda, approach one of the two lecterns. State your first name, your last name; you may state your address, but please tell us what item it is that you're here speaking about. So, once again, you have two minutes to address this body; first name, last name; you may state your address, and what item it is that you are here to speak about. Ma'am, you're recognized.*

*Brenda Betancourt: Good morning. Brenda Betancourt, 1436 Southwest 6th Street. Well, the agenda went so thin now, so it's kind of like a surprise. But I just want to enforce what Commissioner Carollo say. I have lived in -- well, my whole life in Little Havana, and I have to thank Commander Papier for her job. My street, it's been technically 80 percent clean of drug dealers for the past two weeks. She's been working hard, and the whole neighborhood is getting better, so I have to echo what Commissioner Carollo say. I was yesterday at the project with the Community Relation Board Criminal Justice Committee, which I am part of, and I represent Little Havana in that committee. And it is -- seems that the work is a lot to be taken in one time, but we are seeing some improvement. In reference on the NET (Neighborhood Enhancement Team) Office, what the Commissioner Carollo say is true. Please do not create little kings around our neighborhood. There were people that were great before in the NET officers -- in the NET Office -- but then, you have people that will go and charge business owners or residential owners -- resident owners -- for -- do things for them, or not look at a Code Enforcement items by money. And we have plenty already that in Little Havana years before. So, please, if you're going to create people who's going to come and work at the NET Office in taking care our problems, don't let them become the kings of the neighborhood, because that been happening. So you have to be careful on that; it's really sensitive to understand. I -- unfortunately, I have to receive a lot of complaints about a lot of residents that don't understand the system. The system is too complicated, and if we don't make it easier for them, we going to still have problems. By the way, just remind you, May 20, that we have the event, and I hope that all of you can confirm to see if you just can be present. I understand that it's a lot of things going on. It's a Sunday. Some people go to church, but we're going to be there from 12 to 3 o'clock, at noon, so the events, like I email it to all of you, is "Para Cuba es Hora," and I hope that you guys support it. Thank you.*

*Chair Hardemon: Thank you. Ma'am, you're recognized.*

*Maggie Fernandez: Hi. Good morning. Maggie Fernandez, 3620 Southwest 21st Street, Miami, Florida 33145. Thank you for the opportunity to speak. So I'm here today to speak against RE.10, the midyear budget amendment. So I've been here to speak to you before over the course of the last few months about transparency; about inclusion; about equity. And I'm really disheartened to hear that in this budget amendment, it's proposed that the Office of Resilience is being moved under the Public Works Department. So I used to work for the County Manager. I was an assistant to the County Manager back on 2009, and when the Administration prioritized sustainability, what they did is they created an Office of Sustainability and had it serve as a pseudo-Assistant County Manager; much like they do in the City of Miami Beach right now, where the Chief Resilience Officer is an Assistant City Manager. And that was done for very good reasons. We wanted to integrate*

sustainability across the organization and within the community; that's how important it was. So I'm concerned that by moving this that that will get lost, and resilience will be looked upon more as infrastructure and roads, and flood prevention when resilience is much more broader [sic] than that. Resilience is about people; resilience is about housing; it's about transportation; it's about the economy. It goes beyond just the building and mortars. So I urge you to please reconsider that proposal so that the Office of Resilience remain a stand-alone department, so we can get what we need done. Thank you.

Chair Hardemon: Thank you. You're recognized.

Sam Latimore: Good morning. My name is Sam Latimore. I am the president of the Charles Hadley Neighborhood Association. I live at 937 Northwest 55 Street, Miami, Florida. My -- living in the house that my parent bought -- that my parents bought in 1959. I'm here on behalf of RE.5, and this is a no-brainer to me that you adopt the City Manager's notation to move forward with the firma -- FEMA (Federal Emergency Management Agency) payment. We have a park that serves a lot of people; served me when I was growing up in the area, and I think that's one reason why I'm not incarcerated today. As I share with Kevin all the time, parks save lives. And by expediting the payment of that money, you help restore our park to the once vibrant place it used to be. So I'm here to say that it is a no-brainer to me, but please approve that resolution. But this has a domino effect, so I'm going to take advantage of my two minutes with the domino effect. I just heard some things about NET, and I share with the -- a real good relationship with the NET Office. Back in 1970, when I was applying and working on my master's thesis, I did two papers. One was a concept of NET. I also did a paper on the concept of now what has become known as the JAC (Juvenile Assessment Center) Center. That's a centralized place that you send youngsters to be processed to [sic] the center. And when I was looking for those "A" papers -- and I was glad to see those things come to par -- but the NET Office is doing a fantastic job in the Model Cities area. In fact, the Model Cities Program, we are doing such a great job and we have such great relationships. So it's not the program -- and I want you to think about that -- it's not the NET Program; it's the people who work for the NET Program. If you get committed people who are concerned about what happens in their community, all of the NET structure work. So this NET structure work. They saved my life, and what I say, they saved the lives of other people. I want to shout out for Sandra Harris, who we called to complain about dust that was choking us to death; who called Public Works, who got right on the case within two days. After seven days -- seven months of smelling and breathing in toxic fumes, they get -- the Public Works Department and Ms. Sandra Harris responded to us, and you saw in the papers what happened, the result in that. But the NET Office was involved in that, because the NET Administrator, Mr. Michael Rivers, under the direction of Ms. Von Kinchens, got right on the case and took people around to see what we were breathing. It was literally killing us. As we know, that has been remediated. So the NET Office is a great concept. It's a great concept, because I authorized -- I did a paper on it in 1979. It's the people, and we have some good people in our NET Office. We're content and satisfied with the NET structure that is working with Model Cities area. And the last thing I want to do is thank the Police Department, their visibility. Their visibility -- as you know, I'm a former law enforcement officer, and I have some disagreements from time to time with the way police officers are trained and -- but in this case, they're doing a great job in reducing the number and level of violent incidents, and I want to tell the Chief we appreciate it. Parks save lives. Thank you.

Chair Hardemon: Thank you very much, sir. Sir, you're recognized.

Albert Gomez: How you doing? Albert Gomez, 3566 Vista Court, and I'm here to speak on RE.10. I'm actually really happy to see a resolution about this subject on

*the list here today, and I'll tell you why: Because you're talking about the Office of Resilience. There should be ordinances, literally popping off this page, for the Office of Resilience in every agenda item. Unfortunately, this one is to roll up the Office of Resilience into Public Works. Now, being the person that introduced the City of Miami, Miami Beach, and Miami-Dade County to the Rockefeller Foundation's Hundred Resilient Cities Challenge in 2012, the spirit of the office and the development of that structure of how an Office of Resilience is set to be rigged [sic] over and over again in their development process of this challenge, and they determined that if you roll the Office of Resilience or the Chief Resilience Officer into another department, you hamper that office from doing its job in a holistic way, across all departments, and that is a mistake. It actually goes against the spirit of the original challenge and the way the office was created in the first place. So I want you to understand that; that it goes against the spirit of the original challenge that it was directed and defined. They did massive research on this. And the fact that the City Manager's Office did this, and did this kind of in the last minute, I don't think it's the best show for the City Manager's Office. I think that they should reconsider that next time when they're making these very, very impactful decisions that affect resilience across the board, throughout the City; that they incorporate the voice of the people that are working on resilience and what their feelings are on this. We had to hear about this last minute, and it is so impactful to so many different things that are happening in this city, and I just -- I'm -- I was a little bit just thrown back by it. Now, that said, you guys are where the buck stops. I think you hopefully can take action here and put this thing down. Thank you.*

*William Plascencia: Chairman, Commissioners, my name's William Plascencia. I'm your NET Administrator for the Downtown Brickell area, and I want to thank you for the opportunity to speak today. It's really heartening, and it's my -- it's really, really heartening to hear all the good comments and all the support for the NET Office, because we do work very hard; not just for the City, but for all of you that are sitting up there. I'm here today to talk about RE.9, the settlement agreement between the City and AFSCME (American Federation of State, County, and Municipal Employees) Local 1907, and the impact that the passing of such an agreement would have on people like me and my other fellow NET Administrators. I'm only speaking for myself today. Before the settlement was reached in 2016, the Florida Public Employee Relations Commission, or PERC, that regulates the unions in the State of Florida, required the City to post a notice listing the positions that AFSCME Local 1907 intended to bring under this bargaining unit. In 2016, "NET Administrator" was on that list. The notice, which is required under Florida law, went on to say that anyone who believed that their position should be on that list could petition to be included on that list. The notice didn't say that you could petition to remove yourself from the list. Since March 2016, I have been considered a covered bargaining unit member. But today, the settlement that's before you today for a vote, in the agreement, would strip me of that right. 1907 effectively added more classifications to that 2016 list, and removed some from that list, without notice. The settlement agreement seeks to automatically turn unclassified positions listed in Exhibit "A" that's before you today into classified positions; to turn positions such as Homeless Program Administrator, Fiscal Administrator, Community Programs Administrator, et cetera, but not NET Administrator. I believe under Florida law and the 1907 Union Certification, I am a covered bargaining unit classification; and under the Charter, I'm a classified employee. And I affirm -- and if you affirm and pass this settlement today, you will be stripping me and many other people and the people who come after me of their rights under Civil Service and collective bargaining units. I would ask you, please, to reconsider passing RE.9. Thank you.*

*Chair Hardemon: Thank you, sir.*

*Renita Holmes: Good morning, Commissioners, Mr. Chair. I'm Madam Holmes, the executive director of Wave of Women. I just want to say it's good to be here. You know, when you lose your voice, it's quite like losing your breath, because that sounds out alarm; that sounds out warning; that sounds out education and information. And so, it's great to be here. I just wanted to congratulate you on having a discussion that centers around engagement and empowerment of the people. I want to thank Ms. Karen Cartwright, because on the north end of our town or our city or our neighborhood, she's doing what she does. Your discussion, Commissioner Carollo and Commissioner Reyes, gave people power and people hope. Your directives to the Manager says that the local folks have a voice; that you're going to empower us to take care of our neighborhoods. Quite often -- and don't get me wrong -- I talk about the femininity and the masculinity of safety and protection, and that policing is basically seen as a man's job. But in districts -- and in my neighborhood -- where grandmothers are raising sons and daughters, we tell our daughters things about walking down streets inundated with tents and homeless persons and strangers who drive by in trucks, and the potential of more gun violence. I'm still surviving 13 bullets; I'm still surviving using my voice; I'm still surviving retaliation. And I'm still waiting, as an organizer of mothers and grandmothers, and educators, women, who quite often are seen powerless, to have us invited to their centering point. I'm going to close and tell you that you have done something very good, to give us community-oriented policing; not just community police. I'm very concerned, and (UNINTELLIGIBLE) of time, I sit back and I look at a camera, camera, camera, camera, but that's not preventive; that's not engaging; that's actually documenting a death, gunshot, terrorism. It makes me feel powerless to know that I can put that much money into community policing tools and not into community-oriented policing. What I said in closing was the standards of (UNINTELLIGIBLE) and Commissioner Gort, as well, and all of you, that the coordination, culture, community autonomy -- Each neighborhood, each NET Office, each community has its level, but it has one common thing. It has women and mothers that need to know how to assist the police. You need to do community-oriented policing, because someone has to call the police. Someone sometimes even has to look out for the police; and then, we're all survivors. Having that NET Office encompass the coordination; having them do the reporting; having them do the oversight engages us all. So thank you for bringing back local powers. Thank you for offering us more potential programs that will educate us on how to prevent the crime; and then, how to clean up our own neighborhoods. And instead of us being begged to be victim/witnesses, yelling, "tell, tell, tell," we'll actually be telling you signs to prevent what is potentially a community that's going to fall again if we don't have localized systematic communication, oversight, protection, and accessibility; that is, community-oriented policing, your great cops. Thank you, sir.*

*Jose Jair Espinosa: Good morning, Commissioners. Good morning, City Attorney, City Manager, and the Mayor's Office. I am here -- My name is Jose Jair Espinosa. I'm the Risk Management -- part of the Risk Management Department, the Group Benefits Manager. I am here to ask from you, our City governing body and its current Administration, the legal reasoning to support ratification of RE.9. As my colleague here, NET Administrator, I am also speaking about myself. I am respectfully asking for the legal precedent that allows the City and AFSCME to disregard the final settlement of claim, signed and agreed upon back on March 24, 2016, Exhibit "A"; I have it here for you guys, even though it's a public record, sent out by the Office of the Human Resources Department. In that agreement, the City and the union reached an amicable resolution and agreed to include 321 unclassified positions into classified service, and AFSCME 1907 Bargaining Unit, according to City Charter. For the record and all of those watching, at no time did I or any of the affected, currently unclassified managerial confidential, NET Administrators, et cetera, ask Local 1907 to be part of the March 24, 2016 PERC Agreement. Let it be clear that it was Local 1907 that initiated this legal action.*

1907 successfully argued that 321 positions were newly-created job classifications that did not exist at the time that AFSCME was created, and entailed job functions similar as to functions already covered in the unit; which tells you, again, back to City Charter. The amendment that was signed on March 24 said that, "This settlement agreement may not be modified, altered, or changed." Moreover, just before the signatures, it reads: "In witness whereof, the parties hereto have caused this instrument to be executed as of the effective date above," which is March 24, 2016. We all know that the agreement was never executed; but yet, a new agreement is before you, as in RE.9, for ratification. Therefore, my question to you again, City Commission, Administration, Mayor's Office, and Local 1907: How can there be a new settlement agreement when the one dated 3/24 was never executed? And lastly, but no less important, why is an unclassified executive level position of Chief of Code Compliance now being considered to be part of the bargaining unit, and considered an affected employee? That was not a part of the original complaint, when Local 1907 went to PERC and said, "We want this position to be classified as per City Charter." So I'm asking you to please verify that for us, and realize that by this new ratification that you're considering today, there are people that are being excluded from the protection the Civil Service will provide to us. I am looking after me and my family, so I do want the Civil Service protection, because 1907 fought for those positions to be classified. Thank you.

Commissioner Carollo: Mr. Vice Chairman, may I ask Mr. Espinosa a question?

Vice Chair Russell: Of course. Mr. Espinosa.

Commissioner Carollo: Mr. Espinosa -- I don't know who he is; that's why I'm going to ask you a couple of questions, sir.

Mr. Espinosa: Yes.

Commissioner Carollo: Your first name's Jose, correct?

Mr. Espinosa: I'm sorry?

Commissioner Carollo: Your first name is Jose?

Mr. Espinosa: Jose, yes; but I'm known as "Jair," because my middle name is Jair. Jose -- you say, "Jose," and everybody turns around.

Commissioner Carollo: How is your middle name spelled?

Mr. Espinosa: Jair, J-A-I-R. It's in the Bible as one of the Judges.

Commissioner Carollo: Okay. I'm glad for that.

Mr. Espinosa: No, I'm sorry; just that I had to read Psalm 27:3 before I even came here.

Commissioner Carollo: Well, that's good, and I'm glad you're not one of the "Y" generations.

Mr. Espinosa: No.

Commissioner Carollo: But have you ever lived in Ohio before?

Mr. Espinosa: I'm sorry?

*Commissioner Carollo: Have you ever lived in Ohio before?*

*Mr. Espinosa: Yes.*

*Commissioner Carollo: You have. Okay. Have you lived in Coral Springs before?*

*Mr. Espinosa: Yes.*

*Commissioner Carollo: Okay. Have you ever been arrested before?*

*Mr. Espinosa: Yes.*

*Commissioner Carollo: Okay. Where were you arrested at, if I may ask?*

*Mr. Espinosa: And what does that have to do with what I'm talking about now? So this --*

*Commissioner Carollo: Well, it has to do --*

*Mr. Espinosa: -- wow.*

*Commissioner Carollo: -- it has --*

*Mr. Espinosa: Oh, wow.*

*Commissioner Carollo: No, no, no. It has to do with your position, because if any employee lies in an employment application --*

*Mr. Espinosa: Yes.*

*Commissioner Carollo: -- that is something that's very pertinent, and all of us should know; the Administration should know. And I'm trying to ascertain if you were the one involved in any of these arrests that I'm looking at before me here. And if I may, in Ohio, do you remember when you were arrested and for what?*

*Mr. Espinosa: No, I don't remember, sir, but I don't think that that's pertinent to this, but we are --*

*Commissioner Carollo: It certainly --*

*Mr. Espinosa: Okay, all right, I understand.*

*Commissioner Carollo: -- it very much is.*

*Mr. Espinosa: I understand.*

*Commissioner Carollo: In Broward County --*

*Mr. Espinosa: Right, got it.*

*Commissioner Carollo: -- do you remember what you were arrested for, and when?*

*Mr. Espinosa: Yes.*

*Commissioner Carollo: What was it?*

*Mr. Espinosa: I'm not going to say that, sir, right now. That's something that happened -- that's a secret to my employment.*

*Commissioner Carollo: Okay. And were you truthful in your employment application?*

*Mr. Espinosa: Yes; to the best of my knowledge, yes, I was, sir.*

*Commissioner Carollo: Okay. All right. Mr. Manager, I'm going to give you this so that you and your Administration can follow through on it.*

*Vice Chair Russell: Do you have anything else, Commissioner?*

*Commissioner Carollo: No, that's it. Thank you.*

*Vice Chair Russell: Next speaker, please.*

*Tamme Flood: Hi. My name is Tamme Flood. I live in Spring Garden Historic District, 928 Northwest 9th Court. I came here today to offer support for the "TR" Historic District, but I understand you're not going to hear it, so there's another. RE.2, I -- when I read that, I'm against that, because I feel like the way it's worded, you're paying 13-some-odd thousand dollars a month to rent a facility to supply health and wellness to firefighters. I believe we have other facilities that could do that at less than -- less money. The next one is RE.10. I'm against moving the -- this Sea Level Rise -- the department that Maggie mentioned. I would have never known this pertained to -- when you read it, it's very vague. It's like it has nothing to do with anything, so I'm against that. The next thing is, although I didn't hear Karen's presentation, Spring Garden Historic District is in Overtown. When I first moved into that neighbor -- well, when I first found the neighborhood, I called my husband on the phone, and I said, "Oh, my gosh, I found the greatest little neighborhood." And he said, "What's the address?" And I told him. And he goes, "Are you insane? Get out of there. You're going to get killed." And I said, "Oh, no. There's a woman jogging." He said, "She's running for her life." Okay, that's -- that was my introduction to Spring Garden Historic District in 1999. Right now, because of police protection, because the City has helped us, I walk to the post office from my -- from Spring Garden. And believe me, I would never have done that in 1999. So I'd like to thank the City of Miami Police Department, who told us to call, "If you see someone pushing a shopping cart; if you see someone looking suspicious." And we were like, "Well, that's very harsh." And they said, "No, you will prevent crime." And honestly, our neighborhood is, I think, one of the safest neighborhoods in Miami. We still have issues with petty crime and whatever, but I'd like to thank the Police Department for that. The NET Office, we've had a good experience with the NET Office, and I missed that portion of it. And the parks save lives. Right now, we're in the middle of finding a kayak launch in a historic park. Parks in the City are being looked at as revenue sources, but at the same time, they're being ignored, which is kind of -- Sometimes the MO (modus operandi) of the City is, if you lock the park and no one uses it; and then, they go, "Oh, no one's using the park. Let's take it for this." So I'd like to ask that this Commission really support our parks, improve our parks; and definitely, help the historic districts in Miami. One more thing about Overtown: I don't know if you realize that Overtown is a historic district. I mean, there's Historic Overtown. The piece of -- I have 54 seconds left -- land that is going to be sold to the Beckham Group, that corner piece of land was part of the original Spanish Land Grant. It's called the -- oh, my gosh -- the Haken (phonetic) donation. And there was a lawsuit by the Brickells to clear title to that. So if the City of Miami had been more protective of the Overtown District, we would have single-family homes there instead of a big open lot, and we would probably not have some of the problems that we have now in Overtown.*

*Vice Chair Russell: Thank you very much.*

*Ms. Flood: Thank you.*

*Vice Chair Russell: Sir?*

*Commissioner Carollo: Thank you, ma'am.*

*Bruce Stanley: Hi. Bruce Stanley, 206 Northwest 34th Street. I'm here to speak out on reso -- Item 10, on the moving of the Office of Resilience underneath the Public Works Department. I've been working on environmental issues here since -- permanently since the 2010 Hands Across the Sand Event against offshore oil drilling. And I'm also a member of the Miami Climate Alliance Steering Committee. And so, this issue is very important to me, and when I think about Miami's role as a - - Miami is recognized internationally as ground zero for climate change, sea level rise, and when I think about some of the moves that the City's -- and the County -- have been making recently, I think of Miami's reputation as a leader on those issues is on the -- ascending. And I think demoting or diminishing the role, the prominence of this Office of Resilience -- I think this is an office that needs its own subdivisions, and doesn't need to be designated or delegated as a subdivision of its own. And so, I just wanted to speak out, showing in opposition to that move. Thank you.*

*Vice Chair Russell: Thank you. Ma'am?*

*Anna McKnight: Good morning. My name is Ana McKnight. I'm an employee in the Department of Code Compliance, and I'm currently in the position of an Administrative Assistant III. I'm here speaking on behalf of RE.9, the settlement agreement, and I'm here to ask that the portion of the contract where the employees are not being classified be deferred for the following reasons: My question to you would be: What objective criteria was utilized to make a determination of who was removed from the classified listing? Typically, a position audit would be conducted, which would include interviewing the current incumbents holding the positions. There's been a lack of full disclosure and transparency in this process for the people negatively impacted for several reasons. There's a lot of people that don't even know that this is on the agenda for today that's being affected by this. There's been no disclosure of those negatively impacted of the objective criteria utilized. And also, I feel it places the Mayor and you, the Commissioners, to potentially impact the livelihood of those not selected for classified status that you would reasonably assume was conducted in a fair and unbiased manner. I was transferred from the Department of Solid Waste to the Department of Code as an Administrative Assistant III. At the time, I was extended the Assistant to the Director's position, and I declined it. The reason I declined and stayed in the position I was in is because there are grade levels for positions. The grade levels determine the salaries for the employees. As an Administrative Assistant III, my grade level is a 31. The Assistant to the Director in the Department of Code was a Level 30; however, the department I came from, Solid Waste, the same position, an Assistant to the Director, was a Level 32. When I inquired about the inconsistency as far as the ranges and the class grades, the same titles but different grade levels, there was really no explanation that could be given, other than it's just different grade levels in different departments; but yet, same titles, same responsibility, same position. To have a classified position permits individuals to have job security by rolling back in times of financial City crisis, restructuring of departments; whereas sometimes, positions are eliminated, and there's a sense of security with having a classified position. In closing, I would say, given the lack of transparency, disclosure, and establishment of an objective criteria, I am humbly requesting that those not listed be classified, be deferred until the employees are extended a reasonable due process. Thank you.*

*Vice Chair Russell: Thank you. Ma'am?*

*Mayra Cruz: Hi. My name is Mayra Cruz. I live at 51 Southwest 11th Street. I'm also here to talk about Resolution 10. I'm here to reiterate what my colleagues have said before me. I really believe that in order for the Office of Resilience to be the most effective it can be that it must, you know, continue the approach it has now of, you know, residing under the City Manager's Office; not being moved to the Public Works Department. In order for the work to be successful, it needs to take an holistic approach, and just focusing on the infrastructure won't be enough for us to be resilient as a city. I believe it would be really shortsighted to make that move, and really a narrow approach to this work. I've been here for a few months, working on climate resilience work with Catalyst Miami, and it's been made very clear to me that the way that we can do this, the best way is to look at the social issues, the policy issues, the economic issues; everything put together in order for this work to really, you know, be the best it can be, and for Miami to be resilient, as it's meant to be. And I believe that, you know, if you look at other cities around the country, that's the approach they've taken. They don't, you know, move it -- the office into another department. So I really urge you to please keep the City -- the Office of Resilience where it is now, and to not move it to the Public Works Department. Thank you.*

*Chair Hardemon: You're recognized, sir.*

*Mark Richard: Thank you. Mark Richard; Philips, Richard and Rind, attorneys for AFSCME 1907. Thank you. And I think some questions were asked earlier that are fair questions. Been a labor lawyer. We represent over 80 unions here; born in South Florida. We've done a lot of unit clarifications before. And there are absolute criteria. We come from the school system. It's exactly used by every public employer, and it's exactly what the Manager and the City Attorney, and the union attorneys did in this case. So one of the big questions -- and Sean is up here; Mary's with me -- that came out in 1975, when public employees were allowed by constitution and by statute -- Chapter 447 -- to form unions was going to be who was going to be in the unit; which job classifications -- not people. This is not personal to people -- and who would be out. And it became very clear that if you are a managerial employee, under Florida Statutes, you can't be in the union. You can't be in a union if you have job titles and job duties that cause you to form policies about collective bargaining, or you get involved with someone's ultimate decision to be terminated. The City Attorney can't be in our unit. And so, the statute is very clear. It lists about seven things, and if any one of those are met, you are not eligible -- that classification is not eligible to be in the bargaining unit. And so, while folks are asking about themselves personally, it's about a classification. So what happened here, it became clear that there were hundreds of job classifications that needed to be in the bargaining unit. Whether they choose to be in the union or not is a completely irrelevant, separate question; although we hope they do. We hope we earn that trust. As a result, PERC in the '70s -- The Public Employee Relations Commission is a three-person group appointed by the Governor that oversees all this. And in the 1970s, they used to say, "When you describe your unit, you don't have to list every single title. You can have -- a umbrella generic description, is what we have here. Professional general employees are in Sean's unit. So then, we went, originally, and looked at hundreds of job classifications and what people do -- both -- and originally, we were talking about 321 job classifications that should be in the bargaining unit. And we painstakingly went page by page by page -- I can't tell you how many meetings; that's the kind of criteria -- and followed the law to the "T." Eventually, 321 classifications that were not in the unit now became eligible to be part of the bargaining unit. At the same time, you decide, "Are those people" -- separate issue -- "going to be classified or unclassified for Civil Service?" It's two parallel questions. They affect each other, but they're separate. And those were*

*decided. Then a problem happened. There were arguments over whether or not, of the 321 classifications, were they all to be also classified employees for Civil Service purposes. And that led to a disagreement, intellectually honest, legally-based disagreement, and it ended up going into court, because we had already settled on the bargaining unit. PERC didn't get involved. The parties settled it. We filed a lawsuit. This Manager, this County -- I mean this City Attorney, this union attorney sat down. These people all had input. People have known all about this for more than a year; it predates the new Manager's arrival. And people intellectually applied Chapter 447; and in doing that, we worked out what would be the class these people would be classified. And it became clear that there were 31 -- less than 10 percent -- positions that should not have been in the bargaining unit, because we went through almost 400 of them, because they get involved in collective bargaining. They help prepare for the City on grievances. If you're an employee and you're helping the City prepare for an -- a grievance against Sean, Florida law logically says you can't -- that conflict of interest. So they were managerial employees. The test -- it's -- it literally says they prepare budgets, they prepare mathematics for bargaining. You're not going to be able to prepare mathematics and budgets for bargaining and then be in the bargaining unit. You don't want that. This law was put in, really, for management, to make sure you have a pool of managerial employees. So the 31 classifications out of 321 should not be in the unit. And so, we settled the lawsuit, we saved the money, we've applied the law, we've done it correct. Your lawyers pushed us to the edge, your Manager pushed us to the edge, we pushed to the edge to do it right. It's right, and we're asking you to resolve what has been several years -- everybody who spoke to it's known about it; everybody's had their input. This is a very fair, legally based, correct resolution of this issue, and we're ready to move on, and we look for support of what has been worked out appropriately between the parties.*

*Chair Hardemon: Thank you, sir.*

*Mr. Richard: Thank you.*

*Claudia Tenzer: Good morning. Claudia Tenzer, 1900 Southwest 8th Street, Miami, Florida 33135. I'm here to speak against Resolution 10. As a citizen of the City of Miami, I don't understand why this resolution is on the agenda. I feel the City of -- that the Office of Resilience is very young, and it needs to grow. It needs room for growth and expansion. I don't think that it should be considered to go under -- as a subdivision of Public Works, which is only an entity that seeks -- for transit and transportation. Resilience -- the City of Resilience [sic] here, I don't feel that it's doing enough. We have a lot of work to do in many different aspects. We're not prepared; we're far away from it. The City of Miami is ground zero for sea level rise and climate change, and raising the roads is not enough. We're not considering our topography. There's other ways that we need to mitigate so we're prepared when these changes actually happen. And I urge you to please consider that this is not a resolution that should go forward. I would feel that if the City of Miami goes forward with this, others will follow, such as -- because they're not doing -- the Office of Resilience is not doing enough work, so I urge you to please deny this resolution. Thank you.*

*Chair Hardemon: Thank you. Mr. Manager, I want to make a comment about something before I forget. There's a commercial on the City channel that runs, and it is a commercial from way back when. It talks about the City being beautiful. It -- I think it leads with a man dressed in Indian attire, and he's canoeing. And then he approaches -- I guess a bank. He steps out of the canoe, and then he can see a highway. And then someone throws trash out of the -- out of their car window, and it lands on his feet, and he kind of shakes his head, basically. And the commercial is saying that, "Some people don't care about the environment like other people do."*

*And then, he sheds a tear. I'm not Indian, but it appears kind of like culturally insensitive, because it depicts -- I mean, I just want you to review it, and then tell me if you think it's appropriate to be running it around on our channel, okay?*

*Emilio T. Gonzalez (City Manager): Yes, sir, I'll look at it. Thank you.*

*Chair Hardemon: Okay. You're recognized.*

*Cristina Palomo: Hi. My name is Cristina Palomo, and I live at 244 Biscayne Boulevard, and I'm here today representing the Downtown Neighbors Alliance, and I'm here to speak about Resolution 8, Item 4025, having to do with the Pottinger Settlement. So our City has changed drastically, as you all know, since the Pottinger Settlement took place, and I believe that it's time to stop equating its modification with a disregard for or criminalization of individuals who are experiencing homelessness. There's no other city or county where Pottinger applies; yet, in every city or county, the aim is to treat individuals who are homeless with compassion and respect. However, in other U.S. (United States) cities, such as San Diego and San Francisco, they are dealing with public health epidemics, such as Hepatitis "A," and it is well documented that it is being spread through -- amongst the homeless community, and through coming into contact with human feces. We are fortunate not to have reached this point of epidemic in Miami, but as it relates to public health, we must be proactive and not reactive. And I commend the City for their efforts to clean up the streets for the benefit and the health of all residents, including our homeless residents. The outreach efforts should always be conducted with dignity and respect, and the ones that I have had the privilege to witness have been, and have resulted in many people accepting shelter and receiving much needed help and resources. And that is what I have to say.*

*Chair Hardemon: Thank you.*

*Ms. Palomo: Thank you.*

*Chair Hardemon: Sir.*

*David McDougal: David McDougal, 1431 Northwest 11th Place, Miami, and I am the -- a founding member of the Miami Climate Alliance, and also chair of the Miami Climate Alliance Admin. Finance Committee. And I'm up here to strongly urge you to vote "no" on the RE.10. And as we've tried to gather information on this in the last few days, I've learned that there is some reasoning for wanting to move the Office of Resilience to the Public Works, and what I've heard as an argument for it is that we want the Chief Resilience Officer to be able to weigh in across all of Public Works, and have some more input in that process. So while I do want to urge that this office is maintained and its independence is maintained and that it reports directly to the Mayor, I do also think that there could be added value by having some weighing in across the Public Works portfolio. That said, I do ask big questions, and I haven't heard any good answers of, "Why are we narrowing the scope and reach, and relevance of the office? Why are we demoting the office to make it be under another department? Why are we violating the 100 Resilient City Grant Agreement that we signed and that we worked so hard to build?" This does not go along with taking this issue seriously and trying to engage community and trying to be transparent and trying to upgrade our accountability, and it feels very fishy, why we would do it. And I really do urge that you ask the hard questions and try to figure out what is behind it. Thank you so much.*

*Chair Hardemon: Thank you, sir. You're recognized, sir -- no, no, no, you first.*

*Andres Althabe: Good morning. My name is Andres Althabe, and 1900 North Bayshore Drive, Miami 33132. I am the president of the Biscayne Neighborhoods Association, and I'm here representing several thousand residents in the urban core. I will be speaking of creating for the dissolution of the Pottinger Agreement. I sent a communication to our residents last night, and I received -- explaining that that was going to be my purpose here today -- and I received numerous emails supporting my position that reflects the position of the majority of the residents downtown. The description of us as the rich downtowners, just observers of the reality of a poor homeless guy from our 40-some-floor balcony is just a fantasy. I personally engage with the homeless significantly, including through programs that I have led with the police to lunch conversations and address their housing, clothing, and job needs. We believe it is imperative that we protect the most vulnerable, as it is also imperative that we have -- that we find the right balance between the rights of the homeless and the rest of the community. The Pottinger Agreement might have been the right tool when it was created. Today, it's not only obsolete, but it has created a crisis in the City of Miami. The Miami Police Department has always done a great job at helping the homeless, and they are now asking for a new tool: Eliminate the inadequate Pottinger protections and help the individuals experiencing homelessness help themselves. We hope that those that with the best intention created the agreement dedicate their resources to help the homeless get out of a difficult situation instead of keeping them on the street. It is unfair to all of us and the homeless to tie the hands of law enforcement from protecting our city from a chronic minority of severely mentally ill, antisocial and aggressive homeless. Citizens are demanding protection for the homeless and protection for the rest of the community; both residents and business community. Finally, I will appreciate the concerns of civil liberties advocates, but I have to note one thing: Our police force is not the same that it was in the '80s. It has been trained on how to address these matters for decades, and will surely receive additional education to get through this. It isn't about being annoyed that someone's begging for change on a sidewalk. It is about our public spaces, which we keep being told that our -- what makes our cities great, - - they are currently unsafe, unsanitary, and unusable to -- due to the actions of a few. It is unfair to the City of Miami to have the Police Department with their hands tied when it's the only municipality that faces this situation. Other cities can push the homeless out of their areas and bring them to the City of Miami, creating this distortion that the Pottinger Agreement has allowed. We have today a settlement that try to address the -- what would be considered today police brutality. And I'm not advocating to go back to the '80s and to assist in the -- hurt the homeless. It is still necessary to address the homeless situation in a manner that doesn't exclude them and give them rights that nobody else has. For all the reasons, we support and we urge the Commission to advocate for the dissolution of the Pottinger Agreement.*

*Chair Hardemon: Thank you, Mr. Althabe.*

*Mr. Althabe: Thank you.*

*Mayor Francis Suarez: Mr. Chair, thank you so much. I'll be very brief. I just want to speak in support of RE.9, which is the settlement agreement with AFSCME. This is something that dates back for far too long. It's a very simple settlement agreement. There's always an expectation that a settlement agreement will not be liked by all. There are -- you know, it's a consensus agreement between labor and the City of Miami, and it's one that I think reflects the intent and spirit of the Charter, as evidenced through our agreement with our labor partners. It's frustrating at times when it seems that the City Government can't do little things. And something like this is very important, but it also signifies a healthy relationship between our employees and the City, which will be the predicate for, hopefully, a continued healthy relationship; not only with our general employees, but with our Fire Department and with our Police FOP (Fraternal Order of Police), and I just*

urge you to agree. Obviously, like I said, there's always going to be people who are not in agreement, for whatever reason, and it's almost impossible to fashion a settlement that everyone a hundred percent agrees with. But I think this is a good settlement; one that the Administration and the City Attorney and -- allow me to speak for the City Attorney -- the Administration, the City Attorney, and our labor partners agree with, and I think we should put it behind us so we can continue doing what we do every single day, which is trying to provide quality services for our residents. Thank you.

Chair Hardemon: Thank you very much. Sir?

Stephen Dutton: My name is Steve Dutton. I live at 244 Biscayne Boulevard. I'm here to speak in regard to Resolution 8. I stand in support of the City taking whatever and all actions that they can to revise or to dissolve the Pottinger Agreement. 18 months ago, my spouse and I were attacked on the streets of downtown, Flagler and Northeast 3rd Avenue, after enjoying coffee at what was then La Provence. My spouse died as a result of that attack three days later. I spent the next several months in grief and in anger; wondering, why was the City of Miami not addressing the issue of homelessness, especially in downtown, where visitors and people who live and work every day witness the existence and the number of unsheltered persons? And so, in the past year and a half, I've gotten to know some of you. I've gotten to know many of the persons who lead in providing homeless services in our city. Serving on committees of the Homeless Trust, I've gotten to know the CEOs (Chief Executive Officers) of all of the nonprofits. And ironically, my own life experience included 17 years leading a nonprofit in Fort Worth, Texas, where we were addressing the issue of homelessness. So I understand from all of the different sides the complexity, the cost, and the difficulty of addressing this issue. But as a victim just in the last year and a half of the realities of unsheltered persons living in our streets in too great a number in downtown, I'm here to advocate for the passage of Resolution 8, for the Commission and the City Management's continued efforts in discussing with affected parties -- the ACLU (American Civil Liberties Union), et cetera -- what steps can be taken to resolve the issue of unsheltered persons. I think the majority of the persons who we understand suffer homelessness are being served. Those that have agreed to go into shelter and have agreed to go in and receive services are being helped. And I applaud the City and the nonprofits in our community who are leading the effort in making that happen. But the unintended consequence of Pottinger is that we still have too many unsheltered persons who now, because of mental illness or drug abuse, or whatever choose to remain on the streets. It's their choice, but it's at the cost of the City; it's -- it creates victims, such as myself, and I think it's time that continued -- conversations continue. So thank you very much.

Chair Hardemon: Thank you very much.

Victoria Méndez (City Attorney): Sir --

Chair Hardemon: Seeing no other --

Ms. Méndez: -- if I can have his information, please? Could you come over here and -- over here? Thank you.

Chair Hardemon: -- persons here for public comment, I'll close the public comment at this time.

**MV - MAYORAL VETOES*****NO MAYORAL VETOES***

*(Pursuant to Section 4(g)(5) of the Charter of Miami, Florida, Item(s) vetoed by the Mayor shall be placed by the City Clerk as the first substantive item(s) for City Commission consideration.)*

*Chair Hardemon: Are there any mayoral vetoes?*

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

**END OF MAYORAL VETOES****ORDER OF THE DAY**

*Chair Hardemon: We will now begin the regular meeting. The City Attorney will state the procedures to be followed during this meeting.*

*Victoria Méndez (City Attorney): Thank you, Chairman. Any person who is a lobbyist, including any paid persons or firms retained by a principal to advocate for a particular decision by the City Commission, must register with the City Clerk and comply with the related City requirements for lobbyists before appearing before the City Commission. A person may not lobby a City official, board member, or staff member until registering. A copy of the Code section about lobbyists is available in the City Clerk's Office or online at [www.municode.com](http://www.municode.com). Any person making a presentation, formal request, or petition to the City Commission concerning real property must make the disclosures required by the City Code in writing. A copy of this Code section is available in the City Clerk's Office or online at [www.municode.com](http://www.municode.com). 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](http://www.miamigov.com). Any person may be heard by the 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 the proposition. The Chairman will advise the public when the public may have the opportunity to address the City Commission during the public comment period. When addressing the City Commission, the member of the public may first state his or her name, his or her address, and what item will be spoken about. A copy of the agenda item titles will be available in the City Clerk's Office and at the podium for your ease of reference. Anyone wishing to appeal any decision made by the City Commission for any matter considered at this meeting may need a verbatim transcript. A video of this meeting may be requested at the Office of Communications or viewed online at [www.miamigov.com](http://www.miamigov.com). No cell phones or other noise-making devices are permitted in chambers; please silence those items now. No clapping, applauding, heckling, or verbal outburst in support or opposition to a speaker or his or her remarks shall be limited [sic]. Any person making offensive remarks or who becomes unruly in 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 the 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 what items are being either withdrawn, deferred, or substituted. Thank you.

Chair Hardemon: You're recognized, sir.

Emilio T. Gonzalez (City Manager): Good morning, Mr. Chairman, Mr. Vice Chairman, Commissioners, Madam City Attorney, and Mr. City Clerk. At this time, the Administration would like to defer and/or withdraw the following items: PH.1, to be withdrawn; FR.2, to be deferred to May 24; FR.3, to be deferred to May 10; RE.2, to be deferred to May 10; RE.3, to be deferred to May 10; DI.1, to be withdrawn; and a late-breaking one, CA.3, to be deferred to May 10, as well. Thank you.

Chair Hardemon: Are there -- CA.3 -- any other items that any Commissioner wishes to withdraw, defer, continue?

Vice Chair Russell: Yes, Mr. Chair.

Chair Hardemon: You're recognized, Mr. Vice Chair.

Vice Chair Russell: CA.7, defer to May 24.

Todd B. Hannon (City Clerk): Sorry, Vice Chair. I'm having a hard time hearing.

Vice Chair Russell: CA.7, that's Coconut Grove Sidewalks, funds for that project, removing parking spaces. I've got a couple items in the PZ (Planning and Zoning) that I just wanted to make notice on the record, so anyone that was thinking about coming at 2 p.m., I'll be looking to defer. I'm looking to continue PZ.5, the HEP (Historic and Environmental Preservation) Board decision on Morningside Park appeal. And that's it.

Mr. Hannon: And --

Ms. Méndez: Chairman --

Vice Chair Russell: So just C.7 -- CA.7.

Ms. Méndez: -- I believe that Commissioner Reyes is interested in deferring FR.1, the Historic Preservation item, which has accompanying items, as well, which the accompanying items would be PZ.6 and PZ.7.

Vice Chair Russell: FR.1, that's the transfer of --

Ms. Méndez: The one of transfer of development rights in the Historic Preservation Section.

Vice Chair Russell: Is there -- not ready to go on it, need more briefing on it?

Commissioner Reyes: Yeah.

Vice Chair Russell: Because it's just first reading, yeah?

Commissioner Reyes: Yes, sir, but I still have a lot of questions on it, and a lot of concerns on it. I'm extremely concerned about the -- how that will affect the neighborhoods that are there close to it; how that can increase the -- because I see that one of the objectives of this ordinance -- and it says here, "The City will encourage future historic designations through the implementation program," you

*see. You are encouraging historic preservation, and I have my concern about the way that historic preservation is being undertaken at this time. And it concerns me that what we are doing is going to be detrimental for the stock of single-family homes, as it is now, because by declaring any -- what they're using is the thematic designation. We are designating structures that could be used by people that move into the City of Miami, and they want to remodel and all of -- I think that we have to be very careful on the historic designation. And also, I think -- I want to make clear that this would not create -- I will say the -- it will not create a -- the opportunity for people to buy buildings that have been -- that were built in the '40s and the '30s and the '50s, and that they are not -- they cannot -- they aren't allowed, or a place that there cannot be developed, and a developer taking advantage of buying that building, declaring it historic, and then selling it -- come in and selling it -- sell the density in that T-O areas, so -- and also, I am concerned that you can go into the neighborhoods. Like, for example, if you go half a mile of 27, you get into Silver Bluffs [sic], you see? So I think that there's a lot of questions that should be clarified in order for me to, with a clear conscience, be able to support this.*

*Commissioner Gort: Mr. Chairman?*

*Chair Hardemon: You're recognized.*

*Commissioner Gort: Let me tell you my problem, what it is, and I talked to Francisco about. Within my neighborhood, there used to be a time when you had maybe one or two cars per family. Today, if you go through our neighborhood, you'll see five, six, and seven cars. At the same time, my understanding is the individual that use these rights is not able to go any higher, or it can create more density within the same structure as -- which means the units going to be a lot smaller. And the parking -- if you go through our neighborhood, you're going to see parking is the biggest problem.*

*Commissioner Reyes: That's right.*

*Commissioner Gort: I used to come here in 15 minutes from my house; takes me half an hour now. And that's something that we been -- I been talking to Francisco about it, which we need to identify, where is this going to go? Because some of the neighborhood -- residential neighborhood is going to be affected.*

*Vice Chair Russell: Thank you. And Mr. Chairman, I certainly recognize the hesitation, and I understand, and I think staff needs to do a little more education in terms of where and why this density would be received; not about the historic properties that are selling it, but why, and if it's supposed to be concentrated around public transit. It's not meant to increase cars; it's meant to increase density near the transit. Now, if -- beyond education of the item and staff presenting, your vote's a "no," I completely respect and understand that. So I'm fully open to a deferral so that we can -- so we're all clear on what we've voting on --*

*Commissioner Reyes: Well, that --*

*Vice Chair Russell: -- and that way, if it's a "no," it's because you truly don't believe in it, and I respect that.*

*Commissioner Reyes: I -- if I vote "no," it's because I believe that it's going to be -- have a negative effect in the neighborhoods adjacent to that -- those districts; not because I have anything against it. But -- and also, I don't want -- I'm concerned about this policy, LU -- that's 2.3.3, which says, "The City will encourage future historic designations." You see, that's giving them a -- it's giving a carte blanche to the board to go historic, historic -- I mean, it's getting the point -- and I heard that*

structures that were built during 19 -- and before 19 -- or in the 1950s, that they are going to be declared historical if they pull a permit. I mean, this is -- I don't know. It's a frenzy, in my opinion. In my -- it's a frenzy of declaring things -- all things historic. I'm afraid that someday, the board is going to come here and say, "You are historic," you see. It's going to declare me historic.

Commissioner Gort: They tell me that.

Commissioner Reyes: I was made in the '40s, you see. And I think that we have to rein them in before we do that.

Commissioner Gort: I qualify for that.

Commissioner Reyes: You qualify.

Commissioner Gort: Yeah.

Commissioner Reyes: You and I, we're historic, you see.

Vice Chair Russell: I'll accept the deferral, of course.

Chair Hardemon: If there are no further deferrals or withdrawals or continuances -

Mr. Hannon: And my apologies, Chair. Just for clarification, CA.7 is to be continued to May 24?

Vice Chair Russell: Correct.

Mr. Hannon: Okay. One moment. And FR.1 is going to be deferred to May 10, or are we continuing it to May 24?

Ms. Méndez: May 24, I believe, was the date that we had talked about.

Mr. Hannon: Understood. So FR.1 will be continued to 5/24; and then, later on this afternoon, PZ.6 and 7 will be addressed.

Chair Hardemon: Okay. Is there a motion in accordance?

Vice Chair Russell: I'll move it.

Commissioner Gort: Second.

Chair Hardemon: Properly moved and seconded. Any further discussion? Hearing none, all in favor, say "aye."

Commissioner Reyes: Aye.

Commissioner Gort: Aye.

Chair Hardemon: The motion carries.

Vice Chair Russell: Aye.

**PA - PERSONAL APPEARANCES**

PA.1

**PERSONAL APPEARANCE**

3979

MS. KAREN CARTWRIGHT TO ADDRESS THE COMMISSION ON SEVERAL ISSUES.

<b>RESULT:</b>	<b>PRESENTED</b>
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*Chair Hardemon: At this time we have a personal appearance by Ms. Karen Cartwright. Ms. Cartwright, you have five minutes to address the board. Anything you say can and will be held against you in a court of law.*

*Karen Cartwright: Good morning. And I care, why? My name is -- excuse me -- my name is Karen Cartwright, and I reside at 1600 Northwest 4th Avenue, in Overtown. Good morning. Gentlemen, I have a few concerns, and I'd like the Administration's help resolving them. The City of Miami have a number of employees whose mindset appears to be that they only have to clock in to get paid. I'm of a mindset that you can become unemployed even quicker. Employees are afforded training, but I still see substandard services being offered in my community. Example: Tree-trimming and grounds maintenance. Mr. Manager, we have employees who are capable of training others and have trained others, but are not promoted. Why is that? Maybe it's because they aren't in that exclusive group called "The Friends and Family Plan," or not in line for political reimbursement. Then there are those who benefit from other sources; the union lobbyists for employee that has been recycled so many times that even the three "R's" of waste management would be considered a gift: reduce, reuse, recycle. I often hear this excuse when asking for services to be delivered in a timely manner: "We don't have the equipment; it's in the shop." Equipment repair seems to take forever. Going forward, can we -- can you ensure that the equipment is serviced/repared in a timely manner? Vehicles to machetes doesn't matter, but they need to be available; not promised. Can anyone tell me, how long does it take to change and repair a tire in the City of Miami? That's another excuse I get to hear. It would also be helpful if the Department of Public Works drain cleaners and the Department of Solid Waste street sweepers coordinate their cleaning schedules. The brushes on the sweepers appear not long enough to reach into the drain indentations. I don't mind cleaning the drains in an emergency, but that's not my job. 04/22 of this month -- well, this month, I took a walk at 9 p.m. to verify a growing homeless problem on Northwest 10th and 11th Streets. It exists. My question is, what are you all doing to address the decades-old Pottinger decision, as it is an issue that appears to encompass Overtown? Correct me if I'm wrong, but doesn't the City of Miami have a Legal Department? What are they doing? From 1997 to 2018, all I hear are a multitude of excuses. Providing additional trashcans do not help. The homeless cleanups Tuesdays through Thursdays have been down-sized, gutted by the latest whim to remove the Overtown CRA (Community Redevelopment Agency) officers who assisted the homeless and had a built -- and had built a relationship with Overtown's residents, which is a game-changer, because Overtown residents don't trust the City of Miami Police Department. And as everyone knows, in the City of Miami, on the whole has a poor track record. Some of the CRA officers are mentors for Overtown's children. Did anyone think this move through? Where is Overtown's PST (Problem-Solving Team)? I'm still awaiting crossing guards for our schools. And who is charged with enforcing the school zone violations? The "no parking" signage is not strictly enforced on any level. Parking in the following areas are abysmal: Northwest 19th Street, between Northwest 3rd Avenue and Northwest 5th Place; Northwest 17th Street, between*

Northwest 3rd and Northwest 7th Avenues, which is also a school zone; Northwest 4th Avenue, between Northwest 15th and Northwest 17th Streets; violations even with posted signage. Currently, we have City of Miami police officers placed strategically in Overtown to address gun violence. If it wasn't so sad, I'd laugh. Who are you all placating with the dog and pony show? The individuals who you all are supposed to be targeting have a front seat. They know the police movements, and operate accordingly. In case of the Northwest 8th to 10th Streets and 5th Avenue, City of Miami Reeves Park, adjacent to a subsidized -- Miami-Dade subsidized housing complex, where are the Miami-Dade police officers? The City of Miami bears the burden, but the Miami-Dade County has the wealth. This process can be likened to the deal the City of Miami struck with the Marlins: Miami-Dade inside and the City of Miami outside. Who negotiate these lopsided deals? Why isn't responsibility to protecting and serving shared by both municipalities? Can anyone -- someone, anyone -- negotiate the areas in question on Northwest 5th to Northwest 6th Streets, between Northwest 4th and Northwest 6th Avenue; Northwest 8th -- between Northwest 8th and 10th, between Northwest 5th and 7th Avenues; Northwest 20th to 22nd Streets, between Northwest 3rd and Northwest 4th Court? I continuously hear from the police, "We don't have calls for service in Overtown." Yet, we have crimes being committed. Stats may make the department look good at ".com/stat," but to me, they are just lip service. Where is the promised Northwest 3rd Avenue beat officer? When it comes to black-on-black crime, who are the Chief of Police's advisors, and do they reside in or near any of the hot spots; know anything about the culture, the needs or the environment? How many are genuinely concerned with improving the living conditions for the residents of Overtown? Getting their 15 minutes of fame does what for the community? Lights, cameras, candlelight vigils, and less than two weeks later, what? The residents are apathetic, and the gun violence is becoming the accepted norm. Having a gang unit says what? There's a quote that Franklin Delano Roosevelt made: "Hitler built a fortress around Europe, but he forgot a roof." Overtown's current commander will be retiring soon, and the rumor mill is operating at the speed of light. Excuses of the past will not be accepted, Mr. Manager. Personally, I do not want to hear about experience. Everyone starts at the bottom unless you have a wealthy benefactor; in that case, you can start anywhere. Overtown's NET (Neighborhood Enhancement Team) Office, located at 1490 Northwest 3rd Avenue, in Overtown Shopping Center, makes verbal and written requests for service, with ongoing follow-ups for the same before attention is given. Why? Who is responsible for retaining the services of a cleaning company that services NET? The current company is clueless as to what "cleaning" means. Doesn't anyone require references or verify a prospective employee's capabilities prior to signing contracts? That thought process should be used all over the City. I have groundskeepers who don't know how to edge, prune -- as a matter of fact, some of the -- some do more harm than good. The Overtown NET Office needs the following services: The AC (air conditioning) ducts cleaned; the floors stripped, cleaned and polished. I'm going to be kind and not mention the exterior. All five of you are liable. That area is CRA-maintained. Let's just say I use my phone a lot. Hurricane season is a month away, and I don't see any preparations in play; or are we planning to have a repeat of Irma? I dislike reactive services. So can we begin trimming trees and securing signage? My bad. Signage in some areas are still on the ground, missing, or lopsided. Do we have a liaison in FP&L (Florida Power and Light), the State of Florida, et cetera? We have approximately 100-plus parks, and we have less than 40 park rangers. Mr. Manager, will you address that? Because I was given to understand we don't have funding to hire. With the current volatile status of the City, can we afford not to address the shortage? I think eight new hires would be a start. Try to get individuals who can communicate with residents and has people skills. Thank you.

Chair Hardemon: Thank you, Ms. Cartwright.

*Ms. Cartwright: Before you go on, Mr. Chairman, I am tired of coming here and asking for services. If you're not tired of seeing me, I'm tired of coming. I would appreciate it if everybody would listen and listen real well. When I come back again, I'm going to bring all the paper that I have collected on the City of Miami. I've killed more trees than the school system, because talking and talking and talking -- I love to have a nice chat. I love to play in the garden, but I am tired of asking for somebody to fix the community that I have adopted. I am tired. You all sit here and you tell me, "We're doing the job. We're going to do this. We're going to hire this one. We're going to hire that one." The people that you all hire seem to want to collect a paycheck. I don't mind paying you, but do something for it. I don't mind paying, but show me what I'm paying for. I wouldn't have this dress if it didn't look good. I'm not going to pay for something that I'm not getting, and I'm tired of paying for something I'm not getting. They don't want to take orders from a woman. You take orders from your mother. You take orders from your wife. You take orders from your daughter. You take orders from your sister, your auntie and everybody else, but you don't want to take an order from a woman you don't even know and don't -- really don't want to know you unless you do something that pisses me off. Thank you.*

*Chair Hardemon: Thank you. Mr. Manager, one of the things I really want this Administration to walk away from Ms. Cartwright's statements is that she's very knowledgeable about things that you would not have any idea. And when you listen to what she says, she gets into a lot of detail, but she tells you, from street to street, from corner to corner, from crevice to crevice. And I know that our NET Department meets with officers. I think it would be really helpful if the City Government is serious about addressing the issues that are in these neighborhoods, of actually listening to her, befriending her, because I think what you've come to understand -- I think everyone understands -- is that she's saying this not because she wants attention, but because she wants the issues solved. And I'll tell you, during the hurricane, when I drove around the community, going from neighborhood to neighborhood, Ms. Cartwright had her own tools -- her own shovels, her own rakes -- and she was cleaning public streets, removing debris from -- I guess it would be called a gutter -- from gutters. I don't know if -- what is it?*

*Mayor Francis Suarez: Yeah, a gutter.*

*Chair Hardemon: It's a gutter?*

*Mayor Suarez: Yeah, a storm drain.*

*Chair Hardemon: Storm drain. "Storm drain" is the proper term for it. From storm drains -- I mean, she's very serious on what she's talking about. And unlike many, you know, there was no Instagram following her or -- you know, it's real. It's real. And so, she volunteers her time in ways that I haven't seen people volunteer before, and I know that she's looking at things holistically. I mean, the things that she named when she spoke, I mean, they went from left field to right field. And so, I just want to really ensure that someone's listening to her and helping address those concerns. And part of what she's saying is, "Listen, you may have some people there, but I don't believe they're there doing the job that they should be doing." And I think that in neighborhoods like what she represents -- well, many of us represent -- there have to be people that care, that are special, that -- like the Police Department will have special people in special areas, we have to have special people working these spaces, because we have to care about those things. Commissioner Gort, I know you had something you wanted to say.*

*Commissioner Gort: I tell you, I have known Ms. Cartwright -- I'm not even going to say how many years it goes back. But this is one -- once again, I'm going to come*

back to the NET Office; the NET Office working, enjoined with the Code Enforcement and Police Office; that they can do the job. The NET Office should be in charge, and they should be listened to. My understanding, a lot of the times, what I hear is our NET Office will file a complaint, a Public Works or Police or Sanitation, and it's ignored. They have to go to -- the Commissioner has to step in. It shouldn't be like that. The NET Office should be able to call the different departments and get those departments to act, because they're in the street; they own the street. They should know every problem that takes place in those neighborhoods.

Chair Hardemon: Mr. Mayor.

Mayor Suarez: Yeah. I'll just be very brief, Mr. Manager, before you comment. I've known Ms. Cartwright for a long time. I think she expects for her neighborhood what we all expect for all of our neighborhoods, which is that all our neighborhoods be clean; that our parks be well maintained; that our police is -- that our streets be well policed. You know, I had the privilege of serving as a Commissioner for eight years in District 4, and I remember that all the problems that would happen in the district and a lot of the solutions, I usually tied them to a person. So it was the such-and-such speed table or the such-and-such -- you know. And I think we're blessed to be in a city of Karen Cartwrights that care about the City enough that they push the government to meet a certain standard of excellence that we should not only meet, but exceed. I am looking forward to the day where her personal appearance is a personal appearance where she comes before this Commission and says, "You guys are doing a wonderful job. You guys have really listened and really care about this community, and you can tell, and you can notice." I think that's the standard of excellence that I think our Manager is striving for and that's the day that I look forward to seeing. But, you know, in Hadley, it used to be -- what's -- now it's Sam Latimore and Nancy Dawkins. I mean, all these different areas have, you know, different people that represent and that symbolize what reaching a level of excellence is, and that's what we need to strive for.

Chair Hardemon: Right.

Commissioner Reyes: Mr. Chair?

Chair Hardemon: Yes.

Commissioner Reyes: Yes. I want to add and I want to support what Commissioner Gort said, and I wish that -- the Manager and Mr. Mayor -- that we will back -- or at least we analyze the way -- of going back to the way it was where the NET Offices, they were created to bring government close to the people, close to the neighborhood, and at the time, we had the inspectors and all of the -- they were a part of the NET Office. And we had Anita here, that she can attest to that. And anybody that dealt with the NET Office, at the time, the problems were solved at a speed that we don't see now. Now we have all these layers of -- like a chain of command, and by the time that it gets to an inspector, if it gets to an inspector, I mean, a lot of time have passed, or the neighbor got real upset and frustrated. I strongly recommend, Mr. City Manager, that we go back to that system that -- the one that Commissioner Gort was referring to, which was why the NET Offices were created.

Commissioner Carollo: If -- Chairman, I think it would be prudent for this Commission to make that in the form of a resolution, recommending to the Manager that we go back to that system that we had for the NET Offices. What I'm also finding is that there are so many layers of bureaucracy that it's extremely hard to do the residents justice. I'm even finding that on top of all the individual NET Office, we have a central one, and that central one sometimes doesn't coordinate anything

*with the NET Office from the different districts. I'm going to give you one example. The famous sandwich illegal container that some wanted to say it was a legal restaurant, you're familiar with that, and I could name -- and quite a few of us. I was shocked when I heard that someone from the main NET Office back in January or so had sent out a memorandum so that different directors, different departments could sign off, and it said that the district Commissioner was in favor of this. First of all, they never spoke to me to see if I was or not -- and I certainly wasn't, because it was illegal -- but secondly, even if I had been in favor of it, I never would do something like that, because I don't find it appropriate for a Commissioner to be already trying to push departments to go one way or another. It should be done, not based on what I or anyone here wants; it should be based upon what the law says that is right and correct. So I think that what Commissioner Reyes is saying that I believe is what Commissioner Gort said before, deserves a lot of consideration, and I, for one, would certainly welcome a resolution that we encourage the Manager to look at this and to go back of that way of working the NET Offices.*

*Vice Chair Russell: Mr. Chairman.*

*Commissioner Carollo: And let me be specific, Mr. Manager. This is not in any way, shape, or form that we're giving you any kind of orders, so we could be clear on that.*

*Emilio T. Gonzalez (City Manager): Yes, sir. Sir, trust me, I am a firm believer that the government that works closest to the average citizen can do most good. I agree with your comments on the NET, and in fact, my staff is working now on a proposal that they're going to present to me on how we can get back to the days when NETs functioned as sort of de facto mini City Halls, if you will, in the neighborhood.*

*Vice Chair Russell: Commissioner Gort.*

*Mr. Gonzalez: So I appreciate your words.*

*Commissioner Carollo: But even though, Mr. Manager, we have to be careful -- and this is where you and your staff are very key -- that they also don't turn into mini kingdoms that anything goes, and we end up protecting people instead of enforcing our laws and trying to help the residents move forward. So at the same time that I think it's good, we also have to keep an eye on it, and there has to be adequate supervision, because if we don't have check and balances, then I think in the end, you know what happens.*

*Mr. Gonzalez: Yes, sir. Thank you.*

*Commissioner Gort: Mr. Chairman?*

*Chair Hardemon: Commissioner Gort.*

*Commissioner Gort: We have -- Commissioner Carollo, we have two pilot programs, one in Flagami and one in Grape -- in Allapattah, and it's working very well. They're working together. So we're going to be coming out with some reports, and I think that resolution follow will be great. And I'm sure the Manager will be looking into it, because the ones we implemented right now in Allapattah and Flagami are working.*

*Chair Hardemon: Ms. Cartwright.*

*Ms. Cartwright: Gentlemen, I really don't want to hear about whose back is going to get stroked or who is going to do what. All I'm asking for is for Overtown to work.*

*Now, if that benefits somebody else, wonderful. Right now, my major concern is the nightmare that I live in, okay? And this back and forth about whose -- you know -- stroke, pat me here, pat me here --*

*Chair Hardemon: Understood, understood.*

*Ms. Cartwright: -- okay?*

*Chair Hardemon: It's all understood. Once again, Mr. Manager, I mean, you understand what her concerns are.*

*Mr. Gonzalez: Sir, I agree with you. I know Ms. Cartwright. I actually met with her a few days ago. She expressed some of these very concerns, and I've asked her for a copy of her comments so I can address each and every issue individually.*

*Chair Hardemon: Great. Thank you.*

*Mr. Gonzalez: Thank you.*

*Chair Hardemon: Chief, would you like to say something?*

*Jorge Colina (Chief of Police): Just really quick, Mr. Chair, just so everyone knows. And I appreciate Ms. Cartwright, as well, and it's important for us to have engaged citizens, which is what she is. When you have residents that are apathetic, that's when we really have a problem. We do our very best to communicate and listen to Ms. Cartwright and address the issues. I don't want anyone -- the Mayor, the Manager, or anyone in this Commission -- to think that on the Police side, we've raised a white flag in Overtown and we don't care what happens in Overtown. That's not the way that I lead the Police Department. There's been a lot of attention brought to Liberty Square with this Operation Blue and Brown. What has not been advertised is that Overtown is a component of that same operation. And to -- just briefly, to give you an example, the Overtown PST Team has done operations in different areas. On April 17, the Coral Way PST Team, functioning in Overtown, arrested six subjects, three loaded firearms, extended magazines, drugs, counterfeit currency. Those subjects had a robbery criminal past. That was worked with us, our Special Investigations and Secret Service, in Overtown. We're not putting it out in the media, but it's happening. Allapattah PS Team -- Allapattah PST, functioning in Overtown, arrested two subjects; two firearms, including an AK-47; one of the subjects wanted by Miami-Dade County for second-degree murder; wanted for second-degree murder, in Overtown, by Allapattah PST. These are teams that we're bringing from other areas for one day; then another team from another area for one day, to work with PST, to address the gun violence, which has been my number-one priority since I got this job. I've said it and I'll keep saying it; and so, that's why we've done this. In the last two weeks, there's been 169 arrests made, 46 citations, 170 summonses, five guns recovered in Overtown; year-to-date, 19 percent reduction in crime in Overtown. We have a lot of work to do in Overtown. We're nowhere near close being done, but I don't want anybody to think that we've abandoned it; that we don't care about it; that we've forgotten it. It's quite the opposite; it's right at the top of my list, along with Liberty Square. We are determined to make sure that we tackle the problems that we got to tackle there so people can feel proud to live in the neighborhoods that they live in the City of Miami; all the neighborhoods, equally, the same. So I just -- I understand Ms. Cartwright. I hear her, and she's right. We have a lot of, lot of work to go, but I just don't want you or anyone else here to think that we're not working. Those officers that are there, especially in the last two weeks, I'm extremely proud of them. I'll say it if no one else will. I'm proud of the work that the MPD (Miami Police Department) is doing in Overtown and in Liberty Square. I back those officers.*

*They're doing a phenomenal job, and the work speaks for itself. And the stats, whether we like them or not, just like they work against me in other areas, we're up in shootings and in murders up in Model City. Well, the stats here speak for themselves, as well. Those officers are doing an outstanding job.*

*Chair Hardemon: Thank you, Chief.*

*Commissioner Carollo: Chief --*

*Vice Chair Russell: Mr. Chairman?*

*Commissioner Carollo: -- since we have you up here --*

*Chair Hardemon: Vice Chairman.*

*Commissioner Carollo: Oh, I'm sorry.*

*Chair Hardemon: And then you.*

*Commissioner Carollo: Thank you.*

*Vice Chair Russell: Thank you. And Ms. Cartwright brought up a lot of issues, and I'd like to concentrate on one that was mentioned by a couple of the Commissioners that has to do with the constituent services in the NET Office. I've recognized this for the last two years now; that the system of customer service is flawed. If you look at this as a business, if you've got customer service -- and our job is to serve our residents as if they were our customers -- you got three things you got to get right: How you communicate with them, what's their experience when they report a problem; how you execute to fix the problem; and then, how is the accountability. Now, when a constituent has a problem, they've got about 10 different ways they can come to the City. That's very confusing. They can call County 311; City 3 -- they can go to the County 311 app., the City 311 app.; they can call their Commissioner; they can go straight to the Manager; they can go to the NET Office; they can go directly to the department.*

*Chief Colina: County Commissioner, City Commissioner.*

*Vice Chair Russell: Of course. And there is no one track of accountability for that constituent item to make sure it got taken care of, and that person wasn't bounced around, and that that item got closed. Now, we, as Commissioners, although we're legislators, we are elected to -- in the mind of the constituents -- to make sure those problems get solved; yet, that is not within our Charter for us to be able to take through all those steps to execution. What I would love to -- and what that means is each of us, as Commissioners, has a different form that we've cobbled together of how we handle constituent services; whether it's a spreadsheet; whether it's a database; whether it's a person in the office. We shouldn't have to invent that wheel, and I'd love to see a system that's available to us and that works citywide, and I really do believe it's about strengthening the NET Office. I believe constituent services should be funneled through NET; that they should have the right software, communications, and system with each Commissioner; that if we choose to use that as our method of accountability with residents that we've got that. And I'd welcome an increase to the budget of the NET Office and the powers within to see that happen. I think we have a good chance with the new Administration here to take a look at that issue. Thank you.*

*Chief Colina: Agreed. Thank you.*

*Chair Hardemon: Commissioner Carollo.*

*Commissioner Carollo: Thank you, Mr. Chairman. Chief, I heard what you said, and I don't want anyone here to think for one minute that our Police Department, under the new leadership that we have, is not doing everything that it can to make lives better and safer for all of our citizens. I can tell you that from when I came onboard last December as a Commissioner again to today, I've seen the difference. And I publicly want to say thank you to you and the staff that you put together, and the men and women that are working under you, because our residents are seeing the change. So I just wanted to thank you, Chief.*

*Chief Colina: Thank you, sir; appreciate it.*

*Commissioner Reyes: Yes. I don't want to all the comments about NET Offices to get lost in the conversation here. And I -- as -- I think that we can invoke Section 9 of the Charter and related laws, and that says: "The City Commission may, by ordinance, adopted by vote of at least three members of the City Commission, create new departments or discontinue any department, and determine, combine, and distribute the functions and duties of departments and subdivisions thereof." Invoking this section here, I would like to direct -- or propose an ordinance in order that now that we are in the process of preparing our budget that we take into consideration the -- getting all the -- I would say the inspectors and Code Enforcement, and all of that back to the NET Offices again, you see. And I don't know how we're going to do that -- this. I mean, Madam City Attorney or --?*

*Victoria Méndez (City Attorney): So basically, you don't have to have an ordinance for that, and I believe that you can work with the Manager and the budget. The same way that they're reorganizing departments --*

*Commissioner Reyes: Yes.*

*Ms. Méndez: -- that same budget item can do those things. Obviously, I believe they need a little time.*

*Commissioner Reyes: Do we need a resolution, as Commissioner Carollo said, or would you also --?*

*Ms. Méndez: Well, the budget item is a resolution --*

*Commissioner Reyes: Okay.*

*Ms. Méndez: -- so usually, those are in there, and you can --*

*Mr. Gonzalez: Sir, as I mentioned before, these are the things that we're looking at now, and we have been -- in fact, Assistant City Manager Casamayor and my Chief of Staff --*

*Commissioner Reyes: Okay.*

*Mr. Gonzalez: -- and these are the ones that I've asked to look at this. I would respectfully request an opportunity to at least study this and then come back to you with the ideas that we have on how we could better serve our citizens at the lowest possible level.*

*Commissioner Reyes: Okay. And when can we expect your report?*

*Mr. Gonzalez: I could brief you probably within the next 30 days at most.*

*Commissioner Reyes: Okay, okay. I don't want this to be -- get lost -- I mean, be lost in --*

*Mr. Gonzalez: No, sir.*

*Commissioner Reyes: -- I know there's a lot of things that you have --*

*Mr. Gonzalez: No, sir.*

*Commissioner Reyes: -- going on, and this is very important for --*

*Mr. Gonzalez: This one's actually in our "to-do list," so --*

*Chair Hardemon: Yeah. I'm --*

*Mr. Gonzalez: -- this will just get it to the top of the list.*

*Commissioner Reyes: Okay. Thank you, sir.*

*Chair Hardemon: -- confident that the Mayor is looking to find adjustments to -- find ways to better serve the people in the communities --*

*Mr. Gonzalez: Yes, sir.*

*Chair Hardemon: -- because that's what the reorganizing is supposed to do. And I've seen him want to do that from his neighborhood and the district, so I know it's going to happen on that level.*

*Mr. Gonzalez: Thank you, sir.*

*Chair Hardemon: So it's up for us for debating at another time. But at this time, I want to keep moving forward.*

### **END OF PERSONAL APPEARANCES**

## CA - CONSENT AGENDA

The following item(s) was Adopted on the Consent Agenda

<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

**CA.1**

**3786**

***Department of  
Procurement***

### RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF BUILDING MATERIALS FOR CITYWIDE USE PURSUANT TO SECTION 18-111 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), UTILIZING THE COMPETITIVELY SOLICITED AND EXISTING MIAMI-DADE COUNTY ("MDC") PRE-QUALIFICATION POOL CONTRACT NO. 7963-1/22, WHICH EXPIRES ON AUGUST 31, 2022, SUBJECT TO ANY EXTENSIONS AND/OR REPLACEMENT CONTRACTS BY MDC; ALLOCATING FUNDS FROM THE CITY OF MIAMI'S ("CITY") GENERAL FUND, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUPPLEMENTAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS, SUBJECT TO ALLOCATIONS, APPROPRIATIONS AND BUDGETARY APPROVAL HAVING BEEN PREVIOUSLY MADE, AND IN COMPLIANCE WITH APPLICABLE PROVISIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE"), INCLUDING, WITHOUT LIMITATION, THE CITY OF MIAMI'S PROCUREMENT ORDINANCE, ANTI-DEFICIENCY ACT, AND FINANCIAL INTEGRITY PRINCIPLES, ALL AS SET FORTH IN CHAPTER 18 OF THE CITY CODE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH APPLICABLE REGULATIONS, AS MAY BE NECESSARY FOR SAID PURPOSE.

**ENACTMENT NUMBER: R-18-0160**

**This matter was ADOPTED WITH MODIFICATION(S) on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.1, please see "End of Consent Agenda."*

**CA.2****3810*****Department of Fire-  
Rescue*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE PROJECT, ENTITLED "EMS COUNTY GRANT #C6013 AWARD FISCAL YEAR 2017-2018," IN AN AMOUNT NOT TO EXCEED \$29,415.00 CONSISTING OF A GRANT APPORTIONED BY MIAMI-DADE COUNTY FROM THE STATE OF FLORIDA DEPARTMENT OF HEALTH, BUREAU OF EMERGENCY MEDICAL SERVICES ("EMS") PROGRAM, ENTITLED "FLORIDA EMS GRANT PROGRAM FOR COUNTIES"; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT LETTER OF UNDERSTANDING/AGREEMENT FROM THE STATE OF FLORIDA, IN SUBSTANTIALLY THE ATTACHED FORM, AND ANY OTHER NECESSARY RELATED GRANT DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, IN ORDER TO IMPLEMENT THE ACCEPTANCE AND ADMINISTRATION OF SAID GRANT.

**ENACTMENT NUMBER: R-18-0161****This matter was ADOPTED on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.2, please see "End of Consent Agenda."*

CA.3

**RESOLUTION** - *Item Pulled from Consent*

3811

**Department of  
Planning**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RECOMMENDING TO THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ITS APPROVAL OF THE STATE HISTORIC PRESERVATION OFFICE'S NOMINATION TO ADD THE BACARDI BUILDING COMPLEX ("BACARDI COMPLEX") TO THE NATIONAL REGISTER OF HISTORIC PLACES AS THE BACARDI COMPLEX MEETS NATIONAL REGISTER CRITERIA C: THE PROPERTY EMBODIES THE DISTINCTIVE CHARACTERISTICS OF A TYPE, PERIOD, OR METHOD OF CONSTRUCTION IN THE AREAS OF ARCHITECTURE AND ART, AS THE BUILDINGS ARE LOCALLY SIGNIFICANT EXAMPLES OF THE INTERNATIONAL STYLE OF ARCHITECTURE, WITH UNIQUE ARTISTIC FLAIRS WHICH DISREGARD SOME OF THE FUNDAMENTAL TENETS OF THE STYLE; AND NATIONAL REGISTER CRITERIA CONSIDERATION G: THE PROPERTY IS LESS THAN FIFTY (50) YEARS OF AGE AND, WHILE THE BACARDI COMPLEX WAS CREATED IN 1963, THE ADMINISTRATION BUILDING WAS CONSTRUCTED IN 1973, BUT CONTRIBUTES TO THE SIGNIFICANCE OF THE COMPLEX BECAUSE IT FOLLOWS MANY OF THE SAME DESIGN PRINCIPLES AND INFLUENCES AS THE ORIGINAL PARTS OF THE BACARDI COMPLEX AND DOES NOT DETRACT FROM THE RESOURCE.

<b>MOTION TO:</b>	Defer
<b>RESULT:</b>	DEFERRED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Wifredo (Willy) Gort, Commissioner
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item CA.3 was deferred to the May 10, 2018, Regular Commission Meeting.*

*For minutes referencing Item CA.3, please see "Order of the Day."*

**CA.4****3863****Department of  
Public Works****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING AN EXISTING FENCE TO REMAIN WITHIN THE DEDICATED RIGHT-OF-WAY AREA OF SOUTHWEST 37 AVENUE AND BOUGAINVILLEA ROAD, MIAMI, FLORIDA ADJACENT TO THE PROPERTY LOCATED AT 3699 BOUGAINVILLEA ROAD, MIAMI, FLORIDA SUBJECT TO (1) THE FENCE BEING IN COMPLIANCE WITH THE FINDINGS AS SET FORTH HEREIN AND (2) A COVENANT RUNNING WITH THE LAND BE EXECUTED AND RECORDED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BY THE PROPERTY OWNER WITH SAID COVENANT TO BE PREPARED BY THE CITY OF MIAMI PURSUANT TO SECTION 54-191 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, INCLUDING A HOLD HARMLESS, INDEMNIFICATION, AND INSURANCE FROM THE PROPERTY OWNER IN FAVOR OF THE CITY WITH PAYMENT BY THE PROPERTY OWNER OF THE REQUISITE FEES FOR THE PREPARATION AND RECORDING OF THE COVENANT.

**ENACTMENT NUMBER: R-18-0172****This matter was ADOPTED on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.4, please see "End of Consent Agenda."*

**CA.5****3809****Office of Capital  
Improvements****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND MIAMI-DADE COUNTY FOR THE IMPLEMENTATION OF OFFICE OF CAPITAL IMPROVEMENTS, METROMOVER PARKWAY PROJECT NO. 40-B30407 BY PROVIDING FOR THE CONSTRUCTION BY THE CITY OF A PEDESTRIAN PATHWAY LOCATED ALONG THE METROMOVER GUIDEWAY CORRIDOR BETWEEN NORTHEAST 2ND STREET AND NORTHEAST 3RD STREET EAST OF NORTHEAST 2ND AVENUE, MIAMI, FLORIDA.

**ENACTMENT NUMBER: R-18-0163****This matter was ADOPTED on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.5, please see "End of Consent Agenda."*

**CA.6****3865****Office of Capital  
Improvements****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE GRANT AWARDED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") IN THE TOTAL NOT TO EXCEED AMOUNT OF \$361,632.00, WITH FUNDS TO BE APPROPRIATED BY SEPARATE RESOLUTION, FOR THE IMPLEMENTATION OF THE METROMOVER STATION ACCESS IMPROVEMENTS, PROJECT 40-B183614 ("PROJECT"); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A LOCAL AGENCY PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FDOT FOR THE PROJECT.

**ENACTMENT NUMBER: R-18-0164****This matter was ADOPTED on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.6, please see "End of Consent Agenda."*

**CA.7****3866****Office of Capital  
Improvements****RESOLUTION** - *Item Pulled from Consent*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS IN THE TOTAL NOT TO EXCEED AMOUNT OF \$308,526.61, WITH FUNDS TO BE APPROPRIATED BY SEPARATE RESOLUTION(S), FROM THE COCONUT GROVE BUSINESS IMPROVEMENT DISTRICT ("COCONUT GROVE BID"), A BOARD OF THE CITY OF MIAMI, FLORIDA, FOR THE COCONUT GROVE SIDEWALKS PROJECT NO. 40-B30687 ("PROJECT"), FOR THE PURPOSE OF IMPLEMENTING THE COCONUT GROVE BID'S REQUESTED MODIFICATIONS INTO THE PROJECT'S PLANS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FUNDING ACCEPTANCE AND ACKNOWLEDGEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item CA.7 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item CA.7, please see "Order of the Day."*

CA.8

3792

Office of the City  
Attorney

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO AND ON BEHALF OF BERTHA LOZANO SOTOAGUILAR, SUBJECT TO THE CONDITIONS IMPOSED BY CHAPTER 440, FLORIDA STATUTES, THE TOTAL SUM OF \$125,000.00, INCLUDING \$100.00 FOR A SEPARATE GENERAL RELEASE, IN FULL SETTLEMENT OF ALL CLAIMS AND DATES OF ACCIDENT ALLEGED AGAINST THE CITY OF MIAMI ("CITY"), ITS OFFICERS, AGENTS, AND EMPLOYEES, WITHOUT ADMISSION OF LIABILITY, UPON EXECUTING A SETTLEMENT, HOLD HARMLESS, AND INDEMNIFICATION AGREEMENT AS WELL AS A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS IN THE AMOUNT OF \$124,900.00 FROM ACCOUNT NO. 50001.301001.524000.0000.00000 AND FUNDS IN THE AMOUNT OF \$100.00, FOR THE SEPARATE GENERAL RELEASE, FROM ACCOUNT NO. 00001.980000.531010.0000.00000.

**ENACTMENT NUMBER: R-18-0165**

**This matter was ADOPTED WITH MODIFICATION(S) on the Consent Agenda.**

*Note for the Record: For minutes referencing Item CA.8, please see "End of Consent Agenda."*

**END OF CONSENT AGENDA**

*Chair Hardemon: Okay. What I'd like to do is bring our attention to our agenda. Let's move through some items. The Chair would like to entertain a motion to approve what is left of the CA (consent agenda) agenda and the RE (resolution) agenda, except for RE.9, 10, and 11; we'll do those separately.*

*Commissioner Carollo: So moved.*

*Chair Hardemon: It's been properly moved.*

*Commissioner Gort: Chairman, repeat that again.*

*Chair Hardemon: Seconded by the Chair. I'll explain again. So the CA agenda, what's left of it, of course; and the RE agenda, except for RE.9, 10, and 11; those we'll do separately.*

*Commissioner Gort: Okay.*

*Vice Chair Russell: Could you add number 8 as well, so that we could at least open some discussion on the Pottinger issue?*

*Chair Hardemon: We can discuss the Pottinger in this motion -- I mean, in this motion, we can --*

*Vice Chair Russell: Got it.*

*Chair Hardemon: -- discuss it.*

*Barnaby Min (Deputy City Attorney): Mr. Chairman, just to clarify, CA.8 would have to be as amended, because there was a substitution that was previously sent out.*

*Chair Hardemon: The mover and the seconder would agree to that?*

*Todd B. Hannon (City Clerk): As well as RE.1 will need to be amended.*

*Chair Hardemon: Oh.*

*Mr. Hannon: And that's just to allow for a term sheet to be introduced into the record.*

*Chair Hardemon: Okay. The mover and the --*

*Commissioner Carollo: Can we --?*

*Chair Hardemon: -- seconder will agree to that?*

*Commissioner Reyes: Yes. I have -- in CA.1 and in CA.3, I'll ask Madam City Attorney --*

*Chair Hardemon: Well, CA.3 was deferred.*

*Commissioner Reyes: It was deferred, but CA.1 still has -- in the language, it says, "Including without limitation" that they can -- that -- I requested that, and we agreed that it was going to be stricken out.*

*Victoria Méndez (City Attorney): Yes.*

*Chair Hardemon: Unless (UNINTELLIGIBLE) different.*

*Ms. Méndez: Most of the language that had the major concern, which was the increasing without any type of cap --*

*Commissioner Reyes: Limitation.*

*Ms. Méndez: -- and all those things, was removed. The language that you're seeing is --*

*Chair Hardemon: But in the piggyback, can you make those sorts of amendments?*

*Ms. Méndez: The piggyback -- Remember, we're just accessing --*

*Chair Hardemon: No, no.*

*Ms. Méndez: -- but when we go to increase our own -- because of our own needs, obviously, we need to ask for permission before we do that. So that -- we're not changing -- we can't change any of the piggyback terms, but what the Commissioner is saying is that we can't just unilaterally, with the Administration, not come before you to increase ---*

*Chair Hardemon: So you want --*

*Ms. Méndez: -- the capacity.*

*Chair Hardemon: -- just make sure that the amendment to CA.1 includes the language that he proposed before --*

*Ms. Méndez: Yes.*

*Chair Hardemon: -- so that they -- the Administration has to come back.*

*Ms. Méndez: Right. So we had -- most of the changes we had done. I believe that the one that he is seeing has to do with -- Annie, did you want to --?*

*Annie Perez (Director, Purchasing): Okay, yes. Good morning, Chair and Vice Chair, Commissioners. These items -- and I do apologize -- were submitted like about seven weeks prior to the April 12 meeting, and the April -- this agenda was printed the Monday after. So, yes, we need to amend CA.1 and RE.4 as well, and the language will read: "Further authorizing the City Manager to negotiate and execute all other documents, including any amendments, renewals, and extensions, subject to allocations, appropriations, and budgetary approval having been previously made and in compliance with applicable provisions of the Code of the City of Miami, Florida, as amended (City Code), including the City of Miami's Procurement Ordinance, Anti-Deficiency Act, and Financial Integrity Principles, all set forth in Chapter 18 of the City Code, in a form acceptable to the City Attorney, and in compliance with applicable regulations, as may be necessary for said purpose."*

*Commissioner Reyes: Thanks.*

*Ms. Perez: This is the language that I did send to all of you.*

*Commissioner Reyes: Thank you very much.*

*Chair Hardemon: So --*

*Ms. Méndez: So we took out all the offending language from before.*

*Commissioner Reyes: It's not offending. And I don't want to give anybody unlimited power.*

*Ms. Méndez: Understood. Thank you, Commissioner.*

*Chair Hardemon: So the board would also -- the mover and the second would also have to agree -- I believe it was RE.4 -- to the language being included in --*

*Commissioner Carollo: Are we talking about a Charter amendment? Commissioner said he doesn't want to give anybody unlimited power.*

*Chair Hardemon: All right. So any discussion about any of the items that's up for consideration? Commissioner, you're recognized.*

*Vice Chair Russell: Including RE.8.*

*Chair Hardemon: That does include RE.8, yes.*

*Vice Chair Russell: I really appreciate the residents coming and speaking with regard to the Pottinger agreement. Certainly, this affects downtown and my district significantly, as well as other Commissioners. I've had a good briefing as well with the Chief, to understand what his intentions and actions are in regard to dealing with*

*the homeless and the residents and businesses downtown, and I agree with him. I find a sense of compassion within our Chief that should signal to the ACLU (American Civil Liberties Union) that we're all in this together; that this isn't about civil rights versus residents' rights; that we have a holistic problem that we need to work on together. And if we have evolved from the time that Pottinger was put in place, there should be a trust amongst the community as we move forward, as long as -- and this is very important -- that our Chief is absolutely dead set on enforcing any infractions that his officers -- that we -- any one bad apple doesn't indicate the position of the City with regard to how we treat our homeless, because if we are moving forward in a healthy way to solve this issue, we should have the freedom to do so. And so, I will be in favor of this issue. But I really hope that we take a tone that's not adversarial with the ACLU, but rather, that we invite them to the table to try to work on this together, and I look forward to that. Thank you.*

*Chair Hardemon: You're recognized, Commissioner Gort.*

*Commissioner Gort: I like for the people to understand this is not an agreement. This is an agreement -- was enforced [sic] to us by the courts. It's very important you all understand that. We didn't agree to that; we were forced by the Court to accept this. But at the same time, we got to tell the ACLU that it's not a Miami problem; it's a Miami-Dade County problem. Why don't we have homeless shelter in some other cities? Why don't we have the same regulation in the other cities? Because this is a County problem, and it shouldn't only be in the City. Since we offer all the benefits in the City of Miami, we spend more than \$60 million a year to help these individuals, and we are doing it, and I've been doing it all my life, but we need everyone to take responsibility.*

*Commissioner Reyes: Amen.*

*Chair Hardemon: All right. Seeing no further comment.*

*Later...*

*Commissioner Carollo: This is for?*

*Chair Hardemon: This is for the CA agenda.*

*Commissioner Reyes: CA --*

*Commissioner Carollo: CA agenda, okay. That's fine.*

*Commissioner Reyes: -- and RE.*

*Commissioner Carollo: Only CA agenda?*

*Chair Hardemon: No.*

*Vice Chair Russell: No.*

*Chair Hardemon: CA agenda; and the RE agenda, up to RE.8, except the ones that were --*

*Commissioner Carollo: Okay. And the RE -- okay, I missed that one -- was up to --*

*Chair Hardemon: So now we're on RE.9.*

*Commissioner Carollo: -- RE.8.*

*Chair Hardemon: So we're on RE.9 now.*

*Commissioner Carollo: Okay. RE.8 would be Pottinger, correct?*

*Chair Hardemon: Correct.*

*Commissioner Carollo: Okay. We're fine.*

**PH - PUBLIC HEARINGS****PH.1****2896****Commissioners  
and Mayor****RESOLUTION****TO BE WITHDRAWN**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S RECOMMENDATION AND FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A", THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI ("CITY") PURSUANT TO SECTION 18-86(A)(3)(C) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; APPROVING THE CITY MANAGER'S RECOMMENDATIONS AND FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT MEYGA LEARNING CENTER, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("MEYGA"), IS THE MOST QUALIFIED FIRM TO CONTINUE TO PROVIDE ACADEMIC ENRICHMENT; ARTS AND CRAFTS ACTIVITIES; PHYSICAL FITNESS; SOCIAL SKILLS, INCLUDING ANGER MANAGEMENT, CONFLICT RESOLUTION, AND SELF-ESTEEM ENHANCEMENT; MENTORING, AND RECREATIONAL ACTIVITIES AT AFRICAN SQUARE PARK; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROGRAMMING PARTNERSHIP AGREEMENT ("PPA"), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND BOND COUNSEL, FOR THE CONTRACT PERIOD COMMENCING AS OF AUGUST 21, 2017 THROUGH AUGUST 20, 2020 WITH THE OPTION TO RENEW FOR UP TO TWO (2) CONSECUTIVE THREE (3) YEAR PERIODS FOR A TOTAL OF NINE (9) YEARS UNDER THE SAME TERMS AND CONDITIONS; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SERVICE AUTHORIZATION LETTERS AND TO NEGOTIATE AND TO EXECUTE THE NECESSARY DOCUMENTS, AMENDMENTS, EXTENSIONS, RENEWALS, AND MODIFICATIONS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AND BOND COUNSEL, TO IMPLEMENT ACCEPTANCE OF AND COMPLIANCE WITH SAID PPA.

<b>MOTION TO:</b>	<b>Withdraw</b>
<b>RESULT:</b>	<b>WITHDRAWN</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: For minutes referencing Item PH.1, please see "Order of the Day."*

**END OF PUBLIC HEARINGS**

**FR - FIRST READING ORDINANCES**

**FR.1**  
**3374**  
**Commissioners**  
**and Mayor**

**ORDINANCE** **First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "HISTORIC PRESERVATION," TO ALLOW FOR THE TRANSFER OF DEVELOPMENT DENSITY FROM HISTORIC RESOURCE SENDING SITES TO CERTAIN RECEIVING SITES LOCATED WITHIN TRANSIT ORIENTED DEVELOPMENT AREAS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item FR.1 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item FR.1, please see "Order of the Day."*

**FR.2**  
**3424**  
**Commissioners**  
**and Mayor**

**ORDINANCE** **First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 35/ARTICLE V OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "COCONUT GROVE BUSINESS IMPROVEMENT DISTRICT, DESIGN DISTRICT AND WYNWOOD PARKING IMPROVEMENT TRUST FUNDS;" CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item FR.2 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item FR.2, please see "Order of the Day."*

FR.3

3719

**Commissioners  
and Mayor****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 36/SECTION 36-9 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "NOISE/OFF-STREET FREIGHT AND COMMERCIAL DELIVERY HOURS PILOT PROGRAM"; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	Defer
<b>RESULT:</b>	DEFERRED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Wifredo (Willy) Gort, Commissioner
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item FR.3 was deferred to the May 10, 2018, Regular Commission Meeting.*

*For minutes referencing Item FR.3, please see "Order of the Day."*

**END OF FIRST READING ORDINANCES**

**RE - RESOLUTIONS****RE.1****3881*****Commissioners  
and Mayor*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), SETTING THE SALARY AND BENEFITS FOR THEODORE ("TED") GUBA AS THE INDEPENDENT AUDITOR GENERAL OF THE CITY OF MIAMI, FLORIDA FOR THE REMAINDER OF HIS TERM.

**ENACTMENT NUMBER: R-18-0166**

<b>MOTION TO:</b>	<b>Adopt with Modification(s)</b>
<b>RESULT:</b>	<b>ADOPTED WITH MODIFICATION(S)</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.1, please see "End of Consent Agenda."*

RE.2

**RESOLUTION**

3883

***Department of Real  
Estate and Asset  
Management***

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND 3401 FUSTAN LLC, A FLORIDA LIMITED LIABILITY CORPORATION, FOR THE USE OF APPROXIMATELY 7,200 SQUARE FEET OF OFFICE SPACE LOCATED AT 3401 NORTHWEST 7TH STREET, MIAMI, FLORIDA BY THE CITY'S FIRE-RESCUE DEPARTMENT FOR ADMINISTRATIVE AND MEDICAL OFFICES FOR COMPLETING PHYSICALS FOR EMPLOYEES, KNOWN AS THE MIAMI FIREFIGHTER HEALTH & WELLNESS CENTER, WITH A MONTHLY RENTAL FEE OF \$13,200.00 (\$22.00 PER SQUARE FEET) FOR A PERIOD OF FIVE (5) YEARS WITH TWO (2) ADDITIONAL FIVE (5) YEAR OPTIONS TO RENEW, WITH TERMS AND CONDITIONS AS MORE SPECIFICALLY SET FORTH IN SAID AGREEMENT; ALLOCATING FUNDS FOR YEAR ONE (1) FROM THE COMPREHENSIVE CANCER PREVENTION PROGRAM, PROJECT NO. 40-B70184, WITH FUTURE FUNDING TO BE ALLOCATED FROM SOURCES TO BE DETERMINED FOR THE FOLLOWING YEARS.

<b>MOTION TO:</b>	Defer
<b>RESULT:</b>	DEFERRED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Wifredo (Willy) Gort, Commissioner
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item RE.2 was deferred to the May 10, 2018, Regular Commission Meeting.*

*For minutes referencing Item RE.2, please see "Order of the Day" and "Public Comment Period for Regular Item(s)."*

RE.3

3864

*Department of  
Public Works*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PROPOSAL RECEIVED ON OCTOBER 10, 2017 PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 763388 FROM CONDO ELECTRIC MOTOR REPAIR CORP., A FLORIDA PROFIT CORPORATION ("CONDO ELECTRIC"), THE RESPONSIVE AND RESPONSIBLE PROPOSER RECOMMENDED FOR AWARD, TO PROVIDE CITYWIDE STORMWATER PUMP STATION MAINTENANCE AND REPAIR SERVICES ON AN AS-NEEDED CONTRACTUAL BASIS FOR AN INITIAL TERM OF THREE (3) YEARS WITH TWO (2) ADDITIONAL TWO (2) YEAR OPTIONS TO RENEW; ALLOCATING FUNDS FROM THE PUBLIC WORKS DEPARTMENT ("PUBLIC WORKS"), SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL, AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NEGOTIATED PROFESSIONAL SERVICES AGREEMENT ("PSA"), IN SUBSTANTIALLY THE ATTACHED FORM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS, INCLUDING INCREASES TO THE FUNDING WHICH MAY BE ADMINISTRATIVELY APPROVED BY THE CITY MANAGER SUBJECT TO ALLOCATIONS, APPROPRIATIONS AND BUDGETARY APPROVAL HAVING BEEN PREVIOUSLY MADE, AND IN COMPLIANCE WITH APPLICABLE PROVISIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE"), INCLUDING, WITHOUT LIMITATION, THE CITY OF MIAMI'S PROCUREMENT ORDINANCE, ANTI-DEFICIENCY ACT, AND FINANCIAL INTEGRITY PRINCIPLES, ALL AS SET FORTH IN CHAPTER 18 OF THE CITY CODE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH APPLICABLE REGULATIONS, AS MAY BE NECESSARY FOR SAID PURPOSE.

<b>MOTION TO:</b>	Defer
<b>RESULT:</b>	DEFERRED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Wifredo (Willy) Gort, Commissioner
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: Item RE.3 was deferred to the May 10, 2018, Regular Commission Meeting.*

*For minutes referencing Item RE.3, please see "Order of the Day."*

RE.4

**RESOLUTION**

3874

***Department of  
Public Works***

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE DESIGN-BUILD-OPERATE-MAINTAIN ("DBOM") STREET LIGHTING DESIGN, INSTALLATION, REPAIRS, AND MAINTENANCE CITYWIDE CONTRACT BETWEEN THE CITY OF MIAMI ("CITY") AND HORSEPOWER ELECTRIC INC., A FLORIDA FOR PROFIT CORPORATION ("HORSEPOWER"), AWARDED BY RESOLUTION NO. 13-0497 DATED DECEMBER 12, 2013; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT WITH HORSEPOWER, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO PROVIDE ADDITIONAL SERVICES CONSISTING OF THE MUTUALLY AGREED ADDITION OF HOLIDAY LANDSCAPE LIGHTING ON VARIOUS TYPES OF TREES AND THE ADDITION OF LIGHTING EQUIPMENT TO BE FURNISHED AND INSTALLED ON SPECIFIED STREET CORRIDORS; ALLOCATING FUNDS FROM VARIOUS SOURCES OF FUNDS OF THE USER DEPARTMENTS, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS, SUBJECT TO ALLOCATIONS, APPROPRIATIONS, AND BUDGETARY APPROVAL HAVING BEEN PREVIOUSLY MADE AND IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), INCLUDING, WITHOUT LIMITATION, THE CITY OF MIAMI'S PROCUREMENT ORDINANCE, ANTI-DEFICIENCY ACT, AND FINANCIAL INTEGRITY PRINCIPLES, ALL AS SET FORTH IN CHAPTER 18 OF THE CITY CODE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH APPLICABLE REGULATIONS, AS MAY BE NECESSARY FOR SAID PURPOSE.

**ENACTMENT NUMBER: R-18-0167**

<b>MOTION TO:</b>	<b>Adopt with Modification(s)</b>
<b>RESULT:</b>	<b>ADOPTED WITH MODIFICATION(S)</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.4, please see "End of Consent Agenda."*

RE.5

3913

**Department of  
Procurement****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5) AFFIRMATIVE VOTE, APPROVING, AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDING, AS THE AGENCY HEAD, ATTACHED AND INCORPORATED AS ATTACHMENT "A," THAT HURRICANE IRMA HAS CAUSED A VALID PUBLIC EMERGENCY TO CITY OF MIAMI FACILITIES AS OUTLINED IN EXHIBIT "A" OF THE CITY MANAGER'S ADDITIONAL EMERGENCY FINDING, ATTACHED AND INCORPORATED, AND THEREFORE, IT IS MOST ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") TO WAIVE THE COMPETITIVE SEALED PROCUREMENT PROCEDURES AND QUALIFICATIONS PROCESS PURSUANT TO SECTION 287.055(3)(A)1, FLORIDA STATUTES, AND ALL REQUIREMENTS OF SECTION 18-87 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; AUTHORIZING THE CITY MANAGER TO UTILIZE ARCHITECTURAL, ENGINEERING AND LANDSCAPE ARCHITECTURE ("A&E") CONSULTANTS CURRENTLY UNDER CONTRACT, FOR A PERIOD NOT TO EXCEED THE COMPLETION OF THE REPAIR(S), DUE TO EXIGENCY OR EMERGENCY CIRCUMSTANCES.

**ENACTMENT NUMBER: R-18-0168**

<b>MOTION TO:</b>	<b>Adopt</b>
<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.5, please see "Public Comment Period for Regular Item(s)" and End of Consent Agenda."*

RE.6

3936

**Commissioners  
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDING IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) ("GRANT") FROM BLOOMBERG PHILANTHROPIES FOR THE TESTING AND PROTOTYPING PHASE OF THE 2018 MAYORS CHALLENGE PRECEDING THE DEVELOPMENT OF A DATA-DRIVEN INTERACTIVE WEB PLATFORM TO INFORM STAKEHOLDERS ABOUT MITIGATION OPTIONS RELATED TO SEA LEVEL RISE ("PROJECT"); ESTABLISHING A SPECIAL REVENUE PROJECT, ENTITLED "2018 MAYORS CHALLENGE GRANTS", AND APPROPRIATING SAID GRANT FOR SAID PURPOSE FOR THE PROJECT; FURTHER AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT A SUPPLEMENTAL APPLICATION FOR THE DEVELOPMENT PHASE OF THE 2018 MAYORS CHALLENGE, TO ACCEPT ANY FURTHER GRANT AWARDS, AND TO NEGOTIATE AND EXECUTE ANY AND ALL GRANT AGREEMENTS, RENEWALS, EXTENSIONS, MODIFICATIONS, AMENDMENTS, AND OTHER NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT THE ACCEPTANCE AND ADMINISTRATION OF, AND COMPLIANCE WITH SAID GRANT(S) FOR THE PROJECT, SUBJECT TO BUDGETARY APPROVAL AT TIME OF NEED.

**ENACTMENT NUMBER: R-18-0169**

<b>MOTION TO:</b>	<b>Adopt</b>
<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.6, please see "End of Consent Agenda."*

RE.7

4031

**Commissioners  
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ALLOCATING GRANT FUNDS FROM THE DISTRICT 1 SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE PROGRAM IN A TOTAL AMOUNT NOT TO EXCEED \$20,000.00 TO THE PARKS AND RECREATION DEPARTMENT FOR THE DISTRICT 1 SWIM VOUCHER PROGRAM.

**ENACTMENT NUMBER: R-18-0170**

<b>MOTION TO:</b>	<b>Adopt</b>
<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.7, please see "End of Consent Agenda."*

**RE.8****4025****Commissioners  
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL ACTION REGARDING THE CURRENT SETTLEMENT AGREEMENT IN THE CASE OF MICHAEL POTTINGER, ET AL. VS. CITY OF MIAMI, IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA, CASE NO.: 88-2406-CIV-MORENO.

**ENACTMENT NUMBER: R-18-0171**

<b>MOTION TO:</b>	<b>Adopt</b>
<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For directive referencing Item RE.8, please see Item NA.1.*

*For minutes referencing Item RE.8, please see "Public Comment Period for Regular Items," "End of Consent Agenda," and Item NA.1.*

**RE.9****4036****City Manager's  
Office****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RATIFYING THE SETTLEMENT AGREEMENT AND GENERAL RELEASE WITH AFSCME, LOCAL 197 BETWEEN THE CITY OF MIAMI AND THE EMPLOYEE ORGANIZATION KNOWN AS THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 1907 IN THE CASE OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 1907 V. CITY OF MIAMI, FLORIDA, CASE NO. 17-001234-CA-01, PENDING IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

**ENACTMENT NUMBER: R-18-0174**

<b>MOTION TO:</b>	<b>Adopt with Modification(s)</b>
<b>RESULT:</b>	<b>ADOPTED WITH MODIFICATION(S)</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Manolo Reyes, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For additional minutes referencing Item RE.9, please see "Public Comment Period for Regular Item(s)," and "End of Consent Agenda."*

*Commissioner Reyes: RE.9.*

*Commissioner Reyes: AFSCME (American Federation of State, County, and Municipal Employees).*

*Chair Hardemon: RE.9. Is there going to be someone to present RE.9, or are we just going to go straight into discussion, or a motion? It doesn't really matter.*

*Commissioner Carollo: Okay. There's a motion for RE.9.*

*Commissioner Reyes: I second it.*

*Chair Hardemon: So moved and seconded for RE.9. Any further discussion on RE.9?*

*Vice Chair Russell: Question --*

*Commissioner Gort: Second.*

*Vice Chair Russell: -- for the City Attorney: Does this settlement in any way alter our Charter with regard to who we classify and not classify?*

*Victoria Méndez (City Attorney): No. It would be nice if we change our Charter to clarify things, but this does --*

*Vice Chair Russell: But this does not --*

*Ms. Méndez: -- not --*

*Vice Chair Russell: -- do that?*

*Ms. Méndez: No. It gets us a little closer, but --*

*Commissioner Carollo: Okay. And for the record, Mr. Manager, the Administration has recommended this, correct?*

*Emilio T. Gonzalez (City Manager): Sir, this is something that we've negotiated with the unions, so yes, sir.*

*Commissioner Reyes: Yes.*

*Commissioner Carollo: Okay. I just want to put it on the record.*

*Mr. Gonzalez: Yes, sir.*

*Chair Hardemon: Seeing no further questions or concerns, all in favor of the motion, indicate so by saying "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: All against?*

*Todd B. Hamon (City Clerk): And then, Chair, just for the record, RE.9 will be amended to take care of a couple of grammatical errors.*

*Chair Hardemon: Motion passes.*

*Later...*

*Al Crespo: Mr. Chairman?*

*Chair Hardemon: The meeting's in recess until 2 o'clock.*

*Mr. Crespo: Could I ask for an indulgence, please? Comments were made here this morning that I think need to be addressed before you go to adjournment. I broke the speed limit to get down here. I don't come here often.*

*Chair Hardemon: But we'll be back.*

*Mr. Crespo: When I do, it's important.*

*Chair Hardemon: You know --*

*Mr. Crespo: I would appreciate --*

*Chair Hardemon: -- you know --*

*Mr. Crespo: -- to be able -- two minutes.*

*Chair Hardemon: (UNINTELLIGIBLE). You acknowledge you're out of protocol, right?*

*Commissioner Carollo: Well --*

*Mr. Crespo: I realize that.*

*Chair Hardemon: You acknowledge it. You know that, right?*

*Commissioner Carollo: Well, it's not 12, so --*

*Chair Hardemon: I -- no, no, no. I'm just saying, you acknowledge you're out of protocol, right?*

*Mr. Crespo: Okay. May I?*

*Chair Hardemon: Do you acknowledge you're out of protocol?*

*Mr. Crespo: Yes, yes, of course I do.*

*Chair Hardemon: Okay.*

*Mr. Crespo: I mean, I didn't think something like this would ever happen.*

*Chair Hardemon: But you're Al Crespo. You're my friend, all right? You're my friend.*

*Mr. Crespo: You know --*

*Chair Hardemon: And I'm going to give you an opportunity to speak for two minutes.*

*Mr. Crespo: Thank you.*

*Chair Hardemon: You're welcome.*

*Mr. Crespo: Mr. Chairman, members of the Commission, earlier this morning a City employee appeared before you, this Commission, to speak about the issues regarding the changes in the labor relations contract with the City. When that individual got through speaking on the issue of whether or not he would be entitled to remain as a classified employee, you, Commissioner Carollo, reached out and pulled out a packet of information that you obviously had prepared beforehand; and you started to ask this individual about his name, where he had previously lived, and whether he had ever had any criminal activities or criminal arrests in his past. Now, you know, when somebody comes before you and speaks to the issue -- you know, what you did was to attack that individual on issues that had nothing to do with what he came up here to speak about. Now, I'm a man who's robbed banks, and I'm a man who's come before this Committee in the past, and I'm a man who's been attacked for my past. You and I have known each other a long time, Joe --*

*Commissioner Carollo: That's correct.*

*Mr. Crespo: -- a long time, and you've never had any questions about my robbing banks when you wanted to talk to me or ask my opinion on anything. You understand?*

*Commissioner Carollo: (UNINTELLIGIBLE).*

*Mr. Crespo: And let me tell you something. It's not what you did to that individual, but it's the message that you send to any citizen or anyone who comes before this body that if they come up here and say something that you don't like that you're going to reach out of your pocket, if you knew they were coming in advance, and use information to attack them personally, unrelated to the issue that they came up here to speak about, is absolutely unconscionable, Joe, unconscionable. You should never, ever be allowed to do that. I'm ashamed of you. I'm ashamed of all of you who didn't stand up at that moment and said, "That's out of order. That's out of order."*

*(Applause)*

*Mr. Crespo: "You do not do that," you know. I am a bank robber; I did my time. Now, I'm willing to bet that that City employee has never, ever done anything even remotely close to what I did in my life; and for you to do that, shame on you, shame on you.*

*Chair Hardemon: Thank you very much, sir.*

*Commissioner Carollo: Al --*

*Chair Hardemon: You can respond, of course, (UNINTELLIGIBLE).*

*Commissioner Carollo: -- do you need more time?*

*Mr. Crespo: One other thing.*

*Chair Hardemon: No, no, no, no.*

*Commissioner Carollo: Let him (UNINTELLIGIBLE).*

*Mr. Crespo: One very quick thing: The lawyer who spoke to you about that issue failed to talk about the fact that the Chief of Code is an executive position. And why are you going to allow the second highest position in the Code Enforcement Department to, all of a sudden, become a classified position for purposes of being allowed to be considered under the labor agreement? Is that -- like I wrote all of you three days ago -- because the head of the union is in line to get that job? Huh?*

*Commissioner Carollo: Can I get a --*

*Chair Hardemon: Mr. Crespo?*

*Mr. Crespo: I'm standing (UNINTELLIGIBLE) speak. Go ahead.*

*Chair Hardemon: Thank you, sir.*

*Commissioner Carollo: -- one-minute or so rebuttal? Let me be very specific. I am glad you pointed out, Al, that -- something to the effect of making this an example. Because you know what? It should be. No City employee, none whatsoever, should be allowed to lie in an application, perjure themselves in a City application. Shame on them, and shame on whoever is supposed to do a background check in the City of Miami. For the record, Al, the information that I went through while I was sitting up here came to my office this morning. That's when I received it. I didn't even glance through it all. That's why I gave it to the Manager. That's his responsibility to do whatever he pleases with. In fact, they can even give him a party over at the sidebar for free, like they've done for other employees, and that's fine, too. But you know what? If an employee is going to lie, perjure themselves in applications, when they have had arrests -- and I didn't go into what the arrests were for purposely; the Manager has that. That's the difference, Al. I don't care if you, if someone else had robbed banks, or whatever you've done; that's your business. But when you're a City employee, and you sign to get a job and then to get promotions, or what have you, and you lie, and you purposely keep out arrests and more, that's the big difference. So I do hope that every employee in this City, or future employee, got the message. Those kind of games are not going to go on anymore. Just like that one chap that they threw against me that also lied in his application when he worked for my brother. And this is why I'm not going to put up with anyone that I find that's lying. And if you go into my history, you will find that when I was a very, very young Commissioner -- I think, no more than 25, after I got elected at 24 -- there was a Finance Director that lied about his background. Gunderson, I believe, was his name.*

*Commissioner Reyes: I remember.*

*Commissioner Carollo: And he was indicted; he was taken out of office. So this is not new, Al. This is me. I'm not hiding anything, and this is going to be me. And frankly, I don't need to be in this seat. I almost wish that I would not have ran, because the corruption that I'm finding since I got back is sickening. I'm tired of giving hands to people that normally I wouldn't be a hundred miles near them, where I got to go wash my hand from the slime after I do that, because they are so corrupted. They don't care about the City of Miami. All they care is to traffic*

*influence and fill their pockets. But you know what? As long as I'm here, any employee that lies in an application, that perjures themselves -- and particularly for what he had -- I'm not going to sit idly and pretend that I didn't see it. I don't care who dropped it or not in my office this morning; the only question should have been, if it was true or not. I didn't even know if it was him or not; that's why I asked him, "first name, middle name," because I don't know the man. So I hope that I've been clear enough. I respect your opinion, Al, but that's my opinion. Thank you.*

*Chair Hardemon: Thank you very much.*

*Vice Chair Russell: Mr. Chairman.*

*Chair Hardemon: This meeting -- You want to be acknowledged, Mr. Vice Chairman?*

*Victoria Méndez (City Attorney): Can we --? It would be best to leave it here, please.*

*Chair Hardemon: If there are no further comments, the meeting's in recess until 2 o'clock.*

*Commissioner Carollo: Thank you.*

**RE.10**

**3823**

**Office of  
Management and  
Budget**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING APPROPRIATIONS RELATING TO THE GENERAL FUND, DEBT SERVICE FUND, SPECIAL REVENUE FUND, AND INTERNAL SERVICE FUND FOR THE FISCAL YEAR 2017-2018, PURSUANT TO RESOLUTION NO.17-0475, ADOPTED SEPTEMBER 28, 2017, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; RATIFYING, APPROVING, AND CONFIRMING CERTAIN NECESSARY ACTIONS OF THE CITY MANAGER AND DESIGNATED DEPARTMENTS TO UPDATE THE RELEVANT FINANCIAL CONTROLS, PROJECT CLOSE-OUTS, ACCOUNTING ENTRIES, AND COMPUTER SYSTEMS IN CONNECTION THEREWITH AND FOR GRANTS IN PROGRESS; AND PROVIDING FOR APPLICABLE EFFECTIVE DATES.

**ENACTMENT NUMBER: R-18-0175**

<b>MOTION TO:</b>	<b>Adopt with Modification(s)</b>
<b>RESULT:</b>	<b>ADOPTED WITH MODIFICATION(S)</b>
<b>MOVER:</b>	<b>Manolo Reyes, Commissioner</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

***Note for the Record: For additional minutes referencing Item RE.10, please see "Public Comment Period for Regular Item(s)" and "End of Consent Agenda."***

*Chair Hardemon: RE.10.*

*Commissioner Carollo: RE.10 is --*

*Chair Hardemon: Let's have it presented by the Administration first.*

*Christopher Rose (Director): Good morning, Commissioners. Chris Rose, Office of Management & Budget.*

*Commissioner Carollo: Mr. Chairman.*

*Mr. Rose: RE.10 and its companion, RE.11 --*

*Commissioner Carollo: That's (UNINTELLIGIBLE).*

*Mr. Rose: -- is the mid-year capital budget amendment. All of your offices have been individually briefed. You will see in the backup to the item that it is adding 64 positions to the City's budget. Many of these are grant-funded; others are using the funds in the current year budget surplus to move things around. We're also using funds from the Building reserve to augment our building processes. Some of the highlights are 33 new positions in Police and 21 in Fire-Rescue; of those, 44 of them are sworn and the rest are civilian. We also have new positions in Code, Capital Improvements, Zoning, and Communications. And it has been noted already this morning a few times, we have a couple of departments that are merging together. There is the IT (Information Technology) Department, and there is the new Resilience and Public Works Department. There is \$2 million for citywide beautification projects and money set aside for legal settlements, in addition to what was in the adopted budget. I'll be happy to take any questions you have at this time.*

*Commissioner Gort: Mr. Chairman.*

*Commissioner Reyes: Yes.*

*Commissioner Gort: My question is, of the grants funding, how much are we talking about?*

*Mr. Rose: There is -- the main one is the COPS (Community Oriented Policing Services) Grant --*

*Commissioner Gort: Right.*

*Mr. Rose: -- which is -- over a three-year period, this would recognize the first year of it -- about just under a million dollars a year for COPS, and then the City has a roughly one-to-one match. It's a rule of thumb, but --*

*Commissioner Gort: Right.*

*Mr. Rose: Yes, sir.*

*Commissioner Gort: You're talking about the COPS. How about the other increase of individuals who put in? You're talking about \$100 [sic] million for three years?*

*Mr. Rose: No. \$1 million each year.*

*Commissioner Gort: \$1 million for each year?*

*Mr. Rose: Yes. And there's --*

*Commissioner Gort: I thought you said a hundred. Okay.*

*Mr. Rose: I said a hundred million? My apologies, Commissioner.*

*Commissioner Gort: Yes. I mean --*

*Mr. Rose: No, 1 million.*

*Commissioner Gort: -- I was trying to find out --*

*Mr. Rose: No, sir. So a little under \$3 million over a three-year period.*

*Commissioner Gort: And after it runs over, then it goes into general. We have to pay for the --*

*Mr. Rose: Yes, sir. And over the last five years, we have been awarded the COPS Grant --*

*Commissioner Gort: Right.*

*Mr. Rose: -- four out of those five years, so this is the --*

*Commissioner Gort: Well, we have been able to save some in the past?*

*Mr. Rose: Yes, sir. We have absorbed them into the general fund in each case when the grant runs out.*

*Commissioner Gort: Okay. Thanks. Thank you.*

*Chair Hardemon: Mr. Mayor.*

*Mayor Francis Suarez: Thank you, Mr. Chair. I just want to make one modification, which has to do with a million-dollar contribution to the Overtown Youth Center. While we remain committed to making that contribution, we will be making it at a later date. Instead, we'd like to change that item to reflect the renovation of two City of Miami properties: one located at Folio Number 0-3112-025-0010, 01-3312-025-050, and 01-3112-025-0060, and 01-3123-012-0240. We'd like to, in consultation with the district Commissioner's office, like that -- those funds designated to a qualified nonprofit that could renovate those properties that are in an area right now that needs help in the Liberty City area and could activate those for the community.*

*Chair Hardemon: Thank you.*

*Commissioner Carollo: Do we have an address for --*

*Commissioner Reyes: Yes.*

*Commissioner Carollo: -- those properties?*

*Chair Hardemon: We have --*

*Mayor Suarez: Yeah. I'll provide that for you, Commissioner. No problem.*

*Victoria Méndez (City Attorney): But all of those would come back as resolutions with four-fifths, correct? I mean, this is just allocating it, but --*

*Mayor Suarez: Allocation.*

*Chair Hardemon: No, no, no. So what he's stating is that the monies should be set aside --*

*Mayor Suarez: Yeah.*

*Chair Hardemon: -- for the City and/or a 501(c)(3). It's not giving any money to any 501(c)(3).*

*Mayor Suarez: That's correct. Yes, you're right.*

*Chair Hardemon: It's to the City and/or 501(c)(3) to make renovations to those places, so those old dilapidated structures that we have within the area, so --*

*Mayor Suarez: Correct.*

*Chair Hardemon: --part of what the concern was --*

*Mayor Suarez: Yes.*

*Chair Hardemon: -- was that we have immediate needs in the district, that that million dollars was going to a structure in the district, but they're fundraising capital. So there are about 6 million of them -- about 14 million, as I understand, and so, they have a ways to go. And so, we have a more immediate need to take these structures and renovate them and get them -- to get them back to good usage for the neighborhoods.*

*Commissioner Carollo: Chairman --*

*Chair Hardemon: And so, that's what it's for.*

*Commissioner Carollo: -- I'm glad you're explaining that, and I think you've always had my support, just like when I was Mayor. I made sure that we would bring dollars to the neediest areas, and Overtown was one. As I said not long ago, we started the Overtown project at the park, getting together with Marty Margolis and Alonso Mourning. It's probably one of the best projects that this City has ever done. It should be a role model for other areas, not just the City of Miami, on how to move forward in helping young kids. Mr. Manager, which are the addresses that the Mayor was talking about? Do you know the addresses that the Mayor was talking about?*

*Emilio T. Gonzalez (City Manager): I don't have them with me, sir, but I'll get them for you.*

*Commissioner Carollo: You don't know the address? What does that entitle; do you know? What the Mayor proposed, what does it entitle? Can you give me a little bit of explanation?*

*Mayor Suarez: (UNINTELLIGIBLE).*

*Commissioner Carollo: No, Mayor; let the Manager, please. Thank you.*

*Mr. Gonzalez: Sir, this is an item, I'll be honest, that was changed quite recently. I have not seen the lots. I don't know what the addresses are. I could provide those to you; be happy to.*

*Commissioner Carollo: Okay. Well, that's why I was asking, because as of our meeting yesterday, you didn't bring it up, and --*

*Mr. Gonzalez: Correct.*

*Commissioner Carollo: -- I was just wondering.*

*Mr. Gonzalez: Yes, sir.*

*Commissioner Carollo: Okay. That's fine.*

*Chair Hardemon: Yeah. I had the conversation with the Mayor.*

*Commissioner Carollo: Well, that's fine. And I'm in support of that, Chairman, so you can be at ease that there's no problem with that. The only thing that I want to be clear: I think the bulk of what I see here right off the top, I have no problems with, but this is a major change. And I have a lot of experience in budget amendments.*

*Mr. Rose: Yes, sir.*

*Commissioner Carollo: And there's a lot that's still not clear that has to be broken down for transparency. I'd like to thank the Budget Director that he did that for me in a portion of it, and this is the way it should be; how he gave it to me. But what I'd like to ask the Commission, if I could have the opportunity, until the very next meeting that we meet a couple of weeks from now, just to be able to go through some of the breakdowns that I need, in addition to what I was given, because I only was given part, so that I could see if there are ways, from many of the different funds that we have, to find other dollars that we could substitute for monies that we're now getting from past years' reserves. I know that we might think that the reserves that we have are healthy, but let me assure you that we're still way under what a city of this size, with the problems that we could be facing, should have; even though, by law, in the law that we -- in the ordinance that we initiated when I was Mayor, we're complying with it, but that doesn't mean that we should have more reserves. So I really need the opportunity to go through our budgets, see if I could make up some of those dollars, and for me to have line items so that I could know exactly where monies are going through and not to be given a huge amount in some areas -- beautification -- but I don't know where is it going to. At the same time, I think I'm going to want to bring something that will be included in this budget amendment that everybody's going to be happy with, so if I could just be given that opportunity of two more weeks when we meet again to vote on this. But I have no problem in having the Budget Director discussing it now, because it would also be helpful.*

*Commissioner Reyes: Mr. Chair, I have a couple of questions about the budget. To start with, you see, I have this amendment -- and I have it before me the -- how the departments are going to be merged and all of that. And I have a question on merging Resilience to Public Works and Transportation. How is that going to benefit Resilience? You see, don't we lose grant money if we merge them under Transportation and Public Works?*

*Mr. Gonzalez: Thank you for the question. Actually, we don't, sir. The intent of putting Resilience with Public Works is not to downgrade it, but it's to elevate it. We're actually changing the name of the department to the Department of Resilience and Public Works. We want to surround the Office of Resilience with subject-matter experts. We want to go to the next level and strengthen resilience. It is not violating any grant. It -- For our purposes, we're actually strengthening the office. Right now it's a very small office. We put it in Public Works. They'll have access to all of the other engineers, architects, whoever they need, so that we can handle this holistically and take it to the next level. So no -- so, to answer your question, no, we will not lose grant money.*

*Commissioner Reyes: But as I understand the -- most of the salaries are being paid out of grant money; I would say, a million dollar grant money.*

*Mr. Gonzalez: I'm sorry; I didn't hear you.*

*Commissioner Reyes: A million dollars grant money, and most of the salaries were paid out of that grant money, and we could reapply for it. But if we are on the Transportation and Public Works, I believe we cannot. Correct me if I'm wrong.*

*Mr. Gonzalez: The thing is, it's not changing the mission of the office.*

*Commissioner Reyes: No, but it is changing -- it is our -- the -- one of the -- I mean, I'm -- but I'm going asking, do we still qualify for that grant money by being under somebody else? And another question that I have that comes to my mind: Are we not limiting the scope of this department in working with other departments in the -- in Dade County that --? I think that they should be working in agreement, because this is a very serious thing that I think that everybody in the County should be working together.*

*Mr. Gonzalez: Sir, other municipalities have resilience offices. We're still going to have our Resilience Office; we're just going to strengthen it. Assistant City Manager Ihekwaba can answer in greater detail --*

*Commissioner Reyes: Yes.*

*Mr. Gonzalez: -- about qualifications, if you will.*

*Commissioner Reyes: Okay.*

*Nzeribe Ihekwaba (Assistant City Manager/Chief of Operations): Good morning. Gerry Ihekwaba --*

*Commissioner Reyes: Good morning, sir.*

*Mr. Ihekwaba: -- Assistant City Manager. The position for the Chief Resilience Officer was a creation about a couple of years ago, and I led the effort in putting it all together. The grants that we received from the Rockefeller Foundation was not tied to an office; it was simply to accomplish two purposes: one for to build capacity; and also to hire someone into a position of CRO (Chief Resilience Officer), not to create an office. We took the position, the previous Administration, to create the Office of Resilience and Sustainability for operational efficiency. However, however, that funding was only for three years, and we're almost running out the second year. We've determined that in order to enhance leadership, expand the breadth and depth of the resources that is available for the office, it makes sense to have someone as a gatekeeper, who, before any project goes out from the City of Miami, has been evaluated, and the criteria has been ensured for compliance; who would not sign off under the authority of the Director of Public Works; who is the sole regulatory entity in the City today to sanction any type of project to go into construction. We've spent a lot of time talking about infrastructure improvements, but we've never, ever tied the loose end, which is at the end of the back end of the projects: Who is going to be the City's gatekeeper? We can postulate, we can theorize on how sea level rises, climate change, resilience and sustainability, but if we don't have implementable process, where somebody stands on the end -- at the end of the line and says, "Hey, you, you've not come into compliance. These are the metrics that you've not complied with. This project cannot go into the construction implementation phase." So to answer your question, we're increasing the staff's strengths, we're enhancing the resource pool; we're actually vetting the process of --*

*accomplish -- complete all the resilience goals, and we are bringing in additional resources, such as the technical experience. Now, it might make interesting information: Both of the County and the City of Miami Beach are our own collaborators in the strategy plan, the preparation that we're doing with 100 Resilient Cities. None of those two entities have technical expertise available. This approach that the City of Miami's taking today will make us unique, will operationalize ideals and goals, and will reinforce the technical expertise availability that the office will bring to the table; also, to enhance the preparation and final status of the Resilience Strategy Plan that is being prepared in coordination with Miami Beach and the County.*

*Commissioner Reyes: Okay. And you mentioned that we are -- that the grant that was received that -- I mean, was for two years.*

*Mr. Ihekweba: Yes.*

*Commissioner Reyes: Can we reapply for it?*

*Mr. Ihekweba: There is talk in the agreement for a one-time, one-year extension, but that is not guaranteed.*

*Commissioner Reyes: Does this merger affects in any ways our application?*

*Mr. Ihekweba: Again, I don't think so --*

*Commissioner Reyes: You don't think so, but you don't know.*

*Mr. Ihekweba: -- because -- it's not going to do that, because the grant is for a position of a Chief Resilience Officer.*

*Commissioner Reyes: Okay.*

*Mr. Ihekweba: It's not for the creation of an Office of Resilience.*

*Commissioner Reyes: But it's a million dollars, right?*

*Mr. Ihekweba: Yeah.*

*Commissioner Reyes: I mean, that's a hefty amount. And -- okay. So you are saying that this will not diminish the Department of Resilience?*

*Mr. Ihekweba: It will not.*

*Commissioner Reyes: And it will not limit the scope of their work?*

*Mr. Ihekweba: Actually, it's going to enhance the scope of the work.*

*Commissioner Reyes: Okay, I'm going to take your word for it.*

*Mr. Ihekweba: Okay. Just for your information --*

*Commissioner Reyes: I'm going to hold you responsible for it.*

*Mr. Ihekweba: -- Commissioner, for your information, when this was grant was gotten here, the City did not have a CRO. I was the only individual that was --*

*Commissioner Reyes: Okay.*

*Mr. Ihekweba: -- coordinating this in the City.*

*Commissioner Reyes: Okay. Okay, sir. Thank you very much.*

*Mr. Ihekweba: Thanks.*

*Commissioner Reyes: Okay. I have another question about the budget, you see, about the budget.*

*Mr. Rose: Yes, sir.*

*Commissioner Reyes: You see, just -- I know that we are going to get more police officers, more positions.*

*Mr. Rose: Yes, sir.*

*Commissioner Reyes: And I see that we have eight sergeants for the Criminal Investigation Division. And how many of those are going to --? How is it going to be divided? How many are going to go to District 4 or District 1, or District 2? You see?*

*Mr. Rose: Far be it from the Budget Director --*

*Commissioner Reyes: Tell me how many I'm getting.*

*Mr. Rose: Yes. No. Far be it from the Budget Director to assign police officers. If I can stall for a moment while the Chief comes, that will be very helpful to me. But if I could just clarify one thing you said earlier, Commissioner, the grant was not for a million dollars; it was for 170,000 in year one and 170,000 in year two.*

*Commissioner Reyes: Oh, okay.*

*Mr. Rose: So it's a bit smaller.*

*Commissioner Reyes: Then somebody placed an extra zero when I was reading it.*

*Mr. Rose: Yes, sir. And the office has a budget of \$758,000 in the current year. So there's a great deal more general fund money being put towards this effort, as well as the grant money.*

*Commissioner Reyes: Okay. Now, can I --? Okay, so much for that. And now I have a question for the Chief of Fire -- for the Fire Chief. How you doing, Chief?*

*Joseph Zahralban (Fire Chief): Good, sir. How are you?*

*Commissioner Reyes: Fine, fine. Just remember that we met and I had a concern -- I had a great concern about our -- all of our high-rises, and I asked you, point blank, if we were ready to -- in case that one of the -- we have a fire on the top floors, and you told me, as I recall, that we have the pumps that would go 800 feet, right? And you said, "But they'd be working to the maximum," right?*

*Chief Zahralban: Did you want to finish, or do you want me to --?*

*Commissioner Reyes: No. I want to know. You see, now we have a building that is going to be over 900 feet. Do we have pumps for that?*

*Chief Zahralban: Commissioner, thank you for the question. Chairman, Commissioner -- Commissioners. Joseph Zahralban, Fire Chief, Department of Fire-Rescue. We have actually been investing a significant amount of effort in this area. Panorama is merely one building that we --*

*Commissioner Reyes: That's right.*

*Chief Zahralban: -- have been studying. And we have been working closely with the standpipe and sprinkler contractors in order to clearly understand what the limitations of the building are, and what the capabilities of the Fire Department servicing that building are. We actually went out there with our fire trucks and we pumped that building. We did meet some obstacles, and we worked with the sprinkler contractor the modify the system in order to allow us to pump all the way to the top of that building, and we were able to successfully do that, and we were able to operate a fire line at the roof of that building.*

*Commissioner Reyes: But -- I'm sorry.*

*Chief Zahralban: Yes, sir.*

*Commissioner Reyes: I'm sorry. But as I recall, you told me that the pumps were working to the maximum. When you -- I mean, any motor, any pump that you work to the maximum that, you see, you have no -- I mean, it could break at any time.*

*Chief Zahralban: Yes, sir.*

*Commissioner Reyes: You see. And have you investigated the possibility of obtaining new pumps?*

*Chief Zahralban: We actually have done more than investigate. We have studied the issue greatly, and we had put a committee together that evaluated not only that particular issue, but all issues related to our response to high-rise incidents. But with regard to that particular issue, yes, we have studied it. And what we have found is that as these ultra high-rises come online, our single-stage pumps struggle to get the -- to meet the pressures necessary to get the gallons per minute at the highest levels of these structures. So what we've done is looked at something called "dual-stage pumps." And moving forward, every fire truck that we purchase will be equipped with a dual-stage pump. So essentially, it is two pumps in one which allows you to operate at much lower pressures, achieving the same gallons per minute.*

*Commissioner Reyes: How much will one of those pumps to retrofit one of the trucks will cost?*

*Chief Zahralban: Ballpark figures that we've received so far are in the neighborhood of \$50,000 to swap a pump out from a single-stage to a dual-stage pump.*

*Commissioner Reyes: I'm asking you all those questions because I see that you have an item here that said, "Funding for one BearCat Armored Rescue Vehicle for Fire-Rescue Department to assist with hurricane response and active shooter situations for \$354."*

*Chief Zahralban: Yes, sir.*

*Commissioner Reyes: I think it's more imminent, and it -- to retrofit our trucks with that type of pumps and spend our money in that, because -- okay. I know what you're*

doing. You're getting ready for an event; that we have another Irma, we have another hurricane that we will get it. But as I do understand, the -- Police Department, they have two BearCats, right?

Chief Zahralban: Yes, sir. They have one BearCat and one larger vehicle.

Commissioner Reyes: Okay. Can we work together in case you need it? Because I don't know. My belief at this moment, Chief, is that we have more urgent needs, like those pumps, for example. And if we're going to spend money, you see, in a BearCat, I mean, I personally would like to be ready for the eventuality of a fire in one of those high-rises, and I will not like see -- I mean, it will be a shame to see that our firefighters, they cannot get water up there.

Chief Zahralban: Well, Commissioner, let me start by thanking you for those concerns, and those are concerns that we deal with on a daily basis; that I, as the Fire Chief, deal with on a daily basis. And really, what it comes down to is prioritizing your needs.

Commissioner Reyes: Yes, sir.

Chief Zahralban: And in this particular case, the two needs that you have identified, both have very high priority for the Department of Fire-Rescue. We have been working diligently. As a matter of fact, a memo sits on my desk as we speak in order to approve the high-rise plan moving forward to address some of issues that you've identified to ensure that we can get water to the highest levels of these high-rise buildings. And it's important to note that when we speak about being able to pump to the top level or the highest level of these high-rise structures, we're speaking about a redundant effort, because within the Code, as it exists, above a certain level, it requires project managers building these ultra high-rises to provide a water tank - - sometimes as large as 10,000 gallons of water -- at the top of the structure with sometimes four or five pumps in redundance -- in a redundant phase so that we can assure we have water. So actually, a fire truck pumping to the highest levels is -- would occur in the event that every other system in the building failed. Now we, as an emergency response entity, have to plan for that. We are planning for that. You are correct; it is among our highest priorities, but we intend to fund both of these initiatives.

Commissioner Reyes: You intend to fund money for --? Well, you want to -- you want the armored car and you want the pumps, too, now?

Chief Zahralban: So, we are actually -- with regard to the pumps, we are moving forward; not only with the modification of our new fire engines that we're purchasing, but retrofitting engines that we believe we need to retrofit in order to create a comprehensive response package. We will be doing that with existing capital dollars already in our budget.

Commissioner Reyes: Oh, but I don't see any request here for that.

Chief Zahralban: No, there is no request for that.

Commissioner Reyes: You have the money already?

Chief Zahralban: We have the money to --

Commissioner Reyes: Okay.

Chief Zahralban: -- to begin our initial efforts towards that ultimate goal of --

Commissioner Reyes: Okay.

Chief Zahralban: -- having as many dual-stage pumps as necessary.

Commissioner Reyes: And then I can -- you're assuring me that if -- in event that something like that happen that the Fire Department is ready to go and attack that fire?

Chief Zahralban: I can assure you that in all responses that involve fire or emergency medical services, we work on a daily basis to ensure that we are as prepared as humanly possible to give -- to provide the best service possible to the citizens and save the highest number of lives that we possibly can. Absolutely.

Commissioner Reyes: Now, what is the need for this BearCat Armor?

Chief Zahralban: Well, again, thank you for the question, Commissioner. There are two primary situations where it would require their use. The first situation would be, as you had mentioned, threatening weather events. In the Department of Fire-Rescue, we have guidelines that help us to indicate when it's safe to have units on the street and when to pull them off the street during an approaching hurricane. Now, what we've learned through experience is that these guidelines -- and they're exactly that, they are guidelines -- which, in large part, depend upon good officer judgment. We've also learned that this area is often gray. Officers are sometimes faced with a decision to waive the needs of the caller with the risk to the actual rescuer, and there will be times when a certain amount of risk must be taken because the reward of saving lives is so great. And when those issues arise, and the decision has to be made to engage -- and I'm looking at two potential vehicles for the mission at hand: one of them, a fire truck made of a fiberglass body with glass windows; the other made of reinforced steel, and glass that won't shatter if struck by falling debris or flying debris or a falling tree. I, as the Fire Chief, will always choose the path that offers the firefighter and the victim the safest environment possible and offers the mission the greatest potential for success. In active threat situations, they are no different. We're all aware of the tragedies that continue to occur around us in mass shootings involving sometimes children in all of our communities around the country. A few meetings ago, you heard the Police Chief assert and affirm that your Police Department and your firefighters are engaged and committed to providing victims with the greatest opportunity for survival. The only way to do that is through a progressive and an aggressive plan to get to the victims as quickly as possible. Now this is somewhat of a new concept for fire departments around the nation, because we recognize that waiting for police to guarantee that a scene is secured, as has been done in the past, does not give victims the greatest opportunity for survival. And we also recognize that in these situations, there are no guarantees. Our job is to remove the victim from the danger area, get them the life-saving care that they need -- definitive care that, in many cases, can only be achieved by getting them to an operating room -- while keeping them alive long enough simply to get them there. This requires that we put ourselves in harm's way. It gives them the best opportunity for survival, and this vehicle does exactly that. It gives them an extra layer of protection, personal protective equipment to be used by firefighters that are entering the most dangerous environments imaginable. And it's also important to note -- because I know this is a concern -- that their physical appearance will be that of a rescue truck, painted fire-engine red, with all of the decals that we place on all of our other fire apparatus, set up to medevac patients from a hostile environment, whether it be from a natural disaster or a man-made terror event.

Commissioner Reyes: They're going to be used only in case of -- in extreme cases, right?

Chief Zahralban: Yes, sir.

Commissioner Reyes: Going to be extreme cases. That has to be a natural -- a disaster like a hurricane or something else that happens.

Chief Zahralban: Yes, sir.

Commissioner Reyes: You know, I'm concerned that we spending 358 -- \$4,000, you see, in this vehicle that is going to -- I hope we never use it, you see. I hope we never use it -- when there are other needs that I think that should be addressed in the Fire Department and in the Police Department, and that's my only concerns. Okay.

Chief Zahralban: Thank you, sir. I do share in your concern, and --

Vice Chair Russell: Put your mike on.

Commissioner Gort: They turned them off.

Commissioner Reyes: Huh?

Vice Chair Russell: Is your mike on?

Commissioner Gort: It's off.

Chief Zahralban: (UNINTELLIGIBLE).

Vice Chair Russell: No, no.

Commissioner Reyes: Okay.

Vice Chair Russell: We need to capture (UNINTELLIGIBLE).

Chief Zahralban: I do share in your concern, and it is all about prioritizing our needs, but we also have to plan for worst-case scenarios and hope they never occur.

Commissioner Reyes: Don't forget about those pumps, please.

Chief Zahralban: Yes, sir.

Commissioner Reyes: Okay. Yes. Thank you.

Vice Chair Russell: Thank you, Commissioner Reyes. And Chief, I'm in full support of the vehicles that would allow our folks to help our community, because I know they would if they could. And if -- with the right tools, they will. And you'll remember during this last hurricane season, I spoke with you and I spoke with your predecessor about a friend of mine whose mother died during a hurricane, because EMT (emergency medical technician) couldn't get out. And it wasn't in our city, but they lacked the right tools as well. And so, I'm in full support of a vehicle that will allow us to get out during a hurricane to help someone who's having a stroke, a heart attack, or whatever the need may be. And I thank you for bringing it up. Does anyone else have any other questions about the budget? I --

Commissioner Reyes: (UNINTELLIGIBLE).

Vice Chair Russell: Thank you. And I would like to also --

*Commissioner Reyes: One thing --*

*Vice Chair Russell: Commissioner Reyes.*

*Commissioner Reyes: -- that I want also to express is that I am concerned about digging into our reserves. That is a major concern that I have. And I hope that we are going through all the departments and try to -- if -- try to identify any fat and try to cut it, you see, because I don't want us to get in the habit of digging into our reserves.*

*Mr. Rose: Yes, sir.*

*Commissioner Carollo: That's a very --*

*Commissioner Reyes: Commissioner Carollo.*

*Commissioner Carollo: Thank you, Vice Chair Russell. It's a very dangerous habit to get into, and particularly with the unknown situations that this City could be facing, but -- and this is why I want to see if -- through other budgets that we have on the block operations -- black ops operations -- if we could find some monies to make up for using general revenue funds; plus, get more transparency and clarity in where other monies are going to be spent that -- it's just a big number. What I'd like to do is, if I may, Mr. Chairman, now that you're back, is pull the --*

*Chair Hardemon: Commissioner?*

*Commissioner Carollo: Yes.*

*Chair Hardemon: And before you do that, we're in an unusual stage, if I may. We're in an usual stage. This is probably -- I haven't been here as long as you have. You've done this before many times over. You are --*

*Commissioner Carollo: Well, I've done it from both sides --*

*Chair Hardemon: Exactly, exactly. So --*

*Commissioner Carollo: -- Manager and Mayor.*

*Chair Hardemon: -- I know you know exactly what you are doing. And this is the first time that I've had an opportunity where there's a Commissioner that wants a continuance on a budget item, like the mid-year budget agreement, and a mid-year budget -- yeah, the mid-year budget and also, Francis, the budget itself. I mean, I just -- I'm thinking forward. There may come a time where a Commissioner says, "Look, you know, although we have two readings, I want a continuance on this." And so, it brings me to a pause, because I'm uncertain what it is and -- what it is that we need to do and how we need to do it. So ultimately, it all comes down to motions and seconds, unless we're limited by the law. Right? If we're limited by the law, we're limited by the law. And so, I want to understand why it is that there needs to be -- this item needs to be heard today, and whether or not it can withstand a continuance. Because if everything can go together, it's probably best, instead of bifurcating issues, et cetera; although that -- we know that things can be passed that way. But my concern is for the totality of the budget. We know that the budget is doing a number of different things. I mean, it's setting off -- I mean, it's an agreement that is changing really how our city government is moving forward for the rest of the year, but most importantly, for the budget for next year. You know, what type of budget is it going to be is going to tell us what type of government we're going to have, you know. And I think these are small steps that we're making*

towards that goal. But there are things in it that make, you know, good sense; things that, as a Commission, we've talked about positively: beautification of areas, adding more Code enforcement officers. So there are a number of things that are positive there: more officers, more firefighters. You know, there are a number of things that are identified --

Commissioner Carollo: More police

Commissioner Reyes: More police.

Chair Hardemon: -- you know -- right -- that are positive. So I want to understand exactly -- just exactly what it is that the law says, or where we are, because ultimately, I think what's going to happen is we're going to have to decide on whether or not we want a continuance. And, you know, for a budget item, that's a little difficult for me; and so, I'm trying to just have a better understanding of it all. You want to say something, Vice Chairman?

Vice Chair Russell: Yes. And right to your point, Mr. Chairman. I don't think we would be in this position if the Administration had led up to today with a much longer collaborative process with regard to this budget and the change of structure in the departments. My first briefing on this was that -- it was within this week, and so, it spurred a lot of questions and a lot of quick meetings with different departments to understand why and what, and I'm not happy. I really want to have a good handle on our budget before we approve it. I definitely have reservations about the change of the department structure with regard to resilience. I want to keep that discussion going. I don't want to vote down the budget. I don't want to cut it up. I want us to be in -- I want us to be unified with this with the Administration. And for that, I think that a continuance might be the right move. And if it's -- and if we're at the deadline because of whatever bureaucratic momentum brings us here, I don't care. I think that's up to the Administration to help us be ready for this day.

Commissioner Carollo: I thank you, Commissioner, for that. And let me say to you that I will be the first one to say, if we got to stay all night until tomorrow, because we got a legal deadline, we will do it.

Chair Hardemon: Listen, all I say is this: If we have to stay all night, I'm staying in his office, that guy over there on the end. He's the most hospitable of us all.

Commissioner Carollo: As long as they bring the steak sandwiches. That's how they got me that one meeting.

Commissioner Reyes: You know, I want to recognize this -- I -- certainly, I congratulate the Budget Director and the Administration. They have asked -- answered every single question that I had. And every time that I have made suggestions, they have taken it into consideration, and congratulations for your professionalism, sir.

Mr. Rose: Thank you.

Commissioner Carollo: I second that. He's been very attentive to all the questions I've asked him --

Commissioner Reyes: Yes.

Commissioner Carollo: -- hasn't played any games, so I truly appreciate that.

Commissioner Reyes: Yes.

*Chair Hardemon: And Commissioner Reyes, but how do you feel about the necessity of a continuance to address the budget?*

*Commissioner Reyes: I feel -- I mean, there are two of them, my colleagues. They have questions that they want to go deeper into it. And if it's not going to hurt us and we're not going to go beyond the deadline, I'm all for it.*

*Chair Hardemon: Okay. So you're recognized, sir.*

*Mr. Rose: Thank you, Mr. Chair, Commissioners. There are a couple of thoughts there. Number one is, in particular, the Electronic Plans Review. The transfer out of money to that project, the scope has increased greatly. So if we were to have a continuance, I would ask that that one move forward so that that project can continue.*

*Commissioner Reyes: I will move it.*

*Commissioner Carollo: Okay. Can -- I'll second it, but can I ask the Budget Director a question? How much in this budget that we -- well, that was approved -- because two of us weren't here then back in September -- how much of this budget year was reserves, that we have put in this year's reserves?*

*Mr. Rose: I'm going to total them up in my head, but there's --*

*Commissioner Carollo: Approximately, approximately, Chris. I won't hold you to it.*

*Mr. Rose: Sure. If I can do them in pieces, it will be --*

*Commissioner Carollo: Yeah.*

*Mr. Rose: There's \$5 million for Financial Integrity Principles that is standard, that we always put aside. There was also some reserve for collective bargaining. That is not the number that we were aiming towards. That would be bargaining in bad faith --*

*Commissioner Carollo: Sure.*

*Mr. Rose: -- but we had some money set aside for it.*

*Commissioner Carollo: I know you didn't put 200 million away, so --*

*Mr. Rose: Not 200 million, sir.*

*Commissioner Gort: Three.*

*Mr. Rose: We had a legal reserve of \$2 million. We also had 11 and change for the Building reserves, so we don't spend Building Department permit and inspection revenues somewhere else.*

*Commissioner Carollo: But let me cut through the chase.*

*Mr. Rose: Yes, sir.*

*Commissioner Carollo: What reserves did we have in this fiscal year's budget that we can move around any way we really want to that wasn't specified for legal or some of the other areas that you touched upon, approximately?*

*Commissioner Gort: 10.*

*Mr. Rose: Tough question to answer, sir. I apologize. Because each of the reserves had a purpose, so I can't say that there was any general reserve set aside. Now, there are reserves built up over the course of years that is sort of the fund balance of the general fund.*

*Commissioner Carollo: But usually, in every budget you have some monies set aside for general reserves, so you don't know what could happen, and you have it there that you can move it anywhere you need to within that budget.*

*Mr. Rose: That would be \$5 million --*

*Commissioner Carollo: Okay.*

*Mr. Rose: -- according to the Financial Integrity Principles.*

*Commissioner Carollo: All right, 5 million. Have we gone through that \$5 million already?*

*Mr. Rose: We would be going into reserves on a whole into prior year fund balance.*

*Commissioner Carollo: That's the 5 million. How much of it do we have left?*

*Mr. Rose: We still --*

*Commissioner Carollo: Approximately?*

*Mr. Rose: -- have that 5 million.*

*Commissioner Carollo: Okay.*

*Mr. Rose: We have not spent it.*

*Commissioner Carollo: So why do we need to make this -- or should I say, why do we need to approve this resolution that I second? If you got 5 million, you're okay. You have that that you could get from in this year's fiscal budget. Once we approve this, then you put that money back in the reserves that you took out from this year's fiscal budget. And let me rephrase that and -- for those that might not understand here. It's a big difference between your general reserves that you have every year from what you put in a budget; that you put it there thinking that you might need to spend it. If you don't, then that could be moved at the end of the fiscal year into the general reserves, or it could be moved into the following year's budget. So why can't we do it that way? I mean, you have the money; you're not hurting.*

*Mr. Rose: No, but I would still suggest that it takes Commission action to put it towards that particular project.*

*Commissioner Carollo: Okay.*

*Mr. Rose: I don't believe that's within the Manager's purview to do without Commission action.*

*Commissioner Carollo: Well, you might be right. I won't argue that; even though I think the Manager probably has some leeway on reserves on that, but for the sake of*

*being safe, I would go along with you on that. So the motion, I think, would have to be changed to instruct the Manager --*

*Commissioner Reyes: I want to clarify something, if I may? This fully fund and enhance Electronic Plans Review, those funds don't come from the general funds, right?*

*Commissioner Gort: No.*

*Mr. Rose: They are inside of the general fund, but they're restricted for the Building Department.*

*Commissioner Reyes: They are restricted funds, so it doesn't make any difference.*

*Mr. Rose: No, sir. I can be even more clear. It is not ad valorem property tax.*

*Commissioner Reyes: It's not ad valorem property taxes or the permits or any -- where they approve permits --*

*Mr. Rose: Yes, sir.*

*Commissioner Reyes: -- for everything that has to do with the Building Department.*

*Mr. Rose: Yes, sir.*

*Commissioner Reyes: So they are earmarked for Building Department functions, right?*

*Mr. Rose: Correct, yes.*

*Commissioner Reyes: And if we approve this -- I mean, there's nothing we can do with those funds but to use it in this type of activity or like getting new computers or whatever it is that affects the Building Department.*

*Mr. Rose: That's correct, sir.*

*Commissioner Reyes: Okay. So if we approve that, Commissioners, it doesn't -- I mean, that those funds will be used right now, and then we accelerate the Electronic Plans Review process. I don't -- it's not going to affect the budget in any other way.*

*Mr. Rose: Sir. Moving from one (UNINTELLIGIBLE).*

*Commissioner Reyes: Okay. So let's make a resolution to get this out and so you'll have it.*

*Mr. Rose: Thank you, sir.*

*Commissioner Reyes: Okay? How that's going to be read?*

*Commissioner Carollo: Well, instructing the Manager to -- or authorizing the Manager to get that from that 5 million reserve that we have, until we approve it and it's repaid back.*

*Chair Hardemon: Commissioner Gort.*

*Commissioner Reyes: There's no need for that*

*Mr. Rose: If I may, Commissioners? It would just be a transfer from the Building reserve in non-departmental --*

*Commissioner Reyes: That's right.*

*Mr. Rose: -- to a capital project --*

*Commissioner Reyes: Absolutely.*

*Mr. Rose: -- increasing the amount of that capital project.*

*Commissioner Reyes: That's it.*

*Commissioner Carollo: Yeah, but you never told me what we had in Building reserves. That's a difference.*

*Commissioner Reyes: Yes, sir.*

*Commissioner Carollo: What do we have in the Building reserves?*

*Mr. Rose: 11.3 million, so it is about 5 of that.*

*Commissioner Reyes: Okay.*

*Chair Hardemon: Commissioner Gort.*

*Commissioner Gort: The one thing is, when you come back, I'd like to know the one-time expense, because you're using a lot of these funds on one-time expense.*

*Mr. Rose: Yes, sir.*

*Commissioner Gort: And then the continued expenses after we have this, in other words, and how that's going to affect the future budgets.*

*Mr. Rose: I will do that, sir.*

*Commissioner Gort: Okay?*

*Mr. Rose: Okay.*

*Commissioner Gort: Thanks.*

*Commissioner Reyes: Okay.*

*Commissioner Carollo: Okay.*

*Chair Hardemon: Mr. Mayor? No? All right, so I believe there's a -- so --*

*Commissioner Carollo: Motion, and there's a second.*

*Chair Hardemon: -- I want to clarify what the motion is on the floor. Is it to --*

*Commissioner Reyes: The motion is to use the funds that we have in the Building reserves to fund -- to fully fund the Electronic Plans Review. That's it.*

*Mr. Rose: Yes, sir.*

*Commissioner Reyes: That's it.*

*Chair Hardemon: Okay. And how much is that item?*

*Mr. Rose: The Electronic Plans Review is -- it's actually in the next item, RE.11.*

*Chair Hardemon: Okay.*

*Mr. Rose: It's an additional 4.398 --*

*Commissioner Gort: 5.3.*

*Mr. Rose: -- million dollars.*

*Chair Hardemon: Million dollars. Okay.*

*Mr. Rose: Yes, sir.*

*Chair Hardemon: So --*

*Commissioner Carollo: What was that amount again?*

*Commissioner Gort: 5.23.*

*Mr. Rose: 5.23 is the total of Building reserves. We were actually going to supplement the Building Department's budget in this mid-year as well. The amount that is just Electronic Plans Review is 4.398, so it's not the full amount that Commissioner Gort is talking about.*

*Commissioner Carollo: Okay.*

*Chair Hardemon: Okay. So the motion on the floor is to transfer from the Building reserve to cover the cost of the Electronic Plans Review.*

*Mr. Rose: Yes, sir.*

*Vice Chair Russell: Second.*

*Mr. Rose: And amend the capital budget therein.*

*Commissioner Reyes: And amend the capital budget.*

*Mr. Rose: We would -- you would need to do that.*

*Commissioner Reyes: Yes, sir. That's it.*

*Chair Hardemon: So really, the motion --*

*Barnaby Min (Deputy City Attorney): Mr. Chairman.*

*Chair Hardemon: Yeah.*

*Mr. Min: May I?*

*Chair Hardemon: Go ahead, please.*

*Mr. Min: Can I suggest that this item simply be adopted, as amended, to address only the Electronic Plans, which is what is being requested by the Administration and based on the Commission? So we -- and then any future mid-year budget adjustment would be a separate legislative item that would come in the future. So this item would be adopted, as amended, because it does have ramifications with the capital plan -- that would be the next item. It would also be adopted, as amended, to only address the E-permit.*

*Chair Hardemon: Okay. So what that means, it's adopted as amen -- these items pass, as amended. Two weeks from now on the next agenda, it'll be another budget amendment. It's the mid-mid-year budget amendment.*

*Commissioner Carollo: Right.*

*Commissioner Reyes: Yes.*

*Chair Hardemon: Right?*

*Commissioner Reyes: You --*

*Chair Hardemon: And in that one, you'll have all of the --*

*Commissioner Reyes: And two years from now and everybody that goes over the budget and they are proposing certain changes and all that, we can amend it right there. Is that what you're saying?*

*Chair Hardemon: No. He's saying, they're going to present a new budget amendment item --*

*Commissioner Reyes: Okay.*

*Chair Hardemon: -- in two weeks so that -- and it'll include everything that was in the other one --*

*Commissioner Reyes: Okay, okay, fine.*

*Chair Hardemon: -- but it gives the Commissioners an opportunity to ask questions and make clarifications on the record, and then --*

*Commissioner Reyes: But that would --*

*Chair Hardemon: -- we vote on that.*

*Commissioner Reyes: -- not slow down the implementation of --*

*Chair Hardemon: That's correct.*

*Commissioner Reyes: That's fine.*

*Chair Hardemon: All right.*

*Commissioner Carollo: All right.*

*Chair Hardemon: All right. So there was no second just yet, so what I'll do is -- Commissioner Reyes, can I have from you a motion to approve the amended budget, as was stated by the City Attorney, for RE.10 and RE.11? And I think that will cover the bases.*

*Vice Chair Russell: Yes, sir.*

*Commissioner Reyes: Right.*

*Chair Hardemon: So I'll take his "right" as a motion. The Chair will second it. Is there any question or discussion about that?*

*Vice Chair Russell: We're only approving the one item of the E-Plans Review?*

*Chair Hardemon: That is correct.*

*Commissioner Reyes: That's right.*

*Vice Chair Russell: Which is worth every penny, by the way.*

*Commissioner Reyes: That's right. Absolutely.*

*Commissioner Carollo: That's correct.*

*Vice Chair Russell: I'll (UNINTELLIGIBLE), yeah.*

*Chair Hardemon: Okay. All right, it's been properly moved and seconded. All in favor of the item, say "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: All against? Motion passes, as amended.*

**RE.11**

**3822**

**Office of  
Management and  
Budget**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADDING CAPITAL PROJECTS TO THE FISCAL YEAR 2017-18 MULTI-YEAR CAPITAL PLAN ADOPTED WITH MODIFICATIONS ON SEPTEMBER 19, 2017 PURSUANT TO RESOLUTION NO. 17-0445 AND AS SUBSEQUENTLY AMENDED ON SEPTEMBER 28, 2017 PURSUANT TO RESOLUTION NO. 17-0475, ON OCTOBER 12, 2017 PURSUANT TO RESOLUTION NO. 17-0489, ON NOVEMBER 16, 2017 PURSUANT TO RESOLUTION NO. 17-0541, AND ON FEBRUARY 22, 2018 PURSUANT TO RESOLUTION NO. 18-0071, REVISING CURRENT APPROPRIATIONS AMONG APPROVED PROJECTS; FURTHER APPROPRIATING AND RE-APPROPRIATING FUNDING FOR THE EXISTING AND ADDED PROJECTS; 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 AND GRANTS IN PROGRESS.

**ENACTMENT NUMBER: R-18-0176**

<b>MOTION TO:</b>	Adopt with Modification(s)
<b>RESULT:</b>	ADOPTED WITH MODIFICATION(S)
<b>MOVER:</b>	Manolo Reyes, Commissioner
<b>SECONDER:</b>	Keon Hardemon, Chair
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item RE.11, please see "End of Consent Agenda" and Item RE.10.*

**END OF RESOLUTIONS**

**BU - BUDGET****BU.1****3240****Office of  
Management and  
Budget****BUDGET DISCUSSION ITEM****MONTHLY REPORT**

- I. SECTION 2-497 OF THE CITY CODE OF ORDINANCES  
(RESPONSIBILITIES OF THE DIRECTOR OF MANAGEMENT AND BUDGET)
- II. SECTION 18-502 (CITY'S ANTI-DEFICIENCY ACT)
- III. SECTION 18-542 (FINANCIAL INTEGRITY PRINCIPLES)

<b>RESULT:</b>	<b>DISCUSSED</b>
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*Chair Hardemon: All right, let's make our way back to the regular agenda. I want to -- let me bring my --*

*Commissioner Carollo: (INAUDIBLE).*

*Chair Hardemon: Okay. I'm going to try to get through -- we have nothing really on the agenda, but I want to call the Budget Director, then get the BU.1, and then -- and I know we have some discussion items, so -- but I'll recognize you first, sir.*

*Christopher Rose (Director): Good afternoon, Commissioners. Chris Rose, Office of Management & Budget. BU.1 is the monthly budget report. The report that was sent out to all of you on Tuesday was based on revenue and expenditure data from the end of March, marking the halfway point of the fiscal year. It does not assume the mid-year or any of the other things that we normally don't assume, such as labor negotiations and things that might happen; it only deals in what has happened. It is approximately \$200,000 higher than last month's budget projections, so it is very, very similar. I will encourage you to look through the details of the report at your leisure, but I will point out four brief items, two of which that are in the report and two that have come to light recently. We're cautiously watching Workers' Compensation and our healthcare costs; they have been inching up, and you will see it in the internal service fund projection that that negative number gets to be a larger negative number as we get a little deeper in the year. Also, what is not in the report are two items. Number one, we're watching park impact fees. It's not something we would normally project, but I want to tell you, year over year, we're 49 percent lower than we were. So this year is 49 percent lower than last year's park impact fee collections. That is not -- does not have direct bearing on the general fund, but it is a leading indicator of what's happening in the real estate market as a whole. Also, not in the report -- although, I'll admit, in the numbers deep inside but not called out -- is workforce. We're watching the workforce grant, and we're looking at a shortfall in what we will be reimbursed to the tune of about \$700,000. Now, this happened last year, and we, you know, made the adjustment in the year-end amendment, but I want to alert you that workforce is not going to be reimbursing as much as we had budgeted them for or as much as we thought according to the contract. So with those things, we're keeping a cautious eye on everything, and I'll be happy to take any questions you have.*

*Commissioner Carollo: Chairman, I do have a question.*

*Mr. Rose: Yes, sir.*

*Commissioner Carollo: Chris --*

*Mr. Rose: Yes, sir.*

*Commissioner Carollo: -- if the impact fees are going down by 50 percent or so, how much is our projections on additional income on real estate is going down?*

*Mr. Rose: So two answers to that question. Number one, we're watching impact fees themselves, although there is a balance in the fund, so we may have to actually use some of next year's impact fee funds to cover what we were expecting in this current year, limiting the amount that we have next year. But the expenditures are slow enough that we've got time to adjust to that as we go. More to your question, Commissioner, is those numbers by themselves probably will not in any way affect what we're looking at for development of next year's budget, but it probably will the following year's budget, because it's, again, a leading indicator --*

*Commissioner Carollo: Yeah.*

*Mr. Rose: -- so we're watching. But as we've been saying, property taxes are not going to accelerate as fast. That doesn't mean they're dropping; it just means they're not accelerating as fast.*

*Commissioner Carollo: Thank you.*

*Commissioner Gort: What's your projection for --*

*Mr. Rose: Yes, sir.*

*Commissioner Gort: -- this coming year?*

*Mr. Rose: I apologize.*

*Commissioner Gort: What's the projection for this coming year?*

*Mr. Rose: We're currently using --*

*Commissioner Gort: 7 percent?*

*Mr. Rose: -- an 8 percent right now that we're looking at. We've been talking with our friends at the County's Property Appraiser, and they've indicated more of a seven and a half percent, but we think it might be closer to 8 percent right now, and it may be -- you know, we won't know until June 1. If I could make one -- two more brief announcements. We're working with Commissioner Russell's office on scheduling the workshop for next week on the mid-year budget, and we have scheduled community budget meetings throughout the City, starting -- I have it here - - May 7, continuing on to May 22, and there will be five different locations throughout the City, so I invite everyone to attend.*

*Chair Hardemon: Thank you very much, sir.*

*Mr. Rose: Thank you, Commissioners.*

## **END OF BUDGET**

**DI - DISCUSSION ITEMS****DI.1****DISCUSSION ITEM****3702****Department of  
Community and  
Economic  
Development**

DISCUSSION ON THE EXPLORATION OF ALL OPTIONS FOR THE CREATION OF A HOUSING AUTHORITY/HOUSING DEPARTMENT.

<b>MOTION TO:</b>	<b>Withdraw</b>
<b>RESULT:</b>	<b>WITHDRAWN</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Reyes
<b>ABSENT:</b>	Carollo

*Note for the Record: For minutes referencing Item DI.1, please see "Order of the Day."***DI.2****DISCUSSION ITEM****3969****Commissioners  
and Mayor**

DISCUSSION REGARDING THE CITY MANAGER.

<b>RESULT:</b>	<b>DISCUSSED</b>
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*Chair Hardemon: So what we have left are discussion items, DI.2 and DI.3.**Commissioner Carollo: Okay.**Chair Hardemon: Commissioner Carollo, are those yours?**Commissioner Carollo: Yes, they are. Let me go into DI.2. I have gotten some resolution in what I was bringing up between last meeting and this meeting. The rest of it, I hope to get the additional information. So I will roll this to the next Commission meeting, tentatively.**Chair Hardemon: Okay.**Commissioner Carollo: And if I have all that I need, I might deal with it or not.*

DI.3

3970

Commissioners  
and Mayor**DISCUSSION ITEM**

DISCUSSION REGARDING CHARTER AMENDMENTS.

RESULT:	DISCUSSED
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*Commissioner Carollo: On -- so let's go to DI.3 [sic] discussion, the Charter amendments. What I originally had intended here was to add some simple language to one part of the Charter that I thought needed to be amended, but when I saw that by me doing that, it pushed the super strong Mayor petition that the Clerk received, I think it'd be more appropriate now to discuss some other areas. And basically, what I'd like to have the City Attorney do is the following, so it could be brought up to us at the next meeting that we have. And depending on the time frame, we either deal with this in August or November, but I think we should deal with everything altogether, not piecemeal. And what I'd like the City Clerk [sic] to do and bring back to us are the following Charter changes; and while it might seem there's a lot of work, it really is not, because we even have local bodies that are close by that all have similar languages [sic] to the bulk of what I'm going to present here. I'd like the City Attorney to bring back a Charter change that will be similar to the one the County has, or other regular strong Mayor municipalities in the United States, that will have a traditional strong Mayor with the separations between the executive, meaning the Mayor, and legislative branches, meaning the Commission or council. Secondly, I'd like a second Charter proposal that would bring, for possible voter approval, this Commission to go back to the form of government that we originally had before we had this one now that we're working under, where all five elected officials running for office citywide would run citywide, with the Mayor acting as Chairman, and with a Manager, as we have now and as we had in the past. I'd like a third potential Charter change to be drafted that would be the same as the last that I described, with the exception that you would have four Commissioners that would be running from districts in the City, and a Mayor running citywide that would preside as Chairman, with a Manager to administer the City. A fourth Charter proposal that I'd like the City Attorney's Office to draft and get to us would be a Charter change for five district Commissioners, like we have now, with one additional Commissioner to run citywide, and a Mayor to run citywide; whereas the Mayor would serve as Chairman of a seven-member Commission, with a Manager. A fifth Charter change proposal that I would like the City Attorney's Office to provide for us for consideration would be as Broward County has. This is the second largest County government in South Florida and I believe the second largest in the state, where they have a Commission/Manager form of government by districts, where Commissioners, like now, are elected by districts, but no Mayor is elected. The Commission can pick either its own Mayor or, if you want, call the Chairman, but whoever the Commission picks as Mayor would serve as the Chairman. And last but not least, to provide us with what I call the "Caesar" Mayor form of government; that you have only the Mayor that gets elected. No Manager, no Commission, and the Mayor decides all.*

*Vice Chair Russell: How'd that go for Caesar?*

*Commissioner Carollo: Huh? Well, that's how Caesars used to rule. So, if you could provide us with those six potential Charter changes so that they could be discussed here, hopefully, at the next meeting, and we could go from there.*

*Victoria Méndez (City Attorney): Okay.*

*Commissioner Carollo: If there are any other forms that I missed that anybody else would like to bring up --*

*Vice Chair Russell: He didn't miss much.*

*Chair Hardemon: No. Okay. That covers DI.3?*

*Commissioner Carollo: That covers DI.3.*

*Chair Hardemon: Any -- there aren't any other discussion items, there aren't any other things on the agenda, so guess what, guys? All minds and hearts clear, meeting adjourned.*

**END OF DISCUSSION ITEMS**

**PUBLIC COMMENT PERIOD FOR PLANNING AND ZONING ITEM(S)****PART B: PZ - PLANNING AND ZONING ITEM(S)**

The following item(s) shall not be considered before 2:00 PM:

**PZ ORDER OF THE DAY**

*Chair Hardemon: (INAUDIBLE) Miami City Commission. The first thing that I'd like to do is -- Mr. Clerk, I know that the -- Francisco Garcia wants to make an announcement of all the continuances for the PZ (Planning & Zoning) agenda, so I'd like to take those at this time.*

*Francisco Garcia (Director, Planning): Mr. Chair and Commissioners, I am advised that, because all of the items are going to be continuances, I do not need to actually open up the Planning & Zoning meeting, per se. Confirmed?*

*Chair Hardemon: No. We're fine.*

*Mr. Garcia: Very good.*

*Chair Hardemon: It was always the Clerk. I think the Clerk has some new technology now that allows him to do things very quickly. I don't know what the explanation is, but I always get a thumbs-up, you know. But we know the Clerk is good, so it has to be the technology, you know.*

*Victoria Méndez (City Attorney): Right. The thing --*

*Todd B. Hannon (City Clerk): We'll always let you know, but we're good to go right now.*

*Ms. Méndez: I wasn't going to read this, because it seems like if --*

*Chair Hardemon: Yeah, there's going to be -- oh, okay, okay. That's what you mean.*

*Ms. Méndez: That's what he meant.*

*Chair Hardemon: So do you -- if it -- there -- I think the entire agenda is being continued, as I understand, so.*

*Mr. Garcia: That is correct, sir, and I'm happy to read the specifics into the record.*

*Chair Hardemon: Please. Go ahead.*

*Mr. Garcia: Very well. As pertains to Item PZ.1, the request is to remand the item back to the Planning, Zoning & Appeals Board for amendments to the application, as appropriate. As pertains to Items PZ.2 and PZ.3, the request is to continue to May 24. As pertains to Item PZ.4, the request is to continue to May 24 as well; PZ.5, also to May 24; and Items PZ.6 and PZ.7, which travel with Item FR.1, are likewise going to be continued to May 24; and lastly, PZ.8 is requested to be heard on May 24 as well.*

*Chair Hardemon: Is there a motion in accordance with it? It's been properly moved by the Vice Chairman; seconded by the Chairman. Any further discussion on the motion to continue these items and also the remanding of PZ.1? Seeing none, all in favor, say "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: All against?*

*Mr. Garcia: Thank you.*

*Chair Hardemon: That motion carries.*

**PZ.1**

**1049**

**Department of  
Planning**

**ORDINANCE**

**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 1247 SOUTHWEST 4 STREET AND 1244 SOUTHWEST 3 STREET, MIAMI, FLORIDA, FROM T4-L, "GENERAL URBAN TRANSECT ZONE - LIMITED", TO T5-O, "URBAN CENTER TRANSECT ZONE - OPEN"; ACCEPTING THE VOLUNTARY PROFFER OF A RESTRICTIVE COVENANT RUNNING WITH THE LAND; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	<b>Remand to Planning, Zoning and Appeals Board</b>
<b>RESULT:</b>	<b>REMANDED TO PLANNING, ZONING AND APPEALS BOARD</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: For minutes referencing Item PZ.1, please see "PZ Order of the Day."*

**PZ.2****1675****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION OF 1.05± ACRES OF REAL PROPERTIES AT APPROXIMATELY 2124, 2126, AND 2130-2132 SOUTHWEST 7 STREET AND 2109 SOUTHWEST 8 STREET, MIAMI, FLORIDA FROM "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.2 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.2, please see "PZ Order of the Day."*

**PZ.3****1676****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION FROM "T4-L", GENERAL URBAN TRANSECT ZONE-LIMITED, TO "T5-O", URBAN CENTER TRANSECT ZONE-OPEN, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2124, 2126 AND 2130-2132 SOUTHWEST 7 STREET AND 2109 SOUTHWEST 8 STREET, MIAMI, FLORIDA; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.3 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.3, please see "PZ Order of the Day."*

**PZ.4****3705****Department of  
Planning****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING/DENYING THE APPEAL FILED BY THE PALM GROVE HISTORIC PRESERVATION BOARD, BOB POWERS, ALISA CEPEDA, AND THE MIMO BISCAYNE ASSOCIATION BOARD (COLLECTIVELY, "APPELLANTS") AND REVERSING/AFFIRMING THE DECISION OF THE MIAMI HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD'S APPROVAL WITH CONDITIONS, PURSUANT TO SECTION 23-6.2(4) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AN APPLICATION FOR A SPECIAL CERTIFICATION OF APPROPRIATENESS FOR THE DEMOLITION OF A NON-CONTRIBUTING STRUCTURE AND THE NEW CONSTRUCTION OF A FIVE-STORY MULTI-FAMILY RESIDENCE, WITH A ROOFTOP TERRACE, LOCATED AT APPROXIMATELY 571 NORTHEAST 67 STREET, MIAMI, FLORIDA, WITHIN THE PALM GROVE HISTORIC DISTRICT.

<b>MOTION TO:</b>	<b>Continue</b>
<b>RESULT:</b>	<b>CONTINUED</b>
<b>MOVER:</b>	<b>Ken Russell, Vice Chair</b>
<b>SECONDER:</b>	<b>Keon Hardemon, Chair</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.4 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.4, please see "PZ Order of the Day."*

**PZ.5****3706****Department of  
Planning****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING/DENYING THE APPEAL FILED BY JAMES ROSENBERG AND OTHERS, AS LISTED ON THE APPEAL LETTER FOR MORNINGSIDE PARK ("APPELLANTS"), AND REVERSING/AFFIRMING OR MODIFYING THE DECISION OF THE MIAMI HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD'S APPROVAL, PURSUANT TO SECTION 23-4 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, OF THE FINAL EVALUATION OF LOCAL DESIGNATION AS A HISTORIC RESOURCE FOR THE PROPERTY LOCATED AT APPROXIMATELY 5215 NORTHEAST 7 AVENUE, MIAMI, FLORIDA, WITH THE FOLIO NUMBER 01-32190230010, ALSO KNOWN AS "MORNINGSIDE PARK."

<b>MOTION TO:</b>	Continue
<b>RESULT:</b>	CONTINUED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Keon Hardemon, Chair
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.5 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.5, please see "Order of the Day" and "PZ Order of the Day."*

**PZ.6****3698****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN OF THE CITY OF MIAMI, FLORIDA, ("MCNP") BY ADDING A POLICY TO THE FUTURE LAND USE ELEMENT OF THE MCNP TO ACCOMMODATE A RESIDENTIAL DENSITY INCREASE WITHIN TRANSIT ORIENTED DEVELOPMENT AREAS UP TO FIFTY PERCENT (50%) WHEN NEW DEVELOPMENT TRANSFERS UNUSED DENSITY FROM A CONTRIBUTING HISTORICALLY DESIGNATED SITE.

<b>MOTION TO:</b>	Continue
<b>RESULT:</b>	CONTINUED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Keon Hardemon, Chair
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.6 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.6, please see "Order of the Day," "PZ Order of the Day," and Item FR.1.*

**PZ.7****ORDINANCE****First Reading****3110****Department of  
Planning**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, MORE SPECIFICALLY BY AMENDING ARTICLE 3, SECTION 3.3, ENTITLED "LOTS AND FRONTAGES," ARTICLE 4, DIAGRAM 9, ENTITLED "RESIDENTIAL DENSITY INCREASE AREAS," AND ARTICLE 4, DIAGRAM 11, ENTITLED "TRANSIT ORIENTED DEVELOPMENT," TO PROVIDE OR TO ALLOW FOR THE TRANSFER OF RESIDENTIAL DENSITY FROM HISTORICALLY DESIGNATED SITES TO PROPERTIES WITHIN TRANSIT ORIENTED DEVELOPMENT ZONES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	Continue
<b>RESULT:</b>	CONTINUED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Keon Hardemon, Chair
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.7 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.7, please see "Order of the Day," "PZ Order of the Day," and Item FR.1.*

**PZ.8****ORDINANCE****First Reading****3001****Department of  
Planning****TO BE DEFERRED**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO AMEND APPENDIX A, ENTITLED "NEIGHBORHOOD CONSERVATION DISTRICTS", REPLACING SECTION A-2: "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE (NCD-2)" AND SECTION A-3: ENTITLED "COCONUT GROVE NEIGHBORHOOD CONSERVATION DISTRICT (NCD-3)" WITH NEW REGULATIONS, STANDARDS, AND GUIDELINES FOR FUTURE DEVELOPMENT WITHIN THE COCONUT GROVE NEIGHBORHOOD CONSERVATION DISTRICT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

<b>MOTION TO:</b>	Continue
<b>RESULT:</b>	CONTINUED
<b>MOVER:</b>	Ken Russell, Vice Chair
<b>SECONDER:</b>	Keon Hardemon, Chair
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

*Note for the Record: Item PZ.8 was continued to the May 24, 2018, Planning and Zoning Commission Meeting.*

*For minutes referencing Item PZ.8, please see "PZ Order of the Day."*

**END OF PLANNING AND ZONING ITEM(S)**

**M - MAYOR AND COMMISSIONERS' ITEMS**

**CITYWIDE**

**HONORABLE MAYOR FRANCIS SUAREZ**

**END OF CITYWIDE ITEMS**

**D1 - DISTRICT 1**

**COMMISSIONER, DISTRICT ONE WIFREDO (WILLY) GORT**

**END OF DISTRICT 1 ITEMS**

**D2 - DISTRICT 2**

**VICE CHAIR KEN RUSSELL**

**END OF DISTRICT 2 ITEMS**

**D3 - DISTRICT 3**

**COMMISSIONER, DISTRICT THREE JOE CAROLLO**

**END OF DISTRICT 3 ITEMS**

**D4 - DISTRICT 4**

**COMMISSIONER, DISTRICT FOUR MANOLO REYES**

**END OF DISTRICT 4 ITEMS**

**D5 - DISTRICT 5**

**CHAIR KEON HARDEMON**  
**END OF DISTRICT 5 ITEMS**

**FL - FUTURE LEGISLATION**

FL.1

**RESOLUTION**

3911

***Office of  
Management and  
Budget***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 18, ARTICLE III, SECTION 18-115 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "FINANCE/CITY OF MIAMI PROCUREMENT ORDINANCE/ACCEPTANCE OF DONATIONS," TO STRIKE THE PHRASE "GOODS AND SERVICES" FROM THE LANGUAGE OF THE SECTION; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>
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**END OF FUTURE LEGISLATION**

**NA - NON-AGENDA ITEM(S)****NA.1****4078****Office of the City  
Clerk****DIRECTIVE**

DIRECTION BY COMMISSIONER CAROLLO TO THE CITY MANAGER TO RESEARCH THE AMOUNT OF LAND AND BUILDINGS THAT ARE OCCUPIED BY NON-PROFITS WITHIN THE CITY OF MIAMI LIMITS, AT-LARGE, AND CALCULATE IF THERE IS ANY REVENUE LOSS FOR THE CITY. SAID FINDINGS SHOULD BE REPORTED BACK TO THE CITY COMMISSION WITHIN THE NEXT 30 TO 60 DAYS.

<b>RESULT:</b>	<b>DISCUSSED</b>
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*Note for the Record: For additional minutes referencing Item NA.1, please see "End of Consent Agenda."*

*Commissioner Carollo: Mr. Manager, could you try to get for this Commission -- hopefully in the next 30 days, if it's possible, but if not, 60 days, at least -- how much land -- buildings there is in City of Miami limits that are nonprofit, and how much are we losing each year in revenue that otherwise we would get if those nonprofits were not in the City of Miami?*

*Commissioner Reyes: Yes.*

*Commissioner Carollo: Because I think you're going to find that well over 70 percent of the nonprofits in Greater Miami-Dade County -- it may be even more than that -- are inside City of Miami limits, and we're carrying the whole burden for all of Greater Miami; whereas we're providing service to these nonprofits, but we're not getting the revenues, and that's hurting us tremendously. And I think that we need to have a real heart-to-heart conversation with Miami-Dade County, in particularly [sic], that funds a lot of them, that they need to spread them out in other parts. We shouldn't be taking the burden of losing so many millions and tens of millions of dollars that this City could be getting from property taxes, just because other governments want to dump all the nonprofits in the City of Miami.*

*Emilio T. Gonzalez (City Manager): Yes, sir, be happy to do that. Are you -- just to be clear, is this nonprofits writ large, or are these nonprofits that are --*

*Commissioner Carollo: At large (UNINTELLIGIBLE).*

*Mr. Gonzalez: -- dedicated to helping the homeless?*

*Commissioner Carollo: At large.*

*Mr. Gonzalez: Yes, sir.*

*Commissioner Carollo: Nonprofits at large.*

*Mr. Gonzalez: Will do. Thank you.*

*Chair Hardemon: Seeing no further questions or concerns, all in favor of the motion, say "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: All against? Motion passes.*

**NA.2**

**4077**

**Office of the City  
Clerk**

**DISCUSSION ITEM**

SUNSHINE MEETING REQUEST BY COMMISSIONER CAROLLO  
REGARDING THE 2018 MID-YEAR BUDGET AMENDMENTS.

<b>RESULT:</b>	<b>DISCUSSED</b>
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*Commissioner Carollo: One additional item, Chairman; that I don't know if you need it to be approved now.*

*Chair Hardemon: No. I think it'll be -- I think we can do it -- bring it back with everything else --*

*Commissioner Carollo: Okay.*

*Chair Hardemon: -- and it'll be included.*

*Commissioner Carollo: But if you need it now --*

*Chair Hardemon: Understood.*

*Commissioner Carollo: I'll make the resolution.*

*Chair Hardemon: Understood.*

*Commissioner Carollo: One more item, if I may. Commissioner Russell, if I could politely ask you -- since you are good at this, and next week I'm going to be a little hectic -- put one of those sunshine meetings for you and I to have, and hopefully, the other members of the Commission would come in also. You know, anyplace you'd like to; just work out your schedule with mine, because I think it'll be important before we come back at this. I'll be able to speak to you about certain dollars that I have found that would affect areas that are right in the boundary of your district and my district that we could both work together on.*

*Vice Chair Russell: Sunshine meeting regarding the upcoming budget amendments, gladly.*

*Commissioner Carollo: Thank you.*

*Commissioner Reyes: Okay. Question --*

*Commissioner Carollo: And parks. If you could put there, "parks."*

*Commissioner Reyes: -- I have a question. In that sunshine meeting, can we participate, also? And we can talk about --*

*Commissioner Carollo: Absolutely.*

*Commissioner Reyes: -- 17th Avenue.*

*Vice Chair Russell: Anyone can.*

Commissioner Carollo: Yeah, yeah; absolutely.

Commissioner Reyes: We can talk about a street, that it borders your district and my district --

Commissioner Carollo: Yeah.

Commissioner Reyes: -- and what we have to do for it.

Commissioner Carollo: Yeah. That's why I said --

Commissioner Reyes: Okay.

Commissioner Carollo: -- that I suggested everybody tries to come, if possible.

Commissioner Reyes: Okay. Fantastic.

Commissioner Carollo: Okay.

Chair Hardemon: All right, the meeting is in recess until 2 o'clock.

**NA.3**

**4072**

**Commissioners and  
Mayor**

### **RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY ADMINISTRATION TO AMEND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), TO REQUIRE WARRANT APPLICATIONS BE REVIEWED BY THE DISTRICT COMMISSIONER FOR THE DISTRICT IN WHICH THE PROPERTY IS LOCATED FOR AT LEAST THIRTY (30) DAYS PRIOR TO ACCEPTANCE OF A COMPLETE APPLICATION BY THE CITY OF MIAMI'S PLANNING DEPARTMENT.

**ENACTMENT NUMBER: R-18-0173**

<b>MOTION TO:</b>	<b>Adopt</b>
<b>RESULT:</b>	<b>ADOPTED</b>
<b>MOVER:</b>	<b>Joe Carollo, Commissioner</b>
<b>SECONDER:</b>	<b>Wifredo (Willy) Gort, Commissioner</b>
<b>AYES:</b>	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: What I'll do now is I'll call your pocket item, Commissioner.

Commissioner Carollo: Thank you.

Chair Hardemon: Madam City Attorney, before -- Madam City Attorney?

Victoria Méndez (City Attorney): Yes, Chairman.

Chair Hardemon: On the pocket item, I mean, I'll allow the district Commissioner to present it, but the "whereas" clauses, I'm sure when you drafted the resolution, you didn't include the language that usually speaks to it being an emergency and it need to be handled in a manner more timely, because, you know, we have to deem it to be -- for a pocket item, we have to deem it to be an emergency sort of item to talk about.

*So I don't know the language. Whatever the language is that's used -- I've seen them in other resolutions.*

*Ms. Méndez: Okay. I can amend it --*

*Chair Hardemon: Whatever it is, it needs --*

*Ms. Méndez: -- but it's --*

*Chair Hardemon: -- to be amended --*

*Ms. Méndez: Right.*

*Chair Hardemon: -- to include that.*

*Ms. Méndez: Right. The main thing that -- a pocket item can't have a fiscal impact, and it definitely doesn't have that, so that's why it could be -- when it does have a fiscal impact, that's when it definitely has to have the emergency language, but I know what you're talking about. I will double check all that.*

*Chair Hardemon: Okay.*

*Commissioner Carollo: And that's well-taken, Chairman. That's correct that you asked for. The -- this item --*

*Chair Hardemon: If you could, you could just read the title.*

*Commissioner Carollo: Yeah.*

*The Resolution was read by title into the public record by Commissioner Joe Carollo.*

*Chair Hardemon: Is there any member from the public that'd like to make a comment on this item? Seeing none, I'll close the public hearing at this time. You can continue.*

*Commissioner Carollo: Basically, I've been running to situations that warrants are being given out; my office knows nothing about it. I don't know if some of you are going through the same thing, but back when I was last here, as Mayor, we didn't have these warrants. Most of all we dealt with was brought up here in the Commission. Now, with the warrants, it's become much more liberal than in the past that people in the Administration can decide, and when Commissioners find out about it is when something's been approved; when the public finds out about it is when something's been approved. So by putting a resolution that there's a procedure so that before anything goes out, each district Commissioner can see what is being asked for in his district, so if he has any suggestions that he wants to give or any input, he could give them; and if he wants to make sure that the public is aware of it, he would have the opportunity to also do that. And I think that would serve this City a lot more to go about it in this fashion than in the way that we've been doing it.*

*Chair Hardemon: Is there any other discussion about it?*

*Commissioner Gort: I'll second the motion. Discussion. We do receive --*

*Chair Hardemon: Mover is Commissioner Carollo.*

*Commissioner Gort: -- the information from the Planning Department, but we received it two or three days before it's going to be granted. I have stopped some of them that really been affected within my district. I think it'd be a good idea if we receive -- I mean, when they start the application, we can receive the information on what kind of application it's going to be -- not to delay the warrant anymore, because a warrant today takes about nine month?*

*Francisco Garcia: With your permission, for the record, Francisco Garcia, Planning Director. Warrants, Commissioner, it may surprise you to learn -- are intended to take no more than 45 days, and that's a time frame that's set forth in the Zoning Ordinance, actually. That said, because the intent of the warrant process itself is to ensure that whatever development proposal is applied for does not have a negative impact on the abutting properties, because that's the intent. More often than not, what happens is in meeting with the applicants, we advise the applicants as to what components of the proposal may have an adverse impact, to what extent the design may need to be changed to diminish or attenuate the adverse impact. And in that back and forth, there is a consensual agreement to prolong the 45 days that otherwise it would take --*

*Commissioner Gort: Right.*

*Mr. Garcia: -- until everyone is satisfied that the warrant and the proposed project comply with the intent of the ordinance and can ultimately be approved, typically with a significant number of conditions.*

*Commissioner Gort: Now I understand the NET (Neighborhood Enhancement Team) Office get involved, but if you can send us -- as soon as the application comes up, we can look at it, and we can make some recommendations, which will help in maybe expediting. Thank you.*

*Mr. Garcia: Absolutely.*

*Vice Chair Russell: Mr. Chairman.*

*Chair Hardemon: Please.*

*Vice Chair Russell: My office does get notice of all warrants at the same time as, you know, when -- I mean -- we've got the full 30 days, like anyone else, to look at it already, but certainly, I hear from residents a lot with regard to warrants that they don't feel the notice procedure is robust enough; that it's not clear enough; that they know what their rights are as an abutting neighborhood, for example, or -- So I would certainly be in favor of improving the notice process, perhaps even to the Commissioners, as well, to raise, you know, awareness of which ones are coming and when, but I do not want to prolong the process. I don't want to slow businesses down from being able to open up. You know, development that's -- you know, time is money in terms of us trying to make a lien procedure that creates affordability just organically. We want to streamline our system, so I don't want us to be the bottleneck in the system. I just -- If there's good notification and if we're getting our notice on time and we do our homework, I don't think anything gets -- falls through the cracks or is found to be in the dark. So I'm satisfied with the time frame, but I'm certainly in favor of improving the robust notification.*

*Mr. Garcia: I'd like to mention, Commissioner, that we are actively working with the Innovation Office, with Mike Sarasti, to try to make that notification process not only more robust, but also more reliable and more transparent. As pertains to copying and advising the various Commissioners' offices as to any applications that we receive, that is certainly both the intent and the requirement. I hear loud and*

clear from Commissioner Carollo that we may not have risen up to that level of expectation. I need to look into it to see what may have happened, but not only is it our commitment, but we're also required to provide notification to your respective offices as to any warrants that are applied for, not only in your respective districts, but actually citywide.

Vice Chair Russell: I have a question. Would this, as written, add 30 days to the process? Or would this -- that 30 days overlap with the existing 30 days of --? If I understand, this would add 30 days, and if that's the case, I'm a "no" on this.

Mr. Garcia: I defer to the Commissioner, but I believe that's the intent, is to add 30 days.

Commissioner Carollo: That was the intent, but I think Commissioner Russell's brought something to give some thought to. I don't care if it goes with the other 30 days so that we don't put more time into it, but I wanted 30 days that we need notification on. What I've been seeing is that I have been getting some from other districts. I was wondering why; now you've explained to me more. But from my own district, I've seen very little. In fact, I get surprises when I hear that things are coming before Code Enforcement Board, other boards, that we never knew anything about warned warrant being a process. So having said that, I don't mind amending this resolution to placing it within those 30 days, but we need, I believe, a good 30 days to really look at this.

Chair Hardemon: So that's -- the mover is willing to accept that amendment. Secunder as well?

Commissioner Gort: Accepted. My understanding is, we're going to receive notice as soon as the application is there, so we don't have to delay another 30 days. Okay, yes --

Commissioner Reyes: Excuse me.

Commissioner Gort: -- accept.

Commissioner Reyes: I don't think that has to be any delay. It's -- as if -- as soon as they receive the request for the warrant, they let us know what's going on. I mean, we are informed immediately, you see. We'll be within the time that it takes. But the important thing that I agree with Commissioner Carollo is that we have to be informed.

Vice Chair Russell: So what's the specific amendment? I'm sorry. I just want to capture it.

Ms. Méndez: For it to be concurrent versus adding the 30 days. If it's adding to the process, I have to bring an ordinance change. If it's making it concurrent, this should suffice to make the amendments. So is that something that can be done that it's concurrent with a -- but it gives the Commissioners the 30 days? I think you have to timeline it, basically.

Mr. Garcia: Certainly the case. We will redouble our efforts to ensure that happens. It should have been happening. To the extent that it isn't, I'm here to assure you that it will. The one last note that I wanted to make for clarification purposes is this: We will not forward any documentation regarding the warrants until we deem that the application is complete. What happens sometimes is that the applicant comes in with scant information that doesn't really explain the project well. And rather than confusing anyone as to what may be happening, we prefer for

*it to be perfectly complete. Once that's the case, you, along with many others, will be the first to know.*

*Commissioner Carollo: Thank you.*

*Vice Chair Russell: So what does the Code ask for right now -- or what does the Code require right now in terms of the Commissioner notification? Is it 30 days as we -- as it is currently?*

*Mr. Garcia: That you receive -- that you, the Commissioners' office, receive notification upon completion of the application.*

*Vice Chair Russell: And is there any time frame prior to it being approved that we have the ability to review it?*

*Mr. Garcia: No less than --*

*Commissioner Gort: No.*

*Mr. Garcia: -- 45 days.*

*Vice Chair Russell: No less than 45 currently.*

*Mr. Garcia: Correct.*

*Vice Chair Russell: So that potential change to this actually would reduce that amount, because right now, if it's -- we're required to have 45 days' notification. It's -- either it's not being complied with for Commissioner Carollo's office or it's not robust enough in terms of its notification in one way or another.*

*Mr. Garcia: Right. I say again, it should be the case that you receive no less than 30 days. Certainly, 30 days is a very reasonable time to request. To the extent that that has not happened to your expectation, then I need to find out why, but I can certainly commit that your request here will be complied with.*

*Vice Chair Russell: So does that mean we need this?*

*Chair Hardemon: Right. So the law, if you will -- the rules say that it's no less than 45 days, so that's what should be complied with.*

*Mr. Garcia: That's correct.*

*Chair Hardemon: And what you've explained is that, because you're waiting on a complete application, then that less than -- no less than 45 days sometimes occurs. Sometimes it's two days, sometimes it's five days, sometimes it's 10 days.*

*Mr. Garcia: No, because unless the application is complete -- just to be very clear -- the time does not begin to toll.*

*Chair Hardemon: Okay.*

*Mr. Garcia: Right? So we reserve the right to withhold the application until we deem it complete. It is from that receipt of the complete application that the notifications go out. Yours -- your respective offices should be notified, along with all the other registered stakeholders, and we cannot issue that warrant earlier than 45 days. And part of that has to do with the fact that the notifications that are*

received by the abutting property owners have to also allow for a 15-day appeal period for any of those who may want to appeal the issuance of the warrant.

Chair Hardemon: So the question is, the resolution that's before us today, one, is it necessary? I mean, do you have enough ammunition, if you will, to solve this issue? Or is it something that Commissioner Carollo needs to pass for us to all come to an understanding about what he's expecting?

Commissioner Carollo: Well --

Ms. Méndez: As drafted, this was adding 30 days to the process --

Commissioner Carollo: As drafted.

Ms. Méndez: -- to ensure that --

Commissioner Carollo: But now that I've heard what the Planning Director has had to say, then what I'd like to do is amend the resolution to say that we get it 30 days from the minute you get any application, complete or not, because from what I'm hearing from the Planning Director, most are not complete once he gets the initial application, so that would give us a head start in knowing what's going on, not at the tail end.

Mr. Garcia: Very well. If that is the case, and in order to make sure that I understand completely, we will introduce a new feature, which is to advise, in particular, the Commissioners' offices, and possibly the Mayor and the City Manager, as well, immediately upon receipt of any official document that is intended to go towards the application of a warrant, right? That way, you will know first -- all of you will know first that the intent is there. What may happen after that is either that the warrant will not come to full completion -- so it's withdrawn prior to formal application -- or that it will progress into final application; then we will, once again, notify you that the complete application has been received. We will try that out. I think I have it --

Chair Hardemon: Seconder agrees?

Mr. Garcia: -- follow up.

Commissioner Carollo: Yeah.

Chair Hardemon: Any further discussion on that?

Vice Chair Russell: So there's still a minimum 30 days, though?

Commissioner Carollo: So --

Chair Hardemon: From the initial application.

Ms. Méndez: I'll -- yeah. I'll --

Chair Hardemon: Whatever (UNINTELLIGIBLE).

Ms. Méndez: Yeah. I'll read it to you now.

Commissioner Gort: (UNINTELLIGIBLE).

Ms. Méndez: -- what the amendment would --

*Chair Hardemon: We're not adding no time. We're not adding any time.*

*Ms. Méndez: Right. So basically, the difference would be a resolution of the Miami City Commission, directing the Administration to amend the Planning Director's internal process to require warrant applications to be sent to district Commissioners upon application, basically, so that from the get, you're getting the notice, and you know that this is something in the pipeline, so that should not affect any other processes, but you're finding out -- Let's say that it takes the applicant a hundred days to bring a completed package. You knew from day one that somebody was applying for something. Does that work?*

*Commissioner Carollo: Absolutely.*

*Vice Chair Russell: So that eliminates the 30-day language --*

*Ms. Méndez: Right.*

*Vice Chair Russell: -- because we'll get it when you get it?*

*Ms. Méndez: Right. You're --*

*Commissioner Gort: When the application gets in.*

*Vice Chair Russell: Fair enough.*

*Ms. Méndez: Yes.*

*Commissioner Gort: It might even be able to save some time, because if we're in opposition, we'll let you know and --*

*Chair Hardemon: Okay.*

*Mr. Garcia: Very well.*

*Chair Hardemon: Any further discussion? Hearing none, all in favor of the motion, say "aye."*

*The Commission (Collectively): Aye.*

*Chair Hardemon: All against? Motion passes, as amended.*

*Ms. Méndez: And Chairman --*

*Chair Hardemon: Yes.*

*Ms. Méndez: -- the section that we're adding that you brought up is 2-33(e), about the emergency of it. So thank you.*

## **ADJOURNMENT**

*The meeting adjourned at 2:53 p.m.*