

City of Miami

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



Meeting Minutes

Thursday, December 13, 2018

9:00 AM

Regular

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 13th day of December 13, 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 12:55 p.m., reconvened at 7:58 p.m., and adjourned at 9:44 p.m.

Note for the Record: Vice Chair Russell entered the Commission chambers at 9:02 a.m., and Commissioner Carollo entered the Commission chambers at 9:10 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 December 13, 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 Chairman. Also on the dais are Emilio T. Gonzalez, our City Manager; and Victoria Méndez, our City Attorney; and let's not forget Todd Hannon, our City Clerk. The meeting will be opened with a prayer by Commissioner Gort and Commissioner Reyes will lead us in the pledge of allegiance. All rise, please.

Invocation and pledge of allegiance delivered.

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

PR.1

PROTOCOL ITEM

5245

Honoree**Presenter****Protocol Item**

Lilo Vilaplana	Mayor Suarez & Commissioner Reyes	Proclamation
Juan Manuel Cao	Mayor Suarez & Commissioner Reyes	Proclamation
Carlos Vasallo	Mayor Suarez & Commissioner Reyes	Proclamation
Dr. Sabrina Tassej-Lewis	Mayor Suarez & Commissioner Russell	Salute
Freddy Figueroa	Mayor Suarez & Commissioner Reyes	Certificate of Appreciation
Vicent Cruz	Mayor Suarez & Commissioner Reyes	Certificate of Appreciation
Ariael Ruiz	Mayor Suarez & Commissioner Reyes	Certificate of Appreciation
Holiday Tree Lighting Team	Mayor Suarez & Commission	Certificate of Merit
Ricardo Echevarria	Mayor Suarez, Commissioner Gort & Commissioner Reyes	Sympathy

RESULT:	PRESENTED
----------------	------------------

- 1) *Mayor Suarez and Commissioner Reyes presented a Proclamation to Lilo Vilaplana. Mr. Vilaplana is a distinguished producer, director, and writer who has played an instrumental role in the development of numerous television programs. Some of the programs include El Capo, La Mariposa, and La Dama de Troya and his films La Muerte del Gato and La Casa Vacía have been featured during the short film corner in Cannes. Mr. Vilaplana's episode, El Infierno de Montoya, of the television show Arrepentidos received an Emmy for the best Non-English Language US Primetime Program category. In addition to being a well-known television producer, Mr. Vilaplana has directed seventeen micro-theater plays across our community. The Elected Leadership of the City of Miami paused in their deliberations of governance to honor and commend Mr. Lilo Vilaplana and his accomplishments and thereby proclaimed Thursday, December 13, 2018 as "Lilo Vilaplana Day" in the City of Miami.*
- 2) *Mayor Suarez and Commissioner Reyes presented a Proclamation to Mr. Juan Manuel Cao. Mr. Cao is a well-known television personality who has worked for prestigious channels, such as Univision and Telemundo. Mr. Cao has published numerous books, written an array of scripts, produced musical hits, and overseen television projects. He has traveled across our community and the world documenting breaking news and interviewing community leaders. His dedication to journalism and unique approach to broadcasting have earned him three Emmys in the category of investigative reporting. Mr. Cao is the host of America Teve's El Espejo and Leyendas del Exilio, and the news anchor for the afternoon news segment. The Elected Leadership of the City of Miami paid tribute and celebrated the many accomplishments and community contributions of Mr. Cao, thereby proclaiming, Thursday, December 13, 2018 as "Juan Manuel Cao Day" in the City of Miami.*
- 3) *Mayor Suarez and Commissioner Reyes presented a Proclamation to Mr. Carlos Vasallo. Mr. Vasallo is a successful entrepreneur who serves as the President and CEO of America CV Network, which oversees channels 41 and 48 in Miami, New York, and Puerto Rico. His leadership and dedication has allowed him to establish and serve on the board of numerous television chains, such as Cine Estelar, Vasallo Vision, and Cinemas Lumiere and has produced over 150 movies, directed films, written scripts, and acted in numerous motion pictures throughout the United States, Mexico, and Spain. Mr. Vasallo's is a devoted member of our community who participates in numerous community engagement events in an effort to give back to our community. Elected Officials paused in their deliberations of governance to pay tribute and salute his accomplishments by proclaiming Thursday, December 13, 2018 as "Carlos Vasallo Day" in the City of Miami.*
- 4) *Mayor Suarez and Vice Chair Russell saluted and recognized Dr. Sabrina Tassy-Lewis for her outstanding community accomplishments. Dr. Tassy-Lewis served as Executive Director of St. Alban's Child Enrichment Center, an early childhood center, from June 2012 to October 2018. Dr. Tassy-Lewis' hard work and dedication aided to the overall success of the program. For example, she led St. Alban's Children Enrichment Center to achieve NAEYC accreditation, improve educational outcomes, implement a mental health scholarship program, and successfully managed the program's budget. Additionally, Dr. Tassy-Lewis is a Licensed Psychologist and a member of the Coconut Grove Women's Club, American Psychological Association, Psi Chi Psychology Honor Society, and the Association of Black Psychologist. The Elected Leadership of the City of Miami paused in their deliberations of governance to honor Dr. Sabrina Tassy-Lewis.*
- 5) *Mayor Suarez and Commissioner Reyes presented a Certificate of Appreciation to pay tribute to Mr. Freddy Figueroa for tirelessly serving the residents of the City of Miami. This past November, he outstandingly preformed his duty as a Public Works employee. Specifically, Mr. Figueroa safely removed a fallen tree from a neighborhood and cautiously detached orchids from the Million Orchid Project from the tree. His actions are a clear example of our City's commitment to excellence in performing all tasks. The Elected Leadership of the City of Miami honored and commended Mr. Freddy Figueroa.*

- 6) *Mayor Suarez and Commissioner Reyes presented a Certificate of Appreciation to pay tribute to Mr. Vicent Cruz for tirelessly serving the residents of the City of Miami. This past November, he outstandingly preformed his duty as a Public Works employee. Specifically, Mr. Cruz safely removed a fallen tree from a neighborhood and cautiously detached orchids from the Million Orchid Project from the tree. His actions are a clear example of our City's commitment to excellence in performing all tasks. The Elected Leadership of the City of Miami honored and commended Mr. Vicent Cruz.*
- 7) *Mayor Suarez and Commissioner Reyes presented a certificate of appreciation to pay tribute to Mr. Arieal Ruiz for tirelessly serving the residents of the City of Miami. This past November, he outstandingly preformed his duty as a Public Works employee. Specifically, Mr. Ruiz safely removed a fallen tree from a neighborhood and cautiously detached orchids from the Million Orchid Project from the tree. His actions are a clear example of our City's commitment to excellence in performing all tasks. The Elected Leadership of the City of Miami to honored and commended Mr. Ariel Ruiz.*
- 8) *Mayor Suarez and Commissioners recognized and honored the 2018 Holiday Tree Lighting Ceremony Team. The team was comprised of several City of Miami Employees' whose perseverance ensured that the tree lighting ceremony was a success. In the days leading to and following the event they went above and beyond in securing the necessary tools to create this event. The Elected Leadership of the City of Miami paused in their deliberations of governance to honor and thank the team.*
- 9) *Mayor Suarez presented a Special Memorial Tribute to the life and contributions of Mr. Ricardo Echevarria. The Elected Leadership paid homage to the memory of the late Mr. Echevarria who was a hardworking and charismatic former City of Miami employee. For many years, he devotedly served his community and improved the goods and services provided to our residents. He lived a fulfilling life, where he ensured that everywhere he went he touched someone's life. Mr. Echevarria's resilient spirit will be greatly missed by all of those who knew him. With deepest sympathy to his family and friends this tribute was presented on behalf of the City of Miami.*

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 - Regular Meeting - Sep 13, 2018 9:00 AM

MOTION TO:	Approve
RESULT:	APPROVED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Reyes

AM.2

City Commission - First Budget Hearing - Sep 13, 2018 5:05 PM

MOTION TO:	Approve
RESULT:	APPROVED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
ABSENT:	Reyes

Chair Hardemon: Okay. Let's see. Is there a motion to approve the Regular City Commission Meeting minutes from September 13, 2018?

Commissioner Carollo: So moved.

Commissioner Gort: Second.

Chair Hardemon: And the First Budget Hearing. It's been properly moved. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

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 all 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 on www.municode.com [sic]. Any person making a presentation, formal request, or petition to the City Commission concerning real property must make the appropriate 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.miamigov.com [sic]. The material for each item on the agenda is available during business hours and at the City Clerk's Office and online 24 hours a day at www.miamigov.com [sic]. Any person may be heard by the City Commission through the Chair for not more than two minutes on any proposition before the City Commission, unless modified by the Chair. If the proposition is being continued or rescheduled, the opportunity to be heard may be at such later date before the City Commission takes action on such proposition. 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 must 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 at 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 record of the item. A video of this meeting may be requested at the Office of Communications or viewed online at www.miamigov.com [sic]. No cell phones or other noise-making devices are permitted in Commission chambers; please silence those devices now. No clapping, applauding, heckling, or verbal outburst in support or opposition to a speaker or his or her remarks shall be permitted. 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 which items are either being 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: Item PH.10, PH.10 --

Chair Hardemon: Hold on one second, please. Excuse me. Can we have some decorum in the chambers, please?

Mr. Gonzalez: Item -- thank you, sir -- PH.10, to be deferred to the meeting on January 10, 2019; Item FR.5, to be deferred to the meeting January 10, 2019; Item RE.2, to be indefinitely deferred; Item RE.3, to be indefinitely deferred; Item RE.5, to be withdrawn; Item RE.9, to be withdrawn; and Item DI.2, to be deferred.

Chair Hardemon: Yeah. And I have a question about RE.9. Why are we withdrawing RE.9?

Unidentified Speaker: It's what I have.

Chair Hardemon: RE.9 is the Miami Forever Bond. You want to speak, Mr. Vice -- I mean --

Mr. Gonzalez: Sir, RE.9 is included in the item on the bond.

Commissioner Gort: All right.

Chair Hardemon: Right.

Commissioner Gort: RE.9 is --

Vice Chair Russell: Yeah.

Ms. Méndez: RE.9 --

Vice Chair Russell: RE.9 is the bond.

Mr. Gonzalez: Oh, RE.9, sir, I believe is your item.

Chair Hardemon: No. RE.9 is the --

Unidentified Speaker: RE.9 is the Miami Forever Bond.

Mr. Gonzalez: Oh, no. Why is there a typo there?

Ms. Méndez: Yes, there is a typo. I think there's a typo.

Mr. Gonzalez: There's a typo.

Ms. Méndez: I think we have a typo in our little chart. Give us one second.

Commissioner Gort: And I'd like to discuss RE.2.

Chair Hardemon: RE.2?

Commissioner Gort: Yeah.

Ms. Méndez: Right. So the RE.9 item is the one that Commissioner Russell had sponsored a long time ago that had to do with the 2 million.

Chair Hardemon: Oh.

Mr. Gonzalez: The \$2 million satisfied that.

Ms. Méndez: It's -- unfortunately --

Chair Hardemon: Okay.

Mr. Gonzalez: Yes, sir.

Ms. Méndez: -- it's -- there's a little type. It made it say just "Miami Forever Bond."

Chair Hardemon: Okay.

Ms. Méndez: So RE.9 is the one that's being withdrawn. The actual -- RE.24, the Miami Forever Bond --

Mr. Gonzalez: It's still on.

Ms. Méndez: -- the real one, the Declaration of Intent, is still on.

Mr. Gonzalez: It's still on.

Chair Hardemon: Understood. Commissioner Gort, I know you wanted to speak about RE.2.

Commissioner Gort: Well, RE.2, why are we deferring this? RE.2.

Ms. Méndez: The RE.2 and 3 are the Marina items; that we are indefinitely deferring those to take up action on RE.22. So we're doing --

Commissioner Gort: So why don't we listen to both later, 22 and RE.2?

Ms. Méndez: Unless there is an intention to award RE.2 and RE.3, which I have advised against based on our present situation --

Chair Hardemon: Right.

Commissioner Gort: No, no.

Ms. Méndez: -- then we should defer those.

Chair Hardemon: So what the Commissioner is that he wants to hear the items together so we can make an educated decision about what it is that we want to do. So then --

Commissioner Gort: Right. At the same time, I'd like to discuss it, because we've been going at this for quite a bit, and I think the City is -- started losing money on this thing here. And as you all know, we need a lot of recurring revenues.

Chair Hardemon: So then, I'll listen to the --

Commissioner Gort: Okay?

Chair Hardemon: -- Commissioner. And from the motion that will be made, we're striking RE.2 and RE.3 from the indefinite deferral. Is there any other item that any Commissioners want to defer, withdraw, or continue?

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

Chair Hardemon: Yes.

Mr. Hannon: Mr. City Manager, Item DI.2 is being deferred to what date, sir?

Mr. Gonzalez: January 10 --

Commissioner Gort: January.

Mr. Gonzalez: -- 2019.

Mr. Hannon: Understood. Thank you, sir.

Chair Hardemon: That's DI.2? Is that DI.2?

Mr. Gonzalez: Yeah.

Chair Hardemon: Yes?

Mr. Gonzalez: Yes, sir.

Chair Hardemon: Okay. Is there a motion in accordance with what's been stated on the record, besides RE.2 and RE.3? I believe it's PH.10, deferred; FR.5 being deferred; RE.5 being withdrawn; RE.9 being withdrawn; and DI.2 being deferred. Been properly moved; seconded by the Chair. Any further discussion? Seeing none, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: That motion carries.

PUBLIC COMMENT PERIOD FOR REGULAR ITEM(S)

Chair Hardemon: Okay. So what I'd like to do right now is open up the floor for public comment. We're now ready for public comment. This is an opportunity for anyone that is here to speak before this Commission. You can approach any of the two lecterns and state your first name, your last name, your address, and what item it is that you're speaking about. So if you're here for public comment on any of the morning agenda items -- non-Planning and Zoning items -- you may state your first name and your last name and which item it is that you're here to address, along with your address. And on this lectern, if I can, can I have the Mayor of Bal Harbour, Mr. Gabriel Groisman? I know that he's here, and he wanted to speak, unless you want to wait for the Mayor first, which is perfectly fine. Mr. Mayor, you're recognized.

Mayor Francis Suarez: Thank you, Mr. Chairman. Go ahead. I yield, I yield.

Horacio Stuart Aguirre: Mr. Suarez, I'll wait for you. Mr. Mayor?

Chair Hardemon: No. I believe he wants you to go first.

Mr. Stuart Aguirre: All right. Horacio Stuart Aguirre, proud resident of Miami River District in Durham Park, in Allapattah, 1910 Northwest 13th Street. I'm here to support Commissioner Gort's proposal to name Maurice Ferré Park. When I first coined the expression or the phrase that Maurice Ferré was the father of modern Miami, I knew I was going to get in trouble from none other than Maurice Ferré. And sure enough, not long after I put that in the media, I got a call from Maurice, who said, "Horacio Stuart" -- in only that deep voice that Maurice can use -- he says, "You know, you're going to get us in trouble. There were many other people that helped make this come to reality." Well, I'd like to tell you that many of the people that Maurice Ferré named in that telephone conversation have reached back to me and said, "It should be Maurice Ferré. He deserves it. He was a visionary. He was the man that implemented the plan that made it happen; that made today Miami the international city" -- "the great international city that it is today." So to Commissioner Gort, congratulations for this wisdom and leadership. Thank you, sir.

Commissioner Gort: Thank you, but it was all the Commissioners.

Chair Hardemon: You ready?

Mayor Suarez: Sure. Thank you, Mr. Chair. I'm here on a number of items, but I first want to start -- because there are members of the Jewish community who are here and would like to speak on Item Number RE.19, and I stand here today in solidarity with my brothers and sisters from the Jewish community. Airbnb's decision to delist listings in the West Bank, a place where I have personally visited, runs counter to our values as a city. And I am here in support of the Jewish community in Miami and the State of Israel, which is the only democracy in the region. I urge Airbnb to change its policy. In a country like ours that promotes freedom and democracy, this policy specifically runs counter to those values as well. A political decision of this kind sends the wrong message to the world, and smacks of the very anti-Semitism, which, unfortunately, is very alive and rampant in the world today, as evidenced by horrible actions abroad and at home, including a very -- including an attack this very morning. So I urge the Commission to make a statement. I know that there are Commissioners that want to condemn Airbnb for some of the things that they're doing here in the City, and they have every right to do

that as well. And obviously, we just successfully won a, you know, lawsuit against Airbnb, but I think this goes to a slightly different issue, which is the fact that we in the City of Miami have continually supported free, loving countries like Israel; like previously condemning countries, like Cuba, which we did in our protocol part of the Commission, when we were commemorating a movie that highlights the abuses of human rights in Cuba, and this is part of who we are as a city. We protect those in our City who love freedom and democracy, and who live it and embody it every single day, and that's what those in the Jewish community and my City do. Thank you.

Chair Hardemon: Thank you. Yes.

Mayor Gabriel Groisman: Good morning. My name is Gabe Groisman. I'm the Mayor of Bal Harbour, Florida. Mayor, Chairman, members of the Commission, thank you. It's really an honor to be here. It takes a lot to get me to another city's chambers. We all see enough of our own, and have our own lives outside of our public lives, but this is an issue of tremendous importance. And to be clear, it's an issue of tremendous importance not just to the Jewish community; it's an issue of tremendous importance not just to the (UNINTELLIGIBLE) community, but it's an issue of importance for anyone who has been paying attention and has a problem with the rise of hatred, discrimination, and anti-Semitism in this country and all over the world, and Airbnb's decision is part and parcel of that rise in hatred, and we must stand up to it. Today this chambers, the City of Miami, has the ability and the opportunity really to make a very strong statement. The country is watching Miami today to see how a city of the stature of Miami is going to react to it. In December of 2015, my small municipality, Bal Harbour, passed the nation's first municipal anti-boycott -- Anti-BDS (Boycott, Divest, and Sanction) ordinance in the country, making it illegal for our city to enter into any contract with any business that doesn't certify that they're not involved in this very type of boycott; not just against Israel, but against any authorized trading partner of the United States. Now, many cities across the countries have the same ordinance; 26 states have the same or similar laws; 12 of which have laws where -- which require them to divest from companies that make these kind of decisions. I'll tell you that Illinois -- the state of Illinois is one of those states; yesterday, put Airbnb on notice that they -- looks like they're in breach of that law, and they have 30 days, I believe, to come back and show why they're not; sort of like a show-cause order. But the fight against this anti-Semitic movement and against hatred continues every day. It doesn't stop today. And Airbnb, really, is just the first example of corporate anti-Semitism that we've seen in decades. It's a company that decided, if you take the politics out of that -- out of this to the company -- a U.S. (United States) company who does business in this municipality, in this city, has decided that in an area in the world, they're going to do business with one religion and one nationality instead of -- and not with another, and that's plain and simple discrimination under many laws, in my opinion, and they must be held accountable. Our role as city officials, humbly, isn't just to pass building ordinances and to deal with construction, but also to lead our communities on moral issues like these. My last comment is the following: To anyone who's thinking, "Why is our City getting" -- "Why is this City getting involved in this? Why does City of Miami care what's happening on the other side of the world?" I want any of those people to ask themselves: Would you be asking yourself that same question if this company were discriminating against blacks or against Hispanics or against anyone else from any other religion or nationality? And I'm sure the answer to that is, "No." So I hope that the -- anyone who has those doubts overcomes those doubts and is able to support this very important resolution. I thank you. Thank you very much for your time. Thank you for this consideration, and thank you, hopefully, for making such a strong statement.

Chair Hardemon: Thank you, sir.

Brett Bibeau: Good morning. Brett Bibeau, Managing Director of the Miami River Commission, with offices located at 1407 Northwest 7th Street -- Happy Holidays -- here to distribute and quickly read into the record a brief letter from our volunteer Chairman, Horacio Stuart Aguirre, regarding RE.24, the Miami River funding in the Miami Forever Bond issue. "I respectfully recommend approval of RE.24, which, thankfully, includes Miami Forever Bond funding for Riverfront Jose Marti Park, and installing storm water valves on Miami River outfalls. The Miami River Commission thanks the City of Miami for including needed funding for the Miami River District in this and future Miami Forever Bond funding issuances, consistent with the approval of the voters of the City of Miami. I applaud the City of Miami for being awarded a Phase I grant from the Florida Inland Navigation District for a cause shared to design and permit improvements to Jose Marti Park, which then the City is eligible to apply again to FIND (Florida Inland Navigation District) for a Phase II 50/50 matching grant for construction. Your time and continued strong support for the Miami River District are appreciated." Thank you.

Chair Hardemon: Thank you, sir.

Eleazar Melendez: Good morning. My name is Eleazar Melendez. I'm a resident of 1861 Northwest South River Drive, in the City of Miami. I'm here this morning to talk about RE.8, the bid waiver for the Lean Services Delivery, and to ask you Commissioners to vote this item down as a strong statement against excessive, abusive, and quite frankly, offensive expenditures by the City staff. In 2017, after Irma, all of you were out there feeding the people. Commissioner Russell, I saw you on Facebook feeding the people in the West Grove. Commissioner Hardemon and Commissioner Gort, you were out there taking ice to the elderly. Commissioner Reyes, you were out there as a candidate, helping people. I was out there, too. With over 300 volunteers, we were out there. Sometimes all we had was a grill and a cooler full of hot dogs, and set up in a park and fed hundreds of people, because people were hungry after the hurricane, because in this City, when people can't work for several days, when people don't have child care, they get hungry, and we have to feed them. So it's offensive to me, and it should be offensive to you, that while this was happening, City staff was getting catering and delivery to the tune of \$40,000 a day; \$40,000, Commissioners. How many people could you have fed with \$40,000 a day? Commissioners, I ask you to vote down this item, because it is legally deficient -- and if the Commission awards me some time, I can explain with a presentation exactly what's wrong with this item and why it violates our Code -- but also because it is morally deficient. We shouldn't be a city where, after an emergency, we say, "What's the first thing" -- "order of business? How do we get lunch, guys?" And the City manager says, "Don't worry; I got you for a week." This is wrong, and it should be noted that this is wrong. So I hope you that -- you take a look at this item and vote it down. Thank you.

Terrell Fritz: Good morning. My name is Terrell Fritz, 111 East Flagler Street, and Executive Director for the Flagler Business Improvement District; here to speak regarding Item SR.4 and RE.17. On behalf of the Flagler District BID (Business Improvement District), we support Items [sic] SR.4, amending Chapter 35, Article 4, to update parking rates throughout the City of Miami. We believe these amendments will allow Miami Parking Authority to manage the parking system in a manner that will support our efforts to increase vitality; not only in downtown Miami, but in other high-parking demand commercial areas of the City. We've been here for every deferral of this item, and we hope you're able to pass it today. In addition, the Flagler District BID supports your Resolution RE.17, encouraging the County to reinstate Bus Route 6, which provides a vital transit connection between the CBD (Commercial Business District) and the Brickell area. And also, we hope you will all encourage the Administration to work out the details for the Olympia Theater

grant in time to meet the end of your deadline. You passed that item at your last meeting. It would be a shame to lose the \$500,000 in existing funding, and jeopardize the 1.5 million in future funds for the project, now that we're this close to the finish line. Thank you.

Chair Hardemon: Thank you, sir. You're recognized, sir.

Carlos Yermoli: Good morning, Commissioners. My name is Carlos Yermoli, a resident of Coconut Grove, and I'm here to inform the Commission on a discussion item, DI.1, sponsored by Commissioner Russell, which has to do with the fees and repairs of the City marina. I keep a sailboat at the marina right behind us, and I go there daily for the last 10 years, and I can tell you, it's a wonderful community, a community of working people, mostly retirees. Some of them may be rich, but I can tell you, most of them are not, and these are just people who have a passion for boats, and they are always willing to help each other; and that this marina, just next to City Hall, showcases the fact that in Miami, you don't have to be very rich to have a pleasure boat, okay? Now, I also pay property taxes. I have a house; paid my property taxes, and I don't expect that my affordable docking at the marina should be a burden to taxpayers. However, neither do I expect that tax payers should be profiting from the marina. Now, we have been informed that the City intends to increase the rates in the marina by 25 percent, which is a very, very high amount. And I submit to the Commission that I think that a City marina should be aligned -- the fees should be aligned with the cost of operation and maintenance and not on market price, which is the argument that has been presented for that increase. We all know that prices for docking around the City pretty much are -- can be anything, because there is far more demand than supply, but that is not the point. A City marina is precisely in order to afford people to have a boat in a place where they are being charged a reasonable fee based on the operation and maintenance of the marina. Now, about the repairs. Hurricane Irma caused a lot of damage to boats, but in spite of what you may see, the damage to the marina was very minor. There was no structural damage; only wooden pilings and some wooden piers that could have been replaced in three months for maybe a million or two. We waited with very deficient facilities, and now 18 months later, we are being told that a big rehab is being planned for tens of millions of dollars -- okay? -- in order to make the marina resilient. I'm a civil engineer. I build hydroelectric dams for tens of millions of dollars. I don't think the marina needed that, but if it has been decided, it's been decided. My point to the City is resilience is not just about preventing damage; to me, resilience also means being prepared to repair damage fast, and not to make a natural disaster worst [sic] by waiting years, and on top of it, slap a 25 percent increase on the users of a substandard facility.

Chair Hardemon: Thank you very much, sir.

Mr. Yermoli: Okay? Thank you.

Chair Hardemon: You're recognized, sir.

Albert Gomez: Yes. This is Albert Gomez, 3566 Vista Court; was a previous member of the Sea Level Rise Committee. I have a prepared statement on RE.24 I'd like to read. Ahead of that on RE.23, I think that the transfer of powers as it reads in that resolution, based on permitting and variances that would intersect with the master plan -- Storm Water Master Plan and resilience opportunities that could be implemented on water -- freshwater recapture and recharging, so critical on what we need here in South Florida. It was highlighted yesterday on the TV (television). We should maybe consider that as something that comes after the master plan. That leads me to the prepared statement on RE.24. I'll try to read as fast as possible. I'm writing you in our capacity as founding member and active participant in the Miami

Climate Alliance, and previous Sea Level Rise Committee member, a collection of concerned citizens, nonprofits working to establish a model for an equitable resilient community. We have for the past three years been intimately involved in various efforts. You know what? This -- I'm not going to be able to read it in time.

Chair Hardemon: Finish your statement.

Mr. Gomez: Excuse me? Finish the statement?

Chair Hardemon: Finish your statement.

Mr. Gomez: Okay. We have for the past three years been intimately involved in various efforts to pass and implement policies that promote resilience in the City of Miami. We campaigned heavily for the Miami Forever Bond and consider it one of the most proudest [sic] moments of our collective wins. The master plan and the RE.24 -- we read this letter in reference to the RE.24 in the City Commission agenda, and because it has the same goals as we do, to make sure that Miami Forever Bond expenditures are successful in creating a better and more equitable Miami that is resilient to expending threats of climate change and are hypo local impacts, as detailed in the National Climate Assessment, released by a Federal Government this November. We all want to reduce flood risk, improve storm water infrastructure, affordable housing, parks, cultural facilities, streets, and infrastructure while increasing economic development and enhancing public safety. And in so, we should clearly understand the goals and our current failures when devising priorities and projects in accordance with the November 7, 2017 bond referendum approved by voters. This is why it's important to have a Storm Water Master Plan ahead of issuing \$58,653,339 tranche of the master plan ahead of -- sorry -- of the bonds; nearly 20 percent of the ad valorem tax obligation. By first creating a formal storm master plan, it enables the City of Miami to more specifically capture the scope of our strengths and opportunities, while understanding the scale of our threats and vulnerabilities related to climate change, our crumbling infrastructure, climate gentrification, economic opportunities, and our general resilience. The master plan allows government to set formal standards that enable smart economic development and promote the -- and to help mitigate flood through green development that supports green surface for conservation, flexible adaptive construction, increasing fresh water collection. Improving our storm water infrastructure means the design changes to preserving green surfaces and spark project innovation such as increasing permeable surfaces relevant to the RE.23. This could include converting streets, infrastructure, parks into permeable surfaces, conserving tree canopy, expanding reforestation while mitigating salt water intrusion and increasing local water access through hypo local collection; places that affect scale, scope, and particular projects within the general obligation bond. This is why the storm master plan should be ahead of issuing general unifying -- ahead of issuing general obligation bonds. It ensures that the City of Miami sets unifying goals and principles while standardizing risk and harmonizing and optimizing project goals that advance stated master -- the stated master plan. Since there is no formal complete master plan, the RE.24 should be deferred indefinitely, but specifically -- and this is very important -- proper time allotment for the Citizens Oversight Board and public comment period is necessary. I was the sitting Sea Level Rise Committee member that brought forward the suggestion for Community [sic] Oversight Board, and in the spirit -- and I'm just -- I don't even need to read it, because I have it already in my ahead. In the spirit of how I brought this forward -- okay? -- it was related to standard practice used in Federal comment periods, which is 30 to 60 days. I wasn't using the administrator standard seven-day push-through on something that's run through rigor, when we don't even have the metrics to understand how we're going to apply the particular projects. Those projects still have opportunities that might be implemented by further running it through the lens

of the master plan. And I see that as a huge miss. We're going to incrementally implement our resilience on these upfront tranches just to get the ball rolling on the bond. And I understand the Mayor's intention to try to really get this thing going. I am in full support of his efforts. I just want to work with you in more -- and the Miami Climate Alliance wants to work with you to drive this forward. And we feel that the Community [sic] Oversight -- sorry -- the Citizens Oversight Board is so critical, we got to give them the necessary time for doing their regulated oversight.

Chair Hardemon: Thank you, sir.

Mr. Gomez: It's just a standard.

Chair Hardemon: Thank you, sir.

Mr. Gomez: Thank you.

Chair Hardemon: You're recognized, sir.

Chaim Lipskar: Chaim Lipskar, The Rok Family Shul, Chabad Downtown Miami. First of all, I'd like to thank the City of Miami for really always representing all communities; and especially the Miami Police Department, who, after the last shooting in Pittsburgh, really came together to help secure our facilities. I think today's RE.19, the condemnation of Airbnb, is a very critical condemnation, as it's -- while it's something that may not be in Miami, the reality is, is that on an international level, racism causes issues on a local level. Unfortunately, it's a very important issue for the Jewish people, especially over here in Miami, but in reality -- In Miami, we have a very strong Jewish community. When they see that the City of Miami stands behind them, that will give strength to us, locally and internationally as well. The policy of Airbnb is straight up racism and anti-Semitism. It's okay for a Christian in Bethlehem to rent their home, or a Muslim in Ramallah to rent their home, but it's illegal for a Jew living in (UNINTELLIGIBLE) today, where there was an attack and two Jewish people were killed to rent their home. This is a straight-up racist policy, and I hope that the City of Miami will condemn them. I know it's -- City of Miami is a very important stage for Airbnb. They're, I think, in the top five, or maybe even number one. I've seen reports for Airbnb rentals globally, as well as -- We believe everything is by divine providence, and there's no question that God gave you an incredible ruling of a -- turning over the ruling in favor of the City, and I hope that we can use this opportunity to start with a condemnation today, and hopefully send a message to Airbnb that racism is not acceptable for the City of Miami, as well as anti-Semitism. Thank you very much.

Chair Hardemon: Thank you, sir. You're recognized, sir.

Orestes Triana: Good morning. My name is Orestes Triana. I reside at 3400 Pan American Drive, Slip 29, Pier 7. I'm here today to put a face on the Dinner Key Marina community. I'm a boater. And I love this City, because we have so much of a diversity. We have everyone and every type of nationality; not just the rich, but the poor. We're a community in Dade County and the marina, and I've lived there for over 10 years on my vessel, plus an additional five, and we're here because we're concerned. We're concerned about hearing fee structures being raised at a very alarming rate, based on -- because we're a marina that we should be able to afford it, number one. Number two, we came together with the community, and we commend everyone in the office. When the hurricane came through, Dinner Key was very devastated. We had a lot of damage to not only our property, but the marina itself. But we did do something; that we came together to protect our properties. We came together and we put up with not having sewer, not having electricity, not having security, but we wanted to stay, because it's our home. As I explained to one

of our Commissioners at one time, we live there. It's like any other community. It may not be a big one, but we embrace you as a neighbor. I'm here because I want to put that face; that you realize that when you vote today, you vote for somebody who's a worker, just like everyone in our community; not just the rich. We do have some rich 305s and so forth, but we also have real hard-working people that have made that their home. We love Dinner Key Marina. I would say to you, if you -- and I pay taxes, because I own a commercial property as well. If I were to tell you that you had no sewer for about a year, and then all of a sudden, the Water and Sewer Department comes and say, "We're going to charge you 25 cent more," wouldn't you be upset? We agree that we need to raise a little bit; we need to be fair, but don't put us out of the marina. Keep us there, because that's where we've been. That's our home. And that's what I'd like to say. Thank you.

Chair Hardemon: Thank you, sir.

Mr. Triana: Have a great day.

Chair Hardemon: You're recognized.

Joseph Zevuloni: Good morning, Commission. Good morning, Mayor. My name is Joe Zevuloni, and I'm an Israeli-American. I came here to this country when I was a child. And when we were in school, we were learning about the Holocaust, and the first step the Nazis took was to boycott Jewish businesses. I was horrified as a child to learn this. And when I came home, I asked my mom, "How could this" -- "how is this possible?" She said, "There's evil out there, but don't worry; today there's America." We immigrated to this country. We immigrated to this country. This country shares the same values as the State of Israel. This country was founded based on the principles of escaping religious persecution, political persecution. I have friends that are Cuban-Americans that escaped Cuba. I have friends that are Haitian that escaped Haiti that came to this country, and right here in the City of Miami. I can't tell you how outraged I am by Airbnb's decision to discriminate against Jews and Israelis only in Judea and Samaria. I hope that the City of Miami will be a pillar and will show the support to the Jewish community right here, locally and across the globe, across the world, so everybody can learn from us here. I'll never forget one statement that was made by one of the victims of the Holocaust. He was there in a concentration camp, and he was looking at his friend, and it's a statement that's quoted: "The Americans are here." This is what our country is all about. This is how it starts. And if we allow it to start and allow it to continue, it could be a cancer that will spread and will never end. We look up to your leadership. We look up for your decision, and hopefully, you will stand for the right thing. Airbnb decision for their policy is nothing but anti-Semitism and discrimination, and that's not what we believe in in the City of Miami, that's not what we believe in as Americans. I thank you for giving me the time to speak. Thank you.

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

Connor Smith: Hello. My name is Connor Smith. I live right here at 3400 Pan American Drive, right next door. I'd like to speak about the proposal to raise rates at Dinner Key Marina. I been living aboard in Dinner Key for the last six years. I'm a graduate student at the University of Miami, the Rosenstiel School, the Marine Science School. That's where I met a lot of fellow students, including Patrick Rynne, a member of the Sea Level Rise Committee here. But I want to explain to you that there is truly a community of people that live aboard the boats here. We are not rich. I'm a graduate student. I am able to afford to live there, because I have roommates that are fellow students at University of Miami live aboard. We share the rent. We're able to live there. And there's a community of boaters just like us that are -- that work at the dive shops that also are fellow students that form the

community there, and we would not be able to survive a 25 percent increase. It's a substantial increase above what we are paying now. And not only do we have a community there, but we also basically provide the security for the marina. There is security there, but they do not secure the boats there. It's the people that live there 24/7 that keep an eye on the boats, that keep an eye on our neighbors, that keep an eye on each other, and that's what keeps the whole area safe. And putting these large rates to increase the rates to live there is going to displace people like us that do so much for the community here, Dinner Key, and the Coconut Grove area. And like was previously said, I mean, there are people there that are very wealthy that can afford that, but there are a lot more people that could not afford that that live there, work there, that work in the area, and this is where we call home. So please consider how it will affect everybody in the community when you decide to raise rates at Dinner Key. We can -- you know, obviously, we want to -- rates have to go up over time, but please be commensurate with a gradual increase, or perhaps, some consideration for those who actually live there, as opposed to those that keep a boat there for, you know, vacation use or something like that. So thank you very much.

Chair Hardemon: Thank you, sir.

Elvis Cruz: Good morning, Commissioners. Elvis Cruz, 631 Northeast 57th Street. I'm here to speak on RE.24, the budget items, specifically, asking you to approve this for the purpose of repairing Morningside pool. The pool has been out of service for three years. There have been four separate evaluations by engineers that found the pool was repairable. The last evaluation even used structural penetrating radar to confirm their conclusion that the pool is salvageable and does not warrant a full reconstruction. I'll pass that conclusion to you shortly. There's other factors in favor of repairing the pool, including a survey done by the Morningside Civic Association, with 65 percent of the neighbors in favor of fixing it, and a petition with over 2,100 signatures in favor of fixing the pool. Other factors show the path of least resistance and least cost is to repair rather than demolish and rebuild the pool. The general plan for the park recommends fixing. It would cost half as much to fix the pool rather than demolish and rebuild it, and permitting would go much faster, because the pool would, of course, be grandfathered as an existing structure. This building, Miami City Hall, is 18 years older than Morningside pool. It is also on the bay front, but with the bay on three sides, and with a basement. This building proves that a bayfront public structure can be maintained by the City. Three years without the service of this community pool is three years too many. Please support fixing and reopening Morningside pool. And I'll hand the conclusion to you now.

Chair Hardemon: Thank you. Sir.

Nathaniel Robinson: Good morning, Mr. Chairman and Commissioners. My name is Reverend Nathaniel Robinson, III. I'm the senior pastor of Greater St. Paul African Methodist Episcopal Church in Coconut Grove, and I'm also the CEO (Chief Executive Officer) of the St. Paul Community Development Corporation. I'm here today as an African-American Christian, a lead -- a community leader to stand in solidarity with our brothers and sisters in the Jewish community. The cries that you've heard from them today is consistent with the perpetual cry of my community. We all want to live, work, and worship in a city where political difference that leads to hatred, racial and religious discrimination will not be tolerated. It is my hope that the Commission will follow our support of the condemnation of Airbnb and any business that chooses to discriminate against any group in our City. I'm also here today in support of Item PZ.13, which is the inclusionary zoning for the Omni District. As a church who subsidizes affordable housing for our community, I believe that affordability is a necessity all over our City. And so, I hope that our -- the Commission can support that effort. Thank you so much.

Albert Dotson: Commissioners, Al Dotson, with Bilzen Sumberg, 1450 Brickell Avenue. I'm simply here to talk about the minutes of your September 27 meeting. I'm asking my colleague to hand that out to remind you that you had significant discussion about not indefinitely deferring the item related to the Virginia Key Marina, and Commissioner Carollo placed three conditions on the current operator remaining on the site. One condition was the \$100,000 that they had to bring at that meeting; the second condition was another \$250,000; and a third one was a new agreement that you required that the current operator enter into. You'll notice that I've tabbed your minutes, your official minutes. Behind the green tab is the money owed and the requirement for the new agreement; behind the red tabs are your extensive conversation about no indefinite deferral and the reason why, because you wanted it to come back to you to make sure that the current operator abided by your conditions. As we sit here today, you do not have the agreement that you requested; and, in fact, you have an email saying that they're not going to enter into the agreement that you requested. We look forward to speaking on this item when it comes up.

Chair Hardemon: Thank you, sir.

Lesley Kaplan: Good morning. I'm quite nervous. My heart's pounding.

Chair Hardemon: Mine is too.

Ms. Kaplan: But don't be afraid. I'm Leslie Kaplan, and I live at 1331 Northeast 173rd Street, in North Miami Beach, and I'm here today to speak against Airbnb, and we hope -- I hope -- I'm speaking as a Jewish mother and grandmother, and for the future of the State of Israel and all Jewish people in the world. And condemning Airbnb and the hate that they represent will send a huge message to everyone, and we hope that you will do this for us. Thank you so much.

Chair Hardemon: Thank you.

Commissioner Carollo: Excuse me, ma'am. Before you go -- Chair, can I ask her if she could put on the record exactly what they have done against the State of Israel? I --

Ms. Kaplan: What they have done?

Chair Hardemon: Let's --

Commissioner Carollo: Yes.

Chair Hardemon: Can we get -- let's finish the public comment, and then there might be someone that might be more appropriate to answer the question.

Commissioner Carollo: Okay.

Chair Hardemon: Let's do that.

Commissioner Carollo: Fine. Thank you.

Chair Hardemon: Thank you, ma'am. Thank you.

Ms. Kaplan: Thank you.

Christopher Hudson: Hi. My name is Christopher Hudson. I live at 3900 Charles Terrace, here in Coconut Grove. Thank you, Commissioner, for allowing me to

speaking this morning. I am speaking on behalf of PZ.13, the inclusionary zoning that would require developers to set aside affordable housing as far -- and as well as workforce housing, which is very, very vital to the -- this community and this City here that includes everyone from the lower to the higher. And it's very important that we embrace those that help build and make up the economic stability of the City at all levels. The developers come in; they make tons of money, and then they move on and rape and pillage other cities, and we should not allow that to be happening here in City of Miami, the great city that embraces all people; workforce people, low-income people, people of low means. And so, it's very important that this be passed to include this ordinance. Thank you very much for your time.

Chair Hardemon: Thank you, sir. Ma'am.

Amalfi Gayosso: Hello. My name is Amalfi Gayosso. I am a resident of Miami. I was born in Miami. I live in Miami, work in Miami, invest in Miami. Thank you for the opportunity for letting me speak today. I am here to speak about PH.7. This property is located in 551 Northwest 71st Street, with two adjacent properties. It is owned by the City, and it is in dilapidated condition, and I own properties around it. I am here today to say that I would like to purchase the property, and I would offer a covenant to build affordable housing in it. Today there will be discussion about transferring the property and -- to a nonprofit. I would like to respectfully request that you -- that the Commission review my unsolicited proposal that was submitted on November 5. I really appreciate your time. If you -- if the Commissioners think it's appropriate, I have brought copies for each of you to review. And with that, Happy Holidays, and thank you for letting me speak.

Chair Hardemon: Thank you very much. You can give it to the Clerk. At this time -- Oh. Ma'am, you're recognized.

Carolyn Donaldson: Good morning. My name is Carolyn Donaldson, and I'm here speaking on behalf of the board of directors for Macedonia Missionary Baptist Church, which has been in this community for 123 years, and I'm speaking as it relates to the item that is on the agenda for consideration for affordable housing. Most of our members are members of this community. And so, as we look at affordable housing and the support of that particular issue, I would like to make certain that we also consider the definition of "affordable housing," and as we look at developers coming into this community and not taking that into consideration, because as we price some of the housing that's -- that comes in and as we allow the developers to come in, it is actually driving the residents of West Grove, out of the Grove, because the housing truly has not been affordable for those individuals that have lived and worked and supported this community for many, many years. And so, on behalf of the religious community, I am speaking, and certainly those members of our church and other community members in West Grove that we truly take that into consideration as a housing issue, and keeping and developing houses that are truly affordable to the community, first home -- both homeowners, as well as those individuals that are renters in the West Grove. Thank you.

Chair Hardemon: Thank you very much. Mother Gibson.

Thelma Gibson: Good morning. Good morning, good morning, good morning. Happy Holidays. I'm really just here to say "thank you" to Commission. When I read -- Mr. Mayor and members -- Mr. Chairman and members of the Commission, Thelma Anderson Gibson, 3661 Franklin Avenue, Coconut Grove. I just wanted to really thank you for all you do for us in our community, and to congratulate you on the reading -- second reading -- I hope the second reading today -- on Maurice Ferré Park, naming of that park. I was around in the '70s and '80s when Commissioner Suarez -- Mayor Suarez -- Mayor Ferré was the Mayor of this City,

and I continue to call him "Mr. Mayor," just like I call Commissioner Carollo, "Mr. Mayor"; I call our new Mayor, "Mr. Mayor." And once you get that title, I always call you "Mr. Mayor." But I'm a little bit concerned about what I've been reading in the paper, and I read Business Monday -- about business -- whatever that was -- about what was going to happen with the \$38 million that you were going to borrow, and I didn't see much about what was going to be happening in Coconut Grove. And, you know, having been born there 92 years ago, come December 17, when I'll turn 92 -- and I know all the changes that have taken place through time -- and when I think in terms of the people in those houses on Grand Avenue and the apartments, when I can read in the paper that they have three months -- or get three months' notice, they think they have three years' notice; don't have to be out until 2022, and in the newspaper, it comes out that they'll have to be out in three months after they start getting all this together after the first year. And so, I've had a lot of concerns, because, as you know, Christ Church and St. Paul and all the churches in the Grove are trying to do some affordable housing. When I was told that 20 percent of the vacant lots in Coconut Grove belong to churches, then I put out my little feelings with some people to talk with the people at my church and at St. Paul about doing affordable housing, and St. Paul was already doing this with the apartment buildings that they have on Thomas Avenue. And I just believe that when anything comes out, it should show that so much money is going to be going -- you know, it's a pocket of Coconut Grove founded by the Bahamians, and they came and built up that little section. My Commissioner was trying to get the housing continued to make it the quaint city that it is -- was, and it's not going to be that anymore, as we know, but we really need to be concerned about the affordable housing, and have someplace for these people to go in Coconut Grove and not have to send them to Florida City and Homestead and in the north end of the County, because their children are involved in the schools here in the Grove. So I plead with the Commission, as you make your decision, to think in terms of what could happen in Coconut Grove, and the affordable housing that we need in the Grove before we start moving people out. Now, I met with Mr. -- I want to call him Mr. Trinidad -- Mr. Trinity, but it's Mr. Trinidad, I think. I made him "Trinity" somehow, but, you know, when you get old, your memory is not always there, and I see I have (UNINTELLIGIBLE). But really, I do appreciate what you young people are doing, and I just want to thank you and wish for you the best as you make your decisions; and say "thank you" to Mr. Mayor Ferré, whenever you get through with the second reading, approving the naming of the park in his honor. Thanks again.

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

Brenda Betancourt: Good morning. Brenda Betancourt, 1436 Southwest 6th Street. Merry Christmas to all, and hopefully, we will have a better year next year. We have great stuff this year, but we hope to have more. I'm in favor to the second reading for the park for Mayor Ferré, and hopefully, we will have him for many more years to guide all of those who ask for his help. I want to thank Commissioner Carollo and Commissioner Manolo Reyes for the great job they did in the last Friday in Little Havana, the Viernes for Little Havana. You guys have done such an amazing job. We have received so many calls to the radio station (UNINTELLIGIBLE) to ask for you guys to open your stage for local music and artists, and we have provide them your numbers for them to call you guys. I'm sorry, but, you know, we can't make any of those things; you guys are the ones have to make those decisions. And, of course, I have a question for both of you. People are concerned about the -- those artists of - - or people who come from Cuba, they are going to try to get into those stations, instead of be doing local artists. Everybody in the community is hoping that you guys not going to allow -- like Hialeah does -- a lot of people from Cuba does this -- I don't know how the specifics goes in there, who decides who, but I know the two of you are really patriots and you love this country, but you love to have Cuba to be free one day. So I hope that you guys think about it when you guys are having those

people singing in those stage for our community, so we can teach the kids what exactly the education that we need. And another thing that we ask is, if you guys are thinking about to have reading, poetry, other culture activities, not just the music -- of course, we love the music. I enjoyed the four hours, even though I got rained on, but I was having a lot of fun. So I really appreciate you guys. And hopefully, next year or this year, you count with us anything that you might need, and we can give you a hand. As Jorge Rodriguez and Anna Vidal from the Poderosa, we are more than happy to support you and help you. The same way that we complain most of the time, we got to say "thank you" when you guys do such a great time.

Commissioner Carollo: Thank you, Brenda.

Chair Hardemon: Thank you very much. Seeing no other persons here for public comment, I'm going to 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.

Chair Hardemon: Okay.

END OF MAYORAL VETOES

CA - CONSENT AGENDA

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

RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

CA.1

4706

***Department of Risk
Management***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO LUIS MOLINA, SUBJECT TO THE CONDITIONS IMPOSED BY CHAPTER 440, FLORIDA STATUTES, THE TOTAL SUM OF \$100,000.00, INCLUDING \$100.00 FOR A SEPARATE GENERAL RELEASE, IN FULL AND COMPLETE SETTLEMENT OF ALL CLAIMS AND DAMAGES 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, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS IN THE AMOUNT OF \$99,900.00 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-18-0540

This matter was ADOPTED on the Consent Agenda.

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

CA.2**5060*****Department of Risk
Management*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO CARLOS R. CUENCA, SUBJECT TO THE CONDITIONS IMPOSED BY CHAPTER 440, FLORIDA STATUTES, THE TOTAL SUM OF \$40,000.00, INCLUDING \$100.00 FOR A SEPARATE GENERAL RELEASE, IN FULL AND COMPLETE SETTLEMENT OF ALL CLAIMS AND DAMAGES 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, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS IN THE AMOUNT OF \$39,900.00 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-18-0541**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**5009****Department of
Police****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID RECEIVED SEPTEMBER 11, 2018, PURSUANT TO INVITATION FOR BID ("IFB") NO. 933382, FOR COMMERCIAL DOOR MAINTENANCE AND REPAIR SERVICES AT POLICE FACILITIES FROM OV DOORS CORP., ("OV DOORS") THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE CITY OF MIAMI POLICE DEPARTMENT ("POLICE"), ON AN AS NEEDED OR EMERGENCY BASIS, AS APPLICABLE, FOR AN INITIAL PERIOD OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS; ALLOCATING FUNDS FROM THE MIAMI POLICE DEPARTMENT'S GENERAL FUND ACCOUNT 00001.191501.546000.0000.00000, AND OTHER SOURCES OF FUNDS, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; 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 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-18-0542**This matter was ADOPTED on the Consent Agenda.**

Note for the Record: For minutes referencing Item CA.3, please see "End of Consent Agenda."

CA.4**5061****Department of
Police****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE PROJECT TITLED "FY 2019 MIAMI DUI CHECKPOINT AND SATURATION PATROL OVERTIME PROJECT;" APPROPRIATING FUNDS CONSISTING OF A GRANT AWARD FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MIAMI POLICE DEPARTMENT IN THE AMOUNT OF \$80,000.00 WITH NO CITY OF MIAMI MATCHING FUNDS REQUIRED TO PROVIDE FUNDING FOR HIGHWAY SAFETY; AUTHORIZING THE CHIEF OF POLICE, OR HIS DESIGNEE, TO EXECUTE THE NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF REIMBURSEMENT FUNDS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0543

This matter was ADOPTED on the Consent Agenda.

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

END OF CONSENT AGENDA

Chair Hardemon: The Commissioners would like to get through some business, so let's hear me and what I am about to say. I'd like to entertain a motion to approve the CA (consent agenda) agenda, the PH (public hearing) agenda, and the RE (resolution) agenda, except for the items I'm about to tell you now.

Victoria Méndez (City Attorney): Commissioner, we may have some amendments to some of these, so if you --

Chair Hardemon: Included with the amendments that are going to be stated on the record.

Ms. Méndez: Okay. Thank you.

Commissioner Carollo: Well --

Chair Hardemon: Okay. So

Commissioner Carollo: -- I --

Chair Hardemon: Before you, let me name some things, and then -- So not including RE.2, not including RE.3, not including RE.4 -- not including RE.3, RE.4, RE.2 -- I just repeated it for the Vice Chairman -- not including RE.22, 23, or 24. Oh, I'm sorry; as well as RE.19. I want to pull RE.19 out as well.

Commissioner Carollo: RE.19?

Chair Hardemon: So RE.19, 22, 23, 24.

Commissioner Carollo: What are the ones that we are hearing?

Chair Hardemon: The CA, the PH, and the RE agenda.

Commissioner Carollo: Okay.

Commissioner Gort: That's CA (UNINTELLIGIBLE)?

Chair Hardemon: CA, PH, and the RE agenda.

Commissioner Carollo: I'd like to pull RE.24.

Chair Hardemon: I did.

Commissioner Carollo: Okay.

Chair Hardemon: Not in there.

Commissioner Carollo: All right.

Chair Hardemon: RE.22, 23, 24, and 19 are not included in there, as well as 20 -- as well as 2, 3, and 4; that was withdrawn.

Commissioner Carollo: Okay. If you could give us a couple of minutes just to go through it and make sure that --

Commissioner Gort: Okay. Once again, we -- the motion is all the CAs, the PH --

Chair Hardemon: And REs.

Commissioner Gort: -- RE -- all the RE, except 22, 23, and 24 has been withdrawn.

Chair Hardemon: So, also, RE.2, we're not considering right now; RE.3, we're not considering right now; RE.4, we're not considering right now.

Commissioner Gort: Right.

Chair Hardemon: And RE.19, we're not considering right now. We're going to talk about those -- vote on those separately.

Commissioner Reyes: Mr. Chairman?

Chair Hardemon: Yes.

Commissioner Reyes: Yes. If I may, through the Chair. Madam City Attorney, I want to co-sponsor RE.17.

Chair Hardemon: That's right. Noted for the record.

Ms. Méndez: I believe for RE.17, you would like to co-sponsor, as would Commissioner Carollo?

Commissioner Carollo: Yes.

Ms. Méndez: The bus route one.

Commissioner Reyes: That's right.

Commissioner Carollo: Yes. Thank you.

Commissioner Gort: Everyone.

Commissioner Reyes: Everyone. I think the whole Commission should (UNINTELLIGIBLE).

Mayor Francis Suarez: May I, Mr. Chair?

Chair Hardemon: You're -- yes, sir.

Mayor Suarez: Thank you. I really want to thank the Commission for co-sponsoring this item. This item is incredibly important. It affects --

Commissioner Reyes: Yes, sir.

Mayor Suarez: -- multiple Commission districts, and it has an inordinate effect on the elderly in our community. There's probably not a complaint that I've heard more than -- other than affordable housing -- residents complaining about the

discontinuation of Bus Route Number 6, and it's one that affects, again, all the districts, but, for whatever reason, the way that it runs, it disproportionately affects the elderly, which now have to walk -- In one case, I was at a homeowners association meeting with your Chief of Staff just a couple days ago, where one of the elderly women was inviting me to walk a mile with her, because she now has to walk a mile, because that bus route does not go through the area she lives anymore. So I just want to thank you -- all of you, really, for that.

Commissioner Reyes: Mr. Mayor, I just want to add that we have to be very alert --

Mayor Suarez: Yeah.

Commissioner Reyes: -- because most of the times -- and what is happening is -- the complaints that I've been receiving is that as we establish our trolley routes, the County then take out -- takes out a bus route, and we shouldn't allow that.

Mayor Suarez: And this does not --

Commissioner Reyes: We shouldn't allow that.

Mayor Suarez: -- this is not one of those situations and --

Commissioner Reyes: This is not.

Mayor Suarez: Correct.

Commissioner Reyes: This was out of the blue sky that --

Mayor Suarez: Correct.

Commissioner Reyes: -- I mean, that route had been there since --

Mayor Suarez: Forever.

Commissioner Reyes: -- forever, you know.

Mayor Suarez: As far as we know, yeah.

Commissioner Reyes: Since I first came here.

Mayor Suarez: Yep. Agreed.

Commissioner Reyes: Okay. But I want to keep an eye on it. I want you guys to keep an eye on it and --

Mayor Suarez: Understood.

Commissioner Reyes: -- because that affects the whole City, because as we have new trolley routes, the County is eliminating some of the routes.

Ms. Méndez: And the Administration wanted to amend this particular one, RE.17, so that it also says -- urging them to reinstate, but also that the City receives notice before they unilaterally take out a bus route.

Commissioner Reyes: Okay. Thank you. That's --

Chair Hardemon: Fine.

Commissioner Reyes: Thank you.

Chair Hardemon: Are there any other amendments to any of them?

Commissioner Carollo: RE.5 is being withdrawn by the Administration?

Chair Hardemon: RE.5 was withdrawn, correct.

Commissioner Carollo: Okay. Bear with me a little more --

Chair Hardemon: RE.9 is withdrawn.

Commissioner Carollo: -- because this is a lot of items here; I want to be sure.

Chair Hardemon: Just (UNINTELLIGIBLE) -- Look, and if you can --

Commissioner Reyes: RE.5.

Chair Hardemon: -- read the amendments into the record, Madam City Attorney, that you want to make on other ones.

Ms. Méndez: Yes. That's what I'm looking at right now. RE.17 was one, and I believe that -- I believe PH.3, the -- may be amended as well, the Social Gap funds, PH.3, does that need to be --? Okay. That one just -- if we can hold a pause on that one to see if it needs to be amended. And then, I believe you already pulled the other ones that may be discussed for amendments as well, and then one more --

Commissioner Carollo: RE.10, was that deferred or taken out?

Chair Hardemon: No.

Vice Chair Russell: They don't have an amendment for that.

Commissioner Carollo: Okay. Ken -- if you don't mind, Commissioner, I'd just like to get a little more information on it. Could we take that out and deal with that separate?

Vice Chair Russell: Yes.

Commissioner Carollo: I don't see problems, but I just want to be educated a little more on it.

Vice Chair Russell: Thank you.

Commissioner Carollo: Thank you.

Vice Chair Russell: So pull that one, please.

Commissioner Reyes: (UNINTELLIGIBLE)?

Commissioner Carollo: Excuse me?

Commissioner Reyes: RE.10.

Commissioner Carollo: Yeah, RE.10.

Vice Chair Russell: I have a question for the City Attorney on PH.7. Madam City Attorney?

Ms. Méndez: Yes.

Vice Chair Russell: You expressed to me that there was someone who came to speak; that they had issued an unsolicited offer on the property, and they had met some certain deadline. Can you explain how that does -- why that does not apply or why it does not qualify, please?

Ms. Méndez: Right. There was -- it doesn't qualify as an unsolicited proposal pursuant to our Code and State Statute as a qualifying project. There's a list of all the things that are qualifying projects. Just wanting to buy property from the City is not a unsolicited proposal, even though it sounds like it; it is not pursuant to our Code section and our State Statute.

Vice Chair Russell: Just clarifying that we're not overlooking a part of the Code that we would be violating by granting this.

Ms. Méndez: No, no, you're not --

Vice Chair Russell: Thank you very much.

Ms. Méndez: -- violating anything.

Chair Hardemon: Moreover, the City Commission does not have to be moved to answer an unsolicited proposal. It's something that the Commission has to agree that we want to entertain it and --

Vice Chair Russell: I thought it was a trigger.

Chair Hardemon: -- and then we move forward. No.

Vice Chair Russell: I thought there was a trigger --

Chair Hardemon: No. It's not an automatic --

Vice Chair Russell: -- that we have to (UNINTELLIGIBLE).

Chair Hardemon: -- trigger.

Vice Chair Russell: Got it. Thank you.

Ms. Méndez: But it's a very good question, Vice Chairman. Thank you.

Commissioner Carollo: On RE.19, if I could be included as a sponsor in that, please?

Chair Hardemon: Look, RE.19, I pulled out separately --

Commissioner Carollo: Oh, okay, you did.

Chair Hardemon: -- just in case --

Commissioner Carollo: All right. Thank you.

Chair Hardemon: -- because I want to make sure.

Commissioner Carollo: All right.

Chair Hardemon: Okay? And we'll do RE.19 next.

Ms. Méndez: All right. That is it on the amendment side for those that are not pulled.

Chair Hardemon: Can I hear a motion, please?

Vice Chair Russell: I'll move the item.

Commissioner Carollo: If we could --

Chair Hardemon: Moved --

Commissioner Carollo: -- just --

Chair Hardemon: -- seconded by the Chairman.

Commissioner Carollo: Okay. I'm almost there.

Chair Hardemon: We're not doing 22, 23, and 24 right now.

Commissioner Carollo: Yeah. 21 --

Chair Hardemon: 21 is included.

Commissioner Carollo: Okay. 21 is included?

Chair Hardemon: Yes.

Commissioner Carollo: Okay. Who's Taiwan Smart?

Vice Chair Russell: Would you like to start?

Ms. Méndez: Just a reminder that some of them are four-fifths.

Chair Hardemon: We know.

Ms. Méndez: Thank you.

Commissioner Carollo: Yeah, but --

Commissioner Reyes: That's a good question; who's Taiwan?

Commissioner Carollo: On 21, I'd just like to know; who's Taiwan Smart?

Chair Hardemon: Let him know who Taiwan Smart is.

Ms. Méndez: One of -- a litigant that has -- that we've been litigating a case against for five years, and is one of the settlements before you --

Commissioner Carollo: Oh, okay.

Ms. Méndez: -- today.

Commissioner Reyes: (UNINTELLIGIBLE) Taiwan, right?

Chair Hardemon: The settlement is covered by insurance?

Commissioner Carollo: Well, yeah --

Ms. Méndez: Yes.

Commissioner Carollo: -- I know already. It just threw me off. Was that the name of the person, Taiwan Smart?

Ms. Méndez: Yes.

Commissioner Reyes: Yes, sir.

Commissioner Carollo: Okay. Well, I'm sorry I missed that one, but --

Commissioner Reyes: Yeah, that's a --

Commissioner Carollo: Okay. That's fine.

Commissioner Reyes: That's the first name.

Chair Hardemon: It's been properly moved and seconded. Seeing no further discussion, all in favor of the motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries.

PH - PUBLIC HEARINGS**PH.1****5073*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE NAME CHANGE OF FANM AYISYEN NAN MIYAMI, INC. TO FAMILY ACTION NETWORK MOVEMENT, INC. IN ORDER TO FACILITATE THE TRANSFER OF \$33,724.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE FUNDS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0527

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item PH.1, please see “End of Consent Agenda.”

PH.2**5074*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) PUBLIC SERVICE FUNDS IN THE AMOUNT OF \$7,198.00 FROM COCONUT GROVE COLLABORATIVE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO THELMA GIBSON HEALTH INITIATIVE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, FOR PUBLIC SERVICE ACTIVITIES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0547

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item PH.2, please see “End of Consent Agenda.”

PH.3

5075

*Department of
Housing and
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "B," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF FUNDS IN THE AMOUNT OF \$743,000.00 TO THE AGENCIES SPECIFIED IN EXHIBIT "A," ATTACHED AND INCORPORATED, FOR PUBLIC SERVICE ACTIVITIES FOR PROGRAM YEAR 2018-2019; ALLOCATING FUNDS FROM THE SOCIAL SERVICE GAP PROGRAM FUNDS, ACCOUNT NO. 14010.910101.882000; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0548

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item PH.3, please see "End of Consent Agenda."

Chair Hardemon: Now how are we going to reconsider --

Commissioner Reyes: PH.3.

Chair Hardemon: -- PH.3, Madam City Attorney? Because that is a --

Victoria Méndez (City Attorney): I'm sorry, Chairman?

Chair Hardemon: -- 4/5ths --

Ms. Méndez: What did you say?

Chair Hardemon: PH.3 is a 4/5ths vote. There's three of us here.

Vice Chair Russell: I can say it twice.

Ms. Méndez: PH.3 is a 4/5ths. Well, that's a little wrinkle.

Chair Hardemon: Right. You're --

Commissioner Reyes: That's -- I don't want to lose those \$73,000 -- \$72,000.

Chair Hardemon: What's the issue?

Commissioner Reyes: The issue is that we -- I should have taken out among the payment, \$72,242 to Sunshine for All, and -- because they had been paid from our API. Those are meals for the people that are homebound. And we already paid them, and I wanted to get this back -- I mean, bring it back into our account.

Chair Hardemon: Maybe then what I would suggest is that at our next meeting, then you give them direction to do just that.

Ms. Méndez: I think then the way that we can address this is for the body to understand that there was a minor discrepancy on one of the items in District 4 --

Chair Hardemon: I also --

Ms. Méndez: -- and that will not be awarded --

Chair Hardemon: -- but --

Ms. Méndez: -- and then it needs to be brought back to be addressed on the next agenda.

Chair Hardemon: Right, because the only issue that we would have is with Sunshine for All saying, "You owe us this money."

Ms. Méndez: Right.

Chair Hardemon: But as long as Sunshine for All doesn't come back and say, "You owe us this money," we'll be fine.

Commissioner Reyes: Yeah, that's right.

Chair Hardemon: That's why you need to put it on the agenda, and then we have that understanding, and it'll be fine.

Ms. Méndez: Right. I just want the board to know that it was an error; that shouldn't have been on that legislation.

Commissioner Reyes: Right.

Ms. Méndez: Since we do not have four Commissioners, we can't reconsider it at this time, but just so that it's on notice that it will come back to you for that minor change. All the other items will go forward though.

Commissioner Reyes: Well, Madam City Attorney, are you going to -- the Administration is going to bring it next Commission meeting?

Ms. Méndez: Yes, for that change.

Commissioner Reyes: Okay.

Ms. Méndez: But it won't affect all the other ones.

Commissioner Reyes: No, no, no; just that --

Ms. Méndez: It's just that one line item.

Commissioner Reyes: -- line item. Okay.

Chair Hardemon: So I want to -- I'm making some -- listen, I want to make some clarifications, because our Clerk and his Mason's Rules of Order is kicking in. And so, I want everybody to understand that it is -- has passed as it is. The Commissioner can move to reconsider a previous vote, even at our next --

Vice Chair Russell: Without 4/5ths?

Chair Hardemon: -- meeting. He can do it today, but he can also do it at our next meeting. Now past the next meeting, it's a whole different story. So what I'm saying is that no matter if he moves to reconsider that item or he gives a different direction, that change can be made at our next meeting to affect this legislation. As long as -- that Sunshine for All is a partner with us, then we shouldn't have any major problem.

Ms. Méndez: That's cleaner. Thank you for your parliamentary knowledge and --

PH.4

5076

Department of Housing and Community Development

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") FUNDS IN THE AMOUNT OF \$63,387.00 FROM SUNSHINE FOR ALL, INC., A FLORIDA NOT FOR PROFIT CORPORATION, TO THE RESILIENCE AND PUBLIC WORKS DEPARTMENT FOR STREET AND SIDEWALK IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0549

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

PH.5

5077

Department of Housing and Community Development

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE CITY OF MIAMI'S DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S AFFORDABLE HOUSING INCENTIVE STRATEGIES ("STRATEGIES") AS RECOMMENDED BY THE HOUSING AND COMMERCIAL LOAN COMMITTEE AND AS REQUIRED BY SECTION 420.9076, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO IMPLEMENT SAID STRATEGIES.

ENACTMENT NUMBER: R-18-0550

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

PH.6**5059**

***Department of
Resilience and
Public Works***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT TITLED “TROPIC TERRACE,” A SUBDIVISION IN THE CITY OF MIAMI OF THE PROPERTY DESCRIBED IN “ATTACHMENT 1,” SUBJECT TO SATISFACTION OF ALL CONDITIONS REQUIRED BY THE PLAT AND STREET COMMITTEE AS SET FORTH IN EXHIBIT “A,” ATTACHED AND INCORPORATED, AND THE PROVISIONS CONTAINED IN SECTION 55-8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; ACCEPTING THE DEDICATIONS SHOWN ON THE PLAT; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE PLAT AND CAUSE THE RECORDATION OF THE PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ENACTMENT NUMBER: R-18-0551

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item PH.6, please see “End of Consent Agenda.”

PH.7

4814

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

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDING, ATTACHED AND INCORPORATED AS ATTACHMENT "B," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") PURSUANT TO SECTION 29-B(A) OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND SECTION 18-182(C) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR SAID PROCEDURES SUBJECT TO NECESSARY UPDATES FOR LEGAL AND FINANCIAL COMPLIANCE REQUIREMENTS; AUTHORIZING THE CITY MANAGER TO TRANSFER, WITH AUTOMATIC REVERTER PROVISIONS, THE CITY-OWNED PROPERTIES LOCATED AT 551 NORTHWEST 71 STREET AND 7142 AND 7148 NORTHWEST 5 COURT, MIAMI, FLORIDA (COLLECTIVELY, "PROPERTY"), AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT "A," ATTACHED AND INCORPORATED, TO THE ARK OF THE CITY, INCORPORATED, A FLORIDA NOT FOR PROFIT CORPORATION, FOR JOB TRAINING PURPOSES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AS MAY BE NECESSARY TO COMPLETE THE AFOREMENTIONED TRANSACTION SUBJECT TO ALL FEDERAL, STATE, AND LOCAL LAWS THAT REGULATE SUCH TRANSACTIONS; 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 HEREWITH.

ENACTMENT NUMBER: R-18-0373

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item PH.7, please see "Public Comment Period for Regular Item(s)" and "End of Consent Agenda."

Chair Hardemon: And then the last thing --

Commissioner Reyes: That's why he's the Chair.

Chair Hardemon: -- (UNINTELLIGIBLE) she needed to put something on the record, and then I'll make a comment about that. Madam City Attorney.

Victoria Méndez (City Attorney): I would like to -- okay. I'll read the script then as I -- as we go out. So the other thing -- I just wanted to mention briefly for the record, and it shouldn't change anything, but I just -- it's just based on information. So on

PH.7, I had -- I was under the impression that there was only an LOI (Letter of Intent), just a straight offer, but there was also an offer, technically, to do affordable housing. We don't know if it's affordable housing that complies with all our affordable housing requirements or anything of that nature, but I just wanted to briefly point out that even if someone does make an offer that could be or could not be considered an unsolicited proposal that this Commission is not bound to take any action on it or anything of that nature. We don't have all the specifics, but just know that there was an affordable housing component, but that does not necessitate -- which was your main question -- that we have to take action on something as a Commission, but I just wanted to put that on the record, so thank you.

Chair Hardemon: Thank you very much.

PH.8**5189****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, AS AMENDED ("CODE"), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDINGS, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY"), WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY'S ANTI-POVERTY INITIATIVE ("API"), IN A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) TO THE IMPAC FUND, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("IMPAC FUND"), IN SUPPORT OF ITS NEW AMERICAN WORKFORCE PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0552

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

PH.9**5214****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY, AS AMENDED ("CITY CODE"), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY"), WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM DISTRICT 1 COMMISSIONER'S SHARE OF THE CITY'S ANTI-POVERTY INITIATIVE ("API"), IN A TOTAL AMOUNT NOT TO EXCEED NINETY THOUSAND DOLLARS (\$90,000.00) TO THE MOTIVATIONAL EDGE, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("MOTIVATIONAL EDGE"), IN SUPPORT OF GENERAL PROGRAM FUNDING FOR THEIR ALLAPATTAH CAMPUS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0553

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item PH.9, please see "End of Consent Agenda."

PH.10

5207

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

MAY BE DEFERRED

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY, AS AMENDED ("CODE"), BY A FOUR FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING, AND CONFIRMING THE CITY MANAGER'S FINDINGS, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY"), WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY'S ANTI-POVERTY INITIATIVE ("API"), IN A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY THOUSAND DOLLARS (\$120,000.00) FOR THE ESTABLISHMENT AND FUNDING OF TWO THOUSAND FOUR HUNDRED (2,400) COLLEGE SAVINGS ACCOUNTS ("CSA"), WITH A FIFTY DOLLAR (\$50.00) INITIAL DEPOSIT FOR EACH CSA, FOR INCOMING KINDERGARTNER STUDENTS ENTERING ELEMENTARY SCHOOLS WITHIN THE CITY ("FUNDS"), AS PART OF A LOCAL CITYWIDE-RELATED EFFORT FOR WHICH A CONSORTIUM, INITIALLY CONSISTING OF THE ORGANIZATIONS STATED HEREIN ("CONSORTIUM"), HAS BEEN ESTABLISHED TO BRING FINANCIAL EDUCATION AND ASSET-BASED RESOURCES TO CITY RESIDENTS FOR INCREASED POST-SECONDARY EDUCATION, TECHNICAL SKILLS ATTAINMENT, AND IMPROVED FUTURE WORKFORCE ACCESS AND INCOME MOBILITY ("PROGRAM"), WITH THE CONSORTIUM ASSUMING FULL RESPONSIBILITY FOR THE SET-UP, ACCEPTANCE AND MANAGEMENT OF THE FUNDS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE, AND SUBJECT TO THE WAIVER OF ALL FEES.

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

Note for the Record: Item PH.10 was continued to the January 10, 2019, Regular Commission Meeting.

For minutes referencing Item PH.10, please see "Order of the Day" and "End of Consent Agenda."

END OF PUBLIC HEARINGS

SR - SECOND READING ORDINANCES**SR.1****4980****Commissioners
and Mayor****ORDINANCE****Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AMENDING CHAPTER 38/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "PARKS AND RECREATION/IN GENERAL," BY ESTABLISHING A NEW SECTION 38-20, TITLED "NAMING OF MAURICE A. FERRÉ PARK;" MORE SPECIFICALLY BY RENAMING THE PARK LOCATED AT 1095 BISCAYNE BOULEVARD, MIAMI, FLORIDA, ALSO KNOWN AS BICENTENNIAL PARK OR MUSEUM PARK, THE "MAURICE A. FERRÉ PARK;" DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ADMINISTRATIVE ACTIONS NECESSARY TO EFFECTUATE THE NAMING OF SAID PARK.

ENACTMENT NUMBER: 13813

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

Note for the Record: For directive referencing Item SR.1, please see Item NA.2.

For additional minutes referencing Item SR.1, please see "Public Comment Period for Regular Item(s)."

Mayor Francis Suarez: Everybody can take their seats.

Commissioner Carollo: Mr. Mayor?

Chair Hardemon: Mr. Mayor?

Commissioner Carollo: Maurice? Why don't you come up here; I think you deserve to sit up here.

Commissioner Reyes: Yeah, you don't have to sit -- come over here.

Applause.

Chair Hardemon: It hasn't changed that much. No, no. What side is my name on? Is it on this side or this side? What side is my name on? What side says "Francis"? This side says "Francis"? Okay.

Mayor Suarez: There you go.

Applause.

Chair Hardemon: Mr. Mayor.

Mayor Suarez: Thank you, Mr. Chair. I'm going to try not to get choked up. The last time I did this with you, I got choked up. There are not sufficient words that I know in the English language to encapsulate how I personally feel about Mayor Ferré and what he means to Miami. Suffice it to say that as the son of a Mayor, he was the first Mayor of Miami I ever heard about or met. Although my father succeeded him, he never failed to remind me throughout my entire life of Maurice and, of course, Mercedes' incalculable class and grace on how Mayor Ferré -- he used to call "Maurice" -- always lit up a room when he entered it -- he just did it a few moments ago -- of his political skill and his acumen. I remember early on, before deciding to run, that I decided to have lunch with Mayor Ferré; a lunch, by the way, that he insisted that we go Dutch. Never forget that. He told me then that the single most important ingredient in successful public service was judgment. Throughout my public sector career, I could always count on Mayor Ferré and his counsel and his friendship. He never allowed me to be mediocre, and always pushed me to be (UNINTELLIGIBLE) -- and I'm sure Jose Javier would attest to that as well -- always pushed us to be the most prepared, especially on the issues that are most pressing to the most vulnerable in our community, namely, transportation. He is the first Miami visionary. The label of "visionary" and his -- the way he embodied that label is the one that all future Mayors will be judged against. The honor of naming this precious asset after this precious man is an honor befitting a great Miamian, and for me -- as I often say, sometimes it's better to be lucky than good. It is -- I am incredibly lucky that as a current steward of this seat, I am able to preside over the naming of this park. And I want to thank Commissioner Gort for sponsoring this; I want to thank Vice Chairman Russell, whose district it's in; I want to thank Commissioner Carollo, who's the head of the Bayfront Park Trust; and I want to thank the Chairman, of course; I want to thank Commissioner Reyes, who's been incredibly supportive on this; I want to thank Jose Javier, Senator -- sorry -- Senator Jose Javier, who has been working with us for a while on this incredible honor; certainly want to thank his family, who's here, and members of the community who are here. This is truly a special moment for the City, and I want to thank Mayor Ferré for being here as well. Thank you. God bless you.

Applause.

Chair Hardemon: So a bit unorthodox, but I will allow members of the public, especially those who are very close to our Mayor, to say a few kind words before the Commissioners chime in before we take our vote. So if you would like to speak to Mr. Ferré, our Mayor, you can approach any of the two lecterns. Yes.

Senator Jose Javier Rodriguez: Good afternoon. I'm Jose Javier Rodriguez. I am here in both a public and a personal capacity; very, very moved and grateful, so I'm here to say "thank you" for the act that you're taking today. You know, I think that I have had the honor of representing a large part of the City of Miami in the Florida Legislature for six years, and I tell you that constituents from all walks of life, all walks of life, carry with them a sense of pride from Mayor Ferré's time as the Mayor here. And I think that as others will more eloquently state, Mayor Ferré is the person who enabled or led Miami to meet its destiny as, you know, the capital of the hemisphere -- right? -- and to be that open global city and welcoming city that we all believe in; the first Hispanic Mayor of any major city in the United States. And I think, as Mayor Suarez mentioned, Mayor Ferré has a very distinguished record in public service, but he is not one who has, you know, for lack of a better way [sic], sat on his laurels. He is still as active as he possibly can be on those issues he cared about then that are still relevant today, and that, to me, is amazing and is inspirational. So again, I hear from constituents, but I think that as many of you know -- I'm here with my wife, Sonia, and many of the Ferré family, especially Mercedes, Jose, Horacio; others are here -- but my wife, Sonia, is Mayor Ferré's granddaughter. And so, I'm here also in a personal capacity to speak on behalf of

the family, how moved and grateful. A lot of tears of joy have been shed, and it is moving. And I will also say that among the personal reasons is also my own blood family. My father came here as a Peter Pan exile at the age of 15, and I know that for him, Mayor Ferré was really at the center of Miami welcoming, you know, the Cuban exile community here to Miami, and so it's, personally, very special to me as well. And I guess not to get too hokey, but, of course, our waterfront, Central Park in Miami, obviously, is, you know, how we, you know, give face to the world, and so I think that -- I think it's particularly fitting. So again, I want to say "thank you" in both a public and a personal capacity.

Applause.

Horacio Stuart Aguirre: Mr. Chairman, Mayor Ferré, on behalf of the Aguirre and the Aguirre Ferré family -- and your son Jose Luis is here -- it's an honor to honor you, and I believe that's a quote from Jose -- from Mr. Marti, correct? "Honrar es honra." So we honor you. You were the visionary leader, the pioneer, the creator of the Miami -- modern Miami that we have today. You brought it into reality, you dreamed it, and you understood the location of geography. You understood that Miami was destined to be the great international city. You went against the grain. You had opposition when you reinvented the idea of Brickell Avenue, and you turned out to be 1,000 percent right. You made us what we are today. You put us on the map. We are today one of the largest financial centers of the western hemisphere. You are to be thanked for your selfless service. But I also want to thank the greatest first lady that we have had -- Mercedes (UNINTELLIGIBLE) Ferré --

Applause.

Horacio Stuart Aguirre: -- your gift from Venezuela, your gift from Venezuela. Mercedes was a young lady at Barry College when Maurice put his eyes on her, but he wasn't allowed to date her openly. Barry College was then under the graceful command of the Dominican Sisters, and they wouldn't allow such dangerous ventures, so Mercedes had to come to my parent's home, where Maurice would come a courting, as a proper gentleman did in those days; and, of course, I was a young chaperone taking note from the grand master; learned a little bit from you, Mayor Ferré. And congratulations; you have had one happy, successful marriage. It's a privilege to be here on behalf of the Aguirre family. Commissioner Gort, thanks for bringing this about.

Applause.

Frank Pichel: Good afternoon, Ambassador. It is always great to see you. I am not going to repeat all these gentlemens [sic] are going to say, because it's not my place. I'm just going to talk to you about a personal encounter or pleasantries with Ambassador. When I -- way back in the '90s, when one of many Mayor races were going on, I was supporting a little known ex-Mayor by the name of Xavier Suarez -- that's a joke for you -- and I remember that one day, I get a phone call on my cell phone, and it's the Ambassador calling me. He says, "Frank, Maurice Ferré." I go, "Yes, sir." "Frank, listen, I want you to be on my team." And I said, "Sir, I'm committed. I am not going to" -- "I'm committed. I can't do that." He says, "Well, you know, if you were" -- "you're on my team and I was successful, I want you to be my sergeant-at-arms." And that was a very tempting proposition, and I had to decline, because I said, "I'm committed to someone else. However, if there's a runoff, I would definitely support you," which I did. Then he insisted on having dinner with me, and I remember -- it was at that place on 37th Avenue, between Flagler and 1st Street -- I think it was -- I forgot the name, but we were there, and again, you know, he made a very lucrative proposition to me -- me; little me -- and I said, "Sir, I can't do that. I cannot break my word." And he told me, "You know,

Frank, that's exactly why I want you on my team, because I can rely on your word." It didn't come true, but, however, I honor the fact that he honored me and respected me that much to offer me that position, being a humble police sergeant at the time. And, sir, God bless you, and thank you for everything.

Applause.

Representative Roy Hardemon: Thank you, all. Thank you Commissioners and Chairman. Dr. Ferré, you are a visionary. You always been and continue to be, even when -- at the last minute that you pull off a overpass of I-19 to actually connect I-75 to I-95 for freight to be able to come through. But the best thing I've seen you done is when you took the barges of sand to build downtown. You did great. Thank you.

Applause.

Chair Hardemon: Everybody that knows him knows him. You didn't tell us your name, sir.

Representative Hardemon: Representative -- former Representative Hardemon. Hardemon family.

Chair Hardemon: I don't know that guy.

Representative Hardemon: Former Representative Roy Hardemon.

Applause.

Elizabeth Mayer Tetreault: Hello, everyone. My name's Elizabeth Mayer Tetreault, and although I'm a native Miamian, I came late to the Ferré family party. Thanks to my good friend, Lourdes Diaz, I met Maurice and his family in 2010, and I realized right away that Maurice would always elevate the dialogue, and he has. He's given us everything that we need to build and continue to build a magic city, more magic. And so, I want to thank the Commission and all the people who are here today. And I just -- I'm glad to be in your company. Thanks.

Applause.

Chair Hardemon: Before we get there, I want to make sure that --

Sonia Rodriguez: I just want to say a couple words.

Chair Hardemon: Oh, absolutely.

Ms. Rodriguez: I wasn't prepared, but --

Chair Hardemon: I had no idea that you were the granddaughter of Ferré.

Ms. Rodriguez: Yes. Sonia Succar-Ferré Rodriguez; just wasn't preparing to say anything, but it's always beautiful to be here. We've been preparing for this moment in so many ways. You know, my grandfather, as you all know, is such a special person; not just to me and my family, but to each of us. Throughout my life, I've always heard so many incredible stories, because he has spent so much time with individuals, and he makes the time for you. He goes out to lunch. He invites you to his home. He shares articles. He's constantly educating each of us personally, and it means the world more than anything. As we were thinking through on our way to recognize him, you know, how important our green spaces are, and there's nothing

more valuable than having a park where we can come together and just be together and look at the beautiful water and the paradise that we live in here in Miami, with the trees and the fresh air, and as a mother now with two children, that's all you want. And so, it's very fitting that we have this beautiful park, where we can recognize it now and in the future. So I thank each of you, the Mayor and all of the Commissioners, especially Commissioner Gort for bringing this, and my husband. But on behalf of the Ferré family and all the 13 grandchildren, we thank you so much.

Applause.

Nestor Toledo: If I may? Mayor Ferré, how are you, sir? You know, 40 -- going to be 42 years ago, in January 6, 1977, I was -- the first time I got a chance to walk through these doors as an intern at FIU (Florida International University) and had the pleasure of meeting a man who, quite frankly, I have to be honest with you, is -- I consider my second father. I mean, I've learned more from Maurice about life -- not only about politics, but about life in general. And as Mayor [sic] Carollo mentioned, I don't think there's a history of Miami without the name "Maurice Ferré" as part of it, and we can talk about, as far as I'm concerned, all the accomplishments that he's done, but there are two things that always stand out with Maurice, and that that I got from him was -- like one of his people he admired the most, Thomas Jefferson, Maurice is a true renaissance man; something that you really don't see anymore. You can discuss theology; Maurice can talk for hours on it. You can discuss architecture, foreign policy, you name it; Maurice can talk for hours about it, which is okay, because he can talk for hours on every subject. But aside -- all joking aside, I think the one thing and the one legacy, if you want to call it, that -- and the one accomplishment that Maurice should be most proud of, and I -- and that, quite frankly, he has to share with Mercedes, and those are named Mimi, Jose Luis, Poncho, Carlos, and Florence. I think that the offsprings, I've known them since they were little kids, running around in the office. They've grown up to be gentlemen [sic] and ladies; and also have had some great-great-grandchildren, and great-grandchildren. So that, I think, is your greatest accomplishment, above everything else. So on behalf of myself -- and I see Carol Ann here and everybody -- to both you and Mercedes, congratulations. It's a pleasure to have known you -- to know you and to have worked for you. And please continue your futuristic views and your futuristic accomplishments. Thank you very much.

Applause.

Armando Codina: Armando Codina. Maurice, I wanted -- I don't want to say something about you; I want to say something to you. So, you know I grew up in a political family. My dad was in the House and the Senate, and I have a great deal of admiration for people who serve -- who do public service. I never had the -- never particularly felt capable, but -- or more important, was willing to make the sacrifice that you all make, and particularly you. So there are two public servants in my life that I have admired greatly and I have met; you are one, and the other is George W. Bush. So my respects to you, Maurice.

Applause.

Chair Hardemon: So the first thing I'd like to do is I'd like to ask our Clerk to read into the record a letter that is addressed to us -- I'm not sure if it's to the Mayor or is it to the City Commission, but nonetheless, a Mayor -- a letter from Carlos Gimenez; and then, when he's finished with his statement, I'm going to pass this microphone to our dear Commissioner, Willy Gort.

Todd B. Hannon (City Clerk): Thank you, Chair. Yes. I have a letter from Miami-Dade County Mayor Carlos Gimenez, dated December 12, 2018, to Honorable Chairman Keon Hardemon and members of the Miami City Commission. It's a letter of support for renaming Bicentennial Park, or Museum Park, the "Maurice A. Ferré Park," proposed City Ordinance SR.1. "Dear Members of the City of Miami Commission: I write this letter in strong support of proposed City Ordinance SR.1 on tomorrow's Commission agenda, which would rename Bicentennial/Museum Park the Maurice A. Ferré Park. Mayor Ferré has served our community with distinction and selflessness for more than 50 years. His contributions as an elected official and a private citizen have shaped the Miami-Dade County we live in and serve today. In addition to representing the people of Miami-Dade County as a State Representative, City of Miami Mayor, County Commissioner, and Chair and board member of the Miami-Dade Expressway Authority, Mayor Ferré remains actively involved in our community. He is an exemplary public servant, and I can think of no one more deserving of this honor. In recognition of the indelible mark Mayor Ferré has made on our community, including the development of the Brickell area into an international banking and financial district, and the redevelopment of the downtown waterfront area for our residents and visitors' enjoyment, I respectfully urge you to adopt the ordinance that would rename Bicentennial/Museum Park after one of Miami-Dade County's greatest visionaries. Sincerely, Carlos Gimenez."

Applause.

Commissioner Gort: I might have to give a little history. I was very fortunate, coming out of school, to meet Mayor Ferré through a friend of mine, Frank Cobo, the first time he ran for State Representative. And since then, I've been involved in every campaign, volunteer, because of the man that I admire, the man that, when you stand up, and he says -- when people didn't believe in this, Miami, geographically, is in the middle of the world, and we can see it today. Miami is a world city, thanks to you. You're the architect that designed what has been taking place. I learn a lot from you. I think I'm a great politician because of your teaching, being around you, making the right decision always, and look at -- how to help people and make this world better for everyone else. So I want to thank you for all your dedication and all you've done for us. You're the greatest. God bless you.

Applause.

Vice Chair Russell: Thank you. Thank you, Mayor. Thank you. Thank you for your mentorship to me. Thank you for your service to the people of this City, and thank you for your love of Miami. I would like to see that this park become as worthy of your name as you are worthy of this park being named after you. I would like to see it come to its full potential with the help of my fellow Commissioners and the stakeholders within the community, and see it become what it should be. It's not a bad park, but we can make it real -- we can make it "Maurice good."

Later...

Commissioner Carollo: Well, where do you begin? I started with Maurice when I was a 24-year-old kid that, like a father does many times, he had to pull me by the ear more than once, but I could honestly say to you that I'd learned tremendously from him. I learned so much from him that it's what propelled me to be able to accomplish many other things in the future as I moved on. And during -- about six years we served together, if I remember correctly. I see Kitty here now, and boy, so many things are flashing back. I think it was Maurice that grabbed me by one arm and Kitty by the other, and Noguchi punched me until I became the third vote for the vision for what is the greatest park we have in Florida today, Bayfront Park. And while we all give credit to Noguchi, he's the guy that brought Noguchi to us back

then; just like so much of Miami was inspired by his vision. You know, when you're a Mayor, you're part of a very special club; just like the US (United States) Senate. And having been a Mayor of this City, I think I'm in a good position of authority to say this: Maurice Ferré, without a doubt, has been the best Mayor that this city has ever had --

Commissioner Reyes: Absolutely.

Commissioner Carollo: -- bar none.

Applause.

Commissioner Reyes: No doubt about it.

Commissioner Carollo: And if anyone deserves the title of "Miami's Mayor," it's right here, Maurice Ferré. Now, I did make a mistake, but -- when we voted upon this, and I said, "No. This is not Maurice Ferré Park and Museum Park." Everybody knows we got museums here; it should be "Maurice A. Ferré Park." And the mistake that I've made was that the person that was always by his side in good or bad, his inspiration, his strength: Mercedes. She should have had a part of that, too, but maybe we'll save Bayfront Park for her for later on. Mercedes, it's great to have you here with us today. But Maurice is the Mayor that truly coined Miami as "the gateway to the Americas." It was his vision that made that connection to Latin America, because from way back then till today, no matter who's President, what party is controlling the White House, they only see east and west, and they forget south, Latin America, and Maurice was that visionary that reminded us how important Latin America was, how important the rest of our hemisphere was. And because of his efforts, the visions that he had, Miami truly became the gateway to Latin America. Maurice, I thank you for all that you've done for our city, all that you've done for me, in particular; so much that I've learned from you, and I thank you again in swearing me in when I came back one more time. Thank you, and God bless you and Mercedes and the whole Ferré family.

Applause.

Commissioner Reyes: You see, I have heard everything that everybody has said about Maurice is the truth, I mean, and I have proof of it. You see, when I first came to work at the City of Miami, I was working in Management and Budget, and they had a newsletter that was published on April 1978, and I kept it, because my picture was there, you see, as a budget analyst, but little did I know that I had that for so many years, and this is proof that you were the visionary that made Miami a world trade center. And it says here, "Insights: City of Miami going towards a real new world center." And there's a picture here. You see, there's a picture of Maurice with -- and you might remember this, Emilio, because you were a part of it, okay? You were the one that was doing it. Maurice with Rosalynn Carter and Reubin Askew, when the first Trade of the Americas was inaugurated in 1978, and that was the first step towards making Miami the springboard to Latin American trade, and you did that. Another thing that I want to -- I'm going to make a copy of this, and I'm going to -- because man, you look very young here; so did I. But I also want to mention something that haven't been said here. Those of us that came in 1959, none of us had a vote. Nobody voted here; none of us. We came from Cuba without a penny in our pockets; our parents did. And Maurice, the human part of Maurice, you see, he provided and he gave a job to how many people you hire (UNINTELLIGIBLE) how many families were able to go ahead and establish themselves here because of this man that is here? You see, our gratitude to this gentleman goes beyond being a visionary, beyond being a great Mayor, a great

administrator; it goes -- as a human being. This is an excellent person. Gracias, Maurice. Gracias.

Applause.

Chair Hardemon: When I initially ran for office, I could not understand how someone who was born and raised in Liberty City, stayed out of trouble, graduated, did numerous extracurricular activities to pay homage to my community, went to historically black colleges and graduated with multiple degrees and came back home, working for Fortune 500 company; entering law school at our infamous University of Miami, graduating, finishing early; working as a Public Defender. I could not understand how people could say such nasty things about me because my last name was Hardemon. It was something that I never really truly understood, because I had never done anything to anyone but provide relief -- right? -- good, because statistically speaking, I should have been breaking in their cars -- right? -- but that did not happen. And one day I ran into Maurice Ferré. And because he had been around so long, he knew who I was, my family, et cetera. I mean, he knew things that existed, like this newsletter, before I was born, and he said such positive things; not only about what he thought I was going to do, but about my family, because he understood what the world was doing in order to have an effect upon me. And so, understanding politics at the time, he showed so much deference for people that, for me, paved the way, because without them, I would not be where I am. And because of that, I pay so much respect to those like Maurice Ferré, like Commissioner Carollo, like Commissioner Gort, who sat through many different times in this City and held a leadership position that was not always easy, and that is why I -- As Chairman, for instance, I do the best that I can to show respect for this dais, to show respect for these Commissioners, for the Administration, and for the people that come here in the City of Miami. And I believe, personally, because I'm not -- I'm a -- when I'm Chairing, I try to let everyone get the words in that they want to be able to say. I want everyone to express themselves the way they want to, and I always try to give the least in the end, but I will tell you that I personally feel that, for me, that is the only way that I can show a true homage to the City of Miami and to its elected leadership, but to keep us in a condition, in a state where we all feel like we're doing the best that we can and paying the proper respects to not only this dais, but those that came before us. So to you, sir, I just hope that we continue this legacy that you can feel proud of; that you don't look back someday, like, for instance, at your old fraternity or, you know, good brothers and say, "They're just not what we used to be." And so, we hope that we can continue in the City of Miami to produce leadership that is what you used to be for us. Thank you, sir.

Applause.

Chair Hardemon: And with that, I would like to ask -- I would like to humbly ask for a motion from Commissioner Gort and a second --

Commissioner Gort: Before --

Commissioner Carollo: I'll second.

Commissioner Reyes: Second by everybody.

Commissioner Gort: Is it on? Can you --? Manolo, I'm glad you brought up the point you brought up. Not only was he a great politician, but as a businessman. When we started coming here in the '60s, when the Bay of Pigs prisoners came back to Miami, his mall industry was the one that provided jobs for just about everyone.

Commissioner Reyes: Absolutely.

Commissioner Gort: So as a businessman, he did a lot of good in this community and help a lot of families, a lot of people. So it's, for me, a pleasure to make the motion to approve SR.2.

Commissioner Reyes: At the time, we -- I mean, he wasn't looking for votes.

Commissioner Gort: Right.

Commissioner Reyes: He was helping us.

Commissioner Gort: Right.

Commissioner Reyes: You see, because none of us could vote.

Commissioner Gort: We didn't vote. We didn't have votes at that time. Yes, right. Okay.

Chair Hardemon: It's been properly --

Commissioner Gort: (UNINTELLIGIBLE).

Commissioner Reyes: Second.

Chair Hardemon: -- moved by Commissioner Gort; seconded unanimously by this Commission. And if there is -- is there any further unreadiness? Maybe -- seeing no further unreadiness, all in favor of the motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion passes.

Applause.

Maurice Ferré: I swore that I would not let this happen. I said, I'm going to wait outside until after the vote and then walk in, because I'm not dead yet, and I hope to live for a while longer and do more.

Commissioner Reyes: You will, you will.

Mr. Ferré: So, please, all sit down. I promise you, this will be shorter than all your speeches. Let me first begin by thanking Willy Gort for this initiative, and I want to thank the Chairman, the Mayor, and all of the Commissioners for their solid support. It's wonderful to see your sense of purpose and unity, and I thank each and every one of you. I want to thank Kitty Rodell (phonetic), in particular; and, of course, Kitty has not been alone in this. This has been a wonderful adventure to see this develop, and I'm not going to start mentioning the other names, because I know I'm going to offend some people. I'm sure I'll forget somebody. So I -- huh? Oh, of course, (UNINTELLIGIBLE). Emilio (UNINTELLIGIBLE) -- there I go; I'm breaking my promises two times in a row, Emilio and Jose Javier. I know. But now I'm going to get stuck and have to thank -- but I'm not going to do that. Thank -- you know who you are. You've all done wonderful, and I'm very grateful for it and humbled. Let me just say, this is not about me; this is about us, because the one thing that stands out about our great country is a very, very simple short phrase and it's, "We, the people." That's what this is all about. And it doesn't say, "We, the white people," or "We, the Protestant people," or "We, the people from the north or the west," or - it doesn't say -- it doesn't qualify. It's because we are all equal under the law. And

if we have had a checkered past in not living up to our dream, what these gentlemen and ladies in public office are about is in perfecting that union so that "we, the people," really means we, the people. I was honored by all of the wonderful things that were said. Armando, thank for -- I know how busy you are and how much -- taking time and -- all of you. I -- here, I did it again; I started naming names. But all of you that have spoken, Representative Hardemon and so many of you, I just want to tell you that it's been interesting, and it's been a wonderful experience for me. Believe me, I got a lot more out of it than -- I got much more than I gave. And I gave, but I got a lot more out of it than what I gave. And here's the last thought that I want to leave with you: Those that are not our friends, like the -- and whenever there's a crisis here, they come around and throw bananas at City Hall, and they want to call us the "Banana Republic." That's not what Miami is about. You know what Miami is about? You know what the symbol of Miami should really -- and is, is grit, grit. What does "grit" mean? "Grit" means perseverance. The meaning of "grit" means, "Yeah, we get slapped around, and we kicked in the places we don't want to get kicked, and we sometimes are humbled, and sometimes we're found to be wrong." But we survived not one but several hurricanes. We've survived and, God willing, will improve after the McDuffie riots. We've survived the Mariel. We survived Cocaine Cowboys. We survived the front page of Time Magazine, saying "Paradise Lost." No, not paradise lost. This is still the best city in America.

Applause.

Mr. Ferré: Thank you very much for honoring me with this, and God bless each and every one of you, and God bless the City of Miami.

Applause.

Victoria Méndez (City Attorney): Chairman, if I may read our wonderful ordinance into the record?

Commissioner Reyes: Absolutely.

Chair Hardemon: Please.

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

Ms. Méndez: Congratulations.

Chair Hardemon: Okay. So technically, she's right; we should have done that, and so, I want to shore things up. So I have this token of appreciation that was given to me by our Vice Chairman, Ken Russell. He actually made this himself. I don't know if you know how talented he is.

Applause.

Chair Hardemon: I have never used it; never banged this gavel. I've been banging this gavel for the last three years. So I thought that it'd be more fitting and appropriate to use the Vice Chairman's gavel to cast our last vote on this item. And so, with that being said, I'd like to call for a roll call vote from our Clerk.

Mr. Hannon: Roll call vote on Item SR.1: Vice Chair Russell?

Vice Chair Russell: Yes.

Mr. Hannon: Commissioner Reyes?

Commissioner Reyes: Yes.

Mr. Hannon: Commissioner Carollo?

Commissioner Carollo: Yes.

Mr. Hannon: Commissioner Gort?

Commissioner Gort: Yes.

Mr. Hannon: Chair Hardemon?

Chair Hardemon: For.

Mr. Hannon: The ordinance passes on second reading, 5/0.

Applause.

Chair Hardemon: The meetings in recess till 3 o'clock.

SR.2

5001

**Commissioners
and Mayor**

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION REPEALING CHAPTER 35/ARTICLE XI OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "MOTOR VEHICLES AND TRAFFIC/DANGEROUS INTERSECTION SAFETY," DEAUTHORIZING THE INSTALLATION AND UTILIZATION OF TRAFFIC INFRACTION DETECTORS, COMMONLY REFERRED TO AS THE CITY OF MIAMI RED LIGHT CAMERA PROGRAM, AND RELATED LOCAL HEARINGS AND LOCAL HEARING OFFICERS.

ENACTMENT NUMBER: 13811

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: Okay, gentlemen, I want to move through some business, if we can. I know we have SR.1 at 12 noon, so let's move to --

Commissioner Carollo: Can I ask you something, Chairman? I forgot, and I apologize. If -- PZ.10 and 11, which is sitting on my district, if we can get a time certain maybe --

Chair Hardemon: I know that at 3 o'clock, you wanted to have someone -- you wanted to vote upon it. So as soon as we're done, we'll move to that item.

Commissioner Carollo: Okay, great.

Chair Hardemon: Okay?

Commissioner Carollo: So we can move on that right after 3. Thank you.

Chair Hardemon: Correct. So let's have SR.2 read into the record, please.

Commissioner Carollo: SR (second reading) --

Commissioner Gort: Where are we going?

Chair Hardemon: Read SR.2 into the record, Madam City Attorney, or one assistant.

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

Barnaby Min (Deputy City Attorney): This is a cleanup ordinance to remove all references to the Red Light Camera Program, which no longer exists in the City of Miami.

Chair Hardemon: Okay.

Later...

Chair Hardemon: Is there a motion to approve SR.2, SR.3, FR.3, and FR.4?

Commissioner Gort: Move it.

Chair Hardemon: It's been properly moved; seconded by the Chair. Any discussion?

Commissioner Reyes: Excuse me. I have a discussion on SR.4.

Chair Hardemon: FR.4?

Commissioner Reyes: SR.4.

Chair Hardemon: We're not doing SR.4.

Vice Chair Russell: (UNINTELLIGIBLE) that one.

Commissioner Reyes: We are not doing SR.4?

Chair Hardemon: No, no; just SR.2, SR.3 --

Commissioner Reyes: Oh, FR.4.

Chair Hardemon: -- and FR.3 --

Commissioner Reyes: FR.4.

Chair Hardemon: -- and FR.4.

Commissioner Reyes: Okay. Move it. Seconded.

Chair Hardemon: Okay. Seeing no further discussion, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries.

SR.3

4588

***Off-Street Parking
Board/Miami
Parking Authority***

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 35/ARTICLE IV OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "MOTOR VEHICLES AND TRAFFIC/PARKING RATES," MORE PARTICULARLY BY AMENDING SECTIONS 35-191 THROUGH 35-196 TO UPDATE RATES AND FACILITIES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

ENACTMENT NUMBER: 13814

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item SR.3, please see Item SR.2.

Chair Hardemon: Can you read into the record SR.3, please?

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

SR.4

5106

***Commissioners
and Mayor***

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 38/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "PARKS AND RECREATION/IN GENERAL," BY ESTABLISHING A NEW SECTION 38-21, TITLED "NAMING OF FACILITIES AT MOORE PARK," THEREBY NAMING THE TRACK AND FIELD AT MOORE PARK THE "JESSE L. HOLT, JR. TRACK AND FIELD COMPLEX;" CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

ENACTMENT NUMBER: 13812

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo
NAYS:	Reyes

Note for the Record: For directive referencing Item SR.4, please see Item NA.1.

For additional minutes referencing Item SR.4, please see “Public Comment Period for Regular Item(s)” and Item DI.1.

Chair Hardemon: Okay. Let's read into the record SR.4.

Commissioner Reyes: SR.4.

Victoria Méndez (City Attorney): “S” as in “Sam”?

Chair Hardemon: That is correct.

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

Vice Chair Russell: I'll make the motion.

Chair Hardemon: It's been properly moved and --

Commissioner Carollo: Moved.

Chair Hardemon: -- seconded by Commissioner Carollo.

Commissioner Reyes: I have a comment on it. I'm sorry, but the more that I think about this, I think it's -- the increase is too high. And although we agree that the residents will not pay, but as -- I mean, they will not be -- suffer this increase. As I did my research about population, in order for you, the resident, not to be included in this increase, when they're going to pay, the only way that they could be identified is if they have a cell phone and it have an app, you see; if they have an application. And besides, I think that, in my opinion -- it is my opinion that this could harm some small businesses along areas of Calle Ocho, Little Havana, Allapattah, because if you come to one of those little businesses for -- to do -- I mean, whatever you do -- let's say it's a barber shop, and you come from Hialeah, now you pay more for parking. And as you pay more, you see, their service or whatever product that you are receiving is going to increase, and that could harm those businesses. And what I'm trying to say is that, in my clear-- on a clear conscience, I believe it could hurt some of my residents, and it could hurt some of the small businesses. I'm not going to vote in favor of this.

Chair Hardemon: Thank you very much, Commissioner Reyes.

Vice Chair Russell: Mr. Chairman? I'm sorry, Frank.

Chair Hardemon: Let's go to Comm -- oh.

Commissioner Carollo: Go ahead.

Chair Hardemon: Vice Chairman, go ahead.

Vice Chair Russell: And I just wanted to address Commissioner Reyes; that I understand your concerns on that. And you'll notice from first draft of these rates, we recognized -- and I asked Art, "If there was a lowering in your rate that created a hole in the budget, I would carry that burden," because the majority of the parking that exists in the City and that is -- that drives the entire budget of the MPA (Miami Parking Authority) is in District 2. I just had, simply, questions for myself to make sure that the residents are protected, just as you. There's been concern regarding the contract parking off-street for residents, specifically in Garage 3, and I just need it on the record. You've told me directly, and I just want the residents to hear it on TV (television) and the Internet right now that their rates will not go up.

Arthur Noriega: They will not go up.

Vice Chair Russell: Thank you very much.

Commissioner Gort: The --

Chair Hardemon: Commissioner Gort.

Commissioner Carollo: Better go ahead, Gort.

Chair Hardemon: Commissioner Gort.

Commissioner Carollo: Commissioner.

Commissioner Gort: District 1, I think, is the second in parking facilities. The reason being, because we have all the legal institutions in there. At the same time, we have the health center; we have a lot of medical. And people, we need to understand, somehow, we have our residents at 500,000, our residents going top, but at any time, we're providing service to more than 1.2 million people within the City of Miami, that they receive our services, they don't pay any taxes. We have worked before to see how we can do so we can benefit out of those, and unfortunate, I think parking's one way that we could do it. That's why I'll be for it.

Chair Hardemon: Commissioner Carollo.

Commissioner Carollo: Thank you. Because District 2 and 1 have the most parking facilities in your district doesn't necessarily mean that it's your residents that are paying in those parking facilities. You're basically getting a lot of people from outside of Miami-Dade, and you're probably getting somewhere in the area of 80-plus percent that are from outside of the City of Miami as a whole. Now, this item was approved in the budget that we passed; correct, Mr. Manager?

Emilio T. Gonzalez (City Manager): Yes, sir.

Commissioner Carollo: Okay. What is the amount that if we would have started it when we expected it to that it was supposed to have brought, approximately, per year?

Mr. Noriega: So we had already -- always programmed in a January 1 rollout, so this technically is the last meeting we have before it starts to have a --

Commissioner Carollo: I understand.

Mr. Noriega: -- material (UNINTELLIGIBLE). It was a little over a \$6 million contribution for this fiscal, because it's a partial year.

Commissioner Carollo: Yeah, it's a partial year.

Mr. Noriega: But the impact on a monthly basis, as we -- if it gets delayed, is about \$600,000.

Commissioner Carollo: Okay. So it's 6 million in new revenue?

Mr. Noriega: New revenue, correct.

Commissioner Carollo: Okay. Once we go to a full fiscal year, what did you estimate that it would bring?

Mr. Noriega: Full fiscal year and also a full fiscal year of our increased enforcement --

Commissioner Carollo: Yeah.

Mr. Noriega: -- I think it's probably going to be closer to -- that \$6 million could be upwards of 10.

Commissioner Carollo: Okay. That's a big nut on the budget. There's not that many items that we could find that can bring that kind of money. And look, the Executive Director from Off-Street Parking bid on a big chunk of money there. I compliment him for what he did. And we would encourage everyone to come up with ideas on how we could improve our budget, knowing the financial constraints that we have, and he certainly stepped to the plate. Are we all thrilled about it? No, I don't think none of us really are, but there are some things that we have to do to be able to make the City whole. My concern is that you have to spread this evenly in other areas, and I want to make sure that marinas are included in that increase. Now, the 25 percent increase, Mr. Manager, that you do not need our authorization to do, when are you going to make that happen that it will start being collected?

Mr. Gonzalez: Sir, that will be January 1.

Commissioner Carollo: Okay. So it'll be together?

Mr. Gonzalez: Yes, sir.

Commissioner Carollo: Okay. So one other thing that I'm going to say it here, and I'd like to work with the Administration so that, comes January, we could bring the item for discussion and hopefully a vote. I'd like to test the waters and find out how much the private sector is willing to pay us, by having the private sector take over Dinner Key Marina, which is the largest marina in the State of Florida, by the way; and also the Miami Marina at Bayside. I'm going to bring some numbers in our meeting in January -- that I think some of you are going to find shocking -- of just how badly we're running some of our facilities and how much money we're losing. So I'd like to see what the private sector can do by putting out a Request for Proposal on both marinas. And if there's not going to be much of a difference, then fine; we don't have to give anything out. But I think from what we've seen in the Virginia Key Marina, we -- when we put it out, we got a big chunk of money that we weren't even getting before. So I think we need to test the waters for our future. And if the private sector could do a better job and they could bring more money to us, then I think we need to consider that.

Mr. Gonzalez: Sir, we look forward to that exercise. As just information, we are working on an RFP (Request for Proposals) --

Commissioner Gort: Mr. Chairman?

Mr. Gonzalez: -- for this marina, on a management agreement, but I look forward to --

Chair Hardemon: Commissioner Gort.

Mr. Gonzalez: -- having that meeting.

Commissioner Carollo: But this is beyond management. This is going out and doing the same thing we did at Virginia Key Marina; putting it out. And think about this. It's kind of schizophrenic how we're going about doing our marinas. We got a marina that we're putting it out to bid for the private sector to do, and then we got two marinas that we're running ourselves. I think that either we should run them all or they should all be out to the private sector. And from what I'm seeing so far, the private sector has done a heck of a better job in bringing money to us than what we have.

Mr. Gonzalez: Sir, I understand your point. And again, we look forward to working with you on that next month.

Chair Hardemon: I want to recognize Commissioner Gort.

Commissioner Gort: Commissioner Reyes, I had the same problems that you had. Now, my understanding, in discussing and have a meeting with the Department of Off-Street Parking, my understanding is, the senior citizens, if they don't have the phone, they can register their license plate; am I correct? We're still doing that?

Mr. Noriega: So we've already done eight events. In anticipation of it, we've made the commitment to go do outreach. So we've done eight registration events in the City, mostly targeted towards senior centers. We've worked through the NET (Neighborhood Enhancement Team) Offices to do that. The pay-by-phone system doesn't just restrict you to the app; it's a dial-in system, too. So you can have a regular flip phone, dial in and pay. It doesn't -- you don't have to physically have a smart phone. It's all done by license plate. But one of the interesting points -- and it's information you get only when you're -- in talking to the seniors -- most of them don't want to register, because they have handicap placards, and they don't pay for parking at all. They get free parking.

Commissioner Reyes: Okay.

Mr. Noriega: So when you talk to them, they tell you, "Well, we don't pay for parking anyway, because I get a handicap placard."

Commissioner Reyes: Let me --

Chair Hardemon: Handicap people -- people who have handicap placards do not pay for parking?

Mr. Noriega: Do not pay for parking. Parking is --

Commissioner Gort: No.

Mr. Noriega: -- four hours for free.

Commissioner Reyes: No.

Mr. Noriega: State law.

Commissioner Reyes: I have some comments to make, and I want to answer some of the comments made by Commissioner Carollo here. Commissioner Carollo, I am very much aware that we have to make the City whole. I am not voting again for this. And although, although, this revenue was included before we passed this increase, which I don't think that that process -- I mean, we were assuming -- it was an assumption that was made, and I was -- I used to work in a budget in the City of Miami and at the school system, and with all due respect, I don't think that is a proper way to do it, because you don't count your chi -- I mean, the eggs before you have it in the basket. So I know that this was included as revenues, but that's a potential revenue that require, but we are going through here. So what I'm saying is that because I vote against it, it doesn't mean that I am not aware that we have to make the City whole. You talk about the marinas. I directed the DREAM (Department of Real Estate and Asset Management) to do an analysis of all the marinas and also -- I mean, and see what were the feasibility of privatizing the marinas. What I got was a report on how they are operating now and how much revenue they are. But I do agree with you 100 percent that we have to look into the possibility -- which I think it will be much better if it is administered -- if it is run by a private company than government, you see. And I want to para -- I'm phrasing Milton Friedman, when he said, "Government is so inefficient that if government is given the Sahara Desert to administer, in five years we will have a shortage of sand," you see. I know that any, any, any private company will be more efficient than what we are, you see. And I am all in favor of getting those marina. And at least, what we have to do, we have to analyze the feasibility and compare how much extra -- additional revenue we're going to get if we privatize it. I'm aware that we need some money, and I'm looking for it, but what I'm not going to do -- I'm not willing to do is to vote for something and have the doubt that it will be hurting businesses, and it's going to be hurting the elder population of the City of Miami, because this is not a minor increase; this is a major increase, you see. I came from New York the last Monday, and there are few parking meters around Central Avenue -- I mean, Central Park on Park -- Avenue West -- Park West -- Central Park West, and the rate was \$4, and we are raising this to \$3.60, more than Coral Gables, you see. People have to realize that Miami is not the Miami of Brickell Avenue. People have to realize that the real Miami is made of people that work and they make minimum wages. The real Miami is made of people that they are retirees; that they are receiving 600, \$800 a month, you see. And any additional burden to those people, I will not be part of it. That's all I have to say about it.

Chair Hardemon: Thank you, Commissioner. Mr. Mayor.

Mayor Francis Suarez: I just want to briefly agree both with Commissioner Carollo and Commissioner Reyes that we do need to look at the marinas. We do have those two, Dinner Key and the one at Bayside. I agree with your perspective on it. And when I was a Commissioner in the first year, we talked about it briefly with the then-City Manager, who was Carlos Migoya, and he sort of passionately argued that we could do a better job. Maybe he could have done a better job. I have no doubt that he could have, but I think overall, as you both have articulated, that's not -- it's not one of our core competencies, and certainly, it does us no harm to look at and investigate the possibility of doing this --

Commissioner Reyes: Absolutely.

Mayor Suarez: -- and I suspect that it may do us a lot of good. And so, I just want to express my solidarity with that. We had talked about it yesterday.

Commissioner Reyes: Yes, sir.

Mayor Suarez: We would have talked about it yesterday, but that's something that we discussed. And so, you know, I agree. Thanks.

Vice Chair Russell: Mr. Chairman?

Chair Hardemon: Mr. Vice Chairman.

Vice Chair Russell: Thank you very much. If there's anything we're getting a lot of practice at is issuing marina RFPs, so hopefully, we will get really good at it by the time these come around.

Commissioner Reyes: I really hope so.

Vice Chair Russell: I was going to save my comments about marinas for DI.1, but if I understand Commissioner Carollo correctly, his vote on the parking issue has a lot to do with that and seeing that go. So I wanted to let you know that when that items comes, my intention was to give direction to the Manager to take note of the residents who are liveaboards, and the commercial business owners, the small business owners who do operate out of our marinas and how this affects them. I had a community meeting with them; the Administration was there; listened to all the issues. There's a list of problems. They are -- they have been sub-par since Hurricane Irma, and we are increasing their rates without having addressed those issues. So my direction to the Manager was going to be issue 50 percent of the -- with regard to regular renters who rent slips and don't live there or work there, hit the rates right now. For everyone else who is a liveaboard or a small business commercial owner in a slip, 50 percent of the increase would happen now and 50 percent in six months from now, with a list of issues to be addressed, and they're very simple issues; bathroom maintenance and cleaning is really poor there. I've been there. There's mold. There's rust everywhere. Improving storm preparedness for future planning for the marinas, and analyze the barrier island, whether it was damaged enough in the storm that it needs restoration, so we're not wide open after doing all these fixes; fix the Wi-Fi; repair the mooring fields, repair the pump stations; fix the AC (air conditioner) in the laundry room; show them a timeline for finishing the Irma repairs. And finally, a lot of the parking was taken away. It's affected a lot of the liveaboards. And so, they're hoping for a partnership with the MPA to accommodate commercial tenants as the new garage comes online here right next to the marina. It's not a very difficult list. We haven't even made one yet for the problems we face at the Miami Marina, but if it's -- that's the direction I'd like to give to the Manager, and I believe it's financially non-impactful, as there's not that many liveaboards and commercial tenants, but this affects them significantly. And I wanted Commissioner Carollo to know that I had that coming, in case there were any concerns on his parking vote (UNINTELLIGIBLE).

Mayor Suarez: Commissioner, if I can? We have no issue with that. I think that's something we should have been doing anyways. And, you know, we were -- you were in my office last -- yesterday, and we're seeing how Pier 1 is not even being used.

Commissioner Reyes: That's right.

Mayor Suarez: It's completely inactive.

Commissioner Reyes: Inactive.

Mayor Suarez: I promise you, in the private sector, there's no way that all that revenue would have been inactive --

Commissioner Reyes: Absolutely.

Mayor Suarez: -- for an entire year, post Irma. Even if DERM (Department of Environmental Resource Management) was an issue and things of that nature, the private sector would have found a way to activate and make money off that.

Chair Hardemon: Commissioner Gort.

Commissioner Gort: No, never mind.

Chair Hardemon: Okay.

Later...

Chair Hardemon: Art, the --

Commissioner Carollo: Can I --

Chair Hardemon: Before you --

Commissioner Carollo: -- have two minutes that I can step out and be right back?

Chair Hardemon: Before we vote?

Commissioner Carollo: Yes.

Chair Hardemon: Sure. I heard you make a statement about the garages and how the rates won't increase in the garages.

Vice Chair Russell: For residents.

Chair Hardemon: Is it for residents in the garages or is it blanket garages?

Mr. Noriega: No, no. There are some increases in garages. They're nominal in part, because the garages are more market-driven, because obviously, we're competing against the adjacent garage. The rate increase that's proposed here outlines sort of the maximums, but we don't foresee much -- really much of any increases in the garages.

Chair Hardemon: I want to be clear, because the garages that were spoken of in Commissioner Gort's district, et cetera -- I mean, I think --

Mr. Noriega: He doesn't have -- yeah, he has one garage in his district.

Chair Hardemon: Who named --? Someone else named a garage. I can't --

Vice Chair Russell: Number 3, which is --

Mr. Noriega: He's talking about the down -- he's talking about where we have residential parking now.

Chair Hardemon: But it's for residents?

Mr. Noriega: Correct.

Chair Hardemon: Okay.

Mr. Noriega: The residential parking rate for them is not going to go up.

Chair Hardemon: Okay. Commissioner Gort.

Commissioner Gort: Now, once again, my understanding is, you've been going to the senior centers, you've been informing, and you're doing all kinds of publicity; that they can register their license plate by phone.

Mr. Noriega: Yeah.

Commissioner Gort: Okay.

Mr. Noriega: No. You can do it by phone, you can do it on a computer, you can -- We're doing the registration for them, actually. We're -- that's part of what we're doing in terms of (UNINTELLIGIBLE).

Commissioner Gort: I know I requested that you go to the community and help them fill out the documentations, and so on.

Mr. Noriega: Correct.

Commissioner Gort: Okay.

Mr. Noriega: That's what we're doing. We've done eight events so far.

Commissioner Gort: At the same time, anybody who has one of those -- what do you call them? -- licenses --

Mr. Noriega: Handicap placards?

Commissioner Gort: -- handicap, they don't pay.

Mr. Noriega: They don't pay.

Commissioner Gort: Right. Okay.

Later...

Chair Hardemon: We are on the item, SR.4, the amendment of the motor vehicles and traffic/parking rates. We've had extensive discussion about it. So seeing no further discussion, all in favor of that motion, say "aye."

Commissioner Gort: Aye.

Vice Chair Russell: Aye.

Chair Hardemon: All against?

Commissioner Reyes: No.

Commissioner Carollo: Maybe.

Chair Hardemon: "Maybe" is a "yes" vote. Motion passes.

Commissioner Reyes: Okay.

Todd B. Hannon (City Clerk): Commissioner Reyes, were you a "no"?

Commissioner Reyes: On SR.4?

Chair Hardemon: Commissioner Reyes is a "no" on SR.4.

Commissioner Reyes: I'm a "no."

Mr. Hannon: Thank you.

Chair Hardemon: Thank you.

END OF SECOND READING ORDINANCES

FR - FIRST READING ORDINANCES

FR.1

ORDINANCE**First Reading****5092****Office of the City
Attorney**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2/ARTICLE IV/DIVISION 7/SECTION 2-358 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "ADMINISTRATION/DEPARTMENTS/CONFERENCES AND CONVENTIONS AND PUBLIC FACILITIES DEPARTMENT/ORGANIZATION OF DEPARTMENT," AND CHAPTER 53/ARTICLE I/SECTION 53-1 OF THE CITY CODE, TITLED "STADIUMS AND CONVENTIONS CENTERS/IN GENERAL/TICKET SURCHARGE ON PAID ADMISSIONS TO EVENTS," TO REMOVE REFERENCE TO THE COCONUT GROVE EXPO CENTER AND UPDATE THE NAME OF THE REAL ESTATE AND ASSET MANAGEMENT DEPARTMENT; FURTHER REPEALING IN ITS ENTIRETY CHAPTER 53/ARTICLE III OF THE CITY CODE, TITLED "STADIUMS AND CONVENTIONS CENTERS/COCONUT GROVE EXPO CENTER"; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Ken Russell, Vice Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: Read FR.1 into the record, please.

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

Chair Hardemon: All right.

Commissioner Gort: Move it.

Vice Chair Russell: Make a motion.

Chair Hardemon: It's been properly moved --

Commissioner Reyes: Second.

Chair Hardemon: -- by Commissioner Gort; seconded by the Vice Chairman, and I'll counter -- this is FR.1.

Commissioner Reyes: FR.1.

Chair Hardemon: Any discussion on FR.1? FR.1. All right. Seeing no further discussion, all in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries, FR.1.

FR.2

5176

**Commissioners
and Mayor**

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 55 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "SUBDIVISION REGULATIONS", MORE PARTICULARLY BY AMENDING SECTION 55-14 OF THE CITY CODE, TITLED "ENCROACHMENTS ON OR IN RIGHTS-OF-WAY, PUBLIC EASEMENTS, PRIVATE EASEMENTS OR EMERGENCY ACCESS EASEMENTS; EXCEPTIONS," BY CREATING PROVISIONS FOR THE CITY COMMISSION, BY RESOLUTION, TO AUTHORIZE ENCROACHMENTS INTO PUBLIC EASEMENTS PENDING THE VACATION AND CLOSURE OF SAID EASEMENT BY PLAT OR ITS RELEASE, AS APPLICABLE, AND EXECUTION OF A HOLD HARMLESS AND INDEMNITY AGREEMENT IN FAVOR OF THE CITY OF MIAMI; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: FR.2, please read it into the record.

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

Victoria Méndez (City Attorney): This is sponsored by Commissioner Manolo Reyes. Between first and second reading, we may add one more notice provision to the utilities, but this will allow for certain developments to continue their process, temporarily, dealing with these encroachments to move forward.

Chair Hardemon: Mr. Reyes, would you like to move the item?

Commissioner Reyes: I move it.

Commissioner Carollo: Second.

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

The Commission (Collectively): Aye.

Vice Chair Russell: Yes.

Chair Hardemon: Oh, wait.

Vice Chair Russell: I just -- during my briefing, I understood Legal was comfortable, but Administration had some issues. Is that what you're referring to right now that we'll be working out between first and second?

Ms. Méndez: Yes. So that Dr. Ihekweba did not get mad at me, I made sure that I --

Vice Chair Russell: We don't want that.

Ms. Méndez: -- placed it on the record.

Vice Chair Russell: We do not want that. I will support the sponsor of this item and see it through.

Chair Hardemon: Is he a foot doctor or is he -- what kind of doctor is he? All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

FR.3

5215

**Commissioners
and Mayor**

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 38/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "PARKS AND RECREATION/ IN GENERAL," BY ESTABLISHING A NEW SECTION 38-23, ENTITLED "NAMING OF SOUTH SHENANDOAH MINI PARK," THEREBY NAMING THE PARK LOCATED AT 1197 SOUTHWEST 19TH AVENUE, MIAMI, FLORIDA, THE "SOUTH SHENANDOAH MINI PARK"; DIRECTING THE CITY MANAGER TO TAKE ALL ADMINISTRATIVE ACTION NECESSARY TO EFFECTUATE THE NAMING OF THIS PARK; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item FR.3, please see Item SR.2.

Chair Hardemon: Can you read into the record FR.3, please?

Barnaby Min (Deputy City Attorney): FR.3.

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

FR.4

ORDINANCE**First Reading**

5216

***Commissioners
and Mayor***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 38/ARTICLE 1 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "PARKS AND RECREATION/IN GENERAL," BY ESTABLISHING A NEW SECTION 38-22, ENTITLED "NAMING OF SWANNANOA MINI PARK," THEREBY NAMING THE PARK LOCATED AT 1301 SOUTHWEST 21ST AVENUE, MIAMI, FLORIDA, THE "SWANNANOA MINI PARK"; DIRECTING THE CITY MANAGER TO TAKE ALL ADMINISTRATIVE ACTION NECESSARY TO EFFECTUATE THE NAMING OF THIS PARK; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item FR.4, please see Item SR.2.

Chair Hardemon: Can you read into the record FR.4, please?

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

Chair Hardemon: Thank you.

FR.5

5194

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

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, MORE SPECIFICALLY BY ADDING ARTICLE XVII, ENTITLED "COVENANTS FOR AFFORDABLE OR WORKFORCE HOUSING," TO INCORPORATE SPECIFIC ENFORCEMENT PROVISIONS, PENALTIES, AND REQUIREMENTS FOR RESTRICTIVE COVENANTS ASSOCIATED WITH AFFORDABLE OR WORKFORCE HOUSING THAT MAY PROVIDE PROPERTY OWNERS OR DEVELOPERS WITH DEVELOPMENT INCENTIVES OR BENEFITS; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Note for the Record: Item FR.5 was continued to the January 10, 2019, Regular Commission Meeting.

For minutes referencing Item FR.5, please see "Order of the Day," and "Public Comment Period for Planning and Zoning Item(s)" on the December 13, 2018 Planning and Zoning Agenda.

END OF FIRST READING ORDINANCES

RE - RESOLUTIONS**RE.1****5097*****Office of the City
Clerk*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), OFFICIALLY ACKNOWLEDGING THE CITY CLERK'S CERTIFICATION OF THE CANVASS AND DECLARATION OF RESULTS OF THE CITY OF MIAMI'S SPECIAL ELECTION HELD ON NOVEMBER 6, 2018 FOR THE APPROVAL / DISAPPROVAL OF BALLOT QUESTIONS.

ENACTMENT NUMBER: R-18-0554

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

RE.2**2525****Department of Real
Estate and Asset
Management****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE CITY MANAGER'S RECOMMENDATION APPROVING THE FINDINGS OF THE SELECTION COMMITTEE THAT VIRGINIA KEY, LLC, ("PROPOSER") IS THE TOP RANKED PROPOSER FOR REQUEST FOR PROPOSALS NO. 16-17-011, LEASE OF CITY OF MIAMI-OWNED WATERFRONT PROPERTY FOR MARINAS/RESTAURANT/STORE USES LOCATED AT APPROXIMATELY 3301, 3605, 3501, 3311, & 3511 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA ("RFP"); AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A LEASE ("LEASE"), SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY ATTORNEY AS TO FORM AND CORRECTNESS, FOR AN INITIAL TERM OF FORTY-FIVE (45) YEARS, WITH TWO FIFTEEN (15) YEAR RENEWAL TERMS AND PAYMENT OF A MINIMUM GUARANTEED ANNUAL RENT EQUAL TO TWO MILLION TWO HUNDRED THOUSAND DOLLARS (\$2,200,000) INCREASED ANNUALLY BY THE GREATER OF 3% OR CPI ("BASE RENT"); TOTALING APPROXIMATELY TWO HUNDRED THREE MILLION NINE HUNDRED EIGHTY FOUR THOUSAND SIXTY DOLLARS (\$203,984,060.00) OVER THE INITIAL TERM; SIX PERCENT (6%) OF GROSS REVENUES; APPROXIMATELY EIGHTY MILLION DOLLARS (\$80,000,000.00) PRIVATELY FUNDED INVESTMENT TO REDEVELOP THE MARINA IN AN ENVIRONMENTALLY SENSITIVE MANNER, INCLUDING BOAT STORAGE, RESTAURANTS, RETAIL, AND PUBLIC PARKING; FURTHER PROVIDING THAT THE EXECUTION OF THE LEASE IS SUBJECT TO THE APPROVAL OF A MAJORITY OF THE VOTES CAST BY THE ELECTORATE AT A REFERENDUM SPECIAL ELECTION; FURTHER CLARIFYING THAT SUCH AWARD OF THE RFP DOES NOT CONFER ANY CONTRACTUAL RIGHTS UPON PROPOSER UNTIL SAID FAVORABLE REFERENDUM HAS OCCURRED AND A CONTRACT IS ENTERED INTO, AS REQUIRED BY THE CITY CHARTER.

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Reyes
ABSENT:	Gort, Carollo

Note for the Record: For additional minutes referencing Item RE.2, please see "Order of the Day," Public Comment Period for Regular Item(s)," and "End of Consent Agenda."

Chair Hardemon: The items that we have left are RE.2, RE.3, and RE.22; they are related. This is in reference to the Virginia Key Marina. So I'm going to allow Administration to say what it is that you want to say. I'm also going to allow Mr. Dotson, who's been waiting patiently -- getting paid, nonetheless, but waiting -- to

also make his statements, because I know he provided us some things that I'm sure he wants to describe so that we are informed on this dais before we make a decision.

Albert Dotson: Yes, sir.

Chair Hardemon: Okay.

Daniel Rotenberg (Director/Department of Real Estate & Asset Management): Just quickly, I was just going to read into the record; RE.2 and RE.3 have to do with the Virginia Key RFP (Request for Proposals), with the proposed winner for that RFP; and RE.22, which is a companion item, I guess, is deferring further action with notice to vacate if -- it's up to the Commission whether or not we proceed with that notice to vacate or not.

Chair Hardemon: Okay. I guess that's it.

Mr. Dotson: Commissioners, my name is Al Dotson, Jr., with Bilzen Sumberg, 1450 Brickell Avenue, on behalf of Virginia Key LLC (Limited Liability Company), the entity that has now twice secured a win in connection with this particular RFP. I handed out some documents; I'm going to come back to those in a second, but I'd like my colleague to provide you with two documents, and there'll be enough copies for the Clerk, each Commissioner, the City Attorney, and the City Manager, and my favorite colleague to my right, Mr. De Grandy. You're going to see on these documents -- and I want to thank Commissioner Reyes for a comment he made earlier today, when he quoted Milton Friedman, because that quote this morning is very reminiscent of the process through which we are going and have been going for three years and five months. We're getting very close to the five-year mark, where the desert will have no more sand. So I'm -- make sure that is passed out. There are two -- I'll wait for the City Attorney and Mr. De Grandy to review.

Victoria Méndez (City Attorney): This is for me?

Mr. Dotson: Yes, it is. Okay. You have two documents; one is purple and one is blue. The one that says, "Was this really a waste of time and hundreds of thousands, if not millions, of dollars?" explains that beginning June 15, 2015, the first RFP was issued. And today you talked about two other marinas, Commissioner Carollo; that you would like to see whether or not the private sector could come in and provide better service and additional dollars to the City. Can you imagine the industry thinking that if they respond to an RFP that three years, five months later, we still have no decision, even though the same team has won each time? We don't need to send that message to the industry at the very time we're looking to address similar issues at other marinas. So in this three years and five months, what has happened as the sand has been disappearing from the desert? This Commission heard that the first Valuation [sic] Committee selected our client. This Commission, after hearing two bid protests, dismissed the current operator who came in third, and said, "Let's do it again." Another RFP goes out. After this Commission requires so much City input, you selected a Valuation Committee that was made up of experts, and they, too, selected our client number one. This time the current operator came in number two. Now, if it is your desire to simply say, "We're going to do this until we get the current operator in there forever," then we should just know that. But if your decision is to go with your Evaluation Committee, who has recommended our client now twice, versus simply waiting until there's a time when the current operator can finally make it to number one, then we are absolutely ready to move on, but we need to hear that from you.

Vice Chair Russell: Mr. Chair?

Mr. Dotson: We have a few things going on here today. You can see the other document relates to what Commission action has taken, but action you've actually taken each time it's come before you. It's either been deferred or delayed, but never awarded. And so, what happened the last time this item came before you? I handed out a document that we color-coded for you. It's your own minutes, and they are very clear as to what motion was made, what was included in that motion, and the conditions upon which this current operator could remain on that property. Take a look at page 202 of the document that I handed you. These are your minutes, these are -- this is your numbering, and this is your motion. Commissioner Carollo says at the middle of page 202: "Okay. So here's the resolution that I would like to make, okay? The resolution I would like to make is, since there's been so gracious" -- "since they've been so gracious to volunteer \$200,000 in a cashier's check, they're going to be even more gracious and bring another \$100,000 tomorrow to the City by 5 p.m. The resolution will be that this money would carry them up until the end of November, a little more than 60 days, so that you could sit with them and you could work out something that everybody could live on, where we're going to then get a steady additional \$100,000, besides that what he has been paying us per month until the whole thing is resolved." And then the next sentence: "The wording that's going to be catchy is on how it's going to be resolved, because, conceivably, I mean, you could appeal to the US Supreme Court so you" -- "so we have to come up with wording that's reasonable on the result part in the courts," period. And then he's asked by Commissioner -- Vice Chair Russell: "Is that your motion?" The answer: "It's a motion." It was then seconded. If you take a look at page 204 of the -- of your minutes, of your minutes, on page 204, Commissioner Carollo again says, "But let me explain and let me clarify quickly. What we're doing is going to guarantee that they give them 60 more days." And then I quote, "The City Law Department can work out an agreement that satisfies all parties, with the exception of one, I think, that we're going to get an extra \$100,000, besides what we're being paid." Commissioner Reyes then seconds that motion, and then you went on to pass the motion, 4-1. There were three conditions that needed to be met by this particular operator in order to remain on that property, both pursuant to the motion, the second, and the clarification. But if that's not enough clarification for you --

Chair Hardemon: Who voted in the negative?

Mr. Dotson: Pardon me?

Chair Hardemon: Who voted in the negative?

Mr. Dotson: The only person to vote negative was Commissioner -- Vice Chairman Russell. I'm sorry; the only person that voted in the negative was the Chair, Commissioner Hardemon, because you did not want to defer it. The other part of the clarification, which we'd like to point out, is on page 116 of your own minutes. I ask: "Well, Mr. Commissioner, I hope that as a part of your condition on the last item, where you said you would accept the checks from them, provided an agreement is reached between the City and the current operator that we correct this perception that they can remain there until the appeal to the Hague, because that's their perception." Commissioner Carollo: "Well, this is why I want" -- "and I was specific earlier in saying that as part of what is" -- "has to be an agreement" -- Commissioner Carollo then goes on: "-- is when do the appeals finally end? You know, that only that they have to sit down and work that out, and we're not going to wait until The Hague. That, I'm pretty certain." So when you received an email from the attorney for the current operator that says there was no discussion about an agreement that dealt with anything concerning how long they remained on site, I just cited your own minutes that says that that is precisely what they had to do in order to remain on site. And as of that email, unless there's a new email and it's all of a sudden a new agreement, you don't have that agreement sitting before you. And the

reason Commissioner Carollo said, "No indefinite deferral" is because he was concerned that things would slip through the cracks. So why we are opposing an indefinite deferral of this item? Because what will happen? We would -- you would not now know that the agreement you requested -- the agreement you voted on does not exist. It was drafted by the City, it was sent to the current operator, but as far as I know, that agreement has not been signed. So we ask you, if you're going to let them stay, or you're just going to tell us that's who you're going to select and we just keep waiting it out, then let's determine how we're going to proceed. That's all we want to know. We thought we knew the rules of the game when we responded to the RFP. We thought we knew the rules of the game when you took a motion, you -- it was seconded, and it passed. We thought we understood procurement law, that you can't continue to defer and defer and dismiss and delay in order to get a particular outcome, because that is against the law. So we would ask that you move forward with the award. We've already volunteered that no matter what your -- we want your City Attorney to draft something -- because I already said that my client is prepared to give up whatever rights they're concerned about if you award this contract, but we've not seen anything come from the City for us to review to make the City feel comfortable that they, in fact, could award. So we simply ask of you, either tell us what the rules of the game is, are we going to defer until we get the vendor that we want, or are we going to move forward with the process that you set forth in your RFP, and move forward as the item on the agenda, RE.2 and RE.3 states?

Chair Hardemon: And Mr. Dotson, so at the end of this, what are you, in fact --? I understand what your questions are, but what is your request of action from this board? Are you asking us --

Vice Chair Russell: Award it.

Chair Hardemon: -- to approve RE.2 and RE.3?

Mr. Dotson: I'm asking you to do two things --

Chair Hardemon: Yes, sir.

Mr. Dotson: -- because even if you approve RE.2 and RE.3, the current operator is not removed from the property upon that action.

Chair Hardemon: Okay.

Mr. Dotson: There still needs to be a vote of the electorate to approve the lease. So in the interim, the City should be protected in the manner in which it said it wanted to be, and call the question. Ask them, are they going to continue to sue you until they figure out a lawsuit as to where the crack is in cement, or are we going to come to a halt and have some finality with this? That's number one. And number two --

Chair Hardemon: So that means that -- "yes" to RE.2 and RE.3? You're asking us to approve those two items.

Mr. Dotson: Yes, along with making sure that there's an agreement in place that identifies the finality of this lawsuit --

Chair Hardemon: But there's no action item on this third thing that you're describing, correct?

Mr. Dotson: Only because they're in breach of the agreement you passed on September 27 --

Chair Hardemon: I understand that part.

Mr. Dotson: -- and we're just asking you to enforce that agreement.

Vice Chair Russell: Mr. Chairman?

Mr. De Grandy: May I respond?

Vice Chair Russell: It's getting --

Chair Hardemon: One second, one second.

Vice Chair Russell: -- a little late; we've lost two Commissioners and the Miami Herald. The lights are going to go out soon, so I'd just like to, at least from my part, address Mr. Dotson's question, which is, what do we intend to do? My intention is to follow the law, and I believe we are still in a process of the law, and that was our -- that's where we were in the last time we were here. We were going to wait to see how the appeal process rides out. This came back to our board now. I believe we should hold the line on that. My intention is to move to indefinitely defer RE.2 and 3, and then to move RE.22.

Commissioner Reyes: Madam City Attorney, what is your recommendation? I don't want to fall into what we have fall in before I was here in another lawsuit that is going to cost us millions of dollars. What is your recommendation?

Ms. Méndez: Exactly what the Vice Chairman said; indefinitely defer RE's.2 and 3.

Chair Hardemon: Have they given us any money?

Ms. Méndez: Hmm?

Chair Hardemon: Have they paid us this money that they've (UNINTELLIGIBLE)?

Ms. Méndez: Yes. They've been paying us --

Chair Hardemon: So they're not in (UNINTELLIGIBLE) --

Mr. Rotenberg: We've been in receipt of everything up to December 15, and --

Commissioner Reyes: If that is your recommendation --

Mr. Rotenberg: -- it hasn't come up yet.

Commissioner Reyes: -- I'll second your motion.

Chair Hardemon: So it's been properly moved --

Mr. Dotson: Mr. Chairman?

Chair Hardemon: -- and seconded.

Mr. De Grandy: May I respond, sir?

Mr. Dotson: Are we --?

Chair Hardemon: I'll allow you to respond, then I'll allow you -- and I'll give --

Mr. Dotson: All I want to do is quickly say, is this board going to vote on something and then enforce what you vote on, or are we going to take an action today and we'll find out tomorrow that you're not going to move forward with it? You said that you wanted an agreement that brought finality to these lawsuits. You don't have that agreement; yet, they are still on site.

Chair Hardemon: Has that agreement been proposed that bring finality to the --?

Unidentified Speaker: Chair --

Chair Hardemon: Because I've heard --

Commissioner Reyes: That is a good question.

Chair Hardemon: -- that there is a document that is not signed by the individuals that you represent that will bring finality. So it's as if you're saying --

Mr. De Grandy: That is correct.

Chair Hardemon: Okay.

Mr. De Grandy: And the reason why that is correct is because there is a settlement agreement that explains when there is finality. That has already been negotiated. That has already been decided. That is part of the settlement agreement. The settlement agreement says that we have a right to remain there until all the objections and appeals to the procurement process are concluded. Your attorney can verify that. Now, the agreement that was referred to here -- and a lot of the stuff that has been mentioned is totally irrelevant, because I can go back to 2015 and tell you why the first one was thrown out, et cetera; for totally valid reasons --

Vice Chair Russell: Please don't.

Mr. De Grandy: -- and you all voted for it, but I don't want to bore you with that. But the bottom line is, the narrow issue that we are here for was to determine -- if you remember, on September 27, our 30-day period of appeal had not expired yet. We had told you we intended to file cert. Cert was not summarily denied by the Third DCA (District Court of Appeals); they accepted cert. They required briefing. Briefing is now complete. That process is ongoing. Pursuant to our settlement agreement, for which my client paid, by the way, \$750,000 in consideration, pursuant to that settlement agreement, we have a right today to remain on that property. That is very well defined. There is no need for an agreement to that. The agreement which we have honored and will continue to honor is to pay, voluntarily, as your counsel has noted, the additional \$100,000. Now, I find --

Commissioner Carollo: Mr. De Grandy --

Mr. De Grandy: -- personally, the implica -- the insinuations by Mr. Dotson offensive. Is he insinuating that you're going to do something inappropriate until we win?

Commissioner Reyes: No.

Mr. De Grandy: Is he insinuating that you are going to somehow do something inappropriate to allow us to continue doing something, which is a totally legal process? That's not what this case is about. It's very simple. Are we continuing to honor our agreement to voluntarily pay \$100,000? What Mr. Dotson wants you to do is to violate the settlement agreement, because the settlement agreement states

exactly when our rights are terminated and how long we have those rights, and your County -- your City Attorney can verify that. And what he's asking you to do is to say, "Condition your continued presence on that" -- "in that site on violating the agreement or forcing them unilaterally to change the agreement," and that is illegal.

Mr. Dotson: With all due respect, all I'm asking is, two parties who went into an agreement, amend it. They can amend it any time they want to. All they got to do is agree, the two parties. There's nobody else involved in this; nobody else involved in this. You asked, you asked if there be an agreement. He has yet to tell you when his last appeal is over. It could, in fact, be The Hague.

Mr. De Grandy: That's ridiculous.

Mr. Dotson: It's ridiculous that we're continuing down this process without you agreeing to amend an agreement which you can agree to amend. It is not violating it to amend it.

Mr. De Grandy: You are asking --

Chair Hardemon: Direct your comments to me, please.

Mr. DeGrandy: Yes, sir. He is asking this Commission to require my client to give up rights that were negotiated and are part of an agreement as a condition to continue to occupy the premises, which we have the right to occupy until the appeals are concluded. How absurd is that argument, Commissioners?

Mr. Dotson: I can tell you how absurd it is, Mr. Chairman, because at that meeting, in your minutes, what I did not read is that when that motion was made, the City Attorney asked, "Are you voluntarily agreeing to all of this?" And the answer from the current operator was, "yes." So when the motion came forward, as clarified, that it included two payments and an agreement, the request was, "Was this voluntary?" So a voluntary amendment of an agreement is not what I'm ask -- that's what he agreed to.

Mr. DeGrandy: The only thing we agreed to was to continue to pay \$100,000 a month, which we have faithfully complied with.

Vice Chair Russell: That's my interpretation.

Mr. Dotson: That's not the motion. That was not the motion.

Vice Chair Russell: And if I may, Mr. Chairman, that is my interpretation of where we stood last time. I am following the direction of our City Attorney to keep us in the most legally straight arrow direction, and let this play out. In the meantime, Commissioner Carollo worked it out with them, for them -- they proffered an amount that keeps us whole as a city in the meantime, so we're not in legal jeopardy and we're not in financial jeopardy. I'm satisfied with that for now. There is no need to argue over any implications. Each side will have its own point of view. But for us, I think our business here is ready if there are two votes here to defer this item, and accept the other.

Chair Hardemon: All right.

Mr. Dotson: Mr. Chairman, I'll -- may I close with just 30 seconds? Remember this date. Remember this date.

Vice Chair Russell: Today?

Mr. Dotson: Today; this action you take today. And let's see what really happens after today. Let's see if we really get to a point where an -- a lease is actually awarded, or more lawsuits are filed that delays this on. We'll just see, and then we'll determine whether or not you actually do have --

Commissioner Reyes: Excuse me. Excuse me, sir. And Madam City Attorney, is -- there is a definite date that -- What lawsuit are we following; the one that is standing now?

Victoria Méndez (City Attorney): The thing is that right now, there is a lawsuit in the Third District Court of Appeal. It's been fully briefed, but we're awaiting that decision.

Commissioner Reyes: Okay.

Ms. Méndez: So I would like to wait until then, and then we can --

Commissioner Reyes: Until that decision?

Ms. Méndez: -- yes. And then we can --

Commissioner Reyes: Until that decision.

Ms. Méndez: -- caucus further.

Commissioner Reyes: If they fall -- I mean, after that decision, then come back to us and then we --

Ms. Méndez: And we can discuss further and --

Commissioner Reyes: Okay.

Ms. Méndez: -- I am in full confidence that Mr. Dotson will not allow this to fall through the cracks, and we will make sure that the indefinite deferral -- he will bring it back to this Commission when needed. So I --

Mr. Dotson: But what I don't understand --

Ms. Méndez: -- think that we -- everybody here is fully covered with these decisions, and I would advise you to move forward.

Vice Chair Russell: Call the question.

Mr. Dotson: But Madam City Attorney, through the Chair, what is wrong with deferring to January?

Chair Hardemon: I would assume --

Vice Chair Russell: You can always bring it back.

Chair Hardemon: -- that we -- if we don't have the decision till January, then we'll be back here, and we don't necessarily need to be here.

Vice Chair Russell: Through this again.

Ms. Méndez: Right.

Chair Hardemon: So I --

Ms. Méndez: With an indefinite deferral.

Chair Hardemon: Listen, I want to know -- I want to tell you right now, if -- because I never liked the language of the whole appeal thing that we talked about in the past. I didn't like the language then and I don't like it now. However, if it goes to The Hague, I'm going, because I want to see The Hague. You two don't really care that much for -- maybe to drink.

Commissioner Gort: Maybe.

Chair Hardemon: You might have good conversation. But I will tell you that the moment that we have a decision, we need to -- for that next meeting, this issue needs to be on that agenda so that we can discuss it.

Ms. Méndez: Yes, Chairman. And I know that Mr. Dotson will make sure that that happens, as well.

Chair Hardemon: So, you know --

Mr. Dotson: I look forward to that conversation, and no more discussion about appeals pending when that happens.

Chair Hardemon: Right. So I look forward to that. So with that being said, the motion that is on the floor is to indefinitely defer RE.2 and RE.3, and I believe to --

Vice Chair Russell: Move 22.

Chair Hardemon: -- pass RE.22; is that correct?

Vice Chair Russell: Yes.

Ms. Méndez: Yes.

Chair Hardemon: A mover and a seconder. It's no more discussion on that motion. All in favor of that motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All right, the motion carries.

Mr. DeGrandy: Thank you.

Chair Hardemon: And --

Ms. Méndez: Chairman, I have to read an attorney-client session. I believe we have to bring back PH.3 as a --

Commissioner Reyes: PH.3, that's right.

Ms. Méndez: -- reconsideration --

Commissioner Reyes: That's right.

Ms. Méndez: -- and then I have to say something briefly on PH.7, and I think we would be done.

RE.3

2526

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

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), MAKING PROVISIONS FOR A REFERENDUM SPECIAL ELECTION ON _____ FOR THE PURPOSES OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF MIAMI (“CITY”) FOR THEIR APPROVAL OR DISAPPROVAL OF THE FOLLOWING REFERENDUM BALLOT QUESTION: “SHALL THE CITY BE AUTHORIZED TO LEASE APPROXIMATELY 27.5 ACRES OF LAND ON VIRGINIA KEY TO VIRGINIA KEY, LLC FOR A 45-YEAR INITIAL TERM WITH TWO 15 YEAR RENEWALS; MINIMUM ANNUAL GUARANTEED RENT OF \$2,200,000.00 (WITH ESCALATIONS) TOTALING APPROXIMATELY \$203,984,060 OVER THE INITIAL TERM; 6% OF GROSS REVENUES; APPROXIMATELY \$80,000,000.00 PRIVATELY FUNDED INVESTMENT TO REDEVELOP THE MARINAS IN AN ENVIRONMENTALLY SENSITIVE MANNER, INCLUDING BOAT STORAGE, RESTAURANTS, RETAIL, AND PUBLIC PARKING?”; DESIGNATING AND APPOINTING THE CITY CLERK AS THE OFFICIAL REPRESENTATIVE OF THE CITY COMMISSION WITH RESPECT TO THE USE OF VOTER REGISTRATION BOOKS AND RECORDS; AUTHORIZING AND DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THE HEREIN RESOLUTION TO BE DELIVERED TO THE SUPERVISOR OF ELECTIONS OF MIAMI-DADE COUNTY PURSUANT TO APPLICABLE LAW.

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Reyes
ABSENT:	Gort, Carollo

Note for the Record: For minutes referencing Item RE.3, please see “Order of the Day,” “Public Comment Period for Regular Item(s),” “End of Consent Agenda,” and Item RE.2.

RE.4

5195

**Department of Real
Estate and Asset
Management**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE GROVE BAY PARKING FACILITIES AGREEMENT ("PARKING AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY"), GROVE BAY INVESTMENT GROUP, LLC ("GROVE BAY") AND THE DEPARTMENT OF OFF STREET PARKING D/B/A THE MIAMI PARKING AUTHORITY ("MPA"), AMENDING THE PARKING AGREEMENT TO REDUCE THE SIZE OF THE PARKING FACILITIES AND THE PARKING FACILITIES RETAIL AREA, CHANGE CRITICAL DATES TO COINCIDE WITH THE CURRENT CONSTRUCTION SCHEDULE OF THE PARKING FACILITIES, ENABLING THE REINSTATEMENT OF THE PARKING TRUST FUND CONTRIBUTION, AND A TEMPORARY REDUCTION OF RENT IN THE AMOUNT OF FIFTY EIGHT THOUSAND THREE HUNDRED THIRTY THREE DOLLARS AND THIRTY THREE CENTS (\$58,333.33) PER MONTH FOR TWENTY FOUR (24) MONTHS, WITH ADDITIONAL TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN THE FIRST AMENDMENT.

ENACTMENT NUMBER: R-18-0570

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort
ABSENT:	Carollo, Reyes

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

Chair Hardemon: Calling the regular meeting of the December 13, 2018 Miami City Commission meeting back into order. Okay. So this is what we have left: We have RE.2, RE.3, RE.4, RE.22, RE.23, and RE.24 that is left.

Victoria Méndez (City Attorney): Chairman, I think that Commissioner Gort would like to call the --

Chair Hardemon: Oh.

Ms. Méndez: -- parking garage, Grove Bay Facilities, next door; RE.4, if possible?

Chair Hardemon: All right, RE.4.

Daniel Rotenberg (Director): You're going really fast right now. Good evening. RE.4, Commissioners. Daniel Rotenberg, Department of Real Estate and Asset Management. RE.4 is a resolution, authorizing the City Manager to execute the first amendment to the Grove Bay Parking Garage Agreement; amending the parking agreement to reduce the size of the parking facilities, retail area, and change critical dates to coincide with the current construction schedule of the parking facilities.

Mayor Francis Suarez: You can move it.

Chair Hardemon: No, majority.

Mr. Rotenberg: No, not a four-fifths.

Vice Chair Russell: Move it.

Chair Hardemon: Seconded by Commissioner Gort.

Commissioner Gort: Been moved and seconded.

Chair Hardemon: That's right. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries on RE.4.

RE.5

4711

***Miami Sports and
Exhibition
Authority***

RESOLUTION

MAY BE WITHDRAWN

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING AND ADOPTING THE ANNUAL BUDGET OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY ("MSEA"), ATTACHED AND INCORPORATED, IN THE AMOUNT OF \$678,085.00, TO PROVIDE FOR THE OPERATIONS AND CAPITAL EXPENDITURES OF MSEA, FOR THE FISCAL YEAR COMMENCING OCTOBER 1st, 2018, AND ENDING SEPTEMBER 30th, 2019.

MOTION TO:	Withdraw
RESULT:	WITHDRAWN
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.5, please see "Order of the Day" and "End of Consent Agenda."

RE.6

5027

**Department of
Police****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BIDS RECEIVED SEPTEMBER 5, 2018, PURSUANT TO INVITATION FOR BID ("IFB") NO. 854384, TO ESTABLISH A PRE-QUALIFIED POOL FOR THE PROVISION OF LATENT PRINT EXAMINER SERVICES FOR THE MIAMI POLICE DEPARTMENT ("MPD"), ON AN AS NEEDED BASIS, BY GROUP; GROUP I, CERTIFIED LATENT PRINT EXAMINER, AND GROUP II, NON-CERTIFIED LATENT PRINT EXAMINER, ON AN AS NEEDED BASIS, APPROVING JASON G. JARDINE FOR GROUP I, CERTIFIED LATENT PRINT EXAMINER AND PHILLIP WOMACK GROUP II, NON-CERTIFIED LATENT PRINT EXAMINER, THE RESPONSIVE AND RESPONSIBLE BIDDERS, FOR AN INITIAL PERIOD OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL THREE (3) YEAR PERIODS; ALLOCATING FUNDS FROM THE MPD'S GENERAL FUND AND OTHER FUNDING SOURCES, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO ADD SUPPLIERS TO THE CONTRACT AS DEEMED NECESSARY BY THE CITY OF MIAMI; 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 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-18-0555

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

RE.7**5035****Department of
Police****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5) AFFIRMATIVE VOTE, RATIFYING, CONFIRMING, AND RETROACTIVELY APPROVING THE CITY MANAGER'S EMERGENCY FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT IT IS MOST ADVANTAGEOUS FOR THE CITY TO WAIVE THE COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTION 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA; FURTHER APPROVING THE RETROACTIVE SELECTION OF SRT SUPPLY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE PROVISION OF REPLACEMENT ARMOR AND ACCESSORIES, FOR A TOTAL EXPENDITURE AMOUNT NOT TO EXCEED \$170,918.24.

ENACTMENT NUMBER: R-18-0556

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

RE.8**5117****Department of
Procurement****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5) AFFIRMATIVE VOTE, RATIFYING, RETROACTIVELY APPROVING, AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," THAT IT IS MOST ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") TO WAIVE THE COMPETITIVE SEALED BIDDING PROCEDURES PURSUANT TO SECTION 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; RETROACTIVELY AUTHORIZING A) THE SELECTION OF LEAN CULINARY SERVICES LLC D/B/A DELIVERLEAN FOR CATERING SERVICES DURING THE HURRICANE IRMA EMERGENCY OPERATING CENTER ("EOC") ACTIVATION, AND B) OTHER EXPENDITURES FROM OTHER SELECTED VENDORS, AS LISTED ON EXHIBIT "B," RELATED TO HURRICANE IRMA INVOLVING EMERGENCY PURCHASES OF SUPPLIES, FOOD AND BEVERAGES, PUBLIC SAFETY EQUIPMENT, AND REQUIRED IMMEDIATE REPAIRS TO CITY OWNED FACILITIES IMPACTED AND DAMAGED BY HURRICANE IRMA; FURTHER DIRECTING THE CITY MANAGER TO SEEK REIMBURSEMENT FOR THESE EXIGENCY AND EMERGENCY PURCHASES FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AS APPLICABLE AND AS AVAILABLE; 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 HEREWITH.

ENACTMENT NUMBER: R-18-0557

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.8, please see "Public Comment Period for Regular Item(s)" and "End of Consent Agenda."

RE.9**4367****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ALLOCATING FUNDS IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00), FROM THE AFFORDABLE HOUSING CATEGORY OF A FUTURE SERIES OF MIAMI FOREVER TAX-EXEMPT OR TAXABLE LIMITED AD VALOREM TAX BONDS ("MIAMI FOREVER BONDS"), SUBJECT TO: (A) COMPLIANCE WITH THE CONSTITUTION OF THE STATE OF FLORIDA, THE UNITED STATES INTERNAL REVENUE CODE, THE CHARTER OF THE CITY OF MIAMI, FLORIDA, THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ANY AND ALL OTHER FEDERAL, STATE, AND LOCAL LAW REQUIREMENTS, AND ANY REQUIRED BOND VALIDATION, (B) APPROVAL BY THE MIAMI FOREVER BOND PROGRAM CITIZENS OVERSIGHT BOARD, AND (C) ALL OTHER MATTERS AND ACTIONS NECESSARY, IN A FORM ACCEPTABLE TO BOND COUNSEL, DISCLOSURE COUNSEL, FINANCIAL ADVISORS, AND CITY ATTORNEY TO BE USED WITHIN DISTRICT 2, TOWARD SINGLE FAMILY HOME REHABILITATION FOR RESIDENTS AT ONE HUNDRED FORTY PERCENT (140%) ADJUSTED MEDIAN INCOME OR BELOW, WITH FUNDS TO BE APPROPRIATED BY SEPARATE RESOLUTION(S).

MOTION TO:	Withdraw
RESULT:	WITHDRAWN
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.9, please see "Order of the Day" and "End of Consent Agenda."

RE.10**5177****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 62-521(B) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WAIVING THE TEMPORARY EVENT TWO (2) EVENT LIMITATION PER PROPERTY PER YEAR IN ORDER TO HOST MULTIPLE FOOD, ARTS, AND ENTERTAINMENT RELATED TEMPORARY EVENTS WHICH SHALL NOT EXTEND BEYOND MIDNIGHT (12:00 A.M.) AT 1368 NORTH MIAMI AVENUE, MIAMI, FLORIDA, THROUGH TOMORROWLAND, LLC, OCCURRING AT VARIOUS TIMES DURING THE YEAR BEGINNING DECEMBER 14, 2018 AND ENDING DECEMBER 14, 2019.

ENACTMENT NUMBER: R-18-0571

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

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

Chair Hardemon: Okay. So let's move to -- I want to tackle RE.10.

Vice Chair Russell: Thank you, Mr. Chairman.

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

Vice Chair Russell: Good morning. And I do understand Commissioner Carollo has some questions on this. I just wanted to give you a basic of what --

Commissioner Carollo: Yeah.

Vice Chair Russell: -- where it came from and what it is. This is in the Omni CRA (Community Redevelopment Agency), and the CRA staff has been working to develop a small corner across from the fire station on Miami Avenue, which was a gas station, but to activate it for small business owners to do, you know, food, music; some sort of activity there. They have found a tenant who is in there now and help them by investing along with them to make it a successful operation. Residents of that area, specifically two homeowners associations that are on the water's edge mostly facing that, have had concerns with regard to noise and hours. And so, they all came to the table this morning; members of my staff, as well as the CRA, were on the phone with all of them, trying to work something out. I believe the owner of the business may be here today to answer any questions anyone has. But I'm trying to find a consensus here that doesn't damage your business, but protects the quality of life for the residents.

Jessica Victor: Absolutely. Good morning.

Chair Hardemon: Good morning.

Ms. Victor: My name is Jessica Fuentes Victor. We are the owners of Tomorrowland, LLC (Limited Liability Company). This is a family-owned business. We've owned Café Avanti in Miami Beach for 29 years. And with that being said, our every intent of this location is to enhance the area, to have food, to have drinks; to make it more of a tavern casual in the area, something you can -- that the locals can go to, something that can do to-go food for businesses in the area; a place you can go before and after the Arsht Center, before and after the Heat games. It's a very neat spot. The corner needs to become a little more alive. And being in the business for a very long time, the CRA, when they only originally spoke to them, were very specific, as well as our landlord, as to what they wanted to go in there, and making sure that they conserved that corner and that they got the right fit in there. And with that being said, we took over that lease almost two years ago. On November 15, last year, we had this same meeting. You did extend a one-year event permit. Unfortunately, we were not able to take advantage of that event permit, because our building permits were in the City for -- until two months ago, a little over a year, so now here we are. It expired on November 15. And if we had any other intent, having a one-year event permit, we would have thrown parties during that time. So I definitely want to make sure that everyone's assured that we're doing

the right thing by the community; that we want to add -- we want to bring people to that corner. We want to bring people to that area. It definitely needs revitalization. I think that we can be pioneers there, and we definitely want to do the right thing. I know that there is concern. I am open to restrictions, as far as like turning the music down. When I say, "music," it's not going to be a club, by any means. It's more so music that you go to when there is a restaurant or a bar. We can lower it at a certain time. I am a little skeptical about closing at 11 or 12, because like I said, I would like to have like that post-Heat game crowd and be something in the area. It is the art and Entertainment District. The only reason why we're here, I am in the permanent process; it took a really long time. I've been paying rent for two years. It took a really long time to get it out of the building permit, and everything that we did is now in the permanent process. I'm going through my alcohol warrants. I'm going through my outdoor seating warrants. I just sat with Maurice Ponce and Devin Cejas last week to make sure that everything's done properly, and we get the permanent permits as soon as possible, with the change of use. But I have a family, and I've been paying rent for a really long time, and we just wanted to kind of get our business going, and that's the only reason we're asking for an event permit; not for anything else.

Vice Chair Russell: Question for the City Administration, please. That area is zoned as a Entertainment District. All restaurants and bars in that area are able to stay open much later, aren't they, until 5 a.m.; is that correct? You're going to get somebody that -- Devin will be here to answer that.

Emilio T. Gonzalez (City Manager): Devin's coming in right now, sir.

Commissioner Reyes: Sir, sir, let me ask you a question.

Vice Chair Russell: Yes.

Commissioner Reyes: Because I used to work around there. I used to work at the school administration building, you know, see, and that is very close where the -- there are only warehouses around there, right? In that area, they used to have all those, I would say, kitchen and restaurant supplies --

Vice Chair Russell: Yeah.

Commissioner Reyes: -- stores over there, and then you have at the end, the old fire station that was over there. And so, you -- I mean, you are not abutting a lot of residents in there, right?

Ms. Victor: No. But the area is growing, and there is a part of the revitalization -- I mean, when we went in there two years ago, none of those high-rises were there; now they are, and it's great.

Commissioner Reyes: Yeah.

Ms. Victor: And it just goes to show that the CRA is doing a great job developing that area. So now there are a couple places in that area that are starting to pop up. There is -- there are investors, like Mellow and Near (phonetic) that have invested in that area. And there are many buildings going up; a lot of residents coming down to that area. Just this weekend, I was able to take advantage of the event permit for the first time. And although I'm not fully ready to open, I said, "You know what? I'm going to activate the space during Art Basel" --

Commissioner Reyes: Yeah.

Ms. Victor: -- "and give us an opportunity to market ourselves and get people excited." There were so many neighbors that just popped in. "This is great." "Is this just an Art Basel thing?" "Is this going to be here permanently?" "We really need something in this corner."

Commissioner Reyes: Sure.

Ms. Victor: "We need something in this area." And that's what it's all about.

Commissioner Carollo: Well, I'm a little confused. This is the brick and mortar building that you have there, right?

Ms. Victor: Pardon me?

Commissioner Carollo: It's actually a building of brick and mortar, a building?

Ms. Victor: It's a building, correct.

Commissioner Carollo: Okay. But where do you want the special permit at; on the outside, on the back, on the side?

Ms. Victor: The entire thing, just in front -- well, what we're using is the front and the back -- and the inside. The out -- the back is being used, as we don't have much storage space. The inside is only 1,200 square feet; a third of that gets used by bringing the bathrooms up to Code, which we've already done.

Commissioner Carollo: And how many square feet then outside are you wanting to use for entertainment and -- I don't know -- what have you?

Ms. Victor: The outside entertainment part will probably be about 2,500 square feet; the whole outside perimeter is 4,500 square feet.

Commissioner Carollo: Okay.

Ms. Victor: But a lot of that is being used for back of the house.

Commissioner Carollo: Do you have it asphalted?

Vice Chair Russell: You could see it was a gas station.

Commissioner Reyes: Yes.

Vice Chair Russell: You see what it was.

Commissioner Carollo: Yeah. What I'm concerned is that our illustrious Zoning Director ain't going to use this so that he could sneak something in other districts and use this as the example.

Chair Hardemon: Well, as long as we're here, we're not going to let anybody, and I know you're not going to let anybody sneak anything in your district.

Commissioner Carollo: Well, he's very resourceful for certain people and not for others. And, you know, I'm trying to be open-minded for you. You're not surrounded by any residential area at all, right?

Ms. Victor: We are now. That area -- they are trying to revitalize this area, and that's why I said that --

Chair Hardemon: I think over there is near -- it's Canvass?

Commissioner Carollo: Yeah, but --

Ms. Victor: There's canvass --

Vice Chair Russell: Canvass is about three, four blocks away.

Commissioner Carollo: Okay, but --

Ms. Victor: (UNINTELLIGIBLE) station.

Vice Chair Russell: I believe Mellow is closer.

Chair Hardemon: Right.

Commissioner Carollo: Yeah, yeah, but I'm -- what I'm saying, you're not adjacent to any residential area. You're at least a few blocks away, from what I'm hearing, right?

Commissioner Reyes: Yeah.

Vice Chair Russell: Yep.

Ms. Victor: Yes.

Commissioner Carollo: That's a big difference --

Chair Hardemon: Right.

Commissioner Carollo: -- a few blocks away. My concern is, frankly -- and we have some areas in the City that they're right adjacent to a residential area, and those you cannot deal with in the same way as an area that is several blocks away from a residential area. And I think you could understand that you're separate than that.

Chair Hardemon: I would agree with you, Commissioner.

Commissioner Carollo: Yeah.

Chair Hardemon: Yeah.

Commissioner Carollo: So what is it that you want to do outside there, exactly, so I could understand it? You know, I want to work with the Commissioner; he's recommending it. And I think that you certainly have shown good faith by waiting a long time, going through all the permitting, and I compliment you for that, because we have people in this City that they'll be ready to run in just a few months without no permits, and then you'd be surprised the kind of rulings that they get so that you can make what's illegal legal.

Ms. Victor: That's right.

Commissioner Carollo: And you're still going to be legal.

Ms. Victor: So my intent --

Chair Hardemon: Before you -- well, go ahead and answer it, then I'm going to call on Commissioner Gort so he can ask a question of you.

Ms. Victor: So my intention is, again, to have a tavern, and I use the word "tavern," because I wouldn't go as far as saying a bar, because we're restaurant people, and we're going to have really good food as well.

Commissioner Carollo: Sure.

Ms. Victor: So with that being said, sure, it's alarming, because we were like, "What are you really going to do here? You know, you're up the street from like E11even and Space and the corner, but the reality is, is that someone needs to believe in an area and someone needs to start in that area, and I really see ourselves being a pioneers in that corner. And clearly, there have been so many investors that are also investing in the area to revitalize it, to revamp it, and it has to start somewhere.

Commissioner Carollo: But your tavern is inside, and then what I gather you're asking for is to be able to put tables outside --

Ms. Victor: Correct. So I have --

Commissioner Carollo: -- and maybe some, you know, light entertainment.

Ms. Victor: Absolutely. So I have actually -- I've closed it in with planters, very heavy, non-movable planters, because of the corner. I know that we're in the process of getting some things squared away so that they can widen the sidewalks, since it is on that corner. And it's a big intersection. It's 14th and North Miami Avenue, so we've completely closed that off; we already have. And then I have lounge furniture out there, picnic tables, a few high tops, a little garden on the side, and that's it. A place where you can go and hang out and --

Commissioner Carollo: I understand.

Ms. Victor: -- whatever you're in the mood for, pretty much.

Commissioner Carollo: This is a one-year permit that's being asked, right?

Ms. Victor: As we are in the process of going permanent.

Commissioner Carollo: All right. Okay, I understand, but it gives us a year to see what happens there. But the district Commissioner is recommending it; I want to work with him as much as I can. I just want to be clear that I also want to protect my district and all of our districts. Sometimes you get stuff snuck in you, then we don't realize the effect that it will have later on. But this sounds like something that, from everything I've heard, is very above board. You're going through the whole process, like you should, so I'm -- I'll vote for it.

Commissioner Reyes: And if I want -- if I may add --

Chair Hardemon: Let me --

Commissioner Reyes: Oh, sure.

Chair Hardemon: -- call on Commissioner Gort, and then I'll come back to you.

Commissioner Reyes: Mr. Gort.

Commissioner Gort: Yes. Let me speak and --

Commissioner Reyes: Yes.

Commissioner Gort: Commissioner Carollo, you've been here a long time. You remember there was a time when you could not walk in Wynwood. If you walked down there, you have to carry a gun.

Commissioner Reyes: Yes.

Commissioner Gort: Today, thanks to open spaces and events like that --

Commissioner Reyes: That's right.

Commissioner Gort: -- we're bringing Wynwood back in. I think this is a way that we -- we've seen the changes that are taking place within the City. At one time, Wynwood was a beautiful place, where dress manufacture was taking place all through the Wynwood. They moved away, so there was vacant buildings in there, and that's when the museum started coming around. And this is something we have to look at in all our neighborhoods; how can we improve the economic development in our neighborhood and help the small businesses to get ahead. And so, something like that, like we did years -- the park -- what do they call it in downtown Miami? The parklets that we all are talking about it, and I saw the pictures. I talked to some of the people; they loved it. It's become very -- something very nice. So we need to be very innovative in a lot of our neighborhoods to create economic impact. I'll be for it.

Commissioner Reyes: What I wanted to add is, I want to commend you for going into the neighborhood. It is needed, you see, that type of entertainment. I mean, for the new residents of that, it's needed; I know. And I, just as Commissioner Gort said, had to drive by there every day when I was working at the school system. And I really commend you, and I'm all for it. And I think that it's going to provide the residents with a place so they can come and relax, and some of us sometimes will go there, and if you have good music, we might enjoy it too.

Ms. Victor: I appreciate that.

Commissioner Carollo: Good luck to you.

Commissioner Reyes: Good luck.

Chair Hardemon: Mr. Vice Chairman.

Vice Chair Russell: Thank you. Two amendments, please. I am very sensitive to the noise issue. Both the Biscayne Neighborhood Association president and the Downtown Neighborhoods Alliance president met this morning and spoke with you by phone. I believe it's fair to ask for a three-strikes rule on the sound ordinance. If you violate the sound ordinance or are found guilty of that, that the permit would be removed --

Ms. Victor: Absolutely.

Vice Chair Russell: -- on the third time. And after 11 p.m. that the music would come down. You can continue with the food until midnight and everything else, but that the music would be reduced -- there -- it's mostly the buildings that kind of have a straight shot --

Commissioner Reyes: Yeah.

Vice Chair Russell: -- upward across the highway. And it seems like a long way, but we get a tremendous amount of noise complaints from the nightclubs that are about the same distance as the crow flies, but further south. Clearly, this is not a nightclub, and I don't foresee a problem. I just understand where their concern comes from, so that's my amendment.

Commissioner Reyes: I move it.

Vice Chair Russell: Would that work for you?

Ms. Victor: If we -- obviously, we will abide by this, and we will lower the music at 11 and respect the noise ordinance. Are we allowed to open past midnight?

Vice Chair Russell: I believe the legislation only goes till midnight. My question earlier has not yet been answered by the Zoning Administrator regarding that area as an Entertainment District. What is the as-of-right hours allowed to all restaurants in that area?

Chair Hardemon: Right. They should be allowed --

Commissioner Reyes: They should.

Chair Hardemon: -- to operate that way.

Commissioner Reyes: Yes, sir.

Chair Hardemon: This is just particularly about the number of events they can have per year, et cetera, and --

Vice Chair Russell: The legislation does limit them to midnight, though.

Commissioner Carollo: Yeah, that's what it says; midnight.

Chair Hardemon: Right. Is it operation? Is it operation? Because I took it as just the --

Vice Chair Russell: The noise?

Chair Hardemon: -- special events sort of thing, not necessarily the operation of their existing business.

Devin Cejas: If I may, Devin Cejas, the Zoning Director and Administrator. With regards to hours, the only hours that are dictated by any Code within our ordinance, that will be Chapter 4, the Alcohol Ordinance, and it's related to alcohol service establishments and consumption of alcohol on premises, which it relates to bars, nightclubs, taverns, so on and so forth. That -- this location is located through the A&E (Arts & Entertainment) Entertainment Media District. It's an Entertainment District, and hours of operations are allowed to proceed until 5 a.m.

Chair Hardemon: So they should be allowed to then operate their business --

Commissioner Reyes: Yeah.

Chair Hardemon: -- past that time. They just can't have any special events outside -

Mr. Cejas: These special events is a topic conversation for you all to --

Commissioner Carollo: Yeah.

Mr. Cejas: -- make a determination on.

Chair Hardemon: Right.

Vice Chair Russell: I'm okay with operations matching the district.

Chair Hardemon: Right. So there's a difference between special events and operations. I think that's going to be a moment of clarity that you all are going to have to come to an understanding of, because I would hate for you to be violated for something that there was a misunderstanding of.

Ms. Victor: Well, we are in the --

Chair Hardemon: Happens all the time.

Ms. Victor: Pardon me. We are in the process of going permanent, like I said, and we are asking for this one year just to start operating. So I would ideally like to start operating the way it -- same way I'm going to continue, because like you all know, a first impression means a lot. So if -- I'm not saying I'm going to open till 5 a.m., but in the event that I would be able to stay open later, and you're okay with that, during the event process as well, I would appreciate it.

Ms. Méndez: I just wanted to clarify that this item is supposed to waive the number of special events for the year. They still have to go through all the appropriate permitting. That's what this item is for. I just want to be clear, because I don't want you to walk away from here thinking that you're getting all these rights. So this is just waiving the amount of temporary events that can be on your property, because you're only allowed to have two per year.

Ms. Victor: Okay.

Ms. Méndez: That's what -- all that the Commission is doing right now. You still have to go through the appropriate process with Zoning with regard to your hours, your operation, how much you can have outside, how much you can't, how late, et cetera, et cetera.

Chair Hardemon: Right. So --

Ms. Méndez: I just wanted to clarify all that, because we're talking about a lot of things and this is just --

Chair Hardemon: Yeah, we don't want to talk past you, because say, for instance -- say you owned a lot -- or you had a lease to a lot that didn't have a property on there. Well, there's no business that's really being conducted there. So if you wanted to have a special event during Art Basel, that's an event.

Ms. Victor: Right.

Chair Hardemon: Right? So you get a permit for that event. They will count that as one of those effective events. At a business, it's a little different, because your business is operating every single day. So rarely do the businesses necessarily have these special events, but sometimes they do, that may require a permit.

Ms. Victor: Absolutely.

Chair Hardemon: And so, if that permit is sought, you would get an approved permit that would count as an event, so.

Commissioner Carollo: Commissioner Russell, I don't know who made the motion or seconded it, but if the maker and seconder of the motion and you, of course, as district Commissioner, if we could include some wording here that's not going to affect what they're asking for, but would be clear in where we're doing this, that this is only being done in this district because it is a Special Entertainment District.

Vice Chair Russell: I'll make the motion, and I'm open to that in the "whereas" clause to be added --

Commissioner Carollo: Yeah.

Vice Chair Russell: -- that'll make that --

Ms. Méndez: Yes, we can do that. And then the other "whereas" clause would include the noise --

Vice Chair Russell: The three strikes on the noise --

Commissioner Carollo: Yeah.

Vice Chair Russell: -- turning down after 11, but that they'll be able to operate as any other establishment in the district.

Commissioner Reyes: Yeah.

Chair Hardemon: So to make clarity for you, say, for instance, you do strike out. Then the -- you do not have the permission to have special events more than two times per year. You are just like everyone else. You could still operate a business at that place, but when it comes to special events, you'll have to abide to the law that everyone else has to abide by.

Ms. Victor: Understood and appreciated. And we are in the process of doing everything correct, so we'll be there in no time.

Chair Hardemon: So I'll take the Commissioner's statement as a motion, the Vice Chairman, and Commissioner Carollo has no problem.

Commissioner Carollo: One last thing --

Chair Hardemon: Seconded.

Commissioner Carollo: -- that I'd like before we vote. Mr. Cejas, if you can come up. From 8th Street all the way to City boundaries, close to the Palmetto, all the way down to 4th Avenue, do we have any area there that's a Special Entertainment District?

Mr. Cejas: Not that I'm aware of, sir.

Commissioner Reyes: No.

Commissioner Carollo: Madam City Attorney, do we have any area there that's a Special Entertainment District?

Ms. Méndez: I believe that when we passed the -- and we'll -- you'll just have to give me a moment to refresh my recollection, but I believe that when we passed the --

Commissioner Gort: The Latin Quarter.

Ms. Méndez: -- new alcohol ordinance, we made certain concessions for certain areas on 8th Street and Flagler, so.

Commissioner Carollo: Yeah, but we're -- yeah, but that's different. We're talking about, do we have any areas like this area here that has been designated a Special Entertainment District?

Ms. Méndez: I will defer to the Zoning Administrator, but I thought that the alcohol exemptions gave them certain rights that other people did not have, so if you can give me a little while to look that up?

Commissioner Reyes: As far as I --

Mr. Cejas: If I may?

Commissioner Carollo: But we're talking about two different things, I think.

Mr. Cejas: If I may, I think you were specific to 4th Avenue. The ordinance --

Commissioner Carollo: Well, all through 8th Street, from Commissioner Reyes' district that begins almost at the Palmetto, it goes all the way to 4th Avenue along 8th Street.

Mr. Cejas: No Entertainment District. There is a section which -- there is a Specialty District which allows alcohol consumption up till 3 o'clock in the morning --

Commissioner Carollo: Right.

Mr. Cejas: -- which is the Latin Quarter.

Commissioner Carollo: Yeah. But again, that's different. That's not --

Commissioner Reyes: Totally different.

Commissioner Carollo: -- what I'm asking you.

Mr. Cejas: Now, if I may --

Commissioner Gort: Mr. Chairman?

Mr. Cejas: -- beyond the Palmetto Expressway, then you enter the boundaries of the Urban Central Business District, and that, per se, is not an Entertainment District, but alcohol hours are allowed to exist until 5 a.m.

Commissioner Carollo: But --

Commissioner Gort: The answer is no question -- there's no --

Commissioner Carollo: There's no Special --

Commissioner Gort: None.

Commissioner Carollo: -- Entertainment District, like you stated?

Commissioner Reyes: No.

Mr. Cejas: That's a cultural district.

Commissioner Carollo: That's why I wanted that wording in this resolution. Lastly, since I have you up here, what is your definition of "bar" and "lounge"?

Mr. Cejas: Per the Code, they're classified as alcohol service establishments.

Commissioner Carollo: Alcohol service establishments.

Mr. Cejas: The selling and consumption of alcohol on a primary basis.

Commissioner Carollo: So anybody that sells alcohol in an establishment that would be their primary business is, by Code, as you stated, a bar, lounge?

Mr. Cejas: If the sale of alcohol is more than 51 percent -- 51 percent or more, then they're considered an alcohol service establishment, sir.

Commissioner Carollo: But by them having -- sell 51 percent or more, then they have a special license from the State that is basically an alcoholic establishment?

Mr. Cejas: If they're selling more than 51 percent, they'll have to have the appropriate license from the State; and, yes, we would consider that an alcohol service establishment.

Commissioner Carollo: Okay. All right.

Chair Hardemon: All right.

Commissioner Carollo: Thank you very much.

Mr. Cejas: You're welcome, sir.

Commissioner Reyes: Okay.

Chair Hardemon: Seeing no --

Commissioner Carollo: Remember that.

Chair Hardemon: -- further discussion, all in favor of the motion that was made by the Vice Chairman, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries.

Ms. Méndez: As amended.

Commissioner Carollo: As amended.

Chair Hardemon: Right.

Ms. Méndez: Thank you very much.

Chair Hardemon: That is correct.

Commissioner Reyes: Good luck.

Commissioner Carollo: Thank you.

RE.11

5164

***Commissioners
and Mayor***

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO PLACE THE CITY OF MIAMI OWNED PROPERTIES LOCATED AT 2601 SOUTHWEST 13 STREET, 12 SOUTHWEST 47 AVENUE, AND 130 SOUTHWEST 51 PLACE, MIAMI, FLORIDA, PURCHASED WITH DISTRICT 4 PARK LAND ACQUISITION FUNDS, FOR SALE, SUBJECT TO ANY AND ALL APPLICABLE PROVISIONS OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; FURTHER DIRECTING THE CITY ADMINISTRATION TO RETURN THE PROCEEDS FROM SAID SALES TO THE DISTRICT 4 PARK LAND ACQUISITION FUND.

ENACTMENT NUMBER: R-18-0558

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.11, please see “End of Consent Agenda.”

RE.12

5192

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

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 1 SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) TO DO THE RIGHT THING, INC., A FLORIDA NOT FOR PROFIT CORPORATION, IN SUPPORT OF THE "OFFICER DO RIGHT PROGRAM;" FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0559

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.12, please see "End of Consent Agenda."

RE.13

5186

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

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) TO PEOPLE UNITED TO LEAD THE STRUGGLE FOR EQUALITY, INC. ("P.U.L.S.E."), A FLORIDA NOT FOR PROFIT CORPORATION, TO SUPPORT THE P.U.L.S.E. YOUTH LEADERSHIP ACADEMY ("PYLA"), WHICH PROVIDES LOCAL YOUTH WITH LEADERSHIP TRAINING SKILLS TO BECOME EFFECTIVE LEADERS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0560

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.13, please see “End of Consent Agenda.”

RE.14**5187****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED EIGHT THOUSAND DOLLARS (\$8,000.00) TO LATINO ART BEAT, INC., A FLORIDA NOT FOR PROFIT CORPORATION, IN SUPPORT OF ITS SCHOLARSHIP PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0561

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.14, please see “End of Consent Agenda.”

RE.15

RESOLUTION

5188

***Commissioners
and Mayor***

A RESOLUTION OF THE MIAMI CITY COMMISSION, PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE, IN A TOTAL AMOUNT NOT TO EXCEED THREE THOUSAND DOLLARS (\$3,000.00), TO INTERNATIONAL SOLIDARITY FOR HUMAN RIGHTS, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("ISHR"), IN SUPPORT OF THE ISHR LITTLE HANDS FOR HUMAN RIGHTS TENT AT THE CHILDREN'S HOLIDAY EVENT AT MIAMI DADE COLLEGE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0562

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.15, please see "End of Consent Agenda."

RE.16

RESOLUTION

5190

***Commissioners
and Mayor***

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) TO ELIZABETH VIRRICK PARK COMMITTEE, INC., A FLORIDA NOT FOR PROFIT CORPORATION, FOR THE BLACK TOP HOOPS BASKETBALL LEAGUE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0563

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.16, please see “End of Consent Agenda.”

RE.17**5052****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS TO REINSTATE RECENTLY DISCONTINUED MIAMI-DADE TRANSIT BUS ROUTE NO. 6 SERVING THE COCONUT GROVE, FLAGAMI, LITTLE HAVANA, BRICKELL, DOWNTOWN, AND ALLAPATTAH NEIGHBORHOODS IN THE CITY OF MIAMI; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN.

ENACTMENT NUMBER: R-18-0564

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.17, please see “Public Comment Period for Regular Item(s)” and “End of Consent Agenda.”

RE.18**5193****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTION TO HAVE THE CITY OF MIAMI JOIN AS A MEMBER OF THE AMERICAN FLOOD COALITION, A 501(C)(4) NON-PROFIT ORGANIZATION DEDICATED TO ADVOCACY AT THE FEDERAL LEVEL FOR COASTAL CITIES ADDRESSING FLOODING AND ISSUES RELATED TO SEA LEVEL RISE.

ENACTMENT NUMBER: R-18-0565

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.18, please see “End of Consent Agenda.”

RE.19

5233

**Commissioners
and Mayor**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION CONDEMNING AIRBNB'S DECISION TO REMOVE LISTINGS OF RENTALS IN ISRAELI SETTLEMENTS IN THE WEST BANK; AND DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DESIGNATED OFFICIALS STATED HEREIN.

ENACTMENT NUMBER: R-18-0572

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Joe Carollo, Commissioner
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For additional minutes referencing Item RE.19, please see “Public Comment Period for Regular Item(s)” and “End of Consent Agenda.”

Chair Hardemon: RE.19, please. Mr. Mayor, I want you to read it into the record again so that we know exactly what we're here for; just the title.

Mayor Francis Suarez: Sure. So, RE.19 is a resolution of the Miami City Commission, condemning Airbnb's decision to remove listings of rentals in Israeli settlements in the West Bank, and directing the City Clerk to transmit a copy of this resolution to the designated officials stated therein. Thank you.

Commissioner Carollo: I will make a motion for this.

Mayor Suarez: Thank you.

Commissioner Carollo: If -- Mr. Clerk, if you can include me as a sponsor of this.

Mayor Suarez: Sure. Thank you.

Commissioner Carollo: If --

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

Commissioner Carollo: -- I may suggest --

Commissioner Gort: I'd like to make sure that --

Commissioner Carollo: -- Mr. Mayor --

Commissioner Gort: -- we have all the Commissioners that's sponsoring it.

Mayor Suarez: Sure.

Commissioner Carollo: If I may suggest that --

Mayor Suarez: Thank you all.

Commissioner Carollo: -- you -- through the US Conference of Mayors, if you would have the Clerk send a copy to all the Mayors and to the Executive Director so that he could also follow through with it?

Mayor Suarez: Yes. If we can have the transmittals be sent also to all the Mayors, the US Conference of Mayors, and their Executive Directors -- the Executive Director, Tom Cochran, I'd appreciate it.

Commissioner Gort: League of Cities.

Mayor Suarez: What's that?

Commissioner Gort: The League of Cities.

Mayor Suarez: There you go. And the League of Cities as well.

Commissioner Carollo: Yeah. The Mayors change, but Tom stays the same.

Mayor Suarez: Yeah, exactly. Tom -- yeah -- Cochran. Yeah, he's always there. Awesome. Thank you, Commissioners.

Commissioner Carollo: Thank you.

Chair Hardemon: Thank you.

Mayor Suarez: Somebody has to move it.

Chair Hardemon: It's been properly moved.

Vice Chair Russell: (UNINTELLIGIBLE).

Chair Hardemon: It has been seconded by Commissioner Gort.

Commissioner Gort: (UNINTELLIGIBLE).

Chair Hardemon: Right? No further discussion. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

Todd B. Hannon (City Clerk): As amended.

Commissioner Carollo: Yeah.

Commissioner Reyes: As amended.

Commissioner Gort: Also, we got to tell them, they got to comply with City of Miami regulations.

Chair Hardemon: I'd like to --

Commissioner Gort: Airbnb has to comply with City of Miami regulations, too.

Commissioner Carollo: Absolutely. I thought some time during the meeting, you were going to give us a brief summary of the case that we won, and what we could do to give a lot of our residents some peace of mind from all these rentals that we have in many parts of our City.

Victoria Méndez (City Attorney): With regard to the Airbnb case, we -- basically, we're in circuit court. There was a ruling on a temporary injunction that would -- ruled against the City that we could not enforce our laws against short-term rental, against Airbnb; and also, that we could not inquire of our residents their names and addresses. That went on appeal, that temporary injunction, and we were able to win. Now we go back to the trial court to hear the case on the merits, but at least for those egregious situations that we have -- and we've been having to hold off on any of those Airbnb and other -- VRBO or vacation rental-type situations -- now we're able to move forward and give our residents a little help in that regard, and then we'll see how the case continues --

Commissioner Gort: Mr. Chairman?

Ms. Méndez: -- through the trial court system.

Chair Hardemon: You're recognized.

Commissioner Reyes: I have a question about -- well --

Chair Hardemon: Hold on.

Commissioner Reyes: -- later on, about the Airbnb.

Chair Hardemon: Commissioner Gort

Commissioner Gort: It's my understanding, from what I hear in -- testimony I heard today and in news released that Miami is the number one in Airbnb. I mean, that's -- so we have so many people violating City --

Commissioner Reyes: Yes.

Commissioner Gort: -- regulations and Codes and --

Commissioner Reyes: Yeah, precisely what I was going to say. And when can we be able to enforce or to draft some legislation against Airbnb's? Because they are proliferating in every single neighborhood. And some of them, they take care who they rent; and some of them, they got some people there in the -- that they are -- I mean, in the neighborhood that they are -- I'm say, the shady characters, you see.

Mayor Suarez: Mr. Chair, if I may?

Commissioner Reyes: Yes.

Chair Hardemon: Just before you respond and --

Commissioner Reyes: Yes, I --

Chair Hardemon: Madam City Attorney -- and I know that we have current litigation with them now.

Mayor Suarez: Yeah.

Commissioner Reyes: Yes.

Chair Hardemon: And I know there's an appetite from this board -- not from all of us, but, you know, from the board at least -- to come up with some reasonable regulations at least --

Commissioner Reyes: Yes.

Chair Hardemon: -- for Airbnb --

Commissioner Gort: But there is.

Chair Hardemon: -- within our communities. And so, we just want to also know, what's the most opportune time for us to draft those regulations? Should it -- should we wait until the litigation is done or should we go about it now?

Ms. Méndez: Right. So we will wait until the litigation is done before we start drafting anything, but remember, the main thing is that we -- we're in a little bit of an interesting situation. For now, we -- at least our ordinance is not preempted by State Statute. That's the main thing that -- but we have to obviously review our regulations, maybe make certain interpretations with regard to it, but we can't necessarily create new legislation, because that would be preempted. So it's -- right now we're in a better place than we were. We can definitely look at those problem properties that we have been not enforcing because of this case, and then we can work with Airbnb to try and find a resolution.

Commissioner Reyes: Excuse me. Madam City Attorney, can we at least start, you see, just kind of going over it? And I think that all -- every single Commissioner, you have your complaints and you have your ideas of it, so we can have a head start in case that when we -- when it is approved, you see, then we are ready for it, and we don't waste that much time. And I'm offering my office to work with you, like any other Commissioners, you see. Start draft -- I mean, sort of letting you know what are all the concerns that we have and what do we think about it.

Ms. Méndez: Definitely. We can start looking into all those --

Commissioner Reyes: Okay. Thank you.

Chair Hardemon: Mr. Mayor and then --

Mayor Suarez: Thank you, Mr. Chair.

Commissioner Gort: My understanding, under Miami 21, they can be in certain zoning where they can do it, and that's the way it should be.

Chair Hardemon: Right, right.

Mayor Suarez: So, I don't want to be repetitive, but I think everybody has pretty much talked about it. I think the issue is -- this is not just an Airbnb issue; this is a home-sharing technology platform issue, because, as we know, if we were, for

example, to shut down an Airbnb at a particular location, they can use another -- potentially, just like if we shut down Uber, they can use Lyft. So I think the issue is, we have multiple problems. Our first problem is that we have been fighting the lawsuit on the basis that we are not preempted, because we had regulated home-sharing prior to the preemption statute. And so, that's the basis of our defense of the lawsuit. So I'm not sure that we can legislate post-preemption, but I think what the City Attorney is saying is that we do have some tools that we can use administratively through interpretation to give us more ability to regulate. And the second part of it is just a sheer scale of it. If you -- I mean, when you were running for office and before that even, you know, as a private citizen, when I was Commissioner, there was a phenomenon of illegal efficiencies. So now the illegal efficiencies are different. Some of them are normal rentals, a year rentals, but they're in illegal structures. And even with those structures, which are far less, I would think, than the totality of all the home-sharing that's happening right now -- just like taxis are far less than Ubers and Lyfts are right now. It's like a 6-1/7-1 factor. We struggled with the illegal efficiencies, regulating them, so I think we have to find a way to deal with the scale, the massiveness of it, in a way that is, you know, beneficial to our residents, and --

Commissioner Reyes: Yes.

Mayor Suarez: -- that's the conversation I think we should have.

Commissioner Reyes: Yes, and we should have that, but I want to make clear that the comparison between illegal efficiencies and Airbnb is -- I mean, it's--

Mayor Suarez: It's totally different.

Commissioner Reyes: -- totally different.

Mayor Suarez: Yeah, yeah.

Commissioner Reyes: A person that rents an efficiency is a resident.

Mayor Suarez: Hundred percent.

Commissioner Reyes: The person that goes to an Airbnb is a transient.

Mayor Suarez: Hundred percent.

Commissioner Reyes: And my point -- well, I would let you know later on, but if you want to have a motel, you buy someplace else.

Mayor Suarez: Totally agree. And I think they are -- I'm just using that as a comparison in terms of enforcement, you know.

Commissioner Reyes: Enforcement, okay.

Mayor Suarez: We want to make sure --

Commissioner Reyes: But they are two different animals.

Mayor Suarez: Totally different animals, totally different examples. It's just an example to show that we struggle enforcing one, and the sheer size and scale of this makes it difficult to enforce the other one, plus the legislative restrictions that we have. So we'll work with all of your offices; particularly -- and the City Attorney and

I discussed this -- if there is a particularly bad case, that's a good one for us to start enforcing on.

Commissioner Reyes: I have a bad case just across the street from my house.

Mayor Suarez: Okay.

Ms. Méndez: Please let us know, but we're also looking at one in Shenandoah that --

Mayor Suarez: Yes.

Ms. Méndez: -- has been very egregious. And so, all the egregious cases for -- we will be enforcing.

RE.20**5244****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE MAYOR'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API"), IN A TOTAL AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) TO THE ARK OF THE CITY, INC., A FLORIDA NOT FOR PROFIT CORPORATION, IN SUPPORT OF ITS "CHRISTMAS ON THE 15TH" EVENT; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-18-0544

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.20, please see "End of Consent Agenda."

RE.21

5236

*Office of the City
Attorney*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TAIWAN SMART AND HIS ATTORNEYS, RASCO KLOCK PEREZ & NIETO, P.L., WITHOUT ADMISSION OF LIABILITY, THE AGGREGATE TOTAL SUM OF ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000.00), IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS, INCLUDING ALL CLAIMS FOR ATTORNEY'S FEES, AGAINST THE CITY OF MIAMI AND ITS OFFICERS, AGENTS AND EMPLOYEES, IN THE CASE STYLED TAIWAN SMART VS. CITY OF MIAMI, PENDING IN THE UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA, CASE NO.: 13-24354-CIV-MGC, UPON THE EXECUTION OF GENERAL RELEASES AND SATISFACTIONS OF JUDGMENT AS TO ALL CLAIMS AND DEMANDS, AND A DISMISSAL OF THE CITY OF MIAMI WITH PREJUDICE; ALLOCATING FUNDS FROM ACCOUNT NO. 00001.980000.531010.0000.00000.

ENACTMENT NUMBER: R-18-0566

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Note for the Record: For minutes referencing Item RE.21, please see "End of Consent Agenda."

RE.22

5121

*Department of Real
Estate and Asset
Management*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION INDEFINITELY DEFERRING FURTHER ACTION ON THE "NOTICE TO VACATE" SENT TO RICKENBACKER MARINA, INC. ("RMI") SUBJECT TO RMI PAYING TO THE CITY AN AMOUNT EQUAL TO ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) PER MONTH IN ADDITION TO RMI'S MONTHLY HOLDOVER RENT.

ENACTMENT NUMBER: R-18-0569

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Reyes
ABSENT:	Gort, Carollo

Note for the Record: For additional minutes referencing Item RE.22, please see "Order of the Day," "Public Comment Period for Regular Item(s)," "End of Consent Agenda," and Item RE.2

RE.23

4850

**Office of
Management and
Budget**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADDING CAPITAL PROJECTS TO THE FISCAL YEAR 2018-19 MULTI-YEAR CAPITAL PLAN ADOPTED WITH MODIFICATIONS ON SEPTEMBER 13, 2018 PURSUANT TO RESOLUTION NO. 18-0396 AND AS SUBSEQUENTLY AMENDED ON SEPTEMBER 27, 2018 PURSUANT TO ORDINANCE NO. 13790, 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-18-0545

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Reyes
NAYS:	Carollo

Note for the Record: A motion was made by Vice Chair Russell, seconded by Chair Hardemon, which was passed by the following vote: AYES: Hardemon, Russell, Gort, Reyes; NOES: Carollo; to call the question for agenda items RE.23 and RE.24.

For additional minutes referencing Item RE.23, please see "Public Comment Period for Regular Item(s)," "End of Consent Agenda," and RE.24.

Chair Hardemon: Okay. So --

Vice Chair Russell: What's left?

Chair Hardemon: -- how can we do --? Well, my question to the board, do you want to do Virginia Key first, or do you want to do -- when I say, "Virginia Key," the Virginia Key Marina -- or do you want to do the capital reprogramming and the Miami Forever Bond?

Commissioner Carollo: Let's do the bond first. Look --

Chair Hardemon: All right, RE.24.

Commissioner Carollo: -- we cannot be held to blame if the Administration took whatever time they wanted to in bringing stuff to us, but I can't control that. What I can control is how I vote and vote -- worst time of the year, where all of us have been busy; I've been very busy. And the world's not going to come to an end, nor are we going to be in a position that we can't issue bonds if this will wait towards the end of

January. What I will say to you clearly is that if we go forward with this, and the Securities and Exchange Commission finds any little thing that's wrong -- and I guarantee you, they're going to be looking at this as closely as they have looked at anything, because twice already, we've been hit that we've issued bonds, and if we get hit the third time, it's really going to be ugly this time. So I'd rather go a little slower, take another month or so, where nothing is going to change, and let's do this right. I deserve the courtesy as Commissioner to have the time that I need, and I do feel that if each of us appointed a prominent member of our City in the Oversight Board, they should at least have the courtesy to see the final package that is being recommended in Round 1 so they could opine on it. It's clear that we have the final word. There's no doubt about that. But if not, why did we ever -- even name an Oversight Board?

Commissioner Reyes: Well, let me give you my take on the Oversight Board. I think -- I understand your concern, Commissioner Carollo, but the Oversight Board -- the role of the Oversight Board is once we have the funds and we are going to spend it, they are the ones that going to oversee that; not when we're going to issue the bonds. I mean, I know that's the role. I was part of the Oversight Board -- the first Oversight Board that was the bonds for the --

Mayor Francis Suarez: Homeland Defense.

Commissioner Reyes: That's right, Homeland Defense, and I was the Vice Chair of that board, and our role was not when the bonds were being issued (UNINTELLIGIBLE). Now, one thing that I have -- a question that I have -- and that's why -- I think that we have -- I have -- personally, I think that we should just get going, because I have some projects that they are ready; although, although -- and I want them to start -- although, we -- I would strongly recommend, Commissioner Carollo, is that we don't use any of the funds for housing; that any of the bonds that they are for affordable housing; that they -- that those funds should be set aside until we have the plan that is being developed by Florida International University, because if we start hitting and missing --

Commissioner Carollo: Well, look --

Commissioner Reyes: -- you see, what are we going to do if --?

Commissioner Carollo: -- I --

Chair Hardemon: But that's why -- and I want to remind everyone, you know -- and I heard -- when Commissioner Carollo started to speak, his words moved me; and then, when you started to speak, I thought that you were more correct than he was in your explanation of how the --

Commissioner Reyes: The board.

Chair Hardemon: -- Oversight Board works, but I will tell you that -- I will want to remind everyone that was here during the vote that when it came to the housing standards, as to how we were going to use our housing --

Commissioner Reyes: That's right.

Chair Hardemon: -- part of our discussion on this dais and how we sold it to our community was that each district was going to have the autonomy, if they would, of how they wanted to use their dollars for affordable housing in their community. So -- which gave you the -- if -- so, for instance, if District 2 wanted to say, "Rebuilding Together is going to make renovations," and he'd be allowed to go it that way. If

you wanted to make a contribution to a certain thing, you could do it that way. So I just -- that -- and we have to remind everyone that, first, all of the money is not going to come, you know -- \$100 million is not going to be there immediately.

Commissioner Reyes: No.

Chair Hardemon: So there's going to be timing, there's going to be tranches.

Commissioner Reyes: But may I make a suggestion?

Chair Hardemon: And I will tell you that there are immediate needs, especially, say, within my district that I know that the dollars that are going to be earmarked for my space are going to have -- I'm not going to be able to spend all my money. The next Commissioner is going to have a shot at this, as well. So the projects that are there, I want to get to. I want to fulfill those promises without any restraint. And so, you know, I just want that to be clear on the record.

Commissioner Carollo: Well, you touched upon one of the big concerns that I also have, and I feel that all kinds of constraints are being put. The Administration is deciding, in a very short time, how those funds are going to be spent; not how we want them, and I don't like how this is going. This is wrong, the way that it's going. And I'm telling you, if this is the beginning, the ending is going to be not pretty, because I can see us getting in trouble again, and I'm not going to be the one that is going to say, "Yeah, I voted for it too." You know, I wasn't around the last two times when this City got hit bad, and I'm not going to be part of something that's rushed now when there's no need to, because another month or less is not going to make a difference in anything, but it will make a difference for me to be able to go through carefully what the Administration gave. From the original information that we got to what we got now, there are major, major differences. There have been improvements in some areas; I don't know about others. Citywide, 12 million for affordable housing. How is that going to be spent? Do we have anything that's been given to us that we know where that money's going to be spent in any particular project?

Chair Hardemon: Well, I would --

Commissioner Reyes: But that --

Chair Hardemon: -- well, first of all, I want to say that the affordable housing dollars should not be spent without the recommendation -- spent without the recommendation from the district Commissioner. And so, anything besides that is unacceptable, and I think that should be very clear. And so, I want to put that on the record, because that is exactly how we sold this bond to our residents. And so, I want to make sure that that is not taken advantage of.

Commissioner Carollo: Yeah. And --

Chair Hardemon: (UNINTELLIGIBLE).

Commissioner Carollo: -- I think it's important to put that out, Chairman. But also, we need to know off the bat what percentage each district is going to have, so we know --

Chair Hardemon: Know that.

Commissioner Carollo: -- how to move forward.

Chair Hardemon: We know that. We know that number.

Commissioner Carollo: No. I have --

Chair Hardemon: The numbers --

Commissioner Carollo: -- nobody gave me that number.

Chair Hardemon: -- and I don't know who's here, but the number was pegged to -- and forgive my lack of description -- but it's pegged to the poverty rates -- the CDBG (Community Development Block Grant) poverty rates that were existing at the time that we passed it. That's what it is, so.

Mayor Suarez: (UNINTELLIGIBLE) statement or something?

Chair Hardemon: I will let you make a statement.

Unidentified Speaker: That is correct.

Mayor Suarez: Great.

Chair Hardemon: Okay. Mr. Mayor.

Mayor Suarez: Chair.

Commissioner Carollo: But out of that hundred million then, what does each of our district gets; can you tell me? Can somebody tell me?

Alfredo Duran (Deputy Director, Community and Economic Development): We can make that available to your office. I don't have it off the top of my head.

Commissioner Carollo: Well, look, that's the kind of thing that -- what I'm talking about.

Mayor Suarez: Can I --

Commissioner Carollo: This should be in black and white, where it's clear to all of us, and I don't have any of that.

Commissioner Reyes: But we don't have a plan also, and that's what we have --

Chair Hardemon: The plan is up -- I want to make it very clear. No one outside of this body is going to create a plan that we're going to follow.

Commissioner Reyes: But forget --

Chair Hardemon: The plan is a recommendation --

Commissioner Reyes: -- what -- we have --

Chair Hardemon: -- should we choose.

Commissioner Reyes: -- a plan that is being developed by --

Chair Hardemon: FIU.

Commissioner Reyes: -- FIU.

Chair Hardemon: That you can --

Commissioner Reyes: At least --

Chair Hardemon: -- choose to use.

Commissioner Reyes: No, no, no. But I want to know -- Listen, we are a body, and we all have our own best intention of getting -- I mean, the biggest pound for the buck, and I will -- I'm repeating it, you see. If we -- I go back to what I said before: Let's wait for the plan. And if the plan says, "Okay, we are going to do this," then we make the decision. I mean, there is more need, there is more land displaced, whatever, but -- I mean, we start divvying it up now, okay, it is what we have always done, you see.

Chair Hardemon: Mr. Mayor.

Mayor Suarez: Thank you. Let me just --

Commissioner Reyes: (UNINTELLIGIBLE) wouldn't be efficient.

Mayor Suarez: -- yeah. Let me propose a structure for the discussion, and see if it's a structure that's acceptable to all of you, and then maybe we can go forward. So I'd like to make some introductory remarks, then maybe the Administration can go through the presentation and give you a breakdown of how all the funds are going to be spent, and answer whatever specific questions you have and whatever specific components. Is that --?

Chair Hardemon: You can try.

Mayor Suarez: You want me to do it?

Chair Hardemon: I mean, I don't -- if that's what you'd like to do (UNINTELLIGIBLE), try.

Mayor Suarez: No. I just want to make an intro --

Chair Hardemon: I don't want to -- I mean, it's 8:16, right? This is something that we've all had in front of us. This is something we've been discussing. So, you know, I just don't think that there's any Madison Avenue image that you're going to show us that's going to, you know --

Mayor Suarez: No, no. I -- look, I think there was some questions, so -- okay. I'll make introductory comments --

Commissioner Carollo: What --

Mayor Suarez: -- and you all can --

Commissioner Carollo: -- is it such a big deal that I'm asking for a deferment towards the end of January so that I can have the opportunity to go through this information --

Mayor Suarez: You're asking me?

Commissioner Carollo: -- carefully, ask the Administration for whatever information I might need -- maybe I won't need any; I doubt it -- and be able to come back here, assured that I know what I'm voting upon?

Mayor Suarez: I'm not sure I understand the question.

Chair Hardemon: Vice Chairman.

Commissioner Carollo: Emilio, is the world going to come to an end if we hold off on this for another month, until January?

Vice Chair Russell: We --

Commissioner Carollo: Are we going to lose any of the bond money?

Emilio T. Gonzalez (City Manager): Sir, we're not going to lose any of the bond money. There may be some issues with reprogramming that I --

Commissioner Carollo: What are the issues?

Mr. Gonzalez: But for our purposes, we want to get this out as quickly as possible. We've consulted the Commission and staff. We have a list that has been vetted. We have briefed. We feel that there's an opportunity now to get this out so that come the first of the year, we can start, basically, shovel-ready projects between bond money and reprogram funds, and finally effect what the voters have asked us to do.

Commissioner Carollo: A month is not going to make any major difference. I will tell you now, I have not vetted what is here. I was given some stuff; told, "This is the way that it is," which was outrageous, the way the money was being divvied up. And when I started making objections, I was asked to present specific projects, because I was told the ones that you were putting were the ones that were ready to go. I said, "Well, no one asked me" -- "No one has asked me if mine are ready to go," and I showed the ones that I had that were ready to go; some were at it; some are still up in the air. And there are figures here that I don't know what was put in, what was taken out.

Chair Hardemon: The first --

Commissioner Carollo: And all that I hear is that there's this rush, this rush, this rush. And any time that I hear something like that in government, that's when I know I got to be careful.

Chair Hardemon: So I want to say -- I'm going to call on the Vice Chairman so he can speak, but I want to say, the first things -- I don't want to be wrapped around an axle with this. We have very -- two specific things to do here: One, we're going to decide whether or not there's going to be a continuance. And so, if there's going to be a continuance, there needs to be a motion, there needs to be a second, and then we decide that. If there is no appetite for continuance, then we're going to move to some sort of vote or discussion on the item that is here, hopefully ending in a vote; which way, I don't care. But Vice Chairman, I'm going to recognize you.

Vice Chair Russell: Thank you, Mr. Chairman. And with complete respect to Commissioner Carollo, because like I said, we each had a different experience here, and I respect your experience. I can only speak for myself, recognizing what time frame we were trying to get to. There are projects in my district and others I know of that do have some time urgency. Originally, I was thinking, you know, is there such a hurry? I definitely want to get it right. But we buckled down, and we did. We got

together several times. I've been to -- onsite with staff at some points to even look at potentials of where -- some of the bond spends of their recommendation. This is not a take-it-or-leave-it situation, but the goal was that their recommendation would do the rounds with each Commissioner prior to this so that there would be a general consensus for what was being spent within your district from the budget. I can only speak from my part, but I am -- I'm fully familiar with and satisfied with where all of it's going. Some of it is time-sensitive. I know of at least two, and there may be a third affordability project which is at risk of losing matching dollars, at risk of losing tenants, large retail tenants, ones that we've even changed the zoning for. There's at least two projects that we changed the zoning for to specifically move toward affordability and force their affordability, and they've gone out for matching dollars. They're now at a critical time. I believe there's one in Commissioner Gort's district; one in mine. But what was recommended to me from the Administration seemed fair to do an RFP (Request for Proposals) process on a batch of affordability dollars. If it can be turned around within 60 days, I'm open to that, because these are, like you said, time-sensitive, but it doesn't peg anything to one; it creates a fair process with a point system. And if we -- my -- I was going to give direction to say, if we need to broaden that a little bit, respecting the district boundary percentages, as were stated in the very first time when you actually expanded the bond, you did state that. I do recall that. There's a few other points. The Oversight Board, it was stated, and I believe on the record at an earlier meeting, what their role would be, where they would play a part, and that's why I want to make sure, because I do not want a board to be ignored, but if their job is being followed -- if their role is being followed correctly, I am okay with that. And my understanding is, Administration recommends projects; the Commission approves and ratifies that; the board oversees the expenditure of, and they can certainly raise a flag if they see us spending outside of our buckets. That's their -- they will act freely and send us resolutions. But I am ready to move forward for my part. I do not want to leave Commissioner Carollo's district behind, and I certainly don't want to see projects put into his district that he's not aware of or interested in. My question, to move forward comfortably, would be, how soon can you bring a second tranche that takes care of, and goes through with Commissioner Carollo all of the projects that would affect his districts?

Steven Williamson: So, Commissioner, when you're asking "how soon?" you're talking of capital, or are you talking about affordable housing?

Vice Chair Russell: If we were to approve this now --

Commissioner Gort: And you are?

Vice Chair Russell: -- but for -- except for Commissioner Carollo's part of the list, when could you bring back his part of the list and move forward with that as well, so that some of the projects in the other districts don't get held up, and we don't lose the affordability?

Commissioner Reyes: It doesn't work like that. It doesn't work like that.

Vice Chair Russell: It does not work like --?

Mr. Williamson: No, (UNINTELLIGIBLE).

Vice Chair Russell: I mean, we're going to be issuing -- we're issuing tranches every month.

Commissioner Reyes: If -- what you're saying --

Commissioner Carollo: Could someone get my Chief of Staff in here, please? Because --

Chair Hardemon: All right. Let's have --

Commissioner Carollo: -- I think -- no, no. He needs to --

Chair Hardemon: That's fine. I just want to have a response --

Commissioner Carollo: -- brief me on something here.

Commissioner Reyes: It doesn't work like that.

Mayor Suarez: Mr. Chair?

Chair Hardemon: If there's a response -- Look, I'm telling you right now, this is not hard.

Commissioner Reyes: Yeah.

Chair Hardemon: This is not difficult. So if there's a continuance that's wanted, I expect a motion, a second, and then we can discuss that. But I'm not going to sit here and talk about actual factual things about this bond and also a continuance at the same time. We cannot do that. It is counterproductive. So --

Commissioner Reyes: Either we continue or not.

Chair Hardemon: -- if there's a continuance that's sought, I need a first, second -- right? -- motion, second. I'm not talking about continuances if there's no motion and there's no second.

Vice Chair Russell: Well, how 'bout we move the item?

Chair Hardemon: That's another way of doing things.

Vice Chair Russell: I'd like to move the item.

Chair Hardemon: Vice Chairman has moved the item. Is there a second?

Commissioner Gort: Second.

Chair Hardemon: Seconded by Commissioner Gort. Now we're having discussion on the substantive item.

Mayor Suarez: Mr. Chair, may I?

Chair Hardemon: Yes.

Mayor Suarez: Thank you; appreciate the recognition. Miamians chose to invest in their City's future when they approved the \$400 million Miami Forever Bond, and they did it for good reason. Irma was a wake-up call for all of us. It was clear that if we didn't think ahead, it would significantly hinder our growth in the future. Tranche one -- and let me stress, this is only tranche one, which is roughly 15 percent of the entire bond program -- allows us to get started on shovel-ready projects to build a stronger, more resilient future for our city, for our children, for our grandchildren, and for our grandchildren's grandchildren. These projects were developed through constant communication with you, our Commissioners,

community stakeholders, ensuring that the bond was equitably distributed among districts to the maximum extent possible, while ensuring that these projects were based on need. These projects have an immediate impact by, number one, reducing flooding risks; number two, improving storm water infrastructure; number three, improving affordable housing, economic development, parks, cultural facilities, streets, and infrastructure, and enhancing public safety. The groundwork we lay today will be instrumental as we begin to plan for future phases. And there's been some discussion already about how do we plan for those future phases? With the FIU study on affordable housing that Commissioner Reyes alluded to; and, of course, our Storm Water Master Plan that is yet to be completed. Future projects. Your support today will send a strong message to our residents that we are equally invested in our future, and we are committed to making us the most resilient city in the world. I think it behooves us to allow, unless -- you have a motion and a second. If you want to pass it, that's your prerogative. If not, it behooves you to allow the Administration to briefly explain, if you want to hear that; if not -- if you want to pass it, that's fine -- you know, what the projects are, how they were chosen, how they -- there was outreach to the Commissioners, how there was communication with Commissioners, et cetera. That's your choice. And I respect all the Commissioners' perspectives on whether they felt they had a lot of input or not a lot of input. I respect all their perspectives, and we have to take into account that there are five Commissioners, and some Commissioners want to get started tomorrow; some Commissioners would prefer to wait till later, and, you know, that's part of a collegial body. We take in everyone's perspective, we make a decision, and we move on to the next decision. So thank you, Commissioners, and thank you, Mr. Chair, for hearing my statements.

Chair Hardemon: Thank you very much. I know that I've been ready since the day this thing passed -- right? -- and I waited patiently not to put anything like on the agenda, per the Administration's request, until you all came up with a recommendation. This recommendation is coming a little more than a year after the initial passing date. And I'll tell you, my residents stop me every single day, asking about single-home repairing. And so, I know that was a major thing, and I know -- Chris, you were there; you've seen it, where this is why many of the residents, especially that live within my district, wanted to pass this item. I didn't believe that the item would pass without a significant investment in affordable housing. And so, that's part of the reason why I'm moved to have an increase of \$100 million; 80 towards affordable housing and another 20 towards park. I know that those two items -- all of the Commissioners have expressed interest in making improvements on their parks and ensuring that their residents have a safe place to lay their heads, despite their level of income. And so, I think -- I personally believe that the sort of investment that we're going to make, especially eventually in affordable housing, and the ways that we go about doing it in each district, especially the ways that -- I've heard, I mean, the dialogue come from the right of me and from the left of me. I know that the City of Miami is going to do something that I personally believe -- and you can probably research -- that no other city has ever made a significant investment like this. Other cities watch their residents be moved out of their homes for reasons that purely have to do with their level of income, because they can't make the repairs to their homes that are necessary for them to live in a livable place, and the City of Miami has said, "That's not going to happen here. We're going to help you keep your homes in conditions that are safe"; for us to be allowed to continue to receive a property tax revenue, and for that property tax revenue to increase. And when you mix that investment from the City that is reimbursable, if homes are sold, and you take that and you mix it with what the private sector is doing, just purely by buying homes and making renovations, this city is going to make significant improvements in their areas of concern very quickly. And so, I'm excited about that, and that's part of the reason why I want to move forward today. And I say this: That

I do believe that when Commissioners need time, they need time; I get that. But the gentleman that's to my far left, he doesn't have much time.

Mayor Suarez: Not in the real world.

Chair Hardemon: Not in life, not in life.

Mayor Suarez: Right, right, right. Let's be clear.

Vice Chair Russell: That's a bold statement.

Commissioner Gort: Hopefully, God willing, I got a lot of time in life. Let me tell you --

Chair Hardemon: On this dais is what I mean.

Commissioner Gort: -- let me tell --

Chair Hardemon: And I think the Commissioner that's to the right of me will have the most time out of all of us.

Commissioner Reyes: Well, that's if I get re-elected.

Chair Hardemon: Yeah, you're going to get re-elected.

Commissioner Gort: Let me tell you what the problem is. We talked about reallocate funds to do a project, but unfortunately, Capital Improvement will not do anything, not even the design, until they know that the money has been allocated; that's why it takes so long. And that's something the Administration needs to look into it, because they don't do anything unless they have the funding. If they don't have the funding -- and you know how long it takes to do the design? It takes about at least six months.

Chair Hardemon: I should have had a --

Commissioner Gort: That's why I have couple of streets that have been working on for a while, and going from 27th Avenue to the Airport, using 37th Avenue. It was going to be complicated. I was able to divide the project into two so we can get it done. I have a lot of parks I need to -- before I leave, I want to made certain commitment to my people, and I want to make sure it gets done. And like you stated, I don't have --

Commissioner Reyes: I want to ask a question.

Commissioner Gort: -- a lot of time.

Commissioner Reyes: Commissioner Carollo, there are some projects that you wanted to include in --

Commissioner Gort: Take them out.

Commissioner Carollo: Well, the problem is, I don't know what's all included in here. For instance -- If I could get my Chief of Staff to come up here for a minute. Mr. Mayor, excuse me.

Mayor Suarez: Yeah.

Commissioner Carollo: And I think you all know him, Richard Blom.

Commissioner Gort: I think I heard him before.

Commissioner Carollo: Richie, what were your conversations with the Administration (UNINTELLIGIBLE)?

Richard Blom (Chief of Staff, Office of Commissioner Carollo): Okay. If I can just read part of what --

Commissioner Carollo: (UNINTELLIGIBLE).

Mr. Blom: -- the email; it's short. I sent this email to the Manager, cc'd (carbon copied) Director Williamson. "In preparation for Tranche 1 of the Miami Forever Bond, District 3 has a number of project-ready initiatives in both infrastructure and affordable housing arenas. During my November 28 meeting with Director Williamson, I was able to provide him with a partial list of projects, with the understanding that the remaining projects would be presented to him at a prior due date" -- "prior to the due date. The remaining items require input and coordination from the Commissioners, as well as staff. In mid-November, I was advised that the necessary documentation and input from our office would be accepted until December 6. However, one week later, I was advised that the due date was changed to November 30. On December 3, I was" -- "I received a call from Director Williamson, advising me that the bond item had been moved to the January Commission meeting, and we could submit the D3 bond request package any time before December 21. However, later that evening, I received another call from Director Williamson, informing me that the bond issue was back on the December agenda, and the due date for submission was the next morning. Due to the fact that the dates have changed on several occasions, coupled with the Commissioner's busy holiday schedule, we were not able to meet the latest due date. In addition, we have been identified several projects, which originally on a" -- "listed on a 2017/18 D3 CIP (Capital Improvement Projects) list that are now listed in D3's Tranche 1 list. This should probably not be possible, if monies have already been encumbered. There are several other projects on the list that are questionable and a cause of concern, as well as projects that are not listed." So, basically, that was my email --

Commissioner Carollo: Well --

Mr. Blom: -- to the Manager and --

Mr. Williamson: Mr. Vice Chairman, may I address those comments, please?

Vice Chair Russell: Yes, Mr. Williamson.

Mr. Williamson: So I just want to address the concern that this was done in a hasty way. We actually began to form the task force back in July. So what we did is we brought together the subject matter experts in the City; we identified one for each category. As we started to go through the identification of the projects, they were not just projects that came out of thin air. These are all projects that had been requirement across the City. We've received not only district input, but also citizen input. As you all know, I meet with you every month to discuss your requirements, and we talk through what are those requirements. In specific response to District 3 Chief of Staff's comments, I would love to go through the times that we either met or tried to meet with District 3 to -- just to kind of give him an idea, but I believe that there was enough time for them to think through this process. I can start on September 12, which is when we introduced the bond program process. We were there, the full City leadership; the Commissioner and his staff was there. On

October 5, at 10:30, we further introduced the bond process and discussed with D5 projects -- D3 projects, excuse me. Mr. Blom was in attendance. I sent an email on October 16 at 10:52 a.m., subject was "Capital Construction Program, Project Selection, Project Optimization and Bond Program"; that went to Mr. Blom. I sent another email on October 24 at 3:04 p.m.; resending the same subject that I sent on 16th; again, to Mr. Blom. We had a meeting scheduled on October 24 at 4 p.m. It was -- unfortunately, it was delayed to 5:30, and we only had an opportunity to meet for 10 minutes with the Commissioner. Commissioner had an advanced copy, however, which was outdated when we showed up. We had the full City leadership there at the time; Commissioner was there, Mr. Blom, and also, Mr. Barcena was there. I sent an email on October 25 at 2:41 p.m., request to meet and delay -- and a shortened meet -- excuse me -- and we had a shortened meeting. We had a meeting on October 25 at 1 p.m.; Commissioner and Mr. Blom were unable to meet, due to staff requirements during Commission recess. I sent an email back to Mr. Blom on October 28; subject was "OCI Meet with District 3 to Discuss Bond Approach"; request that the Commissioner and Mr. Blom and (UNINTELLIGIBLE) attend. Unfortunately, we were not able to have that meeting. I sent another email on October 29 at 6:13 a.m.; the subject was "OCI to Meet with D3 Discuss Bond Approach"; requesting that the Commissioner, Mr. Suarez, and Mr. Blom to attend. We did have a meeting October 30 at 2 p.m. to discuss the bond project; Mr. Blom attend. Unfortunately, the Commissioner was unable to attend. I can continue to go on; I have two more pages, if you wish?

Mr. Blom: Steve, anything I said (UNINTELLIGIBLE) --

Mr. Williamson: But the bottom line is --

Mr. Blom: -- (UNINTELLIGIBLE) inaccurate.

Vice Chair Russell: Through the Chair, please. Please, through the Chair, just to keep it organized for the Clerk's sake.

Mr. Blom: Yes, sir.

Vice Chair Russell: Please, Mr. Blom.

Mr. Blom: I just want to tell you -- to clarify, was there anything I said in this memo with the due dates inaccurate?

Mr. Williamson: Am I to address him or just to the Commissioners?

Mr. Blom: Would you like me to read it again?

Vice Chair Russell: Speak to me --

Mr. Blom: I'm sorry.

Vice Chair Russell: -- so that we don't --

Mr. Blom: I just wanted to --

Vice Chair Russell: -- get into back and forth.

Mr. Blom: -- make sure that -- I'm sure his statements are accurate, but I want to make sure that the email I wrote with the due dates, that were changing. And he did call me and tell me that the -- this item would be on the January agenda, and I would

have till at least December 21 to submit items. I wanted to make sure that that's an accurate statement, and we got that right; is that correct?

Mr. Williamson: Mr. Vice Chair, that is a good post mortem. It is, in fact, a good post mortem.

Mr. Blom: Thank you.

Mr. Williamson: What it does not identify is the 20 to 30 attempts to either meet or meeting or unable to meet opportunities with D3, starting on September 12. We did, as we did with all Commission staff, identify on the date that he said that we were going to postpone the bond. Within four or five hours, we did change that decision and switch back. That should not made any difference in terms of whether we had an opportunity to meet prior to that, because of the number of opportunities we had.

Vice Chair Russell: Thank you. I appreciate both of your explanations, and you do both make sense. And clearly, there's a missing point of communication here where we just weren't able to get it together for whatever reason, and that is crucial to the Commissioner, because no matter whose fault it was, he doesn't have the information necessary to make the decision on his part of the bond, and we do have to respect that. I would never approve something in his district that he wasn't aware of, and that's why the question I brought forward was, if we were to bifurcate this a little, and instead of this -- the tranche at the size we're looking at, pull out the items from his district for now, you can work diligently with him over the coming weeks and bring something back. In that way -- I don't believe there's any rule why we can't issue multiple tranches on multiple schedules, but right now we're in a pickle because of this. I don't believe it should hold up the whole City.

Commissioner Carollo: No.

Vice Chair Russell: But I believe you have a very significant obligation to sort out whatever happened, and get him back on schedule and track with the rest of this bond.

Commissioner Carollo: Let me --

Mr. Williamson: Vice Chair -- Mr. Chairman, if I may? First and foremost, we have a very intricately linked reprogramming and bond, as you all know. This is something that we worked with you over the last two months; very detailed. And this is something to be very difficult to untwine, and there are some impacts if we don't go forward with the reprogramming. But again, I'd like to mention that on November 7, I did get an opportunity to meet with the Commissioner, and we did talk six parks that he was very interested in funding. And if you look, Mr. Commissioner, you can see that five of those six parks are actually on the bond, as you requested. Unfortunately, the sixth one, we were not able to put on the bond, because at this time, the City is not in physical possession of those. So we did take, in fact, your considerations. We had a number of follow-ups with your Chief of Staff, requesting more detailed information. We were able to meet two times after that to get some more information. Unfortunately, you were not able to attend, but I was able to get information from your Chief of Staff.

Commissioner Carollo: If I could have a few minutes to answer. Emilio, you want a hero? This is your hero for today. Let me begin by saying that the first meeting that we had, you came not to ask me; you came to tell me. You came to tell me that this is what you were going to put in the bond issue, because this was what was ready to go. And I asked you, "When has anyone from the Administration come to me to ask me what do I have that I want to put from my district in the bond issue?" And you

kept telling me, "This is what's ready to go." And what was ready to go was that 60 percent of the park money was going into the district that's the richest, the district that has the most park, and the district that was getting the least park money was the one that has the least amount of parks of all the districts. It was obvious to me that this were the marching orders before the strong Mayor came to vote, thinking that this is going to pass. After the strong Mayor failed is when there was a little lowering of the arrogance, and you finally were able to give me some opportunity to give input. And to your surprise, I was ready to roll and give you a whole list that I gave you right away. That wasn't enough to you, that I verbally gave you all that. You wanted more information from us, which we then gave it to you for parks and other areas that we wanted to acquire; frankly, more information that I've gotten here on a lot more money that you're putting down, and I don't see the backup or the information for. Now, you keep talking about November 30; that I couldn't meet with you that day. You knew well, real well, that on that day, I was extremely busy with two major projects that we had going; one at the Tower Theater that the majority of this Commission went to; and then at night, we had another major one, Little Havana Fridays. Did you really think that I was going to have the time to meet in that day? You knew well that I couldn't meet with you, and that's why you chose that day. This wasn't asking me, "Can you meet or not?" You were telling my staff these were the only times you had available.

Mr. Williamson: I would disagree.

Commissioner Carollo: Now, I strongly resent that, from the beginning, we were not given the opportunity to work and show projects that we had, and what you came to me with were projects that the Administration wanted to help one district. Now, if we're going to complain or claim, "Well, we need to go; we're far behind," then you know where the complaint should lie? It's with the Administration that sat there for approximately a year or so, and didn't come to us until now. I didn't hear, until a couple of months ago that you needed input from me on what I wanted in my district. I didn't even know how much money this Commission was going to start asking for. Now, on the citywide \$18 million, how is that going to be spent for parks, roads, and drainage?

Mr. Williamson: When you say "citywide," you're talking about the entire citywide portion?

Commissioner Carollo: Yeah, the entire citywide portion of \$18 million.

Mr. Williamson: So we've identified a number of park enhancements and renovations.

Commissioner Carollo: What percent of that is per district, per district? What percent of that money is going per district?

Mr. Williamson: Those are not specifically identified for any district, Mr. Commissioner.

Commissioner Carollo: But that is part of the money for parks, correct?

Mr. Williamson: Yes, sir.

Commissioner Carollo: And we had agreed here that it was going to be spent by the ground rules that we established. So the Administration is deciding, depending who they like or who they dislike, what money goes out first and how it's going to be spent.

Mr. Williamson: I'm not sure if I'm following your question, Mr. Commissioner.

Commissioner Carollo: No, I was very clear in my statement, because it seems to me that if you're not even figuring out percentages, which were the instructions from this Commission --

Chair Hardemon: For affordable housing; not with parks. It was affordable housing and economic development dollars that was broken up.

Commissioner Carollo: Not even in affordable housing do we have that, but for parks, it should be the same thing, at least.

Vice Chair Russell: (UNINTELLIGIBLE).

Commissioner Carollo: I mean, my God, District 3, you look at that map, and it's the district that has the least parks of all.

Mr. Williamson: Mr. Commissioner --

Commissioner Carollo: I started moving now and acquiring, as quickly as I can, properties.

Chair Hardemon: That's -- it could be -- I mean, the standard for the affordable housing and economic development dollars was put on the record before we voted. It does not change the fact that we could -- I believe so. I could stand corrected. But if there is a direction -- if there ends up being a direction amongst us that we want to spend the park dollars in that fashion moving forward, I mean, we can come up with that.

Mayor Suarez: Mr. Chair, if I may?

Chair Hardemon: Mr. Mayor.

Mayor Suarez: Thank you. I want to just address a couple comments that the Commissioner made. Commissioner, I can assure you that no decision of this Administration is influenced by any political objective before or after --

Commissioner Carollo: You can't assure me of that --

Mayor Suarez: I can assure you of that.

Commissioner Carollo: -- Francis. No, you cannot.

Mayor Suarez: I can.

Commissioner Carollo: Because --

Mayor Suarez: I can assure you of that.

Commissioner Carollo: -- there's no way in the world that 60 percent of other money was being earmarked to one district for parks. It just don't work out that way.

Mayor Suarez: Commissioner, I can assure you, and I will continue to assure you, that no decision of this Administration is influenced by any political considerations. That's number one. Number two, no decision of this Administration is influenced by who they, quote/unquote, "like or dislike." There is no such thing as liking or disliking people in this government. Okay? What we're trying to do here is present

a bond program that's in the best interest of the citizens of the City of Miami. For example, you passionately argued for and received an inordinate amount of impact fee acquisition money for parks, because you made a very compelling argument that District 3 needed more acquisition money for parks, at the expense of other districts, like District 1 that didn't get any money, and District 2 that didn't get any money, which is fine. You convinced your colleagues and they agreed to do that. And I think you got some of that park impact fees money as well.

Commissioner Carollo: And so did District 5.

Mayor Suarez: Right. So --

Commissioner Carollo: And at the same time, I did that for the reasons that I've stated here.

Mayor Suarez: And I think you were right, and you had -- you made compelling arguments and your colleagues agreed with it. But nobody accuses you -- and they should not accuse you --

Commissioner Carollo: But that's got nothing to do with what we have here.

Mayor Suarez: Well, I'm explaining to you --

Commissioner Carollo: You're not comparing apples to apples/oranges to oranges. You're bringing something else into being that's got nothing to do with the bond issuance.

Commissioner Carollo: It does. Of course it does --

Commissioner Carollo: No, it does not.

Mayor Suarez: -- and I'll explain to you why. Because in the case of the divvying up of park impact fee monies, we did it inordinately towards your district. Why? Because you passionately argued for it and because a need was there. So the allocations here were need-based. They were done in conjunction with the Commission offices, and that's how this money was arrived to. In fact, as you correctly stated, there were adjustments that were made to make it more equitable for all the districts. It can't be perfectly equitable, because they're being done based on a project-by-project basis. So some districts get a little bit more; some districts will get a little bit less, and that's how -- that's why we're here. So I just wanted to correct that for the record. I don't want to get into a long argument with you about it. I just want it to be clear.

Mr. Williamson: Mr. Chairman --

Commissioner Carollo: And I want to be clear, too, Mayor, that you could tell me whatever story you want here, and sugarcoat all you want, but there's no way -- Frankly, you represent the whole City --

Mayor Suarez: Exactly.

Commissioner Carollo: -- and not just one area here --

Mayor Suarez: I agree.

Commissioner Carollo: -- (UNINTELLIGIBLE).

Mayor Suarez: Of course.

Commissioner Carollo: The District 3 is the one with the least parks; after that, it's District 4, and that is not correct. And, my God, it just so happens that 60 percent of all the money had been put aside for one district, the richest and the ones with the most parks. Now, if the Administration had come to me earlier on when they were planning something, if they were planning something, we could have had the same opportunity that others had to have worked closely with them, but the minute that I was told that we had to produce, I did that, and I had even more, but I wasn't told how much we were able to do at that time. And then for me to be told that I didn't show up to a meeting November 30 -- you knew well how busy I was November 30. He knew well, and that's why he told my office that was the only time he could meet with me.

Unidentified Speaker: Commissioner?

Mr. Williamson: Mr. Chairman, may I make a correction on that? It was actually November 13 that I asked to meet with Commissioner Carollo. So we had met on --

Commissioner Carollo: You mentioned --

Mr. Williamson: -- November 7 --

Commissioner Carollo: -- 30th --

Mr. Williamson: No, no, no. I was --

Commissioner Carollo: -- that we had a meeting.

Mr. Williamson: You and I met on November 7 with -- when you made it very clear your need for parks, and if you recall, we talked about six parks.

Commissioner Carollo: And I gave you --

Mr. Williamson: And I took those parks to heart.

Commissioner Carollo: -- all the information and told you, I could give you more, and I believe I even gave you more there at the time --

Mr. Williamson: No, sir. At that time --

Commissioner Carollo: -- of different parks.

Mr. Williamson: -- you did not, but we actually needed more detail. And so, that's why I requested from your Chief of Staff --

Commissioner Carollo: Well --

Mr. Williamson: -- to follow up on the 13th.

Commissioner Carollo: But as he explained, you changed the goal post on him, and then you told we had more time, and then we were told that this is not going to go on until January, and then you pulled the rug under our feet.

Mr. Williamson: Commissioner, I don't think a five-hour difference in when we said it was going to go -- or was not going to go and then it was going to go should have

made a major difference, when we started communicating with your staff on September 12.

Commissioner Reyes: Well, let me tell you this.

Commissioner Carollo: It made a lot more difference than five hours, sir. And I --

Mr. Williamson: When you and I met, I took to heart your need for parks.

Commissioner Carollo: -- if what you think that the City of Miami is, is all District 2, then I got news for you.

Chair Hardemon: Is there any further discussion on the question?

Commissioner Reyes: No. I just wanted to make a comment. If this was allocated by which district was more liked, I must be the district that is less liked, because I have the less money. I mean, everybody gets over --

Mayor Suarez: I like you plenty.

Commissioner Reyes: -- \$2 million; I only got 1.4. Why the hell that happened? You see? You don't like me at all.

Commissioner Carollo: But I don't know, on the other 18 million, who's got what.

Commissioner Reyes: Yeah. I mean --

Commissioner Carollo: This is what I'm trying to find out, the other \$18 million, how was it divvied up? On the citywide, 12 million for affordable housing. Nobody came to me to say, "What needs do you have that are ready to go in affordable housing?" I could have given you a very long list. You only talked to me about parks.

Chair Hardemon: I want to make this clear, right? So to clarify, the \$12 million, as he put on the record, for citywide affordable housing, that means that of that \$12 million, there's going to be -- you don't make a decision about where that money goes. That's going to be money that's available for our districts to make a decision on how we use the affordable housing dollars. For instance, if I want to use those dollars to make repairs to single-family homes, or like in -- I want to say -- I think it's Commissioner Reyes' district, where the multifamily homes -- then we can do that; is that correct?

Alfredo Duran: Let me -- Alfredo Duran, Deputy Director, Department of Housing and Community Development. As stated here, we have engaged Florida International University Metropolitan Center to work with us and prepare an affordable housing master plan, and that master plan is going to be our footprint, it's going to be our roadmap to not only how we spend our bond resources, but our Federal resources and any resources that we have. And in addition, it will recommend policies that we make here all the time and anything that will take us to that. I will answer that question.

Chair Hardemon: Before you get to answer the question, I'm going to say this again, because I don't want a moment to pass by every time that happens -- right? -- listen to me. The people from FIU, they live in affordable housing, they didn't live in public housing. They don't have these experiences that we have every single day. They may be great academics, but I take everything that someone outside of this

body that wants to use monies for -- our money for their interest with a grain of salt, but we're going to pay much information into it, but --

Mr. Duran: Absolutely. Now, the study is not go -- we're not going to be surprised by what the study comes up with, because we know, as we've discussed here today, that we are the third worst affordable rental market in the country. We also know, Commissioner Carollo, that -- and we recognize that the acquisition of land by the City and the development of affordable homeownership by the City and/or multifamily rental by the City or by the private sector is an important way of skinning this cat. You said it this morning; there are many different ways that we can deal with affordable housing, and that's definitely one of them.

Commissioner Carollo: And I stand by that.

Mr. Duran: And for that purpose, we have proffered six strategies, which include the purchase of land by the City for the creation of affordable homeownership or rental; or by a private sector developer for the development of multifamily rental, development of home ownership condominiums, as you mentioned today, Commissioner Reyes; also, the preservation of single-family homes, the preservation of multi-family homes. We need to also address the preservation and not lose existing affordable housing. Those are the strategies that we're proposing for the bond in general. And we believe that when the master plan comes in, they'll have those strategies, because those are the ones that we need to address, and they'll have other ideas and policies that we can also follow. Now, the tranche that we proposed for the first version is -- what the Chairman is mentioning is one area that, when we went out to discuss the bond with the general public, everybody asked about, and that is, "What can you do for my home? How can you help me repair my home?" Part of the -- of this first tranche is putting in \$4 million for a citywide single-family home-hardening program; to help our homeowners become more resilient, to harden their homes and make them ready for the hurricanes and for the weather issues that we have. The other issue that we have -- the other section that we have in this first tranche is something we all agree; the private/public partnership; the use of City-owned land to develop affordable housing. There are two projects that went out through an RFP in late 2016, utilizing City-owned land; that we engaged the general public to bring us the best projects. Two projects are here receiving very little money. That's another thing. I want to make a point that one of the things we have to focus in on, how can we best leverage our dollars? Each one of these strategies is very unique, as each one of your districts is unique. These strategies may apply more to one district than to another, but we all -- we must be conscious of -- that we must get the best bang for our dollars. The \$8 million, Commissioner Carollo, that's there, is part of an RFP process that we're preparing. It's a pipeline RFP that -- it will not come out until we get the input from each and every one of you to determine what are your priorities, and to make sure that that RFP includes in the scoring system those priorities. If a project comes in in District 1 and they need affordable rental, an affordable rental project in District 1 will receive more points. And so, your input would be there. And not only that, it would be -- the \$8 million is what, historically, has shown to be the highest leveraging amount of money. There won't be that much leveraging when we help assist a single-family home and give them 40,000, 50,000 to help their home. There's no leverage there. But there is leverage when we engage the private sector, who brings a project and brings a project, and we only apply maybe 14, 15,000 per unit and get the best bang for our buck.

Chair Hardemon: Mr. Vice Chairman.

Vice Chair Russell: Mr. Duran?

Mayor Suarez: Mr. Chair, if I may?

Chair Hardemon: Wait. Mr. Vice Chairman.

Vice Chair Russell: Please.

Chair Hardemon: And before we do anything, wait. Right now the motion is on RE.24, but I want the motion and second to include RE.23 and 24, just in case we lose --

Vice Chair Russell: Agreed.

Chair Hardemon: All right. So if the mover and seconder agree to that, then that's what the motion will include.

Vice Chair Russell: So I'm about to call the question, but before I do, out of respect for Commissioner Carollo, I would like to know, if this passes through, would you like your items removed, the ones that are in your district, from this tranche, so that it doesn't go, or would you like to see them go through? Because it's been -- it's on the agenda. It's in the backup. You may or may not agree with some. I don't want to push something through that you don't want to go through in your district.

Commissioner Carollo: Commissioner, I gave them a list; they decided to place what they thought they wanted to place from that list. I'll be very honest with you. I know how to go about things. I know what's happened here. You did a good job.

Mayor Suarez: That's my job.

Commissioner Carollo: There's a lot of dollars here -- \$400 million -- to go around and buy a lot of influence. I see the sharks sitting right back there, you know, the guys that raised the three and a half million dollars for you for the strong Mayor. Their tongues are coming out of them, just waiting to get some of this money, and that's part of the reason why this is being pushed so quickly.

Chair Hardemon: I want to remind everyone --

Commissioner Carollo: So if you guys want to take out whatever you put in from District 3, that's up to you. I'm one vote here; I understand that.

Vice Chair Russell: Okay. Then I won't -- I will not make the amendment. The one amendment I would like to make --

Commissioner Carollo: You want to put 60 percent back in District 2, feel free to.

Vice Chair Russell: -- there is one amendment I would like --

Commissioner Carollo: Do it tonight.

Vice Chair Russell: -- to make on a line item that I recognized yesterday at a community meeting, that that community is not ready to see that piece move forward. It is a \$600,000 pool in Morningside. I've asked the Administration if there's another shovel-ready pool somewhere in the City that it could be transferred to, and there is a Shenandoah pool.

Commissioner Reyes: That's right.

Vice Chair Russell: And if that's something Commissioner Reyes would like to shift over, I am completely amenable to that, and I think it would be great. I'm sure

Morningside will be ready at some point with their full plan. Beyond that, if the seconder accepts that --

Commissioner Gort: Accepts.

Vice Chair Russell: Accepts. I would like to call the question, please.

Chair Hardemon: Is there a second to call the question? Commissioner Gort -- the Chair will second to call the question then. The -- and so, we first vote on the call of question. All in favor of the call of question, say "aye."

Vice Chair Russell: Aye.

Commissioner Carollo: Nay.

Chair Hardemon: All against? That motion carries. The question has been called. All in favor of passing RE.23 and 24, say "aye."

Commissioner Reyes: Aye.

Vice Chair Russell: Aye.

Commissioner Carollo: Nay.

Chair Hardemon: All against?

Mayor Suarez: Mr. Chair, if I may?

Chair Hardemon: Motion carries.

Mayor Suarez: May I be recognized quickly for a point of order? I just -- again, I'm going to ask you, Commissioner -- I've asked you in private, and I'll ask you in public, to please respect me; I always respect you. I've never said anything disrespectful to you, or I've never implied that any decision that you've made or haven't made is based on anything other than what you think is in the best interest of the City. So I would just respectfully request --

Commissioner Carollo: Mr. Mayor --

Mayor Suarez: -- that you do the same for me.

Commissioner Carollo: -- I have respected you.

Mayor Suarez: That's it. That's all I got to say.

Commissioner Carollo: But don't play victim with me.

Mayor Suarez: I'm not playing victim.

Commissioner Carollo: You're not a victim.

Mayor Suarez: Nor are you, sir.

Commissioner Carollo: You're not a victim.

Mayor Suarez: Nor are you.

Commissioner Carollo: No, I'm certainly not.

Mayor Suarez: Oh, no; you are anything but a victim.

Commissioner Carollo: Yeah. And you certainly are not, sir.

Chair Hardemon: Okay.

Mayor Suarez: I don't try to be, so.

Commissioner Carollo: No, you certainly don't.

Commissioner Reyes: Commissioner --

Mayor Suarez: Thank you.

Commissioner Reyes: Mr. City Manager --

Chair Hardemon: You have a few more --

Commissioner Reyes: -- I want to make one thing clear, and I want to request from you, that you make sure that all the needs for all the Commissioners, and particular, Commissioner Carollo; you sit down with him and go over his list and see how we can get his projects online, working. I vote against, because I have a couple of shovel-ready, and I need to fix those streets, and the fastest that we start, the better. But I want you guys to sit down with all the Commissioners, particular Commissioner Carollo, so you clear the air. Okay?

Chair Hardemon: Okay. The items that we have left on the --

Commissioner Reyes: And if you have to take monies from someplace else, you can take money from me, too.

RE.24

5024

*Office of
Management and
Budget*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DECLARING THE OFFICIAL INTENT OF THE CITY OF MIAMI ("CITY") TO ISSUE BOTH TAXABLE AND TAX-EXEMPT GENERAL OBLIGATION BONDS PAYABLE FROM AD VALOREM TAXES PROVIDED THAT THE CAPITAL PROJECTS DEBT MILLAGE NOT EXCEED THE RATE OF 0.5935 MILLS, IN ACCORDANCE WITH THE NOVEMBER 7, 2017 BOND REFERENDUM APPROVED BY THE VOTERS, INITIALLY IN AN EXPECTED NOT TO EXCEED TOTAL MAXIMUM PRINCIPAL AMOUNT OF FIFTY EIGHT MILLION SIX HUNDRED FIFTY THREE THOUSAND THREE HUNDRED THIRTY NINE DOLLARS (\$58,653,339.00) (COLLECTIVELY, "LIMITED AD VALOREM BONDS") IN ORDER TO, AMONG OTHER THINGS, REIMBURSE THE CITY FOR FUNDS ADVANCED BY THE CITY FOR CERTAIN EXPENSES INCURRED WITH RESPECT TO CAPITAL PROJECTS TO BE UNDERTAKEN BY THE CITY TO REDUCE FLOODING RISKS, TO IMPROVE STORMWATER INFRASTRUCTURE, TO IMPROVE AFFORDABLE HOUSING, ECONOMIC DEVELOPMENT, PARKS, CULTURAL FACILITIES, STREETS, AND INFRASTRUCTURE, AND TO ENHANCE PUBLIC SAFETY WITHIN THE CITY'S LIMITS, ALL AS INDICATED IN THE CITY MANAGER'S CURRENT MEMORANDUM AND ATTACHED PROJECT LIST IN COMPOSITE EXHIBIT A ATTACHED AND INCORPORATED (COLLECTIVELY, "PROJECTS"); ESTABLISHING CERTAIN RELATED DEFINITIONS OF TERMS; AUTHORIZING CERTAIN FURTHER AND INCIDENTAL ACTIONS BY THE CITY MANAGER, IN CONSULTATION WITH THE CITY ATTORNEY, BOND COUNSEL, DISCLOSURE COUNSEL, FINANCIAL ADVISOR, CHIEF FINANCIAL OFFICER, FINANCE DIRECTOR, BUDGET DIRECTOR, AND SUCH OTHER APPROPRIATE OFFICERS, EMPLOYEES, AND AGENTS OF THE CITY AS THE CITY MANAGER DEEMS NECESSARY, ALL AS REQUIRED FOR PURPOSES OF SECTIONS 103 AND 141-150 OF THE U. S. INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND FOR COMPLIANCE THEREWITH; FURTHER AUTHORIZING RELATED AMENDMENTS TO THE CITY'S MULTI-YEAR CAPITAL PLAN, AS NECESSARY.

ENACTMENT NUMBER: R-18-0546

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Ken Russell, Vice Chair
SECONDER:	Wifredo (Willy) Gort, Commissioner
AYES:	Hardemon, Russell, Gort, Reyes
NAYS:	Carollo

Note for the Record: A motion was made by Vice Chair Russell, seconded by Chair Hardemon, which was passed by the following vote: AYES: Hardemon, Russell, Gort, Reyes; NOES: Carollo; to call the question for agenda items RE.23 and RE.24.

For additional minutes referencing Item RE.24, please see “Public Comment Period for Regular Item(s),” “End of Consent Agenda,” and Item RE.23.

Vice Chair Russell: I have one --

Commissioner Reyes: And --

Vice Chair Russell: -- I just want to clarify one comment on the bond. I did bring it up, but it wasn't a direction, specifically. I just want to get clarification from the Management, how fast they can bring back an RFP result on the affordability portion. Can we do it by the February 14 meeting? I know you can. There are some good projects out there waiting.

Mr. Duran: Alfredo Duran. We are preparing it, and it will be ready by the end of January. We should -- we need to meet with all of you and make sure that everybody's onboard, and we'll do that as quickly as possible. We understand the needs of the -- of some of the projects out there.

Vice Chair Russell: And we'd be ready to award it in the February 14 meeting; Happy Valentine's Day?

Mr. Duran: The RFP, to bring it to this committee --

Vice Chair Russell: Mm-hmm.

Mr. Duran: -- to this Commission? We could bring it to this Commission on the 14th.

END OF RESOLUTION

BC - BOARDS AND COMMITTEES**BC.1**

4256

***Office of the City
Clerk*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING MEMBERS OF THE MIAMI CITY COMMISSION AS CHAIRPERSONS, VICE-CHAIRPERSONS AND/OR MEMBERS ON VARIOUS TRUSTS, AUTHORITIES, BOARDS, COMMITTEES AND AGENCIES FOR TERMS AS DESIGNATED HEREIN.

APPOINTED AS CHAIRPERSON:

Commissioner Carollo of the Bayfront Park Management Trust

Commissioner Russell of the Downtown Development Authority

Commissioner Reyes of the Midtown Community Redevelopment Agency

Commissioner Russell of the Omni Community Redevelopment Agency

Commissioner Hardemon of the Southeast Overtown/Park West Community Redevelopment Agency

APPOINTED AS VICE CHAIRPERSON:

Commissioner Gort of the Midtown Community Redevelopment Agency

Commissioner Hardemon of the Omni Community Redevelopment Agency

Commissioner Gort of the Southeast Overtown/Park West Community Redevelopment Agency

APPOINTED AS MEMBER:

Commissioner Hardemon of Florida League of Cities

Commissioner Hardemon of the Greater Miami Convention and Visitors Bureau

Commissioner Gort of the Miami-Dade County League of Cities

Commissioner Hardemon of the Miami-Dade County Tourist Development Council

Commissioner Gort of the Miami River Commission

ENACTMENT NUMBER: R-18-0573

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: Okay. We have about 12 minutes until I'm allowed to call SR.1. So in those 12 minutes, I want to do a few things, because we don't have -- So what I'd like to do is, let's run through our boards and committees, if we can.

Nicole N. Ewan (Assistant City Clerk): Good morning, Chair and Commissioners. BC.1, Commissioners, is members of various trusts, authorities, boards, committees, agencies as Chair and Vice Chair.

Chair Hardemon: Yes. How do you normally do it? I mean, what is our status quo?

Ms. Ewan: You can vote a status quo, leaving everyone as --

Commissioner Gort: I move it, to maintain it the way it is.

Chair Hardemon: It's been properly moved by Commissioner Gort to maintain --

Commissioner Reyes: Second.

Chair Hardemon: -- the status quo and seconded by Commissioner Reyes. Any discussion about that?

Commissioner Carollo: Status quo?

Chair Hardemon: That would mean that the Chairs are the Chairs, the Vice Chairs are the Vice Chairs (UNINTELLIGIBLE).

Commissioner Carollo: For all the committees?

Chair Hardemon: For all the committees for the Commissioners.

Commissioner Carollo: Okay. You're okay with that, Ken? Thank you.

Vice Chair Russell: Thank you, gentlemen.

Commissioner Carollo: I appreciate it.

Chair Hardemon: Bromance. All in favor, say "aye."

Commissioner Reyes: Harmony.

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

Commissioner Reyes: Harmony.

BC.2

3684

**Office of the City
Clerk**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE ARTS AND ENTERTAINMENT COUNCIL FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Christopher Jewett

NOMINATED BY:

Commissioner Joe Carollo

ENACTMENT NUMBER: R-18-0574

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.2 --

Chair Hardemon: Yes.

Commissioner Reyes: Harmony.

Ms. Ewan: -- Arts and Entertainment Council: Commissioner Carollo will be appointing Christopher Jewett.

Chair Hardemon: Is there a motion?

Commissioner Reyes: I move it.

Chair Hardemon: Seconded by the Chair.

Vice Chair Russell: Peace.

Chair Hardemon: All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.3**3685****Office of the City
Clerk****RESOLUTION**

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

APPOINTEES:**NOMINATED BY:**

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Joe Carollo

Commissioner Manolo Reyes

RESULT:	NO ACTION TAKEN
----------------	------------------------

BC.4**4871****Office of the City
Clerk****RESOLUTION**

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

APPOINTEE:**NOMINATED BY:**

Cristina Palomo

Vice Chair Ken Russell

ENACTMENT NUMBER: R-18-0575

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.4, Bayfront Park Management Trust: Vice Chair Russell will be reappointing Cristina Palomo.

Vice Chair Russell: I'll move it.

Chair Hardemon: Seconded by the Chair.

Commissioner Carollo: Do you need to have advertised whomever I would have to appoint for my appointment that's empty now?

Ms. Ewan: No, Commissioner. You can appoint, if you wish to, to your vacant position.

Commissioner Carollo: Okay. I might bring this up before the end of the meeting.

Chair Hardemon: Sounds good.

Commissioner Carollo: I got to check. Thank you.

Chair Hardemon: All in favor of the motion on the floor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.5

4251

***Office of the City
Clerk***

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

City Manager Emilio T. Gonzalez

RESULT:	NO ACTION TAKEN
----------------	------------------------

BC.6**5196****Office of the City
Clerk****RESOLUTION**

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

APPOINTEES:**NOMINATED BY:**

Chair Keon Hardemon

Commissioner Manolo Reyes

RESULT:	NO ACTION TAKEN
----------------	------------------------

BC.7**5197****Office of the City
Clerk****RESOLUTION**

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

APPOINTEES:**NOMINATED BY:**

Anthony Adorno

Commission-At-Large

Brandon Okpalobi

Commission-At-Large

ENACTMENT NUMBER: R-18-0576

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Ken Russell, Vice Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.7, Community Advisory Board: The Board is requesting confirmation of Anthony Adorno and Brandon Okpalobi.

Commissioner Reyes: I don't who that --

Commissioner Gort: Move it.

Vice Chair Russell: I'll move it.

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

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.8

4744

**Office of the City
Clerk**

RESOLUTION

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

APPOINTEES:

Ajani Booth

Shaun Spector

NOMINATED BY:

Vice Chair Ken Russell

Commissioner Joe Carollo

ENACTMENT NUMBER: R-18-0577

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.8, Community Relations Board: Vice Chair Russell will be appointing Ajani Booth, and Commissioner Carollo will be appointing Shaun Spector.

Vice Chair Russell: I'll move it.

Chair Hardemon: Moved; seconded by the Chairman. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.9**4255****Office of the City
Clerk****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE COMMISSION ON THE STATUS OF WOMEN FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Patricia Vegnani

NOMINATED BY:

Vice Chair Ken Russell

ENACTMENT NUMBER: R-18-0578

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.9, Commission on the Status of Women: Vice Chair Russell will be appointing Pat --

Vice Chair Russell: Vegnani.

Ms. Ewan: -- Vegnani.

Vice Chair Russell: Vegnani.

Ms. Ewan: There you go. Thank you.

Chair Hardemon: I'll take that as a motion by the Vice Chairman.

Vice Chair Russell: Yes.

Chair Hardemon: Seconded by the Chair. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.10

RESOLUTION

5198

Office of the City Clerk

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

APPOINTEES:

NOMINATED BY:

(Voting Member)

(Post-Secondary Education Representative)

(School District Representative)

(Children’s Trust Representative)

(Ex-Officio Non-Voting Member)

(Ex-Officio Non-Voting Youth Member)

Chair Keon Hardemon

Commissioner Manolo Reyes

City Manager Emilio T. Gonzalez

RESULT: NO ACTION TAKEN

BC.11

3855

***Office of the City
Clerk***

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Chair Keon Hardemon

Vice Chair Ken Russell

Vice Chair Ken Russell

Commissioner Joe Carollo

Commissioner Joe Carollo

Commissioner Manolo Reyes

Commissioner Manolo Reyes

IAFF

FOP

AFSCME 1907

AFSCME 871

RESULT: NO ACTION TAKEN

BC.12

3856

Office of the City Clerk

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Mayor Francis Suarez

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

Commissioner Joe Carollo

City Manager Emilio T. Gonzalez

RESULT: NO ACTION TAKEN

BC.13

1599

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HEALTH FACILITIES AUTHORITY BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Vice Chair Ken Russell

Commissioner Joe Carollo

Commissioner Manolo Reyes

RESULT: NO ACTION TAKEN

BC.14

4064

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE MAYOR'S INTERNATIONAL COUNCIL FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Francis Suarez

Chair Keon Hardemon

Commissioner Wifredo (Willy) Gort

RESULT: NO ACTION TAKEN

BC.15

5199

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE MIAMI FOREVER BOND PROGRAM CITIZENS' OVERSIGHT BOARD FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

NOMINATED BY:

Chair Keon Hardemon

RESULT: NO ACTION TAKEN

BC.16

5039

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE OVERTOWN ADVISORY BOARD/OVERTOWN COMMUNITY OVERSIGHT BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Francis Suarez

Chair Keon Hardemon

(Youth Member)

RESULT: NO ACTION TAKEN

BC.17

4261

Office of the City Clerk

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Mayor Francis Suarez

Mayor Francis Suarez

Commissioner Wifredo (Willy) Gort

Commissioner Joe Carollo

Commissioner Manolo Reyes

City Manager Emilio T. Gonzalez

RESULT:	NO ACTION TAKEN
----------------	------------------------

BC.18**5042****Office of the City
Clerk****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING A CERTAIN INDIVIDUAL AS A MEMBER OF THE SEA LEVEL RISE COMMITTEE FOR A TERM AS DESIGNATED HEREIN.

APPOINTEE:

Patrick Rynne

NOMINATED BY:

Vice Chair Ken Russell

ENACTMENT NUMBER: R-18-0579

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): BC.18, Sea Level Rise Committee: Vice Chair Russell will be appointing -- reappointing Patrick Rynne.

Vice Chair Russell: Move it.

Chair Hardemon: Seconded by the Chair. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: Motion carries.

BC.19

5043

Office of the City Clerk

RESOLUTION

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

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Joe Carollo

Commissioner Manolo Reyes

RESULT: NO ACTION TAKEN

BC.20

3693

Office of the City Clerk

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE STARS OF CALLE OCHO WALK OF FAME COMMITTEE FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Mayor Francis Suarez

Commissioner Joe Carollo

Commissioner Joe Carollo

Commissioner Joe Carollo

Commission-At-Large

Commission-At-Large

Commission-At-Large

RESULT: NO ACTION TAKEN

BC.21

RESOLUTION

5200

Office of the City Clerk

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE URBAN DEVELOPMENT REVIEW BOARD (UDRB) FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chair Keon Hardemon

Chair Keon Hardemon

Vice Chair Ken Russell

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

Commissioner Wifredo (Willy) Gort

Commissioner Joe Carollo

Commissioner Manolo Reyes

Commissioner Manolo Reyes

RESULT: NO ACTION TAKEN

BC.22

RESOLUTION

5201

Office of the City Clerk

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

APPOINTEE:

NOMINATED BY:

Mayor Francis Suarez

RESULT: NO ACTION TAKEN

BC.23**4411****Office of the City
Clerk****RESOLUTION**

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

APPOINTEES:**NOMINATED BY:**

Mayor Francis Suarez

Chair Keon Hardemon

Vice Chair Ken Russell

Commissioner Wifredo (Willy) Gort

Commissioner Joe Carollo

RESULT:	NO ACTION TAKEN
----------------	------------------------

BC.24**4264****Office of the City
Clerk****RESOLUTION**

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

APPOINTEE:**NOMINATED BY:**

Jason Mayes

Commissioner Joe Carollo

ENACTMENT NUMBER: R-18-0580

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Nicole N. Ewan (Assistant City Clerk): And BC.24, Waterfront Advisory Board: Commissioner Carollo will be appointing Jason Mayes.

Commissioner Reyes: Move it.

Chair Hardemon: By Commissioner Carollo --

Commissioner Carollo: Yeah.

Chair Hardemon: -- seconded by the -- Commissioner Reyes. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: That motion carries.

Ms. Ewan: Thank you, Chair and Commissioners.

Chair Hardemon: Thank you very much.

END OF BOARDS AND COMMITTEES

BU - BUDGET**BU.1****3247****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)

RESULT:	DISCUSSED
----------------	------------------

Chair Hardemon: Can I have an update on our BU.1?

Commissioner Reyes: Update on what?

Chair Hardemon: BU.1.

Commissioner Reyes: BU.1.

Commissioner Gort: Which?

Chair Hardemon: I know Chris, can you hear me? BU.1

Commissioner Gort: BU.1?

Christopher Rose (Director): Thank you, Mr. Chair and Commissioners. Chris Rose, Office of Management and Budget. There's not a great deal to report to you at this time. We have looked at the numbers for the prior year, and we were previously reporting \$35 million surplus, and we are now reporting to you a \$33 million surplus. We'll bring the first true projection to you at the second meeting in January for the current year. Be happy to take any questions.

Commissioner Carollo: Yes. What happened to the \$2 million?

Mr. Rose: Just as we go through closing out the books, there have been some encumbrances and -- encumbrances that have been coming up as we go that we were not expecting; nothing in particular.

Commissioner Carollo: Okay. Just \$2 million; nothing in particular. Okay.

Mr. Rose: Well, when you predict the future, sometimes you're wrong.

Commissioner Carollo: Well, I'm glad you're admitting that you could be wrong, Chris.

Mr. Rose: Yes, sir.

Commissioner Carollo: Thank you.

Chair Hardemon: That's the right thing to do, right?

Mr. Rose: And we appreciate all your support, sir.

Chair Hardemon: Thank you very much.

Commissioner Carollo: Listen, are you getting ready for the holidays or is -- you're just early for St. Patrick's?

Mr. Rose: All of the above, and it's a budget day, sir, so.

Commissioner Carollo: All right.

Commissioner Gort: He's giving the green light.

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

Mr. Rose: Thank you, Commissioners.

Commissioner Carollo: Thank you, Chris.

END OF BUDGET

DI - DISCUSSION ITEMS**DI.1****DISCUSSION ITEM****5221**

A DISCUSSION ITEM REGARDING CITY-OWNED MARINAS.

**Commissioners
and Mayor**

RESULT:	DISCUSSED
----------------	------------------

Note for the Record: For directive referencing item DI.1, please see Item NA.1.

For additional minutes referencing Item DI.1, please see "Public Comment Period for Regular Item(s)" and Item SR.4.

Chair Hardemon: Is there anything further that needs to be added to the DI.1 discussion? That's the City-owned marinas. I know we did a great deal of discussion on that item.

Commissioner Carollo: The -- hold on.

Vice Chair Russell: DI.1?

Chair Hardemon: That's correct.

Vice Chair Russell: I just want my direction to the management for the record.

Chair Hardemon: Okay.

Commissioner Carollo: Well --

Chair Hardemon: Direction for the management is noted on the record.

Commissioner Carollo: Well, hold on; let me get DI.1. I'm -- it's a discussion item regarding City-owned marinas. The Manager stated his --

Commissioner Gort: Yeah.

Commissioner Carollo: -- piece of what he's going to do in January. I certainly respect -- you stated what you're going to be doing in January.

Mr. Gonzalez: January 1, yes, sir.

Commissioner Carollo: Yeah. I respect very much Commissioner Russell's position and I understand it; just like I respect Commissioner Reyes on the parking, so -- but I want to make sure that the Manager is clear on what he stated on the record that he'll be doing January 1.

Mr. Gonzalez: Crystal.

Commissioner Carollo: Okay.

Chair Hardemon: Okay. Now --

Vice Chair Russell: Take up the bond (UNINTELLIGIBLE).

Chair Hardemon: Yeah? You mean after -- you mean like afternoon?

Vice Chair Russell: Lunch.

Chair Hardemon: Okay.

DI.2

5182

***Office of the City
Attorney***

DISCUSSION ITEM

DISCUSSION ITEM REGARDING A NOTICE TO THE CITY COMMISSION THAT AN AFFIDAVIT OR CERTIFICATE WILL BE FILED IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA REGARDING A DECLARATION OF RESTRICTIONS FILED AT BOOK 12000, PAGE 2469.

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

Note for the Record: Item DI.2 was continued to the January 10, 2019, Regular Commission Meeting.

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

END OF DISCUSSION ITEMS

D3 - DISTRICT 3

COMMISSIONER, DISTRICT THREE JOE CAROLLO

D3.1

4899

***Commissioners
and Mayor***

DISCUSSION ITEM

TIME CERTAIN OF 3:00 PM - DISCUSSION REGARDING CODE ENFORCEMENT.

RESULT:	NO ACTION TAKEN
----------------	------------------------

END OF DISTRICT 3

NA - NON-AGENDA ITEM(S)**NA.1****5324****Office of the City
Clerk****DIRECTIVE**

DIRECTION BY VICE CHAIR RUSSELL TO THE CITY MANAGER TO IMPLEMENT THE MARINA RENT RATE INCREASE AS SCHEDULED FOR ALL RENTERS WITH THE EXCEPTION OF LIVEBOARDS AND SMALL BUSINESS COMMERCIAL OWNERS WHOSE RENT RATE SHOULD BE INCREASED INCREMENTALLY; 50% AT THE TIME OF IMPLEMENTATION AND THE OTHER 50% IN SIX (6) MONTHS. FURTHER, DIRECTING THE CITY MANAGER TO ADDRESS THE LIST OF ISSUES IDENTIFIED BY RENTERS.

RESULT:	DISCUSSED
----------------	------------------

Note for the Record: For additional minutes referencing Item NA.1, please see Items SR.4 and DI.1

Vice Chair Russell: Last question. I'm sorry about missing money, or found money we're trying to find. The -- many, many folks had to leave after Irma, and they couldn't come back because the docks weren't repaired. We have interrupt -- business interruption service. We have lost business, and we have rent -- we have insurance for that. I'd like to know the status of that insurance, how much we've gone out for, and when we're going to collect it.

Commissioner Reyes: That's a good question.

Vice Chair Russell: That's a lot of found money that we should be going after.

Commissioner Reyes: That's a good question. And what have we done with it?

Vice Chair Russell: But I've asked Risk for this question a week ago, so I'd love for them to address that now, if they could.

Commissioner Carollo: That would be good, if they could address it to you. That's a very valid question.

Commissioner Reyes: It is.

Commissioner Gort: Here comes Risk Management.

Chair Hardemon: Are we prepared to answer that question right now? I let them -- are you prepared to answer that question right now?

Commissioner Carollo: Commissioner?

Chair Hardemon: My question is, are you prepared to answer the question right now? If -- I mean, I'll allow you to huddle for a moment, because I have to ask Art a couple questions.

Ann-Marie Sharpe: Ann-Marie Sharpe, Risk Management Director. I'd like to talk with --

Chair Hardemon: All right, I'll let you speak with them, and then --

Later...

Chair Hardemon: Okay. You ready?

Ms. Marie-Sharpe: Ann Marie-Sharpe, Risk Management Director again for the record. So we have filed a claim with our insurance carriers; however, they have not denied the business interruption portion of the policy, but we have a difference of interpretation, if you will, so we're challenging their interpretation. Our claim, so far, exceeds 10 million; we have received 6 million for the property damage -- right? -- to the marinas. So the business interruption is an additional amount over the 10 million limit that we're expected to receive.

Vice Chair Russell: Do we have an estimate?

Ms. Marie Sharpe: Of the business interruption?

Vice Chair Russell: Of your side of the argument, what you believe it should be.

Ms. Marie-Sharpe: 3 million, roughly. Business interruption is what we have claimed. So our Law Department is reviewing the policies, because at this point, we have reached somewhat of a difference in interpretation of the policy language.

Daniel Rotenberg (Director): Good morning. Daniel Rotenberg, Department of Real Estate and Asset Management. I just wanted to add in about the FEMA (Federal Emergency Management Agency) claims. Right now, we have put in for FEMA. FEMA's taking a very long time right now. We have outstanding claims on Dinner Key and minor ones at the Miamarina or Bayside Marina. They are being worked. If FEMA would have been -- if FEMA would have moved quicker -- We had the Dock Master's house open the day after -- that Tuesday after the Monday, where that hurricane had finish up, and we were prepared to move ahead. FEMA told us to go ahead and do all the paperwork, and here we are a little over a year later.

Commissioner Reyes: Excuse me. Mr. Chairman? I think the question was, have we received any funds from insurance?

Mr. Rotenberg: We have received from the insurance company; we have not received from FEMA.

Commissioner Reyes: But insurance company, that was the question that Commissioner Russell was -- How much had -- we had received from the -- from insurance companies?

Commissioner Gort: 6 million.

Mr. Rotenberg: I believe Ann Marie just said 6 million.

Commissioner Gort: 6 million.

Commissioner Reyes: 6 million. And have we -- I mean, to repair those docks?

Mr. Rotenberg: Yes.

Commissioner Reyes: When did we receive them?

Mr. Rotenberg: When did we receive them?

Commissioner Reyes: Yeah. I want to know why we haven't started repairing.

Mr. Rotenberg: We haven't started because of the procurement process, because FEMA has had to have detailed directions on everything we've been doing, and we're probably going through the third revolution of giving them documentation again.

Commissioner Reyes: No. I mean, you (UNINTELLIGIBLE) you please. If we receive funds that they come from the private insured -- insurer -- are we free to use those funds without FEMA saying -- having any say?

Mr. Rotenberg: Yes and no. We could do that, but we might not get FEMA reimbursement.

Commissioner Reyes: So what we are doing is we're holding to those funds, not doing nothing, waiting for FEMA to see if we can get something else from FEMA?

Mr. Rotenberg: No. We have to go through a procurement process that FEMA is requiring us to go through.

Commissioner Reyes: Are we go -- we are in a procurement -- because, I mean, a whole year --

Mr. Rotenberg: Yes.

Commissioner Reyes: -- and nothing has been done.

Mr. Rotenberg: We've tried three times already. We are involved in a -- we are in a -- we're hav -- where -- it's called -- we can't talk.

Unidentified Speaker: Design build.

Mr. Rotenberg: Not design-build. What's it called? No, when you can't talk. We're in the cone of silence right now. There are bids out right now. But literally, this is the third revolution that we've gone down the road. When we first had the storm, we passed an emergency motion to do architecture, and we passed an emergency resolution to do design-build. We got stopped by FEMA. We did it a second time. We're on the third revolution right now. We're in bidding right now. There's a cone of silence, and hopefully, this time we'll actually get going.

Commissioner Reyes: That makes the -- Milton Friedman, he's right.

Commissioner Carollo: It's 15 months or so -- right? -- since the hurricane hit?

Mr. Rotenberg: I believe so. And it's as frustrating to us as it is to everybody else.

Commissioner Carollo: How much have we lost in one year in revenue that we could have gotten?

Mr. Rotenberg: Without -- if we don't get paid back for business interruption? Approximately \$2 million.

Commissioner Carollo: \$2 million that we lost in revenue.

Commissioner Reyes: Yeah.

Commissioner Carollo: What are we expecting to get from FEMA?

Mr. Rotenberg: We are expecting to get the cost above and beyond the insurance, depending on what we end up doing at the marinas; anywhere from about 6 to \$10 million.

Commissioner Reyes: Excuse me, sir. Could somebody please later on come to my office and explain me -- I mean, explain to me why this -- repairing those docks is tied to FEMA? Because from my -- I don't know. My understanding is, when you receive funds from a private entity, you see, as long as you have all your papers ready and all of that, and you are claiming from somebody else, you see, from a government agency -- governmental agencies like FEMA, they are not tied, whatsoever.

Mr. Rotenberg: They are with --

Commissioner Reyes: You see.

Mr. Rotenberg: -- they are when you're working with --

Chair Hardemon: Sir, sir --

Commissioner Reyes: Well, I want somebody to come to my office and please explain it --

Chair Hardemon: -- he said come to his office.

Commissioner Reyes: -- explain that to me.

Mr. Rotenberg: Okay.

Chair Hardemon: Right.

Commissioner Reyes: Okay.

Chair Hardemon: Okay. So here we are.

Mr. Rotenberg: No problem.

Chair Hardemon: Thank you very much.

NA.2

5323

**Office of the City
Clerk**

DIRECTIVE

DIRECTION BY VICE CHAIR RUSSELL TO THE CITY MANAGER TO WORK COLLABORATIVELY WITH MIAMI FOUNDATION, WHO HAS ALREADY BEGAN A FUNDRAISING EFFORT, FOR A GATEWAY SIGNAGE TO COMMEMORATE MAURICE A. FERRÉ PARK. FURTHER DIRECTING THE CITY MANAGER TO BRING BACK A PROPOSAL TO THE CITY COMMISSION REGARDING MATCHING FUNDS AND COOPERATION IN SAID EFFORTS.

RESULT:	DISCUSSED
----------------	------------------

Vice Chair Russell: And I'd like to start that off by directing our City Manager to work together with the Miami Foundation, who has already begun a fundraising effort for a gateway signage to really commemorate our efforts here today and make sure the City of Miami knows how special this park is to us, and bring back a proposal to the City Commission regarding matching funds and cooperation in that effort. Like I said, you've been a mentor to me. And your visionary efforts -- from the moment I met you, I asked for help with a transit proposal, and you said, "Have you ever heard of magnetic levitation trains?" This is the way he thinks, and he thinks big. And when I was on my first day of service; he used the word "disrupter," but you weren't talking about me; you were talking about you, and I hope to emulate that. Thank you so much. Thank you for all your service.

Applause.

NA.3

5315

**Office of the City
Clerk**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO TAKE ANY AND ALL ACTION(S) NECESSARY, IN LAW OR EQUITY, REGARDING THE NEGLIGENT MAINTENANCE AND/OR DISREPAIR OF MULTIPLE RAILROAD CROSSINGS IN ALLAPATTAH BY THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY ("SFRTA").

ENACTMENT NUMBER: R-18-0567

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Wifredo (Willy) Gort, Commissioner
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort
ABSENT:	Carollo, Reyes

Commissioner Gort: I have a pocket item.

Chair Hardemon: Let me -- let's hear it.

Vice Chair Russell: Pocket item.

Daniel Rotenberg (Director, Department of Real Estate and Asset Management): RE.2 and 3.

Chair Hardemon: That was my pocket item, but -- what he's passing out right now. What is your -- Commissioner Gort, you have your pocket item to be --?

Commissioner Gort: Pocket item.

Victoria Méndez (City Attorney): Commissioner Gort has a pocket item. A resolution of the Miami City Commission, authorizing and directing the City Attorney to take any and all actions necessary in law or in equity regarding the negligent maintenance and/or disrepair of multiple railroad crossings in Allapattah by the Florida Department of Transportation and the South Florida Regional Transportation Authority.

Chair Hardemon: Great.

Commissioner Gort: The reason I've been doing this for the last five or six years, I mean, trying to work with the DOT (Department of Transportation) to fix the railroad tracks within my districts. I mean, it's terrible. You can't cross them. And I'm tired. I mean, we're trying -- we keep going back and forth. I think we have to take some legal action.

Chair Hardemon: Thank you.

Commissioner Gort: Move it.

Chair Hardemon: Is there a member of the public that wants to speak on this item? Seeing none, I'm going to close the public comment time. Is there any comment from the Commission? Hearing none, it's been properly moved by Commissioner Gort.

Ms. Méndez: Chairman, I believe that Commissioner Reyes has some similar problems with railroads, and he wanted to amend this by co-sponsoring --

Commissioner Gort: Sure.

Ms. Méndez: -- so that I can take everything together.

Commissioner Gort: He's welcomed to, of course. Yes.

Ms. Méndez: Thank you.

Chair Hardemon: Okay. Seeing no further discussion from the board, all in favor of the motion, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries. I'm going to read on the record --

Ms. Méndez: As amended.

NA.4

5316

**Office of the City
Clerk**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ISSUING A FIREWORKS DISPLAY WAIVER PURSUANT TO CHAPTER 19-7 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "MANUFACTURE, SALE, TIME OF DISPLAY AND DISCHARGE OF FIREWORKS," FOR THE EVENT HOSTED BY LISA RAW, LLC. – BRAND NAME & EVENT PLANNING, TO BE HELD AT THE PENTHOUSE RIVERSIDE WHARF, LOCATED AT 125 SOUTHWEST NORTH RIVER DRIVE, MIAMI, FLORIDA 33130 BEGINNING AT 1:00 A.M. ON SATURDAY, DECEMBER 22, 2018, AND CONCLUDING AT 1:20 A.M. ON DECEMBER 22, 2018.

ENACTMENT NUMBER: R-18-0568

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Ken Russell, Vice Chair
SECONDER:	Keon Hardemon, Chair
AYES:	Hardemon, Russell, Gort, Carollo, Reyes

Chair Hardemon: I'm going to read on the record a resolution that's a pocket item that I have, and then I'll ask one of the Commissioners to move it. It's a resolution of the Miami City Commission, issuing a fireworks display waiver, pursuant to Chapter 197 of the Code of the City of Miami, Florida, as amended, entitled "Manufacture, Sale, Time of Display and Discharge of Fireworks," for the event hosted by Lisa Raw, LLC (Limited Liability Company), a brand name, an event planning, to be held at the Penthouse Riverside Wharf, located at 125 Southwest North River Drive, Miami, Florida 33130, beginning at 1 o'clock a.m. on Saturday, December 22, 2018, and concluding at 1:20 a.m. on December 22, 2018. It is just a fireworks display, and we need a permit.

Vice Chair Russell: I'll move it.

Chair Hardemon: It's been properly moved by the Vice Chairman; seconded by the Chair. Any discussion on that? Is there anyone from the public --

Commissioner Carollo: Fireworks?

Chair Hardemon: Yeah. Is there anyone from the public that wants to comment on the item? Seeing none, I'm going to close the public comment. Yeah, it's like a five-minute show, but it has to have permission. All in favor, say "aye."

The Commission (Collectively): Aye.

Chair Hardemon: All against? Motion carries.

NA.5

ATTORNEY-CLIENT SESSION

5311

**Office of the City
Clerk**

UNDER THE PARAMETERS OF SECTION 286.011(8), FLORIDA STATUTES, A PRIVATE ATTORNEY-CLIENT SESSION WILL BE CONDUCTED AT THE JANUARY 10, 2019 MIAMI CITY COMMISSION MEETING. THE PERSON CHAIRING THE CITY OF MIAMI COMMISSION MEETING WILL ANNOUNCE THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING THE PENDING LITIGATION IN THE MATTER OF FLAGSTONE ISLAND GARDENS, LLC AND FLAGSTONE DEVELOPMENT CORP. V. CITY OF MIAMI, CASE NO. 17-13829 CA 44, PENDING IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY TO WHICH THE CITY IS PRESENTLY A PARTY. THE SUBJECT OF THE MEETING WILL BE CONFINED TO SETTLEMENT NEGOTIATIONS OR STRATEGY SESSIONS RELATED TO LITIGATION EXPENDITURES. THIS PRIVATE MEETING WILL BEGIN AT APPROXIMATELY 10:00 A.M. (OR AS SOON THEREAFTER AS THE COMMISSIONERS' SCHEDULES PERMIT) AND CONCLUDE APPROXIMATELY ONE HOUR LATER. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, WHICH INCLUDE COMMISSIONERS WIFREDO "WILLY" GORT, KEN RUSSELL, JOE CAROLLO, MANOLO REYES, AND KEON HARDEMON; GONZALO DORTA, ESQ.; MATIAS DORTA, ESQ.; LAURA BESVINICK, ESQ.; AND JULIE NEVINS, ESQ. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE ABOVE-CITED, ONGOING LITIGATION. AT THE CONCLUSION OF THE ATTORNEY-CLIENT SESSION, THE REGULAR COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE ATTORNEY-CLIENT SESSION.

RESULT:	DISCUSSED
----------------	------------------

Chair Hardemon: And now you can read everything that you have into the record, and -- but you gentlemen are dismissed.

Vice Chair Russell: Thank you very much.

Ms. Méndez: Yes, thank you. Mr. Chairman and members of the Commission, pursuant to the provisions of Section 286.011(8) Florida Statute, I'm requesting that at the City Commission meeting of January 10, 2019, an attorney-client session closed to the public be held for purposes of discussing the pending litigation in the matter of Flagstone Island Gardens, LLC (Limited Liability Company), and Flagstone Development Corp. versus City of Miami, Case Number 17-13829 CA 44, pending in the Circuit Court of the Eleventh Judicial Circuit, in and for Miami-Dade County, to which the City is presently a party. The subject of the meeting will be confined to settlement negotiations or strategy sessions related to litigation expenditures. This private meeting will begin at approximately 10 a.m., or as soon thereafter as the Commissioners' schedules permit, and conclude approximately one hour later. This session will be attended by members of the City Commission, which include Commissioners Wifredo "Willy" Gort, Ken Russell, Joe Carollo, Manolo Reyes, and Keon Hardemon; Gonzalo Dorta, Esquire; Matias Dorta, Esquire; Laura

Besvinick and Julie Nevins. A certified court reporter will be present to ensure that the session is fully transcribed, and the transcript will be made public upon the conclusion of the litigation. At the conclusion of the attorney-client session, the regular Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the attorney-client session. Thank you very much. Happy holidays.

NA.6

5312

Office of the City
Clerk**DISCUSSION ITEM**

DISCUSSION REGARDING PLANNING AND ZONING ITEM PZ.12 (FILE 4669), ADOPTED BY THE COMMISSION DURING THE DECEMBER 13, 2018 PLANNING AND ZONING COMMISSION MEETING. SAID ITEM AMENDED ARTICLE 3, SECTION 3.14 ENTITLED "PUBLIC BENEFITS PROGRAM".

RESULT:	DISCUSSED
----------------	------------------

Victoria Méndez (City Attorney): And can we --? I know that this is procedural, but if we could just put it on the record -- can we put it on the record if it's --?

Chair Hardemon: Our microphones are here. We're --

Ms. Méndez: Okay.

Commissioner Reyes: All the microphones are out.

Chair Hardemon: -- our microphones are here.

Ms. Méndez: Okay.

Commissioner Reyes: But we're not violating anything.

Chair Hardemon: Right.

Ms. Méndez: No, no. I know, but --

Chair Hardemon: We hear you.

Ms. Méndez: -- louder then.

Chair Hardemon: No, just speak.

Vice Chair Russell: I do not wish to reconsider anything tonight though. I believe we can take it up later. If there was any misunderstanding or misinterpretation, we need to discuss it, we need to work it out, but I don't think --

Commissioner Reyes: Yeah.

Vice Chair Russell: -- reconsidering it right now will not clarify it. There's too much that -- there is -- on the inclusionary zoning concept, there is a discrepancy between what some feel was passed and what the Zoning Administrator -- the Planning Director --

Commissioner Reyes: I know you mean -- define (UNINTELLIGIBLE).

Vice Chair Russell: The percentages and what they meant and --

Francisco Garcia (Director, Planning): And my concern, sir, very briefly -- and thank you for humoring me for a second. My concern is that to the extent that there is any ambiguity -- and there frankly is some ambiguity -- I wouldn't want our Zoning Ordinance to reflect anything that is ambiguous. And I am not asking this body to reconsider it today. I am asking to please have it continued -- or rather heard again on second reading on January 24, so we can clarify the language, address any doubts, and bring it back to you in that fashion.

Chair Hardemon: But my question to you is this: For them to take advantage of the inclusionary zoning as we just amended it, they have to submit an application?

Vice Chair Russell: We haven't even applied the map.

Mr. Garcia: Yes, sir.

Chair Hardemon: Right? And when they submit the application, I would assume that there's --

Mr. Garcia: My concern, Mr. Chair, is that 10 days from now, barring any vetoes or anything to that extent, it essentially -- you have essentially amended the Zoning Ordinance in a manner that is, at best, ambiguous, and I have concerns with that.

Commissioner Reyes: Could you define the ambiguity; which one and --?

Mr. Garcia: The (UNINTELLIGIBLE), yes, sir.

Ms. Méndez: Which item is this? Which item?

Chair Hardemon: It's PZ (Planning and Zoning) --

Ms. Méndez: Which item?

Commissioner Reyes: Which item is ambiguous?

Chair Hardemon: --12.

Vice Chair Russell: 12.

Mr. Garcia: That is PZ.12.

Chair Hardemon: That's a whole different agenda, but PZ.12.

Vice Chair Russell: It is. And Francisco, the question to you is, do you stand by your interpretation?

Mr. Garcia: I absolutely would represent to you that -- what I presented to you at the time of the hearing. That said, the language is ambiguous enough as it has been explained to me by third parties that I think it merits clarification.

Vice Chair Russell: We can clarify the language. We -- if I could. We could clarify the language to make sure your interpretation is clear, because it's your interpretation that earned the vote of that gentleman down there.

Mr. Garcia: That's what concerns me.

Vice Chair Russell: And you were very clear on the dais as to what your interpretation means.

Mr. Garcia: Yes, sir.

Vice Chair Russell: I am happy to work with anyone who feels this was supposed to be a different way, and figure it out.

Commissioner Reyes: As long as --

Vice Chair Russell: But if your interpretation is clear and it does hold within the language that is there, we can clean it up.

Commissioner Reyes: Yeah.

Vice Chair Russell: But there -- it's --

Ms. Méndez: Right. Just to clarify -- because I think the Vice Chairman is saying everything -- I asked you several times to make sure that we were clear. This is about the 60 percent, the 80 percent, and all that, or is it something else?

Mr. Garcia: This is about the AMI (average median income).

Ms. Méndez: Okay. The AMI was perfectly clear on the record. We could do any scrivener's changes that we have to. I am -- you know, at that point --

Mr. Garcia: In good faith. In good faith, it is clear to me it wasn't clear to all involved, and in good faith, I frankly think, and my recommendation to you is to continue this item and take it again on January 24.

Commissioner Reyes: We were referring to the County AMI.

Mr. Garcia: I'm sorry?

Commissioner Reyes: We were referring to the County AMI, 40 percent -- I mean, 80 percent or 60 percent. You see, it was not the same.

Mr. Garcia: Again, that's how I read it. That's how I represented it to you. Unfortunately, that is not how it is universe -- it is universally read, and my preference, my marked preference is to avoid ambiguity.

Commissioner Reyes: And -- oh, my goodness. Francisco --

Michael Llorente: Mr. Chair --

Commissioner Reyes: -- I don't know, man. You're speaking a language that I don't understand, man. I mean, what -- nor in Spanish and English, man. I mean, I'm --

Chair Hardemon: He speaks Castellano.

Mr. Garcia: That's right.

Commissioner Reyes: Are you talking to me in Catalanian or Galician? I mean --

Mr. Garcia: I am doing my best to speak in English, sir, and I'll make it clear. The language of this Ordinance is read differently by different people, all of them well informed. That, to me --

Commissioner Reyes: And when you say "different people," what people? Who is the people?

Mr. Garcia: -- that -- to -- well-informed people.

Commissioner Reyes: Can they define it?

Mr. Garcia: And as it is, the case -- As you often tell me, to the extent that there is - - when I say, "you," I mean you, this body -- to the extent that there is ambiguity in the Zoning Ordinance, we'd prefer to have it clear. The best way to make that clear is to bring it back to you in a month.

Chair Hardemon: Two things: These well-informed people, do they drink Scotch?

Mr. Llorente: Yes.

Mr. Garcia: I do not know, sir.

Mr. Llorente: They'll be drinking some tonight.

Chair Hardemon: That is a good answer.

Mr. Llorente: Correct, yes.

Chair Hardemon: It's the first question, right? And the second question is this: How is there ambiguity with language --? Well, let me ask a clarifying question first. Is the language that there is ambiguity in already written; meaning that -- is it in the actual document that we've been reading here?

Mr. Garcia: Yes.

Chair Hardemon: Or is the ambiguity in the things that we said on the dais?

Mr. Garcia: In the manner the language that has been presented to you today would be interpreted and applied.

Vice Chair Russell: However, you made an interpretation here, and were asked at least three times to say it even slowly, and you clarified your interpretation of that, and we voted on it. And it is now --

Mr. Garcia: It's --

Commissioner Reyes: -- that is the will of this body to accept your interpretation. Where you're worried about losing goodwill is on those who interpreted it differently up to that point, and who are either in favor of or against this, based on their interpretation of it.

Mr. Garcia: Right.

Vice Chair Russell: I believe we can work on that and fix that. But what we passed was clear, and what you said was clear.

Mr. Garcia: That's correct.

Chair Hardemon: Because you waited so long and I -- and you resemble the Mayor -- I don't know how -- I want to give you an opportunity to say something. Announce yourself for the record.

Mr. Llorente: Thank you, Mr. Chair. And I know the hour is late, but I do think it's important to make my position clear. And for the record, Mike Llorente; Llorente, Heckler --

Commissioner Reyes: So you're the culprit.

Mr. Llorente: I'm sorry?

Commissioner Reyes: (UNINTELLIGIBLE) ambiguity.

Mr. Llorente: No, I'm not the culprit.

Commissioner Reyes: Okay.

Mr. Llorente: My name is Mike Llorente; Llorente, Heckler. And we represent the Omni Property Owners Association. And as the name suggests, this is a collection of property owners in the Omni area, which is the sort of targeted area for the T6-24-B transect zone. For many, many months, we have been monitoring this item and engaging in discussions with the City based on an understanding that this mandatory inclusionary zoning requirement -- which does not exist anywhere else in Miami-Dade County -- was based on workforce housing, as defined in the Code. That is clear. That is clear. It's been clear in all of my discussions with the City, and it is clear in the legislation that has been presented to this body. We have not registered any objection to the Ordinance based on that premise. Changing 140 percent AMI to 80 percent AMI is a major, major difference --

Commissioner Reyes: And that is the --

Mr. Llorente: -- that frankly, we cannot support.

Commissioner Reyes: That is the purpose.

Mr. Llorente: And I understand that, Commissioner.

Commissioner Reyes: And that is the purpose; otherwise, I wouldn't vote (UNINTELLIGIBLE) for that.

Mr. Llorente: And I understand and respect that, Commissioner. I just --

Commissioner Reyes: You see --

Mr. Llorente: -- I have to register my strong, strong concerns, and this process has been traveling through the City -- this item has been traveling through the City process for many, many months. I have to register my strong concern. There have been a lot of representations about, you know, the support from the industry. I have to register my strong support -- my strong objections and concerns.

Commissioner Reyes: The industry is asking for additional density, right?

Mr. Llorente: Commissioner --

Commissioner Reyes: Isn't the industry asking for additional density? Right?

Vice Chair Russell: Floor/lot ratio, not density.

Commissioner Reyes: Huh?

Mr. Llorente: Not density.

Vice Chair Russell: Not density, but capacity.

Commissioner Reyes: Capacity.

Vice Chair Russell: Yeah.

Commissioner Reyes: Additional capacity.

Mr. Llorente: It's not what we --

Commissioner Reyes: If it is asking for additional capacity, it is on our power to define the rules of the game; if not, you would not have additional capacity. It's very simple.

Mr. Llorente: I understand that, Commissioner.

Commissioner Reyes: That's it.

Mr. Llorente: I understand, and I respect that, Commissioner. My only point is that we have worked with the City over a period of many, many months, and for a radical departure to take place at the very end of discussion on second reading, and not have an opportunity to register our strong objection is not correct. You're absolutely correct; it's well within your province to determine what's acceptable or not.

Commissioner Reyes: (UNINTELLIGIBLE). Madam City Attorney --

Ms. Méndez: Honestly -- I'm sorry, Mr. Llorente. This was discussed --

Commissioner Reyes: Absolutely.

Ms. Méndez: -- for a long time on the dais. I don't know where you were --

Vice Chair Russell: But it's okay --

Ms. Méndez: -- at that point.

Vice Chair Russell: It's okay, because -- Victoria, please.

Ms. Méndez: But let's -- I think that we -- I mean, it is clear what this Commission voted on, and it is clear -- I understand that you've been working through a process. And if it doesn't work, the Commission will come back and change it. But right now, it's okay as --

Chair Hardemon: Mr. Vice Chairman.

Ms. Méndez: -- voted on.

Vice Chair Russell: This is a -- I do believe this is a sincere misunderstanding. I know that I never represented to anyone anything different than what is being presented here today.

Commissioner Reyes: That's right.

Vice Chair Russell: I will work together with you to make your clients whole and the Omni -- what is it? -- the Omni -- the name that you rep as a group --

Mr. Llorente: Property Owners Association.

Vice Chair Russell: -- Property Owners Association, who may now be significant allies in the extension of the life of the Omni CRA (Community Redevelopment Agency) itself, because it can certainly help make them whole, and go deeper into affordability in filling any gaps that maybe have been created by this misunderstanding. But I believe this dais was very sincere in where they were going with this. And the Planning Director, he has held this interpretation the whole time. So if anybody had any doubt, they could have asked him, and he would have told them his interpretation as the Planning Director of this legislation, which his department wrote. So --

Mr. Llorente: Respectfully, Mr. Vice Chair, the --

Commissioner Reyes: (UNINTELLIGIBLE).

Mr. Llorente: -- this -- respectfully, Commissioner, this is not a misunderstanding. The legislation, as written, is abundantly clear on what is required and what is not required. I would say that changing that AMI level at this stage is not proper. It's not proper, because it doesn't put us on notice of what the City is proffering.

Vice Chair Russell: And you've got to analyze that with the Planning Director. It's too late this evening to really get into the detail and the weeds of what he meant, what you thought he meant, but I am very open to sitting down and analyzing that with you. But I do not want to reverse very successful legislation that happened tonight at this very moment. I -- and I don't know how we would. Even the folks who voted on it aren't here anymore. And so, I want to work with you. I want to figure out how we get through this, because I want to see the projects come to life, and if it's in -- unfeasible, they won't. We talked about that, as well. I don't understand why you didn't oppose during the legislation to clarify the misunderstanding, because we talked about it so many times --

Mr. Llorente: No --

Vice Chair Russell: -- it was coming.

Mr. Llorente: -- no. Respectfully, this was a statement that was made at the very end of the discussion. It has not been part of the discussion. It was never represented -- certainly not publicly -- to this body or to anybody else that the intention -- which is not what's reflected in the actual Code -- but that the intention was to require 80 percent AMI, which is affordable housing --

Vice Chair Russell: Right.

Mr. Llorente: -- which would --

Vice Chair Russell: Could have even been done as an amendment at the last moment if we had chosen, but it was done by the interpretation of the Planning Director, which I -- you know, I'm willing to stand by, absolutely. I want to learn and study your interpretation and his interpretation, and we'll do that. We'll get together.

Chair Hardemon: And listen, I will say, also, that no one has to apply for the aid to be --

Vice Chair Russell: We don't even have a map --

Chair Hardemon: Right. We don't have a map for it. So with that being said, my point to you is that if from -- if you want to make changes in the future, then we address making those changes. But --

Vice Chair Russell: But this was not a bait and switch.

Chair Hardemon: -- and if you say you don't want to --

Vice Chair Russell: This was not a bait and switch. I do believe there is a sincere misunderstanding between what you all thought was being proposed and what our Planning Director had intended, and somewhere, that communication never happened. I mean, if you had approached him a week ago and he told you a different interpretation --

Mr. Llorente: -- Commissioner, respectfully --

Vice Chair Russell: -- I don't understand.

Mr. Llorente: -- the -- there's never been any discrepancy regarding interpretation, ever, at any point. It has always been clear, and it has always been 140 percent AMI.

Vice Chair Russell: Then someone never -- then someone didn't speak.

Mr. Llorente: There was an inaccurate -- I think -- well-intentioned, but inaccurate interpretation at the very tail end of second reading that would have a significant negative, adverse, material impact on my clients. And my point is that you can't go through an entire legislative process and then at the very, very end --

Chair Hardemon: That's exactly what the State of Florida does. That's exactly what the State of Florida does every single legislative session; very, very end.

Mr. Llorente: You don't -- Again, I respectfully -- you know --

Vice Chair Russell: If we need to amend, we will amend. But at this point, I think we have legislation on the books. It'll -- and I believe the intention was clear of the body. So I think that's all we can do for tonight.

Mr. Garcia: We will certainly follow up immediately with all parties involved.

Vice Chair Russell: Thank you.

Mr. Llorente: Thank you.

Chair Hardemon: Meeting is adjourned.

Mr. Garcia: Thank you.

ADJOURNMENT

The meeting adjourned at 9:44 p.m.