

MEMORANDUM

Agenda Item No. 5(A)

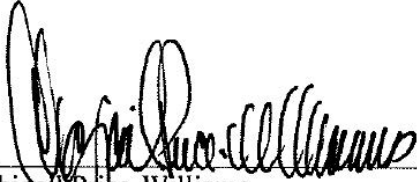
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 21, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring, in accordance with section 163.335, Florida Statutes, and after a public hearing, a certain geographic area located in the City of Miami ("City") generally bounded on the north by Bird Road (SW 40 Street) and the properties north of Bird Road, on the east by McDonald Street and Main Street, on the south by Marler Avenue and Loquat Street, and on the west by 39 Avenue, to be a slum or blighted area; declaring the rehabilitation, conservation and redevelopment of the area to be in the interest of the public health, safety, morals and welfare of residents of Miami-Dade County and the City and the residents living within the proposed area; delegating to the City the power to create a community redevelopment agency to be known as the West Grove Community Redevelopment Agency ("Agency") and to prepare a community redevelopment plan for the area; and directing the County Mayor to negotiate an interlocal cooperation agreement by and among the County, the City and the Agency in accordance with the Board's policy related to community redevelopment agencies, and to include such other terms in the interlocal cooperation agreement related to the County's Strategic Miami Area Rapid Transit Transportation Infrastructure Improvement District

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez and Co-Sponsor Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 21, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 5(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(A)
7-21-20

RESOLUTION NO. _____

RESOLUTION DECLARING, IN ACCORDANCE WITH SECTION 163.335, FLORIDA STATUTES, AND AFTER A PUBLIC HEARING, A CERTAIN GEOGRAPHIC AREA LOCATED IN THE CITY OF MIAMI (“CITY”) GENERALLY BOUNDED ON THE NORTH BY BIRD ROAD (SW 40 STREET) AND THE PROPERTIES NORTH OF BIRD ROAD, ON THE EAST BY MCDONALD STREET AND MAIN STREET, ON THE SOUTH BY MARLER AVENUE AND LOQUAT STREET, AND ON THE WEST BY 39 AVENUE, TO BE A SLUM OR BLIGHTED AREA; DECLARING THE REHABILITATION, CONSERVATION AND REDEVELOPMENT OF THE AREA TO BE IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF RESIDENTS OF MIAMI-DADE COUNTY AND THE CITY AND THE RESIDENTS LIVING WITHIN THE PROPOSED AREA; DELEGATING TO THE CITY THE POWER TO CREATE A COMMUNITY REDEVELOPMENT AGENCY TO BE KNOWN AS THE WEST GROVE COMMUNITY REDEVELOPMENT AGENCY (“AGENCY”) AND TO PREPARE A COMMUNITY REDEVELOPMENT PLAN FOR THE AREA; AND DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR’S DESIGNEE TO NEGOTIATE AN INTERLOCAL COOPERATION AGREEMENT BY AND AMONG THE COUNTY, THE CITY AND THE AGENCY IN ACCORDANCE WITH THE BOARD’S POLICY RELATED TO COMMUNITY REDEVELOPMENT AGENCIES, AND TO INCLUDE SUCH OTHER TERMS IN THE INTERLOCAL COOPERATION AGREEMENT RELATED TO THE COUNTY’S STRATEGIC MIAMI AREA RAPID TRANSIT TRANSPORTATION INFRASTRUCTURE IMPROVEMENT DISTRICT

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969 which is presently codified in chapter 163, part III, Florida Statutes, as amended (the “Act”); and

WHEREAS, on April, 23, 2020, the City Commission of the City of Miami (“City”) adopted Resolution R-20-0131, which is attached hereto as Attachment “A” and incorporated herein by reference, which, in part, authorized the City Manager to take all necessary steps to create a community redevelopment agency in the West Grove area, which area is generally

bounded on the north by Bird Road (SW 40 Street) and the properties north of Bird Road, on the east by McDonald Street and Main Street, on the south by Marler Avenue and Loquat Street, and on the west by 39th Avenue (“West Grove Area”); and

WHEREAS, the City, as authorized by Resolution R-20-0131, has submitted for the County’s consideration and approval a Finding of Necessity Study (“Study”) for the West Grove Area, which was prepared in accordance with section 163.355 of the Act; and

WHEREAS, the Study, which is attached hereto as Attachment “B” and incorporated herein by reference, finds the West Grove Area to be a slum or blighted area as these terms are defined in section 163.340 of the Act; and

WHEREAS, in accordance with section 163.355 of the Act, this Board concurs with the findings set forth in the Study; and

WHEREAS, accordingly, this Board finds that (a) one or more slum or blighted conditions exist in the West Grove Area in which there is a shortage of affordable housing for residents of low or moderate income, including the elderly; (b) the rehabilitation, conservation, or redevelopment, or a combination thereof, of the West Grove Area, including the development of affordable housing for residents of low or moderate income, including the elderly, is necessary in the interest of the public health, safety, morals, and welfare of the residents of the County and the City, including those residents living within the West Grove Area; and (c) the West Grove Area is appropriate for redevelopment; and

WHEREAS, section 163.410 of the Act provides “the governing body of any...county which has adopted a home rule charter may, in its discretion, by resolution delegate the exercise of the powers conferred upon the county by [the Act] within the boundaries of a municipality to the governing body of such a municipality;” and

WHEREAS, the Act further provides that “[s]uch a delegation to a municipality shall confer only such powers upon a municipality as shall be specifically enumerated in the delegating resolution;” and

WHEREAS, the City, in accordance with section 163.410 of the Act, has requested that the County delegate powers to the City to create a community redevelopment agency (“Agency”); and

WHEREAS, this Board finds that the City has met all of its obligations as set forth in section 163.410, including, but not limited to, submitting all documentation required by the County; and

WHEREAS, this Board desires to delegate certain community redevelopment powers to the City pursuant to the Act, subject to certain conditions set forth herein,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitations are incorporated herein by reference.

Section 2. This Board, after a public hearing, finds, in accordance with section 163.355 of the Act and based on the Finding of Necessity Study (the “Study”) as set forth in Attachment “B” attached hereto and incorporated herein by reference, that a blighted or slum area exists in a certain area of the City of Miami, generally bounded on the north by Bird Road (SW 40 Street) and the properties north of Bird Road, on the east by McDonald Street and Main Street, on the south by Marler Avenue and Loquat Street, and on the west by 39th Avenue, which is specifically described in the Study and is referred to as the “West Grove Community Redevelopment Area” (“West Grove Area”).

Section 3. This Board also finds that (a) one or more slum or blighted conditions exist in the West Grove Area in which there is a shortage of affordable housing for residents of low or moderate income, including the elderly; (b) the rehabilitation, conservation, or redevelopment, or a combination thereof, of the West Grove Area, including the development of affordable housing for residents of low or moderate income, including the elderly, is necessary in the interest of the public health, safety, morals, and welfare of the residents of Miami-Dade County and the City of Miami, including those residents living within the West Grove Area; and (c) the West Grove Area is appropriate for redevelopment.

Section 4. This Board further finds that there is a need for a community redevelopment agency to be known as the West Grove Community Redevelopment Agency (the “Agency”), to function in the West Grove Area to carry out the community redevelopment purposes set forth in the Act. Accordingly, this Board, in accordance with section 163.410 of the Act, hereby delegates the community redevelopment power to the City of Miami (“the City”) to create the Agency in accordance with section 163.357 of the Act, which Agency shall have the sole power initially to prepare and adopt a plan of redevelopment for the West Grove Area, to submit such plan to the County for its review, and upon the completion of such review, to submit such plan to this Board for its approval, in its sole discretion, after notice and public hearing.

Section 5. This Board further authorizes the County Mayor or the County Mayor’s designee to (a) negotiate the terms of an interlocal cooperation agreement by and among the County, the City and the Agency, which such interlocal cooperation agreement shall include such terms as required by this Board’s Resolution Nos. R-499-16, R-611-15, R-871-11 and R-1382-09; and (b) negotiate such other terms related to the County’s Strategic Miami Area Rapid Transit Transportation Infrastructure Improvement District. In the event the City complies with

the requirements set forth in sections 4, 5 and 6 of this resolution, this Board, in its sole discretion, may consider and approve in a subsequent resolution the delegation of additional community redevelopment powers to the Agency.

Section 6. The Agency shall cease to exist 12 months from the adoption of this resolution if (a) the City has not approved a redevelopment plan and interlocal cooperation agreement acceptable to the County; and (b) this Board has not approved same.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez and the Co-Sponsor is Chairwoman Audrey M. Edmonson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of July, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Terrence A. Smith



City of Miami

Legislation

Resolution: R-20-0131

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

File Number: 7382

Final Action Date: 4/23/2020

A RESOLUTION OF THE MIAMI CITY COMMISSION RATIFYING, ACCEPTING, AND SUPPORTING THE ACTIONS TAKEN BY THE BOARD OF COMMISSIONERS OF THE OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCY ("OMNI CRA") IN RESOLUTION NO. CRA-R-20-0003 ADOPTED ON APRIL 9, 2020 FOR THE REMOVAL OF THE NON-CONTIGUOUS EXPANSION OF THE OMNI CRA INTO THE AREA KNOWN AS THE WEST GROVE AND ALL OTHER FINDINGS; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY CONSISTENT WITH RESOLUTION NO. CRA-R-20-0003 AS IT RELATES TO THE REMOVAL OF THE NON-CONTIGUOUS EXPANSION OF THE OMNI CRA INTO THE WEST GROVE; CLARIFYING THAT THIS RESOLUTION AND ITS FINDINGS, DIRECTIVES, AND ACTIONS SHALL SUPERSEDE ANY AND ALL OTHER FINDINGS, DIRECTIVES, AND ACTIONS IN PRIOR CITY OF MIAMI ("CITY") RESOLUTIONS THAT ARE INCONSISTENT WITH THIS RESOLUTION; FURTHER CLARIFYING THAT ANY AND ALL PRIOR RESOLUTIONS THAT ARE NOT INCONSISTENT WITH THIS RESOLUTION SHALL REMAIN UNAFFECTED; FURTHER DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL NECESSARY ACTIONS TO ADVANCE THE PROCESS OF CREATING A COMMUNITY REDEVELOPMENT AGENCY WITHIN THE WEST GROVE ("WEST GROVE CRA") PURSUANT TO REQUIREMENTS OF THE COMMUNITY REDEVELOPMENT ACT OF 1969 AS IS NECESSARY AND IN THE BEST INTEREST OF THE PUBLIC'S HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY AND MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO A REDEVELOPMENT PLAN FOR THE WEST GROVE CRA, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES; FURTHER DIRECTING THE CITY MANAGER TO SUBMIT ANY AND ALL NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS FOR REVIEW, APPROVAL, AND ACCEPTANCE.

SPONSOR(S): Commissioner Ken Russell

WHEREAS, pursuant to Part III, Chapter 163, Florida Statutes, there was created by action of Miami-Dade County ("County") and the City of Miami ("City") the Omni Redevelopment District Community Redevelopment Agency ("Omni CRA"); and

WHEREAS, on June 24, 1996, the County, formerly known as Metropolitan Dade County, and the City executed an Interlocal Cooperation Agreement ("1996 Interlocal Agreement"); and

WHEREAS, as of December 31, 2007, the County, the City, the Southeast Overtown Park West Community Redevelopment Agency ("SEOPW CRA"), and the Omni CRA entered into an alternative Interlocal Agreement between the City, the County, the SEOPW CRA, and the Omni CRA to provide funding for major projects for the benefit of all parties ("2007 Interlocal Agreement"); and

WHEREAS, in furtherance of seeking an additional extension of the life of the Omni CRA, the Omni CRA is required to prepare an Assessment of Need Study ("AON"), to amend its current Redevelopment Plan, and to amend the 1996 Interlocal Agreement with its two (2) taxing authorities, the City and the County; and

WHEREAS, on February 19, 2019, the Board of Commissioners of the Omni CRA adopted Resolution No. CRA-R-19-0004 approving the AON to substantiate the extension of the life of the Omni CRA until 2047 as required by the County pursuant to Resolution No. R-611-15; and

WHEREAS, on June 13, 2019, the Board of Commissioners of the Omni CRA adopted Resolution No. CRA-R-19-0012 approving the Amended Redevelopment Plan prepared by PMG Associates, Inc. ("PMG"); and

WHEREAS, on June 13, 2019, the Board of Commissioners of the Omni CRA adopted Resolution No. CRA-R-19-0013 accepting and adopting the execution of a second amendment to the 1996 Interlocal Agreement between the City, the County, and the Omni CRA; and

WHEREAS, on June 13, 2019, the City Commission adopted Resolution No. R-19-0237 accepting and authorizing, among other things, the Amended Redevelopment Plan and the extension of the life of the Omni CRA to 2047; and

WHEREAS, on June 13, 2019, the City Commission adopted Resolution No. R-19-0237 approving and authorizing the City Manager to execute the Second Amendment to the 1996 Interlocal Agreement ("Second Amendment") between the City, the County, and the Omni CRA; and

WHEREAS, on April 9, 2020, the Board of Commissioners of the Omni CRA adopted Resolution No. CRA-R-20-0003 amending the Amended Redevelopment Plan to remove the non-contiguous expansion of the Omni CRA into the area known as West Grove and directing the Executive Director to modify and update any and all documents to reflect the removal of the non-contiguous expansion of the Omni CRA into the West Grove; and

WHEREAS, the West Grove is a historically Bahamian, approximately sixty-five (65) block, half-square-mile section of Coconut Grove within the City having an eclectic and rich history known for its culture, architecture, arts, and festivals; and

WHEREAS, the West Grove, however, has been plagued by economic blight and a lack of affordable housing, which has resulted in the displacement of many longtime residents; and

WHEREAS, on August 14, 2017, the City entered into an Expert Consultant Agreement with PMG to generate a Finding of Necessity Report ("Report"), attached and incorporated as Exhibit "A", pursuant to the requirements of Chapter 163, Florida Statutes, to create a Community Redevelopment Area in the West Grove; and

WHEREAS, the Report concluded that the West Grove boundaries as provided and incorporated in the Report met two (2) of three (3) criteria for slum designation and eight (8) of fourteen (14) criteria for blight designation as defined in Chapter 163, Florida Statutes; and

WHEREAS, on January 11, 2018, the City Commission accepted, approved, and adopted Resolution No. 18-0010, which included the Report and finding the West Grove to be slum and blighted and that (1) one or more slum or blighted areas or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the West Grove and (2) the rehabilitation, conservation, redevelopment, or a combination thereof for the West Grove, including, if appropriate, the development of housing which residents of low or moderate income, including elderly, can afford, is necessary, and is in the interest of the public's health, safety, morals, or welfare of the residents of the West Grove, in the City, and the County; and

WHEREAS, a finding of necessity is required prior to the exercise of any authority under the provisions of Chapter 163, Florida Statutes; and

WHEREAS, the City wishes to exercise the powers and duties conferred upon municipalities by the Community Redevelopment Act of 1969, as amended, in order to eradicate existing slum and blighted conditions in the West Grove area by creating the West Grove Community Redevelopment Agency ("West Grove CRA"); and

WHEREAS, the City Commission wishes to ratify, accept, and support the adoption of Resolution No. CRA-R-20-0003 by the Board of Commissioners of the Omni CRA and the removal of the non-contiguous expansion of the Omni CRA into the West Grove from the Amended Redevelopment Plan; and

WHEREAS, the City Commission directs the City Manager to take any and all necessary steps to advance the process of creating the West Grove CRA pursuant to the requirements of Chapter 163, Florida Statutes, and the Code of Miami-Dade County, Florida;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated herein as if fully set forth in this Section.

Section 2. The City Commission hereby ratifies, accepts, and supports the removal of the non-contiguous expansion of the Omni CRA into the West Grove and all other findings and actions taken in Resolution No. CRA-R-20-0003.

Section 3. The City Manager is authorized¹ to take any and all actions necessary and consistent with this Resolution as it relates to the removal of the non-contiguous expansion of the Omni CRA into the West Grove.

¹ The herein authorization is further subject to compliance with all requirements that may be imposed by the City Attorney, including but not limited to, those prescribed by applicable City Charter and City Code provisions.

Section 4. The City Commission hereby accepts and approves the Report prepared by PMG, attached and incorporated as Exhibit "A", and finds a necessity exists for the rehabilitation, conservation, or redevelopment of slum and blight in the West Grove area within the City.

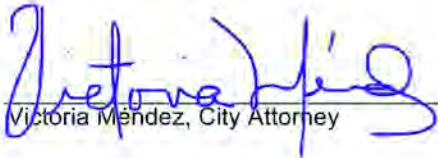
Section 5. The City Manager is directed to take any and all necessary steps to advance the process of creating the West Grove CRA pursuant to Chapter 163, Florida Statutes, and the Code of Miami-Dade County, Florida.

Section 6. This Resolution and its findings, directives, and actions shall supersede any and all other findings, directives, and actions in prior City Resolutions that are inconsistent with this Resolution. All other findings, directives, and actions in prior City Resolutions that are not inconsistent with this Resolution shall remain unaffected.

Section 7. The City Manager is directed to forward a copy of any and all required documents, including but not limited to this Resolution to the Miami-Dade County Board of County Commissioners for review, approval, and acceptance.

Section 8. This Resolution shall become effective immediately upon its adoption.²

APPROVED AS TO FORM AND CORRECTNESS:


Victoria Mendez, City Attorney 5/11/2020

² If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.



City of Miami

Master Report

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

Enactment Number: R-20-0131

File Number: 7382

File Type: Resolution

Status: ADOPTED WITH MODIFICATION(S)

Revision: A

Controlling Body: City Commission

File Name: Direct - Create Community Redevelopment Agency in the West Grove

Introduced: 4/9/2020

Requesting Dept: Commissioners and Mayor

Final Action Date: 4/23/2020

Title: A RESOLUTION OF THE MIAMI CITY COMMISSION RATIFYING, ACCEPTING, AND SUPPORTING THE ACTIONS TAKEN BY THE BOARD OF COMMISSIONERS OF THE OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCY ("OMNI CRA") IN RESOLUTION NO. CRA-R-20-0003 ADOPTED ON APRIL 9, 2020 FOR THE REMOVAL OF THE NON-CONTIGUOUS EXPANSION OF THE OMNI CRA INTO THE AREA KNOWN AS THE WEST GROVE AND ALL OTHER FINDINGS; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY CONSISTENT WITH RESOLUTION NO. CRA-R-20-0003 AS IT RELATES TO THE REMOVAL OF THE NON-CONTIGUOUS EXPANSION OF THE OMNI CRA INTO THE WEST GROVE; CLARIFYING THAT THIS RESOLUTION AND ITS FINDINGS, DIRECTIVES, AND ACTIONS SHALL SUPERSEDE ANY AND ALL OTHER FINDINGS, DIRECTIVES, AND ACTIONS IN PRIOR CITY OF MIAMI ("CITY") RESOLUTIONS THAT ARE INCONSISTENT WITH THIS RESOLUTION; FURTHER CLARIFYING THAT ANY AND ALL PRIOR RESOLUTIONS THAT ARE NOT INCONSISTENT WITH THIS RESOLUTION SHALL REMAIN UNAFFECTED; FURTHER DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL NECESSARY ACTIONS TO ADVANCE THE PROCESS OF CREATING A COMMUNITY REDEVELOPMENT AGENCY WITHIN THE WEST GROVE ("WEST GROVE CRA") PURSUANT TO REQUIREMENTS OF THE COMMUNITY REDEVELOPMENT ACT OF 1969 AS IS NECESSARY AND IN THE BEST INTEREST OF THE PUBLIC'S HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY AND MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO A REDEVELOPMENT PLAN FOR THE WEST GROVE CRA, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES; FURTHER DIRECTING THE CITY MANAGER TO SUBMIT ANY AND ALL NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS FOR REVIEW, APPROVAL, AND ACCEPTANCE.

Sponsor(s): Commissioner Ken Russell

Notes:

Links:

Attachments: 7382 Exhibit A (PDF)

History of Legislative File:

Revision:	Acting Body:	Date:	Action:	Result:
	Victoria Méndez	4/14/2020	Approved Form and	Completed



City of Miami

Master Report

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

Enactment Number: R-20-0131

	City Commission	4/23/2020	Correctness	
	City Commission	4/23/2020	Meeting	Completed
			ADOPTED WITH	Passed
			MODIFICATION(S)	
A	Victoria Méndez	5/11/2020	Approved Form and	Completed
			Correctness with Modification(s)	
A	City Clerk's Office	5/12/2020	Rendered	Completed

CITY OF MIAMI

OMNI CRA PROPOSED EXPANSION

WEST GROVE AREA

FINDING OF NECESSITY (FON)

October, 2017



PMG Associates, Inc.

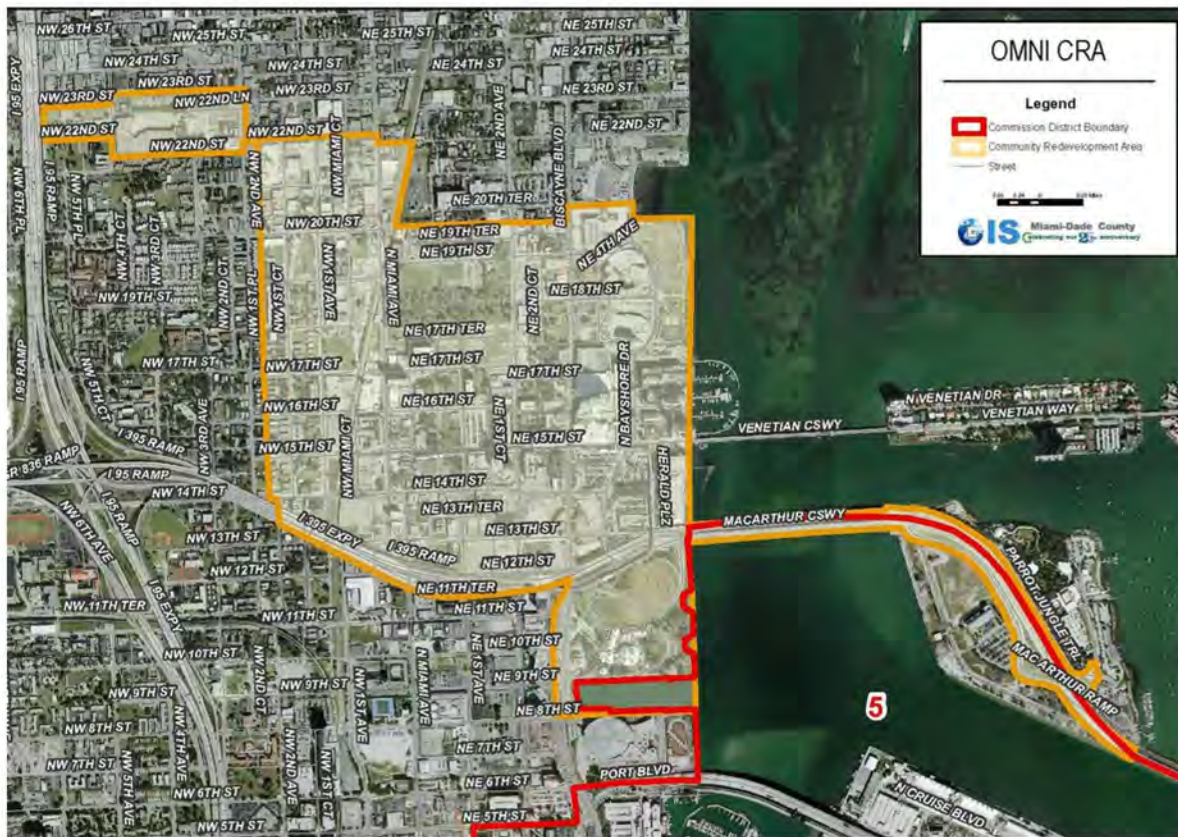
SECTION 1 INTRODUCTION

1.1 HISTORY AND PURPOSE

This document represents the analysis of the Finding of Necessity (FON) for the expansion of the OMNI Community Redevelopment Area (CRA) in the City of Miami. This expansion is proposed to better serve the community and to further address the concerns of the neighborhoods. Based on the requirements of State Law, this FON addresses the proposed expansion area only. The FON for the original OMNI CRA was completed in 1987 and the district has received several updates and expansions over the years. This expansion adds the area known as West Grove to the OMNI CRA.

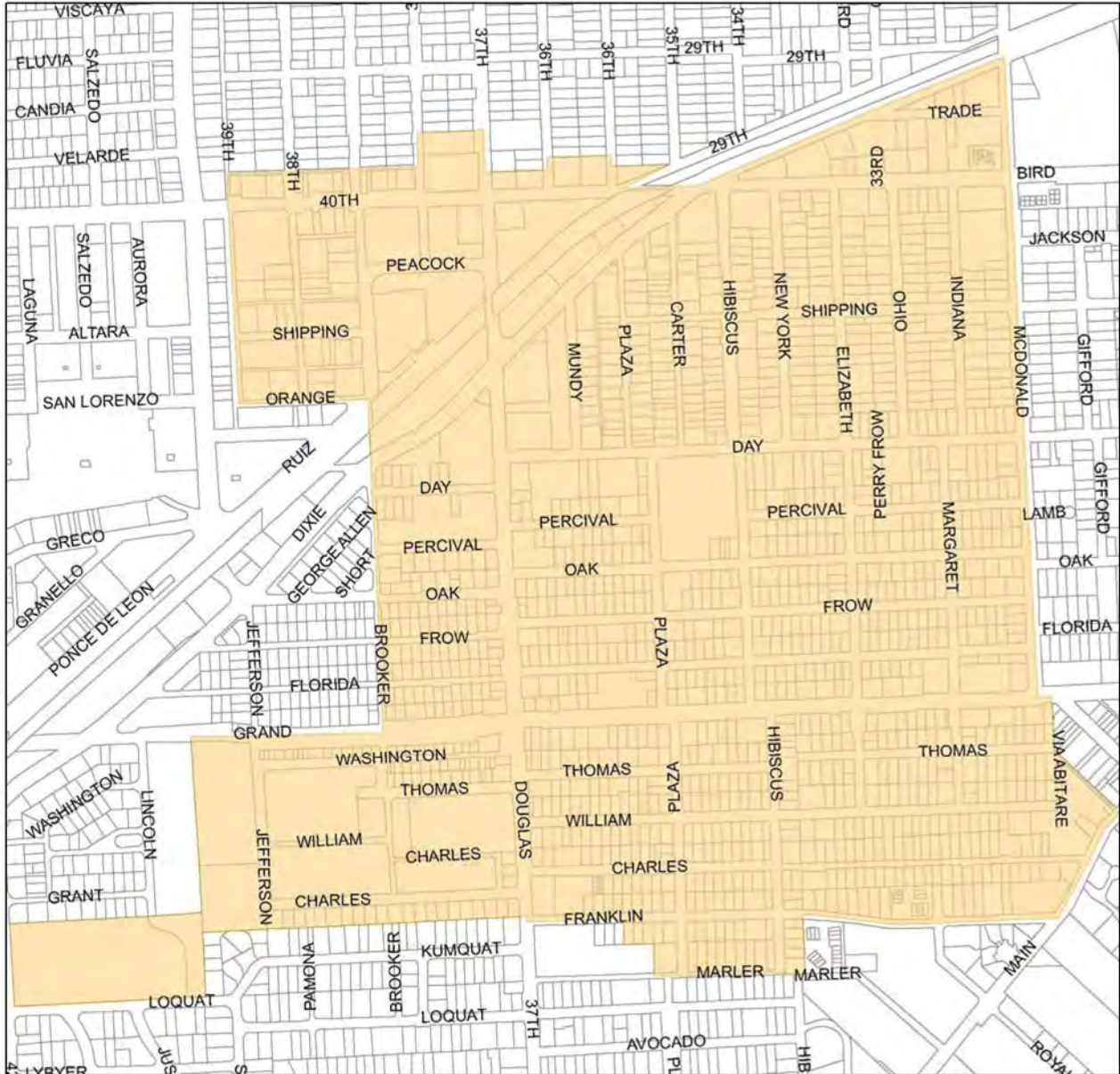
Exhibit 1-1 depicts the OMNI CRA as currently comprised. Exhibit 1-2 provides the boundaries of the West Grove expansion area. The West Grove area is approximately 960 acres and contains 1,828 parcels. The proposed CRA expansion is generally the area east of the Dixie Highway, south of the Bird Road, west of McDonald Street, and north of Franklin/Marler Avenues. An additional triangular portion of the district is west of Dixie Highway bordered on the west by 39 Street.

EXHIBIT 1-1 – EXISTING OMNI CRA BOUNDARY MAP



Source: Miami-Dade County

EXHIBIT 1-2 PROPOSED WEST GROVE EXPANSION OF THE OMNI CRA



Source: City of Miami

Land uses in the area are predominantly Residential (66.9%) with a notable amount of Vacant Residential parcels (11.1%). Commercial/Industrial properties are represented by 6.7% of the total number of parcels. An inventory of the 1,828 parcels is provided in Table 1-1.

**TABLE 1-1
NUMBER OF LAND PARCELS IN WEST GROVE AREA**

Land Use	Number of Parcels
Commercial Condo	38
Commercial	71
Common Area/Park	2
Condominium	412
Duplex	145
Governmental	58
Industrial	13
Institutional	40
Multi Family	61
Parking	12
Reference	89
Single Family	605
Townhouse	20
Utilities	1
Vacant Commercial	54
Vacant Industrial	4
Vacant Land (Condo)	2
Vacant Residential - MF	12
Vacant Residential - SF	189
Total	1,828

Source: Miami-Dade County Property Appraiser

The population of West Grove is estimated at 5,284 in 2017. There are 2,554 dwelling units in the area. The entire City of Miami maintains a population of 444,777 within 205,175 dwelling units. Other facilities in the study area include:

Parks

- Elizabeth Virrick Park
- Ambrister Park
- Coconut Grove Mini Park AKA Billie Rolle Domino Park
- Charlotte Jane Memorial Park (Cemetery)

Schools

- Francis Tucker Elementary
- St Albans Child Enrichment Center
- Coconut Grove Montessori School
- George Washington Carver High School

Government Buildings

- Miami Dade Human Services
- Miami Dade Water and Sewer Facility
- Miami Dade WASD offices
- Coconut Grove Playhouse
- US Postal Service
- City of Miami Fire/Rescue Training Center

1.2 METHODOLOGY

Consistent with State Law, the Finding of Necessity examines the character of the area and measures statistics and other documentation to determine if the conditions of slum and blight have been met, as described in Florida Statutes 163. Part III section 163.340 (7)(8). This analysis will examine each of the criteria and determine if the proposed area meets these conditions.

The analysis of the conditions that exist in the proposed CRA area was conducted using data available from documented sources throughout the community. Agencies within the City of Miami and Miami-Dade County were contacted and data was supplied to examine the characteristics of the community. Additional research was conducted through field observations and photographic evidence to underscore the findings.

Each of the criteria as established by State Law will be discussed separately and the data sources used for the analysis will be described in each section.

1.3 LEGAL REQUIREMENTS

The requirements of the FON are established in Section 163.340 of the Florida Statutes and are described as follows:

Slum Determination 163.340 (7)

“Slum area” is defined as an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason

of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:

- (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
- (c) The existence of conditions that endanger life or property by fire or other causes.

Blight Determination 163.340 (8)

“Blighted Area” is defined as an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

**SECTION 2
SLUM CONDITIONS**

2.1 ANALYSIS OF SLUM CONDITIONS

The conditions that define “Slum” as outlined in Florida State Statutes 163.340(7) in the potential CRA area are found in the following factors. In order for a proposed CRA area to qualify as having slum conditions, the area must have at least one of three factors.

(a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;

The conditions of inadequate housing can be categorized through the determination of “Unsafe Structures” as determined by the Florida Building Code. Data collected from the City of Miami reveals that the proposed CRA expansion area has 32 “Unsafe Structures” designated within its borders. These citations cover the full range of conditions including inadequate ventilation, substandard housing and improper maintenance of the buildings. These 32 structures represent 2.2% of all structures in the district.

City-wide, Miami has 1,328 cases of Unsafe Structures which represents .65% of the total number of structures in the City.

The listing of Unsafe Structures is provided in Table 2-1

**TABLE 2-1
LISTING OF UNSAFE STRUCTURES BY ADDRESS**

3087 Ohio Street	3401 Grand Avenue	3574 William Avenue
3091 Plaza Street	3410 Hibiscus Street	3575 Thomas Avenue
3174 Elizabeth Street	3412 Florida Avenue	3606 Thomas Avenue
3200 Thomas Avenue	3425 Jefferson Street	3620 Thomas Avenue
3242 Charles Avenue	3432 Grand Avenue	3631 Thomas Avenue
3341 Florida Avenue	3437 Elizabeth Street	3649 Thomas Avenue
3364 Grand Avenue	3460 Florida Avenue	3658 Thomas Avenue
3375 Grand Avenue	3490 Main Highway	3678 William Avenue
3383 Thomas Avenue	3500 Main Highway	3758 Frow Avenue
3389 Charles Avenue	3506 Florida Avenue	3804 Florida Avenue
3400 Florida Avenue	3520 Grand Avenue	

Examples of Unsafe Structures



Exhibit 2-1, 3174 Elizabeth Street



Exhibit 2-2, 3658 Thomas Street



Exhibit 2-3, 3410 Hibiscus Street



Exhibit 2-4, 3490 Main Highway



Exhibit 2-5, 3412 Florida Avenue



Exhibit 2-6, Coconut Grove Playhouse

(b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code.

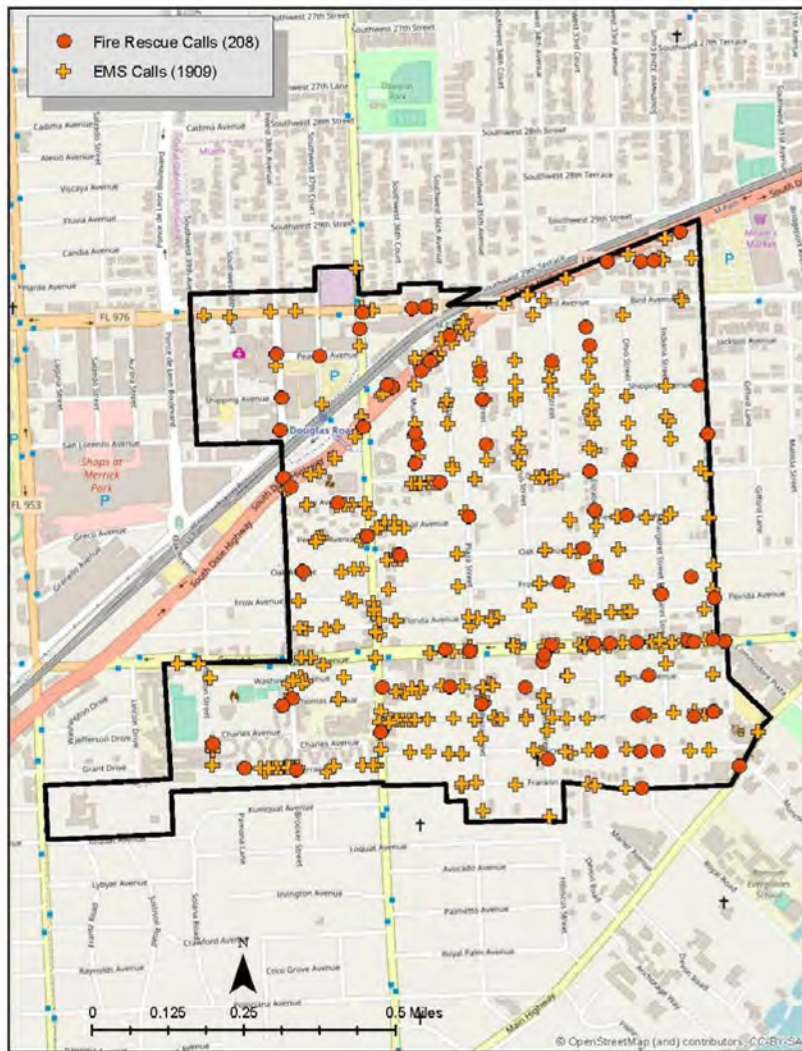
Density patterns can be measured by the amount of developed acres of land or by the amount of population per square mile. The City of Miami covers approximately 35.87 square miles within its boundaries. Based on a population of 444,777, the density of persons per acre in the City of Miami is 19.37.

For the potential CRA expansion area, the population of 5,284 lives within approximately 960 acres for a density of 5.50 persons per acre.

(c) The existence of conditions that endanger life or property by fire or other causes.

A review of the data from the City of Miami Fire Rescue Department reveals that in 2016, the proposed expansion area had a total of 2,117 calls for fire and emergency service. Based on the population of 5,284, this equates to 400.64 calls per one thousand population. For the entire service area of the City of Miami Fire Rescue during the same time, the population of 444,777 generated 100,583 calls for fire service, which is 226.14 calls per one thousand population.

**EXHIBIT 2-1
DISTRIBUTION OF FIRE/RESCUE CALLS**



2.2 RESULTS OF ANALYSIS

The proposed area meets criteria (a) and (c) of section 163.340(7) of the State Statutes.

SECTION 3 BLIGHT CONDITIONS

3.1 ANALYSIS OF BLIGHT CONDITIONS

The requirements under State Statutes 163.340(8) for designation as “Blighted” note that the area must have a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property.

One method of illustrating “Blight” is through photographic evidence. Field observations were used to examine the area and photographs were taken of the conditions. Exhibits 3-1 through 3-20 are a representative sample of the conditions in the area.

Deteriorated Residential



Exhibit 3-1



Exhibit 3-2



Exhibit 3-3



Exhibit 3-4

Deteriorated Mixed Use



Exhibit 3-5

Deteriorated Commercial



Exhibit 3-6

Deteriorated Fences



Exhibit 3-7

Deteriorated Drainage



Exhibit 3-8



Exhibit 3-9



Exhibit 3-10



Exhibit 3-11

Deteriorated Driveways



Exhibit 3-12



Exhibit 3-13



Exhibit 3-14

Deteriorated Roadways



Exhibit 3-15



Exhibit 3-16

Deteriorated/Absent Sidewalks



Exhibit 3-17



Exhibit 3-18



Exhibit 3-19



Exhibit 3-20

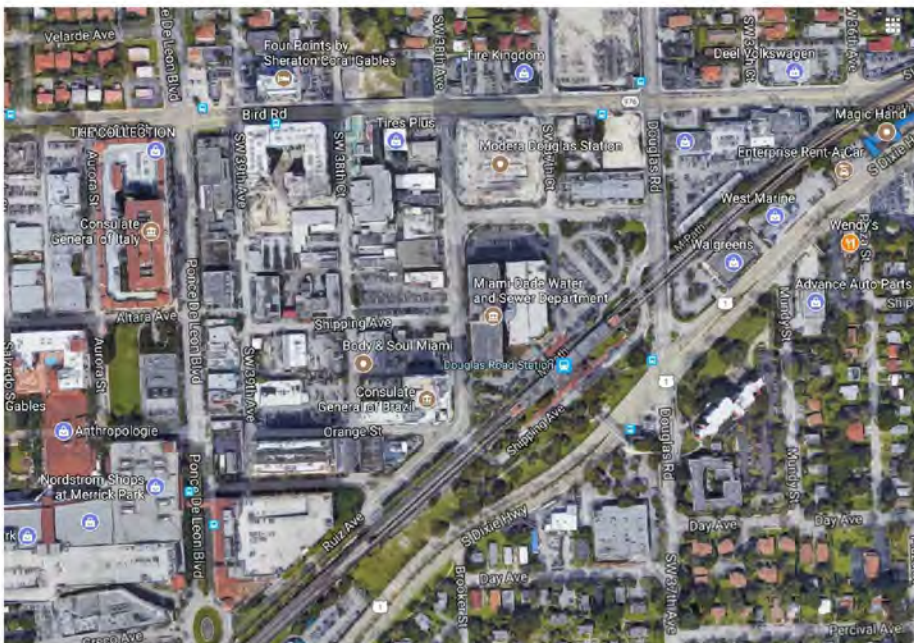
3.2 Blight Criteria Analysis (Must meet 2 of the 14 items)

Each of the 14 criteria will be examined in this section.

(a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

For economic purposes, the street layout should enable customers to reach businesses easily and for trade among business to be conducted directly and efficiently. The most significant roadway is Dixie Highway which bisects the district. The diagonal nature of the road separates the commercial properties from the east and the west side of the Highway.

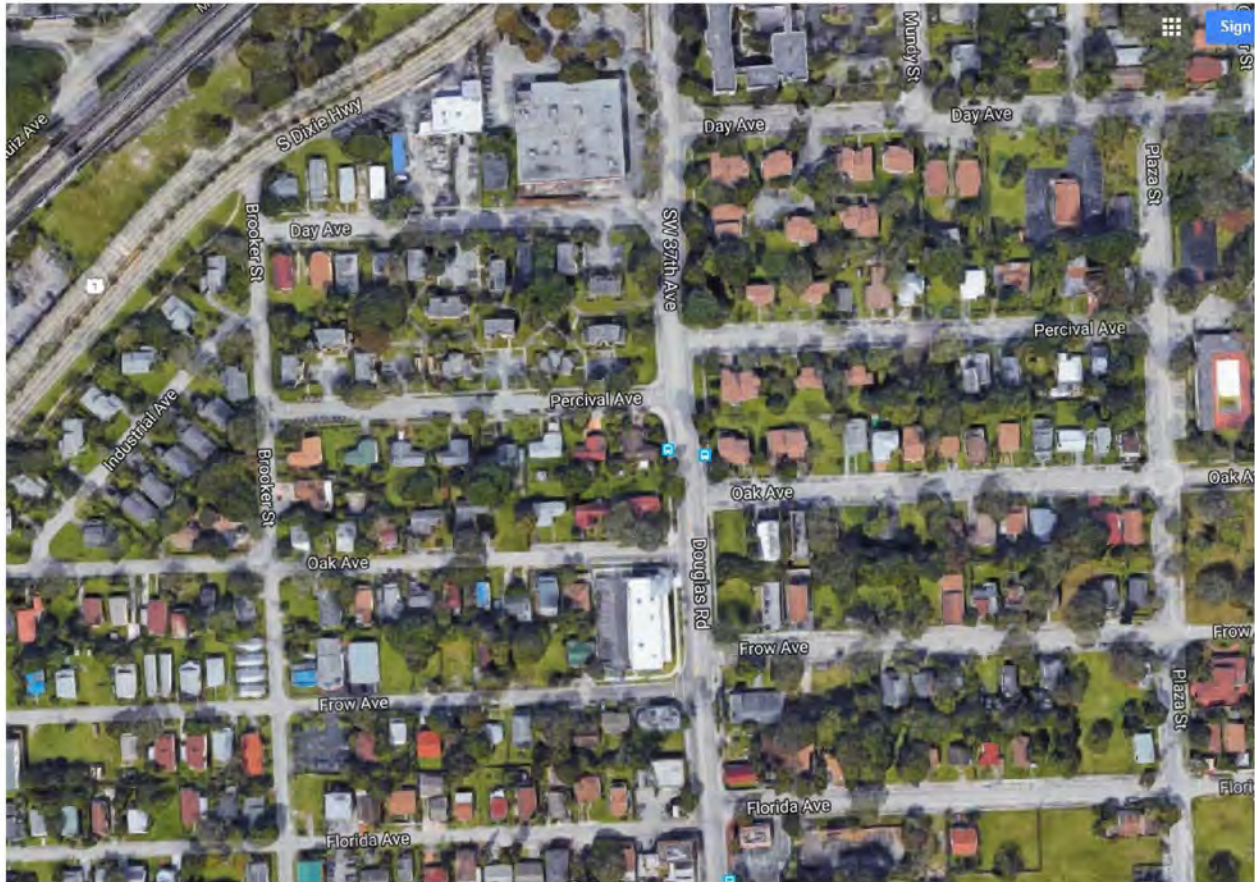
EXHIBIT 3-21 DEPICTION OF DIXIE HIGHWAY



Source: Google Maps

There are a number of streets in the district that provide inefficient layout and travel access through the area. An example is illustrated in Exhibit 3-22 which depicts the facts that many streets do not flow through the area. Examples are Day, Percival, Oak, Frow and Florida Avenues which a driver must make two 90 degree turns to travel down the street.

**EXHIBIT 3-22
AERIAL PHOTOGRAPH OF STREET LAYOUT**



Source: Google Maps

Public Transit is provided through six Miami-Dade Transit System fixed routes that serve the area. In addition, the Miami Trolley and the Metrorail system also serve West Grove. The Route maps for the Transit systems are found in Appendix A.

(b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

Data from the Miami-Dade County Property Appraiser’s Office was obtained to examine the change in Taxable Value for the properties located in the proposed CRA area and compare them to the entire City’s experience.

**TABLE 3-1
CHANGE IN TAXABLE VALUES - POTENTIAL CRA AREA AND CITY OF MIAMI**

Value	Potential CRA Expansion Area	City of Miami
2012 Taxable Value	\$359,110,849	\$31,333,834,037
2017 Taxable Value	\$660,060,746	\$49,632,000,000
Rate of Change	83.8%	58.4%

Source: Miami-Dade County Property Appraiser

Although the proposed expansion area has evidenced a significant amount of Taxable Value increase over the past five years, this growth is limited to a handful of properties. Several sites such as Modera (Apartment Building), Sheraton Hotel, Miami Green (Condominium Office) and Aviva (Apartment Building) have accounted for the vast majority of this growth. The rest of the West Grove area has lagged behind the overall growth in the City.

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

The conditions that generate faulty street layout would also contribute to a faulty lot layout. Most of the property is in a grid system with a standard lot layout. The diagonal feature of Dixie Highway does generate some odd shaped lots in the Industrial/Commercial Triangle in the northwest section of the district. The development of commercial properties has not been hindered by this layout.

There is little connectivity between the areas east and west of Dixie Highway. The location of the Metrorail Station in this vicinity negates any issues created by this lack of connectivity.

(d) Unsanitary or unsafe conditions;

The City of Miami Building Code Division has determined that 32 buildings in the potential area are “Unsafe Structures” and have cited these properties for the condition of the buildings. Table 2-1 lists the properties designated as Unsafe Structures.

Another environmental issue exists with the impacts from the closed City of Miami Incinerator property. The site has received remedial actions deigned to clean up the property and remove any hazardous materials. Existing facilities located on the site where the incinerator stood include Arbrister Park and the City of Miami Fire/Rescue Training Facility.

A group of residents have filed a lawsuit against the City of Miami for negative health impacts that they attribute to the old facility. This lawsuit has recently been filed (September 27, 2017) and has not been resolved.

**EXHIBIT 3-23
CITY OF MIAMI FIRE/RESCUE TRAINING FACILITY**



(e) Deterioration of site or other improvements;

Listed in Table 3-2 are the necessary improvements to the infrastructure within the potential area boundaries. These improvements total approximately \$19.6 million.

**TABLE 3-2
INFRASTRUCTURE IMPROVEMENT NEEDS (estimates)**

Item	Quantity	Unit	Cost	Total
Install Sidewalk	31,402	SY	\$75	\$ 2,355,150
Install Curb and Gutter	56,524	LF	\$35	\$ 1,978,340
Install Drainage	29,762	LF	\$75	\$ 2,232,150
Structures	200	EA	\$5,000	\$ 1,000,000
Roadway Restoration	125,610	SY	\$60	\$ 7,536,600
Design and Contingency 30%				\$ 4,530,672
TOTAL IMPROVEMENTS				\$19,632,912

Source: Florida Technical Consultants

(f) Inadequate and outdated building density patterns;

Density patterns can be measured by the amount of developed acres of land or by the amount of population per square mile. The City of Miami covers approximately 35.87 square miles within its boundaries. Based on a population of 444,777, the density of persons per acre in the City of Miami is 19.37.

For the potential CRA expansion area, the population of 5,284 lives within approximately 960 acres for a density of 5.50 persons per acre.

(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

Lease rates have not been declining and are generally on a par with other similar areas of the City of Miami. Three data sources were used to determine the lease rates and the real estate activity in the area. These sources are:

- Trulia.com
- MLS
- Loop.net

Additionally, the information was verified through field investigation.

(h) Tax or special assessment delinquency exceeding the fair value of the land;

The Miami-Dade Tax Collectors Office is the source of the Tax Delinquency figures for all of Miami-Dade County including the potential area. Data representing the tax delinquencies for the past year were acquired and analyzed for this study.

One of the questions regarding the designation of blight is if the area has property with tax delinquencies that exceed the fair value of the properties within the boundary. The analysis indicates that there are only a few delinquent tax files in the area.

(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;

Overall, there are relatively few vacancies in the potential area and these rates are not more extensive than through the remainder of Miami-Dade County. Three data sources were used to determine the vacancy rates and the Real Estate activity in the area. These sources are:

- Trulia.com
- MLS
- Loop.net

Additionally, the information was verified through field investigation.

(j) Incidence of crime in the area higher than in the remainder of the county or municipality;

Crime data was obtained from the City of Miami Police Department who maintains statistics for municipal boundary. Data from Part 1 and Part 2 crimes that encompass the potential CRA expansion as well as the entire City were obtained to determine the incidence of crime.

For the past year, the total number of Emergency and Priority calls for the potential CRA area was derived from the posted statistics. To better compare these numbers, they were divided by the population to arrive at a per capital figure of calls per one thousand population. Table 3-43 provides the analysis.

**TABLE 3-3
POLICE CALLS PER CAPITA**

Area	Police Calls	Population	Calls/1,000
Proposed CRA Expansion Area	7,689	5,284	1,460.68
City of Miami	102,320	444,777	230.07

Source: City of Miami Police Department

(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

A review of the data from the City of Miami Fire Rescue Department reveals that in 2016, the proposed expansion area had a total of 2,117 calls for fire and emergency service. Based on the population of 5,284, this equates to 400.64 calls per one thousand population. For the entire service area of the City of Miami Fire/Rescue Department during the same time, the population of 444,777 generated 100,583 calls for fire service, which is 226.14 calls per one thousand population.

(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;

The City of Miami Code Enforcement Division is responsible for overseeing the monitoring and enforcement of the Building Codes and other regulations regarding the use of property. Data for the past year was obtained and reviewed to assess the number of Code violations within the potential CRA expansion boundary and the total for the City of Miami.

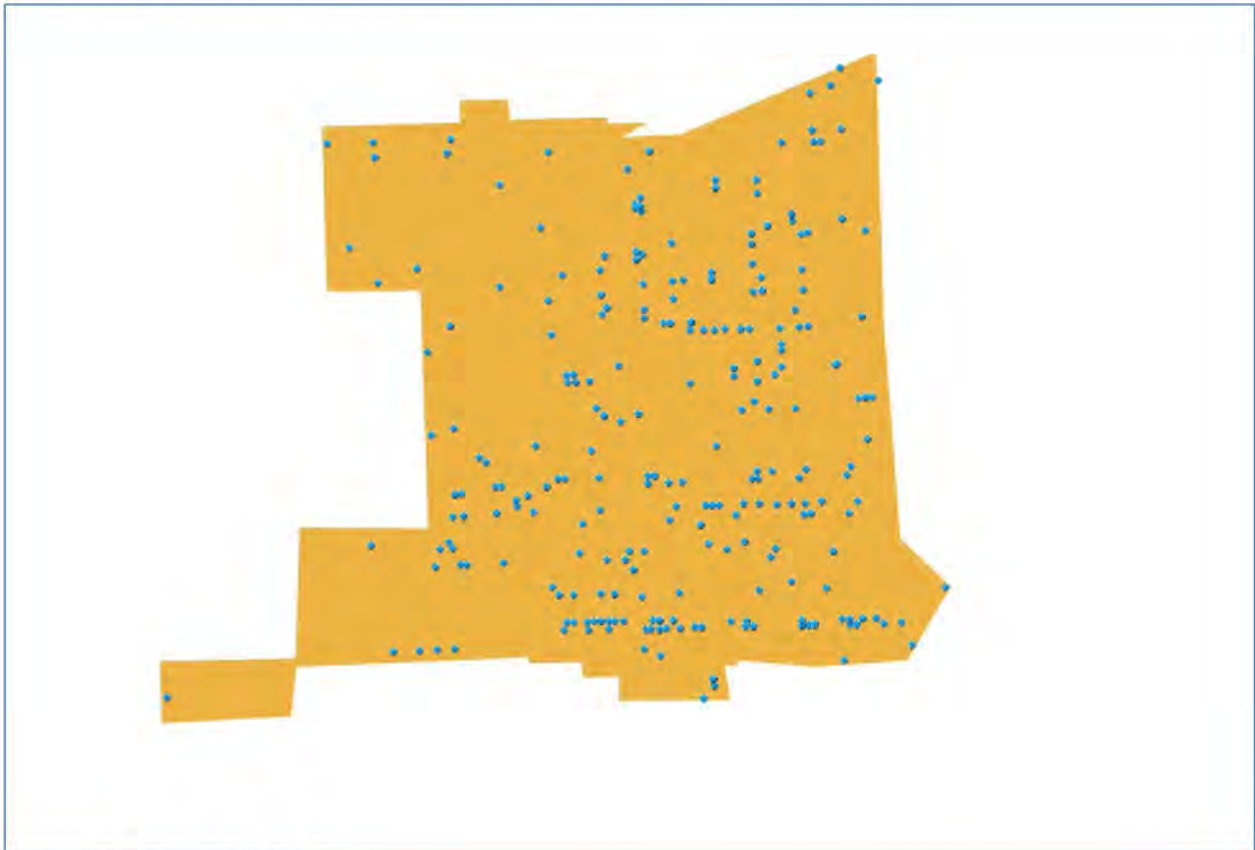
Table 3-4 lists the figures and analysis for the Code violations in the area. Exhibit 3-24 is a graphic representation of the number of violations in the area.

**TABLE 3-4
CODE VIOLATION**

Area	Violations	Buildings	Percentage of Parcels
Proposed CRA Expansion Area	393	1,556	25.3%
City of Miami	17,924	250,215	7.2%

Source: City of Miami Code Enforcement

**EXHIBIT 3-24
ILLUSTRATION OF DISTRIBUTION OF CODE VIOLATIONS**



Source: City of Miami

(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area,

Currently there are 261 Vacant Parcels in the proposed district. Most of these properties are designated for Single Family Residential use. The ownership of these parcels is diverse and does not provide an apparent opportunity to assemble properties.

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity,

An environmental issue exists with the impacts from the closed City of Miami Incinerator property. The site has received remedial actions designed to clean up the property and remove any hazardous materials. Existing facilities located on the site where the incinerator stood include Arbrister Park and the City of Miami Fire/Rescue Training Facility.

A group of residents have filed a lawsuit against the City of Miami for negative health impacts that they attribute to the old facility. This lawsuit has recently been filed (September 27, 2017) and has not been resolved.

3.3 RESULTS OF ANALYSIS

The proposed area meets the following criteria of section 163.340(8) of the State Statutes.

- Deteriorated Structures
- Section a, Inadequate street layout
- Section d, Unsanitary or unsafe conditions
- Section e, Deterioration of site or other improvements
- Section j, Incidence of crime in the area higher
- Section k, Fire and emergency medical service calls to the area proportionately higher
- Section l, A greater number of violations of the Florida Building Code
- Section m, Diversity of ownership or defective/unusual conditions of title
- Section n, Governmentally owned property with adverse environmental conditions

SECTION 4 PUBLIC INPUT

A Public Input meeting was held on Saturday October 7, 2017 at 8:00 AM at Greater St. Paul's AME Church in West Grove. The meeting was conducted as part of the regular Ministerial Alliance monthly community input session.

A total of 56 persons attended the meeting and contributed to the discussion regarding the potential CRA and the needs of the community. The Consultant Team defined the process and discussed preliminary findings of the FON.

A second session was held at the regular Homeowners and Tenants Association (HOATA) meeting on October 23, 2017 at 6:30 PM. The discussion also revolved around the process for expanding the OMNI CRA and the needs of the community.

**SECTION 5
SUMMARY AND RECOMMENDATIONS**

5.1 SUMMARY

Sections 2 and 3 of this report identify the criteria for designation as “slum” and “blight” based on Florida Statutes. Each of the criteria was examined individually to assess the conditions and determine if the requirements under State law has been satisfied. Tables 5-1 and 5-2 the criteria for slum and blight found in the potential area.

**TABLE 5-1
SLUM CRITERIA**

Criteria	Description	Finding
(a)	Inadequate provision for ventilation, light, air, sanitation, or open spaces	Meets criteria
(b)	High density of population	Does not meet criteria
(c)	The existence of conditions that endanger life or property by fire or other causes	Meets criteria

**TABLE 5-2
BLIGHT CRITERIA**

Criteria	Description	Finding
Deteriorated Strictures		Meets criteria
(a)	Predominance of defective or inadequate street layout	Meets criteria
(b)	Assessed values of real property in the area have failed to show any appreciable increase	Does not meet criteria
(c)	Faulty lot layout	Does not meet criteria
(d)	Unsanitary or unsafe conditions	Meets criteria
(e)	Deterioration of site or other improvements	Meets criteria
(f)	Inadequate and outdated building density patterns	Does not meet criteria
(g)	Falling lease rates per square foot of office, commercial, or industrial space	Does not meet criteria
(h)	Tax or special assessment delinquency exceeding the fair value of the land	Does not meet criteria
(i)	Residential and commercial vacancy rates higher in the area than in the remainder of the City	Does not meet criteria
(j)	Incidence of crime in the area higher	Meets criteria
(k)	Fire and emergency medical service calls to the area proportionately higher	Meets criteria
(l)	A greater number of violations of the Florida Building Code	Meets criteria
(m)	Diversity of ownership or defective/unusual conditions of title	Meets criteria
(n)	Governmentally owned property with adverse environmental conditions	Meets criteria

This summary notes that the potential area meets two of the three of the “Slum” criteria and 8 of the 14 specific “Blight” criteria. In addition, the potential area has a substantial number of deteriorated structures as evidenced by Exhibits 2-1 through 2-6, and 3-1 through 3-20.

5.2 RECOMMENDATIONS

The potential CRA expansion area of West Grove meets the criteria established under State Statutes to be designated as “slum” and “blight”. The area meets two of the three of the criteria to be designated as slum (one is required), and eight of the criteria to be designated as “blight” (only two are required). The area also meets the “blight” requirement of existence of deteriorated structures.

It is recommended that the City Commission approve the Finding of Necessity for the OMNI CRA expansion to include West Grove, as expressed in Exhibit 1-2.

APPENDIX A
PUBLIC TRANSIT OPTIONS

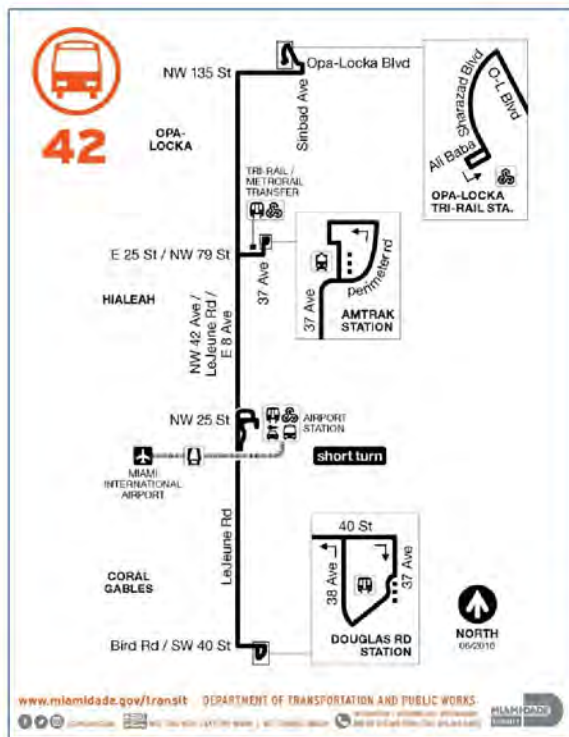
PUBLIC TRANSIT OPTIONS WEST GROVE



Route 37 Map



Route 40 Map



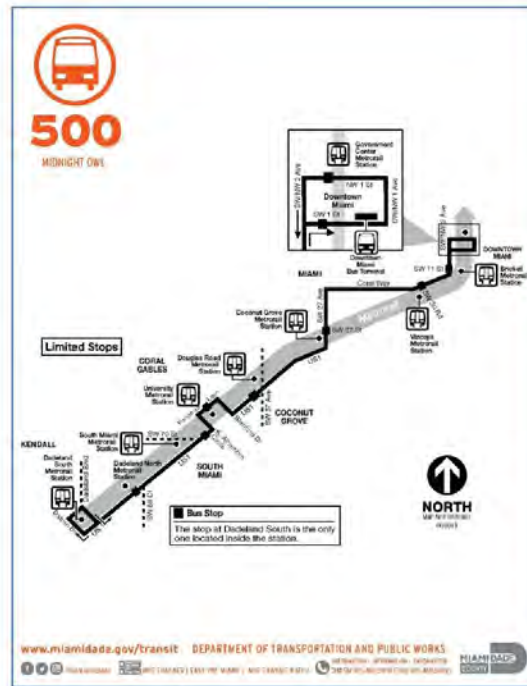
Route 42 Map



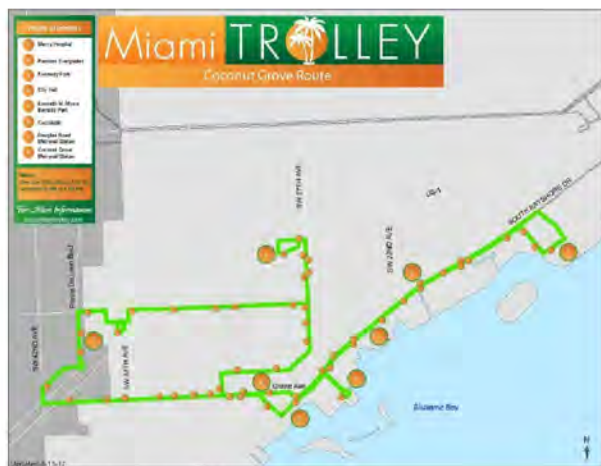
Route 136 Map



Route 249 Map



Route 500 Map



Miami Trolley Route Map



Metrorail Map

City of Miami, Florida

ARTHUR NORIEGA V
CITY MANAGER



P.O. BOX 330708
MIAMI, FLORIDA 33233-0708
(305) 250-5400
FAX (305) 250-5410

June 22, 2020

Jorge Fernandez, Budget Coordinator
Office of Management and Budget
Stephen P. Clark Center
111 NW 1st Street 22nd Floor
Miami, Florida 33128-2241

Re: Creation of the West Grove Community Redevelopment Agency

Dear Mr. Fernandez,

Pursuant to Miami City Commission Resolution R-20-0131, I am submitting for your consideration a Finding of Necessity (FON) Report for the Creation of the West Grove Community Redevelopment Agency (CRA). The City is requesting the creation of a new CRA in the West Grove Neighborhood and withdrawing its request to expand the boundaries of the Omni CRA. The boundaries and the findings of the new CRA are identical to those sent to you in April 2018. The area meets two of the three criteria for a slum designation and eight of fourteen criteria for blight designation as described in Chapter 163, Florida Statutes as before.

City Commission voted unanimously to approve the creation of the new CRA within the West Grove on April 23, 2020. The City Commission Meeting marked agenda showing Adoption of the Item (RE.7) on page 20 is attached to this letter in addition to the FON Report.

Please reach out to me to let me know what the next steps of the City should be in this endeavor. Should you have any questions, please contact me at (305) 416-1500.

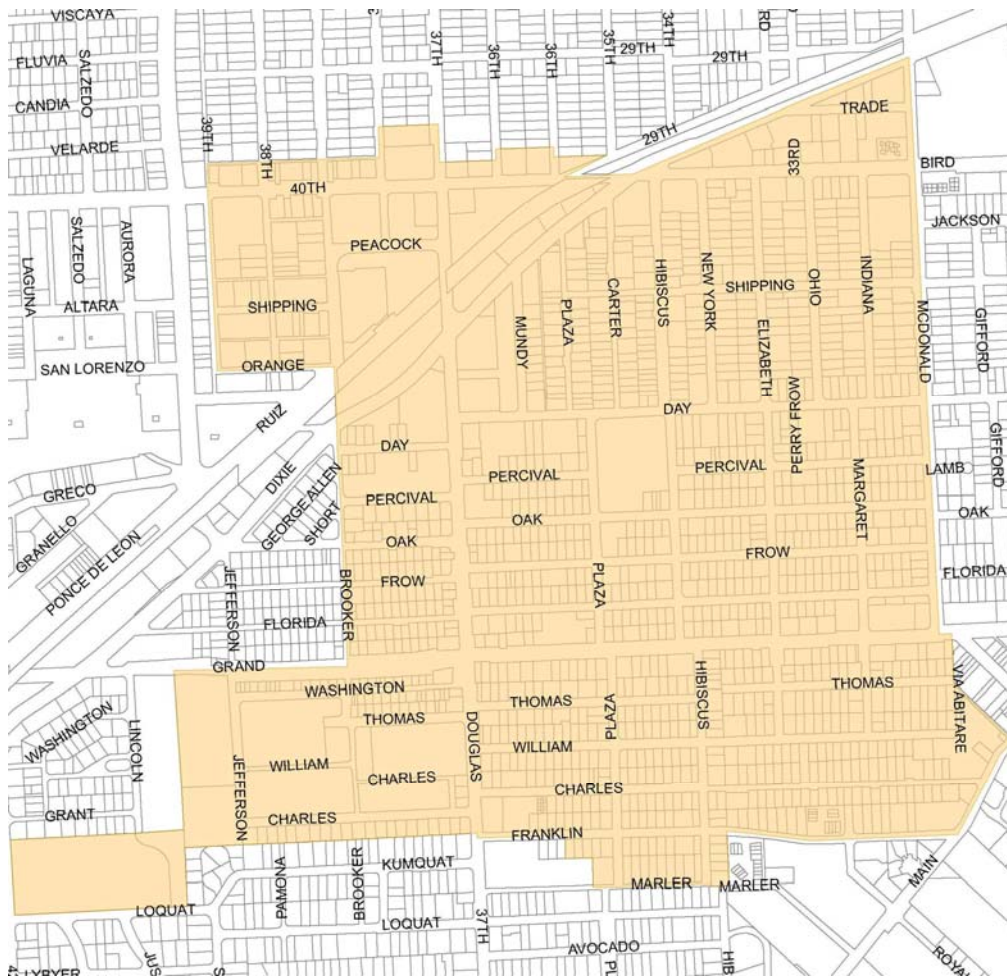
Sincerely,

Christopher M. Rose, Director
Office of Management and Budget

Attachments

CITY OF MIAMI PROPOSED CRA WEST GROVE AREA FINDING OF NECESSITY (FON)

October, 2017



PMG Associates, Inc.

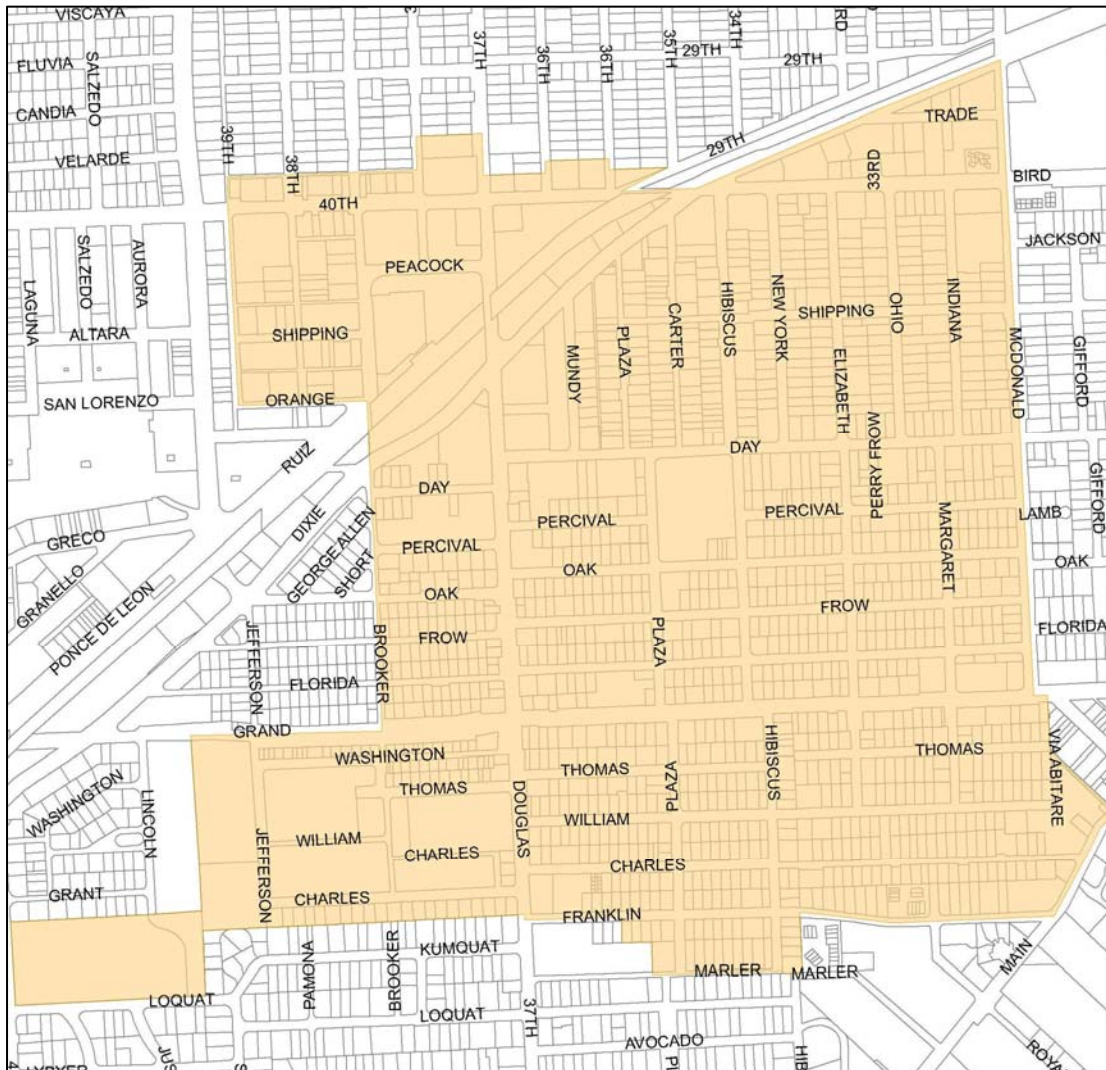
SECTION 1 INTRODUCTION

1.1 HISTORY AND PURPOSE

This document represents the analysis of the Finding of Necessity (FON) for the establishment of the West Grove Community Redevelopment Area (CRA) in the City of Miami. This agency is proposed to better serve the community and to further address the concerns of the neighborhood.

Exhibit 1-1 provides the boundaries of the proposed West Grove area. The West Grove area is approximately 960 acres and contains 1,828 parcels. The proposed CRA is generally the area east of the Dixie Highway, south of the Bird Road, west of McDonald Street, and north of Franklin/Marler Avenues. An additional triangular portion of the district is west of Dixie Highway bordered on the west by 39 Street.

EXHIBIT 1-1 – PROPOSED WEST GROVE BOUNDARY MAP



Source: City of Miami

Land uses in the area are predominantly Residential (66.9%) with a notable amount of Vacant Residential parcels (11.1%). Commercial/Industrial properties are represented by 6.7% of the total number of parcels. An inventory of the 1,828 parcels is provided in Table 1-1.

**TABLE 1-1
NUMBER OF LAND PARCELS IN WEST GROVE AREA**

Land Use	Number of Parcels
Commercial Condo	38
Commercial	71
Common Area/Park	2
Condominium	412
Duplex	145
Governmental	58
Industrial	13
Institutional	40
Multi Family	61
Parking	12
Reference	89
Single Family	605
Townhouse	20
Utilities	1
Vacant Commercial	54
Vacant Industrial	4
Vacant Land (Condo)	2
Vacant Residential - MF	12
Vacant Residential - SF	189
Total	1,828

Source: Miami-Dade County Property Appraiser

The population of West Grove is estimated at 5,284 in 2017. There are 2,554 dwelling units in the area. The entire City of Miami maintains a population of 444,777 within 205,175 dwelling units. Other facilities in the study area include:

Parks

- Elizabeth Virrick Park
- Ambrister Park
- Coconut Grove Mini Park AKA Billie Rolle Domino Park
- Charlotte Jane Memorial Park (Cemetery)

Schools

- Francis Tucker Elementary
- St Albans Child Enrichment Center
- Coconut Grove Montessori School
- George Washington Carver High School

Government Buildings

- Miami Dade Human Services
- Miami Dade Water and Sewer Facility
- Miami Dade WASD offices
- Coconut Grove Playhouse
- US Postal Service
- City of Miami Fire/Rescue Training Center

1.2 METHODOLOGY

Consistent with State Law, the Finding of Necessity examines the character of the area and measures statistics and other documentation to determine if the conditions of slum and blight have been met, as described in Florida Statutes 163. Part III section 163.340 (7)(8). This analysis will examine each of the criteria and determine if the proposed area meets these conditions.

The analysis of the conditions that exist in the proposed CRA area was conducted using data available from documented sources throughout the community. Agencies within the City of Miami and Miami-Dade County were contacted and data was supplied to examine the characteristics of the community. Additional research was conducted through field observations and photographic evidence to underscore the findings.

Each of the criteria as established by State Law will be discussed separately and the data sources used for the analysis will be described in each section.

1.3 LEGAL REQUIREMENTS

The requirements of the FON are established in Section 163.340 of the Florida Statutes and are described as follows:

Slum Determination 163.340 (7)

“Slum area” is defined as an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:

- (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
- (c) The existence of conditions that endanger life or property by fire or other causes.

Blight Determination 163.340 (8)

“Blighted Area” is defined as an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

**SECTION 2
SLUM CONDITIONS**

2.1 ANALYSIS OF SLUM CONDITIONS

The conditions that define “Slum” as outlined in Florida State Statues 163.340(7) in the potential CRA area are found in the following factors. In order for a proposed CRA area to qualify as having slum conditions, the area must have at least one of three factors.

(a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;

The conditions of inadequate housing can be categorized through the determination of “Unsafe Structures” as determined by the Florida Building Code. Data collected from the City of Miami reveals that the proposed CRA area has 32 “Unsafe Structures” designated within its borders. These citations cover the full range of conditions including inadequate ventilation, substandard housing and improper maintenance of the buildings. These 32 structures represent 2.2% of all structures in the district.

City-wide, Miami has 1,328 cases of Unsafe Structures which represents .65% of the total number of structures in the City.

The listing of Unsafe Structures is provided in Table 2-1

**TABLE 2-1
LISTING OF UNSAFE STRUCTURES BY ADDRESS**

3087 Ohio Street	3401 Grand Avenue	3574 William Avenue
3091 Plaza Street	3410 Hibiscus Street	3575 Thomas Avenue
3174 Elizabeth Street	3412 Florida Avenue	3606 Thomas Avenue
3200 Thomas Avenue	3425 Jefferson Street	3620 Thomas Avenue
3242 Charles Avenue	3432 Grand Avenue	3631 Thomas Avenue
3341 Florida Avenue	3437 Elizabeth Street	3649 Thomas Avenue
3364 Grand Avenue	3460 Florida Avenue	3658 Thomas Avenue
3375 Grand Avenue	3490 Main Highway	3678 William Avenue
3383 Thomas Avenue	3500 Main Highway	3758 Frow Avenue
3389 Charles Avenue	3506 Florida Avenue	3804 Florida Avenue
3400 Florida Avenue	3520 Grand Avenue	

Examples of Unsafe Structures



Exhibit 2-1, 3174 Elizabeth Street



Exhibit 2-2, 3658 Thomas Street



Exhibit 2-3, 3410 Hibiscus Street



Exhibit 2-4, 3490 Main Highway



Exhibit 2-5, 3412 Florida Avenue



Exhibit 2-6, Coconut Grove Playhouse

(b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code.

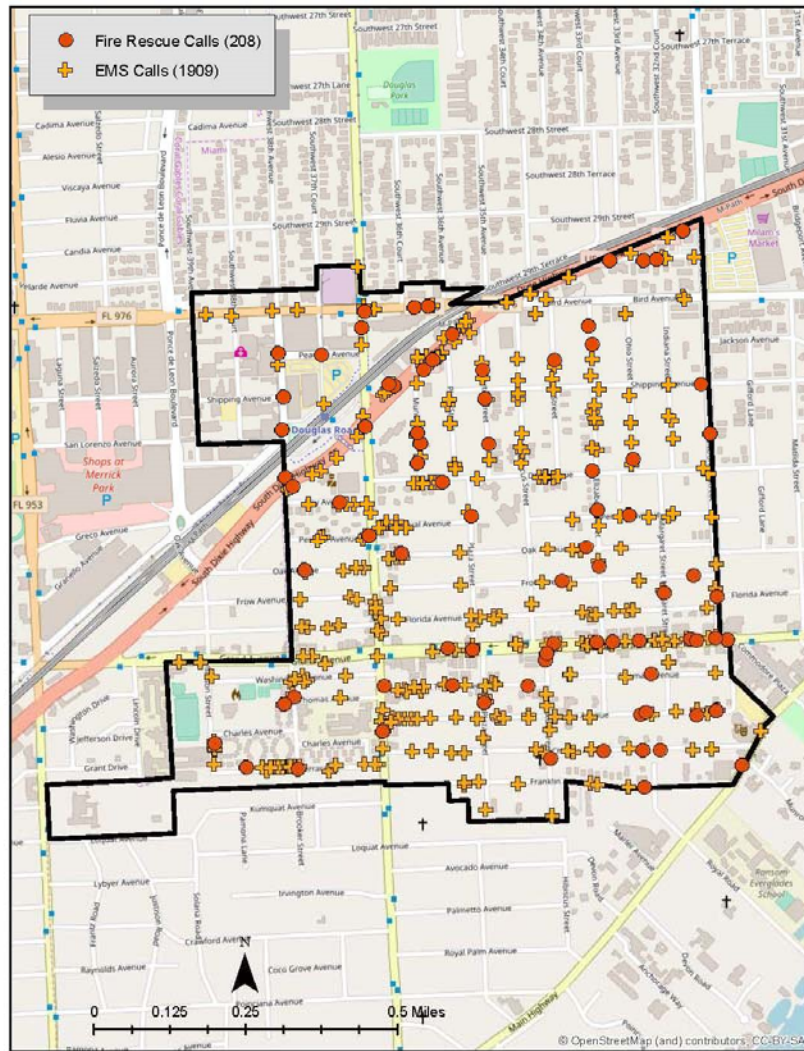
Density patterns can be measured by the amount of developed acres of land or by the amount of population per square mile. The City of Miami covers approximately 35.87 square miles within its boundaries. Based on a population of 444,777, the density of persons per acre in the City of Miami is 19.37.

For the potential CRA area, the population of 5,284 lives within approximately 960 acres for a density of 5.50 persons per acre.

(c) The existence of conditions that endanger life or property by fire or other causes.

A review of the data from the City of Miami Fire Rescue Department reveals that in 2016, the proposed CRA area had a total of 2,117 calls for fire and emergency service. Based on the population of 5,284, this equates to 400.64 calls per one thousand population. For the entire service area of the City of Miami Fire Rescue during the same time, the population of 444,777 generated 100,583 calls for fire service, which is 226.14 calls per one thousand population.

EXHIBIT 2-1 DISTRIBUTION OF FIRE/RESCUE CALLS



2.2 RESULTS OF ANALYSIS

The proposed area meets criteria (a) and (c) of section 163.340(7) of the State Statutes.

SECTION 3 BLIGHT CONDITIONS

3.1 ANALYSIS OF BLIGHT CONDITIONS

The requirements under State Statutes 163.340(8) for designation as “Blighted” note that the area must have a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property.

One method of illustrating “Blight” is through photographic evidence. Field observations were used to examine the area and photographs were taken of the conditions. Exhibits 3-1 through 3-20 are a representative sample of the conditions in the area.

Deteriorated Residential



Exhibit 3-1



Exhibit 3-2



Exhibit 3-3



Exhibit 3-4

Deteriorated Mixed Use



Exhibit 3-5

Deteriorated Commercial



Exhibit 3-6

Deteriorated Fences



Exhibit 3-7

Deteriorated Drainage



Exhibit 3-8



Exhibit 3-9



Exhibit 3-10



Exhibit 3-11

Deteriorated Driveways



Exhibit 3-12



Exhibit 3-13



Exhibit 3-14

Deteriorated Roadways



Exhibit 3-15



Exhibit 3-16

Deteriorated/Absent Sidewalks



Exhibit 3-17



Exhibit 3-18



Exhibit 3-19



Exhibit 3-20

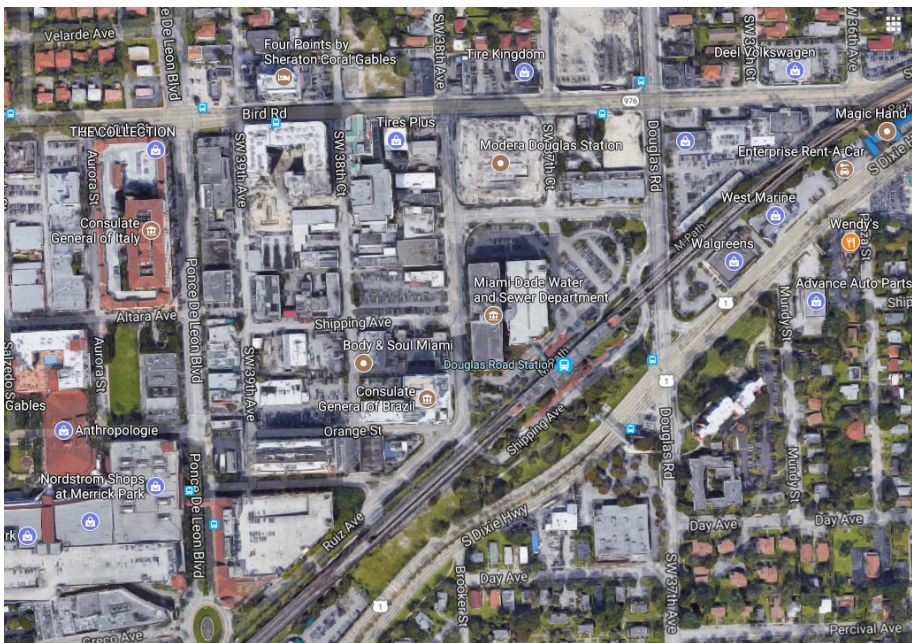
3.2 Blight Criteria Analysis (Must meet 2 of the 14 items)

Each of the 14 criteria will be examined in this section.

(a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

For economic purposes, the street layout should enable customers to reach businesses easily and for trade among business to be conducted directly and efficiently. The most significant roadway is Dixie Highway which bisects the district. The diagonal nature of the road separates the commercial properties from the east and the west side of the Highway.

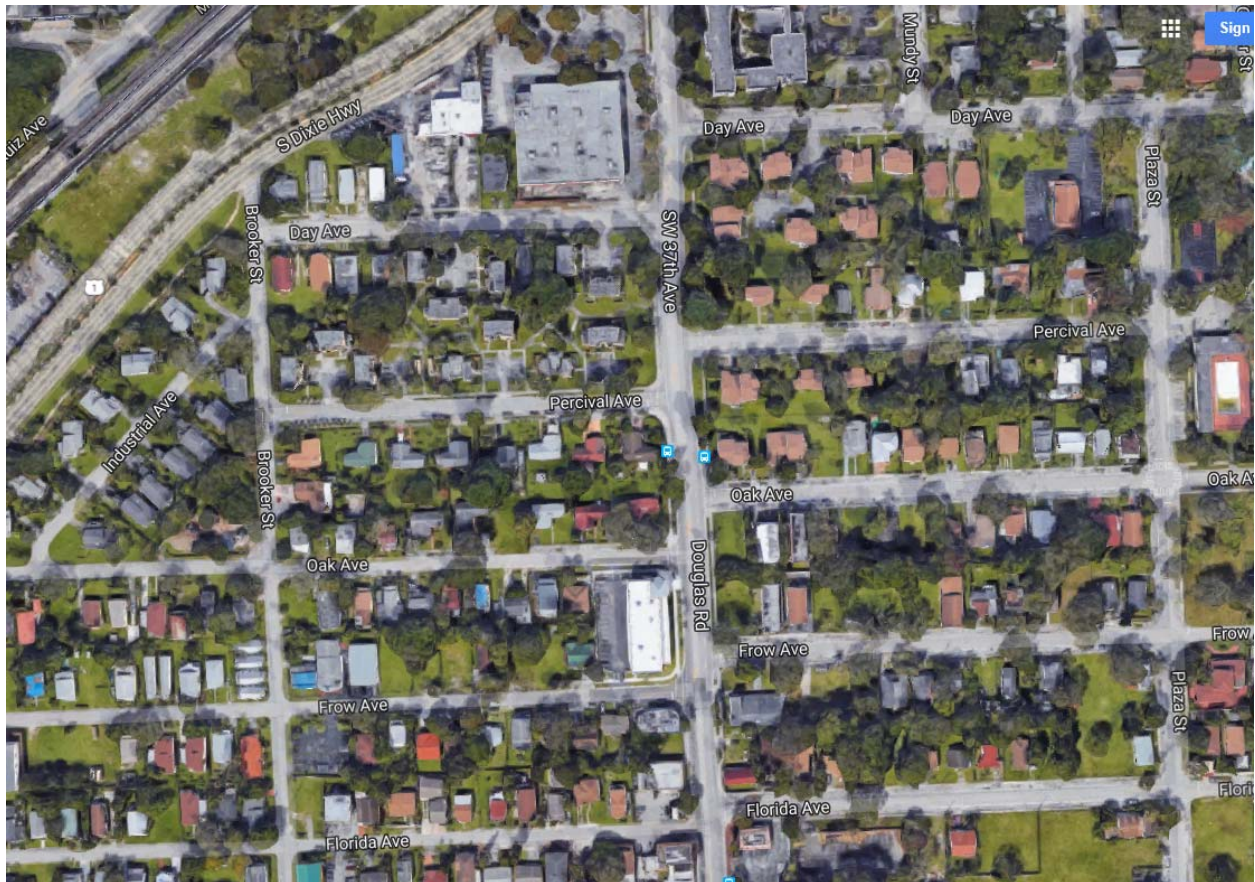
EXHIBIT 3-21 DEPICTION OF DIXIE HIGHWAY



Source: Google Maps

There are a number of streets in the district that provide inefficient layout and travel access through the area. An example is illustrated in Exhibit 3-22 which depicts the facts that many streets do not flow through the area. Examples are Day, Percival, Oak, Frow and Florida Avenues which a driver must make two 90 degree turns to travel down the street.

**EXHIBIT 3-22
AERIAL PHOTOGRAPH OF STREET LAYOUT**



Source: Google Maps

Public Transit is provided through six Miami-Dade Transit System fixed routes that serve the area. In addition, the Miami Trolley and the Metrorail system also serve West Grove. The Route maps for the Transit systems are found in Appendix A.

(b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

Data from the Miami-Dade County Property Appraiser’s Office was obtained to examine the change in Taxable Value for the properties located in the proposed CRA area and compare them to the entire City’s experience.

**TABLE 3-1
CHANGE IN TAXABLE VALUES - POTENTIAL CRA AREA AND CITY OF MIAMI**

Value	Potential CRA Area	City of Miami
2012 Taxable Value	\$359,110,849	\$31,333,834,037
2017 Taxable Value	\$660,060,746	\$49,632,000,000
Rate of Change	83.8%	58.4%

Source: Miami-Dade County Property Appraiser

Although the proposed CRA area has evidenced a significant amount of Taxable Value increase over the past five years, this growth is limited to a handful of properties. Several sites such as Modera (Apartment Building), Sheraton Hotel, Miami Green (Condominium Office) and Aviva (Apartment Building) have accounted for the vast majority of this growth. The rest of the West Grove area has lagged behind the overall growth in the City.

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

The conditions that generate faulty street layout would also contribute to a faulty lot layout. Most of the property is in a grid system with a standard lot layout. The diagonal feature of Dixie Highway does generate some odd shaped lots in the Industrial/Commercial Triangle in the northwest section of the district. The development of commercial properties has not been hindered by this layout.

There is little connectivity between the areas east and west of Dixie Highway. The location of the Metrorail Station in this vicinity negates any issues created by this lack of connectivity.

(d) Unsanitary or unsafe conditions;

The City of Miami Building Code Division has determined that 32 buildings in the potential area are “Unsafe Structures” and have cited these properties for the condition of the buildings. Table 2-1 lists the properties designated as Unsafe Structures.

Another environmental issue exists with the impacts from the closed City of Miami Incinerator property. The site has received remedial actions deigned to clean up the property and remove any hazardous materials. Existing facilities located on the site where the incinerator stood include Arbrister Park and the City of Miami Fire/Rescue Training Facility.

A group of residents have filed a lawsuit against the City of Miami for negative health impacts that they attribute to the old facility. This lawsuit has been filed (September 27, 2017) and has not been resolved.

**EXHIBIT 3-23
CITY OF MIAMI FIRE/RESCUE TRAINING FACILITY**



(e) Deterioration of site or other improvements;

Listed in Table 3-2 are the necessary improvements to the infrastructure within the potential area boundaries. These improvements total approximately \$19.6 million.

**TABLE 3-2
INFRASTRUCTURE IMPROVEMENT NEEDS (estimates)**

Item	Quantity	Unit	Cost	Total
Install Sidewalk	31,402	SY	\$75	\$ 2,355,150
Install Curb and Gutter	56,524	LF	\$35	\$ 1,978,340
Install Drainage	29,762	LF	\$75	\$ 2,232,150
Structures	200	EA	\$5,000	\$ 1,000,000
Roadway Restoration	125,610	SY	\$60	\$ 7,536,600
Design and Contingency 30%				\$ 4,530,672
TOTAL IMPROVEMENTS				\$19,632,912

Source: Florida Technical Consultants

(f) Inadequate and outdated building density patterns;

Density patterns can be measured by the amount of developed acres of land or by the amount of population per square mile. The City of Miami covers approximately 35.87 square miles within its boundaries. Based on a population of 444,777, the density of persons per acre in the City of Miami is 19.37.

For the potential CRA area, the population of 5,284 lives within approximately 960 acres for a density of 5.50 persons per acre.

(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

Lease rates have not been declining and are generally on a par with other similar areas of the City of Miami. Three data sources were used to determine the lease rates and the real estate activity in the area. These sources are:

- Trulia.com
- MLS
- Loop.net

Additionally, the information was verified through field investigation.

(h) Tax or special assessment delinquency exceeding the fair value of the land;

The Miami-Dade Tax Collectors Office is the source of the Tax Delinquency figures for all of Miami-Dade County including the potential area. Data representing the tax delinquencies for the past year were acquired and analyzed for this study.

One of the questions regarding the designation of blight is if the area has property with tax delinquencies that exceed the fair value of the properties within the boundary. The analysis indicates that there are only a few delinquent tax files in the area.

(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;

Overall, there are relatively few vacancies in the potential area and these rates are not more extensive than through the remainder of Miami-Dade County. Three data sources were used to determine the vacancy rates and the Real Estate activity in the area. These sources are:

- Trulia.com
- MLS
- Loop.net

Additionally, the information was verified through field investigation.

(j) Incidence of crime in the area higher than in the remainder of the county or municipality;

Crime data was obtained from the City of Miami Police Department who maintains statistics for municipal boundary. Data from Part 1 and Part 2 crimes that encompass the potential CRA area as well as the entire City were obtained to determine the incidence of crime.

For the past year, the total number of Emergency and Priority calls for the potential CRA area was derived from the posted statistics. To better compare these numbers, they were divided by the population to arrive at a per capital figure of calls per one thousand population. Table 3-4 provides the analysis.

**TABLE 3-3
POLICE CALLS PER CAPITA**

Area	Police Calls	Population	Calls/1,000
Proposed CRA Area	7,689	5,284	1,460.68
City of Miami	102,320	444,777	230.07

Source: City of Miami Police Department

(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

A review of the data from the City of Miami Fire Rescue Department reveals that in 2016, the proposed CRA area had a total of 2,117 calls for fire and emergency service. Based on the population of 5,284, this equates to 400.64 calls per one thousand population. For the entire service area of the City of Miami Fire/Rescue Department during the same time, the population of 444,777 generated 100,583 calls for fire service, which is 226.14 calls per one thousand population.

(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;

The City of Miami Code Enforcement Division is responsible for overseeing the monitoring and enforcement of the Building Codes and other regulations regarding the use of property. Data for the past year was obtained and reviewed to assess the number of Code violations within the potential CRA boundary and the total for the City of Miami.

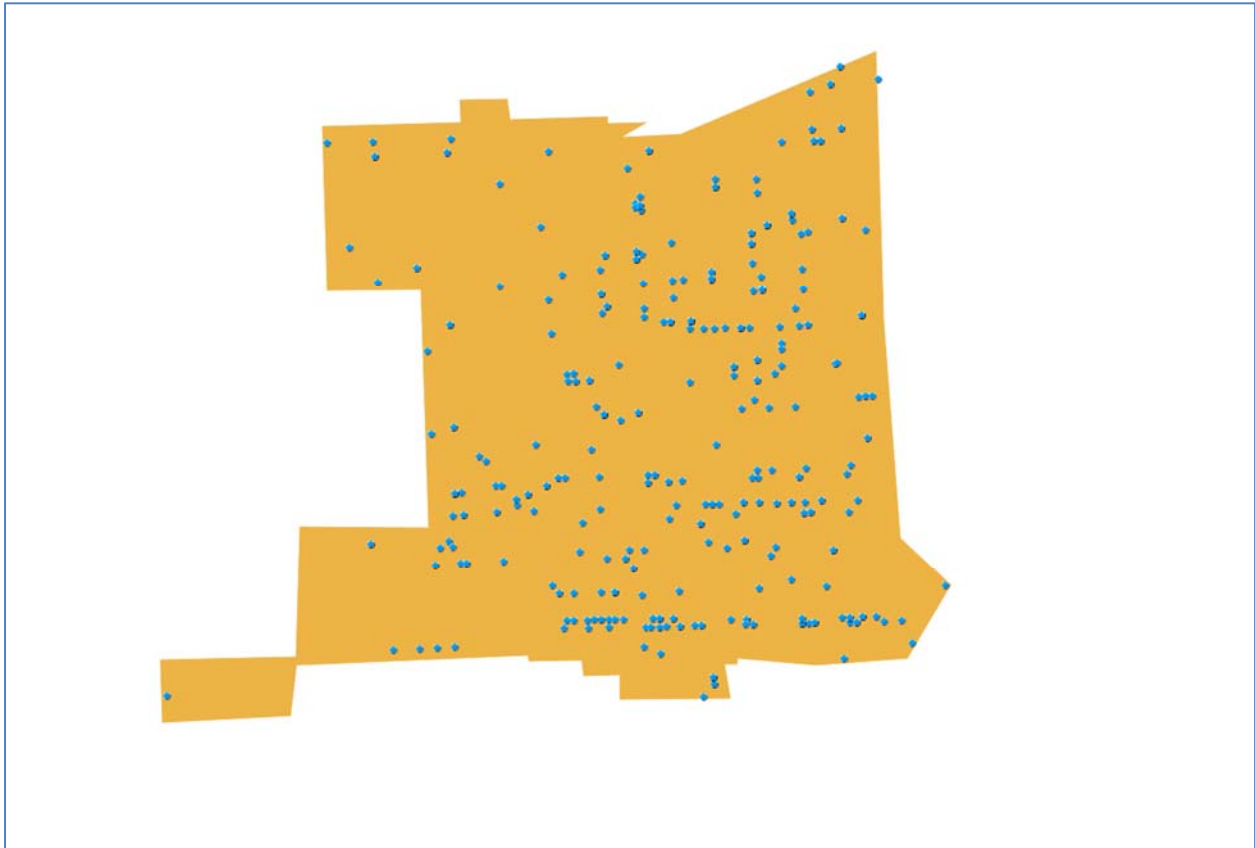
Table 3-4 lists the figures and analysis for the Code violations in the area. Exhibit 3-24 is a graphic representation of the number of violations in the area.

**TABLE 3-4
CODE VIOLATION**

Area	Violations	Buildings	Percentage of Parcels
Proposed CRA Area	393	1,556	25.3%
City of Miami	17,924	250,215	7.2%

Source: City of Miami Code Enforcement

**EXHIBIT 3-24
ILLUSTRATION OF DISTRIBUTION OF CODE VIOLATIONS**



Source: City of Miami

(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area,

Currently there are 261 Vacant Parcels in the proposed district. Most of these properties are designated for Single Family Residential use. The ownership of these parcels is diverse and does not provide an apparent opportunity to assemble properties.

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity,

An environmental issue exists with the impacts from the closed City of Miami Incinerator property. The site has received remedial actions designed to clean up the property and remove any hazardous materials. Existing facilities located on the site where the incinerator stood include Arbrister Park and the City of Miami Fire/Rescue Training Facility.

A group of residents have filed a lawsuit against the City of Miami for negative health impacts that they attribute to the old facility. This lawsuit has been filed (September 27, 2017) and has not been resolved.

3.3 RESULTS OF ANALYSIS

The proposed area meets the following criteria of section 163.340(8) of the State Statutes.

- Deteriorated Structures
- Section a, Inadequate street layout
- Section d, Unsanitary or unsafe conditions
- Section e, Deterioration of site or other improvements
- Section j, Incidence of crime in the area higher
- Section k, Fire and emergency medical service calls to the area proportionately higher
- Section l, A greater number of violations of the Florida Building Code
- Section m, Diversity of ownership or defective/unusual conditions of title
- Section n, Governmentally owned property with adverse environmental conditions

SECTION 4 PUBLIC INPUT

A Public Input meeting was held on Saturday October 7, 2017 at 8:00 AM at Greater St. Paul's AME Church in West Grove. The meeting was conducted as part of the regular Ministerial Alliance monthly community input session.

A total of 56 persons attended the meeting and contributed to the discussion regarding the potential CRA and the needs of the community. The Consultant Team defined the process and discussed preliminary findings of the FON.

A second session was held at the regular Homeowners and Tenants Association (HOATA) meeting on October 23, 2017 at 6:30 PM. The discussion also revolved around the process for establishing the CRA and the needs of the community.

**SECTION 5
SUMMARY AND RECOMMENDATIONS**

5.1 SUMMARY

Sections 2 and 3 of this report identify the criteria for designation as “slum” and “blight” based on Florida Statutes. Each of the criteria was examined individually to assess the conditions and determine if the requirements under State law has been satisfied. Tables 5-1 and 5-2 the criteria for slum and blight found in the potential area.

**TABLE 5-1
SLUM CRITERIA**

Criteria	Description	Finding
(a)	Inadequate provision for ventilation, light, air, sanitation, or open spaces	Meets criteria
(b)	High density of population	Does not meet criteria
(c)	The existence of conditions that endanger life or property by fire or other causes	Meets criteria

**TABLE 5-2
BLIGHT CRITERIA**

Criteria	Description	Finding
Deteriorated Strictures		Meets criteria
(a)	Predominance of defective or inadequate street layout	Meets criteria
(b)	Assessed values of real property in the area have failed to show any appreciable increase	Does not meet criteria
(c)	Faulty lot layout	Does not meet criteria
(d)	Unsanitary or unsafe conditions	Meets criteria
(e)	Deterioration of site or other improvements	Meets criteria
(f)	Inadequate and outdated building density patterns	Does not meet criteria
(g)	Falling lease rates per square foot of office, commercial, or industrial space	Does not meet criteria
(h)	Tax or special assessment delinquency exceeding the fair value of the land	Does not meet criteria
(i)	Residential and commercial vacancy rates higher in the area than in the remainder of the City	Does not meet criteria
(j)	Incidence of crime in the area higher	Meets criteria
(k)	Fire and emergency medical service calls to the area proportionately higher	Meets criteria
(l)	A greater number of violations of the Florida Building Code	Meets criteria
(m)	Diversity of ownership or defective/unusual conditions of title	Meets criteria
(n)	Governmentally owned property with adverse environmental conditions	Meets criteria

This summary notes that the potential area meets two of the three of the “Slum” criteria and 8 of the 14 specific “Blight” criteria. In addition, the potential area has a substantial number of deteriorated structures as evidenced by Exhibits 2-1 through 2-6, and 3-1 through 3-20.

5.2 RECOMMENDATIONS

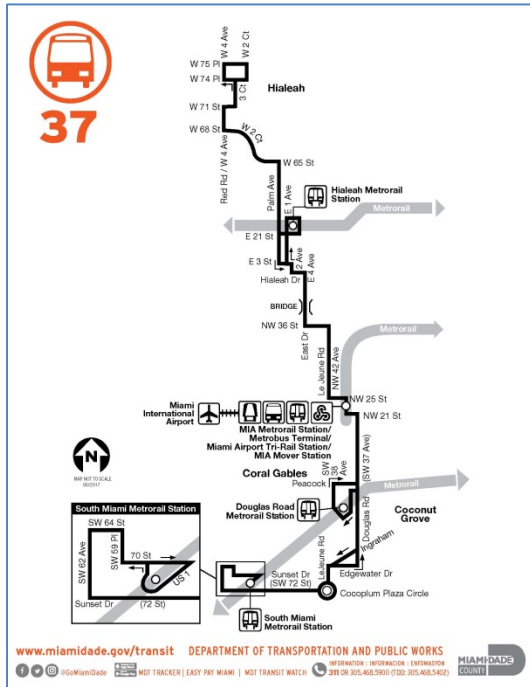
The potential CRA area of West Grove meets the criteria established under State Statutes to be designated as “slum” and “blight”. The area meets two of the three of the criteria to be designated as slum (one is required), and eight of the criteria to be designated as “blight” (only two are required). The area also meets the “blight” requirement of existence of deteriorated structures.

It is recommended that the Finding of Necessity for the West Grove CRA, as expressed in Exhibit 1-1, be approved.

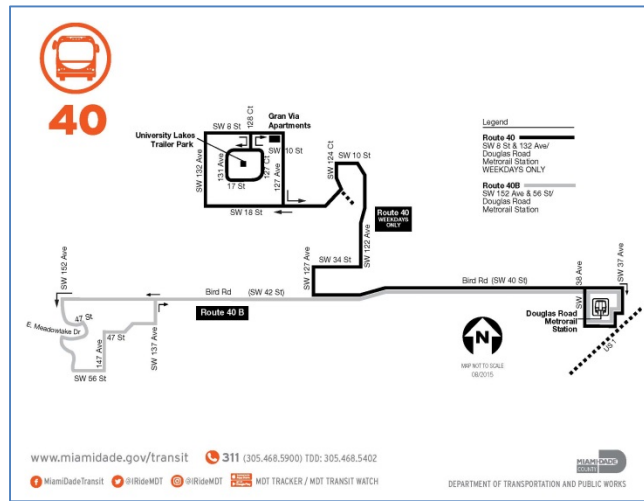
.

APPENDIX A
PUBLIC TRANSIT OPTIONS

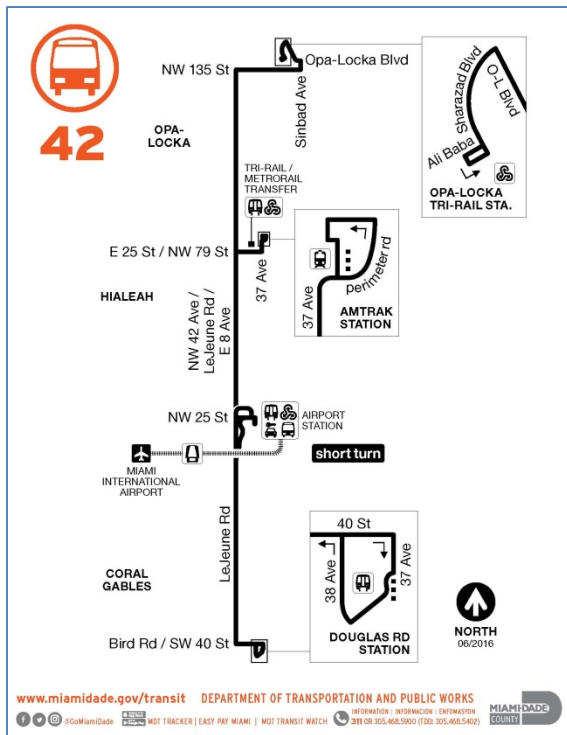
PUBLIC TRANSIT OPTIONS WEST GROVE



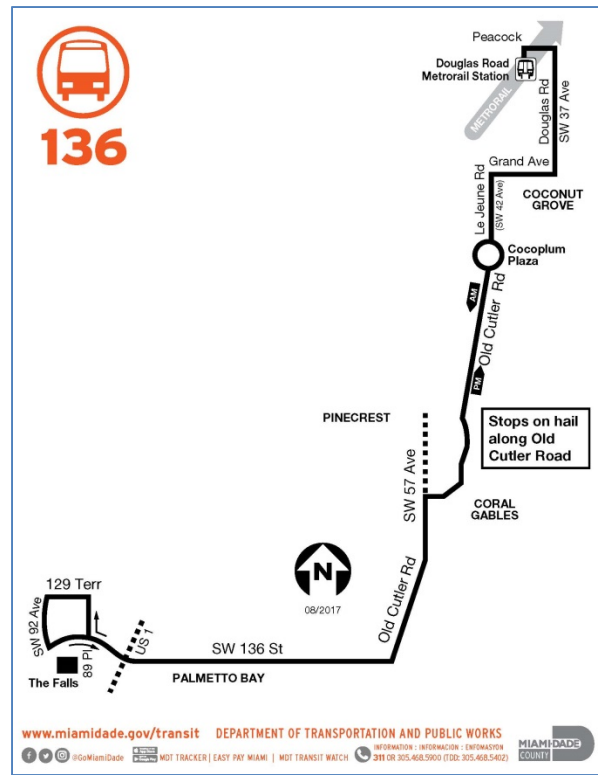
Route 37 Map



Route 40 Map



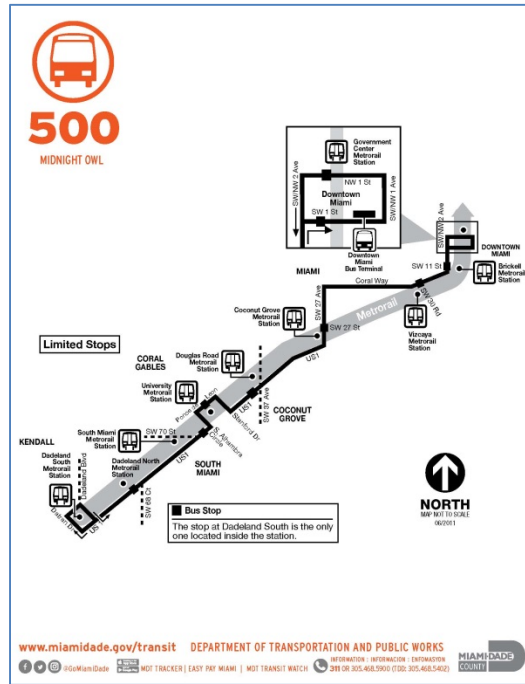
Route 42 Map



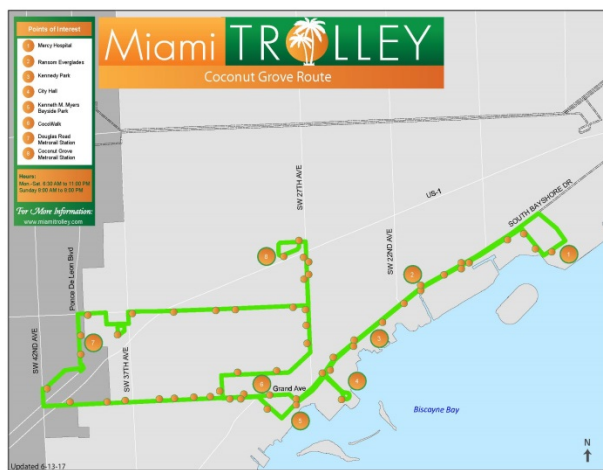
Route 136 Map



Route 249 Map



Route 500 Map



Miami Trolley Route Map



Metrorail Map



City of Miami

Marked Agenda

City Commission

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

Francis X. Suarez, Mayor
Keon Hardemon, Chair, District Five
Ken Russell, Vice Chair, District Two
Alex Diaz de la Portilla, Commissioner, District One
Joe Carollo, Commissioner, District Three
Manolo Reyes, Commissioner, District Four
Arthur Noriega, V, City Manager
Victoria Méndez, City Attorney
Todd B. Hannon, City Clerk

Thursday, April 23, 2020

9:00 AM

City Hall

9:00 AM

INVOCATION AND PLEDGE OF ALLEGIANCE

Present: Chair Hardemon, Vice Chair Russell, Commissioner Diaz de la Portilla, Commissioner Carollo and Commissioner Reyes.

On the 23rd day of April, 2020, the City Commission of the City of Miami, Florida, conducted and broadcasted a virtual meeting from 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 9:22 a.m., and adjourned at 1:35 p.m.

Note for the Record: Commissioner Carollo joined the virtual meeting at 9:33 a.m.

ALSO PRESENT:

Arthur Noriega, V, City Manager
Victoria Méndez, City Attorney
Todd B. Hannon, City Clerk

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

ORDER OF THE DAY

PUBLIC COMMENTS FOR ALL ITEM(S)

7397

**Office of the City
Clerk****DISCUSSION ITEM**

PUBLIC COMMENTS SUBMITTED ONLINE BY MEMBERS OF THE PUBLIC FOR THE APRIL 23, 2020 VIRTUAL CITY COMMISSION MEETING.

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

MV - MAYORAL VETO(ES)***NO MAYORAL VETO(ES)***

(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.)

END OF MAYORAL VETO(ES)

CA - CONSENT AGENDA

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

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Alex Diaz de la Portilla, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

CA.1

7280

**Department of
Procurement**

RESOLUTION - *Item Pulled from Consent*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PROPOSALS RECEIVED APRIL 29, 2019 PURSUANT TO REQUEST FOR PROPOSALS ("RFP") NO. 702383 FROM ASHBRIIT, INC., A FLORIDA PROFIT CORPORATION, CERES ENVIRONMENTAL SERVICES, INC., A FOREIGN PROFIT CORPORATION AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA, CROWDER-GULF JOINT VENTURE, INC., A FLORIDA PROFIT CORPORATION, D. & J., ENTERPRISES, INC., A FOREIGN PROFIT CORPORATION AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA, DRC EMERGENCY SERVICES, LLC, A FOREIGN LIMITED LIABILITY COMPANY AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA, AND T.F.R. ENTERPRISES, INC., A FOREIGN PROFIT CORPORATION AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA FOR THE PROVISION OF EMERGENCY DEBRIS AND DISASTER RECOVERY SERVICES FOR THE CITY OF MIAMI'S ("CITY") DEPARTMENTS OF SOLID WASTE, PARKS AND RECREATION, AND RESILIENCE AND PUBLIC WORKS FOR AN INITIAL PERIOD OF FIVE (5) YEARS WITH AN OPTION TO RENEW FOR THREE (3) ADDITIONAL TWO (2) YEAR PERIODS ON AN AS-NEEDED CONTRACTUAL BASIS; AUTHORIZING THE CITY MANAGER TO EXECUTE A NEGOTIATED PROFESSIONAL SERVICES AGREEMENT ("PSA") WITH EACH OF THE QUALIFIED PROPOSERS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS AND TO ADD ADDITIONAL QUALIFIED PROPOSER(S) TO THE CONTRACT WHEN DEEMED IN THE BEST INTEREST OF THE CITY, IN ACCORDANCE WITH THE RFP, SUBJECT TO ALL ALLOCATIONS, APPROPRIATIONS, PRIOR BUDGETARY APPROVALS, COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), INCLUDING THE CITY'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 ALL APPLICABLE LAWS, RULES, AND REGULATIONS AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Alex Diaz de la Portilla, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

Note for the Record: Item CA.1 was deferred to the May 14, 2020, City Commission Meeting.

CA.2**7296**

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

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PERPETUAL SIDEWALK EASEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FROM RIVER LANDING DEVELOPMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY, FOR PUBLIC PEDESTRIAN ACCESS TO PORTIONS OF SIDEWALK CONSTRUCTED ON NORTHWEST NORTH RIVER DRIVE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER NECESSARY DOCUMENTS RELATED TO THE PERPETUAL SIDEWALK EASEMENT, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE; FURTHER AUTHORIZING THE CITY MANAGER TO RECORD SAID INSTRUMENT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ENACTMENT NUMBER: R-20-0116

This matter was ADOPTED on the Consent Agenda.

CA.3**7299**

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

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE MEMORANDUM OF AGREEMENT ("MMOA") BETWEEN THE CITY OF MIAMI ("CITY") AND THE STATE OF FLORIDA'S DEPARTMENT OF TRANSPORTATION ("DEPARTMENT") FOR BEAUTIFICATION IMPROVEMENTS ON STATE ROAD 90 ("SR-90"), SOUTHWEST 8TH STREET (EASTBOUND PAIR) AND SOUTHWEST 7TH STREET (WESTBOUND PAIR).

ENACTMENT NUMBER: R-20-0117

This matter was ADOPTED on the Consent Agenda.

CA.4

7305

*Office of
Resilience and
Sustainability*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING ("MOU"), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, BETWEEN THE CITY OF MIAMI ("CITY") AND NATURAL RESOURCE DEFENSE COUNCIL, INC., A NEW YORK NOT FOR PROFIT CORPORATION ("NRDC"), FOR THE CITY ENERGY PROJECT ("CEP"), A JOINT PROJECT OF THE NRDC AND THE INSTITUTE FOR MARKET TRANSFORMATION THAT PROVIDES FOR RESEARCH, GUIDELINES, AND ASSISTANCE WITH COMMUNITY OUTREACH TO AID THE OFFICE OF RESILIENCE AND SUSTAINABILITY IN CREATING WATER AND ENERGY EFFICIENCY BENCHMARKING REGULATIONS FOR LARGE EXISTING BUILDINGS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE ANY AND ALL OTHER NECESSARY AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES.

ENACTMENT NUMBER: R-20-0118**This matter was ADOPTED on the Consent Agenda.****END OF CONSENT AGENDA**

PH - PUBLIC HEARINGS**PH.1****7328*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING THE CITY OF MIAMI'S ("CITY") FIVE (5) YEAR PUBLIC HOUSING AGENCY ("PHA") PLAN FOR FISCAL YEARS 2020-2024; FURTHER APPROVING THE ADMINISTRATIVE PLAN IN CONNECTION WITH THE IMPLEMENTATION AND ADMINISTRATION OF THE CITY'S SECTION 8 HOUSING CHOICE VOUCHER AND MODERATE REHABILITATION PROGRAMS ("ADMINISTRATIVE PLAN"); AUTHORIZING THE CITY MANAGER TO SUBMIT THE FIVE (5) YEAR PHA PLAN, ATTACHED AND INCORPORATED, AND THE ADMINISTRATIVE PLAN, ATTACHED AND INCORPORATED, FOR REVIEW AND APPROVAL BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("U.S. HUD") FOR THE CITY'S CONTINUED PARTICIPATION IN SAID PROGRAMS; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS AND CERTIFICATIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES.

ENACTMENT NUMBER: R-20-0120

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.2**7364*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE BUSINESS CONTINUITY MICRO-ENTERPRISE ASSISTANCE PROGRAM, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, FOR ELIGIBLE BUSINESSES IN THE CITY OF MIAMI ("CITY") IN RESPONSE TO ECONOMIC INJURIES CAUSED AS A RESULT OF THE CORONAVIRUS ("COVID-19"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0121

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.3**7376*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE SMALL BUSINESS EMERGENCY LOAN ASSISTANCE PROGRAM AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, FOR ELIGIBLE BUSINESSES IN THE CITY OF MIAMI IN RESPONSE TO THE ECONOMIC CHALLENGES FACED BY SAID BUSINESSES AS A RESULT OF THE CORONAVIRUS ("COVID-19"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0122

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.4**7377*****Department of
Housing and
Community
Development*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ACCEPTANCE OF UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SPECIAL GRANT FUNDS IN THE TOTAL AMOUNT OF \$6,598,623 FOR THE FOLLOWING PROGRAMS IN THE FOLLOWING AMOUNTS: (1) \$3,281,526.00 TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, (2) \$1,633,034.00 TO THE EMERGENCY SOLUTIONS GRANTS PROGRAM, AND (3) \$1,684,063.00 TO THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM, ALL FOR FISCAL YEAR 2020 FOR ELIGIBLE ACTIVITIES UNDER THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT ("CARES ACT"); FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS INCLUDING AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES, SUBJECT TO ALL FEDERAL, STATE, AND LOCAL LAWS THAT REGULATE THE USE OF SUCH FUNDS.

ENACTMENT NUMBER: R-20-0123

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.5

7378

**Department of
Housing and
Community
Development**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT OR CONTRACTS WITH THE ORGANIZATIONS SET FORTH IN EXHIBIT "A," ATTACHED AND INCORPORATED, FOR THE PROVISION OF EMERGENCY TECHNICAL ASSISTANCE TO SMALL BUSINESSES IN THE CITY OF MIAMI IN ORDER TO ENABLE THEM TO APPLY FOR ALL PROGRAMS AVAILABLE TO SMALL BUSINESS OWNERS UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT ("CARES ACT") AND THE SMALL BUSINESS ADMINISTRATION ("SBA"), SUBJECT TO THE APPROVAL BY CITY COMMISSION OF THE PROGRAM BEING FUNDED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AT A FUTURE CITY COMMISSION MEETING; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0124

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.6

RESOLUTION

6505

MAY BE DEFERRED**Commissioners
and Mayor**

A RESOLUTION OF THE MIAMI COMMISSION, WITH ATTACHMENTS, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, CONFIRMING, AND APPROVING THE CITY MANAGER'S RECOMMENDATION AND WRITTEN FINDINGS, ATTACHED AND INCORPORATED AS EXHIBIT "A," PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING METHODS AND PROCEDURES AS NOT BEING PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI ("CITY"); AUTHORIZING THE CITY MANAGER TO EXECUTE A RIGHT OF WAY ACCESS AND SERVICE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE FORM ATTACHED AND INCORPORATED AS EXHIBIT "B," WITH ILLUMINATION TECHNOLOGIES, LLC, A FOREIGN LIMITED LIABILITY COMPANY REGISTERED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA ("ILLUMINATION TECHNOLOGIES"), INCLUSIVE OF BONDING AND INSURANCE APPROVED BY THE CITY'S RISK MANAGER, TO ALLOW ILLUMINATION TECHNOLOGIES ACCESS TO CERTAIN RIGHTS OF WAY FOR THE INSTALLATION OF MULTIPURPOSE POLES FOR THE PROVISION, AMONGST OTHER THINGS, OF A VIGILANCE SECURITY NETWORK, INCLUDING A VIGILANCE VIDEO CAMERA NETWORK, FLOOD SENSORS, AND TAG READERS, ALL AT NO COST TO THE CITY, FURTHERING THE INTERESTS OF THE PUBLIC'S HEALTH, SAFETY, AND GENERAL WELFARE; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL AMENDMENTS AND EXTENSIONS THERETO, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item PH.6 was deferred to the May 14, 2020, City Commission Meeting.

PH.7

7363

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

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, 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 "B," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") AND WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 5 COMMISSIONER'S SHARE OF THE CITY'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00) TO FOUNDATION OF COMMUNITY ASSISTANCE AND LEADERSHIP, INC., A FLORIDA NOT FOR PROFIT CORPORATION ("GRANTEE"), IN SUPPORT OF THE GRANTEE'S FOCAL MOORE PARK AFTERSCHOOL AND SUMMER LEARNING 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-20-0125

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.8

7373

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

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, 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 "B," THAT COMPETITIVE NEGOTIATION METHODS AND PROCEDURES ARE NOT PRACTICABLE OR ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY") AND WAIVING THE REQUIREMENTS FOR SAID PROCEDURES; AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 5 COMMISSIONER'S SHARE OF THE CITY'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00) TO MARTIN LUTHER KING ECONOMIC DEVELOPMENT CORPORATION, A FLORIDA NOT FOR PROFIT CORPORATION ("GRANTEE"), IN SUPPORT OF THE GRANTEE'S MLK WHEELS TO WORK PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS NECESSARY, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0126

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.9

7392

**Department of
Resilience and
Public Works**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, CONFIRMING, AND APPROVING THE CITY MANAGER'S RECOMMENDATION AND WRITTEN FINDINGS, ATTACHED AND INCORPORATED AS EXHIBIT "A", PURSUANT TO SECTION 18-85(A) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"); WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING METHODS AS NOT BEING PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI ("CITY") FOR THE PROVISION OF INFORMATION AND EMERGENCY KIOSKS WITH IKE SMART CITY, LLC, A FOREIGN LIMITED LIABILITY COMPANY AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA ("IKE"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT BETWEEN THE CITY AND IKE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS, SUBJECT TO ALL ALLOCATIONS, APPROPRIATIONS, PRIOR BUDGETARY APPROVALS, COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE CITY CODE, INCLUDING THE CITY'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 ALL APPLICABLE LAWS, RULES, AND REGULATIONS AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0119

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Alex Diaz de la Portilla, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

PH.10

RESOLUTION

7391

***City Manager's
Office***

AS A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, CONFIRMING, AND APPROVING THE CITY MANAGER'S RECOMMENDATIONS AND WRITTEN FINDINGS, ATTACHED AND INCORPORATED AS EXHIBIT "A", PURSUANT TO SECTIONS 18-85 AND 18-121 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"); WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING METHODS AS NOT BEING PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI ("CITY") FOR THE PROVISION, ESTABLISHMENT, AND IMPLEMENTATION OF CITY EMERGENCY MEALS PROGRAMS ON A DISTRICT BY DISTRICT BASIS AS SET FORTH BELOW IN A TOTAL NOT TO EXCEED AMOUNT OF TWO MILLION DOLLARS (\$2,000,000.00) (COLLECTIVELY, "EMERGENCY MEALS PROGRAMS") DUE TO THE CORONAVIRUS COVID-2019 PANDEMIC ("COVID-19 PANDEMIC") FOR AN INITIAL TWO (2) MONTH PERIOD HAVING COMMENCED ON APRIL 6, 2020 AND ENDING ON SUCH EARLIER OR LATER DATE DETERMINED IN ACCORDANCE WITH MULTIPLE FEDERAL AND STATE OF FLORIDA ("STATE") ENDING DATE(S) FOR DECLARATIONS OF DISASTERS AND EMERGENCIES; AUTHORIZING THE CITY MANAGER TO MAKE SUCH NECESSARY ADDITIONAL DECLARATIONS, FINDINGS, AND UNDERTAKINGS FROM TIME TO TIME FOR SUCH EMERGENCY MEALS PROGRAMS TO COMPLY, IF POSSIBLE, WITH SPECIFIC FEDERAL AND STATE FUNDING REQUIREMENTS FOR REIMBURSEMENTS OF CITY FUNDS EXPENDED; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, SUCH EMERGENCY MEALS PROGRAMS SERVICES AGREEMENTS WITH SERVICE PROVIDERS ON A DISTRICT BY DISTRICT BASIS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO EMERGENCY MEALS PROGRAMS GUIDELINES AND ANY AMENDMENTS, RENEWALS, MODIFICATIONS, SUPPLEMENTS, SUBSTITUTIONS, AND EXTENSIONS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, SUBJECT TO PRIOR BUDGETARY APPROVALS, ALLOCATIONS, AND APPROPRIATIONS, IN COMPLIANCE WITH PROVISIONS OF THE CITY CODE, INCLUDING THE CITY'S PROCUREMENT ORDINANCE, ANTI-DEFICIENCY ACT, FINANCIAL INTEGRITY PRINCIPLES, AND FINANCIAL AUDIT STANDARDS AND BEST PRACTICES, ALL AS SET FORTH IN CHAPTER 18 OF THE CITY CODE, AND COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE; ALLOCATING FUNDS FROM A FUND AND ACCOUNT

CODE NO. TO BE DESIGNATED BELOW AND HEREBY
AMENDING THE CITY'S FISCAL YEAR 2019-2020
OPERATING BUDGET ACCORDINGLY TO UNDERTAKE
THESE EMERGENCY SERVICES ON AN EXPEDITED
BASIS.

ENACTMENT NUMBER: R-20-0127

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Joe Carollo, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

END OF PUBLIC HEARINGS

RE - RESOLUTIONS**RE.1****6457*****Department of
Planning*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PROGRAMMATIC AGREEMENT FOR AN ADDITIONAL FIVE (5) YEARS, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE FLORIDA STATE HISTORIC PRESERVATION OFFICE, THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND ANY OTHER AGENCY, AS REQUIRED, TO EXPEDITE THE CITY OF MIAMI'S FULFILLMENT OF ITS HISTORIC PRESERVATION RESPONSIBILITIES, AS A RECIPIENT AND ADMINISTRATOR OF FEDERAL FUNDS UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT.

ENACTMENT NUMBER: R-20-0129

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

RE.2

6827

**Department of
Resilience and
Public Works**

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION PURSUANT TO SECTION 18-111 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AUTHORIZING THE ACCESSING OF THE CITY OF ST. LOUIS, MISSOURI'S ("ST. LOUIS") REQUEST FOR PROPOSALS NO. 2018.08.27 FOR INFORMATION AND EMERGENCY KIOSKS ("KIOSKS") WITH IKE SMART CITY, LLC, A FOREIGN LIMITED LIABILITY COMPANY AUTHORIZED TO CONDUCT BUSINESS IN THE STATE OF FLORIDA ("ISC"), UTILIZING THE COMPETITIVELY SOLICITED AND EXISTING CONTRACT WITH ST. LOUIS, SUBJECT TO ANY AMENDMENTS, RENEWALS, EXTENSIONS, NEW, OR REPLACEMENT CONTRACTS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CITY OF MIAMI ("CITY") SUPPLEMENTAL AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH ISC; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS SUBJECT TO ALL ALLOCATIONS, APPROPRIATIONS, AND PRIOR BUDGETARY APPROVALS AND IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE CITY CODE, INCLUDING THE CITY'S PROCUREMENT ORDINANCE, ANTI-DEFICIENCY ACT, AND FINANCIAL INTEGRITY PRINCIPLES, ALL AS SET FORTH IN CHAPTER 18 OF THE CITY CODE, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

MOTION TO:	Withdraw
RESULT:	WITHDRAWN
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

RE.3**5757****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER, CITY ATTORNEY, AND INDEPENDENT AUDITOR TO TAKE ANY AND ALL ACTIONS NECESSARY REGARDING ANY IMPROPER OCCUPANCY OR USE OF ANY CITY OF MIAMI OWNED PREMISES BY UNAUTHORIZED BUSINESS ENTITIES INCLUDING BUT NOT LIMITED TO THE MELREESE GOLF COURSE LOCATED AT 1802 NORTHWEST 37 AVENUE, MIAMI, FLORIDA.

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

RE.4**7277****Commissioners
and Mayor****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AFTER A DULY NOTICED PUBLIC HEARING, AUTHORIZING AND DIRECTING THE CITY MANAGER TO INSTALL TRAFFIC CALMING DEVICES IN CERTAIN ENUMERATED LOCATIONS IN DISTRICT 4; FURTHER AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EXPEDITIOUSLY INSTALL TRAFFIC CALMING DEVICES, AS MORE PARTICULARLY DESCRIBED HEREIN, WITH FUNDING TO BE MADE AVAILABLE FROM THE IDENTIFIED OFFICE OF CAPITAL IMPROVEMENTS PROJECTS AS DESCRIBED HEREIN; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE DIRECTOR OF MIAMI-DADE COUNTY'S DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS.

ENACTMENT NUMBER: R-20-0130

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

RE.5

RESOLUTION

7265

MAY BE DEFERRED**Commissioners
and Mayor**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A ONE (1) YEAR PILOT PROGRAM FOR THE USE OF ELECTRIC CARGO BICYCLES ("E-CARGO BIKES") FOR DELIVERY PURPOSES AS AN ENVIRONMENTALLY FRIENDLY AND CONGESTION-REDUCING ALTERNATIVE TO LARGE DELIVERY TRUCKS IN THE DOWNTOWN AREA, BRICKELL AREA, AND CORAL WAY AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED; FURTHER PROVIDING MINIMUM REQUIREMENTS FOR PILOT PROGRAM PARTICIPATION, INCLUDING OBTAINING A CITY OF MIAMI ("CITY") BUSINESS TAX RECEIPT, INSURANCE, AND FURNISHING A SIGNED AND NOTARIZED HOLD HARMLESS FORM TO THE CITY.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item RE.5 was deferred to the May 14, 2020, City Commission Meeting.

RE.6

RESOLUTION

7367

**Commissioners
and Mayor**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 5 COMMISSIONER'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) TO MUCE EDUCATES CORP., A FLORIDA NOT FOR PROFIT CORPORATION ("GRANTEE"), IN SUPPORT OF THE GRANTEE'S "MUCE EDUCATES WITH TOOLS FOR THE ARTS PROGRAM"; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0128

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

RE.6**7367*****Commissioners
and Mayor*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 5 COMMISSIONER'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) TO MUCE EDUCATES CORP., A FLORIDA NOT FOR PROFIT CORPORATION ("GRANTEE"), IN SUPPORT OF THE GRANTEE'S "MUCE EDUCATES WITH TOOLS FOR THE ARTS PROGRAM"; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0128

MOTION TO:	Reconsider
RESULT:	RECONSIDERED
MOVER:	Manolo Reyes, Commissioner
SECONDER:	Keon Hardemon, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

RE.6

7367

*Commissioners
and Mayor***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO SECTION 18-72 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING THE ALLOCATION OF GRANT FUNDS FROM THE DISTRICT 5 COMMISSIONER'S SHARE OF THE CITY OF MIAMI'S ANTI-POVERTY INITIATIVE ("API") IN A TOTAL AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) TO MUCE EDUCATES CORP., A FLORIDA NOT FOR PROFIT CORPORATION ("GRANTEE"), IN SUPPORT OF THE GRANTEE'S "MUCE EDUCATES WITH TOOLS FOR THE ARTS PROGRAM"; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0128

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

RE.7

7382

*Commissioners
and Mayor***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL NECESSARY STEPS TO ADVANCE THE PROCESS OF CREATING A COMMUNITY REDEVELOPMENT AGENCY WITHIN THE WEST GROVE NEIGHBORHOOD ("WEST GROVE C.R.A.") PURSUANT TO THE REQUIREMENTS OF THE COMMUNITY REDEVELOPMENT ACT OF 1969 AS NECESSARY AND IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY OF MIAMI AND MIAMI-DADE COUNTY; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING BUT NOT LIMITED TO A REDEVELOPMENT PLAN FOR THE WEST GROVE C.R.A., IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSES; AND FURTHER DIRECTING THE CITY MANAGER TO SUBMIT ALL NECESSARY DOCUMENTS, INCLUDING A COPY OF THIS RESOLUTION TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS FOR REVIEW, APPROVAL, AND ACCEPTANCE.

ENACTMENT NUMBER: R-20-0131

MOTION TO:	Adopt with Modification(s)
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

RE.8

7393

*Commissioners
and Mayor***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 IN A TOTAL AMOUNT NOT TO EXCEED FORTY ONE THOUSAND FOUR HUNDRED TWENTY FIVE DOLLARS (\$41,425.00) TO AGAPE 4 ORPHANS INTERNATIONAL, INC., A FLORIDA NOT FOR PROFIT CORPORATION, IN SUPPORT OF THE AGAPE ENRICHMENT SUMMER ACADEMY 2020; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

ENACTMENT NUMBER: R-20-0132

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

END OF RESOLUTIONS

FR - FIRST READING ORDINANCES

FR.1	<u>ORDINANCE</u>	First Reading
5131	AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "PLANNING AND ZONING", SPECIFICALLY BY AMENDING ARTICLE III, SECTION 62-17, TITLED "PLANNING, ZONING AND APPEALS BOARD/PROCEEDINGS OF PLANNING, ZONING AND APPEALS BOARD"; AMENDING ARTICLE VI, SECTION 62-22, TITLED "ZONING AND PLANNING FEES/SCHEDULE OF FEES"; AND REMOVING ARTICLE VI, SECTION 62-24, TITLED "ZONING AND PLANNING FEES/FEE PAYMENT DEFERRED", TO REMOVE REFERENCES TO SPECIAL AREA PLANS; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.	
<i>Department of Planning</i>		

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item FR.1 was deferred to the May 14, 2020, City Commission Meeting.

FR.2	<u>ORDINANCE</u>	First Reading
6588	AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 38 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PARKS AND RECREATION" MORE PARTICULARLY BY ADDING A NEW ARTICLE VII ENTITLED, "MAURICE A. FERRÉ PARK CONSERVANCY", PROVIDING FOR POWERS, DUTIES, AND SCOPE OF A CONSERVANCY FOR THE MAURICE A. FERRÉ PARK FOR THE PRESERVATION, MAINTENANCE, AND IMPROVEMENT OF THE MAURICE A. FERRE PARK; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.	
<i>Commissioners and Mayor</i>		

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item FR.2 was deferred to the May 14, 2020, City Commission Meeting.

FR.3

ORDINANCE

First Reading

7338

***Commissioners
and Mayor***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 20 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "FLOOD DAMAGE PREVENTION;" MORE PARTICULARLY, BY AMENDING SECTIONS 20-1, TITLED "DEFINITIONS;" SECTION 20-3, TITLED "DEVELOPMENT IN EITHER SPECIAL FLOOD HAZARD AREAS, OR NONSPECIAL FLOOD HAZARD AREAS," AND SECTION 20-4, TITLED "DEVELOPMENT WITHIN SPECIAL FLOOD HAZARD AREAS", TO CODIFY THE NORTH AMERICAN VERTICAL DATUM OF 1988 ("NAVD 88") AS THE APPLICABLE VERTICAL DATUM FOR THE PURPOSE OF ADMINISTERING THE CITY OF MIAMI'S ("CITY") FLOOD DAMAGE PREVENTION REGULATIONS; FURTHER AMENDING CHAPTER 29 OF THE CITY CODE, TITLED "LANDFILLS AND WATERFRONT IMPROVEMENTS;" MORE PARTICULARLY, BY AMENDING SECTION 29-81, TITLED "DEFINITIONS;" SECTION 29-82, TITLED "PURPOSE OF ARTICLE;" SECTION 29-83, TITLED "PERMITS FOR WATERFRONT IMPROVEMENTS—REQUIRED;" SECTION 29-84, TITLED "SAME—APPLICATION", SECTION 29-89, TITLED "DESIGN;" SECTION 29-91, TITLED "CONSTRUCTION;" SECTION 29-92, TITLED "MATERIALS;" SECTION 29-93, TITLED "REVIEW OF PLANS; DUTY TO INSPECT;" SECTION 29-94, TITLED "PROCEDURE FOR INSPECTIONS;" AND SECTION 29-95, TITLED "MAINTENANCE," TO ESTABLISH NEW STANDARDS FOR THE CONSTRUCTION, RECONSTRUCTION, AND REPAIR OF SEAWALLS AND BULKHEADS; ESTABLISHING A NEW MINIMUM HEIGHT OF SIX FEET (6") NAVD 88 FOR NEW AND RECONSTRUCTED SEAWALLS AND BULKHEADS CITYWIDE; PROVIDING FOR A DEFINITION AND PERMITTING CONSTRUCTION OF LIVING SHORELINES; IMPOSING A DUTY ON PRIVATE PROPERTY OWNERS TO MAINTAIN SEAWALLS AND BULKHEADS IN GOOD REPAIR AND TO PREVENT TIDAL WATERS FROM FLOWING OVER OR THROUGH SUBSTANDARD OR DAMAGED SEAWALLS OR BULKHEADS TO ADJACENT PROPERTIES AND PUBLIC RIGHTS-OF-WAY; PROVIDING FOR ENHANCED PENALTIES FOR PROPERTY OWNERS THAT FAIL TO DO THE SAME; PROVIDING FOR COMPLETE MITIGATION OF CODE COMPLIANCE FINES FOR PROPERTY OWNERS WITH SUBSTANDARD OR DAMAGED SEAWALLS OR BULKHEADS FOUND TO BE IN VIOLATION THAT UNDERTAKE STEPS TO CORRECT THOSE VIOLATIONS WITHIN THE TIMEFRAME FOUND HEREIN; CREATING A NEW SUBSTANTIAL REPAIR THRESHOLD THAT PROVIDES FOR SEAWALLS AND BULKHEADS TO BE RECONSTRUCTED TO PRESENT SPECIFICATIONS PROMULGATED BY THE DEPARTMENT OF RESILIENCE AND PUBLIC WORKS UNDER CERTAIN QUALIFYING CIRCUMSTANCES; MODIFYING THE MINIMUM REQUIREMENTS AND INFORMATION REQUIRED FOR PERMITS IN CONNECTION WITH THE CONSTRUCTION, REPAIR, AND RECONSTRUCTION OF SEAWALLS AND BULKHEADS; AND PROVIDING FOR THE COMPLETE MITIGATION OF FINES FOR VIOLATIONS RELATED TO THE DISREPAIR OF SUCH IMPROVEMENTS UPON ADHERENCE TO CERTAIN PRESCRIBED TIMEFRAMES; FURTHER AMENDING CHAPTER 54/SECTION 54-46 OF THE CITY CODE, TITLED "STREETS AND

SIDEWALKS/AGREEMENT AND BOND AS TO PAVING AND OTHER IMPROVEMENTS BY PERSONS SUBMITTING PLATS, REPLATS, ETC., TO COMMISSION," TO ESTABLISH A NEW MINIMUM HEIGHT OF SIX FEET (6") NAVD 88 FOR NEW AND RECONSTRUCTED SEAWALLS AND BULKHEADS FOR APPLICABLE PROPERTIES SUBMITTED TO THE CITY'S EXISTING PLATTING PROCESS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

MOTION TO:	Pass on First Reading
RESULT:	PASSED ON FIRST READING
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

FR.4

ORDINANCE

First Reading

7185

**Commissioners
and Mayor**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 23/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "HISTORIC PRESERVATION/HISTORIC PRESERVATION"; MORE SPECIFICALLY, BY AMENDING SECTION 23-4, TITLED "DESIGNATION OF HISTORIC RESOURCES, HISTORIC DISTRICTS, MULTIPLE PROPERTY DESIGNATIONS, AND ARCHAEOLOGICAL SITES AND ZONES", SECTION 23-6, TITLED "TRANSFER OF DEVELOPMENT RIGHTS AND DENSITY FOR HISTORIC RESOURCES; PROVISION FOR A DETERMINATION OF ELIGIBILITY PROCESS, AND SPECIAL PROVISIONS FOR RESOURCES WITHIN THE MIAMI MODERN (MIMO)/BISCAYNE BOULEVARD HISTORIC DISTRICT; PROHIBITING CERTAIN USES; AND ESTABLISHING A 35-FOOT HEIGHT LIMIT", AND SECTION 23-6.2, TITLED "CERTIFICATES OF APPROPRIATENESS", TO PROVIDE THAT PROPOSALS FOR DESIGNATION MADE BY THE MIAMI-DADE COUNTY HISTORIC PRESERVATION BOARD, THE CITY COMMISSION, THE CITY OF MIAMI'S ("CITY") HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), THE CITY'S PLANNING, ZONING, AND APPEALS BOARD ("PZAB"), AND ANY ORGANIZATION THAT HAS BEEN A REGISTERED NON-PROFIT CORPORATION IN THE STATE OF FLORIDA FOR AT LEAST FIVE (5) YEARS WITH A RECOGNIZED INTEREST IN HISTORIC PRESERVATION WILL REQUIRE A SUPERMAJORITY VOTE; TO MODIFY THE TIME TO APPEAL DECISIONS REGARDING HISTORIC DESIGNATIONS TO THE CITY COMMISSION TO SIXTY (60) DAYS; TO MODIFY THE TIMING OF NOTICE; TO PROVIDE THAT THE NOTIFICATION TO OWNERS OF PROPERTIES DESIGNATED AS HISTORIC WILL CLEARLY ADVISE THE OWNERS OF THEIR RIGHT TO APPEAL TO THE CITY COMMISSION; TO PROVIDE TIMING FOR SCHEDULING APPEALS; TO REQUIRE ADDITIONAL NOTICE OF PUBLIC HEARINGS FOR SPECIAL CERTIFICATES OF APPROPRIATENESS; TO PROVIDE UPDATES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item FR.4 was deferred to the May 14, 2020, City Commission Meeting.

END OF FIRST READING ORDINANCES

BU - BUDGET

BU.1

6741

***Office of
Management and
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
----------------	------------------

END OF BUDGET

PART B: PZ - PLANNING AND ZONING ITEM(S)**PZ.1****RESOLUTION****6981****MAY BE DEFERRED*****Department of
Planning***

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING/DENYING THE APPEAL FILED BY THE CONVENT OF THE SACRED HEART OF MIAMI, INC. AND REVERSING/AFFIRMING/MODIFYING THE DECISION OF THE MIAMI HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD'S DENIAL PURSUANT TO CHAPTER 17, ARTICLE II OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, OF THE APPLICATION FOR A SPECIAL CERTIFICATE OF APPROVAL FOR DEVELOPMENTAL IMPACT TO SIGNIFICANT ENVIRONMENTAL FEATURES ON A PROPERTY LOCATED AT APPROXIMATELY 2167 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, WITHIN THE ENVIRONMENTAL PRESERVATION DISTRICT- 60 AND THE SOUTH BAYSHORE DRIVE SCENIC TRANSPORTATION CORRIDOR.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item PZ.1 was deferred to the June 25, 2020, City Commission Meeting.

PZ.2**RESOLUTION****6982****MAY BE DEFERRED****Department of
Planning**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING/DENYING THE APPEAL FILED BY THE CONVENT OF THE SACRED HEART OF MIAMI, INC. ("APPELLANT") AND REVERSING/AFFIRMING/MODIFYING THE DECISION OF THE MIAMI HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD'S DENIAL, PURSUANT TO SECTION 23-6.2(B)(4) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, OF THE APPELLANT'S APPLICATION FOR A SPECIAL CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION, RESTORATION, ALTERATION, AND NEW CONSTRUCTION OF A PROPERTY LOCATED AT APPROXIMATELY 2167 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, A LOCALLY DESIGNATED HISTORIC SITE KNOWN AS VILLA WOODBINE WITH FOLIO NUMBER 01-4115-010-0111.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item PZ.2 was deferred to the June 25, 2020, City Commission Meeting.

PZ.3**ORDINANCE****Second Reading****6797****MAY BE DEFERRED****Commissioners
and Mayor - PZ**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; MORE SPECIFICALLY BY AMENDING ARTICLE 4, TABLE 3, TITLED "BUILDING FUNCTION: USES", TO REQUIRE AN EXCEPTION FOR MARINA USES IN "CS", CIVIC SPACE TRANSECT ZONES; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item PZ.3 was deferred to the May 14, 2020, City Commission Meeting.

PZ.4**ORDINANCE****Second Reading****6930****MAY BE DEFERRED****Department of
Planning**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; MORE SPECIFICALLY, BY AMENDING ARTICLE 6, TABLE 13, TITLED "SUPPLEMENTAL REGULATIONS," TO DISALLOW PUBLIC STORAGE FACILITIES IN A "T5," URBAN CENTER ZONE, AND "T6," URBAN CORE ZONE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Defer
RESULT:	DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

Note for the Record: Item PZ.4 was deferred to the May 14, 2020, City Commission Meeting.

PZ.5**ORDINANCE****First Reading****3001****MAY BE WITHDRAWN****Commissioners
and Mayor - PZ**

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

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

PZ.6

ORDINANCE

First Reading

4237

MAY BE WITHDRAWN***Commissioners
and Mayor - PZ***

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"); MORE SPECIFICALLY BY AMENDING ARTICLE 3, SECTION 3.6, TITLED "OFF-STREET PARKING AND LOADING STANDARDS", TO ALLOW PARKING FACILITIES THAT ARE INCIDENTAL AND SUBORDINATE TO A PRINCIPAL USE IN CERTAIN T5, "URBAN CENTER ZONE," OR T6, "URBAN CORE ZONE," TO BE PROVIDED ON AN ABUTTING PROPERTY IN A T3, "SUB-URBAN ZONE," IF THE PARKING FACILITIES ARE LOCATED IN AN AUXILIARY PARKING AREA AND SATISFY OTHER SPECIFIC CONDITIONS FOR AREAS ON CORAL WAY, BETWEEN SOUTHWEST 27TH AVENUE AND SOUTHWEST 17TH AVENUE BY PROCESS OF EXCEPTION; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO:	Indefinitely Defer
RESULT:	INDEFINITELY DEFERRED
MOVER:	Ken Russell, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Reyes
ABSENT:	Carollo

END OF PLANNING AND ZONING ITEM(S)

NA - NON-AGENDA ITEM(S)**NA.1****DISCUSSION ITEM****7405*****City Commission***

DISCUSSION BY VICE CHAIR RUSSELL REGARDING MIAMI-DADE COUNTY'S PROPOSED RESOLUTION WHICH DIRECTS THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SEND ALL REGISTERED MIAMI-DADE COUNTY VOTERS WHO HAVE NOT REQUESTED VOTE-BY-MAIL BALLOTS FOR THE 2020 PRIMARY AND GENERAL ELECTIONS.

RESULT:	DISCUSSED
----------------	------------------

NA.2**RESOLUTION****7403*****City Commission***

A RESOLUTION OF THE MIAMI CITY COMMISSION URGING THE MAYOR OF MIAMI-DADE COUNTY TO TAKE ANY AND ALL APPROPRIATE ACTIONS WITH REGARD TO PROTECTING THE RESIDENTS OF MIAMI-DADE COUNTY BY ASSURING THAT ALL ARRIVING PASSENGERS AT MIAMI INTERNATIONAL AIRPORT ARE SCREENED FOR THE NOVEL CORONAVIRUS ("COVID-19") TO CONTROL THE FURTHER SPREAD OF COVID-19 INTO OUR COMMUNITIES; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE OFFICIALS NAMED HEREIN.

ENACTMENT NUMBER: R-20-0134

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

NA.3**RESOLUTION****7406*****City Commission***

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE EXTENSION OF TIME TO THE ARK OF THE CITY, INCORPORATED, A FLORIDA NOT FOR PROFIT CORPORATION, TO COMPLETE THE REHABILITATION AND COMMENCE THE JOB TRAINING PROGRAM AT THE PROPERTY LOCATED AT 1302 NORTHWEST 54 STREET, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, AND TO COMMENCE THE JOB TRAINING PROGRAM AT THE PROPERTIES LOCATED AT 551 NORTHWEST 71 STREET AND 7142 AND 7148 NORTHWEST 5 COURT, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B," ATTACHED AND INCORPORATED (COLLECTIVELY, "PROPERTIES") FOR TWENTY-FOUR (24) ADDITIONAL MONTHS; AUTHORIZING THE CITY MANAGER TO GRANT FURTHER EXTENSIONS OF TIME, IF NECESSARY, WITHOUT FURTHER CITY COMMISSION APPROVAL IN ORDER TO ACCOMPLISH THE PURPOSES STATED HEREIN; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS, MODIFICATIONS, AND EXTENSIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE(S), SUBJECT TO ALL FEDERAL, STATE, AND LOCAL LAWS THAT REGULATE THE USE OF SUCH FUNDS.

ENACTMENT NUMBER: R-20-0133

MOTION TO:	Adopt
RESULT:	ADOPTED
MOVER:	Joe Carollo, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Hardemon, Russell, Diaz de la Portilla, Carollo, Reyes

NA.4**DISCUSSION ITEM****7407*****City Commission***

DISCUSSION BY THE CITY COMMISSION REGARDING UPCOMING FOOD DISTRIBUTION EVENTS IN ADDITION TO ESTABLISHING FOOD DISTRIBUTION EVENTS THAT CAN ACCOMMODATE INDIVIDUALS WHO DO NOT HAVE CARS.

RESULT:	DISCUSSED
----------------	------------------

ADJOURNMENT

The meeting adjourned at 1:35 p.m.