

# **City of Miami**

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



## **Meeting Agenda**

**Thursday, May 25, 2023**

**9:00 AM**

**City Commission Meeting**

**City Hall**

## **City Commission**

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

ANY PERSON WHO IS A LOBBYIST PURSUANT TO CHAPTER 2, ARTICLE VI OF THE CITY CODE MUST REGISTER WITH THE CITY CLERK AND COMPLY WITH RELATED CITY REQUIREMENTS FOR LOBBYISTS PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, COMMITTEES, AND THE CITY COMMISSION. A COPY OF THE CITY CODE SECTION IS AVAILABLE AT THE OFFICE OF THE CITY CLERK OR ONLINE AT WWW.MUNICODE.COM.

ANY PERSON MAKING A PRESENTATION, FORMAL REQUEST, OR PETITION TO THE CITY COMMISSION CONCERNING REAL PROPERTY MUST MAKE THE DISCLOSURES REQUIRED BY THE CITY CODE IN WRITING. A COPY OF THIS CITY CODE SECTION IS AVAILABLE AT THE OFFICE OF THE CITY CLERK OR ONLINE AT WWW.MUNICODE.COM.

PURSUANT TO SECTION 4(G)(5) OF THE CITY CHARTER, THE MAYOR MAY VETO CERTAIN ITEMS APPROVED BY THE CITY COMMISSION WITHIN TEN CALENDAR DAYS FOLLOWING THE COMMISSION ACTION. THE CITY COMMISSION MAY, AFTER THE VETO OCCURS, OVERRIDE SUCH VETO BY A FOUR-FIFTHS VOTE OF THE COMMISSIONERS THEN PRESENT.

ANY PERSON MAKING OFFENSIVE REMARKS OR WHO BECOMES UNRULY IN THE COMMISSION CHAMBERS WILL BE BARRED FROM FURTHER ATTENDING CITY COMMISSION MEETINGS AND MAY BE SUBJECT TO ARREST. NO CLAPPING, APPLAUDING, HECKLING, OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE MATERIAL FOR EACH ITEM ON THE AGENDA IS AVAILABLE DURING BUSINESS HOURS AT THE OFFICE OF THE CITY CLERK AND ON-LINE, 24 HOURS A DAY, AT WWW. MIAMIGOV.COM.

ANY PERSON MAY BE HEARD BY THE CITY COMMISSION, THROUGH THE CHAIR FOR NOT MORE THAN TWO MINUTES, ON ANY PROPOSITION BEFORE THE CITY COMMISSION UNLESS MODIFIED BY THE CHAIR. IF THE PROPOSITION IS BEING CONTINUED OR RESCHEDULED, THE OPPORTUNITY TO BE HEARD MAY BE AT SUCH LATER DATE, BEFORE THE CITY COMMISSION TAKES ACTION ON SUCH PROPOSITION. THE CHAIR WILL ADVISE THE PUBLIC WHEN THE PUBLIC MAY HAVE THE OPPORTUNITY TO ADDRESS THE CITY COMMISSION DURING THE PUBLIC COMMENT PERIOD OR AT ANY OTHER DESIGNATED TIME.

\* \* \* \* \*

ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION FOR ANY MATTER CONSIDERED AT THIS MEETING MAY NEED A VERBATIM RECORD OF THE ITEM. A VIDEO OF THIS MEETING MAY BE REQUESTED AT THE DEPARTMENT OF COMMUNICATIONS OR VIEWED ONLINE AT WWW.MIAMIGOV.COM. ANY PERSON WITH A DISABILITY REQUIRING ASSISTANCE, AUXILIARY AIDS, AND SERVICES FOR MEETINGS MAY NOTIFY THE OFFICE OF THE CITY CLERK.

\* \* \* \* \*

THE LUNCH RECESS WILL BEGIN AT THE CONCLUSION OF DELIBERATION OF THE AGENDA ITEM BEING CONSIDERED AT NOON. THE MEETING WILL END EITHER AT THE CONCLUSION OF THE DELIBERATION OF THE AGENDA ITEM BEING CONSIDERED AT 10:00 P.M. OR AT THE CONCLUSION OF THE REGULARLY SCHEDULED AGENDA, WHICHEVER OCCURS FIRST. THIS RULE DOES NOT APPLY WHEN THE CITY COMMISSION IS ENGAGED IN ITS ANNUAL BUDGET HEARINGS (ORDINANCE 12586).

IN THE EVENT THAT A SCHEDULED CITY COMMISSION MEETING IS CANCELLED OR IS NOT HELD DUE TO A LACK OF A QUORUM OR OTHER EMERGENCY, A SPECIAL CITY COMMISSION MEETING WILL BE AUTOMATICALLY SCHEDULED FOR THE TUESDAY IMMEDIATELY FOLLOWING THE CANCELLED MEETING. ALL OF THE SCHEDULED AGENDA ITEMS FROM THAT CANCELLED MEETING SHALL AUTOMATICALLY BE SCHEDULED AS AN AGENDA ITEM AT THE SPECIAL CITY COMMISSION MEETING (ORDINANCE 14087).

**PR - PRESENTATIONS AND PROCLAMATIONS****9:00 AM**            **INVOCATION AND PLEDGE OF ALLEGIANCE**

INVOCATION BY PASTOR ROBERT JACKSON 111 OF ST. PAUL AVE,  
1866 51 ST TERRACE MIAMI FLORIDA, 33142

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

**AM.1**                            City Commission City Commission Meeting of March 23, 2023 9:00 AM

**MV - 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 the commission consideration.)

**END OF MAYORAL VETO(ES)**

**PA - PERSONAL APPEARANCE**

Note: Legislation may result from City Commission consideration of any personal appearance.

**PA.1**

**PERSONAL APPEARANCE**

**13932**

A PERSONAL APPEARANCE BY CONVERGE MIAMI REGARDING CIVIC ENGAGEMENT PROJECTS.

**END OF PERSONAL APPEARANCE**

**CA - CONSENT AGENDA**

Unless a member of the City Commission wishes to remove a specific item from this portion of the agenda, Items CA.1 through CA.4 constitute the Consent Agenda. These resolutions are self-explanatory and are not expected to require additional review or discussion. Each item will be recorded as individually numbered resolutions, adopted unanimously by the following motion.

"...that the Consent Agenda comprised of items CA.1 through CA.4 be adopted..."

The Presiding Officer or City Clerk shall state the following: "Before the vote on adopting items included in the Consent Agenda is taken, is there anyone present who is an objector or proponent that wishes to speak on any item in the Consent Agenda. Hearing none, the vote on the adoption of the Consent Agenda will now be taken."

**CA.1****RESOLUTION****13868*****Department of Fire-Rescue***

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO SUPPORT A REQUEST BY THE DEPARTMENT OF FIRE-RESCUE ("FIRE") TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") TO UTILIZE AN ALLOTMENT OF FEMA GRANT FUNDS IN THE AMOUNT OF \$29,400.00, FROM THE SPECIAL REVENUE PROJECT TITLED "URBAN AREA SECURITY INITIATIVE ("UASI") GRANT PROGRAM FISCAL YEAR 2021", ESTABLISHED BY RESOLUTION NO. R-22-0078, ADOPTED FEBRUARY 24, 2022, FOR THE PURCHASE OF TWO (2) NEW UNMANNED AERIAL VEHICLES ("DRONES") PRODUCED BY A MANUFACTURER APPROVED BY THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES AS PROVIDED IN SECTION 934.50, FLORIDA STATUTES, TO BE UTILIZED BY FIRE TO INCREASE SITUATIONAL AWARENESS CAPABILITIES AT VARIOUS EMERGENCY INCIDENTS INCLUDING ACTS OF TERRORISM OR NATURAL DISASTERS; FURTHER AUTHORIZING FIRE TO UTILIZE UASI GRANT FUNDING RECEIVED IN SUBSEQUENT FISCAL YEARS TO PURCHASE ADDITIONAL DRONES IN THE FUTURE, ON AN AS NEEDED BASIS; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS, RENEWALS AND EXTENSIONS, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY, FOR THE PURCHASE OF SAID DRONES.

**Districts Impacted: All**

**CA.2****13993*****Department of Risk  
Management*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TO AND ON BEHALF OF PAULA MEDINO, SUBJECT TO THE CONDITIONS IMPOSED BY CHAPTER 440, FLORIDA STATUTES, THE TOTAL SUM OF \$75,000.00, INCLUDING \$100.00 FOR A SEPARATE GENERAL RELEASE, IN FULL SETTLEMENT OF ALL CLAIMS AND DAMAGES OF ACCIDENT ALLEGED AGAINST THE CITY OF MIAMI ("CITY"), ITS OFFICERS, AGENTS, AND EMPLOYEES, WITHOUT ADMISSION OF LIABILITY, UPON EXECUTING A SETTLEMENT AGREEMENT, HOLD HARMLESS, AND INDEMNIFICATION AGREEMENT AS WELL AS A GENERAL RELEASE OF THE CITY, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS IN THE AMOUNT OF \$74,900.00 ACCOUNT NO. 50001.301001.524000.0000.00000 AND FUNDS IN THE AMOUNT OF \$100.00, FOR THE SEPARATE GENERAL RELEASE, FROM ACCOUNT NO. 00001.980000.531010.0000.00000.

**Districts Impacted:** N/A**CA.3****13835*****Office of Capital  
Improvements*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION, FROM KEARNS CONSTRUCTION COMPANY, A FLORIDA PROFIT CORPORATION ("KEARNS"), FOR THE CITY OF MIAMI ("CITY") OFFICE OF CAPITAL IMPROVEMENTS ("OCI"), IN THE FORM OF SIX HUNDRED (600) CUBIC YARDS OF RIP RAP CONSTRUCTION MATERIAL ("CONSTRUCTION MATERIAL"), AS WELL AS ALL COSTS ASSOCIATED WITH THE TRANSPORTATION OF THE SAME, FOR AN APPROXIMATE TOTAL VALUE OF ONE HUNDRED FOURTEEN THOUSAND DOLLARS (\$114,000.00); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A DONATION LETTER OF ACCEPTANCE, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE; ALSO FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS, INCLUDING ANY AMENDMENTS AND MODIFICATIONS, 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 FORMS ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

**Districts Impacted:** All

**CA.4****13976*****Department of  
Procurement*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE ACCESSING OF THE MIAMI DADE COUNTY ("MDC") REQUEST TO QUALIFY ("RTQ") CONTRACT NO. RTQ-00251 FOR PLAYGROUND INSTALLATION AND INFRASTRUCTURE, PURSUANT TO SECTION 18-111 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), WITH AN OPEN POOL OF VARIOUS PRE-QUALIFIED VENDORS, WHICH WAS COMPETITIVELY SOLICITED AND IS EFFECTIVE THROUGH JULY 31, 2024, SUBJECT TO ANY RENEWALS, EXTENSIONS, AND/OR REPLACEMENT CONTRACTS BY MDC; ALLOCATING GENERAL FUNDS AND SUCH OTHER SOURCES OF FUNDS FROM VARIOUS DEPARTMENTS, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL 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 FORMS ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

**Districts Impacted:** All**END OF CONSENT AGENDA**

**PH - PUBLIC HEARINGS****PH.1****13798*****Department of Housing  
and Community  
Development*****RESOLUTION****MAY BE DEFERRED**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A CHANGE IN THE PROPOSED PROJECT, ON THE CITY OF MIAMI OWNED PARCEL OF LAND LOCATED AT 6016 NORTHWEST 7TH AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT "A," ATTACHED AND INCORPORATED, ALSO KNOWN AS THE CARVER THEATER ("PARCEL"), FROM DEVELOPMENT OF HOUSING TO A PUBLIC PARK; AUTHORIZING THE CITY MANAGER TO SUBMIT A SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2022 ACTION PLAN AND FISCAL YEAR 2019-2023 CONSOLIDATED PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD"); AUTHORIZING THE ALLOCATION OF AN ADDITIONAL ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) IN COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM INCOME FUNDS TO THE PROJECT; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, TO APPROVE THE CHANGE IN THE PROPOSED PROJECT; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL OTHER NECESSARY DOCUMENTS, ALL IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

**Districts Impacted:** District 5



**PH.2****13834*****Department of Real  
Estate and Asset  
Management*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE PURSUANT TO SECTION 18-85 (A) AND 18-176 (B) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AS NOT PRACTICABLE OR ADVANTAGEOUS TO THE CITY OF MIAMI ("CITY"), ALSO PURSUANT TO 18-176 (B) AND 18-176 (C) OF THE CITY CODE, AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT ("AGREEMENT"), BETWEEN THE CITY OF MIAMI ("CITY") AND LUTHERAN SERVICES FLORIDA, INC. A FLORIDA NOT-FOR-PROFIT CORPORATION ("LICENSEE"), FOR THE USE OF PROPERTY LOCATED AT 2810, 2910, & 2916 NORTHWEST SOUTH RIVER DRIVE, MIAMI, FLORIDA ("PROPERTY"), COMMENCING ON THE EFFECTIVE DATE, FOR USE AS A 24/7 EMERGENCY RESIDENTIAL SHELTER FOR RUNAWAYS AND FOR CRISIS COUNSELING, FOR A MONTH-TO-MONTH TERM, FURTHER AUTHORIZING A REDUCTION IN PAYMENT TO THE CITY, PROVIDING FOR AN ANNUAL USE FEE ("ANNUAL USE FEE") OF ONE HUNDRED DOLLARS (\$100.00); PROVIDING FOR LICENSEE'S PAYMENT OF ANY ANNUAL STATE OF FLORIDA ("STATE") FEES IMPOSED FOR THE USE OF THE STATE-OWNED UPLAND PARCELS; PROVIDING FOR THE TERMINATION OF THE EXISTING REVOCABLE LICENSE AGREEMENT UPON EXECUTION OF THIS AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL NECESSARY DOCUMENTS, INCLUDING AMENDMENTS AND MODIFICATIONS TO SAID AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, FOR SAID PURPOSE.

**Districts Impacted:** District 1

**PH.3****13923*****Department of Real  
Estate and Asset  
Management*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, PURSUANT TO SECTION 29-B OF THE CHARTER OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDED AND RESTATED GROUND LEASE WITH HRM OWNER LLC, THE EXISTING TENANT ("TENANT"), TO PROVIDE FOR A NEW TERM NOT TO EXCEED NINETY-NINE (99) YEARS, TO INCLUDE THE EXISTING HYATT HOTEL AND ALSO THE JAMES L. KNIGHT CONVENTION CENTER PROPERTY LOCATED AT 298, 300, 330, & 400 SOUTHEAST 2ND AVENUE (COLLECTIVELY, "PROPERTY"), PROVIDING FOR THE REDEVELOPMENT OF THE PROPERTY TO INCLUDE AT LEAST A 615 KEY HOTEL, 188,000 SQUARE FEET OF CONVENTION/MEETING SPACE, 682 APARTMENTS, PARKING, ADDITIONAL PUBLIC OPEN SPACE, AND AN EXPANDED PUBLIC RIVERWALK, ALL AT NO COST TO THE CITY, FOR NO LESS THAN FAIR MARKET VALUE RENT WITH ADDITIONAL TERMS AND CONDITIONS FURTHER DEFINED IN THE GROUND LEASE, ATTACHED AND INCORPORATED AS "EXHIBIT A"; PROVIDING FOR AN ANNUAL RENT SCHEDULE, IN AN AMOUNT OF ONE MILLION DOLLARS (\$1,000,000) FOR THE 1ST YEAR, ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$1,250,000) FOR THE 2ND YEAR, ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE 3RD YEAR, ONE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$1,750,000) FOR THE 4TH YEAR, TWO MILLION DOLLARS (\$2,000,000), FOR THE 5TH YEAR, ALL CONSTRUCTION RENT (CONSTRUCTION RENT") FOR THE PERIOD BEGINNING ON THE COMMENCEMENT DATE AND ENDING ON THE MINIMUM RENT COMMENCEMENT DATE ("CONSTRUCTION RENT PERIOD"), AFTER THE CONSTRUCTION RENT PERIOD, PAYMENT TO THE CITY AN AMOUNT EQUAL TO THE GREATER OF MINIMUM ANNUAL BASE RENT OF TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) OR PARTICIPATION RENT EQUAL TO 2.5% OF GROSS REVENUES ("MINIMUM RENT") AS OF THE MINIMUM RENT COMMENCEMENT DATE, SUBJECT TO ANNUAL INCREASES AND ADJUSTMENTS THEREAFTER AS OUTLINED IN THE TERM SHEET; FURTHER PROVIDING THAT TENANT SHALL MAKE A TWENTY FIVE MILLION DOLLAR (\$25,000,000.00) PAYMENT TO THE CITY FOR AFFORDABLE HOUSING; ALL AGREEMENTS WITH RESTRICTIONS, REVERSIONS, AND RETENTION BY THE CITY OF ALL OTHER EXISTING CITY RIGHTS;; AND WITH SUCH OTHER TERMS MORE PARTICULARLY SET FORTH IN THE GROUND LEASE, ALL IN FORMS ACCEPTABLE TO THE CITY ATTORNEY.

**Districts Impacted:** District 2

History:

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo, Alex Diaz de la Portilla	

**PH.4****RESOLUTION****13981**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AFTER A DULY NOTICED PUBLIC HEARING, AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTION(S) NECESSARY TO EXPEDITIOUSLY REQUEST THE MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS ("DTPW") CONSIDER THE PROPOSED TRAFFIC FLOW MODIFICATIONS AND WAIVE THE REQUIRED RESIDENT CONCURRENCE AND EXEMPT THE BALLOTING PROCESS IN ORDER TO EXPEDITIOUSLY PROCEED WITH THE DESIGN AND CONSTRUCTION OF TRAFFIC CALMING DEVICES AT TWENTY-THREE (23) LOCATIONS IN THE RESIDENTIAL NEIGHBORHOODS OF CITY OF MIAMI DISTRICT 4, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B," ATTACHED AND INCORPORATED; DIRECTING THE CITY CLERK TO SEND A CERTIFIED COPY OF THE THIS RESOLUTION TO THE DTPW DIRECTOR.

**SPONSOR(S):** Commissioner Manolo Reyes

**Districts Impacted:**

**END OF PUBLIC HEARINGS**

**RE - RESOLUTIONS**

RE.1

**RESOLUTION**

13819

***Department of General  
Services  
Administration***

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5) AFFIRMATIVE VOTE, CONFIRMING, RATIFYING, AND APPROVING THE CITY MANAGER'S EMERGENCY FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," PURSUANT TO SECTION 18-90 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 SELECTION OF FLORIDA LEMARK CORPORATION, A FLORIDA PROFIT CORPORATION ("FLORIDA LEMARK"), FOR THE REPLACEMENT OF THE BARRIER CABLE GUARDRAIL SYSTEM AT THE CITY'S MIAMI RIVERSIDE CENTER ("MRC") PARKING GARAGE, FOR AN APPROXIMATE TOTAL AMOUNT OF EIGHTY TWO THOUSAND NINE HUNDRED EIGHTEEN DOLLARS (\$82,918.00); AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS, INCLUDING ANY AMENDMENTS OR MODIFICATIONS, 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 FORMS ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

**Districts Impacted:** District 5

**RE.2****13820*****Department of Parks  
and Recreation*****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5) AFFIRMATIVE VOTE, CONFIRMING, RATIFYING, AND APPROVING THE CITY MANAGER'S EMERGENCY FINDING, ATTACHED AND INCORPORATED AS EXHIBIT "A," PURSUANT TO SECTION 18-90 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 FOR THE CITY OF MIAMI ("CITY"), FOR THE EMERGENCY SELECTION OF PADL LLC, A FLORIDA LIMITED LIABILITY COMPANY ("PADL"), FOR THE CONTINUED PROVISION AND OPERATION OF A CONCESSION FOR KAYAKS, PADDLE BOARDS, BICYCLE RENTALS AND TOURS AT THE VIRGINIA KEY BEACH NORTH POINT PARK, PROVIDING A TWENTY PERCENT (20%) REVENUE SHARE FOR THE CITY; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS, INCLUDING ANY AMENDMENTS, EXTENSIONS, AND MODIFICATIONS, 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 FORMS ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

**Districts Impacted:** District 2

**RE.3**

**13742**

**Department of  
Resilience and Public  
Works**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE LOWEST RESPONSIVE AND RESPONSIBLE BID RECEIVED ON JANUARY 17, 2023, PURSUANT TO INVITATION FOR BID ("IFB") NO. 1575386 FOR THE PROVISION OF CANAL CLEANING SERVICES ("SERVICES"), ON AN AS NEEDED BASIS, FROM TEXAS AQUATIC HARVESTING, INC., A FLORIDA PROFIT CORPORATION ("TAH"), FOR AN INITIAL TERM OF THREE (3) YEARS, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL TWO (2) YEAR PERIODS; ALLOCATING FUNDS FROM THE VARIOUS SOURCES OF FUNDS FROM THE CITY OF MIAMI ("CITY") DEPARTMENT OF RESILIENCE AND PUBLIC WORKS ("RPW"), SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ANY AND ALL DOCUMENTS, INCLUDING ANY AMENDMENTS, RENEWALS, AND EXTENSIONS, 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 FORMS ACCEPTABLE TO THE CITY ATTORNEY, AND IN COMPLIANCE WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS, AS MAY BE DEEMED NECESSARY FOR SAID PURPOSE.

**Districts Impacted:** All

History:

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo, Sabina Covo	

RE.4

**RESOLUTION**

13849

A RESOLUTION OF THE MIAMI CITY COMMISSION WAIVING THE TEN (10) WEEK TEMPORARY EVENT LIMITATION PER YEAR FOR THE PUBLIC PROPERTY LOCATED AT 1000 MACARTHUR CAUSEWAY, MIAMI, FLORIDA PURSUANT TO CHAPTER 62/ARTICLE XIII/DIVISION 1/SECTION 62-521(B)(4) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "PLANNING AND ZONING/PLANNING AND ZONING APPROVAL FOR TEMPORARY USES AND OCCUPANCIES; PERMIT REQUIRED/TEMPORARY EVENT PERMITS/TEMPORARY EVENTS IN GENERAL", TO ALLOW FOR RESERVE PADEL MIAMI EVENTS TO BE HELD FROM JULY 21, 2023 THROUGH DECEMBER 31, 2023.

**SPONSOR(S):** Mayor Francis X. Suarez

**Districts Impacted:**

History:

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	



RE.5

13850

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DECLARING THE OFFICIAL INTENT OF THE CITY OF MIAMI ("CITY") TO ISSUE BOTH TAXABLE AND TAX-EXEMPT GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, PAYABLE FROM AD VALOREM TAXES PROVIDED THAT THE CAPITAL PROJECTS DEBT MILLAGE NOT EXCEED THE RATE OF 0.5935 MILLS IN ACCORDANCE WITH THE NOVEMBER 7, 2017 BOND REFERENDUM APPROVED BY THE VOTERS, IN AN EXPECTED NOT TO EXCEED TOTAL MAXIMUM PRINCIPAL AMOUNT OF TWO MILLION, EIGHT HUNDRED THIRTY-THREE THOUSAND, SEVEN HUNDRED SIXTY AND 00/100 DOLLARS (\$2,833,760.00) (COLLECTIVELY, "LIMITED AD VALOREM BONDS") IN ORDER TO, AMONG OTHER THINGS, REIMBURSE THE CITY FOR FUNDS ADVANCED BY THE CITY FOR CERTAIN EXPENSES INCURRED WITH RESPECT TO CAPITAL PROJECTS TO BE UNDERTAKEN BY THE CITY TO IMPROVE, PARKS, CULTURAL FACILITIES, STREETS, AND INFRASTRUCTURE, ALL AS INDICATED IN THE ATTACHED PROJECT LIST IN EXHIBIT "A," ATTACHED AND INCORPORATED; ESTABLISHING CERTAIN RELATED DEFINITIONS OF TERMS; AUTHORIZING CERTAIN FURTHER AND INCIDENTAL ACTIONS BY THE CITY MANAGER IN CONSULTATION WITH THE CITY ATTORNEY, BOND COUNSEL, DISCLOSURE COUNSEL, FINANCIAL ADVISOR, CHIEF FINANCIAL OFFICER, FINANCE DIRECTOR, BUDGET DIRECTOR, AND SUCH OTHER APPROPRIATE OFFICERS, EMPLOYEES, AND AGENTS OF THE CITY AS THE CITY MANAGER DEEMS NECESSARY, ALL AS REQUIRED FOR PURPOSES OF SECTIONS 103 AND 141-150 OF THE U.S. INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND FOR COMPLIANCE THEREWITH; FURTHER AUTHORIZING RELATED AMENDMENTS TO THE CITY'S MULTI-YEAR CAPITAL PLAN AS NECESSARY.

**SPONSOR(S): Mayor Francis X. Suarez**

**Districts Impacted:**

History:

04/27/23 City Commission DEFERRED

Next: 05/11/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/11/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo, Alex Diaz de la Portilla	

**RE.6**  
**11033**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING AND AUTHORIZING THE RATIFICATION OF THE SECOND AMENDMENT TO THE 1996 INTERLOCAL COOPERATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM (“2020 SECOND AMENDMENT ILA”), BETWEEN MIAMI-DADE COUNTY (“COUNTY”), THE CITY OF MIAMI (“CITY”), AND THE OMNI REDEVELOPMENT DISTRICT COMMUNITY REDEVELOPMENT AGENCY (“OMNI CRA”) IN ORDER TO EXTEND THE LIFE OF THE OMNI CRA TO 2047; AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2020 SECOND AMENDMENT ILA AND TAKE ANY AND ALL NECESSARY ACTIONS CONSISTENT WITH THIS RESOLUTION; FURTHER DIRECTING THE CITY MANAGER TO WORK WITH THE EXECUTIVE DIRECTOR OF THE OMNI CRA TO ENSURE A COPY OF THE 2020 SECOND AMENDMENT ILA IS TRANSMITTED TO THE COUNTY FOR REVIEW, APPROVAL, AND ACCEPTANCE; PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Alex Diaz de la Portilla

**Districts Impacted:** All

History:

11/18/21 City Commission DEFERRED Next: 01/27/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 1/27/2022 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Russell, Diaz de la Portilla, Carollo, Reyes, King	

01/27/22 City Commission DEFERRED Next: 02/10/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 2/10/2022 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Ken Russell, Commissioner	
<b>AYES:</b>	Christine King, Joe Carollo, Ken Russell	
<b>ABSENT:</b>	Alex Diaz de la Portilla, Manolo Reyes	

02/10/22 City Commission INDEFINITELY DEFERRED Next:  
09/08/22

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>9/8/2022 9:00 AM</b>	
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

09/08/22 City Commission MEETING RECESSED Next: 09/13/22

<b>RESULT:</b>	<b>MEETING RECESSED</b>	<b>Next: 9/13/2022 9:00 AM</b>
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09/13/22 City Commission INDEFINITELY DEFERRED Next:  
03/09/23

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>3/9/2023 9:00 AM</b>	
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

03/09/23 City Commission DEFERRED Next: 05/11/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/11/2023 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>AYES:</b>	King, Carollo, Diaz de la Portilla, Covo, Reyes	

05/11/23 City Commission DEFERRED Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo, Alex Diaz de la Portilla	

RE.7

**RESOLUTION**

13902

A RESOLUTION OF THE MIAMI CITY COMMISSION CO-DESIGNATING NORTHWEST 16 STREET BETWEEN NORTHWEST 2ND AVENUE AND NORTHWEST 3RD AVENUE, MIAMI, FLORIDA AS "DR. IRA P. DAVIS STREET" PURSUANT TO SECTION 54-137 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; FURTHER DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE HEREIN DESIGNATED OFFICIALS.

**SPONSOR(S):** Commissioner Christine King, Commissioner Sabina Covo

**Districts Impacted:**

RE.8

**RESOLUTION**

14008

*Department of Police*

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO APPROVE THE CITY OF MIAMI ("CITY") POLICE DEPARTMENT'S ("MPD") JUSTIFICATION TO ABOLISH ONE (1) POLICE CAPTAIN POSITION TO CREATE AND FILL ONE (1) POLICE LIEUTENANT POSITION EFFECTIVE JUNE 25, 2022, IN COMPLIANCE WITH SECTION 295.09, FLORIDA STATUTES, AND PURSUANT TO RESOLUTION NO. R-21-0402 ADOPTED SEPTEMBER 23, 2021 TOGETHER WITH RESOLUTION NO. R-21-0408 ADOPTED OCTOBER 1, 2021; AUTHORIZING THE CITY MANAGER TO MAKE ANY NECESSARY CHANGES TO ADJUST, AMEND, AND APPROPRIATE THE FISCAL YEAR 2022-2023 OPERATING BUDGET, FIVE-YEAR FINANCIAL PLAN, STRATEGIC PLAN, AND MULTI-YEAR CAPITAL PLAN REGARDING CITY SERVICES AND RESOURCES AS NECESSARY, LEGALLY ALLOWED, AND APPLICABLE IN ORDER TO AUDIT AND CREATE SAID POSITIONS FOR THE DEPARTMENT; RATIFYING, APPROVING, AND CONFIRMING CERTAIN NECESSARY ACTIONS OF THE CITY MANAGER AND DESIGNATED CITY DEPARTMENTS TO UPDATE THE RELEVANT FINANCIAL CONTROLS, PROJECT CLOSE-OUTS, ACCOUNTING ENTRIES, AND COMPUTER SYSTEMS; PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**Districts Impacted:** All

**RE.9****13863***Office of the City Clerk***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), OFFICIALLY ACKNOWLEDGING THE CITY CLERK'S CERTIFICATION OF THE CANVASS AND DECLARATION OF THE RESULTS FOR THE AFFIDAVIT PROCESS CONDUCTED PURSUANT TO RESOLUTION NO. R-23-0157 DURING THE PERIOD OF APRIL 14, 2023 THROUGH MAY 5, 2023 FOR THE RE-ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT AREA TO BE KNOWN AS THE WYNWOOD BUSINESS IMPROVEMENT DISTRICT.

**Districts Impacted:****RE.10****14010****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), SPONSORING AND WAIVING THE CITY OF MIAMI POLICE DEPARTMENT, FIRE-RESCUE DEPARTMENT, AND SOLID WASTE DEPARTMENT COSTS REQUIRED PURSUANT TO CHAPTER 19/SECTION 19-9 OF THE CODE OF THE CITY OF MIAMI OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "FIRE PROTECTION/SPECIAL OFF-DUTY FIRE-RESCUE SERVICES," AND OF CHAPTER 54/ARTICLE I OF THE CITY CODE, TITLED "STREETS AND SIDEWALKS/SPECIAL EVENTS," FOR THE GOOMBAY FESTIVAL TO BE HELD ON JUNE 10 AND 11, 2023 ALONG GRAND AVENUE BETWEEN DOUGLAS ROAD AND HIBISCUS STREET IN THE COCONUT GROVE NEIGHBORHOOD OF MIAMI, FLORIDA.

**SPONSOR(S): Commissioner Sabina Covo****Districts Impacted:**

RE.11

**RESOLUTION**

14021

A RESOLUTION OF THE MIAMI CITY COMMISSION REALLOCATING FUNDS, IN THE TOTAL AMOUNT OF \_\_\_\_\_ AND \_\_\_/100 DOLLARS (\$\_\_\_\_\_.\_\_\_\_) ("FUNDS") FROM PROJECT NO. \_\_\_\_\_, \_\_\_\_\_ IN THE CITY OF MIAMI'S ("CITY") FISCAL YEAR 2022-23 MULTI-YEAR CAPITAL PLAN ADOPTED ON SEPTEMBER 10, 2022 PURSUANT TO RESOLUTION NO. R-22-0321 AS AMENDED ("CAPITAL PLAN"), AND RE-APPROPRIATING SAID FUNDS TO THE SHENANDOAH PARK PLAYGROUND AND GENERAL ENHANCEMENTS PROJECT, PROJECT NO. 40-B233507; RATIFYING, APPROVING, AND CONFIRMING CERTAIN NECESSARY ACTIONS BY THE CITY MANAGER AND DESIGNATED CITY DEPARTMENTS IN ORDER TO UPDATE THE CAPITAL PLAN, RELEVANT FINANCIAL CONTROLS AND COMPUTER SYSTEMS IN CONNECTION THEREWITH, FOR PROJECT CLOSE-OUTS, AND FOR GRANTS AND OTHER FUNDING SOURCES IN PROGRESS IN CONNECTION HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes

**Districts Impacted:**

RE.12

14022

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AMENDMENT NO. 1 TO THE CONSTRUCTION CONTRACT WITH RECREATIONAL DESIGN & CONSTRUCTION, INC. ("RDC"), A FLORIDA PROFIT CORPORATION, FOR ADDITIONAL SCOPE ITEMS CONCERNING SHENANDOAH PARK SWIMMING POOL RENOVATION, SOLICITED UNDER INVITATION TO BID ("ITB") NO. 20-21-001, INCREASING THE EXISTING CONTRACT VALUE BY A NOT-TO-EXCEED AMOUNT OF \_\_\_\_\_ (\$ \_\_\_\_\_), THEREBY INCREASING THE TOTAL COMPENSATION LIMIT FROM NINE MILLION FIVE HUNDRED TWENTY FIVE THOUSAND SIX HUNDRED DOLLARS (\$9,525,600.00) TO A NOT-TO-EXCEED AMOUNT OF \_\_\_\_\_ (\$ \_\_\_\_\_); ALLOCATING FUNDS FROM THE OFFICE OF CAPITAL IMPROVEMENTS PROJECT NO. B-40563, SUBJECT TO BUDGETARY APPROVAL AT THE TIME OF NEED; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE CONTRACT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE ALL OTHER DOCUMENTS, INCLUDING AGREEMENTS, AMENDMENTS, RENEWALS, AND EXTENSIONS SUBJECT TO ALLOCATIONS, APPROPRIATIONS AND BUDGETARY APPROVALS HAVING BEEN PREVIOUSLY MADE, AND IN COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE"), INCLUDING, 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 APPLICABLE REGULATIONS, AS MAY BE NECESSARY FOR SAID PURPOSE.

**SPONSOR(S):** Commissioner Manolo Reyes**Districts Impacted:**

RE.13

14023

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOURTH AMENDMENT TO THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF MIAMI AND CLEAR CHANNEL OUTDOOR, LLC, IN SUBSTANTIALLY THE ATTACHED FORM.

**SPONSOR(S):** Commissioner Christine King**Districts Impacted:**

RE.14

14019

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACKNOWLEDGING RECEIPT OF THE COMPREHENSIVE REPORT FROM TOWN SQUARE NEIGHBORHOOD DEVELOPMENT CORPORATION, A FLORIDA NOT FOR PROFIT CORPORATION ("TSNDC"), FURTHER CONCLUDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MIAMI AND TSNDC, FOR THE INTERSTATE 395 ("I-395") SIGNATURE BRIDGE UNDERDECK PROJECT LOCATED ALONG I-395/STATE ROAD 836 BETWEEN NORTHWEST 3RD AVENUE AND BISCAYNE BAY, MIAMI, FLORIDA.

**SPONSOR(S):** Commissioner Christine King

**Districts Impacted:**

**END OF RESOLUTIONS**



**SR - SECOND READING ORDINANCES**

**SR.1**

**ORDINANCE**

**Second Reading**

**13910**

AN ORDINANCE OF THE CITY COMMISSION, AMENDING CHAPTER 22/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "GARBAGE AND OTHER SOLID WASTE/IN GENERAL," BY ESTABLISHING SECTION 22-23 OF THE CITY CODE, TITLED "PROHIBITED DISPOSITION OF YARD WASTE, DIRT, OR DEBRIS WHEN USING LEAF BLOWERS OR RAKING, PROTECTING STORMWATER CATCH BASINS AND CITY RIGHT-OF-WAYS"; FURTHER AMENDING CHAPTER 22/ARTICLE III OF THE CITY CODE, TITLED "GARBAGE AND OTHER SOLID WASTE/ ENFORCEMENT AND ADMINISTRATION," BY ESTABLISHING SECTION 22-93 OF THE CITY CODE, TITLED "PENALTIES FOR PROHIBITED DISPOSITION AND RAKING OF YARD WASTE, DIRT OR DEBRIS WHEN RAKING OR USING LEAF BLOWERS," PROVIDING PENALTIES FOR VIOLATIONS OF SECTION 22-23 AS STATED HEREIN; CONTAINING A SEVERABILITY CLAUSE; PROVIDING AN IMMEDIATE EFFECTIVE DATE.

**SPONSOR(S):** **Commissioner Sabina Covo, Commissioner Manolo Reyes**

**Districts Impacted:**

History:

05/11/23 City Commission PASSED ON FIRST READING  
05/25/23

Next:

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/25/2023 9:00 AM</b>	
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Sabina Covo, Commissioner, District Two	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

**SR.2**  
**13901**

**ORDINANCE**

**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 31/ARTICLE IV OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "LOCAL BUSINESS TAX AND MISCELLANEOUS BUSINESS REGULATIONS/SHOPPING CARTS," TO CLARIFY CITY OF MIAMI ("CITY") DEPARTMENTS USED FOR ENFORCEMENT AND TO PROVIDE MORE STRINGENT COMPLIANCE FOR CART PICKUP AFTER REMOVAL BY THE CITY FROM PUBLIC PROPERTY; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** **Commissioner Manolo Reyes**

**Districts Impacted:**

History:

05/11/23 City Commission PASSED ON FIRST READING  
05/25/23

Next:

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/25/2023 9:00 AM</b>	
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Sabina Covo, Commissioner, District Two	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

SR.3  
13959

**ORDINANCE**

**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION PROHIBITING SMOKING AND VAPING INCLUDING, BUT NOT LIMITED TO, TOBACCO AND CANNABIS, IN ALL OF THEIR FORMS AND EXTRACT PRODUCTS, IN PUBLIC PARKS AND BEACHES; AMENDING CHAPTER 37 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "OFFENSES - MISCELLANEOUS", BY CREATING SECTION 37-17, TITLED "SMOKING AND VAPING INCLUDING, BUT NOT LIMITED TO, TOBACCO AND CANNABIS, IN ALL OF THEIR FORMS AND EXTRACT PRODUCTS, IN PUBLIC PARKS AND BEACHES PROHIBITED"; FURTHER DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO IMPLEMENT THIS ORDINANCE AND SPREAD PUBLIC AWARENESS OF ITS EFFECT, INCLUDING, BUT NOT LIMITED TO, THE POSTING OF SIGNAGE IN PUBLIC BUILDINGS, PARKS, AND BEACHES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**SPONSOR(S): Mayor Francis X. Suarez, Commissioner Manolo Reyes**

**Districts Impacted:**

History:

05/11/23 City Commission PASSED ON FIRST READING WITH MODIFICATION(S) Next: 05/25/23

<b>RESULT:</b>	<b>PASSED ON FIRST READING WITH MODIFICATION(S) [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Sabina Covo, Commissioner, District Two	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

**END OF SECOND READING ORDINANCES**

**FR - FIRST READING ORDINANCES**

Note: Any proposed ordinance listed as an item for first reading in this section may be adopted as an emergency measure upon being so determined by the City Commission.

<b>FR.1</b>	<b><u>ORDINANCE</u></b>	<b>First Reading</b>
<p><b>13919</b> <i>Department of Planning</i></p>	<p>AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE II OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "PLANNING AND ZONING/COMPREHENSIVE PLANNING," TO CREATE A NO NET LOSS POLICY; FURTHER AMENDING CHAPTER 62 OF THE CITY CODE, TITLED "PLANNING AND ZONING," CREATING A NEW ARTICLE XIX, TITLED "PROCEDURES FOR NO NET LOSS POLICY FOR PARK LAND," TO ESTABLISH LAND DEVELOPMENT REGULATIONS THAT IMPLEMENT POLICY PR-2.1.1 OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN; CREATING STANDARDS FOR THE REPLACEMENT AND CONVERSION OF PARK LAND TO OTHER USES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.</p>	

**Note for the Record: Went on FL on 5/11/2023**

**Districts Impacted: All**

History:

05/11/23 City Commission NO ACTION TAKEN

Next: 05/25/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 5/25/2023 9:00 AM</b>
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FR.2

**ORDINANCE**

First Reading

13956

AN ORDINANCE OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "LOCAL BUSINESS TAX AND MISCELLANEOUS BUSINESS REGULATIONS," BY CREATING ARTICLE VII, TITLED "RETAIL HEMP ESTABLISHMENTS AND SMOKE SHOPS," REGULATING ESTABLISHMENTS ENGAGED IN THE SALE AND DISTRIBUTION OF HEMP EXTRACT PRODUCTS AND PROVIDING DEFINITIONS, MINIMUM REQUIREMENTS AND STANDARDS, LABELING REQUIREMENTS FOR HEMP EXTRACT PRODUCTS, DISTRIBUTION AND SALES OF PRODUCTS TO CUSTOMERS, DISTANCE REQUIREMENTS, WINDOWS, LIGHTING, SIGNAGE, CLOSED-CIRCUIT VIDEO SURVEILLANCE SYSTEM, CAUSE FOR WARRANTS PENALTIES, AND CUMULATIVE REMEDIES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes

**Districts Impacted:**

FR.3

**ORDINANCE**

First Reading

14011

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 38/ARTICLE I OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), TITLED "PARKS AND RECREATION/IN GENERAL," BY CREATING SECTION 38-14, TITLED "DISORDERLY CONDUCT IN PARKS PROHIBITED," TO PROHIBIT DISORDERLY CONDUCT IN CITY OF MIAMI PARKS; PROVIDING FOR DEFINITIONS; PROVIDING FOR PENALTIES AND ENFORCEMENT; FURTHER DIRECTING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO IMPLEMENT THIS ORDINANCE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes

**Districts Impacted:**

FR.4

**ORDINANCE**

First Reading

14018

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 39/ARTICLE II OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TITLED "PEDDLERS AND ITINERANT VENDORS/SIDEWALK AND STREET VENDORS," TO REGULATE THE SALE OF CERTAIN ITEMS BY PEDDLERS, ADDING DEFINITIONS AND REGULATIONS AND PROVIDING PENALTIES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes

**Districts Impacted:**

**END OF FIRST READING ORDINANCES**

**BC - BOARDS AND COMMITTEES**

**BC.1**

**RESOLUTION**

**13126**

***Office of the  
City Clerk***

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD FOR TERMS AS DESIGNATED HEREIN.

**APPOINTEES/CATEGORIES:**

**NOMINATED BY:**

(Citizen – Category 7)

Commissioner Alex Diaz de la Portilla

(Architect/Architectural Historian - Category 4)

Commissioner Alex Diaz de la Portilla

(Real Estate Broker – Category 5)

Commissioner Sabina Covo

(Citizen – Category 7)

Commissioner Sabina Covo

(Business and Finance or Law – Category 6)

Commissioner Joe Carollo

(Architect – Category 1)

Commissioner Manolo Reyes

(Landscape Architect – Category 2)

Commissioner Christine King

History:

01/12/23 City Commission NO ACTION TAKEN Next: 02/09/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 2/9/2023 9:00 AM</b>
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02/09/23 City Commission NO ACTION TAKEN Next: 03/09/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 3/9/2023 9:00 AM</b>
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03/09/23 City Commission NO ACTION TAKEN Next: 04/13/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 4/13/2023 9:00 AM</b>
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04/13/23 City Commission NO ACTION TAKEN Next: 05/11/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 5/11/2023 9:00 AM</b>
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05/11/23 City Commission NO ACTION TAKEN Next: 05/25/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 5/25/2023 9:00 AM</b>
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**END OF BOARDS AND COMMITTEES**



### **PZ - PLANNING AND ZONING ITEM(S)**

Planning and Zoning matters may be heard at any time. Pursuant to Ordinance No. 13903 and Section 166.041(c), Florida Statutes, for ordinances changing the list of uses and ordinances requesting zoning changes of ten (10) contiguous acres or more, at least one (1) hearing shall be after 5:00 PM unless the City Commission elects to conduct that hearing at another time by a 4/5ths affirmative vote.

#### **PZ.1**

**13317**

***Department of  
Planning***

#### **ORDINANCE**

#### **Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM "T4-R" GENERAL URBAN TRANSECT ZONE – RESTRICTED TO "T5-R" URBAN CENTER TRANSECT ZONE – RESTRICTED FOR THE PROPERTY LOCATED AT APPROXIMATELY 2170 NORTHWEST FLAGLER TERRACE, MIAMI, FLORIDA, AND FROM "T6-8-O" URBAN CORE TRANSECT ZONE – OPEN TO "T6-8-L" URBAN CORE TRANSECT ZONE – LIMITED FOR THE PROPERTY LOCATED AT APPROXIMATELY 45 NORTHWEST 22 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FURTHER RECOMMENDING TO THE CITY COMMISSION ACCEPTANCE OF THE VOLUNTARILY PROFFERED COVENANT, ATTACHED AND INCORPORATED AS EXHIBIT "B"; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 2170 Northwest Flagler Terrace and 45 Northwest 22 Avenue

**APPLICANT(S):** Ben Fernandez on behalf of 2170 SBH, LLC and 45 SBH, LLC

**PURPOSE:** To rezone the above property from "T4-R" General Urban – Restricted to 'T5-R" Urban Center – Restricted and from "T6-8-O" Urban Core Transect - Open to the "T6-8-L" Urban Core Transect – Limited.

#### **FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On January 18, 2023, recommended approval, by a vote of 8-0.

**Note for the Record: PZAB File ID 5305 Linked to this Legislative File; ePlan PZ-19-4415**

**Districts Impacted:** District 3

## History:

02/23/23 City Commission PASSED ON FIRST READING  
03/23/23

Next:

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next:</b>
	<b>3/23/2023 9:00 AM</b>	
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

03/23/23 City Commission CONTINUED

Next: 04/27/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 4/27/2023 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.2

**ORDINANCE****First Reading**

12858

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM "DUPLEX RESIDENTIAL" TO "LOW DENSITY RESTRICTED COMMERCIAL" FOR THE PROPERTY GENERALLY LOCATED AT 3424 AND 3442 SOUTHWEST 37 AVENUE, 3714 AND 3718 WASHINGTON AVENUE, AND 3719 THOMAS AVENUE ("ASSEMBLAGE A"); FROM "SINGLE FAMILY RESIDENTIAL" TO "MEDIUM DENSITY RESTRICTED COMMERCIAL" FOR THE PROPERTY GENERALLY LOCATED AT 3475, 3479 AND 3481 HIBISCUS STREET, 3475 AND 3435 WILLIAM AVENUE; FROM "SINGLE FAMILY RESIDENTIAL/ MEDIUM DENSITY RESTRICTED COMMERCIAL" TO "MEDIUM DENSITY RESTRICTED COMMERCIAL" FOR THE PROPERTY GENERALLY LOCATED AT 3452, 3440, 3430 AND 3460 THOMAS AVENUE AND 3456 ELIZABETH STREET (ASSEMBLAGE B"); AND FROM "DUPLEX RESIDENTIAL" TO "MEDIUM DENSITY RESTRICTED COMMERCIAL" FOR THE PROPERTY GENERALLY LOCATED AT 3135, 3145, 3153, 3163, AND 3173 MUNDY STREET, AND 3645 AND 3633 DAY AVENUE ("ASSEMBLAGE C") MIAMI, FLORIDA, (COLLECTIVELY, "THE ASSEMBLAGE") MORE PARTICULARLY DESCRIBED IN "COMPOSITE EXHIBIT A", ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes, Commissioner Christine King, Commissioner Joe Carollo

**LOCATION:** Various, see legislation title for complete list of addresses.

**APPLICANT:** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** Various, see legislation title for complete list of requests.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On December 21, 2022, recommended approval, by a vote of 8-0.

**Note for the Record: Companion File ID 12859 and File ID 12860; PZAB File ID 12962 Linked to this Legislative File; ePlan PZ-22-15646**

**Districts Impacted:** District 2

## History:

01/12/23 City Commission DEFERRED

Next: 01/26/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 1/26/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

01/26/23 City Commission DEFERRED

Next: 03/09/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 3/9/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes	

03/09/23 City Commission DEFERRED

Next: 04/27/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 4/27/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Manolo Reyes	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Diaz de la Portilla, Covo, Reyes	

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.3

**ORDINANCE****First Reading**

12859

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM: "T3-O" SUB-URBAN TRANSECT ZONE – OPEN TO "T4-O" GENERAL URBAN TRANSECT ZONE-OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTY GENERALLY LOCATED AT 3424 AND 3442 SOUTHWEST 37 AVENUE, 3714 AND 3718 WASHINGTON AVENUE, AND 3719 THOMAS AVENUE; MAINTAINING THE ZONING CLASSIFICATION OF "T3-O" SUB-URBAN TRANSECT ZONE – OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTY GENERALLY LOCATED AT 3735 WASHINGTON AVENUE, AND MAINTAINING THE ZONING CLASSIFICATION OF "T5-O" URBAN CENTER ZONE— OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTY GENERALLY LOCATED AT 3710 GRAND AVENUE ("ASSEMBLAGE A"); CHANGING THE ZONING CLASSIFICATION OF "T3-R" SUB-URBAN TRANSECT ZONE – RESTRICTED TO "T4-O" GENERAL URBAN TRANSECT ZONE – OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTIES GENERALLY LOCATED AT 3475, 3479, AND 3481 HIBISCUS STREET, 3475 AND 3435 WILLIAM AVENUE, 3452, 3440, 3430, AND 3460 THOMAS AVENUE, AND 3454 AND 3456 ELIZABETH STREET, AND CHANGING THE ZONING CLASSIFICATION FROM "T3-R" SUB-URBAN TRANSECT ZONE – RESTRICTED AND "T5-O" URBAN CENTER TRANSECT ZONE – OPEN TO "T4-O" GENERAL URBAN TRANSECT ZONE-OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTY GENERALLY LOCATED AT 3449 HIBISCUS STREET ("ASSEMBLAGE B"); AND CHANGING THE ZONING CLASSIFICATION FROM "T3-O" SUB-URBAN TRANSECT ZONE - OPEN TO "T4-O" GENERAL URBAN TRANSECT ZONE - OPEN WITH A "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NCD-2" (NEIGHBORHOOD CONSERVATION DISTRICT) OVERLAY FOR THE PROPERTY GENERALLY LOCATED AT 3135, 3145, 3153, 3163, AND 3173 MUNDY STREET AND 3645 AND 3633 DAY AVENUE ("ASSEMBLAGE C"), MIAMI, FLORIDA, (COLLECTIVELY THE "ASSEMBLAGE") MORE PARTICULARLY DESCRIBED IN "COMPOSITE EXHIBIT A", ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Manolo Reyes, Commissioner Christine King, Commissioner Joe Carollo

**LOCATION:** Various, see legislation title for complete list.

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** Various, see legislation title for complete list of requests.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEAL BOARD: On December 21, 2022, recommended approval by a vote of 8-0.

**Note for the Record: Companion File ID 12858 and File ID 12860; PZAB File ID 12963 Linked to this Legislative File; ePlan PZ-22-15645**

**Districts Impacted:** District 2

History:

01/12/23 City Commission DEFERRED

Next: 01/26/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 1/26/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

01/26/23 City Commission DEFERRED

Next: 03/09/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 3/9/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes	

03/09/23 City Commission DEFERRED

Next: 04/27/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 4/27/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Manolo Reyes	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Diaz de la Portilla, Covo, Reyes	

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.4

**ORDINANCE****First Reading**

12860

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"), BY AMENDING APPENDIX A, SECTION A.2, TITLED "VILLAGE WEST ISLAND DISTRICT AND CHARLES AVENUE NEIGHBORHOOD CONSERVATION DISTRICTS 2 (NCD-2)", TO MODIFY THE EXISTING MIXED USE CULTURAL DISTRICT BOUNDARY, CREATE NEW USES DEFINITIONS, INTRODUCE DEVELOPMENT AND PARKING FLEXIBILITIES, AND CREATE NEW REGULATIONS AND DEVELOPMENT GUIDELINES FOR AFFORDABLE HOUSING; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Commissioner Ken Russell, Commissioner Joe Carollo

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** Amendments to Legislation pertaining to the Miami 21 Code, Appendix A, Section A.2 Village West Island District and Charles Avenue (NCD-2), to modify the existing Mixed Use Cultural District Boundary, create new use regulations and development guidelines for affordable housing.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On December 21, 2022, recommended approval, by a vote of 8-0.

**Note for the Record: Companion File ID 12858 and File ID 12859; PZAB File ID 12989 Linked to this Legislative File**

**Districts Impacted:** All

## History:

01/12/23 City Commission DEFERRED

Next: 01/26/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 1/26/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

01/26/23 City Commission DEFERRED

Next: 03/09/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 3/9/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes	

03/09/23 City Commission DEFERRED

Next: 04/27/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 4/27/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Diaz de la Portilla, Covo, Reyes	

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	



**PZ.5**

**13726**

**Department of Planning**

**ORDINANCE**

**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM “MEDIUM DENSITY RESTRICTED COMMERCIAL” TO “RESTRICTED COMMERCIAL” FOR THE PROPERTY GENERALLY LOCATED AT 1250 NORTHWEST 22 AVENUE MIAMI, FLORIDA (“PROPERTY”), AS MORE PARTICULARLY DESCRIBED IN COMPOSITE EXHIBIT “A”; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 1250 NW 22 Avenue

**APPLICANT(S):** Javier Fernandez, Esquire, on behalf of Polish American Club of Miami, Inc.

**PURPOSE:** The application seeks to amend the designation from “Medium Density Restricted Commercial” to “Restricted Commercial”

**FINDING(S):**

PLANNING DEPARTMENT: Recommended denial.

PLANNING, ZONING AND APPEALS BOARD: On March 15, 2023, recommended approval, by a vote of 7-3.

**Note for the Record: Companion File ID 13728; PZAB File ID 13072 Linked to this Legislative File; ePlan PZ 22-12001**

**Districts Impacted:** District 1

History:

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.6

13728

**Department of  
Planning**

**ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM "T5-L" URBAN CENTER TRANSECT ZONE - LIMITED, TO "T6-8-L" URBAN CORE TRANSECT ZONE-LIMITED, FOR THE PROPERTY GENERALLY LOCATED AT 1250 NORTHWEST 22ND AVENUE, MIAMI, FLORIDA ("PROPERTY"), AS MORE PARTICULARLY DESCRIBED IN COMPOSITE EXHIBIT "A," ATTACHED AND INCORPORATED; FURTHER RECOMMENDING TO THE CITY COMMISSION ACCEPTANCE OF THE VOLUNTARILY PROFFERED COVENANT, ATTACHED AND INCORPORATED AS EXHIBIT "B"; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** 1250 NW 22 Avenue

**APPLICANT(S):** Javier Fernandez, Esquire, on behalf of Polish American Club of Miami, Inc.

**PURPOSE:** The application seeks to amend the above property from "T5-L" Urban Center Transect Zone Limited to "T6-8-L" Urban Core Transect Zone Open.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended denial.

PLANNING, ZONING AND APPEALS BOARD: On March 15, 2023, recommended approval, by a vote of 7-3.

**Note for the Record: Companion File ID 13726 Linked to this Legislative File; PZAB File ID 13073 Linked to this Legislative File; ePlan PZ 22-12002**

**Districts Impacted:** District 1

History:

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.7

**ORDINANCE****First Reading**

13775

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") SPECIFICALLY BY AMENDING ARTICLE 4, TABLE 3, TITLED "BUILDING FUNCTION: USES", AND ARTICLE 6, TITLED "SUPPLEMENTAL REGULATIONS", TO ALLOW EDUCATIONAL USES BY RIGHT IN T6 TRANSECT ZONE IN CERTAIN CIRCUMSTANCES; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** Mayor Francis X. Suarez

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** The purpose and intent of these regulations are to permit all Educational Uses within the T6 Transect Zone in the Downtown Miami Area By-Right in order to encourage educational facilities opportunities in close proximity to the City's core.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On April 19, 2023, recommended approval by a vote of 8-0.

**Note for the Record: PZAB File ID 13790 Linked to this Legislative File**

**Districts Impacted:** All

History:

04/27/23 City Commission CONTINUED

Next: 05/25/23

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

**PZ.8**

**12288**

**Office of Zoning**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING / DENYING THE APPEAL FILED BY LOUIS J. TERMINELLO, ESQ., ON BEHALF OF 6925 BISCAYNE, LLC, REVERSING / AFFIRMING THE PLANNING, ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-22-017 AFFIRMING THE ZONING ADMINISTRATOR'S DENIAL OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE") AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), FOR THE PROPERTY LOCATED AT APPROXIMATELY 6901 BISCAYNE BOULEVARD, MIAMI, FLORIDA ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF THE CERTIFICATE OF USE FOR A CANNABIS DISPENSARY AND / OR CLINIC FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 6901 Biscayne Boulevard

**APPLICANT(S):** Louis J. Terminello, Esq., on behalf of 6925 Biscayne, LLC, business owner.

**APPELLANT(S):** Louis J. Terminello, Esq., on behalf of 6925 Biscayne, LLC, business owner.

**PURPOSE:** The Appellant seeks to appeal the Planning, Zoning and Appeals Board decision.

**FINDING(S):**

ZONING DEPARTMENT: Recommend denial of the appeal and upholding the decision of the Zoning Administrator to deny the Certificate of Use.

PLANNING, ZONING AND APPEALS BOARD: The motion to grant the appeal on July 6, 2022, failed, by a vote of 4-5.

**Note for the Record: PZAB File ID 8675 Linked to this Legislative File**

**Districts Impacted:** District 5

History:

09/22/22 City Commission DEFERRED

Next: 10/13/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS] Next: 10/13/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One
<b>AYES:</b>	Christine King, Ken Russell, Alex Diaz de la Portilla, Manolo Reyes
<b>ABSENT:</b>	Joe Carollo

10/13/22 City Commission DEFERRED

Next: 10/27/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 10/27/2022 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

10/27/22 City Commission CONTINUED

Next: 11/17/22

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 11/17/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

11/17/22 City Commission INDEFINITELY DEFERRED  
05/11/23

Next:

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/11/2023 9:00 AM</b>	
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Ken Russell, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

**PZ.9**

**12290**

**Office of Zoning**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING / DENYING THE APPEAL FILED BY LOUIS J. TERMINELLO, ESQ., ON BEHALF OF BILL'S NURSERY, INC., REVERSING / AFFIRMING THE PLANNING ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-22-019 AFFIRMING THE ZONING ADMINISTRATOR'S DENIAL OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE"), FOR THE PROPERTY LOCATED AT APPROXIMATELY 172 WEST FLAGLER STREET, MIAMI, FLORIDA ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF THE CERTIFICATE OF USE FOR A CANNABIS DISPENSARY AND/ OR CLINIC FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 172 West Flagler Street

**APPLICANT(S):** Louis J. Terminello, Esq., on behalf of on behalf of Bill's Nursery, Inc, business owner.

**APPELLANT(S):** Louis J. Terminello, Esq., on behalf of on behalf of Bill's Nursery, Inc, business owner.

**PURPOSE:** The Appellant seeks to appeal the Planning, Zoning and Appeals Board decision.

**FINDING(S):**

ZONING DEPARTMENT: Recommend denial of the appeal and upholding the decision of the Zoning Administrator to deny the Certificate of Use.

PLANNING, ZONING AND APPEALS BOARD: The motion to grant the appeal on July 6, 2022, failed, by a vote of 4-5.

**Note for the Record: PZAB File ID 8980 Linked to this Legislative File**

**Districts Impacted:** District 5

History:

09/22/22 City Commission DEFERRED

Next: 10/13/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 10/13/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>AYES:</b>	Christine King, Ken Russell, Alex Diaz de la Portilla, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

10/13/22 City Commission DEFERRED

Next: 10/27/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 10/27/2022 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

10/27/22 City Commission CONTINUED

Next: 11/17/22

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 11/17/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

11/17/22 City Commission INDEFINITELY DEFERRED  
05/11/23

Next:

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/11/2023 9:00 AM</b>	
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Ken Russell, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

**PZ.10**

**12289**

*Office of Zoning*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING / DENYING THE APPEAL FILED BY LOUIS J. TERMINELLO, ESQ. REVERSING / AFFIRMING THE PLANNING ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-22-018 AFFIRMING THE ZONING ADMINISTRATOR'S DENIAL OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE") AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), FOR THE PROPERTY LOCATED AT APPROXIMATELY 2222 NORTHWEST 5 AVENUE, MIAMI, FLORIDA, MIAMI, FLORIDA ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF THE CERTIFICATE OF USE FOR A CANNABIS DISPENSARY AND/ OR CLINIC FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 2222 Northwest 5 Avenue

**APPLICANT(S):** Louis J. Terminello, Esq., on behalf of on behalf of Bill's Nursery, Inc, business owner.

**APPELLANT(S):** Louis J. Terminello, Esq., on behalf of on behalf of Bill's Nursery, Inc, business owner.

**PURPOSE:** The Appellant seeks to appeal the Planning, Zoning and Appeals Board decision.

**FINDING(S):**

**ZONING DEPARTMENT:** Recommend denial of the appeal and upholding the decision of the Zoning Administrator to deny the Certificate of Use.

**PLANNING, ZONING AND APPEALS BOARD:** The motion to grant the appeal on July 6, 2022, failed, by a vote of 4-5.

**Note for the Record: PZAB File ID 8979 Linked to this Legislative File**

**Districts Impacted:** District 5

History:

09/22/22 City Commission DEFERRED

Next: 10/13/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS] Next: 10/13/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One
<b>AYES:</b>	Christine King, Ken Russell, Alex Diaz de la Portilla, Manolo Reyes
<b>ABSENT:</b>	Joe Carollo

10/13/22 City Commission DEFERRED

Next: 10/27/22

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS] Next: 10/27/2022 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One
<b>SECONDER:</b>	Joe Carollo, Vice Chair, District Three
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes



10/27/22 City Commission CONTINUED

Next: 11/17/22

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 11/17/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes	

11/17/22 City Commission INDEFINITELY DEFERRED  
05/11/23

Next:

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/11/2023 9:00 AM</b>	
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Ken Russell, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

PZ.11

12609

*Office of Zoning***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING / DENYING THE APPEAL FILED BY THE CITY OF MIAMI'S ZONING DEPARTMENT REVERSING / AFFIRMING THE PLANNING ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-22-039 REVERSING THE ZONING ADMINISTRATOR'S DENIAL OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE"), FOR THE PROPERTY LOCATED AT APPROXIMATELY 3160 NORTH MIAMI AVENUE, MIAMI, FLORIDA ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF THE CERTIFICATE OF USE FOR A MEDICAL MARIJUANA DISPENSING FACILITY FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 3160 North Miami Avenue

**APPLICANT(S):** Ron L. Book, P.A. and Louis J. Terminello, Esq. on behalf of DFMMJ INVESTMENTS, LLC

**APPELLANT(S):** Daniel Goldberg, Esq., Zoning Administrator and authorized designee on behalf of City of Miami City Manager Arthur Noriega V

**PURPOSE:** The Appellant seeks to appeal the Planning, Zoning and Appeals Board decision.

**FINDING(S):**

OFFICE OF ZONING: Recommended that the appeal be granted, overturning the decision of the Planning, Zoning and Appeals Board, which voted to grant the Certificate of Use.

PLANNING, ZONING AND APPEALS BOARD: The motion to grant the appeal on September 7, 2022, passed, by a vote of 7-3.

**Note for the Record: PZAB File ID 12320 Linked to this Legislative File**

**Districts Impacted:** District 5

History:

10/27/22 City Commission CONTINUED

Next: 11/17/22

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS] Next: 11/17/2022 9:00 AM</b>
<b>MOVER:</b>	Ken Russell, Commissioner
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four
<b>AYES:</b>	King, Carollo, Russell, Diaz de la Portilla, Reyes

11/17/22 City Commission INDEFINITELY DEFERRED  
05/11/23

Next:

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/11/2023 9:00 AM</b>	
<b>MOVER:</b>	Ken Russell, Commissioner	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Ken Russell, Manolo Reyes	
<b>ABSENT:</b>	Alex Diaz de la Portilla	

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

PZ.12

12835

*Office of Zoning***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION GRANTING / DENYING THE APPEAL FILED BY LOUIS J. TERMINELLO, ESQ., ON BEHALF OF DFMMJ INVESTMENTS, LLC, REVERSING / AFFIRMING THE PLANNING ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-22-047 AFFIRMING THE ZONING ADMINISTRATOR'S DENIAL OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE") AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), FOR THE PROPERTY LOCATED AT APPROXIMATELY 2155 SOUTHWEST 22 STREET, MIAMI, FLORIDA, ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S DENIAL OF THE CERTIFICATE OF USE FOR A CANNABIS DISPENSARY AND/OR CLINIC FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 2155 Southwest 22 Street

**APPLICANT(S):** Louis J. Terminello, Esq., on behalf of DFMMJ INVESTMENTS, LLC

**APPELLANT(S):** Ron L. Book, P.A. and Louis J. Terminello, Esq., co-counsels on behalf of DFMMJ INVESTMENTS, LLC

**PURPOSE:** The Appellant is seeking to have a decision of the Planning, Zoning and Appeals Board reversed.

**FINDING(S):**

**OFFICE OF ZONING:** Recommended denial of the appeal and upholding the decision of the Planning, Zoning and Appeals Boards, to deny the Certificate of Use.

**PLANNING, ZONING AND APPEALS BOARDS:** On October 11, 2022, the motion to deny the appeal passed, by a vote of 6-1.

**Note for the Record: PZAB File ID 12467 Linked to this Legislative File**

**Districts Impacted:** District 4

History:

01/26/23 City Commission ADOPTED WITH MODIFICATION(S) BUT RECONSIDERED

<b>RESULT:</b>	<b>ADOPTED WITH MODIFICATION(S) BUT RECONSIDERED [UNANIMOUS]</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One
<b>SECONDER:</b>	Christine King, Chair, District Five
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes

01/26/23 City Commission RECONSIDERED

<b>RESULT:</b>	<b>RECONSIDERED [3 TO 1]</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three
<b>SECONDER:</b>	Christine King, Chair, District Five
<b>AYES:</b>	Christine King, Joe Carollo, Manolo Reyes
<b>NAYS:</b>	Alex Diaz de la Portilla

01/26/23 City Commission DEFERRED

Next: 02/09/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 2/9/2023 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes	

02/09/23 City Commission INDEFINITELY DEFERRED  
05/11/23

Next:

<b>RESULT:</b>	<b>INDEFINITELY DEFERRED [UNANIMOUS]</b>	<b>Next: 5/11/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes	

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

**PZ.13**

**13764**

**Office of Zoning**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING / DENYING THE APPEAL FILED BY THE CITY OF MIAMI'S ZONING DEPARTMENT REVERSING / AFFIRMING THE PLANNING ZONING AND APPEALS BOARD'S DECISION AS SET FORTH IN RESOLUTION NO. PZAB-R-23-029 REVERSING THE ZONING ADMINISTRATOR'S REVOCATION OF A CERTIFICATE OF USE PURSUANT TO SECTION 2-211 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE") AND SECTION 7.1.2.1 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE") FOR THE PROPERTY LOCATED AT APPROXIMATELY 2500 NORTHWEST 20 STREET, MIAMI, FLORIDA ("PROPERTY"), AND REVERSING / UPHOLDING THE ZONING ADMINISTRATOR'S REVOCATION OF THE CERTIFICATE OF USE NO. 051780 FOR THE PROPERTY; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 2500 NW 20 Street

**APPLICANT(S):** Jose Portillo, Esq. on behalf of Nueva San Salvador Restaurant #2

**APPELLANT(S):** Daniel Goldberg, Esq., Zoning Administrator and authorized designee on behalf of City of Miami City Manager Arthur Noriega V

**PURPOSE:** The Appellant seeks to have the decision of the Planning, Zoning and Appeals Boards reversed.

**FINDING(S):**

OFFICE OF ZONING: Recommended denial of the appeal.

PLANNING, ZONING AND APPEALS BOARD: On March 1, 2023, granted the appeal and reversed the decision of the Zoning Administrator, by a vote of 9-0.

**Note for the Record: PZAB File ID 13489 Linked to this Legislative File**

**Districts Impacted:** District 1

History:

04/27/23 City Commission DEFERRED

Next: 05/11/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/11/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

05/11/23 City Commission DEFERRED

Next: 05/25/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Manolo Reyes, Commissioner, District Four	
<b>SECONDER:</b>	Christine King, Chair, District Five	
<b>AYES:</b>	Christine King, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Joe Carollo	

**PZ.14**  
**12838**

**ORDINANCE**

**Second Reading**

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"), BY AMENDING ARTICLE 7 OF THE MIAMI 21 CODE, TITLED "PROCEDURES AND NONCONFORMITIES," TO PROVIDE FOR THE ISSUANCE OF CERTIFICATES OF USE IN CERTAIN LIMITED INSTANCES WHERE A PROPERTY OR BUILDING ON A PROPERTY IS SUBJECT TO PENDING CODE COMPLIANCE OR BUILDING VIOLATIONS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

**SPONSOR(S):** **Commissioner Manolo Reyes, Commissioner Christine King**

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** This amendment proposes to provide for the issuance of certificates of use in certain limited instances where a property or building on a property is subject to pending code compliance or building violations.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEAL BOARD: On September 21, 2022, recommended approval, by a vote of 10-0.

**Note for the Record: 60-day Public Comment Period: January 18, 2023 - March 19, 2023; PZAB File ID 12418 Linked to this Legislative File**

**Districts Impacted:** All



History:

01/26/23 City Commission NO ACTION TAKEN Next: 03/23/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 3/23/2023 9:00 AM</b>
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03/23/23 City Commission DEFERRED Next: 04/13/23

<b>RESULT:</b>	<b>DEFERRED [UNANIMOUS]</b>	<b>Next: 4/13/2023 9:00 AM</b>
<b>MOVER:</b>	Joe Carollo, Vice Chair, District Three	
<b>SECONDER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>AYES:</b>	King, Carollo, Diaz de la Portilla, Covo, Reyes	

04/13/23 City Commission PASSED ON FIRST READING Next:  
05/25/23

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/25/2023 9:00 AM</b>	
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Manolo Reyes, Commissioner, District Four	
<b>AYES:</b>	Joe Carollo, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Christine King	

**PZ.15**  
**13539**

**ORDINANCE**

**Second Reading**

AN ORDINANCE AMENDING ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY AMENDING ARTICLE 7, SECTION 7.1.3.7, TITLED "NO APPROVAL AVAILABLE IF CODE ENFORCEMENT VIOLATIONS," TO PROVIDE CLARIFICATION ON THE CIRCUMSTANCES IN WHICH AN APPLICATION SHALL NOT BE SCHEDULED FOR A PUBLIC HEARING NOR ANY APPROVALS BE ISSUED BY THE CITY OF MIAMI ("CITY") IF THE PROPERTY SUBJECT TO THE HEARING OR REQUEST HAS OPEN VIOLATION(S) AND/OR OWES MONIES TO THE CITY AND TO PROVIDE CONSISTENCY WITH SECTION 2-208 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

**SPONSOR(S):** Commissioner Christine King

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** This legislation seeks to provide clarification on the circumstances in which an application shall not be scheduled for a public hearing nor any approvals be issued by the City of Miami if the property subject to the hearing or request has any open violations and/or owes any monies to the City of Miami.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On February 15, 2023, recommended approval, by a vote of 9-0.

**Note for the Record: Went on Future Legislation on March 23, 2023; PZAB File ID 13172 Linked to this Legislative File**

**Districts Impacted:** All

History:

03/23/23 City Commission NO ACTION TAKEN Next: 04/13/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 4/13/2023 9:00 AM</b>
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04/13/23 City Commission PASSED ON FIRST READING Next: 05/25/23

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next: 5/25/2023 9:00 AM</b>
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Sabina Covo, Commissioner, District Two	
<b>AYES:</b>	Joe Carollo, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Christine King	

**PZ.16**

**ORDINANCE**

**Second Reading**

**12861**

**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 ("MIAMI 21 CODE"), BY AMENDING ARTICLE 5, TITLED "SPECIFIC TO ZONES," MORE SPECIFICALLY BY AMENDING SECTIONS 5.5.1 AND 5.6.1, TITLED "BUILDING DISPOSITION," TO CLARIFY THE LOCATION AND DESIGN OF CROSS-BLOCK PASSAGES AND, IN SPECIFIED CIRCUMSTANCES, ALLOW FOR ENHANCED DESIGN ELEMENTS TO BE PROVIDED IN LIEU OF A CROSS-BLOCK PASSAGE; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** To clarify the location and design of required cross-Block passages and allow for a Civic Space type to be provided in lieu of a cross-Block Passages in specified circumstances.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On February 1, 2023, recommended approval, by a vote of 5-2

**Note for the Record: Went on Future Legislation on March 23, 2023; PZAB File ID 13234 Linked to this Legislative File**

**Districts Impacted:** District 2

History:

03/23/23 City Commission NO ACTION TAKEN

Next: 04/13/23

<b>RESULT:</b>	<b>NO ACTION TAKEN</b>	<b>Next: 4/13/2023 9:00 AM</b>
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04/13/23 City Commission PASSED ON FIRST READING  
05/25/23

Next:

<b>RESULT:</b>	<b>PASSED ON FIRST READING [UNANIMOUS]</b>	<b>Next:</b>
	<b>5/25/2023 9:00 AM</b>	
<b>MOVER:</b>	Alex Diaz de la Portilla, Commissioner, District One	
<b>SECONDER:</b>	Sabina Covo, Commissioner, District Two	
<b>AYES:</b>	Joe Carollo, Alex Diaz de la Portilla, Sabina Covo, Manolo Reyes	
<b>ABSENT:</b>	Christine King	

**PZ.17****12834****Department of  
Planning****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING WITH CONDITIONS AN EXCEPTION PURSUANT TO ARTICLE 6, TABLE 13 AND ARTICLE 7, SECTION 7.1.2.6 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE") AND CHAPTER 4 – ALCOHOLIC BEVERAGES, SECTION 4-7(C) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("CITY CODE") TO PERMIT AN ALCOHOL SERVICE ESTABLISHMENT IN EXCESS OF 5,000 SQUARE FEET IN THE URBAN CENTRAL BUSINESS DISTRICT AND A WARRANT PURSUANT TO ARTICLE 6, SECTION 6.3.2 AND ARTICLE 7, SECTION 7.1.2.4 OF THE MIAMI 21 CODE TO PERMIT AN OUTDOOR DINING AREA AT REAL PROPERTY DESIGNATED "T6-48A-O," URBAN CORE TRANSECT ZONE - OPEN, LOCATED AT APPROXIMATELY 801 BRICKELL BAY DRIVE, UNIT 4C-L41, MIAMI, FLORIDA, AS MORE PARTICULARITY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 801 Brickell Bay Drive, Unit 4C-L41

**APPLICANT(S):** Louis Terminello, Esquire, on behalf of HWood Group/Delilah

**PURPOSE:** This will allow Exception, with City Commission approval, for an Alcohol Service Establishment more than 5,000 square feet and a Warrant to permit an Outdoor Dining Area.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval with conditions.

PLANNING, ZONING AND APPEALS BOARD: On April 11, 2023, recommended approval with conditions, by a vote of 7-0.

**Note for the Record: PZAB File ID 12874 Linked to this Legislative File; ePlan PZ-21-10925**

**Districts Impacted:** District 2

**PZ.18****13883****Department of  
Planning****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING AN EXCEPTION PURSUANT TO ARTICLE 4, DIAGRAM 11 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE") TO ALLOW A DENSITY TRANSFER OF FIVE (5) UNITS INTO T4 TRANSECT ZONE, ALLOWED BY EXCEPTION WITH CITY COMMISSION APPROVAL, FOR TWO (2) REAL PROPERTIES DESIGNATED AS "T4-R," GENERAL URBAN ZONE - RESTRICTED, AND APPROVING THREE (3) SUBORDINATE WAIVERS FOR THE PROPERTY LOCATED AT APPROXIMATELY 3069 PLAZA STREET AND 3091 PLAZA STREET, MIAMI, FLORIDA, AS MORE PARTICULARITY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 3069 and 3091 Plaza Street

**APPLICANT(S):** Carli Koshal, Esquire on behalf of One Roble

**PURPOSE:** The Applicant is requesting to allow a Density transfer of five (5) units into a "T4" Transect Zone, which is allowed by Exception, with City Commission approval through the Historic Preservation Transfer of Development Density program established in Chapter 23 of the City Code onto a property that is approximately 14,374.8 square feet (0.33 acres) in size.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On April 11, 2023, recommended approval, by vote of 7-0.

**Note for the Record: PZAB File ID 13671 Linked to this Legislative File; ePlan PZ-22-15147**

**Districts Impacted:** District 2

**PZ.19****13878****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM "T5-L," URBAN CENTER TRANSECT ZONE - LIMITED, TO "T6-8-O," URBAN CORE TRANSECT ZONE – OPEN, OF THE PROPERTY GENERALLY LOCATED AT 1121, 1127, 1133, 1141, 1149, 1157, 1213, 1219, 1227, 1229, AND 1235 NORTHWEST 1 PLACE; 132, 139, AND 145 NORTHWEST 12 STREET; 140 NORTHWEST 13 ST; AND 1118, 1126, 1134, 1142, 1212, 1218, 1228, AND 1238 NORTHWEST 1 COURT, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 1121, 1127, 1133, 1141, 1149, 1157, 1213, 1219, 1227, 1229, and 1235 Northwest 1 Place; 132, 139, and 145 Northwest 12 Street; 140 Northwest 13 Street; and 1118, 1126, 1134, 1142, 1212, 1218, 1228, and 1238 Northwest 1 Court

**APPLICANT(S):** Ryan Bailine, Esq., on behalf of RNG Overtown LLC, Ring Equity Properties, LLC, New Overtown Equity Properties, LLC, Gibson Cove Properties LLC, F S H Holdings LLC, 13TH Street CORP, Fernando J Lopez & Beatriz Lopez, Newman Equity Properties, LLC, and Ring Equity Special Projects LLC

**PURPOSE:** This will change the above property from "T5-L" Urban Center Transect Zone-Limited to "T6-8-O" Urban Core Transect Zone-Open

**FINDING(S):**

PLANNING DEPARTMENT: Recommended denial, with a recommendation of T6-8-L.

PLANNING, ZONING AND APPEALS BOARD: On March 15, 2023, recommended approval, by a vote of 10-0.

**Note for the Record: PZAB File ID 10998 Linked to this Legislative File; ePlan PZ-21-10176**

**Districts Impacted:** District 5

**PZ.20****13865****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM "T5-O," URBAN CENTER ZONE - OPEN, TO "T6-8-O," URBAN CORE ZONE - OPEN, OF THE PROPERTY LOCATED AT APPROXIMATELY 3500 AND 3526 NORTH MIAMI AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Approximately 3500 and 3526 North Miami Avenue

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** This will change the above property from "T5-O" Urban Center Zone – Open to "T6-8-O" Urban Core Zone Transect Zone – Open.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On April 11, 2023, recommended approval, by a vote of 7-0.

**Note for the Record: PZAB File ID 13058 Linked to this Legislative File; ePlan PZ 22-11961**

**Districts Impacted:** District 5

**PZ.21****13866****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ("MIAMI 21 CODE") BY CHANGING THE ZONING CLASSIFICATION FROM "T6-24A-O," URBAN CORE TRANSECT ZONE - OPEN, TO "T6-24B-O," URBAN CORE TRANSECT ZONE - OPEN, FOR THE PROPERTY LOCATED AT APPROXIMATELY 1600 NORTHEAST 2 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION:** Generally, 1600 Northeast 2 Avenue

**APPLICANT(S):** Ines Marrero Priegues, Esq. on behalf of Miami Cash Register Co, LLC

**PURPOSE:** This will change the zoning for the above properties from "T6-24A-O" Urban Core Transect Zone - Open to "T6-24B-O" Urban Core Transect Zone – Open.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: On April 11, 2023, recommended approval, by vote of 8 to 0.

**Note for the Record: PZAB File ID 13665 Linked to this Legislative File; ePlan PZ 22-15065**

**Districts Impacted:** District 5



**PZ.22****13897****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM "HIGH DENSITY MULTI-FAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL" OF THE APPROXIMATELY ±1.828 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 1644, 1649, AND 1650 NORTHWEST 16TH TERRACE AND 1700 NORTHWEST 15TH STREET ROAD, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately, 1644, 1649, 1650 NW 16 Ter, 1700 NW 15 St Rd

**APPLICANT(S):** William Riley, Esquire on behalf of International Brotherhood of Electrical Workers (IBEW)

**PURPOSE:** This Future Land Use Map amendment application requests a change from High Density Multifamily Residential to Restricted Commercial.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ZONING AND APPEALS BOARDS: On April 19, 2023, motion to recommend approval failed by a vote to 5-3 due to a lack of super majority.

**Note for the Record: PZAB File ID 13718 Linked to this Legislative File; ePlan PZ-20-9175**

**Districts Impacted:** District 1

**PZ.23****13898****Department of  
Planning****ORDINANCE****First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), BY CHANGING THE ZONING CLASSIFICATION FROM "T6-8-O" URBAN CORE TRANSECT ZONE – OPEN, TO "T6-12-O" URBAN CORE TRANSECT ZONE - OPEN, OF THE PROPERTY GENERALLY LOCATED AT 1601, 1657 AND 1667 NORTHWEST 17 AVENUE MIAMI, FLORIDA, AND CHANGING THE ZONING CLASSIFICATION FROM "T6-8-R" URBAN CORE TRANSECT ZONE – RESTRICTED, TO "T6-12-O" URBAN CORE TRANSECT ZONE - OPEN, OF THE PROPERTY GENERALLY LOCATED AT 1644, 1649 AND 1650 NORTHWEST 16 TERRACE AND 1700 NORTHWEST 15 STREET ROAD, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**LOCATION(S):** Approximately 1601, 1657, 1667 NW 17 Avenue

**APPLICANT(S):** William Riley, Esq on behalf of Brotherhood of Electrical Workers, Inc.

**PURPOSE:** The application is to rezone the properties from a "T6-8-O" and "T6-8-R" to a "T6-12-O."

**FINDING(S):**

PLANNING DEPARTMENT: Recommended denial.

PLANNING, ZONING AND APPEALS BOARDS: on April 19, 2023, the motion to recommend approval with conditions failed by a vote of 3-5.

**Note for the Record: PZAB File ID 13719 Linked to this Legislative File; ePlanPZ-20-7997**

**Districts Impacted:** District 5

PZ.24

**ORDINANCE****First Reading**

13627

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 1, TITLED "DEFINITIONS"; AMENDING ARTICLE 4, TABLE 6 TITLED "FRONTAGES"; AMENDING TABLE 8, TITLED "DEFINITIONS ILLUSTRATED"; AMENDING ARTICLE 5, TITLED "SPECIFIC TO ZONES," TO MODIFY SECTIONS 5.3, 5.4, 5.5, 5.6 AND 5.8; FURTHER AMENDING ARTICLE 8, TITLED "THOROUGHFARES" AND ARTICLE 9, TITLED "LANDSCAPE REQUIREMENTS," TO CLARIFY AND INTRODUCE NEW FRONTAGE-RELATED DEFINITIONS, ALLOW ARCHITECTURAL AND FRONTAGE FLEXIBILITY IN SPECIFIED CIRCUMSTANCES WITHIN T5, T6, AND CI-HD TRANSECT ZONES, UPDATE AND INTRODUCE NEW DEFINITION ILLUSTRATIONS, MODIFY MINIMUM HEIGHT REQUIREMENTS WITHIN T5 AND T6, AND ALLOWING ADDITIONAL SITE TREES PLACEMENT FLEXIBILITY; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** **Commissioner Alex Diaz de la Portilla**

**PURPOSE:** This request asks for an amendment to the Miami 21 Code to introduce Frontage architectural flexibility, clarify the First Layer requirements, and resolve site specific design challenges that address grade elevation changes and constraints.

**FINDING(S):**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: Scheduled to be heard as part of the May 17, 2023 meeting.

**Note for the Record: PZAB File ID 13722 Linked to this Legislative File**

**Districts Impacted:** All

**PZ.25**  
**13872**

**ORDINANCE**

**First Reading**

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 4, DIAGRAM 11, TITLED "TRANSIT ORIENTED DEVELOPMENT - TOD," TO PROVIDE AND ALLOW FOR THE TRANSFER OF RESIDENTIAL DENSITY FROM HISTORICALLY DESIGNATED SITES TO CERTAIN PROPERTIES WITHIN TRANSIT ORIENTED DEVELOPMENT ZONES ZONED CI-HD; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**SPONSOR(S):** **Commissioner Alex Diaz de la Portilla**

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** This request is asking for the transfer of residential density from historically designated sites to certain properties within the Transit Oriented Development Zones zoned CI-HD.

**FINDING(S)**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: Scheduled to be heard as part of the May 17, 2023 meeting.

**Districts Impacted:** All

**PZ.26**  
**13965**

**ORDINANCE**

**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN OF THE CITY OF MIAMI, FLORIDA, PURSUANT TO EXPEDITED STATE REVIEW PROCEDURES UNDER SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE INTERPRETATION OF THE 2020 FUTURE LAND USE MAP FOR "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION AND UTILITIES" TO CLARIFY RESIDENTIAL USES WITHIN THIS FUTURE LAND USE DESIGNATION; MAKING FINDINGS; CONTAINING SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

**SPONSOR(S):** Commissioner Alex Diaz de la Portilla

**APPLICANT(S):** Arthur Noriega V, City Manager on behalf of the City of Miami

**PURPOSE:** This request is asking to clarify Residential Uses within the "Major Institutional, Public Facilities, Transportation, and Utilities designation.

**FINDING(S)**

PLANNING DEPARTMENT: Recommended approval.

PLANNING, ZONING AND APPEALS BOARD: Scheduled to be heard as part of the May 17, 2023 meeting.

**Districts Impacted:** All

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