

**HOMELAND DEFENSE/  
NEIGHBORHOOD IMPROVEMENT  
BOND OVERSIGHT BOARD  
AGENDA**

**11/12/02 - 6:00 P.M.  
CITY OF MIAMI, 10<sup>th</sup> Floor  
MIAMI RIVERSIDE CENTER  
MAIN CONFERENCE ROOM  
MIAMI, FLORIDA 33130**

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- I. APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 22, 2002.
  
- II. **NEW BUSINESS:**
  - a. Harold Ruck, Planning Department, GIS Representative.
  - b. Presentation by Laura Billberry, Director of Asset Management, re: acquisition of the property located immediately behind the Tower Theater at 1501 SW 9 Street, Miami, Florida.
  - c. Projects/Financial Status Report Presentation by Janet Palacino.
  - d. Audit Committee Report.
  - e. Communications Committee Report.
  
- III. **CHAIRPERSON'S OPEN AGENDA.**
  
- IV. **ADDITIONAL ITEMS.**

**HOMELAND DEFENSE/  
NEIGHBORHOOD IMPROVEMENT  
BOND OVERSIGHT BOARD  
MINUTES**

**10/22/02  
6:00 P.M.  
CITY OF MIAMI  
MIAMI RIVERSIDE CENTER  
MAIN CONFERENCE ROOM  
MIAMI, FLORIDA 33130**

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The meeting was called to order at 6:24 p.m., with the following members present:

Rolando Aedo  
Sonny Armbrister (entered at 6:30 p.m.)  
Luis Cabrera  
Mariano Cruz  
Robert Flanders (Chairman)  
Julie Grimes  
David Marko  
Jami Reyes  
Manolo Reyes (Vice Chairman) (entered at 6:36 p.m.)  
Louis de Rosa

Absent: Ringo Cayard, Marvin Dunn, Milagros Loyal, Gary Reshefsky

I. **APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 17, 2002.**

Prior to motion to approve the minutes of the September 17, 2002 meeting, Chairman Flanders requested of the City Clerk that a clarification be made to the minutes. Page 2 of the minutes reflect an indication that Chairman Flanders stated that Manolo Reyes was the Vice Chairperson of the Board. Chairman Flanders recalled stating that the Board had elected Mr. Reyes and it was not an appointment made by the Chairman. Mr. Reyes was elected as Vice Chairperson by the Board at a prior meeting. After stating this clarification on the record, a motion was made to approve the minutes.

HD/NIB MOTION 02-21

A MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 17, 2002 MEETING OF THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD WITH THE CLARIFICATION THAT MANOLO REYES WAS ELECTED VICE PRESIDENT OF THE BOARD AT A PRIOR BOARD MEETING.

MOVED: D. MARKO  
SECONDED: L. CABRERA  
ABSENT: S. ARMBRISTER; R. CAYARD;  
M. DUNN; M. LOYAL;  
G. RESHEFSKY; M. REYES

Note for the Record: Motion passed by unanimous vote of all Board Members present.

**II. NEW BUSINESS:**

- a. Commissioner Joe M. Sanchez addresses the Board.

\* Commissioner Sanchez addressed the Board, seeking support for development of a linear park project which is presently underway located in the area of Cuban Memorial Drive, from Southwest 8<sup>th</sup> Street to Coral Way. Once the park is developed, it will be maintained by the City, as all City parks are maintained by the City. A PD&E study has been completed for the project, and Commissioner Sanchez plans to walk the project with the architect of the project in the very near future. Commissioner Sanchez expressed his confidence in developing this project at the cost of not more than \$2,000,000, funds to be allocated from his \$4.5 million appropriation for Neighborhood Park Improvements. Commissioner Sanchez also informed the Board that this project is part of the City's overall master plan. An issue that may be of concern to the Board is that the property where the linear park is to be located is not presently a park, but it is a greenway, maintained by the City which could be transformed into a park. The property is owned by the City. Commissioner Sanchez offered to provide monthly progress reports of this project, should the Board desire same.

**HD/NIB MOTION 02-23**

**A MOTION TO REFER TO THE AUDIT COMMITTEE CONSIDERATION OF APPROVAL OF PLANS TO DEVELOP A LINEAR PARK IN THE AREA OF CUBAN MEMORIAL DRIVE, DISTRICT 3 OF THE CITY OF MIAMI.**

**MOVED: M. REYES  
SECONDED: D. MARKO  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY**

**Note for the Record: Motion passed by unanimous vote of all Board Members present.**

- b. Presentation by the Miami River Commission (MRC) re: Request for the Homeland Defense/Neighborhood Improvement Bond Oversight Board to allocate \$25,000 to match the \$100,000 grant awarded to the MRC to build the Greenway adjacent to the “Miami Circle”.

\* Presentation made by Brett Bibeau, Assistant Director of the Miami River Commission (MRC). A priority of the MRC is creation of a Miami River Greenway. The MRC was awarded a \$100,000 grant from the Florida Department of Environmental Protection (FDEP), to build the Greenway at the Miami Circle site. The grant requires a \$25,000 local match. Mr. Bibeau requested that the Board recommend to the City Commission allocation of the matching \$25,000 from Bond funds.

Mr. Bibeau reminded the Board that at a previous meeting, it was stated that priority consideration would be given to projects that had matching funds and had received previous planning. The Greenway Project fits both criteria. The Miami River Greenway Action plan includes the Miami Circle site. 100 percent of the \$25,000 match would be spent towards brick and mortar to develop the Circle site. Resolutions of adoption of the Miami River Greenway Action Plan by the City Commission, The City’s Waterfront Advisory Board, Historical and Environmental Preservation Board and Planning Advisory Board were distributed to the members of the Board. Each of these Boards unanimously recommended adoption of the Plan. The City Commission adopted the Greenway Action Plan in May 2001.

\* Chairman Flanders informed the Board of a recent telephone conversation he had with Commissioner Winton in which Commissioner Winton expressed his interest in the Greenway Project, noting that he is throwing all his desire and weight behind the project.

\* Board Member Marko raised the question of maintenance of the project.

\* Diane Johnson of the Real Estate & Economic Development Department informed the Board that the City Commission adopted the Greenway Action Plan in principle only, to which Assistant City Manager Frank Rollason explained that it was adopted in principle only because at the time of the adoption, there was no available funding for

the project, but at present, Mr. Bibeau has brought money to the table for the project, and is looking for matching dollars.

\* Ms. Johnson suggested that perhaps the Department of Transportation (DOT) would be able to assist with funding.

\* Chairman Flanders observed that the MRC is offering a four to one match, which is extraordinary, and that perhaps the Board should entertain a motion to recommend the \$25,000 matching funds to the MRC for the Greenway Project.

\* Board Member Marko once again raised the issue of maintenance of the Greenway.

\* Mr. Bibeau informed the Board that the City would not be asked to maintain the site, at all, and that the County is currently providing maintenance. He also informed the Board that the Department of State is the owner of the site and the County is the manager of the site. So there is presently a level of both State and County involvement. The MRC also has a commitment from Hands on Miami to provide assistance in maintaining the site. There is presently involvement by the public, the State and the County in providing labor/money to maintain the Miami Circle site on a regular basis.

\* Chairman Flanders questioned Mr. Bibeau as to whether the City Public Works Department would have no involvement in maintenance of the site, to which Mr. Bibeau replied, "correct." Chairman Flanders then inquired as to whether the legal responsibility for maintenance of the site is borne jointly by the State and the County, and whether this fact had been put in writing, to which Mr. Bibeau replied, "Yes, that's an existing thing that's already going on. I'd be happy to provide you a copy."

\* Mr. Bibeau informed the Board that time was of the essence, as the FDEP was looking to sign contracts with the MRC by approximately the end of October 2002, and if the Board chose to recommend granting the \$25,000 matching funds to the Commission, the item could possibly be placed on the November 19, 2002 City Commission agenda. However, if need be, Mr. Bibeau could ask the FDEP for an extension. He further explained that the total \$100,000 grant plus the matching \$25,000 from the Bond issue would be used only for development of the Greenway,

and the Department of State would be providing approximately \$400,000 for extremely needed repairs to the seawall at the site.

\* Board Member Marko made a motion to approve the recommendation of the \$25,000 grant to the MRC to use towards development of the Miami River Greenway, subject to two conditions: (1) That the Planning Department of the City is in agreement that this should be done. (2) That verified documentation be provided to the City Commission indicating that the City of Miami will not be responsible for maintenance of the Miami River Greenway Project. The motion was seconded by Vice Chairman Reyes.

\* Board Member Cabrera suggested that the issue of security of the site should be addressed in the motion.

\* Mr. Bibeau explained that there were both short- and long-term answers to the question of security. Long term: Plans are being considered to establish a Greenways Trust to oversee the entire Miami River Greenway, to address issues such as maintenance and security, etc. Short term: MRC has received Commitments from the local police department, from the County to assist in matters of security at the site. Mr. Bibeau has spoken with the NET Resource Officer of Downtown Miami. The NET Resource Officer is committed. Mr. Bibeau has personally taken the NET Resource Officer out on a tour of the site, with the Community Relations Board.

\* Chairman Flanders informed the Board that the City's Parks Advisory Board would be meeting on October 23, 2002 and the issue of security in all City parks would be included on that Board's agenda. Board Member Marko reminded the Board that the proposed site for development of the Greenway is not a City park, and Chairman Flanders made inquiry as to how the motion could be amended to address the issue of security.

\* Board Member Marko suggested that the definition of "carrying cost/operating cost" should include maintenance and security at the site. So the motion should state: "Carrying and operating costs, including the cost of security not be borne by the City." Vice Chairman Reyes accepted the amendment to the motion.

HD/NIB MOTION 02-22

A MOTION TO RECOMMEND TO THE CITY COMMISSION APPROVAL OF A \$25,000 GRANT TO THE MIAMI RIVER COMMISSION, SAID FUNDS TO BE USED TOWARDS DEVELOPMENT OF THE MIAMI RIVER GREENWAY, SUBJECT TO TWO CONDITIONS: (1) THAT THE PLANNING DEPARTMENT OF THE CITY OF MIAMI IS IN AGREEMENT WITH THE MIAMI RIVER GREENWAY DEVELOPMENT PLAN; (2) THAT CARRYING/OPERATING COSTS OF THE GREENWAY, INCLUDING THE COST OF SECURITY AND MAINTENANCE WILL NOT BE BORNE BY THE CITY OF MIAMI AND VERIFIED DOCUMENTATION BE PROVIDED TO THE CITY COMMISSION THAT THE CITY OF MIAMI WILL NOT BE RESPONSIBLE FOR SAID COSTS; MONIES FOR SAID GRANT TO BE ALLOCATED FROM HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND PROGRAM FUND.

MOVED: D. MARKO  
SECONDED: M. REYES  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion was passed by unanimous vote of all Board Members Present.



c. Janet Palacino addresses the Board

\* Presentation by Janet Palacino, Director of City of Miami CIP Department. Ms. Palacino reviewed with the Board the overall present state of the CIP Department and the goals and objectives of the Department, which is to establish scopes of work throughout the City, going through the planning process, the design process and the bidding of awards process. Ms. Palacino offered to make a formal power point presentation at the next Board meeting, if the Board so desired. Ms. Palacino requested assistance/suggestions from the Board in streamlining the process of planning, designing and bidding of awards, emphasizing the importance of establishing a consolidated list of projects to be considered by the CIP Department, in order of priority.

d. Presentation by the Miami Police Department re: Training Facility

\* Presentation by Assistant Police Chief Noel A. Rojas. Chief Rojas addressed the Board regarding his recent meeting with the Board's Audit Committee in which a review was done of the major issues of concern to the Police Department.

\* The issue of a proposed site for a state-of-the-art police training facility was revisited.

\* Major Joseph T. Longueira informed the Board that subsequent to meeting with the Audit Committee, he met with Jorge Avino, Deputy Director of the CIP Department to discuss the issue of a site for the training facility, and Mr. Avino advised Major Longueira that he would work with the Police Department to evaluate possibilities of cost and location of a training facility. The Department's big need at the moment is a firearms range. Discussion was had among the Board Members concerning the ability to provide a training facility for the Police Department within the City of Miami, as opposed to outside of the City of Miami.

\* Board Member Marko reminded the Board of its need to address the Audit Committee's recommendation that the Board approve the list of security equipment submitted by the Police Department, amounting to approximately \$930,000.

HD/NIB MOTION 02-24

A MOTION TO RECOMMEND TO THE CITY COMMISSION APPROVAL TO ALLOCATE BOND FUNDS FOR PURCHASE OF THE LIST OF SECURITY EQUIPMENT SUBMITTED TO THE BOARD BY THE POLICE DEPARTMENT, WITH THE STIPULATION THAT PURCHASE OF EQUIPMENT VALUED AT \$150,000 OR LESS BE MADE WITHIN SIX MONTHS OF APPROVAL OF SAME, AND PURCHASES OF EQUIPMENT VALUED OVER \$150,000 BE MADE WITHIN ONE YEAR OF APPROVAL OF SAME; FURTHER STIPULATING THAT IF PURCHASES ARE NOT MADE WITHIN THE TIME FRAMES INDICATED, BOARD RECOMMENDATION OF APPROVAL FOR SAID PURCHASES WILL BE RESCINDED.

MOVED: D. MARKO  
SECONDED: J. GRIMES  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion passed with unanimous vote of all Board Members present

e. Presentation by the Fire Department re: \$1.5 million Homeland Defense Preparedness Initiative.

\* Presentation by Deputy Fire Chief Maurice Kemp. Chief Kemp provided the Board with a list of items needed by the Fire Department, including the need for an incident command post, technical rescue vehicle, terrorist cache vehicle, domestic security/terrorist cache equipment, decontamination showers, sampling/monitoring equipment, fiber optic and listening devices. The Fire Department is gearing up to handle incidents involving a massive level of individuals, such as the Department has never had to consider handling before.

\* Board Member Marko made a recommendation that the Fire Department's list be referred to the Audit Committee for consideration.

\* Vice Chairman Reyes suggested that there was no need for further discussion or consideration of the list, noting that the list of needs was very straightforward.

\* Chairman Flanders inquired as to whether funding could be scaled back after it is determined at what level Congress would provide funding to the Fire Department.

\* Assistant City Manager Rollason suggested perhaps line item entries could be done and sources of funding could be changed on line items, depending on what other sources of funding become available to the Fire Department.

\* Vice Chairman Reyes made a motion to recommend approval of the list of equipment submitted by the Fire Department, to which Board Member de Rosa seconded. Board Member Marko offered a friendly amendment to the motion, noting that all the items on the list provided by the Fire Department were valued above \$200,000, and adding the provision to the motion that equipment valued at \$200,000 or more would be purchased within a one-year period; otherwise the recommendation of approval for purchase of such equipment would be rescinded. The maker and seconder of the motion accepted the amendment to the motion.

#### HD/NIB MOTION 02-25

A MOTION TO RECOMMEND TO THE CITY COMMISSION APPROVAL TO ALLOCATE BOND FUNDS FOR PURCHASE OF THE LIST OF FIRE-RESCUE EQUIPMENT SUBMITTED TO THE BOARD BY THE FIRE DEPARTMENT, WITH THE STIPULATION THAT PURCHASES OF EQUIPMENT VALUED AT \$150,000 OR LESS BE MADE WITHIN SIX MONTHS OF APPROVAL OF SAME AND PURCHASES OF EQUIPMENT VALUED OVER \$150,000 BE MADE WITHIN ONE YEAR OF APPROVAL OF SAME; FURTHER STIPULATING THAT IF PURCHASES ARE NOT MADE WITHIN THE TIME FRAMES INDICATED, BOARD RECOMMENDATION OF APPROVAL FOR SAID PURCHASES WILL BE RESCINDED.

MOVED: M. REYES  
SECONDED: L. de ROSA  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion passed by unanimous vote of all Board Members present.

f. Audit Committee Report.

No report made by the Audit Committee

g. Communications Committee Report.

\* Report made by Board Member Jami Reyes. A power point presentation displayed the web page for the Board. Ms. Reyes indicated that she had met with Manny Otero of the IT Department and with Danette Perez, Liaison to the Board in developing the website. Ms. Reyes stated that the web page would be operational by Monday, October 28, 2002, upon the approval of the Board.

\* Address of the website: [ci.miami.fl/bondoversight](http://ci.miami.fl/bondoversight).

\* Ms. Reyes requested of the Board Members to provide a one-paragraph bio to be included in the web page. She also requested a head-shot photograph of each Board Member for inclusion in the web page.

\* Assistant City Manager Rollason informed the Board that at the November 19, 2002 City Commission, changes to the Homeland Defense/Neighborhood Improvement Bond Oversight Board Ordinance would be addressed, as to requirements for reports on projects and financial status of projects. Mr. Rollason made the suggestion that one thing that could be added to the web page was a projects section for citizens to have access to information on all projects underway in the City.

HD/NIB MOTION 02-26

A MOTION TO APPROVE THE IMPLEMENTATION OF THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD WEBSITE, WITH A TARGET DATE TO BEGIN OPERATION OF OCTOBER 28, 2002.

MOVED: Y. REYES  
SECONDED: L. CABRERA  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion passed by unanimous vote of all Board Members present.

**III. CHAIRPERSON'S OPEN AGENDA.**

No open agenda.

**IV. ADDITIONAL ITEMS.**

- \* Assistant City Manager Rollason again reminded the Board that during the upcoming November 19, 2002 City Commission meeting, the second reading of the amendment to the Homeland Defense/Neighborhood Improvement Bond Oversight Board Ordinance is on the agenda. A change to be considered by the Commission would be to add the requirement that the Board generate either a monthly or quarterly status report.
- \* CIP Director Janet Palacino indicated that she would prefer said report be generated on a quarterly basis.
- \* Mr. Rollason also informed the Board that a proposed change to the Ordinance, which he is opposed to, is the implementation of the requirement of a public hearing process prior to the City Commission's approval of appropriations for projects recommended by the Board.

Mr. Rollason is being required to meet with each City Commissioner to explain the process in terms of what, if any delays could occur as the result of this proposed additional language to the Ordinance. If this language is added to the Ordinance, it would have the effect of slowing down the process of allocating Bond funds to projects.

\* Mr. Rollason appealed to the Board to voice its concerns to the City Commission regarding the proposed additional language to the Ordinance.

HD/NIB MOTION 02-27

A MOTION TO PREPARE A WRITTEN DOCUMENT EXPRESSING TO THE CITY COMMISSION THE BOARD'S STRONG CONCERN AND DISAGREEMENT TO ADDING LANGUAGE TO THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD ORDINANCE WHICH WOULD REQUIRE A PUBLIC HEARING PRIOR TO ALLOCATION OF FUNDS TO CITY PROJECTS, IN LIGHT OF THE EXISTING BOND OVERSIGHT PROCESS.

MOVED: D. MARKO  
SECONDED: L. CABRERA  
ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion passed by unanimous vote of all Board Members present.

HD/NIB MOTION 02-28

A MOTION TO ADJOURN TODAY'S MEETING (9:23 P.M.)

MOVED: M. REYES

SECONDED: J. REYES

ABSENT: R. CAYARD; M. DUNN; M. LOYAL;  
G. RESHEFSKY

Note for the Record: Motion passed by unanimous vote of all Board Members present.



DEPARTMENT OF CAPITAL IMPROVEMENTS  
PROJECT OVERVIEW FORM

1. DATE: 11/12/02  
NAME OF PROJECT: Land Acquisition behind Tower Theatre - 1501 SW 9 ST  
INITIATING DEPARTMENT/DIVISION: Asset Management  
INITIATING CONTACT PERSON/CONTACT NUMBER: Laura Billberry / 305.416.1452  
C.I.P. DEPARTMENT CONTACT: \_\_\_\_\_  
RESOLUTION NUMBER: R-02-1274 CIP/PROJECT NUMBER: 341127  
ADDITIONAL PROJECT NUMBER: \_\_\_\_\_

(IF APPLICABLE)

2. BUDGETARY INFORMATION: Are funds budgeted?  YES  NO If yes,  
TOTAL DOLLAR AMOUNT: \$210,000 was approved by commission for land acquisition  
SOURCE OF FUNDS: \$ Calle Ocho Improvements ACCOUNT CODE(S): \_\_\_\_\_  
CIP # 341127

If grant funded, is there a City match requirement?  YES  NO  
AMOUNT: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_  
Are matching funds Budgeted?  YES  NO Account Code(s): \_\_\_\_\_  
Estimated Operations and Maintenance Budget \_\_\_\_\_

3. SCOPE OF PROJECT:  
Individuals / Departments who provided input: Laura Billberry, Asset Management

DESCRIPTION OF PROJECT: Land Acquisition 1501 SW 9 ST to further improve the Tower Theatre facility including its staging area, dressing area, and parking area.

Approved by Audit Committee?  YES  NO  N/A DATE APPROVED: \_\_\_\_\_  
Approved by Bond Oversight Board?  YES  NO  N/A DATE APPROVED: 11/12/02  
Approved by Commission?  YES  NO  N/A DATE APPROVED: 12/12/02  
Revisions to Original Scope?  YES  NO (If YES see Item 5 below)  
Time Approval  6 months  12 months Date for next Oversight Board Update: 6/12/03

4. CONCEPTUAL COST ESTIMATE BREAKDOWN  
Has a conceptual cost estimate been developed based upon the initial established scope?  YES  NO If yes,  
DESIGN COST: \_\_\_\_\_  
CONSTRUCTION COST: \_\_\_\_\_  
Is conceptual estimate within project budget?  YES  NO  
If not, have additional funds been identified?  YES  NO  
Source(s) of additional funds: \_\_\_\_\_

Approved by Commission?  YES  NO  N/A DATE APPROVED: \_\_\_\_\_  
Approved by Bond Oversight Board?  YES  NO  N/A DATE APPROVED: \_\_\_\_\_

5. REVISIONS TO ORIGINAL SCOPE  
Individuals / Departments who provided input: \_\_\_\_\_

Justifications for change: \_\_\_\_\_

Description of change: \_\_\_\_\_

Fiscal Impact  YES  NO HOW MUCH? \_\_\_\_\_  
Have additional funds been identified?  YES  NO  
Source(s) of additional funds: \_\_\_\_\_

Time impact \_\_\_\_\_  
Approved by Commission?  YES  NO  N/A DATE APPROVED: \_\_\_\_\_  
Approved by Bond Oversight Board?  YES  NO  N/A DATE APPROVED: \_\_\_\_\_

6. COMMENTS: The Bond Oversight Board DID NOT approve the purchase of this land. The consensus of the Board was that more direction would be required of the City Commission before the Board could approve this acquisition with Bond funds. 6/24: Jose Casanova to come back to Board to present plans for structure / land update in 30 days

APPROVAL: Robert O. Ford DATE: 11/12/02  
BOND OVERSIGHT BOARD



**CONSENT AGENDA CONT'D**

**CA-8.      RESOLUTION - (J-02-1015) - (AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE PROPERTY)**

**AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE THE PROPERTY LOCATED AT 1501 SOUTHWEST 9 STREET, MIAMI, FLORIDA, AS SET FORTH IN THE OPTION TO PURCHASE REAL PROPERTY AGREEMENT ("OPTION AGREEMENT) BETWEEN THE CITY OF MIAMI AND MIGUEL MOREIRA (SELLER), DATED NOVEMBER 7, 2002, ATTACHED AND INCORPORATED, WITH A PURCHASE PRICE OF \$200,000 AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF SAID OPTION AGREEMENT; FURTHER ALLOCATING FUNDS IN THE AMOUNT OF \$210,000 FROM CAPITAL IMPROVEMENT PROJECT 341127, ENTITLED "CALLE OCHO IMPROVEMENTS" TO COVER THE COST OF SAID ACQUISITION INCLUSIVE OF COSTS OF SURVEY, APPRAISAL, ENVIRONMENTAL REPORT AND TITLE INSURANCE ASSOCIATED WITH SAID ACQUISITION IN COMPLIANCE WITH FLORIDA STATUTE 166.045.**

R-02-1274  
MOVED:      GONZÁLEZ  
SECONDED: TEELE  
UNANIMOUS

HD/NIB MOTION 02-30

A MOTION REQUESTING THE CITY OF MIAMI COMMISSION TO IDENTIFY A POOL OF FUNDS TO PURCHASE PROPERTY LOCATED BEHIND THE TOWER THEATER AT 1501 SOUTHWEST 9<sup>TH</sup> STREET, MIAMI, FLORIDA, AS DESCRIBED IN RESOLUTION NO. 02-1058. WHEREAS THE CITY OF MIAMI COMMISSION HAS NOT SOUGHT IN PARTICULAR TO USE BOND FUNDS TO PURCHASE SAID PROPERTY; AND WHEREAS THE HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BOND OVERSIGHT BOARD HAS NO INDICATION OF ANY COMMISSIONER USING QUALITY OF LIFE FUNDS TO PURCHASE SAID PROPERTY, THE BOARD RESPECTFULLY REQUESTS THAT THE CITY OF MIAMI COMMISSION IDENTIFY A FUNDING SOURCE, WHETHER IT BE QUALITY OF LIFE FUNDS OR IDENTIFICATION OF A PRESENTLY FUNDED PROJECT WHICH WOULD BE DE-FUNDED AND WHOSE FUNDS WOULD THEN BE APPROPRIATED FOR THE ACQUISITION OF THE ABOVE-CITED PROPERTY.

MOVED: D. MARKO  
SECONDED: L. de ROSA  
NAYS: M. CRUZ  
ABSENT: L. CABRERA; M. DUNN;  
M. LOYAL; J. REYES;  
M. REYES

Note for the Record: Motion was passed by vote of 8 to 1.

INTER-OFFICE MEMORANDUM

TO: Robert Flanders, Chairperson  
Homeland Defense Neighborhood Improvement  
Bond Oversight Board

DATE: November 6, 2002

FILE:

SUBJECT: Option to Purchase Property at  
1501 SW 9 Street

FROM:

  
Laura Billberry, Director  
Office of Asset Management

REFERENCES:

ENCLOSURES

RECOMMENDATION:

It is respectfully requested that the Homeland Defense Neighborhood Improvement Bond Oversight Board recommend approval of the acquisition of the property located at 1501 SW 9 Street, Miami, Florida.

BACKGROUND:

On September 26, 2002, the City Commission adopted Resolution 02-1058 (copy attached) directing the City Manager to initiate steps necessary to purchase the property located immediately behind the Tower Theater at 1501 SW 9 Street, Miami, Florida. The Resolution further directed the City Manager to negotiate an agreement for said acquisition and to present the agreement to the City Commission for its consideration.

The City Commission proposed that this site be used in connection with the City-owned Tower Theater located at 1508 SW 8 Street, Miami, Florida.

This property is currently for sale with a listing price of \$210,000. The property is a single family home with a lot size of 5,014 SF. The property is zoned SD-14.

The Office of Asset Management prepared, and the City Manager executed, an Option Agreement to purchase this property for \$200,000, with an option payment of \$250.00, which must be paid at the time the option is accepted by the seller. A copy of the option agreement is attached hereto for reference and we are currently waiting for acceptance by the seller. The City Commission is the only party authorized to exercise the option which option must be exercised by December 31, 2002. The proposed purchase price of \$200,000 is subject to an appraisal. If the purchase price exceeds the appraised value, the purchase price will be reduced to the appraised value. If the new purchase price is less than 90% of the original purchase price, the Seller will have the right to terminate the agreement.

It is requested at this time that the Bond Oversight Board recommend approval of this acquisition. Assuming the seller accepts the option, we will be presenting this item to the City Commission for its consideration at its December 12, 2002 City Commission meeting.

LB:m BOB 1501 SW 9 St

J-02-875  
9/25/02

RESOLUTION NO. 02-1058

A RESOLUTION OF THE MIAMI CITY COMMISSION DIRECTING THE CITY MANAGER TO INITIATE THE STEPS NECESSARY TO PURCHASE THE PROPERTY LOCATED BEHIND THE TOWER THEATER AT 1501 SOUTHWEST 9<sup>TH</sup> STREET, MIAMI, FLORIDA; FURTHER DIRECTING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT FOR SAID ACQUISITION AND PRESENT THE AGREEMENT TO THE CITY COMMISSION FOR ITS CONSIDERATION.

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

Section 1. The City Manager is directed to initiate the steps necessary to purchase the property located behind the Tower Theater at 1501 Southwest 9<sup>th</sup> Street, Miami, Florida.

Section 2. The City Manager is further directed<sup>1/</sup> to negotiate an agreement for said acquisition and present the agreement to the City Commission for its consideration.

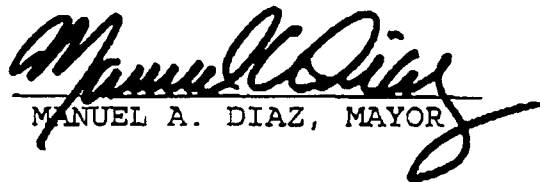
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<sup>1/</sup> The herein direction is subject to compliance with all requirements that may be imposed by the City Attorney, including but not limited to those prescribed by applicable City Charter and Code provisions.

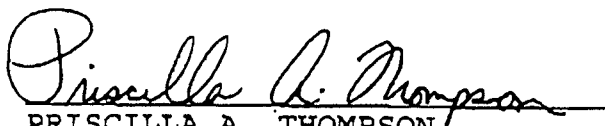
CITY COMMISSION  
MEETING OF  
SEP 26 2002  
Resolution No.  
02-1058

Section 3. This Resolution shall become effective immediately upon its adoption and signature of the Mayor.<sup>2/</sup>

PASSED AND ADOPTED this 26th day of September, 2002.

  
MANUEL A. DIAZ, MAYOR

ATTEST:

  
PRISCILLA A. THOMPSON  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS 

  
ALESSANDRO VILARELLO  
CITY ATTORNEY

W6612:BSS

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

CONSENT AGENDA CONT'D

CA-8.

RESOLUTION - (J-02-1015) - (AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE PROPERTY)

AUTHORIZING THE CITY MANAGER TO EXERCISE THE OPTION TO PURCHASE THE PROPERTY LOCATED AT 1501 SOUTHWEST 9 STREET, MIAMI, FLORIDA, AS SET FORTH IN THE OPTION TO PURCHASE REAL PROPERTY AGREEMENT ("OPTION AGREEMENT) BETWEEN THE CITY OF MIAMI AND MIGUEL MOREIRA (SELLER), DATED NOVEMBER 7, 2002, ATTACHED AND INCORPORATED, WITH A PURCHASE PRICE OF \$200,000 AND TO CONSUMMATE SAID TRANSACTION IN ACCORDANCE WITH THE TERMS OF SAID OPTION AGREEMENT; FURTHER ALLOCATING FUNDS IN THE AMOUNT OF \$210,000 FROM CAPITAL IMPROVEMENT PROJECT 341127, ENTITLED "CALLE OCHO IMPROVEMENTS" TO COVER THE COST OF SAID ACQUISITION INCLUSIVE OF COSTS OF SURVEY, APPRAISAL, ENVIRONMENTAL REPORT AND TITLE INSURANCE ASSOCIATED WITH SAID ACQUISITION IN COMPLIANCE WITH FLORIDA STATUTE 166.045.

R-02-1274  
MOVED: GONZÁLEZ  
SECONDED: TEELE  
UNANIMOUS