



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
November 5, 2008

Mayor Matti Herrera Bower
Vice-Mayor Jonah Wolfson
Commissioner Saul Gross
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Vacant Seat Group III

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 1:00 p.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business and Commission
R10 City Attorney Reports

Reports and Informational Items

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.

Presentations and Awards

- PA1 Certificate Of Appreciation Presented To The September 2008 And October 2008 Employees Of The Month "At Your Service Award" Winners. (Page 1)
(City Manager's Office)
- PA2 Certificates Of Recognition To Be Presented To Moises Bakery, First Place, Tamarind Thai Restaurant; Second Place. And Juices And Bites; Third Place For Best Empanada In North Beach Contest City Of Miami Beach Hispanic Heritage Festival In 2008.
(Requested by Mayor Matti Herrera Bower)
- PA3 Certificates Of Recognition To Be Presented To: Rachael Ovadia And Michael Hughes Of The Washington Avenue Neighborhood Association For Their Efforts And Contribution To The Old City Hall Ribbon Cutting Ceremony On October 22, 2008.
(Requested by Mayor Matti Herrera Bower)
- PA4 Certificates Of Recognition To Be Presented To: Pepper's Burrito Grill, Mattarello Bakery Café, Fratelli La Bufala, Moshi Moshi And Cavas Wine Bar For Their Efforts And Contribution To The Old City Hall Ribbon Cutting Ceremony On October 22, 2008.
(Requested by Mayor Matti Herrera Bower)
- PA5 Recognition Of The Parks And Recreation Department For The Following Accomplishments: 1) For Receiving National Accreditation from the Commission for Accreditation of Park & Recreation Agencies (CAPRA); 2) For Receiving The 2008 Agency Excellence Award By The Florida Recreation and Parks Association (FRPA); 3) Recreation Review Magazine Received The 2007 Media Excellence Award And The Silver Circle In 2008; And 4) Presentation Of A Plaque To The Mayor And City Commission, For The Success Of The Surf Camp For Children With Autism Spectrum Disorders And Media Attention Received Nationwide.
(Parks & Recreation Department)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Issue A Request For Proposals (RFP) For The Implementation Of A Call Center For The Building Department. (Page 2)
(Building Department)

C2 - Competitive Bid Reports – Continued

- C2B Request For Approval To Issue A Request For Qualifications (RFQ) For Re-Design, Bid And Award, And Construction Management Services For The Sunset Islands I & II Neighborhood Right-Of-Way Improvement Project, To Include Additional Stormwater Infrastructure. (Page 9)
(Capital Improvement Projects)
- C2C Request For Approval To Award Contracts To Oracle Elevator Company And Eastern Elevators Service, The Lowest And Best Bidders Per Location, Pursuant To Invitation To Bid (ITB) No. 30-07/08 For The Citywide Maintenance Of Elevators, In The Estimated Annual Amount Of \$40,560. (Page 58)
(Public Works)

C4 - Commission Committee Assignments

- C4A Referral To The Neighborhoods/Community Affairs Committee To Discuss Free Public Parking For Electric Cars. (Page 63)
(Requested by Commissioner Tobin)
- C4B Referral To The Land Use And Development Committee To Discuss How To Best Utilize Flamingo Park, Including The Possibility Of Minor League Baseball. (Page 65)
(Requested by Vice-Mayor Wolfson)
- C4C Referral To The Land Use & Development Committee To Discuss The Performance Artists' Presentations At The Palace Food Bar, Located At 1200 Ocean Drive. (Page 67)
(Requested by Vice-Mayor Wolfson)
- C4D Referral To The Land Use & Development Committee To Discuss The Attached Proposed Draft Amendment To The South Of Fifth Accessory Use Ordinance Enacted March 12, 2008. (Page 69)
(Requested by Vice-Mayor Wolfson)
- C4E Referral To The Board Of Adjustment To Discuss Their Application Of The Hardship Standard And Use Variances. (Page 71)
(Requested by Vice-Mayor Wolfson)
- C4F Referral To The Finance And Citywide Projects Committee A Discussion Regarding Requested Amendments To The City's Management Agreement With Live Nation For The Management And Operation Of The Fillmore Miami Beach At The Jackie Gleason Theater. (Page 73)
(Tourism & Cultural Development)
- C4G Referral To The Neighborhoods/Community Affairs Committee Consideration Of A Public Art Project By The Artist Wendy Wischer To Be Commissioned For Placement In The Third Street And Washington Avenue Plaza, As Recommended By The Art In Public Places Committee. (Page 75)
(Tourism & Cultural Development)

C6 - Commission Committee Reports

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting On October 6, 2008: **1)** Old Business (South Pointe Master Booster Pump Station; Sunset Islands I & II); **2)** Status Report: Normandy Shores Golf Course **3)** Item Referred To CIPOC From September 10, 2008 City Commission Meeting: "Discussion Regarding The Status Of CIP-Related Lighting, Landscaping And Sidewalks In The 1300-1700 Blocks Of Marseille Drive And Calais Drive"; **4)** Additional Item: 44th Street And Royal Palm Avenue Drainage; **5)** Emergency Item: Flooding Conditions In Normandy Shores As Related To Construction. (Page 93)
- C6B Report Of The Finance And Citywide Projects Committee Meeting Of September 16, 2008: **1)** Discussion Regarding Sunset Islands 1 & 2 Flooding, Drainage, Capital Improvements And Nautilus Neighborhood Flooding Remediation; **2)** Discussion On CWA Local 3178's Request To Include A Drop Plan In Their Collective Bargaining Agreement; **3)** Discussion Of Water, Sewer And Stormwater Rates For FY 2009; **4)** Discussion Of The Capital Renewal And Replacement Fund Budget And **5)** Emergency Discussion Of The South Pointe Master Wastewater Booster Pump Station And The South Pointe Phase II Streetscape Improvements. (Page 97)
- C6C Report Of The Finance & Citywide Projects Committee Meeting Of October 21, 2008: **1)** Discussion Of A Management Agreement With The Boys & Girls Club For A Youth Facility At Flamingo Park; **2)** Discussion Regarding Lease Space Availability In Historic Old City Hall And **3)** Discussion Referring The Matter Of Selecting Holiday Decorations For A Not To Exceed Amount Of \$125,000. (Page 105)
- C6D Report Of The Neighborhoods/Community Affairs Committee Meeting Of Wednesday, October 22, 2008; **1)** Discussion On Complaints From Residents Regarding The Towing Companies; **2)** Discussion Regarding The Need To Create A Graffiti Ordinance In The City Of Miami Beach; **3)** Discussion Regarding Request By Hialeah's Representative Eddy Gonzalez To Designate 71st Street In Miami Beach As Rosendo Rosell Way. (Page 111)

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Grant Funding Requests: 1) Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation And Hazard Mitigation Funds In An Amount Not To Exceed \$1,000,000 For Protective Glass And Shutters At Buildings Throughout The City; 2) Retroactive Approval For The Miami-Dade County Tourist Development Grant Program For Funding, In An Amount Not To Exceed \$15,000 For Festival Of The Arts, 2009; 3) Retroactive Approval For The Miami-Dade County Community Grants Program For Funding, In An Amount Not To Exceed \$10,000 For Festival Of The Arts, 2009; And, 4) Urban Area Security Initiative (UASI) Funding In An Amount Not To Exceed \$500,000 For Homeland Security Needs Citywide; And Approving The Execution Of The Following Two Local Agency Program Agreements: 1) Local Agency Program Agreement With Florida Department Of Transportation, For Funding In An Amount Not To Exceed \$490,000 For The Dade Blvd Bike Path; And, 2) Local Agency Program Agreement With Florida Department Of Transportation For Funding In An Amount Not To Exceed \$705,000 For The Middle Beach Recreational Corridor Project; Further Appropriating All The Above Grants, Agreements And Matching Funds, If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To These Applications And Agreements By The City Manager Or His Designee. (Page 117)
(Budget & Performance Improvement)
- C7B A Resolution Authorizing The Mayor And City Clerk To Execute Amendment No. 5 To The South Pointe Park Professional Services Agreement With Hargreaves Associates, Inc. (Hargreaves), In The Amount Of \$361,342, From The Previously Appropriated South Pointe Capital Fund No. 389 For The Completion Of The Design, Permitting, Bidding And Award, And Construction Administration Phases Of The South Pointe Pier Project. (Page 126)
(Capital Improvement Projects)
- C7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement For Professional Services With Raymond Jungles Inc., In An Amount Not To Exceed \$125,000, For Architecture, Landscape Architecture, And Engineering Services For The Planning, Design, Bid And Award, And Construction Administration Phases, For The Miami Beach Botanical Gardens.
(Page 153)
(Capital Improvement Projects)
- C7D A Resolution Amending The Normandy Shores Neighborhood Improvement Project Basis Of Design Report (BODR) By Excluding The Requirement Of The Normandy Shores Monument Sign, Located At The Northwest Corner Of The Intersection Of South Shore Drive And Biarritz Drive, And Authorizing Its Removal, At No Additional Cost To The City. (Page 158)
(Capital Improvement Projects)
- C7E A Resolution Authorizing The Mayor And The City Clerk To Execute A One-Time Only Assignment Of The October 1, 2008, CDBG Agreement Between The City Of Miami Beach And Miami Beach Community Development Corporation (MBCDC) To MBCDC: The Allen, LLC, A Not-For-Profit Entity Created By MBCDC As A Successor In Interest In Title To The Allen Apartments Property, Located At 2001 Washington Avenue, And Under This Agreement. (Page 163)
(Office of Real Estate, Housing & Community Development)

C7 – Resolutions - Continued

- C7F A Resolution Setting A Public Hearing To Consider The Proposed Designation Of The Flamingo Park Historic District Westward Expansion South Of Eighth Street By Amending The Land Development Regulations Of The City Code By Amending Chapter 118, "Administration And Review Procedures," Division 4, "Designation," Section 118-593, By Expanding The Boundaries Of The Flamingo Park Historic District To Add The Flamingo Park Historic District Westward Expansion South Of Eighth Street, As More Particularly Described Herein; Providing That The City's Zoning Map Shall Be Amended To Include The Flamingo Park Historic District Westward Expansion; Adopting The Designation Report Attached Hereto As Appendix "A"; Providing For Inclusion In The Land Development Regulations Of The City Code, Repealer, Severability, And An Effective Date. (Page 168)
(Planning Department)
- C7G A Resolution Recommending Approval Of A Preconstruction Application For Historic Ad Valorem Tax Exemption For A Single-Family Property At 2312 Bay Avenue, And Authorizing The Miami-Dade County Property Appraiser's Office To Grant Said Tax Exemption For The City's Portion Of Ad Valorem Property Taxes For Qualifying Improvements To The Subject Property Following Substantial Completion Of The Project And Compliance With Certain Conditions. (Page 201)
(Planning Department)
- C7H A Resolution Authorizing The City Manager And City Clerk To Execute An Agreement Between The City, On Behalf Of The Miami Beach Police Department, And The Board Of Trustees Of Florida State University To Participate In A Volunteer Student Internship Program, To Assist The Criminal Investigations Unit Victims Advocate Office. (Page 218)
(Police Department)
- C7I A Resolution Approving And Authorizing The Mayor And City Clerk To Enter Into A Maintenance Memorandum Of Agreement (MMOA) With The Florida Department Of Transportation (FDOT) For The Construction Of Crosswalks On 41st Street From Chase Avenue To Pine Tree Drive As Part Of The FDOT Pedestrian Corridor Improvement Project. (Page 221)
(Public Works)
- C7J A Resolution Authorizing The Appropriation Of \$132,766 From Fiscal Year (FY) 2006/07 People's Transportation Plan (PTP) Funds For Administrative And Technical Operating Expenditures In FY 2007/08 And \$144,711 From FY 2007/08 PTP Funds For Administrative And Technical Operating Expenditures In FY 2008/09, As Part Of The 5% Of Administrative Assistance Allowable For PTP Expenditures And As Part Of The 4% Of Technical Assistance Allowable For PTP Expenditures. (Page 232)
(Public Works)
- C7K Resolution Approving The Upgrade Of The Yearly Maintenance Agreement For The Geographic Information System (GIS) Software From Environmental Systems Research Institute Inc. (ESRI) To A Three Year ESRI Small Municipal And County Enterprise License Agreement (ELA) Starting December 7, 2008, Through December 7, 2011, At A Cost Of \$40,907.00 Payable In Three Installments On December 7 Of Each Year. (Page 243)

(Public Works)

End of Consent Agenda