

SPECIAL CITY COMMISSION MEETING

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
January 14, 2009

Mayor Matti Herrera Bower
Vice-Mayor Jonah Wolfson
Commissioner Victor M. Diaz, Jr.
Commissioner Saul Gross
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn

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.

REGULAR AGENDA**R9 - New Business and Commission Requests**

R9A Board And Committee Appointments.
(City Clerk's Office)

ACTION: The following appointments were made:

Beach Preservation Board:

Robert Kraft	Term ending 12/31/09	Appointed by Commissioner Wolfson	TL 12/16
Barbara Herskowitz	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14

Beautification Committee:

Jason Morginstin	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14
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Budget Advisory Committee:

John Gardiner	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/16
Antonio Hernandez	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/16
Stephen Hertz	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/16
Philip Levine	Term ending 12/31/09	Appointed by Commissioner Diaz	TL 12/16

Committee on the Homeless:

Erik Goldman	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/16
Rachael Ovadia	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/16

Committee on Quality Education in Miami Beach:

Karen Bjaroff	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15
Merri Mann	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/10

Community Development Advisory Committee:

Michael Bernstein	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/16
David Gorson	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15
Laura Morilla	Term ending 12/31/10	Appointed by Mayor Bower	TL 12/15
Rachel Umlas	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/12

Community Relations Board:

Barbara Montero	Term ending 12/31/10	Appointed by Commissioner Gross	TL 2/115
Robert Newman	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/16
Debra Schwartz	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15

Convention Center Advisory Board:

Randy Hilliard	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/16
Debra Scholl	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/15

Debarment Committee:

Scott Needleman	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/16
Melvyn Schlessler	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/11

Disability Access Committee:

Janet Grant	Term ending 12/31/09	Appointed by Commissioner Diaz	TL 12/11
Mike Lantz (TL 12/31/09)	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/09
Ann Thomas	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/12

Fine Arts Board:

Robert Glick	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/11
Calvin Kohli	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/14
Nathan Korn	Term ending 12/31/10	Appointed by Commissioner Wolfson	TL 12/15
Nathaniel Korn	Term ending 12/31/10	Appointed by Commissioner Wolfson	TL 12/15
Jenny Johnson-Sardella	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15

Golf Advisory Committee:

John Barker	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15
Patrick Henry	Term ending 12/31/10	Appointed by Commissioner Wolfson	TL 12/16

Hispanic Affairs Committee:

Ida Percal	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/16
Antonio Purriños	Term ending 12/31/10	Appointed by Commissioner Wolfson	TL 12/16

Loan Review:

Steve Zuckerman	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14
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Marine Authority:

Ira Nusbaum	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/15
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Miami Beach Commission for Women:

Marisue Beloff	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/13
Karen Edelstein	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/15
Anabel Evora	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/16

Parks and Recreational Facilities Board:

Cesar Garcia-Pons	Term ending 12/31/09	Appointed by Commissioner Diaz	TL 12/13
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Police Citizens Relations Committee:

Daniel Aronson	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/16
Dina Dissen	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14
Hope Fuller	Term ending 12/31/09	Appointed by Commissioner Libbin	TL 12/16
Antonio Hernandez Jr.	Term ending 12/31/10	Appointed by Commissioner Diaz	TL 12/16
Don Konetz	Term ending 12/31/09	Appointed by Commissioner Wolfson	TL12/16
Glenda Krongold	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15
Regina Suarez(TL12/31/09)	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/09

Production Industry Council:

Christina LaBuzetta	Production	Term ending 12/31/10	Appointed by Mayor Bower	TL 12/11
Bruce Orosz	Fashion	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15

Public Safety Advisory Committee:

Joseph Conway	Term ending 12/31/10	Appointed by Commissioner	TL 12/15
Dr. Baruch Jacobs	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/11
Yair Lapciuc	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/13
Scott Robins	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/12

Safety Committee:

Barry Brodsky	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/15
Marizza Contreras	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14
Barbara Gillman	Term ending 12/31/10	Appointed by Commissioner Wolfson	TL 12/13
Oren Lieber	Term ending 12/31/10	Appointed by Commissioner Tobin	TL 12/14
Jonathan Parker	Term ending 12/31/09	Appointed by Commissioner Wolfson	TL 12/16

Sustainability Committee:

Nicholas (Nick) Gunia	Term ending 12/31/10	Appointed by Commissioner Gross	TL 12/15
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Transparency Reliability and Accountability Ad-Hoc Committee:

Robert Arkin	Term ending 12/31/10	Appointed by Commissioner Libbin	TL 12/14
David Lancz	Term ending 05/06/09	Appointed by Commissioner Diaz	
Al Feola	Representative for the Ocean Drive Imp. Assoc.	Term ending 12/31/10	

Transportation and Parking Committee:

Alan Fishman	Term ending 12/31/09	Appointed by Commissioner Diaz	TL 12/10
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Youth Center Advisory Board:

Mojdeb Khaghan	Term ending 12/31/10	Appointed by Commissioner Tobin	TL12/14
Andrew Resnick	Term ending 12/31/09	Appointed by Commissioner Libbin	TL12/16

Meeting called to order at 2:37:43 p.m.

Jo Manning and Sidney Goldin notified the City Commission that they could not attend this meeting because they are attending an Evaluation Committee Meeting.

Bill Farkas spoke on the upcoming 32nd annual Art Deco Weekend and asked the City Commission and viewers to attend free events. He also explained that there is an antique automobile with the Mayor and each Commissioner's name on it in line Saturday morning, courtesy of Mel Mann and the South Florida Antique Automobile Association.

2:40:52 p.m.

Commissioner Diaz stated that he requested a report to see how the City was doing in appointing boards and committees that reflect the vibrant diversity of this community. In 1993 he approached the Commission as a public speaker on the representation of Hispanics on City committees and boards. At that time, there were some structures and legal impediments to Hispanics participating in City government. The City, its government and its Administration, has progressed tremendously as a community in being inclusive and in trying to maintain a focus on diversity. There was little diversity in boards and political leadership and administrative leadership. Today the City has the first woman Mayor in the history of Miami Beach and the first Hispanic Mayor; the City has an excellent City Manager who has diversified the City's workforce. The City of Miami Beach has achieved in a short period of time relative parity in its workforce between the diversity that is in the community, which means that this Commission is drawing from the best and brightest, regardless of gender, race, ethnicity or sexual orientation. A PowerPoint presentation was shown indicating that 49% of the City's workforce is Hispanic. He congratulated the City Manager and previous City Managers, and is proud of the fact that people like Jose Smith, Simon Cruz, Luis Garcia, Matti Bower and others are a product of that movement that started in 1993 to keep the focus on the diversity of the City; but not enough attention has been paid to diversity on City committees and boards. According to the statistics, only 16.4% of the appointments to boards and committees are Hispanic, in a community that is 52.2% Hispanic. Only 34% of the total appointees are women, in a community where half of the population are women. Only 28.8% of the City employees are women and on the power boards only 18% of the City appointees are women with 20% Hispanics; which indicates that the City is under-representing Hispanics and women on land use boards and other board and committees; and the City is not hiring enough women into the City's workforce. This City has not done enough to recruit women and minorities to participate in all aspects of City government. He added that diversity requires affirmative attention; we need to promote, cultivate and create a culture where people feel comfortable in participating. He urged this diverse community to get involved in the board and committees process and meet the Mayor and Commissioners. He commended the Administration for the creation of the Leadership Academy and stated that statistics are not available at this time and suggested that this be improved upon. He also added that since Mayor Gelber's Blue Ribbon Panel on Diversity issues in 1994-95, the City has not progressed, but regressed in the inclusion of women and minorities. He blamed himself for not having brought these statistics to the attention of the Commission and "taking the eye off the ball" and added that he will continue to bring attention to this matter.

R9A1 City Commission Board and Committee Appointment
(City Clerk's Office)

List of nominations:

1. Affordable Housing Advisory Committee
2. Arts in Public Places
3. Board of Adjustment **5/7 vote**
4. Budget Advisory Committee
5. Capital Improvements Projects Oversight Committee
6. Design Review Board
7. Health Advisory Committee
8. Historic Preservation Board
9. Miami Beach Cultural Arts Council
10. Normandy Shores Local Gov. Neighborhood Improvements
11. Personnel Board **5/7 vote**
12. Planning Board
13. Visitor and Convention Authority

Supplemental:

- 14 Housing Authority

3:00:30 p.m.

1. AFFORDABLE HOUSING ADVISORY BOARD:

Jonathan Fryd	(8)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Roberto Datorre	(6)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Robert Saland	(5)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Stephanie Berman	(3)	Term ending 12/31/10	City Commission Appointment	TL 12/13
David Smith	(2)	Term ending 12/31/10	City Commission Appointment	TL 12/13
*Brian Ehrlich	(1)	Term ending 12/31/10	City Commission Appointment	TL 12/13

- Mr. Ehrlich was contacted by phone and he stated that he prefers to apply to the Board of Adjustment.

Motion made by Commissioner Tobin to reappoint Jonathan Fryd (8), Roberto DaTorre (6), Robert Saland (5), Stephanie Berman (3), David Smith (2), and Brian Ehrlich (1); seconded by Commissioner Diaz; Voice vote 7-0.

3:00:56 p.m.

2. ARTS IN PUBLIC PLACES:

Motion made by Commissioner Tobin to reappoint Jeremy Chestler, James Weingarten, Mariangela Capuzzo, and Elizabeth Resnick; seconded by Commissioner Libbin. No vote taken.

Discussion continued.

Commissioner Weithorn stated that individuals that are appointed to a committee but rather be on another committee need to speak to the Commissioners and let them know that. **Robert Parcher to handle.**

Discussion was held regarding the board and committee appointing process.

Mayor Bower suggested including a number of preference (1, 2, 3) next to the choices of applicants to boards or committees.

Commissioner Libbin stated that it would be helpful to mark those applicants that are already serving in different committees.

Commissioner Diaz stated that individuals should be told that when they get appointed to a committee they will be removed as an applicant from all other committees and if they want to be considered they will have to reapply. **Robert Parcher to handle.**

Mayor Bower stated that letters should be sent in early December letting people know that appointments will be made and it is time for them to call the Mayor's Office. **Robert Parcher to handle.**

Deferred to the January 28, 2009 City Commission meeting.

4:03:43 p.m.

3. BOARD OF ADJUSTMENT:

David Lancz	Law	Term ending 12/31/10	City Commission Appointment	TL 12/10
Leonor Hernandez	At-large	Term ending 12/31/10	City Commission Appointment	TL 12/14
Brian Ehrlich	Real Estate Dev.	Term ending 12/31/10	City Commission Appointment	TL 12/13

Motion made by Commissioner Diaz to reappoint David Lancz to the Law position; seconded by Commissioner Tobin; Voice vote: 7-0.

Ballot Vote #1 - At-Large

Leonor Hernandez:

Votes

7

Ballot Vote #2 – Real Estate Development

Brian Ehrlich
Seth Frohlich

Votes

5

2

4. BUDGET ADVISORY COMMITTEE:

Deferred to the January 28, 2009 City Commission meeting.

3:39:05 p.m.

4:32:06 pm.

5. CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE:

Richard Kendle	(C5)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Erik Agazim	(C4)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Stacy Kilroy	(C3)	Term ending 12/31/10	City Commission Appointment	TL 12/13
Dwight Kraai	(C2)	Term ending 12/31/10	City Commission Appointment	TL 12/13

Motion made by Commissioner Weithorn to reappoint Richard Kendle (C5), Stacy Kilroy (C3) and Dwight Kraai (C2) by acclamation; seconded by Commissioner Diaz.

Commissioner Diaz requested to nominate members to the Planning Board first and then nominate members to the CIP Oversight Committee later. He will be nominating Mayra Buttacavoli to the Planning Board and if she does not get appointed to the Planning Board he will nominate her to this board.

Motion made by Commissioner Weithorn to reappoint Erik Agazim to the (C4) position; seconded by Commissioner Tobin. No vote taken. See ballot vote below.

Motion made by Commissioner Diaz to appoint Mayra Buttacavoli to the (C4) position; seconded by Mayor Bower. No vote taken. See ballot vote below.

Ballot Vote #1 – Capital Budget and/or Finance

Erik Agazim
Mayra Buttacavoli

Votes

4

3

4:16:03 p.m.

6. DESIGN REVIEW BOARD:

Clotilde Luce At-large	Term ending 12/31/10	City Commission Appointment	TL 12/10
Thomas DeLuca Reg. Arch.	Term ending 12/31/10	City Commission Appointment	TL 12/11

Motion made by Commissioner Diaz to reappoint Clotilde Luce to the At-large position by acclamation; seconded by Commissioner Weithorn.

Motion made by Commissioner Diaz to reappoint Thomas DeLuca to the Registered Architect position by acclamation; seconded by Commissioner Tobin.

Motion made by Commissioner Gross to appoint Jason Hagopian to the Architect position. No second offered.

Discussion continued.

Deferred to the January 28, 2009 City Commission meeting.

4:36:55 p.m.

7. HEALTH ADVISORY COMMITTEE

Dr. Andrew Nullman	Physician	Term ending 12/31/10	City Commission Appointment	TL12/16
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Motion made by Commissioner Libbin to appoint Dr. Andrew Nullman to the Physician position by acclamation; seconded by Commissioner Gross.

Deferred to the January 28, 2009 City Commission meeting.

3:56:21 p.m.

8. HISTORIC PRESERVATION BOARD:

Simon Nemni	At-large	Term ending 12/31/10	City Commission Appointment	TL 12/12
Erika Brigham	Dade Heritage	Term ending 12/31/10	City Commission Appointment	TL 12/12
James Donnelly	MDPL	Term ending 12/31/10	City Commission Appointment	TL 12/12
Jo Manning	At-large	Term ending 12/31/10	City Commission Appointment	TL 12/14

Commissioner Gross explained that the criteria for the At-Large seat is that the individual should own or manage property or properties located in one of the City’s historic districts because the individual should have hands on experience and knowledge of what it takes to maintain these buildings.

Commissioner Diaz stated that he would like this interpretation in writing so that in the future it will be enforced on everyone. **Legal Department to handle.**

Motion made by Commissioner Diaz to reappoint Simon Nemni, Erika Brigham, and James Donnelly based on the oral interpretation of the code as stated on the record; seconded by Commissioner Tobin. See ballot vote below.

Ballot Vote – At-Large	Votes
Diane Downs	3
Jo Manning	4

SUPPLEMENTAL:

2:59:20 p.m.

9. HOUSING AUTHORITY:

Yamile Jimenez-Soto	Tennant Comm.	Term ending 10/11/12	City Commission Appointment	TL 10/11/13
Michael Band	HA Comm.	Tem ending 10/11/09	City Commission Appointment	TL 10/11/14

Motion made by Commissioner Diaz to reappoint Yamile Jimenez-Soto to the Tenant Commissioner position and Michael Band to the Housing Authority Commissioner position; seconded by Commissioner Libbin; Voice vote 7-0.

4:38:48 p.m.

10. MIAMI BEACH CULTURAL ARTS COUNCIL:

Chae Dupont	Term ending 12/31/11	City Commission Appointment	TL 12/31/12
Zoila DaTorre	Term ending 12/31/11	City Commission Appointment	TL 12/31/14
Eda Valero-Figueira	Term ending 12/31/11	City Commission Appointment	TL 12/31/14

Nominations made of the following individuals: Zoila DaTorre, Eda Valero-Figueira, Chae Dupont, Anabel Evora, Lisa Cole, and Laura Craven. See ballot vote below.

Ballot Vote	Votes
Laura Craven:	1
Lisa Cole:	2
Chae Dupont:	4
Zoila Datorre:	6
Anabel Evora:	3
Eda Valero-Figueira:	5

Mayor Bower spoke about including a photograph of the applicant with the application.

11. NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENTS.

Deferred to the January 28, 2009 City Commission meeting.

12. PERSONNEL BOARD

David Alschuler	Term ending 12/31/10	City Commission Appointment	TL 12/31/12
Elsa Urquiza	Term ending 12/31/10	City Commission Appointment	TL 12/31/12

Motion made by Commissioner Diaz to reappoint by acclamation Elsa Urquiza and David Alschuler; seconded by Commissioner Gross.

3:40:11 p.m.

13. PLANNING BOARD:

Gary Appel	Attorney	Term ending 12/31/09	City Commission Appointment	TL 12/31/13
Jorge Kuperman	Architect	Term ending 12/31/10	City Commission Appointment	TL 12/31/10
Daniel Veitia	H.P.	Term ending 12/31/10	City Commission Appointment	TL 12/31/14
Randy Weisburd	Gen. Bus.	Term ending 12/31/10	City Commission Appointment	TL 12/31/13

Motion made by Commissioner Wolfson to reappoint Jorge Kuperman; seconded by Commissioner Diaz; Voice vote 7-0.

Motion made by Commissioner Gross to move Gary Appel to the Attorney position; seconded by Commissioner Tobin; Voice vote 7-0.

Gary Held, First Assistant City Attorney, read into the record the qualifications for the Historic Preservation seat for the Planning Board.

Ballot vote - Historic Preservation and General Business	Vote
Mayra Buttacavoli	2
Frank Del Vecchio	3
Daniel Veitia	5
Randy Weisburd	4

4:52:02 p.m.

14. VISITOR AND CONVENTION AUTHORITY:

Elsie Sterling Howard	At-large	Term ending 12/31/10	City Commission Appointment	TL 12/31/10
Sidney Goldin	At-large	Term ending 12/31/10	City Commission Appointment	TL 12/31/10
Steve Adkins	Gen. Bus.	Term ending 12/31/10	City Commission Appointment	TL 12/31/14

Nominations made to appoint the following individuals: Elsie Howard, Sidney Goldin, Steve Adkins, Carole Taran. See ballot vote below.

Ballot Vote	Votes
Steven Adkins	5
Sidney Goldin	6
Elsie Howard	7
Carole Taran	3

Handout or Reference Materials:

1. Voting Ballots
2. Ad in The Miami Herald
3. PowerPoint Presentation titled "City Demographics"
4. Correspondence from Richard Kuper dated January 13, 2009 to Robert Parcher, City Clerk RE: Resignation to Planning Board.
5. Final List of Nominations as of Wednesday, January 14, 2009 prepared by the City Clerk's Office.
6. Copy of LTC 333-2008 RE: City Commission Board and Appointment Process and attached R9A Afteraction dated January 23, 2008.
7. Latest Board and Committee Report as of January 14, 2009.
8. Amended Copy of the Miami Beach Cultural Arts Council current vacancies as of January 14, 2009.

Meeting adjourned at 5:03:38 p.m.