

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
February 25, 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

R2 - Competitive Bid Reports

- R2A Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 04-08/09, For The Construction Improvements For The City Of Miami Beach Golf Course Cart Barn Storage Facility, Accepting The City Manager's Recommendation Relative To The Ranking Of Contractors, And Authorizing The Mayor And City Clerk To Execute An Agreement With The Top-Ranked Contractor, Alpine Construction Management Corporation, In The Amount Of \$1,012,560.88 For The Construction Of The Project; Further Authorizing The Administration To Engage In Value Engineering To Potentially Reduce The Cost And/Or Time For Completion Of Said Project; Funding Is Available From Previously Appropriated In The "Pay As You Go" Fund 302 In The Amount Of \$688,365.88 Appropriated In The Capital Budget FY 06/07 For Construction And From Capital Reserve Fund 304 In The Amount Of \$324,195.00 Appropriated In The Capital Budget FY 07/08 For Construction. (Page 165)
(Capital Improvement Projects)

R2 - Competitive Bid Reports (Continued)

- R2B A Discussion Regarding Whether The City Commission Should Award A Contract, Pursuant To Invitation To Bid No. 09-08/09, For Construction Services For The Normandy Shores Golf Course Clubhouse Facility, In Accordance With The City Manager's Recommendation Relative To The Ranking Of Contractors, And Authorizing The Mayor And City Clerk To Execute An Agreement With JCI International, Inc., In The Amount Of \$2,541,880.38 For The Construction Of The Project, Plus Contingency Funds In The Amount Of \$254,188; Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project; Or, In The Alternative, Whether The City Commission Should Reject All Bids, Finding Such Rejections Of Bids To Be In The City's Best Interest, And Authorizing A New Invitation To Bid To Be Reissued. (Page 172)
- (Capital Improvement Projects)

R5 - Ordinances

- R5A An Ordinance Amending Chapter 106 Of The City Code Entitled "Traffic And Vehicles"; By Amending Article I, Entitled "In General" By Amending Section 106-1, Entitled "Definitions," By Amending Definitions Relative To Nonmotorized Vehicles For Hire; By Amending Section 106-3, Entitled "Vehicles Prohibited On Portion Of Lincoln Road; Exceptions," By Prohibiting Nonmotorized Vehicles For Hire On Portions Of Lincoln Road And On Ocean Drive; By Amending Article X, Entitled "Pedicabs" By Substituting The Term "Nonmotorized Vehicle For Hire" For The Term "Pedicab" And Providing Definitions, Business Tax Receipt Requirements, Regulations For The Operation Of All Nonmotorized Vehicles For Hire In The City, And To Provide Enforcement Provisions, Fines, And Penalties Relative Thereto; Providing For Repealer; Severability; Codification; And An Effective Date. **10:15 a.m. Second Reading, Public Hearing** (Page 181)
(City Manager's Office)
(First Reading on January 28, 2009)
- R5B Codifying The Planning Director's Interpretation Of City Code Regarding Short Term Rental Of Single- Family Homes
An Ordinance Amending The Miami Beach City Code, Part B Land Development Regulations, Chapter 142, "Zoning Districts And Regulations," By Amending Division 2, "RS-1, RS-2, RS-3 And RS-4 Single-Family Residential Districts," By Amending Section 142-905, "Permitted Accessory Uses In Single-Family Districts," By Adding New Subsection (B)(5) Limiting Leases Of Single Family Homes To A Minimum Of Six Months And One Day, And By Codifying The Planning Director's Interpretation Of The City Code; Providing For Repealer, Severability, Codification And An Effective Date.
5:00 p.m. Second Reading, Public Hearing (Page 204)
(Planning Department)
(First Reading on January 28, 2009)

R5 - Ordinances (Continued)

- R5C An Ordinance Relating To The Jurisdiction Of The Special Master; Amending Chapter 30, "Code Enforcement," Article III, "Enforcement Procedure," Section 30-73, "Powers Of The Special Master," By Clarifying That The Special Master Lacks Jurisdiction Over Appeals From Or Challenges To Interpretations Or Actions Of The Building Official, Planning Director And Fire Marshal, Or Claims That An Act Of The City Is Unconstitutional, Which Are By Applicable Law Vested In Other Authorities, Providing For Repealer; Codification; Severability, Applicability And An Effective Date. **First Reading** (Page 287)
(City Attorney's Office)
- R5D An Ordinance Amending Section 2-22, Entitled "General Requirements," Of Division I, Entitled "Generally," Of Article III, Entitled "Agencies, Boards And Committees," Of Chapter 2 Entitled "Administration," Of The Miami Beach City Code To Require An Annual Reporting To The City Commission With Regard To City Agency, Board, And Committee Appointments And City Workforce Diversity Statistics; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading** (Page 293)
(Requested by Commissioner Victor M. Diaz, Jr.)
(Deferred from January 28, 2009)
- R5E Application Requirement For Appointment To A Land Use Board
An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code, Chapter 118, "Administration And Review Procedures", Article II, "Boards," Division 1 "Generally," By Creating A New Section 118-32, "Application Requirement For Land Use Boards" To Require The Filing Of An Application For Membership On Any Of The Four Land Use Boards Not Less Than Ten Days Before Appointment, Providing For Waiver By The City Commission; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading** (Page 297)
(Planning Department)
- R5F Accessory Bars And Restaurants In RPS Districts
An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations", Division 18, "PS Performance Standard District," Section 142-693 "Permitted Uses", By Restricting The Size Of Bars And Restaurants As Accessory Use To A Main Permitted Use In The R-PS1, R-PS2, R-PS3 And R-PS4 Zoning Districts; Providing For Repealer, Severability, Codification And An Effective Date. **First Reading**
(Page 302)
(Planning Department)

R7 - Resolutions

- R7A A Resolution Granting A Certificate Of Appropriateness For The Demolition Of The Flamingo Park Tennis Center And Courts, Located At 1200 Meridian Avenue. **10:20 a.m. Public Hearing**
(Page 315)
(Capital Improvement Projects)

R7 - Resolutions (Continued)

- R7B Resolution Pursuant To Miami Beach City Code Section 118-262, To Review A Design Review Board Decision Requested By 1100 West Properties, LLC, Pertaining To DRB File No. 20181 For The Property Located At 1100 West Avenue. **10:30 a.m. Public Hearing** (Page 324)
(Planning Department)
- R7C A Resolution Approving On First Reading The Request Of La Gorce Country Club (And Related City Application) For Vacation Of A Portion Of West 57th Street Easterly Of Alton Road Located In The City Of Miami Beach, Providing For Waiver Of Vacation Application Fee And Waiver By 5/7ths Vote Of The Competitive Bidding And Appraisal Requirements (As Provided In Section 82-39 Of The Miami Beach City Code), Finding Such Waiver To Serve The City's Best Interest, And Authorizing The Mayor And City Clerk To Execute Any And All Documents To Effectuate This Vacation Including A Quit Claim Deed And Utility Easement; Setting A Public Hearing To Be Held Concurrent With Second And Final Reading Of The City's Resolution Approving The Subject Vacation To Be Held At The City Commission Meeting Of March 18, 2009 For Purposes Of Obtaining Public Comment Thereon.
First Reading (Page 335)
(City Attorney's Office)
- R7D A Resolution Adopting The First Amendment To The General, Enterprise And Internal Services Fund Budgets For Fiscal Year (FY) 2007/08 To Appropriate Prior Year Encumbrances And Amend Certain Budgets. (Page 348)
(Budget & Performance Improvement)
- R7E A Resolution Establishing The City Of Miami Beach Other Post-Employment Benefits ("OPEB") Trust, And Authorizing The Mayor To Execute The City Of Miami Beach OPEB Trust Document.
(Page 361)
(Budget & Performance Improvement)
- R7F A Resolution Adopting The First Amendment To The City Of Miami Beach Capital Budget For Fiscal Year (FY) 2008/09 And Declaring The Intent Of The City To Issue Debt Of The City To Reimburse Itself For Funds Advanced For Certain Stormwater Expenses. (Page 382)
(Budget & Performance Improvement)
- R7G A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 37-07/08 For A Microwave Radio System; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of Big Wireless, LLC, And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of Motorola, Inc.; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration, In The Not To Exceed Amount Of \$800,000. (Page 389)
(Information Technology)

R7 - Resolutions (Continued)

- R7H A Resolution Approving A Roadway Configuration For 16th Street From Alton Road To Lenox Court That Consists Of No Parking On The North Side, Parking On The South Side, Two Travel Lanes, A Left Turn Lane, And Bike Lanes, Which Best Supports The Goals Established In The Approved 16th Street Operational Improvement And Enhancement Project Basis Of Design Report And Which Was Presented At The Neighborhoods/Community Affairs Committee On January 21, 2009. (Page 398)
(Public Works)
- R7I A Resolution Having Considered And Accepted The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 49-07/08, For A Solid Waste Franchise Contractor To Provide Commercial Waste Collection And Disposal Services, And Section 90-229 Of The City Code, And Granting/Issuing The Fifth Franchise License For Residential And Commercial Waste Collection And Disposal Services, To General Hauling Service, Inc.; Further Making The Award Of The Fifth Franchise Subject To And Contingent Upon The Franchisee Entering Into A Service Agreement With The City (Along With The Other Four Current Franchisees) For The Provision Of Additional Public Waste Collection And Disposal And Recycling Services; And Further Authorizing The City Manager To Execute The Service Agreement. (Page 421)
(Public Works)
(Deferred from January 28, 2009)
- R7J A Resolution Authorizing The Mayor And The City Clerk To Execute A State Housing Initiatives Partnership (SHIP) Program Agreement In A Form Acceptable To The City Manager And City Attorney, Between The City And Miami Beach Community Development Corporation, Which Provides SHIP Program Funds, In The Amount Of \$1,009,633 From Fiscal Years 2007/08 And 2008/09, For First-Time Homebuyer Activities, Including Home Ownership Counseling, Down-Payment Assistance, Closing Cost Assistance, Related Rehabilitation, And Rental Housing Development In Villa Maria For Income-Eligible Households, In Accordance With The SHIP Program Rule And The City's Local Housing Assistance Plan. (Page 521)
(Real Estate, Housing & Community Development)
(Deferred from January 28, 2009)
- R7K A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Proposals (RFP) No. 02-08/09, For Red Light Violation Camera Enforcement System And Related Support Services; And Authorizing The Administration To Enter Into Negotiations With Either American Traffic Solutions (ATS), Or Affiliated Computers Systems (ACS) As Deemed By The City Commission To Be In The City's Best Interest; And Authorizing The Administration To Enter Into Negotiations With The City Commission's Selected Proposer; And Further Authorizing The Mayor And City Clerk To Execute An Agreement, Upon Conclusion Of Successful Negotiations. (Page 528)
(Police Department)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments. (Page 555)
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments. (Page 561)
(City Clerk's Office)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 591)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C Discussion Regarding A Referral To The Neighborhoods/Community Affairs Committee To Discuss
Inviting The Miami-Dade County Office Of The Inspector General To Assist The City Commission In
Its Ongoing Efforts To Uncover Waste And Financial Mismanagement At City Hall. (Page 593)
(Requested by Commissioner Edward L. Tobin)
(Deferred from January 28, 2009)
- R9D Discussion Regarding The U.S. Census Data For The City Of Miami Beach. (Page 595)
(Requested by Commissioner Victor M. Diaz, Jr.)
- R9E Discussion Regarding Thank You To Our Property Management Division. (Page 597)
(Requested by Vice-Mayor Jonah Wolfson)
- R9F Discussion Regarding The Possibility Of Extending The Operating Hours Of Nightlife Venues By Two
Hours On The Evenings Of March 27th And March 28th. (Page 599)
(Requested by Vice-Mayor Jonah Wolfson)
- R9G Discussion Regarding A Consideration To Cancel The Parking Contract Issued To Impark.
(Page 601)
(Requested by Commissioner Jerry Libbin)
- R9H Discussion Regarding The Proposal To Bring The South Beach Local Bus To Collins Park And Belle
Isle. (Page 603)
(Requested by Commissioner Jerry Libbin)
- R9I Discussion Regarding The Impact Of Miami-Dade County Financing Plan For Marlins Stadium On
The Miami Beach Convention Center. (Page 607)
(Requested by Commissioner Victor M. Diaz, Jr.)

Reports and Informational Items

- A City Attorney's Status Report. (Page 609)
(City Attorney's Office)

- B Parking Status Report - December 2008. (Page 615)
(Parking Department)

- C Status Report On The Palm & Hibiscus Islands Underground Utilities Project. (Page 635)
(Capital Improvement Projects)

- D Informational Report To The Mayor And City Commission, On Federal, State, Miami-Dade County,
U.S. Communities, And All Existing City Contracts For Renewal Or Extensions In The Next 180 Days.
(Page 639)
(Procurement)

End of Regular Agenda