



MIAMI BEACH

City Commission Meeting

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

January 13, 2010

Mayor Matti Herrera Bower
Vice-Mayor Deede Weithorn
Commissioner Jorge Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Jonah Wolfson

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 - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

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

Presentations and Awards

- PA1 Proclamation To Be Presented To Representative Luis R. Garcia For Legislator Of The Year.
(Page 1)
(Requested By Commissioner Jerry Libbin)
- PA2 Proclamation To Be Presented To Eight Year Old Joshua Williams For His Outstanding Community Service Efforts As Founder Of Joshua's Heart Foundation.
(Requested By Vice-Mayor Weithorn & Commissioner Michael Góngora)
- PA3 Certificate Of Appreciation To Be Presented To Walgreens On 41st Street And Pine Tree Drive, For Collecting Toys For Over 300 Children Which Made The Miami Beach Fire Department Toy Give Away A Great Success.
(Requested by Mayor Matti Herrera Bower)
- PA4 Certificate Of Recognition To Be Presented To Tomas Datorre For His 90th Birthday.
(Requested by Mayor Matti Herrera Bower)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Award Contracts To SA Sport, And Lightning City Gymnastics; Pursuant To Invitation To Bid (ITB) No. 06-09/10 For The Purchase And Delivery Of Gymnastic Equipment, In The Estimated Annual Amount Of \$26,887.00 To Be Installed In The All Purpose Room As Part Of The Original Scope Of The Scott Rakow Youth Center Phase II Construction. (Page 5)
(Parks & Recreation/Procurement)

C4 - Commission Committee Assignments

- C4A Referral To The Land Use And Development Committee – Discussion Regarding The Pending Ordinance That Will Permit Entertainment In The Sidewalk Café Permit Area At 1200 Ocean Drive.
(Page 13)
(Requested by Commissioner Michael Góngora)
- C4B Referral To The Transportation Committee – Discussion Regarding Pedestrian Safety For Residents In South Of Fifth Neighborhoods. (Page 17)
(Requested by Commissioner Michael Góngora)

C4 - Commission Committee Assignments (Continued)

- C4C Referral To The Land Use And Development Committee - Discussion Regarding The Relationship Between Production Sud And The City Of Miami Beach. (Page 19)
(Requested by Commissioner Jonah Wolfson)
- C4D Referral To The Land Use And Development Committee - Discussion Of A Proposed Historic District Buffer Overlay Zoning District For The Alton Road Corridor. (Page 21)
(Planning Department)
- C4E Referral To The Neighborhoods/Community Affairs Committee.- Discussion Regarding A Proposal To Redesign The Ocean Rescue Lifeguard Stands To Address Numerous Life Safety Issues.
(Page 25)
(Requested by Vice-Mayor Deede Weithorn)
- C4F Referral To The Neighborhoods/Community Affairs Committee A Discussion Regarding An Amendment To The Management Agreement Between The City Of Miami Beach, Florida And Altos Del Mar Sculpture Park, Inc. For The Operation Of A Sculpture Park In Altos Del Mar Park.
(Page 29)
(Tourism & Cultural Development)

C6 - Commission Committee Reports

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting On December 7, 2009: **1)** Attendance; **2)** Review And Acceptance Of Minutes; **3)** Public Comments; **4)** Consent Items For Commission: a) A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 4 To The Existing Professional Architectural And Engineering Services Agreement Between The City Of Miami Beach, Florida And EAC Consulting, Inc. (EAC), For Additional Design Services Associated With The Stormwater System Design, In A Not To Exceed Amount Of \$113,984; For The Biscayne Point Right-Of-Way Infrastructure Improvement Project; With Funding From Stormwater Bond Fund 428 For Design, In The Amount Of \$113,984, Previously Appropriated In The Fiscal Year 2003-2004 Capital Budget; b) A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 5 To The Existing Professional Architectural And Engineering Services Agreement Between The City Of Miami Beach, Florida, And EAC Consulting, Inc. (EAC), For Additional Design And Construction Administration Services For The Modifications Along Stillwater Drive, In A Not To Exceed Amount Of \$75,664, For The Biscayne Point Right-Of-Way Infrastructure Improvement Project, With Funding From G.O. Neighborhood Improvement Bonds Fund 376 For Design, In The Amount Of \$75,664, Previously Appropriated In The Fiscal Year 2002-2003 Capital Budget; **5)** Discussion Items: a) Biscayne Point Island Entry Feature; b) 2010 CIPOC Calendar/ Expired Terms; **6)** Old Business: a) CIP Project Status Reports; b) Construction Update Normandy Shores Neighborhood Improvement Project; c) Status Report: Venetian Island Neighborhood Improvement Project; d) Status Report: Sunset Islands I & II; e) Status Report: Sunset Islands III & IV; f) Status Report Royal Palm Avenue And 44th Street Flooding Mitigation; g) Status Report: Palm & Hibiscus Island Undergrounding; h) Status Report: Flamingo Neighborhood Improvement Project; i) Discussion Item: Sub-Committee Functions And Organization; **7)** Staff Action Report; **8)** Adjournment.
(Page 33)

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Grant Applications: 1) HUD Disaster Recovery Funding Application For Florida Community Development Block Grant (CDBG) Program 2008 Storms Disaster Recovery Funds In An Amount Not To Exceed \$300,000 For Stormwater Infrastructure Improvements To Mitigate Flooding; 2) Miami-Dade County For Funding In The Amount Of \$24,833 For The City's Emergency Hotel/Motel Placement Program And For The Homeless Management Information System Funding; And, 3) Retroactive Approval To Participate In Miami-Dade County's Parking Fines Reimbursement Program For Funding In The Amount Of \$79,204,000 For Eligible American With Disabilities Act (ADA) Projects Appropriating The Above Funds, If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To These Applications. (Page 39)
(Budget & Performance Improvement)
- C7B A Resolution Accepting The Recommendation Of The City Manager Who Having Deemed All Proposals Received Pursuant To Request For Proposals (RFP) No. 37-08/09, For The Purchase And Implementation Of An Enterprise Building Development System, Non-Responsive, Hereby Request Authorization To Terminate The Current RFP Proceedings And Issue A New RFP With A Revised Scope Of Services And Technical Requirements. (Page 47)
(Building Department)
- C7C A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Miami Beach Botanical Garden Project (Project) With Funding Provided From The Previously Appropriated General Obligation Bond Fund And City Center RDA Funds. (Page 57)
(Capital Improvement Projects)
- C7D A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Little Stage Theater Complex (The Project). (Page 67)
(Capital Improvement Projects)
- C7E A Resolution Authorizing The Reallocation Of Unexpended Capital Renewal And Replacement Funds Appropriated For Specific Projects At The 777 Building, In Fiscal Year 2005-06, Account No. 125-6350-069358, In The Amount Of \$5,205, And Fiscal Year 2008-2009, Account No. 125-6342-000350, In The Amount Of \$144,681, For A Total Reallocated Amount Of \$149,886; The Allocation Of Funds In The Amount Of \$23,488, From Capital Renewal And Replacement Contingency, Account No. 125-6396-000356; The Allocation Of Funds, In The Amount Of \$224,000, From Gulf Breeze Bond Fund – Other, Account No. 369-2284-069358; The Allocation Of Funds, In The Amount Of \$54,000, From Reallocated Funds - Other Capital Projects, Account No. 351-2194-069358; And The Allocation Of Funds, In The Amount Of \$29,256, From Fire Department General Fund – Renovations, Account No. 011-1210-000676; For A Combined Total Of \$480,630; To Fund The Renovation Of The Second Floor And A Portion Of The Fourth Floor Of The 777 Building. (Page 77)
(Capital Improvement Projects)

C7 - Resolutions (Continued)

- C7F A Resolution Authorizing The Mayor And City Clerk To Execute A Locally Funded Agreement (LFA) And A Maintenance Memorandum Of Agreement (MMA) With The Florida Department Of Transportation (FDOT) For The Construction Of Crosswalks On Collins Avenue, From 63rd To 75th Streets, As Part Of The FDOT Collins Avenue Roadway Improvement Project (Under Financial Project Number 424579-1-52-02); And Further Appropriating The City's Contribution For The Construction Of The Crosswalks, In The Amount Of \$97,266, In Concurrency Mitigation Funds From North Beach. (Page 83)
(Public Works)
- C7G A Resolution Authorizing The Appropriation Of \$168,216, From The Previously Appropriated Collins Avenue/Harding Avenue Sidewalk Capital Project From The FY 2006/07 Capital Budget, To Fund City Requested And Unforeseen Change Orders For The Construction Of A New Pedestrian Mall On The 1100 Block Of Lincoln Road. (Page 111)
(Public Works)
- C7H A Resolution Supporting The Designation Of The Westbound Portion Of State Road 934/71st Street, From Collins Avenue To Bay Drive As "Rosendo Rosell Road", And Leaving The Designation On 71st Street Eastbound From Collins Avenue To Bay Drive As "Henri Levy Boulevard"; And Authorizing The City Manager Or His Authorized Designee To Transmit The Resolution To The Florida Department Of Transportation (FDOT). (Page 117)
(Public Works)
- C7I A Resolution Authorizing The Waiver Of The Rental Fees And Broadcast License Fees For The Use Of Meeting Rooms And Exhibit Hall Space At The Miami Beach Convention Center In An Amount Projected To Be Approximately \$100,000 For Use By Decubas Presents, LLC For Seven (7) Boxing Events; And Further Authorizing The City Manager And City Clerk To Execute A Sponsorship Agreement Establishing The City's Role And Support. (Page 137)
(Tourism & Cultural Development)
- C7J A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Management Agreement, In The Amount Of \$118,577, For Maintenance Of The 1100 Block Of Lincoln Road, As Provided In Section 52-6 Of The Development Agreement Between The City And UIA Management, Dated April 11, 2007 From Previously Appropriated Fy2009/10 RDA Capital Maintenance Budget. (Page 145)
(Public Works)

End of Consent Agenda