



# MIAMI BEACH

## City Commission Meeting

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

February 3, 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 Certificate Of Appreciation To Be Presented To Walgreens On 41<sup>st</sup> 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. (Page 1)  
(Requested by Mayor Matti Herrera Bower)  
(Deferred from January 13, 2010)
- PA2 Certificate Of Recognition To Be Presented To Late Jerry Moss For His Remarkable Tennis Career.  
(Requested By Commissioner Jonah Wolfson)  
(Deferred from January 13, 2010)
- PA3 Certificate Of Appreciation To Be Presented To Frank Pintado, For His Generous Toy Giveaway Program.  
(Requested By Commissioner Jerry Libbin)  
(Deferred from January 13, 2010)
- PA4 Certificates Of Completion To Be Presented To The City Of Miami Beach Neighborhood Leadership Academy Graduates.  
(City Manager's Office)
- PA5 Certificates Of Appreciation To Be Presented To The Miami Beach Firefighters Who Went To Haiti To Assist In The Earthquake Relief Efforts.  
(Requested By Mayor & Commission)
- PA6 Proclamation To Be Presented To Antonio Purriños For His Newspaper, La Voz De Miami Beach, Celebrating 24 Years Of Service.  
(Requested By Commissioner Michael Góngora)
- PA7 Certificate Of Appreciation To Be Presented To Michael Capponi For Organizing The Haiti Trip With The City Of Miami Beach Firefighters To Assist In The Earthquake Relief Efforts.  
(Requested By Commissioner Michael Góngora)
- PA8 Certificate Of Appreciation To Be Presented To Juan Rojas For His (8) Eight Years Of Service On The Homeless Committee.  
(Requested by Mayor Matti Herrera Bower)
- PA9 Proclamation To Be Presented To The Miami Beach Community Development Corporation Celebrating The Opening Of Villa Maria, A Historic Building Renovated For Elderly Housing.  
(Requested by Mayor Matti Herrera Bower)
- PA10 Proclamation To Be Presented To Tony Purrinos And Emilio Izquierdo, Jr., For "El Exilio Cubano."  
(Requested by Mayor Matti Herrera Bower).

**CONSENT AGENDA**

**Action:**  
**Moved:**  
**Seconded:**  
**Vote:**

**C2 - Competitive Bid Reports**

- C2A Request For Approval To Issue A Request For Proposals (RFP) For Audits Of Resort Taxes And For Other Internal Audits As Needed. (Page 5)  
(Budget & Performance Improvement)
- C2B Request For Approval To Award Contracts To The Following Vendors: A Quick Board Up Services, Inc., Pillar Consultants, Inc., And TCS Empire, Inc. As The Lowest And Best Bidders, Pursuant To Invitation To Bid No. 11-09/10, For Emergency Board-Up And Securing Services In The Estimated Annual Amount Of \$150,000. (Page 9)  
(Building Department)
- C2C Request For Approval To Issue A Request For Proposals (RFP) For Temporary Personnel Services. (Page 17)  
(Human Resources/Procurement/)
- C2D Request For Approval To Award Contracts To SFM Services, Inc. As Primary Vendor And Southern Landscaping Enterprises, Inc. As Secondary Vendor, Pursuant To Invitation To Bid (ITB) No. 57-08/09 For Parking Lots Grounds Maintenance Citywide, In The Estimated Annual Amount Of \$125,882; And Further Authorize The Administration To Add Service Visits Or Litter Control Services As May Be Required For Special Events, Or Other Needs. (Page 25)  
(Parking Department/Parks & Recreation Department)
- C2E Request For Authorization To Issue A Request For Proposals (RFP) For The Management And/Or Development Of The Byron Carlyle Theater Complex And To Concurrently Pursue Commercial Use Options With The City's Real Estate Broker Pursuant To Request For Qualifications (RFQ) No. 63-08/09. (Page 33)  
(Tourism & Cultural Development)
- C2F Request For Approval To Purchase Manifold Assemblies, Water Meters, Automatic Meter Reading Systems And Parts, From Sensus Metering Systems, Inc., In The Estimated Annual Amount Of \$145,000. (Page 47)  
(Public Works/Procurement)
- C2G Request For Approval To Purchase American Darling Fire Hydrants From American Flow Control, The Manufacturer Of The American Darling Fire Hydrants, In The Estimated Annual Amount Of \$40,000. (Page 52)  
(Public Works/Procurement)

**C4 - Commission Committee Assignments**

- C4A Referral To The Land Use And Development Committee – Discussion Regarding A Proposed Ordinance To Require Construction Staging Plans. (Page 57)  
(Building Department)
- C4B Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Federal Legislative Services Agreement. (Page 59)  
(Economic Development)
- C4C Referral To The Finance And Citywide Projects Committee To Review And Discuss The Basis Of Design Report (BODR) For The Lincoln Park Project (The Project). (Page 61)  
(Real Estate, Housing & Community Development)
- C4D Referral To The Neighborhoods/Community Affairs Committee - Discuss Proposals By Mr. Tony A. Trujillo, And Mr. Larry Wyman, South Pointe Neighborhood Residents, For The Placement Of A Memorial Plaques In The Washington Avenue Dog Park In Memory Of Their Dog(s), In Conjunction With A Donation To The City By Mr. Trujillo, And Mr. Wyman, In The Amount Of \$3,000 Each, For The Purchase Of A Bench In The Dog Park. (Page 63)  
(Parks & Recreation)
- C4E Referral To The Neighborhoods/Community Affairs Committee - Discussion Regarding A Report From The Transparency, Reliability, Accountability Committee. (Page 65)  
(Requested by Vice-Mayor Deede Weithorn)
- C4F Referral To The Neighborhoods/Community Affairs Committee - Discussion Regarding The Proposed Lincoln Road Median Between Washington And Collins Avenues. (Page 73)  
(City Manager's Office)
- C4G Referral to Land Use And Development Committee - Discussion Regarding Whether Members Of Land Use Boards Should Make Site Visits Prior To Approval Of Applications Likely To Have Neighborhood Impacts. (Page 75)  
(Requested by Mayor Matti Herrera Bower)

**C6 - Commission Committee Reports**

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting On January 11, 2009: **1)** Attendance; **2)** Review And Acceptance Of Minutes; **3)** Public Comments; **4)** Consent Agenda: Items For Commission; 4a) A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Little Stage Theater Complex (The Project); **5)** Discussion Items: 5a) South Pointe Ph II Neighborhood Improvement Project (Requested By Erika Brigham, Resident); 5b) Coast Guard Pump Station; **6)** Discussion Items: 6a) CIP Project Status Report; 6b) Construction Update: Normandy Shores Neighborhood Improvement Project; 6c) Status Report: Venetian Islands Neighborhood Improvement Project; 6d) Status Report: Sunset Islands I & II; 6e) Status Report: Sunset Islands III & IV; 6f) Status Report: Royal Palm Avenue And 44th Street Flooding Mitigation; 6g) Status Report: Palm & Hibiscus Island Undergrounding; 6h) Status Report: Flamingo/West Avenue Neighborhood Improvement Project; **7)** Staff Action Report; **8)** Calendar; **9)** Adjournment. (Page 79)
- C6B Report Of The Neighborhoods/Community Affairs Committee Meeting On January 19, 2010: **1)** Selection Of A Chair And Vice-Chair For The Neighborhoods/Community Affairs Committee For A Term Of One Year; **2)** Discussion Regarding The Issuance Of A Request For Proposals (RFP) For The Management And/Or Development Of The Byron Carlyle Theater Complex; **3)** Update Regarding The Status Of Efforts Made By The Administration To Encourage FDOT To Restripe The Lanes In The Mid Beach Area Along Alton Road; **4)** Discussion Regarding South Beach Local; **5)** Discussion Regarding Amendments To The Non-Profit Vendor Ordinance; **6)** Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2 Thereof By Creating Section 2-463 Entitled "Prohibition Of Certain Post-Service/Employment Relationships" Prohibiting Certain Post-Service/Employment Activity Of City Elected Officials And City Employees For A Period Of Two Years After Leaving City Service/Employment; Providing For Repealer, Severability, Codification, And Effective Date. (Page 83)

**C7 - Resolutions**

- C7A Re-Appointment Of Chief Special Master (Page 91)
1. A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Section 30-36 Of The Code Of The City Of Miami Beach, Concerning The Re-Appointment Of Judge Abraham Laeser, To Serve As Chief Special Master, For A Term Commencing On March 5, 2010, And Ending On September 4, 2010; Provided Further That Chief Special Master, Judge Laeser Shall Be Authorized To Hold Hearings And Impose Fines, Liens And Other Non-Criminal Penalties Against Violators Of The City And County Codes And Ordinances, And Shall Also Be Authorized To Appoint Such Other Special Masters As May Reasonably Be Required To Conduct The Subject Hearings; And Further Incorporating All Other Matters Set Forth Within Chapter 30 Of The City Code, Including, Without Limitation, Sections 30-37 And 30-38 Thereof, Concerning The Compensation And Duties Of The Chief Special Master.
  2. A Resolution Approving And Re-Appointing, Pursuant To Section 102-356 Of The City Code, Judge Abraham Laeser, (Chief Special Master Re-Appointed Pursuant To Resolution No. \_\_\_\_\_, As The City Manager's "Designee" Under Section 102-356 Of The City Code; Said Designation Commencing With Judge Laeser's Term As Chief Special Master On March

5, 2010, And Ending On September 4, 2010.  
(City Clerk's Office)

**C7 - Resolutions** (Continued)

- C7B A Resolution Electing Commissioner Jerry Libbin, Group I, As Vice-Mayor For A Term Commencing On March 1, 2010, And Terminating On June 30, 2010 Or On Such Date When A New Vice-Mayor Is Thereafter Elected. (Page 99)  
(City Clerk's Office)
- C7C A Resolution Joining The Cities Of Coral Gables, Doral, Hialeah, North Miami, Sunny Isles Beach, South Miami, Miami Gardens, The Town Of Golden Beach, The Village Of Key Biscayne And Miami-Dade County In Supporting And Endorsing The South Florida Parks Coalition Charter And The Principles On Which It Is Established. (Page 103)  
(Parks & Recreation)
- C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment Nos. One And Two, Respectively, To The Joint Participation Agreement (JPA) By And Between The City And The Florida Department Of Transportation (FDOT), Dated October 31st, 2007, For The Milling And Resurfacing Improvements Along Indian Creek Drive (SR A1A) Between 26th And 41st Streets (To The Scope Of Services And For A Contract Term Extension) (Page 109)  
(Public Works)
- C7E A Resolution Supporting Elimination Of The Cap On The State And Local Housing Trust Funds (Housing Trust Funds) And Supporting Full Appropriation Of The Housing Trust Funds For Housing Programs. (Page 139)  
(Economic Development)
- C7F A Resolution Waiving Building Permits And Development Fees Due From The Talmudic University Of Florida, In The Amount Of \$36,659.40; Provided Further That Said Waiver Of Fees Does Not Include State Radon Fee And Miami-Dade County Fee. (Page 143)  
(Building Department)
- C7G A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Grant Applications: 1) Victims Of Crime Act (VOCA) Grant For Funding In An Amount Not To Exceed \$59,000 For The City's Domestic Violence Program; 2) Miami-Dade County Hotel/Motel And Homeless Management Information System (HMIS) Grant Funds In An Amount Not To Exceed \$24,833 For The City's Homeless Outreach Program; 3) Florida Forest Health Improvement Initiative Grant Program Funds In An Amount Not To Exceed \$24,000 For Remedial Pruning Of Mature Mahogany Trees On Alton Road; 4) Retroactively, To Miami-Dade County's Municipal Grant Program For Funding In An Amount Not To Exceed \$64,000 For The Alton Road Corridor Project; And 5) Department Of Transportation Federal Transit Administration Section 5309 Bus And Bus Facilities Livability Initiative Program Grants For Funding In An Amount Not To Exceed \$2,500,000 For Funds For Local Circulator Bus Stop Improvements; Appropriating The Above Funds, If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To These Applications. (Page 151)  
(Budget & Performance Improvement)

**C7 - Resolutions** (Continued)

- C7H A Resolution Accepting The Recommendation Of The City Manager Pursuant To Request For Proposals (RFP) No. 4-09/10, For Electric Fireworks And Pyrotechnics For The City Of Miami Beach Fourth Of July Event; Authorizing The Administration To Enter Into Negotiations With The Top Ranked Proposer, Zambelli Fireworks, And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Second-Ranked Proposer, Pyrotecnico; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Completion Of Successful Negotiations By The Administration In The Not To Exceed Amount Of \$75,000. (Page 159)  
(Tourism & Cultural Development/Procurement)
- C7I A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 07-09/10, For The Design, Bid And Award And Construction Administration Services For The Redesign Of The Par 3 Golf Course; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm Of McCumber Golf, Inc.; 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 Bates Design Group, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Authorizing The Administration To Negotiate An Agreement With The Third-Ranked Firm Of Signature Design Services, Inc. (Page 173)  
(Capital Improvement Projects)
- C7J A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 55-08/09 For General Transportation Planning And Traffic Engineering Consulting Services On An As-Needed Basis; Authorizing The Administration To Negotiate Agreements With AECOM USA, Inc.; The Corradino Group, Inc.; Florida Transportation Engineering, Inc. (FTE); Gannett Fleming, Inc.; And PBS&J, Inc. (Page 181)  
(Public Works/Procurement)
- C7K A Resolution Amending Resolution 2009-27279, Subject To And Effective Upon Approval By Miami-Dade County, Increasing The Present Fire Rescue Transport Fees From \$330 To \$358.67 For Basic Life Support, From \$380 To \$425.93 For Advanced Life Support 1, And From \$490 To \$616.47 For Advanced Life Support 2, And Maintaining The Current Fees For All Expendable Medical Supplies, With Services Not To Be Withheld Due To A Person's Inability To Pay. (Page 189)  
(Fire Department)
- C7L A Resolution Urging The Florida Department Of Transportation To Restripe The Traffic Lanes In The Mid-Beach Area On Alton Road From Michigan Avenue To 63rd Street In Order To Provide Safer Travel Lanes And Clearance For Parked Vehicles. (Page 197)  
(City Attorney's Office)

**End of Consent Agenda**