



Special City Commission Meeting

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

REGULAR AGENDA

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments - City Commission Appointments.
1. Affordable Housing Advisory Committee
 2. Art in Public Places
 3. Board of Adjustment
 4. Budget Advisory Committee
 5. Capital Improvements Projects Oversight Committee
 6. Design Review Board
 7. Health Advisory Committee
 8. Health Facilities Authority Board
 9. Historic Preservation Board
 10. Miami Beach Cultural Arts Council
 11. Personnel Board
 12. Planning Board
 13. Visitor and Convention Authority
- (City Clerk's Office)

R9 - New Business and Commission Requests

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

ACTION: The following appointments were made:

Art in Public Places:

| | | |
|-----------------------------|------------------------|----------------------------|
| Flavia Lowenstein-Elortegui | Term ending 12/31/2011 | City Commission TL12/31/14 |
| Rhonda Mitrani-Buchman | Term ending 12/31/2011 | City Commission TL12/31/12 |
| Lisette Olemberg Goldstein | Term ending 12/31/2011 | City Commission TL12/31/14 |

Board of Adjustment:

| | | |
|--------------------------------------|------------------------|----------------------------|
| Alexander Annunziato (At-large) | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Lior Lesser (Financial Consultation) | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Andrew Resnick (At-large) | Term ending 12/31/2010 | City Commission TL12/31/15 |
| Sherry Roberts (General Business) | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Bryan Rosenfeld (CPA) | Term ending 12/31/2011 | City Commission TL12/31/15 |

Budget Advisory Committee:

| | | |
|------------------------------------|----------------------|----------------------------|
| Marc Gidney (CPA) | Term ending 12/31/10 | City Commission TL12/31/14 |
| Tony Rodriguez (Financial Advisor) | Term ending 12/31/11 | City Commission TL12/31/10 |

Capital Improvements Projects Oversight Committee:

| | | |
|----------------------------------|------------------------|----------------------------|
| Elizabeth Camargo (C2) Architect | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Eleanor Carney (C4) At-large | Term ending 12/31/2011 | City Commission TL12/31/15 |
| Christina Cuervo (C5) Developer | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Fred Karlton (C3) Developer | Term ending 12/31/2011 | City Commission TL12/31/13 |

Design Review Board:

| | | |
|---|------------------------|-----------------------------|
| Alex David Urban Planner TL12/10 | Term ending 12/31/2011 | City Commission TL12/31/10 |
| Jason Hagopian Reg. Architect | Term ending 12/31/2011 | City Commission TL12/31/15 |
| Gabrielle Redfern At-large | Term ending 12/31/2011 | City Commission TL 12/31/11 |
| Seraj Saba Landscape Architect | Term ending 12/31/2011 | City Commission TL12/31/13 |

Historic Preservation Board:

| | | |
|------------------------------------|------------------------|----------------------------|
| Henry Lares Faculty Member | Term ending 12/31/2011 | City Commission TL12/31/13 |
| Norberto Rosenstein Reg. Architect | Term ending 12/31/2011 | City Commission TL12/31/11 |
| David Wieder Attorney | Term ending 12/31/2011 | City Commission TL12/31/15 |

Personnel Board:

| | | |
|--------------------|------------------------|----------------------------|
| Gabriel Paez | Term ending 12/31/2010 | City Commission TL12/31/15 |
| Barbara Patchen | Term ending 12/31/2011 | City Commission TL12/31/12 |
| Michael Perlmutter | Term ending 12/31/2011 | City Commission TL12/31/12 |
| Rosalie Pincus | Term ending 12/31/2011 | City Commission TL12/31/15 |

Planning Board:

| | | |
|-------------------------------|------------------------|-----------------------------|
| Jonathan Beloff Attorney | Term ending 12/31/2011 | City Commission TL12/31/15 |
| Jonathan Fryd Developer | Term ending 12/31/2011 | City Commission TL 12/31/13 |
| Henry Stolar General Business | Term ending 12/31/2011 | City Commission TL12/31/13 |

Mayor Bower called the meeting called to order at 1:24:58 p.m. All Commissioners were present. She explained the procedures for appointing board and committee members according to ordinance.

Robert Parcher, City Clerk, read a statement into the record: *Consistent to the City policy, today's Special Commission Meeting was noticed in The Miami Herald Neighbors Section dated Thursday, January 21st with the meeting scheduled to commence at 1:00 PM, although another notice in the same Neighbors Section noticed today's meeting to begin at 2:00 PM. This time was changed to the scheduled 1:00 PM due to a need to complete board and committee appointments by 3:00 PM. In accordance with the City policy, the City has confirmed notice of the 1 PM commencement time via posting of said time on bulletin boards throughout City Hall as well as posting said times on City's website and government Channel 77.*

1:28:39 p.m.

BOARD OF ADJUSTMENT:

Commissioner Wolfson made a motion to reappoint Alexander Annunziato, Sherry Roberts and Lior Lesser to the Board of Adjustment; seconded by Commissioner Exposito. No vote taken.

Discussion was held regarding process for appointing Land Use Boards by category.

Commissioner Wolfson clarified his motion to make it into a three piece motion; 1) to reappoint Alex Annunziato in the At-Large category, 2) to reappoint Lior Lesser in the Financial Consultation category; and 3) to reappoint Sherry Roberts in the General Business category. Motion was seconded by Commissioner Exposito. No vote taken.

Vice-Mayor Weithorn explained that the ordinance states that votes have to be made by category and asked for a legal opinion.

Jose Smith, City Attorney, explained that according to Ordinance 2-22 Subsection 19, requires a separate vote for each separate category. Discussion continued.

Commissioner Wolfson withdrew his motion.

BALLOTS # 1- 6A:

The following individuals were nominated in the At-Large Category:

- Alex Annunziato votes (4)
- Andrew Resnick votes (4)
- Michael Bernstein votes (3)
- Micky Steinberg votes (1)
- Jaqueline Lalonde votes (1)
- Joy Malakoff votes (1)

Robert Parcher, City Clerk, announced the names of the nominees, how each elected official voted, and the number of votes each nominee received.

BALLOT # 6B

Robert Parcher, City Clerk, read the names and votes received into the record.
Alex Annunziato (6) (Mayor Bower & Commissioners Exposito, Góngora, Libbin, Tobin & Wolfson)
Andrew Resnick (5) (Commissioners Exposito, Góngora, Libbin, Tobin, & Vice-Mayor Weithorn)
Michael Bernstine (3) (Mayor Bower & Vice-Mayor Weithorn & Commissioner Wolfson)

Motion was made by Vice-Mayor Weithorn to appoint Alex Annunziato and Andrew Resnick in the At-Large Category to the Board of Adjustment; seconded by Commissioner Libbin; Voice vote: 7-0.

FINANCIAL CONSULTANT CATEGORY

Motion was made by Commissioner Wolfson to appoint Lior Lesser in the Financial Consultant Category to the Board of Adjustment; seconded by Vice-Mayor Weithorn; Voice vote: 7-0.

GENERAL BUSINESS CATEGORY:

Motion was made by Commissioner Libbin to appoint Sherry Roberts in the General Business Category to the Board of Adjustment; seconded by Commissioner Exposito; Voice vote: 7-0.

CPA CATEGORY:

Motion was made by Commissioner Wolfson to appoint Bryan Rosenfeld in the CPA Category to the Board of Adjustment; seconded by Commissioner Góngora; Voice vote: 7-0.

1:59:29 p.m.

DESIGN REVIEW BOARD

Motion made by Commissioner Góngora to reappoint Alex David (Urban Planner) and Seraj Saba (Landscape Architect); seconded by Commissioner Tobin. No vote taken.

The following individuals were nominated in the Registered Architect Category:

Elizabeth Camargo
Jason Hagopian

REGISTERED ARCHITECT CATEGORY:

Motion was made by Commissioner Tobin to appoint Jason Hagopian in the Registered Architect Category (DRB); seconded by Commissioner Wolfson; Voice vote: 7-0.

LANDSCAPE ARCHITECT CATEGORY:

Motion was made by Vice-Mayor Weithorn to appoint Seraj Saba in the Landscape Architect Category (DRB); seconded by Commissioner Exposito; Voice vote: 7-0.

URBAN PLANNER CATEGORY:

Motion was made by Vice-Mayor Weithorn to appoint Alex David in the Urban Planner Category (DRB); seconded by Commissioner Libbin; Voice vote: 7-0.

AT-LARGE CATEGORY

The following individuals were nominated in the At-Large Category:

Gabrielle Redfern
Leonard Wien

BALLOT #7

Robert Parcher, City Clerk, read the names and votes received into the record.

Gabrielle Redfern (4) Mayor Bower & Commissioners Exposito, Tobin & Wolfson

Leonard Wien (3) Commissioners Góngora, Libbin, & Vice-Mayor Weithorn

Motion was made by Commissioner Wolfson to reappoint Gabrielle Redfern in the At-Large Category (DRB); seconded by Commissioner Tobin; Voice vote: 7-0.

2:16:00 p.m.

Commissioner Tobin asked if Clotilde Luce could qualify in the category listed: one a registered architect or a member of the faculty of a school of architecture, urban planning or urban design in the state, with practical or academic expertise in the field of design, planning, historic preservation or the history of architecture, or a professional architectural designer or professional urban planner.

Jorge Gomez, Assistant City Manager, stated that the position requires a faculty member.

Commissioner Tobin questioned the interpretation of the category and requested clarification. **Gary Held and Jorge Gomez to handle.**

Handout or Reference Material

1. Memorandum from Gary Held, First Assistant City Attorney, to Commissioner Tobin dated January 25, 2010, RE: Analysis of Section 118-72, Design Review Board membership

2:15:40 p.m.**HISTORIC PRESERVATION BOARD****REGISTERED ARCHITECT CATEGORY:**

Motion was made by Commissioner Góngora to appoint Norberto Rosenstein in the Registered Architect Category to the HPB; seconded by Commissioner Libbin; Voice-vote: 7-0.

FACULTY MEMBER CATEGORY:

Motion was made by Commissioner Libbin to appoint Henry Lares in the Faculty Member Category to the HPB; seconded by Commissioner Tobin; Voice-vote: 7-0.

ATTORNEY CATEGORY

Motion was made by Commissioner Wolfson to appoint David Wieder in the Attorney Category to the HPB; seconded by Vice-Mayor Weithorn; Voice-vote: 7-0.

2:19:46 p.m.

2:33:45 p.m.

PLANNING BOARD

DEVELOPER CATEGORY

Motion was made by Commissioner Wolfson to appoint Jonathan Fryd in the Developer Category (PB); seconded by Commissioner Tobin; Voice-vote: 7-0.

GENERAL BUSINESS CATEGORY

Motion was made by Commissioner Wolfson to nominate Henry Stolar in the Attorney Category; seconded by Commissioner Exposito. No vote taken and the discussion continued.

Discussion was held regarding the Attorney Category.

Gary Held, First City Attorney, spoke.

Jose Smith, City Attorney, spoke.

BALLOT #8:

ATTORNEY CATEGORY

The following individuals were nominated in the Attorney Category:

Henry Stolar Votes (3)

Jonathan Beloff Votes (4)

Robert Parcher, City Clerk, read the names and votes received into the record.

Jonathan Beloff (4) Commissioners Libbin, Góngora, Tobin & Vice-Mayor Weithorn

Henry Stolar (3) Mayor Bower & Commissioners Exposito & Wolfson

BALLOT #9

The following individuals were nominated in the General Business Category:

(*)Seth Frolich votes (4)

Frank Kruszewski votes (3)

Henry Stolar votes (5)

Jane Gross votes (2)

Robert Parcher, City Clerk, read the names and votes received into the record.

Seth Frolich (4) Commissioners Góngora, Libbin, Tobin & Vice-Mayor Weithorn

Frank Kruszewski (3) Commissioners Tobin, Wolfson & Vice-Mayor Weithorn

Henry Stolar (5) Mayor Bower, Commissioners Exposito, Góngora, Libbin & Wolfson

Jane Gross (2) Mayor Bower & Commissioner Exposito

(*) Seth Frolich's appointment was determined by the City Attorney's Office and Richard Lorber, Acting Planning Director, as not in compliance with the City Code, pursuant to Section 118-32 – "Application requirement for land use boards. No person shall be appointed to the planning board, design review board, historic preservation board, or the board of adjustment unless he or she has filed an application with the city clerk on the form prescribed, not less than ten days before the date of appointment...."

2:37:40.m.

ART IN PUBLIC PLACES

Motion was made by Commissioner Libbin to reappoint Lisette Olemberg Goldstein, Rhonda Mitrani-Buchman and Flavia Loweinstein-Elort; seconded by Commissioner Wolfson; Voice vote: 7-0.

2:38:28 p.m.

BUDGET ADVISORY COMMITTEE

CPA CATEGORY

Motion was made by Vice-Mayor Weithorn to appoint Marc Gidney to the CPA category; seconded by Commissioner Góngora; Voice vote: 7-0.

City Clerk's note: Mr. Gidney was already on the board appointed by Vice-Mayor Weithorn. She requested to move him from a direct appointment to the CPA at-larger position.

FINANCIAL ADVISORY CATEGORY

Motion was made by Vice-Mayor Weithorn to reappoint Tony Rodriguez to the Financial Advisory category; seconded by Commissioner Libbin; Voice vote: 7-0.

2:42:29 p.m.

CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE

2:52:40 p.m.

Ballot #10

ARCHITECT CATEGORY (C2)

The following individuals were nominated in the Architect Category –C2:

Elizabeth Camargo votes (5); Mayor Bower, Vice-Mayor Weithorn, Commissioners Wolfson, Libbin, & Tobin

Eleanor Carney votes (2); Commissioners Góngora and Exposito

2:55: p.m.

BALLOT #10A

(C3) DEVELOPER CATEGORY

Frank Karlton votes (5)

Scott Needleman votes (1)

Brad Meltzer votes (1)

Robert Parcher, City Clerk, read the names and votes received into the record.

Fred Karlton (5) Mayor Bower, Commissioners Tobin, Libbin, Góngora & Vice-Mayor Weithorn

Brad Meltzer (1) Commissioner Exposito

Scott Needleman (1) Commissioner Wolfson

2:59:35 p.m.

For the C4 category there were three ballots, #11, #12, and #13

BALLOT #11

(C4) AT-LARGE CATEGORY

| | |
|-----------------|--|
| Brad Meltzer | votes (2); Commissioners Libbin & Exposito |
| Israel Magrisso | votes (2); Mayor Bower & Commissioner Wolfson |
| Eleanor Carney | votes (3); Vice-Mayor Weithorn & Commissioners Góngora & Tobin |

3:07:23 p.m.

BALLOT #12

(C4) AT LARGE CATEGORY

| | |
|-----------------|--|
| Brad Meltzer | votes (2); Commissioners Libbin & Exposito |
| Israel Magrisso | votes (2); Mayor Bower & Commissioner Wolfson |
| Eleanor Carney | votes (3); Vice-Mayor Weithorn & Commissioners Góngora & Tobin |

BALLOT #13

(C4) AT LARGE CATEGORY

| | |
|-----------------|-----------|
| Brad Meltzer | votes (1) |
| Israel Magrisso | votes (2) |
| Eleanor Carney | votes (4) |

Robert Parcher, City Clerk, read the names and FINAL votes received into the record.

| | |
|-----------------|---|
| Brad Meltzer | votes (1); Commissioners Libbin |
| Israel Magrisso | votes (2); Mayor Bower & Commissioner Exposito |
| Eleanor Carney | votes (4); Vice-Mayor Weithorn, Commissioners Góngora, Tobin, Wolfson |

BALLOT #14

(C5) DEVELOPER CATEGORY

| | |
|------------------|-----------|
| Christina Cuervo | votes (4) |
| Brad Meltzer | votes (3) |

Robert Parcher, City Clerk, read the names and votes received into the record.

| | |
|------------------|---|
| Christina Cuervo | (4) (Mayor Bower & Commissioners Góngora, Tobin & Wolfson) |
| Brad Meltzer | (3) (Vice-Mayor Weithorn & Commissioners Exposito & Libbin) |

3:14:53 p.m.

PERSONNEL BOARD

3:17:28 p.m.

The following individuals were nominated:

Rosalie Pincus

Gabriel Paez

Barbara "Bunny" Patchen

Michael Perlmutter

Motion made by Commissioner Góngora to reappoint Barbara "Bunny" Patchen and Michael Perlmutter and for the vacant seats Gabriel Paez and Rosalie Pincus to the Personnel Board; seconded by Commissioner Wolfson; Voice vote: 7-0.

3:18:11 p.m.

VISITORS and CONVENTION AUTHORITY

The following individuals were nominated:

AT-LARGE CATEGORY

Jacqueline Hertz

Jeff Lehman

Sheila Duffy Lehrman

Micky Steinberg

HOTEL INDUSTRY

Eric Lawrence

Peggy Benua

Jeff Lehman

Deborah Castillo

Discussion held.

Mayor Bower asked to table this item.

Mayor Bower requested that the remaining At-Large appointments be made at the February 3, 2010 Commission Meeting.

Meeting adjourned at 3:25:34 p.m.

End of Agenda