

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
May 12, 2010

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

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending Miami Beach City Code Chapter 2, Article III, Section 2-22(20) Establishing Procedure Applicable To The City Commission At-Large Appointments Of Board Members By Providing That With Regard To The City Of Miami Beach Visitor And Convention Authority, Any Vacancy Remaining After City Commission Appointment(s) Under The Established Categories May Be Filled By Applicants From Either Or Both (Combined) "Hotel Industry" Or "Community At Large" Category; Providing For Repealer, Severability, Codification, And An Effective Date. **10:15 a.m. Second Reading Public Hearing** (Page 261)
(Requested by Commissioner Deede Weithorn/City Attorney's Office)
(First Reading on April 14, 2010)
- R5B Short Term Rental Of Apartment Units Or Townhomes
An Ordinance Amending Chapter 142 Of The City Code, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Division 3, "Supplementary Use Regulations," By Creating New Ordinance Section 142-1111, "Short Term Rental Of Apartment Units Or Townhomes," Providing For Repealer, Severability, Codification, And An Effective Date. **5:00 p.m. Second Reading Public Hearing** (Page 265)
(Planning Department)
(First Reading on April 14, 2010)
(Memorandum and Ordinance To Be Submitted In The Supplemental)

R5 - Ordinances (Continued)

- R5C An Ordinance Amending Chapter 82, Entitled "Public Property," By Amending Article I, Entitled "In General," By Renaming Section 82-6, Entitled "Reserved," To "City Tot Lots/Playgrounds," And To Provide That Adults Must Be Accompanied By A Child Under Twelve (12) Years Of Age In City Tot Lots And Playgrounds, Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading** (Page 267)
(Requested by Commissioner Jorge Esposito)
- R5D An Ordinance Amending Chapter 82, Entitled "Public Property"; By Amending Article I, Entitled "In General," By Renaming Section 82-5, Entitled "Reserved," To "City Signs To Be Obeyed" To Provide That City Signs Shall Be Obeyed And Disobedience To Such Signs Shall Be Enforced Pursuant To Chapter 30; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading** (Page 271)
(Requested by Commissioner Jorge Esposito)
- R5E An Ordinance Amending Chapter 2 Of The City Code, Entitled, "Administration;" By Amending Article VI Thereof Entitled, "Procurement", By Amending Division 6 Entitled "Living Wage Requirements For Service Contracts And City Employees", Sections 2-407 Through 2-410 Therein; And Providing Further For Codification, Severability, And An Effective Date. **First Reading** (Page 275)
(Finance Department)

R7 - Resolutions

- R7A A Resolution Approving On First Reading, A Lease Agreement Between The City And Rubin & Bickman, PLLC, For Use Of Approximately 1,518 Square Feet Of City-Owned Property, Located At 1130 Washington Avenue, 4th Floor, Miami Beach, Florida; Said Lease Having An Initial Term Of Three Years And Twenty One Days, With Two Additional Three Year Renewal Terms, At The City's Sole Discretion; Waiving By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, As Required By Section 82-39 Of The Miami Beach City Code; Further Setting A Public Hearing On June 9, 2010, For The Second Reading (And Final Approval) Of The Lease Agreement. **First Reading** (Page 291)
(Real Estate, Housing & Community Development)
- R7B A Resolution Approving On First Reading, A Lease Agreement Between The City And Strang Adams, P.A., For Use Of Approximately 858 Square Feet Of City-Owned Property, Located At 1130 Washington Avenue, 3rd Floor East, Miami Beach, Florida; Said Lease Having An Initial Term Of Three Years And Twenty One Days, With Two Additional Three Year Renewal Terms, At The City's Sole Discretion; Waiving By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements, As Required By Section 82-39 Of The Miami Beach City Code; Further Setting A Public Hearing On June 9, 2010, For The Second Reading (And Final Approval) Of The Lease Agreement. **First Reading** (Page 321)
(Real Estate, Housing & Community Development)

R7 - Resolutions (Continued)

- R7C A Resolution Approving An Energy Services Agreement Between The City And Ameresco, (The Company). (Page 353)
(City Manager's Office)
- R7D A Resolution Authorizing The City To Enter Into An Equipment Lease Purchase Financing In An Aggregate Principal Amount Not To Exceed \$15,000,000 With Chase Equipment Finance, Inc.; Authorizing The Execution And Delivery Of A Summary Of Terms And Conditions And A Master Lease-Purchase Agreement In Connection Therewith; Authorizing The Lease And Purchase Of Equipment And The Payment Of Related Costs Of Issuance And The Execution Of One Or More Lease Schedules With Respect To Such Equipment; Authorizing The Execution Of Such Other Related Documents, Including One Or More Escrow Agreements, As May Be Necessary To Complete The Transactions Contemplated Hereby; Appointing An Escrow Agent; And Providing An Effective Date.(Page 419)
(Finance Department)
- R7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement With Waste Pro Of Florida, Pursuant To Request For Proposals (RFP) No. 60-08/09, For The Collection And Disposal Of Residential Solid Waste, Yard Trash, And Bulk Waste, And Operation Of The City's Green Waste Facility; Said Agreement Having An Initial Term Of Five (5) Years, Commencing On July 1, 2010, And Ending On June 30, 2015, With Three (3) One-Year Renewal Options, Upon The Same Terms And Conditions, At The City's Sole Discretion. (Page 427)
(Public Works/Procurement)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments. (Page 485)
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments. (Page 493)
(City Clerk's Office)
- R9A2 Nomination For Appointment Of Emilio Fernandez For Commissioner To The Miami Beach Housing Authority. (Page 505)
(Requested by Mayor Matti Herrera Bower)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 507)
- R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C The Committee Of The Whole Will Meet During Lunch Break In The City Manager's Large Conference Room To Discuss The Fiscal Year (FY) 2010/11 Proposed Operating Request For The Office Of The Mayor And City Commission. (Page 509)
(Budget & Performance Improvement)

R9 - New Business and Commission Requests (Continued)

- R9D The Committee Of The Whole Will Meet During Lunch Break In The City Manager's Large Conference Room To Discuss The MacArthur Causeway Tunnel Project. (Page 511)
(Requested by Mayor Matti Herrera Bower)
- R9E Discussion Regarding Public Sidewalk Finishes And Colors. (Page 513)
(City Manager's Office)
(Deferred from April 14, 2010)
- R9F Discussion Regarding The Convention Center Master Plan. (Page 529)
(Requested by Commissioner Jorge Exposito)
- R9G Discussion Regarding Visitor Parking Stickers Available For Residential Areas. (Page 531)
(Requested by Commissioner Jonah Wolfson)
- R9H Discussion Regarding A Resolution In Light Of The Recent Oil Rig Disaster In The Gulf Of Mexico, Reiterating And Its Opposition To The Approval Of Oil Drilling In Florida's Waters In Areas Other Than Those Already Approved For Oil Leasing And Oil Exploration. (Page 533)
(Requested by Commissioner Edward L. Tobin)
- R9I Discussion Regarding A Resolution Directing The City Manager To Inform The Commission And Develop An Action Plan As Appropriate For Major Initiatives, Projects, Or Occurrences In Miami-Dade County That Significantly Impact The City Of Miami Beach And To Bring Such Matters To The Attention Of The Mayor And City Commission As Soon As Practicable. (Page 537)
(Requested by Commissioner Edward L. Tobin/City Attorney's Office)
- R9J Discussion Regarding A Resolution Requiring That A Basis Of Design Report (BODR) That Has Been Previously Approved By The Mayor And City Commission Shall Require Approval By 5/7ths Vote Of The City Commission To Change The Approved BODR. (Page 539)
(Requested by Commissioner Jonah Wolfson)
- R9K Discussion On An Amendment To The Flamingo Park Master Plan Relative To The Tennis Center Facility. (Page 541)
(Parks & Recreation)
(Deferred from April 14, 2010)

Reports and Informational Items

Reports and Informational Items (see LTC 134-2010)

End of Regular Agenda