

# City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
June 9, 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

### R2 - Competitive Bid Reports

- R2A Request For Approval To Issue A Request For Proposals (RFP) To Provide Parking Cashiers/ Attendants And Supervisors For The City's Parking Garages. (Page 227)  
(Parking Department)

### R5 - Ordinances

- R5A 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. **10:30 a.m. Second Reading Public Hearing** (Page 243)  
(Finance Department)  
(First Reading on May 12, 2010)

**R5 - Ordinances** (Continued)

- R5B 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. **10:35 a.m. Second Reading Public Hearing** (Page 261)  
(Requested by Commissioner Jorge Exposito/City Attorney's Office)  
(First Reading on May 12, 2010)
- R5C An Ordinance Amending Chapter 82, Entitled "Public Property," By Amending Article I, Entitled "In General," By Renaming Section 82-6, Entitled "Reserved," To "Designated Children Play Areas," And Providing That Adults Must Be Accompanied By A Minor In Areas Designated As Children Play Areas; Providing For Repealer; Severability; Codification; And An Effective Date. **10:40 a.m. Second Reading Public Hearing** (Page 267)  
(Requested by Commissioner Jorge Exposito/City Attorney's Office)  
(First Reading on May 12, 2010)
- R5D An Ordinance Amending Chapter 70 Of The Miami Beach City Code Entitled "Miscellaneous Offenses"; By Amending Article III, Entitled "Graffiti"; By Amending Division I, Entitled "Generally"; By Amending Section 70-126, Entitled "Responsibility Of Property Owner(s) To Remove Graffiti; Graffiti Removal And Notice; Enforcement" By Amending The Responsibilities Of Property Owners With Regard To The Abatement Of Graffiti And Amending Enforcement Provisions; Providing For Repealer; Severability; Codification; And An Effective Date. **10:50 a.m. Second Reading Public Hearing** (Page 273)  
(Code Compliance)  
(Continued from April 14, 2010)
- R5E 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 281)  
(Planning Department)  
(Continued from May 12, 2010)
- R5F An Ordinance Amending Chapter 12, Article I Of The Code Of The City Of Miami Beach Entitled "Film And Print Productions", By Amending Section 12-1(5), "Film And Print Regulations"; Providing For Codification, Repealer, Severability And An Effective Date. **First Reading** (Page 307)  
(Tourism & Cultural Development)
- R5G An Ordinance Repealing Article XI, Entitled "Dangerous Intersection Safety," Of Chapter 106, Entitled "Traffic And Vehicles," Of The Miami Beach City Code; And Providing For Codification; Severability; Repealer; And An Effective Date Of July 1, 2010. **First Reading** (Page 321)  
(City Manager's Office)

**R5 - Ordinances** (Continued)

- R5H Parking Rate Ordinance Amendments  
An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-55, Entitled, "Parking Rates, Fees, And Penalties"; By Amending Subsection (L); Entitled, "Exceptions," By Amending Sub-Subsection (1), Entitled "Special Event Parking" By Replacing Special Event Parking Rate Provisions With Flat Parking Rate Provisions; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading**  
(Page 331)  
(Parking Department)

**R7 - Resolutions**

- R7A A Resolution Approving On Second Reading (And Final Approval), Following A Duly Noticed Public Hearing, 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; Authorizing The Mayor And City Clerk To Execute The Lease Agreement. **10:15 a.m. Second Reading Public Hearing**  
(Page 339)  
(Real Estate, Housing & Community Development)
- R7B A Resolution Approving On Second Reading (And Final Approval), Following A Duly Noticed Public Hearing, 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; Authorizing The Mayor And City Clerk To Execute The Lease Agreement. **10:20 a.m. Second Reading Public Hearing**  
(Page 367)  
(Real Estate, Housing & Community Development)
- R7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Service Agreement With Choice Environmental Services, 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 September 1, 2010, And Ending On August 31, 2015, With Three (3) One-Year Renewal Options, Upon The Same Terms And Conditions, At The City's Sole Discretion.  
(Page 399)  
(Public Works)

**R7 - Resolutions** (Continued)

R7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement With Camp Dresser & McKee, Pursuant To Request For Qualifications No. 03-09/10, For The Preparation Of A New Citywide Comprehensive Stormwater Management Master Plan And Flamingo/West Avenue/North Bay Road Stormwater Design Effort, With Funding In The Amount Of \$1,039,705 From The Line Of Credit Approved By The City Commission In May 2009, And To Be Repaid From The Future Stormwater Bond, And The Appropriation Of \$51,730 From The Previously Appropriated 16th Street Operational Improvements Capital Project In The Fy2006/07 Capital Improvement Plan.  
(Page 505)

(Public Works)

R7E A Resolution Amending Resolution No. 2009-27289, Setting The Dates For The Year 2010 Commission Meetings; Authorizing A Change In The Commission Meeting In October 2010, From The Scheduled Meeting Date Of October 20 To October 27; And Further Authorizing A Change In The Commission Meeting In November 2010, From The Scheduled Meeting Date Of November 10 To November 17, And Making November 10 The Alternate Meeting. (Page 579)

(City Clerk's Office)

**R9 - New Business and Commission Requests**

R9A Board And Committee Appointments. (Page 585)  
(City Clerk's Office)

R9A1 Board And Committee Appointments - City Commission Appointments. (Page 591)  
(City Clerk's Office)

R9A2 Nomination For Reappointment Of Marc Umlas To The Health Facilities Authority Board.  
(Page 597)

(Requested by Mayor Matti Herrera Bower)

R9A3 Nomination For Reappointment Of Sidney Goldin To The Health Facilities Authority Board.  
(Page 599)

(Requested by Commissioner Deede Weithorn)

R9B1 Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 601)

R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

R9C Presentation By The City's Lobbying Team Regarding The 2010 Session Of The Florida Legislature.  
(Page 603)

(City Manager's Office)

**R9 - New Business and Commission Requests** (Continued)

- R9D Discussion Regarding An Ordinance Amending Regulations Of Alcoholic Beverages In Public Places.  
(Page 605)  
(Requested by Vice-Mayor Jerry Libbin)
- R9E Status Update On The Miami Beach Arts Gala 2010. (Page 607)  
(Requested by Vice-Mayor Jerry Libbin)
- R9F Discussion Regarding An Amendment To Lease Between CMB And Miami Beach Watersports, Inc.  
For Shane Watersports Center Facility To Allow Bingo. (Page 609)  
(Requested by Vice-Mayor Jerry Libbin)
- R9G Discussion Regarding A Request For Rent Waiver For The Byron Carlyle Theater For The Young  
Talent Big Dreams Contest. (Page 611)  
(Requested by Mayor Matti Herrera Bower)

**R10 - City Attorney Reports**

- R10A Notice Of Closed Executive Session. (Page 617)  
Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During  
Recess Of The City Commission Meeting On Wednesday, June 9, 2010, In The City Manager's  
Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Collective Bargaining.

**Reports and Informational Items**

Reports and Informational Items (see LTC #161-2010)

**End of Regular Agenda**