

# City Commission Meeting

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

September 15, 2010

Mayor Matti Herrera Bower  
Vice-Mayor Jorge Exposito  
Commissioner Michael Góngora  
Commissioner Jerry Libbin  
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 VII, Division 3 Entitled "Lobbyists", Section 2-482 Thereof Entitled "Registration" So As To Clarify That The Annual Lobbyist Registration Fee Is Required To Be Paid For Each Twelve Month Period Commencing October 1 Of Each Year; And Amending City Code Section 2-485 Thereof Entitled "List Of Expenditures; Fee Disclosure; Reporting Requirements", So As To Change Annual Reporting Date For Lobbyist Expenditure And Fee Disclosure From October 1 To January 31, And Changing Corresponding Annual Date For Post-Delinquency Lobbyist Suspension Due To Failure To File Report After Imposition Of Penalty From December 1 To March 31; Providing For Repealer, Severability, Codification, And Effective Date.

**10:15 a.m. Second Reading Public Hearing** (Page 323)

(City Clerk's Office)

(First Reading on July 14, 2010)

**R5 - Ordinances** (Continued)

- R5B An Ordinance Amending The Code Of The City Of Miami Beach, Florida; Amending Chapter 82, "Public Property," Article II, "Sale Or Lease Of Public Property," Sections 82-36 Through 82-40, Amending The Procedures For Sale Or Lease Of City Property; Providing For Inclusion In The Code Of The City Of Miami Beach, Florida; Repealer; Severability; And An Effective Date. **10:20 a.m. Second Reading Public Hearing** (Page 331)  
(City Attorney's Office/Real Estate, Housing & Community Development)  
(First Reading on July 14, 2010)
- R5C An Ordinance Amending Chapter 106 Of The Miami Beach City Code, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division I, Entitled "Generally," By Amending Section 106-55, Entitled "Parking Rates, Fees, And Penalties," By Amending Subsection (N), Entitled "Hybrid/ILEV (Inherently Low Emissions Vehicles) Vehicles Incentive," By Amending Vehicle Participation Criteria For The Hybrid/ILEV Vehicles Incentive Program To Include Vehicles With An EPA (Environmental Protection Agency) Rating Of Six "6" Or Higher ("Smartway" Designation) And Street Legal Electric Vehicles, Increasing The Number Of Reserved Hybrid Vehicle Spaces At The 42nd Street Garage From One Percent (1%) To Two Percent (2%), Establishing One Percent (1%) Of The Parking Spaces At The 7th Street Garage And 13th Street As Reserved For Hybrid Vehicles Only, And Establishing An Automatic Review Of All Hybrid Vehicle Incentives Upon Reaching A Hybrid Permit Sales Threshold Of Five Percent (5%) Of Total Permit Sales; Providing For Codification, Repealer, Severability, And An Effective Date. **10:40 a.m. Second Reading Public Hearing** (Page 343)  
(Parking Department)  
(First Reading on July 14, 2010)

**R5 - Ordinances** (Continued)

- R5D North Beach Town Center Zoning & Comprehensive Plan Amendments (Page 351)
1. An Ordinance Amending Part II: Goals, Objectives And Policies Of The City Of Miami Beach Comprehensive Plan, Policy 1.2 Of Objective 1: Land Development Regulations Of The Future Land Use Element, By Adding New Categories “Town Center Core” (TC-1); “Town Center Mixed Use” (TC-2); And “Town Center Residential Office” (TC-3); And Accompanying Standards For Land Development Regulations And Directing Transmittal Of This Ordinance And All Applicable Documents To Affected Agencies; Providing For Repealer; Severability; Inclusion In The Comprehensive Plan And An Effective Date. **11:00 a.m. First Public Hearing**
  2. An Ordinance Amending The Future Land Use Map Of The City’s Comprehensive Plan For The North Beach Town Center From CD-3, “Commercial, High Intensity” To TC-1, “Town Center Core”; From CD-2, “Commercial, Medium Intensity” To TC-2, “Town Center Mixed Use”; And From RM-1, “Residential Multifamily, Low Intensity” To TC-3, “Town Center Residential Office”; Directing Transmittal Of This Ordinance And All Applicable Documents To Affected Agencies; Providing For Repealer, Severability, And An Effective Date. **11:00 a.m. First Public Hearing**
  3. An Ordinance Amending The City’s Land Development Regulations, By Amending Chapter 142, “Zoning Districts And Regulations”, Article II, “District Regulations”, By Creating A New Division 20, “TC North Beach Town Center Districts”, Creating New Zoning Districts TC-1, Town Center Core; TC-2, Town Center Mixed Use; And TC-3, Town Center Residential Office; Providing For Purpose And Intent, Definitions, Main Permitted, Conditional, Accessory And Prohibited Uses, Development Regulations, Design Review Standards, And Parking Regulations; Amending Chapter 130, “Off-Street Parking”, Article II, “Districts; Requirements”, Section 130-31, “Parking Districts Established”, Amending The Boundaries Of Parking District 4; Amending Article III, Section 130-68, “Commercial And Noncommercial Parking Garages”, Adopting New Regulations In TC-3 And GU For Commercial And Noncommercial Parking Garages; Amending Chapter 138, “Signs”, Article V, “Sign Regulations By Districts”, Section 138-172, “Schedule Of Sign Regulations For Principal Use Signs”; Creating A New Section 138-174, “North Beach Town Center Signage”; Amending Chapter 142, Division 4, “Alcoholic Beverages,” Sections 142-1301 And 142-1302 To Include TC Districts; Providing For Codification; Repealer; Severability; And An Effective Date. **11:00 a.m. First Public Hearing**
  4. An Ordinance Amending The Official Zoning District Map, Referenced In Section 142-72 Of The City Code, By Changing The Zoning District Classifications For The North Beach Town Center From CD-3, “Commercial, High Intensity” To TC-1, “Town Center Core”; From CD-2, “Commercial, Medium Intensity” To TC-2, “Town Center Mixed Use”; And From RM-1, “Residential Multifamily, Low Intensity” To TC-3, “Town Center Residential Office” And TC-3(C) “Town Center Conditional Neighborhood Commercial”; And Amending The Affected Portion Of The City’s Official Zoning District Map To Correspond With These Changes; Providing For Repealer; Severability; And An Effective Date. **11:00 a.m. First Public Hearing**  
(Planning Department)

**R5 - Ordinances** (Continued)

- R5E South Shore Hospital - Amending The Future Land Use Map And Zoning Maps (Page 407)
- 1 An Ordinance Amending The Future Land Use Map Of The Comprehensive Plan By Changing The Future Land Use Category For The Parcel Known As The "South Shore Hospital," More Particularly Described In The Legal Description Attached As Exhibit "A," From The Current PF-RHO, "Public Facility (Religious, Hospital, Other)," To The Future Land Use Category Of CD-2, "Commercial, Medium Intensity;" With A Restriction Limiting The Property To No More Than 10 Residential Units Per Acre As Provided For In The Voluntary Covenant; Providing For Inclusion In The Comprehensive Plan, Transmittal, Repealer, Severability And An Effective Date. **11:15 a.m. First And Only Reading Public Hearing**
  
  2. An Ordinance Amending The Official Zoning District Map, Referenced In Section 142-72 Of The Code Of The City Of Miami Beach, Florida, By Changing The Zoning District Classification For The Parcel Known As The "South Shore Hospital," More Particularly Described In The Legal Description Attached As Exhibit "A" Hereto, From The Current Zoning Classification HD, "Hospital District," To The Proposed Zoning Classification CD-2, "Commercial, Medium Intensity," With A Restriction Limiting The Property To No More Than 10 Residential Units Per Acre As Provided For In The Voluntary Covenant Attached Hereto; Providing For Codification, Repealer, Severability And An Effective Date. **11:15 a.m. First And Only Reading Public Hearing**  
(Planning Department)
- R5F An Ordinance Amending The City's Comprehensive Plan To Include New Or Revised And/OR Updated Goals, Objectives And Policies In The Following Elements; Future Land Use, Transportation, Housing, Infrastructure, Conservation/Coastal Zone Management, Recreation And Open Space, Capital Improvements, Intergovernmental And Historic Preservation; All In Relation To Certain Items Identified In The City's 2005-2007 Evaluation And Appraisal Report (EAR); And Authorizing And Directing The City Administration To Transmit The Proposed Amendments To The Florida Department Of Community Affairs An Any Other Required State And Local Agencies; Providing For Repealer, Severability, Codification And An Effective Date. **11:40 a.m. First Reading Public Hearing**  
(Page 433)  
(Planning Department)
- R5G An Ordinance Amending Ordinance No. 1335, The Classified Employees' Leave Ordinance, By Amending The Provisions For Accumulation And Payment Of Annual And Sick Leave For The American Federation Of State, County And Municipal Employees, Local 1554 (AFSCME); Providing For A Repealer, Severability, And An Effective Date. **11:50 a.m. Second Reading Public Hearing**  
(Page 443)  
(Human Resources)  
(First Reading on July 14, 2010)
- R5H An Ordinance Amending The Miami Beach Employees' Retirement Plan; Implementing Provisions Of The 2009-2012 Collective Bargaining Agreements Between The City And The American Federation Of State, County And Municipal Employees (AFSCME), And Government Supervisors Association (GSA); Implementing Similar Retirement Plan Amendments For Members Who Are Not Included In Any Bargaining Unit; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing An Effective Date. **11:51 a.m. Second Reading Public Hearing** (Page 451)  
(Human Resources)  
(First Reading on July 14, 2010)

**R5 - Ordinances** (Continued)

- R5I An Ordinance Amending Part I, Subpart B, Article IX, Related Special Acts, Of The Miami Beach City Code Entitled "Pension System For Disability And Retirement Of Members Of Police And Fire Departments"; Implementing Provisions Of The 2009-2012 Collective Bargaining Agreements Between The City And Fire Fighters Of Miami Beach, IAFF Local 1510, And Miami Beach Fraternal Order Of Police, William Nichols Lodge No. 8; Amending Section 65 Entitled "Computation Of Creditable Service; Service Record", Providing For The Purchase Of Additional Creditable Service Upon Completion Of Ten Years Of Service With The City; Amending Section 66 Entitled "Service And Disability Benefits Generally", Providing For The Inclusion Of Compensation For Certain Off Duty Services In A Member's Salary For Pension Purposes, And Providing For The Sale Of Unused Sick And/Or Vacation Time For Inclusion In A Member's Final Average Monthly Earnings, Subject To Certain Limitations; Revising The Limitation On Overtime Pay Included In Salary For Pension Purposes; Amending Section 67, Entitled "Cost-Of-Living Adjustment", Providing For An Annual Adjustment On The Anniversary Date Of A Member's Retirement Or Separation From Employment; "Amending Section 79 Entitled "Deferred Retirement Option Plan", Providing For A Maximum Drop Period Of Sixty Months And A Modified Cost Of Living Adjustment During The Drop Period; Creating A New Section 87 Entitled "Benefits For Employees Hired On Or After July 14, 2010"; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing For An Effective Date. **11:52 a.m. Second Reading Public Hearing** (Page 475)  
(Human Resources)  
(First Reading on July 14, 2010)
- R5J An Ordinance Implementing Provisions Of The 2009-2012 Collective Bargaining Agreement Between The City And Fire Fighters Of Miami Beach, IAFF Local 1510, And Miami Beach Fraternal Order Of Police, William Nichols Lodge No. 8; Creating A New Article IV Of Chapter 78, Miami Beach City Code Entitled "Health Benefits For Firefighters And Police Officers"; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing For An Effective Date. **11:53 a.m. Second Reading Public Hearing** (Page 501)  
(Human Resources)  
(First Reading on July 14, 2010)
- R5K An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code; Amending Section 118-593, "Historic Preservation Designation"; Amending Section 118-593(E), "Delineation On Zoning Map"; Amending Section 118-593(E)(1), "Historic Preservation Sites (HPS)" By Designating The Miami Beach Rod & Reel Club At 218 South Hibiscus Drive, As An Historic Site, As More Particularly Described Herein; Providing That The City's Zoning Map Shall Be Amended To Include The Miami Beach Rod & Reel Club Historic Site; Adopting The Designation Report Attached Hereto As Appendix "A"; Providing For Inclusion In The Land Development Regulations Of The City Code, Repealer, Severability, And An Effective Date. **5:15 p.m. First And Only Reading Public Hearing** (Page 507)  
(Planning Department)
- R5L 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 106-47, Entitled "Freight, Commercial, And Passenger Curb Loading Zones; Hours, Deliveries" By Amending Commercial Delivery Regulations And Providing Relief To Residential Areas In Close Proximity To Commercial Operations With Late Hour Deliveries And Similar Habitual Sources Of Noise; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading** (Page 523)  
(Parking Department)

**R5 - Ordinances** (Continued)

R5M An Ordinance Amending Ordinance No. 789, The Classified Employees' Salary Ordinance; Providing For The Group I Classifications, Being Those Classifications Covered By The American Federation Of State, County And Municipal Employees/Local No. 1554 (AFSCME), By Transferring The Classifications Of Building Services Technician, Concession Attendant, Customer Service Representative, Ice Rink Technician, Recreation Leader I, Recreation Leader II, School Guard, And Storekeeper III From Group VI, Being Classifications In The Classified Service Not Covered By A Bargaining Unit ("Others") To Group I, And By Abolishing The Classification Of Stores Clerk From Group I; Providing For The Classifications In Group V, Being Those Classifications Covered By The Government Supervisors Association Of Florida/OPIEU Local 100 (GSA); By Abolishing The Classifications Of Parking Facilities Supervisor, Property Management Operations Supervisor And Tennis Center Supervisor From Group V; Providing For Classifications In Group VI, Being Classifications In The Classified Service Not Covered By A Bargaining Unit ("Others"), By Establishing The Classifications Of Fire Inspector I And Seasonal Recreational Aide, And By Transferring The Classifications Of Building Services Technician, Concession Attendant, Customer Service Representative, Ice Rink Technician, Recreation Leader I, Recreation Leader II, School Guard, And Storekeeper III From Group VI To Group I; Providing For Repealer, Severability, And An Effective Date. **First Reading**

(Human Resources)

**(Item submitted in a separate "Budget Related Items" book)**

R5N Amend Special Masters Fees

An Ordinance Amending The Following Provisions Of The Miami Beach City Code With Regard To Administrative Special Master Hearing Appeal Fees Which Will Be Set Uniformly Via Resolution Of The City Commission, And To Provide Consistent References To Administrative Special Master Hearing Procedures And Appeal Fees Throughout The City Code, By Amending Chapter 18, Entitled "Businesses," By Amending Article XV, Entitled "Street Performers And Art Vendors"; By Amending Section 18-911(B) Thereof; By Amending Chapter 30, Entitled "Code Enforcement," By Amending Article Iii, Entitled "Enforcement Procedures," By Amending Sections 30-72(A) And 30-79(A) Thereof; By Amending Chapter 42, Entitled "Emergency Services," By Amending Article Ii, Entitled "Alarm Systems," By Amending Section 42-91(C) Thereof; By Amending Chapter 46, Entitled "Environment," By Amending Article VI, Entitled "Noise," By Amending Sections 46-159(B)-(C) And 46-161(D) Thereof; By Amending Chapter 82, Entitled "Public Property," By Amending Article Iv, Entitled "Uses In Public Rights-Of-Way," By Amending Section 82-151(E) Thereof; By Amending Chapter 86, Entitled "Sales," By Amending Article II, Entitled "Garage Sales," And Article III, Entitled "Non-Profit Vending And Distribution," By Amending Sections 86-108(B) And 86-150(B), Respectively; By Amending Chapter 90, Entitled "Solid Waste," By Amending Article IV, Entitled "Private Waste Collectors/Contractors," By Amending Section 90-231(B) Thereof; By Amending Chapter 102, Entitled "Taxation," By Amending Article IV, Entitled "Resort Tax," And Article V, Entitled "Local Business Tax," By Amending Sections 102-322(C)(1), 102-372(A), 102-377(A)(2), And 102-384, Respectively; By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article V, Entitled "Police Vehicle Towing," And Article X, Entitled "Nonmotorized Vehicles For Hire," By Amending Sections 106-220(A) And 106-467(B)-(C), Respectively; By Amending Chapter 130, Entitled "Off-Street Parking," By Amending Article X, Entitled "Supplementary Convention Center Parking," By Amending Section 130-286; Providing For Codification; Severability; Repealer; And An Effective Date. **First Reading**

(City Clerk's Office)

**(Item submitted in a separate "Budget Related Items" book)**

**R5 - Ordinances** (Continued)

R5O 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 Parking Meter Rates And Time Limits In The South Beach Parking Zone And Amending The Fees For The Hotel Hang Tag Program; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading**

(Parking Department)

**(Item submitted in a separate "Budget Related Items" book)**

R5P Ordinances Related To Modifications To The Building, Fire, Planning And Public Works Department Fees Approved On February 1, 2010 Related To The Building Development Process

1. An Ordinance Amending Chapter 14 Of The City Of Miami Beach Code, By Deleting Part 1, Sections 14-61 Thru 14-338 Thereof; Amending Sections 14-61 Through 14-70; And Amending Appendix A, Sections 14-61(B) Through 14-70(7); By Modifying Inspection Fees For Building, Plumbing, Electrical, And Mechanical Work, And For Other Building Department Activities; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

2. An Ordinance Amending Chapter 50 Of The City Of Miami Beach Code, By Amending Section 50-3 Thereof, Entitled "Plans Examination, Inspection, Permits"; And Amending Appendix A, Sections 50-3(b) Through 50-3(bb), By Adding New Fees And Modifying The Fee Schedule For The Fire Department Review Process; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

3. An Ordinance Amending Chapter 15 Of The City Of Miami Beach Code, Article II, Entitled "Zoning Review Fee Associated With The Building Process", By Adding New Sections 15-38, 15-39, And 15-40 Thereof; And Amending Appendix A, Section 15-32, Adding New Fees And Modifying The Fee Schedule For Zoning Review Associated With The Building Process; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

4. An Ordinance Amending Chapter 98 Of The City Of Miami Beach Code, Article III, Division 2, Section 98-92, Entitled "Application; Amount Of Deposit; Use Of Deposit To Replace Surface; Permit Fees," By Adding Subsections (F), And (G); And Amending Appendix A Sections 98-92(C) Through 98-92(E) By Adding New Fees And Modifying The Fee Schedule For Public Works Review Associated With The Building Process; Providing For Repealer, Severability, Codification, And An Effective Date.

**First Reading**

(Building/Fire/Planning/Public Works)

**(Item submitted in a separate "Budget Related Items" book)**

R5Q Sidewalk Café Ordinance

An Ordinance Amending, Respectively, Appendix A To Section 82-383(a), And Appendix A To Section 50-3(z) Of The City Code, To Modify The Sidewalk Café Occupancy Fee And The Sidewalk Café Propane Tank Heater Fee; Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**

(Public Works)

**(Item submitted in a separate "Budget Related Items" book)**

**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 David A. Wrubel, CPA, PA, For Use Of Approximately 1,518 Square Feet Of City-Owned Property, Located At 1130 Washington Avenue, 5th Floor, Miami Beach, Florida; Said Lease Having An Initial Term Of Three Years, With Two Additional Three Year Renewal Terms, At The City's Sole Discretion; Authorizing The Mayor And City Clerk To Executed The Lease Agreement. **10:25 a.m. Second Reading Public Hearing** (Page 533)  
(Real Estate, Housing & Community Development)  
(First Reading on July 14, 2010)
- R7B A Resolution Approving On Second Reading (And Final Approval), Following A Duly Noticed Public Hearing, A Lease Agreement Between The City And Leonardo Salon, Inc., For Use Of Approximately 1,326.78 Square Feet Of City-Owned Property, Located At 1701 Meridian Avenue, Unit 1 (A/K/A 765 17th Street), Miami Beach, Florida; Said Lease Having An Initial Term Of Four Years And 364 Days, With One Additional Five Year Renewal Term, At The City's Sole Discretion; Authorizing The Mayor And City Clerk To Execute The Lease Agreement. **10:30 a.m. Second Reading Public Hearing** (Page 567)  
(Real Estate, Housing & Community Development)  
(First Reading on July 14, 2010)
- R7C A Resolution Approving On Second Reading (And Final Approval), Following A Duly Noticed Public Hearing, A Lease Agreement Between The City And Massage Partners, Inc., For Use Of Approximately 1,802.89 Square Feet Of City-Owned Property, Located At 1701 Meridian Avenue, Unit 2 (A/K/A 767 17th Street), Miami Beach, Florida; Said Lease Having A Term Of Nine Years And 364 Days; Authorizing The Mayor And City Clerk To Execute The Lease Agreement. **10:35 a.m. Second Reading Public Hearing** (Page 597)  
(Real Estate, Housing & Community Development)  
(First Reading on July 14, 2010)
- R7D A Resolution Approving A Two Month Lease Extension And Authorizing The Mayor And City Clerk To Execute A Lease Agreement Between The City Of Miami Beach, As Tenant, And Meridian Miami, LLC, As Landlord, For Use Of Approximately 5,311 Rentable Square Feet Of Property, Located At 1680 Meridian Avenue, Suites 201 And 203, Miami Beach, Florida, To Be Used As Administrative Offices For The City's Fire Department; Said Lease Having A Term Of Nine (9) Months, Commencing On December 1, 2010, And Ending On August 31, 2011. (Page 699)  
(Real Estate, Housing & Community Development)



**R7 - Resolutions** (Continued)

R7E A Resolution Approving, Following Second And Final Reading And Public Hearing, A Development Agreement Between The City And The Housing Authority Of The City Of Miami Beach (HACMB) Pertaining To The Design, Development, And Construction Of The Following Projects On Certain Real Property Owned By HACMB, Located At 1231-1251 17th Street, Miami Beach, Florida: 1.) An Affordable Elderly Housing Project With Ground Level, Neighborhood Oriented Commercial Space, To Be Developed And Constructed At HACMB's Sole Cost And Expense; (The "HACMB Project") And 2.) A Public Right Of Way, Including A Bridge, For Vehicular And Pedestrian Access, Connecting West Avenue And Dade Boulevard, To Be Designed, Developed, And Constructed At The City's Sole Cost And Expense (The "West Avenue Bridge Project") Over A Perpetual Easement Over The Property; Which Easement The City Intends To Purchase From HACMB (The "City Easement"), Pursuant To The Terms And Conditions Of That Certain Purchase And Sale Agreement Between The City And HACMB, As Approved (In Substantial Form) On July 14, 2010, Pursuant To Resolution No. 2010-27451. **10:45 a.m. Second Reading Public Hearing** (Page 721)  
(Economic Development)  
(First Reading Public Hearing on July 14, 2010)

R7F A Resolution Authorizing The Issuance By The City Of Miami Beach, Florida Of (I) Parking Revenue Refunding Bonds, Series 2010A, In An Aggregate Principal Amount Not To Exceed \$20,000,000, For The Purpose Of Refunding The City's Outstanding Parking Revenue Bonds, Series 1997, And (II) Parking Revenue Bonds, Series 2010B, In An Aggregate Principal Amount Not To Exceed \$30,000,000, For The Purpose Of Paying Costs Of Improvements To The Parking System; Providing For The Issuance Of Additional Parking Revenue Bonds And The Incurrence Of Other Types Of Indebtedness Of The City To Pay All Or Part Of The Cost Of Additional Improvements To The City's Parking System And For Refunding Outstanding Parking Revenue Bonds; Providing For The Payment Of Such Bonds And Other System Debt; Setting Forth The Rights And Remedies Of The Holders Of Such Bonds And Other System Debt; Providing Certain Details Of The Series 2010 Bonds; Delegating Other Matters In Connection With The Issuance Of The Series 2010 Bonds, Including Whether To Secure One Or More Credit Facilities And/Or Reserve Account Insurance Policies, And The Refunding Of The Prior Bonds To The Mayor; Appointing Underwriters, A Bond Registrar, An Escrow Agent And A Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2010 Bonds And Approving The Form And Execution Of A Bond Purchase Agreement For The Series 2010 Bonds; Approving The Forms Of A Preliminary Official Statement And An Official Statement For The Series 2010 Bonds And Authorizing Execution Of The Official Statement; Covenanting To Provide Continuing Disclosure In Connection With The Series 2010 Bonds And Approving The Form And Execution Of A Continuing Disclosure Agreement; Approving The Form And Execution Of An Escrow Deposit Agreement For The Prior Bonds; Authorizing Officials Of The City To Take All Necessary Actions In Connection With The Issuance Of The Series 2010 Bonds And Refunding Of The Prior Bonds; Providing A Severability Clause; And Providing An Effective Date. **11:30 a.m. First Reading Public Hearing** (Page 773)  
(Finance Department)  
(Deferred from July 14, 2010)

**R7 - Resolutions** (Continued)

- R7G1 A Resolution Adopting: 1) The Tentative Ad Valorem Millage of 6.2155 Mills For General Operating Purposes, Which is Zero Point Two Percent (0.2%) More Than the “Rolled-Back” Rate Of 6.2030 Mills; And 2) The Debt Service Millage Rate of 0.2870 Mills; Further Setting The Second Public Hearing To Consider The Millage Rate For Fiscal Year (FY) FY 2010/11, On Monday, September 20, 2010 At 5:01 p.m. **5:01 p.m. First Reading Public Hearing** (Page)  
(Office of Budget & Performance Improvement)  
**(Item submitted in a separate “Budget Related Items” book)**
- R7G2 A Resolution Adopting Tentative Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2010/11 Subject To A Second Public Hearing Scheduled On Monday, September 20, 2010 At 5:01 p.m. **5:01 p.m. First Reading Public Hearing** (Page)  
(Office of Budget & Performance Improvement)  
**(Item submitted in a separate “Budget Related Items” book)**
- R7H1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Ad Valorem Millage Of 1.0375 Mills For Fiscal Year (FY) 2010/11 For The Normandy Shores Local Government District, Which Is Three And One Half Percent (3.5%) More Than The “Rolled-Back” Of 1.0025 Mills, Subject To A Second Public Hearing Scheduled On Monday, September 20, 2010 At 5:02 p.m. **5:02 p.m. First Reading Public Hearing** (Page)  
(Office of Budget & Performance Improvement)  
**(Item submitted in a separate “Budget Related Items” book)**
- R7H2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Tentative Operating Budget For Fiscal Year (FY) 2010/11 Subject To A Second Public Hearing Scheduled On Monday, September 20, 2010 At 5:02 p.m. **5:02 p.m. First Reading Public Hearing** (Page)  
(Office of Budget & Performance Improvement)  
**(Item submitted in a separate “Budget Related Items” book)**

**R9 - New Business and Commission Requests**

- R9A Board And Committee Appointments. (Page 905)  
(City Clerk’s Office)
- R9A1 Board And Committee Appointments - City Commission Appointments. (Page 911)  
(City Clerk’s Office)
- R9A2 Nomination Of Manuel Miñagori To The Normandy Shores Local Government Neighborhood Improvement District Board. (Page 917)  
(Requested by Commissioner Jerry Libbin)

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

R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.) (Page 919)

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

R9C Discuss Motion To Rescind The Vote Taken At The June 9, 2010 Commission Meeting On Agenda Item C4F To Build Twelve (12) Clay Courts And Five (5) Hard Courts At Flamingo Park And Further Discuss The Tennis Courts. (Page 921)

(Requested by Commissioner Edward L. Tobin)

R9D Discussion Regarding Recent Billing Of Parking Impact Fees And The Possibility Of A Moratorium Due To Present Economic Market Conditions. (Page 923)

(Requested by Commissioner Jonah Wolfson)

R9E New World Symphony

1. Discussion Regarding The Re-Naming Of Lincoln Park To Miami Beach Music Garden Or Music Garden Of Miami Beach. (Page 925)

(Requested by Commissioners Edward L. Tobin)

2. Discussion Regarding Holding A City Sponsored Contest Between September 16 And October 15 To Name The New Public Park Associated With The New World Symphony. (Page 927)

(Requested by Commissioner Jerry Libbin)

3. Discussion Regarding The Naming Of The New Park East Of The New World Symphony Building. (Page 929)

(Requested by Commissioner Deede Weithorn)

4. Discussion Regarding The Naming Rights Of The New World Symphony Building And Creating Regulations For Naming Rights When The City Has Funded A Project Or Owns The Land Where The Project Is Developed. (Page 931)

(Requested by Commissioner Deede Weithorn)

5. Discussion Regarding Two (2) Proposed Ordinances Providing For Exemption Of The City Naming Ordinance. (Page 933)

a) New World Symphony (NWS) Leased Premises And NWS Improvements.

b) Lincoln Park From City's Naming Ordinance.

(Requested by Commissioner Jonah Wolfson)

R9F Discussion Regarding The Issue Of Amending The Closing Time For The Fillmore Miami Beach At The Jackie Gleason Theatre From Midnight To 2:00 a.m. For The Winter Party Event In March 2011. (Page 941)

(Requested by Commissioner Michael Góngora)

R9G Discussion About A Proposed Settlement Agreement Regarding K.T.K.L Corporation, Vs. City Of Miami Beach, In The Eleventh Judicial Circuit Of Florida, General Jurisdiction, Case No.: 97-2687 CA 03. (Page 943)

(City Attorney's Office)

**R10 - City Attorney Report**

- R10A Notice Of Attorney Client Session (Page 947)  
Pursuant To §286.011, Florida Statutes, The City Attorney Hereby Advises The Mayor And City Commission That He Desires Advice Concerning The Following Pending Litigation Matter:

K.T.K.L Corporation Vs. City Of Miami Beach, Eleventh Judicial Circuit Of Florida, General Jurisdiction, Case No.: 97-2687 CA 03

Therefore, A Private Closed Attorney-Client Session Will Be Held During The Lunch Recess Of The City Commission Meeting On September 15, 2010 In The City Manager's Large Conference Room, Fourth Floor, City Hall, To Discuss Settlement Negotiations And/Or Strategy Related To Litigation Expenditures With Regard To The Above-Referenced Litigation Matter.

The Following Individuals Will Be In Attendance: Mayor Matti Herrera Bower; Members Of The City Commission: Jorge Exposito, Michael Gongora, Jerry Libbin, Edward Tobin, Deede Weithorn And Jonah Wolfson; City Attorney Jose Smith, City Manager Jorge Gonzalez, Chief Deputy City Attorney Donald Papy, First Assistant City Attorney Steven Rothstein, Special Counsel Rodolfo Sorondo, And Special Counsel Michael Garcia.

- R10B Notice Of Closed Executive Session (Page 949)  
Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, September 15, 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 #234-2010)

**End of Regular Agenda**