

Special City Commission Meeting

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

September 20, 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 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. **5:00 p.m. Second Reading Public Hearing** (Page 125)
(Human Resources)

R5 - Ordinances (Continued)

R5B 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; Providing For Codification; Severability; Repealer; And An Effective Date. **5:00 p.m. Second Reading Public Hearing**

(Page 137)

(City Clerk's Office)

R5C 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. **5:00 p.m. Second Reading Public Hearing**

(Page 151)

(Parking Department)

R5D Sidewalk Café Fees 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. **5:00 p.m. Second Reading Public Hearing**

(Page 159)

(Public Works)

R5E An Ordinance Amending Miami Beach City Code, Chapter 90, Entitled "Solid Waste," By Amending Appendix A To Section 90-137(a) Entitled "Fee Schedule" For City Collection And Disposal Of Garbage And Trash, And Decreasing The Current Rates By \$1.58; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Page 165)

(Public Works)

R5 - Ordinances (Continued)

- R5F 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. **5:00 p.m. Second Reading Public Hearing** (Page 171)
(Human Resources)
(First Reading on July 14, 2010)
(Continued from September 15, 2010)

R7 - Resolutions

- R7A1 A Resolution Adopting: 1) The Final 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 For Fiscal Year (FY) 2010/11. **5:01 p.m. Second Reading Public Hearing** (Page 179)
(Budget & Performance Improvement)
- R7A2 A Resolution Adopting Final Budgets For The General, G.O. Debt Service, RDA Ad Valorem Taxes, Enterprise, And Internal Service Funds For Fiscal Year 2010/11. **5:01 p.m. Second Reading Public Hearing** (Page 195)
(Budget & Performance Improvement)
- R7B1 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Ad Valorem Millage Of 1.0375 Mills For Fiscal Year (FY) 2010/11 For The Normandy Shores Local Government District Which Is Three And A Half Percent (3.5%) More Than The "Rolled-Back" Rate Of 1.0025 Mills. **5:02 p.m. Second Reading Public Hearing** (Page 237)
(Budget & Performance Improvement)
- R7B2 A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Adopting The Final Operating Budget For Fiscal Year (FY) 2010/11. **5:02 p.m. Second Reading Public Hearing** (Page 243)
(Budget & Performance Improvement)

R7 - Resolutions (Continued)

- R7C A Resolution Adopting The Annual Fiscal Year (FY) 2010/11 Appropriation For The Capital Renewal And Replacement Fund Budget, In The Amount Of \$1,777,254. (Page 249)
(Budget & Performance Improvement)
- R7D A Resolution Adopting And Appropriating The City Of Miami Beach Capital Budget For Fiscal Year 2010/11 And The Capital Improvement Plan For Fiscal Years 2010/11-2014/15. **Joint City Commission and Redevelopment Agency** (Page 255)
(Budget & Performance Improvement)
- R7E A Resolution Adopting Fiscal Year (FY) 2010/11 Budgets For Special Revenue Funds For Resort Tax; The 7th Street Parking Garage Operations; City's Share Of The Shortfall Contribution Requirement For The 5th & Alton Parking Garage Operations; Art In Public Places (AiPP), And The Information And Communications Technology Fund - Debt Service. (Page 289)
(Budget & Performance Improvement)
- R7F A Resolution Amending The Parking Flat Rate At Certain Attended Municipal Surface Lots For FY 2010/11. (Page 297)
(Parking Department)
- R7G A Resolution Reaffirming New Living Wage Rates, Effective October 1, 2010 As Follows: \$10.16 Per Hour With Contributions Towards Health Benefits Of At Least \$1.25 Per Hour, And \$11.41 Per Hour Without Benefits; And Authorizing The City Manager Or Designee, And City Clerk To Execute Amendments To All Covered Services Contracts, As Listed In Exhibit 1 Attached Hereto, To Reflect The New Living Wage Rates And Requirements, Pursuant To Ordinance No. 2010-3682.
(Page 301)
(Procurement)
- R7H A Resolution Authorizing The Appropriation Of \$600,000 From The Fiscal Year (FY) 2009/10 People's Transportation Plan (PTP) Funds, \$600,000 In FY 2010/11 PTP Funds, And \$30,000 From The FY 2010/11 Concurrency Mitigation South Beach Funds To Fund The Operating Budget For The Local Circulators In Miami Beach; And Further Appropriating \$235,000 From FY 2009/10 PTP Funds For Administrative And Technical Operating Expenditures, As Part Of The Five Percent (5%) Of Administrative Assistance And Technical Assistance Allowable For PTP Expenditures. (Page 307)
(Public Works)
- R7I A Resolution Adopting The Miami Beach Cultural Arts Council's Fiscal Year 2010/11 Budget In The Amount Of \$1,153,000. (Page 321)
(Tourism & Cultural Development)
- R7J A Resolution Accepting The City Manager's Recommendation, And Approving The Cultural Arts Council's Funding Recommendations, And Awarding \$627,676 In Said Grants, For Fiscal Year 2010/11, As Identified In The Attached Exhibit "A"; And Further Authorizing The Mayor And City Clerk To Execute Said Grant Agreements, And Make The Award Of Said Grant Monies Subject To And Contingent Upon The Approval Of The Cultural Arts Council's Budget For Fiscal Year 2010/11.
(Page 327)

(Tourism & Cultural Development)

R7 - Resolutions (Continued)

- R7K A Resolution Adopting And Approving The Miami Beach Visitor And Convention Authority (VCA) FY 2010/11 Budget In The Amount Of \$1,774,511. (Page 335)
(Tourism & Cultural Development)
- R7L A Resolution Amending Resolution 2010-27326, Increasing The Present Fire Rescue Transport Fees From \$358.67 To \$500.00 For Basic Life Support, From \$425.93 To \$600.00 For Advanced Life Support 1, And From \$616.47 To \$800.00 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; Revising The "Special Events Requirements And Guidelines," By Amending The Section Entitled "Weddings And Ceremonies," And Amending The Special Event Fee Schedule; Approving The Special Master Hearing And Appeal Fee, As Provided Pursuant To Various Provisions Throughout The City Code, And Increasing The Fee From \$75 To \$100 Effective October 1, 2010; Amending Resolution No. 2003-25306 Which Established The Current Schedule Of User Fees For Various Parks And Recreation Programs And Services, Facility Admissions And Rentals And Other Related Activities, By Modifying Specific Fees For Admissions To Swimming Pools For Non-Residents, Resident And Non-Resident Annual Memberships And Hourly Rates Charged At The City's Tennis Centers, The Activity Fee For All After School And Summer Camp Program, And Eliminating The Non-Resident Sibling Discount Provision; Further Authorizing The City Manager The Flexibility To Establish A Lesser Rate For Tennis Tournaments; Promotions And Daily Play Rates When He Deems It Necessary For The Efficient And Financially Prudent Operation Of The Tennis Centers, As Set Forth In This Resolution. (Page 341)
(Fire Department/Tourism & Cultural Development/City Clerk's Office/Parks & Recreation)
- R7M 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..
5:00 p.m. Second Reading Public Hearing (Page 347)
(Finance Department)
(First Reading on September 15, 2010)

Regular Agenda, September 20, 2010

End of Regular Agenda