



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: *Hilda M. Fernandez*
Jorge M. Gonzalez, City Manager

DATE: February 8, 2012

SUBJECT: **REPORT OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE MEETING HELD ON THURSDAY, DECEMBER 8, 2011.**

A meeting of the Neighborhoods/Community Affairs Committee was scheduled for Thursday, December 8, 2011 at 3:00 pm in the City Manager's Large Conference Room, 4th Floor in City Hall. **Commissioners in attendance:** Commissioners Jerry Libbin, Deede Weithorn, and Michael Góngora. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

THE MEETING OPENED AT 3:20 PM

1. DISCUSSION OF POTENTIAL POLICIES FOR THE NOMINATION/NUMBER OF MEMORIALS OR COMMEMORATIVE PLAQUES. (Referred at February 9, 2011 Commission, Item R7A), Requested by Commissioner Tobin) (3:45 PM)

Kevin Smith, Parks and Recreation Department Director, reviewed the history of this item and the options listed in the memo included in the agenda package.

David Coggin spoke.

Commissioner Libbin expressed his concern with sudden proliferation of requests for monuments/memorials. His preference was to limiting Commissioners and the Mayor to one (1) request per term of elected office.

Commissioner Góngora stated that while the proposal is logical and correct, the Commission should just start saying no instead of just going along with recommendations/requests.

Commissioner Weithorn made the motion to recommend limiting Commissioners and the Mayor to one (1) monument/memorial recommendation per term of elected office and that if the request is coming from a third party, then the cost and maintenance will be their responsibility, and allowing the Commission, with a 6/7 vote, to waive that financial responsibility requirement. Commissioner Libbin seconded. Commissioner Góngora voted no.

Commissioner Góngora suggested adding language requiring that any individual with a memorial or commemorative plaque be in good standing and if convicted/adjudicated of a felony, their name shall be removed. Commissioner Weithorn also suggested that the Administration add whatever language is necessary for any administrative cleanup.

Hilda Fernandez, Assistant City Manager, reviewed the recommended alternative for streamlining the process for handling the monuments/memorials as follows:

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- Recommendations for monuments or memorials are referred by the sponsoring commissioner to the appropriate Commission committee.
- If the committee approves (with the required majority) the placement of a memorial plaque, that recommendation is forwarded to the full City Commission to set a public hearing.
- If the committee approves a monument or a memorial that is not a plaque (e.g. a site, bust, sculpture, structure, art work), the recommendation is forwarded to the Art in Public Places Committee (AiPP) for their review and recommendation as to location, aesthetic quality, maintenance, and other related issues (in accordance with their criteria); the AiPP recommendation is subsequently forwarded to the full City Commission to set a public hearing.
- At the close of the public hearing, the City Commission may approve (or disapprove of) the establishment of the monument or memorial, subject to consistency with the criteria established in the Code.

These recommendations were moved by Commissioner Góngora and seconded by Commissioner Weithorn. The vote was unanimous. Ms. Fernandez stated that the amendments to the ordinance will be brought to the Commission.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) recommended the following to the Commission:

With a vote of two to one, with Commissioner Gongora dissenting:

- Limit Commissioners and the Mayor to one (1) monument/memorial recommendation per term of elected office.
- In the event the request comes from a third party, then the cost and maintenance is the requestor's responsibility.
- Add language to allow for the financial responsibility of the third-party requestor to be waived with a 6/7 vote of the City Commission.

With a unanimous vote:

- Include recommended wording that the individual be in good standing and if convicted/adjudicated of a felony, their name shall be removed.
- Administration to add whatever language is necessary for administrative cleanup.
- Streamline the process for handling monuments/memorials as recommended.
 - Recommendations for monuments or memorials are referred by the sponsoring commissioner to the appropriate Commission committee.
 - If the committee approves (with the required majority) the placement of a memorial plaque, that recommendation is forwarded to the full City Commission to set a public hearing.
 - If the committee approves a monument or a memorial that is not a plaque (e.g. a site, bust, sculpture, structure, art work), the recommendation is forwarded to the Art in Public Places Committee (AiPP) for their review and recommendation as to location, aesthetic quality, maintenance, and other related issues (in accordance with their criteria); the AiPP recommendation is subsequently forwarded to the full City Commission to set a public hearing.
 - At the close of the public hearing, the City Commission may approve (or disapprove of) the establishment of the monument or memorial, subject to consistency with the criteria established in the Code.
- Monuments/memorials must comply with all established City Policies, procedures, standards and guidelines.

2. FOLLOW-UP DISCUSSION AND REQUEST FOR DIRECTION CONCERNING THE CONTINUATION OR TERMINATION OF THE DOG OFF-LEASH PILOT PROGRAM APPROVED BY THE CITY COMMISSION IN SOUTH POINTE PARK. *(Originally referred at January 28, 2009, Commission, Item C4I), returning from February 3, 2011 NCAC meeting. Originally requested by City Manager Jorge M. Gonzalez) (3:20 PM)*

Kevin Smith, Parks and Recreation Department Director, reviewed the history of the dog off-leash area in South Pointe Park. He requested direction from the Committee as to whether the pilot program should be continued, not continued, or made permanent. Additionally, he asked that if the pilot program is continued or made permanent, where the off-leash area should be located.

Commissioner Libbin stated that he would like the program to be continued and that he would like to include a low, green hedge placed to enclose the area.

Commissioner Weithorn stated that she is happy with the peer pressure that has been managing the dogs in the park and the limited hours that help create a sense of community. She added that she is okay with a visual barrier however she wants to make sure that the hedge selected not be a delicate plant as people and dogs will most likely be walking over it.

David Coggin spoke.
Maryann Marcous spoke.
Larry Wyman spoke.
Brian Harris spoke.
Jeff Atlas spoke.
Ulrich Lachler spoke.
Renato Mariani spoke.
Thomas Butler spoke.

Assistant City Manager Hilda M. Fernandez stated she will need to confer with the City Attorney's Office regarding the concept of a hedge, as she believes the placement of the hedge, although low, would make this an enclosed dog park. In addition, she added for the record that the proposal of a hedge would need to go before the Design Review Board (DRB) for approval.

Commissioner Libbin added that if it is the desire of the commission to place a hedge around the off-leash area, it is essential for the public to attend the DRB meetings to voice their opinions.

Ms. Fernandez explained that a few things will need to happen concurrently, including working through the DRB process and identification of funding sources, which would happen after estimates are received for the hedge.

Commissioner Weithorn made the motion to extend of the current program and in the meantime work on the hedge and the permanent location. Commissioner Góngora agreed and in response to requests made by residents at the meeting, recommended adding an hour to the morning and evening off-leash hours. Commissioner Weithorn agreed with the adding of the hour prior to the permanent decision on continuing the program, to allow for possible adjustments if there is a problem. Commissioner Góngora seconded the motion. Commissioner Libbin clarified the motion to extend the pilot program for six months, add one hour to the morning and evening off-leash hours, ask the Administration to come up with an estimate for the proposed hedge and recommend to the Commission a referral to the DRB regarding the proposed hedge.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) unanimously recommended the Administration be directed to:

- Extend the South Pointe Dog Off-leash Pilot Program for a six (6) month period in its current location, with an extension of one hour in both the morning and the evening sessions;
- Prepare a site plan of the South Pointe off-leash area in its present location, which is approximately 18,000 SF in the green space just to the east of the Washington Avenue Plaza, bordered by the Cut Walk to the south and the sidewalk to the north, with a cost estimate to install a hedge of the appropriate species and height, to enclose the area;
- Take the steps necessary to have the site plan presented to the DRB for review and approval;
- Return to the Neighborhoods/Community Affairs Committee for final review and action;
- Based on the direction of the Neighborhoods/Community Affairs Committee prepare the appropriate commission action to implement the directions; and
- Return to the Neighborhoods/Community Affairs Committee in five (5) months (if need be) to extend the existing program again, if the final version and plan is not completed.

3. DISCUSSION REGARDING NEIGHBORHOOD PARK/STREET-ENDS BUS BENCH ISSUE.
(Referred during the July 28, 2011 Finance & Citywide Projects meeting; see September 14, 2011 Commission Item C6E) (4:02 PM)

Fernando Vazquez, Capital Improvement Projects Office Director, explained that this item was brought up at the Finance and Citywide Projects Committee meeting in July.

After some discussion, Commissioner Weithorn made a motion to recommend removing benches at street-ends from inclusion in Basis of Design Reports (BODR) unless there is greater general community consensus. The motion was seconded by Commissioner Góngora.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) unanimously moved to recommend removing benches at street-ends from inclusion in Basis of Design Reports (BODR) unless there is greater general community consensus.

4. DISCUSSION ON THE VIABILITY OF STORING CITY DIRECTED TOWED VEHICLES ON TERMINAL ISLAND. *(Referred at June 1, 2011 Commission, Item R9F, Requested by Commissioner Tobin) (4:00 PM)*

The Committee recommended tabling the discussion of this item (defer indefinitely) until it is specifically requested again.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) unanimously recommended tabling the discussion of this item until it is specifically requested again.

5. DISCUSSION REGARDING AN ORDINANCE WHICH PROHIBITS DOCKING ON CITY OWNED PROPERTY, SPECIFICALLY SEAWALLS. *(Referred at October 19, 2011 Commission, Item R9D, Requested by Commissioner Weithorn) (4:05 PM)*

Commissioner Weithorn explained her concern with boaters docking on seawalls in single-family neighborhoods.

David Coggin spoke.

After some discussion, Commissioner Weithorn moved to recommend the proposed ordinance to the Commission. Motion seconded by Commissioner Góngora.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) unanimously moved to recommend the proposed ordinance to the City Commission.

6. DISCUSSION TO CONSIDER LEAVING THE ALTOS DEL MAR LOCATION AS PASSIVE GREENSPACE. *(Referred at October 19, 2011 Commission Item C4E; requested by Commissioner Exposito) (4:11 PM)*

Commissioner Libbin advised that since nothing is happening with the Altos Del Mar location at this time, the Committee will not discuss the subject at this time. It will be dealt with if and when anything comes up.

ACTION: No discussion was held. Commissioner Libbin advised that since nothing is happening with the Altos del Mar location at this time, the Committee will not discuss the subject at this time. It will be dealt with if and when anything comes up.

7. DISCUSSION REGARDING A PROPOSAL FOR A DONATION OF ART PIECES TO BE DISPLAYED ON LINCOLN ROAD. *(Referred at October 19, 2011, Commission Item C4G; requested by Commissioner Libbin) (4:12 PM)*

Commissioner Libbin explained that the artist making this proposal was unable to attend the meeting today. The artist's idea was not to get credit for this but to make the area look nicer.

Max Sklar, Cultural Affairs and Tourism Development Director, commented that if it is desired to do a project on the balls on Lincoln Road then perhaps a Call to Artists can be done to get different proposals to be reviewed by the Art in Public Places Committee for a recommendation to bring to the Neighborhoods/Community Affairs Committee for a decision. Certainly this artist can make a proposal along with others.

Commissioner Libbin expressed his concern regarding the poor conditions of Lincoln Road that need addressing. He asked the Administration to reach out to the manager of the Meat Market to address some of his concerns with the condition of Lincoln Road.

David Coggin spoke.

Commissioner Góngora made a motion to refer a discussion to the Art in Public Places committee as to what can be done with a Call to Artists for Lincoln Road and bring back as soon as possible to the Neighborhoods/Community Affairs Committee. Motion seconded by Commissioner Weithorn.

ACTION: The Committee (Commissioners Libbin, Weithorn, and Góngora present) unanimously moved to recommend a referral for discussion to the Art in Public Places committee as to what can be done with a Call to Artists for Lincoln Road and bring back as soon as possible to the Neighborhoods/Community Affairs Committee.

8. DISCUSSION REGARDING THE ONGOING STORE FRONT DAMAGES AND GRAFFITI ISSUES ON WASHINGTON AVENUE. *(Referred at October 19, 2011, Commission Item C4H; requested by Commissioner Góngora) (4:20 PM)*

Commissioner Góngora spoke of his concerns about the condition of Washington Avenue. Commissioner Libbin suggested scheduling a public workshop to discuss this.

Police Captain Mark Causey explained the Police Department's improved efforts on Washington Avenue that began in November.

- Washington Avenue is now being patrolled by a beat detail including two officers daily from 11:00am – 9:00pm
- RDA has mandated a foot-patrol on the 1600 block of Washington Avenue
- New bike squads are also patrolling Washington Avenue

Commissioner Góngora stated that he would like to receive regular reports from the Police Department regarding what is happening on Washington Avenue.

Code Compliance Division Director Robert Santos-Alborná detailed improvements made through efforts made by Code, Police, and the Homeless Outreach Office to address concerns impacting the condition of Washington Avenue from the residents of Oceanview, an Adult Living Facility located at 9th Street and Pennsylvania Avenue.

Commissioner Weithorn stated that a comprehensive effort must be made to improve Washington Avenue.

David Coggin spoke.

The committee recommendation is for the Administration to hold a public workshop regarding improvements to Washington Avenue and for the Police Department to provide a quarterly report on Washington Avenue to be included in their current quarterly crime report to the Neighborhoods/Community Affairs Committee.

ACTION: The Committee recommended that the Administration schedule a public workshop regarding improvements to Washington Avenue and for the Police Department to provide a quarterly report on Washington Avenue to be included in their current quarterly crime report to the Neighborhoods/Community Affairs Committee.

THE MEETING ADJOURNED AT 4:35 PM.



JMG/HMF/SS/KT/BH/rfm
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NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

December 8, 2011

SIGN-IN SHEET

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