



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: Jorge M. Gonzalez, City Manager

DATE: September 10, 2008

SUBJECT: **REPORT OF THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE MEETING HELD ON WEDNESDAY, JULY 30, 2008.**

A meeting of the Neighborhoods/Community Affairs Committee was held on Wednesday, July 30, 2008 at 2:30 pm in the City Manager's Large Conference Room, 4th Floor, City Hall. Commissioners in attendance: Mayor Matti Herrera Bower, Commissioners Edward L. Tobin, Deede Weithorn, Richard L. Steinberg, and Jerry Libbin. City staff in attendance: Robert Middaugh, Assistant City Manager; Raul Aguila, Deputy City Attorney; Saul Frances, Parking Department Director; Max Sklar, Cultural Affairs and Tourism Development Director; Dennis Leyva, Redevelopment Specialist; John Heffernan; A. C. Weinstein, Anthony Broad, and Anne Swanson of the Mayor and Commissioner's Office; and Randi MacBride, Neighborhood Services Department.

1. DISCUSSION REGARDING HOUSE BILL 7123 REQUIRING CITY FACILITIES BUILT AFTER JULY 2008 TO MEET NATIONAL STANDARDS FOR CONSERVING RESOURCES.

Commissioner Steinberg explained that in 2007, the legislature passed requirements for cities to build green going forward. The governor vetoed the legislation with the position that it did not go far enough with his green initiatives. Commissioner Steinberg stated that he then proposed the city voluntarily take the position that its buildings be green going forward.

Robert Middaugh, Assistant City Manager, explained that the proposal now is for any public and private new construction in excess of 10,000 square feet, with the exception of single-family homes, to be required to have a silver level Leadership in Energy and Environmental Design (LEED) certification. He continued that Commissioner Steinberg's principle focus was public buildings and this revision includes private construction and significant renovations, which is a big issue.

Commissioner Steinberg expressed that he believes the City should step up to the plate first and then have a discussion as to requiring this of private construction. Mr. Middaugh explained that this was discussed at the Green Committee just last night and they asked to refer the discussion to the commission and back to committee to provide additional expert details about some of the provisions.

Commissioner Weithorn offered to bring this to the Miami-Dade County Climate Change Advisory Task Force's Intergovernmental Affairs Committee, of which she is a member, to solicit advice from the experts.

Commissioner Tobin suggested bifurcating the public and private construction discussions and to have the city take the lead.

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Commissioner Weithorn made the motion to refer the item to the Miami-Dade County Climate Change Advisory Task Force's Intergovernmental Affairs Committee for input on some of the guidelines, and return to the Neighborhoods/Community Affairs Committee with that input. Commissioner Libbin seconded. Mr. Middaugh explained that the item has been referred already to the next commission meeting by the Green Committee, however it would be referred back to this committee at commission.

ACTION: The committee moved to refer the item to the Miami-Dade County Climate Change Advisory Task Force's Intergovernmental Affairs Committee for input on some of the guidelines and return to the Neighborhoods/Community Affairs Committee with that input.

2. DISCUSSION REGARDING SCOOTERS, SPECIFICALLY REGULATIONS FOR PARKING AND NOISE MANAGEMENT.

Commissioner Weithorn stated that the questions and comments she has received regarding scooters have been as much noise related as they have been parking related.

Commissioner Libbin expressed his concern with the number of scooters on the streets during holidays like Memorial Day as well as the way they are driven and parked all over the city. He suggested mandating that rental agreements require acknowledgment by the renter that if the vehicle is parked illegally they will forfeit the balance of their rental fees for the period and have the vehicles towed.

Saul Frances, Parking Department Director, stated that the city can tow the scooters. However, the issue becomes the high impact events such as Memorial Day weekend.

Commissioner Libbin stated that he is trying to come up with a way to alert renters of their responsibilities in advance. Commissioner Steinberg stated that he believes the issue is enforcement. If the city starts citing and or towing, then the rental companies will take care of it from their end; the city does not have to tell them what to have in their rental agreements. Commissioner Weithorn added that if the city is going to step up enforcement, that there be a meeting to notify the companies.

Mr. Frances added that when it is an egregious violation, such as parking on the sidewalk, certainly action can be taken. However, it is a challenge when the scooter or motorcycle is parked between cars, as the officer will try to determine who was parked first. This is not always clear. He added that enforcement can be stepped up for the egregious violations and he will continue to look at converting conventional spaces to scooter/motorcycle spaces in areas that are high volume and attract these vehicles.

Commissioner Libbin stated that when scooter drivers make u-turns and drive crazy, police need to be more active in terms of enforcing the rules of the road.

Commissioner Tobin suggested sending out letters before Memorial Day to rental companies advising that the city will be writing tickets to people driving crazy because residents are complaining. He asked Mr. Frances to notify the Police Department that the Commission has given a directive that they are concerned with safety before upcoming major events and holidays. Mr. Frances advised he will speak with Max Sklar to make this part of the Major Event Planning (MEP) meetings. Commissioner Tobin asked Mr. Frances to come back to the next Neighborhoods/Community Affairs Committee meeting with any information on the need for more scooter parking locations. Additionally, Commissioner Tobin asked Mr. Middaugh to

have the Police Department provide information or come to the next meeting to explain what is done related to noise.

Commissioner Weithorn suggested referring the monitoring, reporting and follow-up of these issues to the Transportation and Parking committee as well as having Mr. Frances report on the parking spaces to that committee also.

ACTION: The committee unanimously moved to refer the monitoring, reporting, and follow-up of these issues to the Transportation and Parking committee.

3. DISCUSSION REGARDING PARKING RATES TO INCLUDE CITYWIDE PARKING DISCOUNTS FOR RESIDENTS.

Saul Frances, Parking Department Director, reviewed the background of this discussion and the proposed new rates.

Commissioner Tobin expressed his concern with the proposed \$15 flat rate from 9:00pm Friday through 5:00am Monday morning at the 7th, 12th, and 13th Street garages. This would include beach-goers on a Sunday afternoon and would effectively raise the parking rates, which he will not support.

Commissioner Libbin suggested the flat fee period be 9:00pm to 5:00am on Fridays, Saturdays, and Sundays, and not include the daytime hours.

Mr. Middaugh explained that they are trying to address the concerns of the commission and residents with the existing rate schedule.

Mr. Frances introduced the "in-car" meter that essentially can be purchased with a pre-loaded amount of time and additional reloads can be purchased. He added that this device could not be utilized in the garages as they are just for on-street parking. He continued reviewing the proposed rate schedule for the 17th Street garage. A lengthy discussion ensued regarding rates and hours.

Mayor Bower suggested an additional increment for vehicles from 15 - 24 hours for \$20.

Commissioner Libbin moved to have a flat rate in the 7th, 12th and 13th Street garages of \$15 for 9:00pm through 5:00am only on Friday, Saturday, and Sunday nights, otherwise it is \$1 per hour. Commissioner Tobin seconded. Commissioner Weithorn moved to add the additional increment between 15-24 hours as \$20. Commissioner Libbin seconded.

Commissioner Libbin moved to accept the 17th Street garage rates as proposed while amending the charge from 8-15 hours to \$15 and add from 15-24 hours as \$20. Commissioner Tobin seconded.

Mr. Frances explained that the "in-car" meters should initially become available by October/November 2008. Commissioner Weithorn moved to accept the discounted rate structure proposed for residents with the "in-car" meter. Mr. Frances advised the "in-car" meters can be made available sooner, in limited quantities, as a trial period. Commissioner Weithorn suggested having the trial available only to residents initially.

ACTION: The committee moved to recommend a flat rate in the 7th, 12th and 13th Street garages of \$15 for 9:00pm through 5:00am only on Friday, Saturday, and Sunday nights, otherwise it is \$1 per hour, and add the additional increment from 15-24 hours to charge \$20.

Additionally, the committee moved to recommend the 17th Street garage rates as proposed, while amending the charge from 8–15 hours to \$15, and from 15–24 hours to \$20. The committee also recommended the acceptance of the proposed discounted rate structure for residents with the “in-car” meter.

4. DISCUSSION REGARDING A REQUEST TO HONOR MARVIN GREEN BY PLACING A SIGNIFICANT PIECE OF ARTWORK IN THE OCEAN TERRACE AREA, WITH A SMALL PLAQUE IN HIS RECOGNITION.

Max Sklar, Cultural Affairs and Tourism Development Director, presented the item, explaining its history since June 2000.

Commissioner Libbin explained that a clock was previously recommended because Mr. Green was an avid clock collector.

Commissioner Libbin moved to proceed with the project. Commissioner Weithorn seconded.

ACTION: The committee unanimously moved to proceed with the project.

5. CONSIDERATION OF A PUBLIC ART PROJECT BY THE ARTIST DAN GRAHAM TO BE COMMISSIONED FOR PLACEMENT IN THE 1100 BLOCK OF LINCOLN ROAD, AS RECOMMENDED BY THE ART IN PUBLIC PLACES COMMITTEE.

Max Sklar, Cultural Affairs and Tourism Development Director, reviewed the package included in the agenda and reviewed the project’s history.

Dennis Leyva, Art in Public Places staff liaison and Heather Urban, member of the Art in Public Places committee, reviewed the details of the project, including the plan and research of materials.

Commissioner Tobin asked if any civil work is being done. Mr. Robert Wennett advised the project includes drainage.

Commissioner Libbin asked when the drop-off by the movie theater is expected to be opened. Mr. Wennett explained that it will be completed last, which would be approximately one year.

Max Sklar elaborated that a main concern had been the maintenance of the piece, including possible graffiti, and that Mr. Wennett has agreed to take on the day to day maintenance and the city would be responsible for the longer term restoration, as it does for all of its pieces.

Commissioner Libbin expressed concern with the potential damage by acid etchings as has been done to the “Roach” on Lincoln Road at Washington Avenue. Mr. Sklar explained that major damage is the city’s responsibility, however, initially Mr. Wennett has purchased replacement pieces of glass.

Mr. Wennett confirmed for Commissioner Steinberg that the piece is being built according to the South Florida Building Code.

Commissioner Libbin moved the item, commissioner Weithorn seconded.

ACTION: The committee unanimously moved the item as presented.

6. EMERGENCY ITEM ADDED: DISCUSSION REGARDING MIAMI-DADE COUNTY PUBLIC SCHOOLS CONSIDERATION OF THE REDUCTION OF THE NUMBER OF CLASS PERIODS FROM EIGHT TO SIX.

The committee moved to add this item for discussion as an emergency item. Commissioner Steinberg suggested drafting a letter to be signed by the Mayor and Commission members present at today's meeting to be faxed to the Miami-Dade County School Board before their meeting scheduled for later today. Commissioner Steinberg returned to the meeting with the letter for review, approval, and signatures of the members present. (Attachment A).

ACTION: The committee reviewed, approved and signed the letter to be emailed and faxed to the Miami-Dade County School Board members.

JMG/HME/rm

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ATTACHMENT A

July 30, 2008

DELIVERED VIA EMAIL AND FAX

Dear Miami-Dade County School Board Members:

Earlier this year, Miami-Dade County Public Schools ("M-DCPS") and the City of Miami Beach entered into a compact to enhance the education offered in the Miami Beach Feeder Pattern. Through this partnership, the City of Miami Beach has agreed to fund the implementation cost of the implementation of an International Baccalaureate ("IB") program. Thus, the program has no immediate direct cost to the M-DCPS.

We are aware that M-DCPS is considering a reduction in the number of class periods at Miami Beach Senior High School from eight to six. It is our understanding that this could impact the effectiveness of the IB program. The City of Miami Beach remains committed to fulfilling the terms of the compact and the realization of the IB program.

Although our City Commission is in recess until September, I requested that this matter be brought up as an emergency item at the City's Neighborhoods/Community Affairs Committee meeting of July 30, 2008, which included myself, Vice Mayor Richard L. Steinberg, as well as Commissioners Jerry Libbin, Edward L. Tobin, and Deede Weithorn in attendance. Accordingly, following discussion and unanimous recommendation by the Committee, we request that the Chair and Members of the School Board not reduce the number of periods at Miami Beach Senior High School to ensure our shared goal of the IB program is realized.

Sincerely,

Matti Herrera Bower
Mayor

Acknowledged to and agreed by:

Richard L. Steinberg
Vice Mayor

Jerry Libbin
Commissioner

Edward L. Tobin
Commissioner

Deede Weithorn
Commissioner

C: Rudy Crew, M-DCPS Superintendent
Jorge M. Gonzalez, City Manager



MIAMI BEACH

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

JULY 30, 2008

SIGN-IN SHEET

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NAME	ORGANIZATION / DEPT.	PHONE NO.	FAX / EMAIL
eth Usserman	Resident	786-245-2313	
Max Sklar	CMB/TCID	305-673-7577	
Elizabeth Resnick	AIPP	305-733-7754	elizrezad@aol.com
Heather Urban	AIPP	305 535 3006	hurban@urbanaccess.com
Robert Wenzel	1111 Lincoln	305 538 5321	rwenzel@1111Lincolnroad.com
Rafael G. ...	City Attorney's Office	x 7478	
Tania Valdemoro	Miami Herald	305-376-4564	tvaldemoro@miamiherald.com