



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: June 6, 2012

SUBJECT: **REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE HELD ON TUESDAY, MAY 22, 2012.**

A meeting of the Neighborhood/Community Affairs Committee was scheduled for Tuesday, May 22, 2012 at 3:00 pm and was held in the City Manager's Large Conference Room, 4th Floor of City Hall. **Commissioners in attendance:** Commissioners Ed Tobin, Jerry Libbin (arrived at 4:45 pm), Jorge Exposito and Jonah Wolfson (arrived at 3:19 pm). Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

1. DISCUSSION REGARDING A DRAFT ORDINANCE THAT REGULATES PRIVATE PARKING LOTS OR FACILITIES WITH AUTOMATED PAY MACHINES. (4:45 PM)

Commissioner Libbin explained the origin of this draft ordinance.

Parking Director Saul Frances explained that previous direction from the Committee was to come back with a warning notice requirement, which is included in the agenda package. The requirement includes better signage as well as that a notice be placed on any ticket or other transaction document issued at the lot, any receipt, or on the pay station itself.

Commissioner Libbin added that if the customer is using the I-Park system, they would not go to the pay machine to see a notice posted there. Mr. Frances explained that notice is intended to be included in signage prominently posted at the entrance.

Assistant City Manager Jorge Gomez suggested noticing the I-Park patrons that their I-Park transponders will not work at privately owned lots.

Chief Deputy City Attorney Raul Aguila explained the tow authorization process.

Gabrielle Redfern spoke.

Commissioner Libbin made a motion to authorize the Administration to move forward with the draft ordinance amendment. Commissioner Wolfson explained that his is agreeable with the signage requirement but is not agreeable with the requirement of a one-hour grace period in private lots.

Rafael Andrade spoke.

Commissioner Libbin asked what happens if the machine is not functioning. City Attorney Smith said it is a civil matter.

A lengthy discussion ensued regarding the grace period.

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Commissioner Wolfson suggested going with the signage requirements for now and six months from now consider more significant measures if necessary. Commissioner Wolfson made the motion to notice in a more conspicuous fashion, letting Assistant City Manager Gomez determine the amount of signage and revisit this issue in six months. Motion was seconded by Commissioner Tobin and Commissioner Exposito concurred. Commissioner Wolfson suggested penalties for not having the appropriate signage.

William Joseph spoke.

ACTION: The Committee (Commissioners Tobin, Libbin, Exposito, and Wolfson present) unanimously moved to recommend the signage requirement to the City Commission and to revisit the issue in six months.

2. DISCUSSION REGARDING SECURITY CAMERAS. (3:25 PM)

Commissioner Tobin stated that he is in favor of security cameras.

Police Major John Bambis introduced Captain Rabelo and Lieutenant Hernandez. Major Bambis reviewed salient points when considering the installation of a public surveillance system, as well as the legal issues. A PowerPoint presentation was made.

Commissioner Tobin asked if the video must be monitored. Major Bambis explained that is a choice as to whether the system will be actively monitored to make arrests or as more of a passive system for historical data to use later in an investigation. Active monitoring is very labor intensive and the number of people needed to staff the operation would be based on the number of cameras installed. If the decision is to use the system in a more passive way, monitors could be installed in the Public Safety Communications Unit (PSCU) where personnel are on site 24/7. In this instance, if a call were to come in while a crime is in progress, staff would be able to view the video if cameras were installed in that particular area.

Commissioner Tobin expressed that while he is in favor of surveillance cameras, some Commissioners may not feel the same way. He would like information comparing active and passive monitoring and how these systems have worked in other cities.

Commissioner Exposito explained that his questions relate to the cost of the cameras and the associated equipment and staffing for monitoring the videos. He noted that he has read of some Federal grants and wondered if the City would be eligible for funding. He likes the idea of the cameras and thinks the discussion should be sent to the Finance Committee rather than directly to the Commission.

Commissioner Tobin stated that he believed the fundamental question needed to be answered (whether the City wants to utilize technology to help fight crime or not). Commissioner Wolfson added that he believes that tourists would feel very comfortable knowing they would be safe. Commissioner Exposito stated that he is in favor of the cameras.

Commissioner Wolfson suggested asking a company to do a pilot program. Commissioner Tobin stated that an RFP would have to be done first. Commissioner Wolfson suggested taking this discussion to the Commission to determine if it is supported and if it is, send it to the Finance Committee to discuss sending it out for RFP. Commissioner Exposito suggested having some fundamental information for the Commission to discuss. Commissioner Tobin stated to bring the discussion to the Commission in July with a presentation to include a rough cost estimate. Major Bambis asked what scope the Committee wanted to include. Commissioner Tobin asked to

concentrate on where the highest number of rapes and robberies are occurring and asked the Police staff to determine the best locations to make a dent in crime. Commissioner Tobin clarified that Police staff should be prepared for the July Commission meeting with information from cities with both passive and active surveillance.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) directed Police staff to prepare a presentation for the July Commission meeting to include options and suggestions for the installation and use of public surveillance cameras. The presentation should include rough cost estimates, recommended locations for cameras, monitoring recommendations and comparative information from other cities for both passive and active surveillance.

**3. DISCUSSION AND UPDATE ON THE CITYWIDE DUNES MAINTENANCE PLAN.
(3:40 PM)**

Public Works Director Fred Beckmann reviewed the progress of the dune maintenance program.

Commissioner Tobin asked if the responsibility for the maintenance of the dunes can be divided up amongst a few people to establish accountability. He would like to hold someone responsible when a section of the dune is neglected. He is frustrated with spending time at meetings figuring out the plan that will be used to cut the grass and believes that time can be better spent cutting the grass and maintaining the dunes on a regular timely basis.

Commissioner Exposito would like to see a proactive schedule. Mr. Beckmann suggested returning to the Committee in June with a plan for a regular schedule for maintenance. Commissioner Tobin agreed and asked that the plan include having the areas currently being handled by volunteers be handled by staff and utilize volunteers as supplement.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) directed the Administration to return to the next Committee meeting with a plan for maintenance of the dunes and identifying who is responsible.

**4. 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.
(5:25 PM)**

Assistant City Manager Hilda M. Fernandez reviewed the history of the off-leash dog park in South Pointe Park.

Commissioner Libbin stated that he is in favor of the hedge to border the off-leash area.

William Joseph spoke.

Commissioner Tobin asked if the fines related to dogs are being paid. Ms. Fernandez stated that information will be researched and provided.

Code Compliance Division Director Robert Santos-Alborná explained the challenges for his staff in enforcing the dog regulations.

Commissioner Tobin suggested making this a criminal offense. Assistant City Manager Fernandez stated that she would have to discuss that with Police. Commissioner Tobin asked the Administration to find out what other cities are doing to enforce these laws. He then recommended extending the pilot program in South Pointe Park. Commissioner Exposito stated

that the program should maintain the same hours as is currently in place. He added that the Committee should not lose sight of the fact that parks are for people too.

Commissioner Tobin asked that when the appeal of the Design Review Board decision comes back to Commission that a sub-issue be brought up to get a sense of the how the Commission would feel about making dogs off-leash a criminal offense. Commissioner Libbin made the motion to extend the pilot program through the end of the calendar year to allow final determination on the issue of the hedge. Motion was seconded by Commissioner Exposito.

ACTION: The Committee (Commissioners Tobin, Libbin, Exposito, and Wolfson present) unanimously moved to extend the pilot program through the end of the calendar year to allow final determination on the issue of the hedge. Additionally, Commissioner Tobin requested that when the appeal of the Design Review Board decision comes back to Commission that a sub-issue be brought up to get a sense of the how the Commission would feel about making dogs off-leash a criminal offense.

**5. DISCUSSION REGARDING THE IMPLEMENTATION OF A “SEE IT, REPORT IT” CAMPAIGN TO FACILITATE AND EXPEDITE THE REPORTING OF CODE COMPLIANCE AND NON-EMERGENCY POLICE ISSUES.
(3:53 PM)**

Alex Fernandez, Aide to Commissioner Weithorn, explained that this was referred by Commissioner Weithorn.

Assistant City Manager Hilda M. Fernandez explained that in anticipation of the discussion on this item, Staff recently met with Commissioner Weithorn’s aide, Alex Fernandez, to discuss how the City currently facilitates the reporting of issues, and what options might be pursued to facilitate the ability for residents to report issues they see in the community when they see them.

Ms. Fernandez explained that several months ago the City began exploring a smartphone integration for the Citizen Support Center. The new phone application, currently being tested, will integrate with the City’s WebQA system, allowing cases opened through the app to be routed the same way as any cases or complaints opened through our online program. The new app, which we had called and branded “Miami Beach Report It,” will be available soon for downloads on all smartphones for free.

Ms. Fernandez explained the concept discussed was the creation of a simple message designed to alert residents and businesses on how they can report issues. Working off the “Report It” branding that was already being implemented for the phone app, the following is being implemented, as they are cost-free:

- Modifications to the 305.604.CITY voice response routing system to make it more user-friendly in reporting issues of concern. The “See it. Report it.” Messaging will be used.
- Re-branding all of our citizen support services (phone, online and app) to reflect the “Report It” tag.
 - Since our Online program includes the ability to ask questions, the Website’s home page link to “Citizen Support” will be changed to “Ask it. Report it.”
 - When “Ask it. Report it.” Is selected, a new web landing page will communicate the three ways to report issues and concerns (online, smartphone app and telephone).
- “Report It” will be promoted using several communications methods that are of no cost to us, which include publications (ie. MB magazine and MB Line), video, radio, media, and social media. Other promotion methods include printing business cards and

posters in-house to use at city facilities and frontline points (reception desks, cashiers and employees).

Other options being considered include:

- Adding "See it. Report it." and the 305.604.CITY number to any informational signs being replaced at city facilities (including parks, etc.). Producing new signs with only this message would only be possible if funding was identified.
- Placing stickers with "See it. Report it." and the webpage and/or phone number on the City's fleet vehicles, should funding be identified.

The implementation of a "Report It" program is consistent with recent efforts to create easier methods for residents or businesses to report issues they observe at the City. The smartphone app, to be launched publicly soon, will make this easier by even allowing residents to attach photos of issues they report. Modifications to the City's web page to reflect the new "brand" for the citizen complaint process can be accomplished in-house and at no cost, and the promotions of the branding using the City's current media tools is not an issue. Should it be the desire of the Committee to pursue a signage program to complement the Report It. Program, then funding will be necessary.

Commissioner Exposito made the motion to push this item forward to the Commission for approval. Motion was seconded by Commissioner Tobin.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) moved to push the item forward to the City Commission for approval.

6. DISCUSSION REGARDING PROHIBITION OF CAT FEEDING IN MIAMI BEACH CITY PARKS. (3:55 PM)

Assistant City Manager Hilda M. Fernandez explained that staff has been monitoring where cat feeding has been occurring in the City. Staff has not identified there being an issue with cat feeding near the tot-lot in South Pointe Park near Smith and Wollensky. The feeding areas that have been identified in South Pointe Park are west of the dune near beachwalk, fishing pier area, and near the Smith and Wollensky outdoor café area.

Mary Thingelstad from the Cat Network and Assistant City Manager Fernandez explained the efforts being made to spay and neuter the cats under the grant agreement with the Cat Network.

John Curbelo spoke.

Commissioner Tobin asked for a report to the Neighborhood/Community Affairs Committee on the progress made by the Cat Network in about three (3) months.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) requested a follow-up report to the Neighborhood/Community Affairs Committee in three (3) months on the progress of the efforts by the Cat Network to spay and neuter cats.

7. DISCUSSION REGARDING THE IMPACT OF A PROPOSED DEVELOPMENT AND CONSTRUCTION OF THE WEST AVENUE BRIDGE PROJECT IN REGARDS TO OPTION 3. (4:00 PM)

Public Works Director Fred Beckmann explained the difference between Options 2 and 3 for the construction of a West Avenue bridge.

Commissioner Exposito suggested narrowing or tapering the sidewalk at the right-hand turn in

order to provide extra space at the turn between the cars and the bicycles. Mr. Beckmann will look at that possibility.

Discussion ensued regarding the turn lane options and safety. Assistant City Manager Jorge Gomez clarified some issues regarding the turn lane options. Commissioner Tobin stated that he wants the safer option.

Christine Florez spoke.

Commissioner Tobin asked if a traffic study is being done for West Avenue, further south from the location of the bridge. Mr. Beckmann explained that a traffic study has been requested and is being done that will be looking at the entire West Avenue movement. Commissioner Tobin asked if the Administration feels that would impact the decision regarding the West Avenue bridge project. Mr. Gomez explained that the purpose of the traffic study is to make sure that any deficiencies in terms of speeding and crosswalks are addressed.

Commissioner Exposito made the motion to recommend Option 2 to the City Commission. The motion was seconded by Commissioner Tobin.

Gayle Durham spoke.

Mr. Beckmann explained some of the landscaping plans for the bridge. After some discussion regarding landscaping, Commissioner Tobin stated that the direction from the Committee is to do something that is in line with the desire to look beautiful and greener.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) moved to recommend Option 2 to the City Commission.

**8. DISCUSSION REGARDING THE CONSIDERATION OF AN AGREEMENT BETWEEN THE CITY AND TEMPORARY ENTERTAINMENT, LLC, FOR THE PRESENTATION OF "ORCHID", A LIVE THEATRICAL AND MUSICAL PERFORMANCE WITHIN A SPIEGELTENT AND THE INSTALLATION OF ANCILLARY FOOD AND BEVERAGE SERVICES AND ENTERTAINMENT AREAS, TO BE LOCATED AT THE COLLINS PARK SPOIL AREA, BETWEEN 21ST AND 22ND STREETS.
(4:23 PM)**

Max Sklar, Cultural Affairs and Tourism Development Director, explained that staff is seeking direction from the Committee and to determine if there is interest in negotiating a lease agreement with Temporary Entertainment for the presentation of "Orchid". He outlined the proposed programming.

Commissioner Tobin asked if anyone has reached out to the adjoining property owners. Mr. Sklar explained that Administration wanted to determine the interest of the Commission before expending staff time.

Marty LaSalle spoke.

Mr. Sklar explained the performance hours requested and the parking plan for the performances as requested by Commissioner Tobin. Mr. Sklar explained that it has been specified that this performance would not run during Art Basel and other dates will need to be reviewed as it relates to Winter Music Conference.

Commissioner Exposito expressed his concern with noise since a tent is not soundproof. Mr. Sklar explained that this type of tent has a wood paneled interior.

Assistant City Manager Hilda M. Fernandez explained that two issues have been identified that would need the Committee's direction. The hours of operation are one concern, as is the length of run. Mr. Sklar clarified that the hours being requested would include closing at midnight Sunday through Thursday after a 10 pm show and closing at 2 am on Friday and Saturday nights after a midnight show. The desired length of the run is for approximately 22 weeks, from November 2012 to March 2013, which is almost half the year that this public space would be utilized.

Further discussion ensued regarding off-duty, sanitation, security, and fire requirements, as well as deposits and water connections.

Commissioner Tobin explained that his reservations include the impact on the surrounding neighbors, and the length of time the public beach will be tied up. He further stated he would want resident discounts for longer than the proposed four weeks and having operations until 4:00 am is not acceptable.

Discussion continued regarding parking, and transportation to and from the venue.

Commissioner Tobin stated that he thinks having this event will be good for the City. Commissioner Exposito stated that he thinks this will be good as long as the sound issue is addressed and the scheduling does not interfere with Art Basel.

Commissioner Tobin asked to be shown the actual space that will be taken up. Mr. Sklar will provide him with a site visit.

Mr. LaSalle explained his reason for requesting the amount of time he is asking to use this space. He added that he will need a confirmation by early June in order to coordinate with his service providers in time for the opening as anticipated.

Commissioner Tobin stated this will be on the June Commission agenda to get a sense of the Commission's perspective.

Commissioner Wolfson made the motion to move this discussion to the Commission. Motion was seconded by Commissioner Exposito. Commissioner Tobin concurred.

ACTION: The Committee (Commissioners Tobin, Exposito, and Wolfson present) unanimously moved the discussion to the June meeting of the City Commission.

**9. DISCUSSION REGARDING A RESOLUTION GRANTING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AFTER-THE-FACT REVOCABLE PERMIT TO ASR BERWICK FAMILY LTD PARTNERS, AS OWNER OF THE COMMERCIAL PROPERTY LOCATED AT 335 WEST 47TH STREET, TO RETAIN A/C UNITS, A UTILITY ROOM, AND A TRASH ENCLOSURE, CURRENTLY PLACED WITHIN THE PUBLIC CITY RIGHT-OF-WAY ON WEST 47TH COURT.
(3:15 PM)**

Public Works Director Fred Beckmann explained that a maintenance agreement has been drafted for all parties to sign.

Andrew Dickman, representing the Esquire House, explained that he just received a parking plan that reduces the parking by 50%. This is the main parking for the Esquire House and that he is not able to agree to that.

Mr. Beckmann clarified that the parking plan is approved by the Parking Department and that Parking Director Saul Frances was not at the meeting to have further discussion on it.

Commissioner Tobin stated to send this issue back to the Commission.

Matthew Amster, attorney representing the Berwick Building owners, stated that his client is agreeable to the maintenance agreement and that the parking plan is an issue that has just come up. He added that his client has no problem with the parking status quo.

Mr. Beckmann clarified that the parking plan is reducing the parking spaces from 17 to 11, not quite by 50%.

Commissioner Tobin suggested trying to reach Mr. Frances with Mr. Beckmann to discuss the parking plan and to see if this can be worked out while the Committee meeting continues, to be brought back before the Committee meeting adjourned. The interested parties stepped out to discuss.

Discussion resumed at 5:13pm.

A lengthy discussion regarding parking options for the residents in this area ensued.

Commissioner Libbin suggested establishing a residential parking district.

Commissioner Tobin stated that this discussion will be deferred to a future meeting of the Committee while certain options are reviewed with the Fire, Parking and Public Works Departments.

William Joseph spoke.

ACTION: The Committee (Commissioners Tobin, Libbin, Exposito, and Wolfson present) deferred further discussion to a future meeting of the Neighborhood/Community Affairs Committee.

THE MEETING ADJOURNED AT 5:25 PM.

NOTE: Pursuant to Miami Beach City Code, Sec. 2-13 "Commission committee draft minutes – City commission approval"; These draft minutes are subject to correction, amendment, and approval by the city commission, with any corrections or amendments to be reflected in those minutes.


JMG/HMF/SS/KT/BH/rfm
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MIAMIBEACH

NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING

May 22, 2012

SIGN-IN SHEET

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