

MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
January 16, 2013

Mayor Matti Herrera Bower
Vice-Mayor Michael Góngora
Commissioner Jorge R. Exposito
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

Interim City Manager Kathie G. Brooks
City Attorney Jose Smith
City Clerk Rafael E. Granado

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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.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date, which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business & Commission Requests
R10 City Attorney Reports

Reports and Informational Items

Presentations and Awards

- PA1 Certificate Of Appreciation To Be Presented To The Miami Beach Police Department's Officer Of The Month For November And December 2012.
(Requested by Commissioner Jorge R. Exposito)

- PA2 Certificate Of Recognition To Be Presented To Rachel Umlas, For Her Service During Her Tenure In The Community Development Advisory Committee.
(Requested by Commissioner Jorge R. Exposito)

- PA3 Certificates Of Recognition To Be Presented For The Successful Production Of Art Basel 2012.
(Requested by Commissioner Jerry Libbin)

- PA4 Certificates Of Recognition To Be Presented To The Principal, Vice Principals And Teachers Of North Beach Elementary In Miami Beach.
(Requested By Vice-Mayor Michael Góngora)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Authorize The Issuance Of A Request For Proposals (RFP) For Audit Services For An Audit Of The City's Capital Improvement Projects Administered By The City's Capital Improvement Projects Office And Other City Departments.
(Budget & Performance Improvement)

- C2B Request For Approval To Authorize The Issuance Of A Request For Proposals (RFP) For Emergency Management Administrative Support Services.
(Budget & Performance Improvement)

- C2C Request For Approval To Award Contracts To A Quick Board Up Service As Primary Vendor And To Sanchez Arango Construction As Secondary Vendor Pursuant To Invitation To Bid (ITB) No. 63-11/12 For Emergency Board Up And Securing Services, In The Estimated Annual Amount Of \$60,000.
(Building/Procurement)

C2 - Competitive Bid Reports (Continued)

- C2D Request For Approval To Award Contracts To W.W. Grainger, Inc. And To Aaron Industrial Safety, Pursuant To Invitation To Bid (ITB) No. 43-11/12, For Purchase And Delivery Of Safety Supplies, In The Estimated Annual Amount Of \$93,000.
(Citywide/Procurement)
- C2E Request For Approval To Award Contracts To G7 Holdings, Inc. D/B/A Garbage.com As Primary Vendor, And Austin Tupler Trucking, Inc. As Secondary Vendor, Pursuant To Invitation To Bid (ITB) No. 3-12/13, For Removal And Disposal Of Construction Debris And Asphalt, In The Annual Estimated Total Amount Of \$133,960.
(Public Works/Procurement)
- C2F Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 07-12/13, For The City Of Miami Beach Bayfront Street End Improvement Project For 10th Street, Authorizing The Mayor And City Clerk To Execute An Agreement With Ebsary Foundation Co., In The Amount Of \$123,450.00, For The Construction Of The Project, Plus Approve A Project Contingency Of 10% For A Grand Total Of \$1,357,900.00 (Subject To Commission Approval Of The First Amendment To The Capital Budget); Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project.
(Public Works/Procurement)
(Memorandum to be Submitted in Supplemental)

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Jewish Community Center's Request For Reimbursement, In The Amount Of \$241,000, For Costs Associated With Reconstructing The Seawall Along The City-Owned Property Located At 4221 Pine Tree Drive.
(Real Estate, Housing & Community Development)
- C4B Referral To The Finance And Citywide Projects Committee - Discussion Of A Lease Amendment With Damian J. Gallo & Associates (D/B/A Permit Doctor).
(Real Estate, Housing & Community Development)
- C4C Referral To The Sustainability Committee, To Discuss The City Of Miami Beach's Participation In Earth Hour To Be Held On March 23, 2013.
(Requested by Vice-Mayor Michael Góngora)
- C4D Referral To The Neighborhood/Community Affairs Committee Of A Proposed Public Art Project For Placement In South Pointe Park Pier.
(City Manager's Office)

C4 - Commission Committee Assignments (Continued)

- C4E Referral To The Finance And Citywide Projects Committee - Discussion Regarding ING Marathon Use Of The Miami Beach Convention Center.
(Requested by Commissioner Deede Weithorn & Vice-Mayor Michael Góngora)
- C4F Referral To The Neighborhood/Community Affairs Committee - Discuss Creating A Municipal Youth Council On Miami Beach.
(Requested by Commissioner Edward L. Tobin)
- C4G Referral To The Neighborhood/Community Affairs Committee - Discuss An Update On Upper North Bay Road Drainage Project.
(Requested by Commissioner Edward L. Tobin)
- C4H Referral To The Finance And Citywide Projects Committee - Discuss Timely Publication And Distribution Of Agendas For The City's Boards And Committees, Particularly The Committees Of The City Commission And The City's Land Use Boards.
(Requested by Commissioner Deede Weithorn)
- C4I Referral To The Land Use And Development Committee - Discussion Concerning A Proposed Amendment Of The Charter To Prohibit The Involuntary Designation Of Single-Family Residences As Individual Historic Sites, Hereinafter Referred To As The Miami Beach Homeowner Protection Act.
(Requested by Commissioner Jonah Wolfson)
- C4J Referral To Finance And Citywide Projects Committee A Discussion Regarding Upgrade To Municipal Parking Garage Gated Revenue Control System.
(Parking Department)
- C4K Referral To The Neighborhood/Community Affairs Committee - Discussion To Review And Consider Modification To The Military Veterans Vendor Preference Ordinance No. 2011-3748.
(Requested by Commissioner Jerry Libbin)
- C4L Referral To The Neighborhood/Community Affairs Committee - Discussion To Review And Consider Modification To The Local Vendor Preference Ordinance No. 2011-3747.
(Requested by Commissioner Jerry Libbin)
- C4M Referral To The Finance And Citywide Projects Committee A Discussion Directing The Administration To Give The Commission An Analysis Of All City Personnel Receiving Planning Day Pay And/Or Executive Work Days Pay, Details About Its Genesis, Aggregate Cost To The City, Intended Purpose, And History.
(Requested by Commissioner Jerry Libbin)

C4 - Commission Committee Assignments (Continued)

- C4N Referral To The Neighborhood/Community Affairs Committee - Discuss The Illegal Vendors, Including Illegal Tobacco Vendors In Miami Beach.
(Requested by Vice-Mayor Michael Góngora)

C6 - Commission Committee Reports

- C6A Report Of The Neighborhood/Community Affairs Committee Meeting Of December 17, 2012: **1)** Discussion Regarding A Request Related A Plaque Being Placed At City Hall In Honor Of Rose Weiss, As The Rose Weiss Park Is Now Known As The Washington Park & Community Garden. **2)** Discussion Regarding Amending The City Code To Provide For Alternative Enforcement Means And Establish A Fixed Fine Schedule For Certain Provisions. **3)** Discussion Regarding Enhancing The Entrances Of The Beach Walk. **4)** Discuss Naming 8th Street After Tony Goldman. **5)** Discussion Regarding Criteria For Calling Special Meetings Of The City Commission. **6)** Discussion Regarding A Resolution Urging The Florida Legislature To Exempt From Public Records Disclosure Absentee Ballot Requests And Personal Information Included On Such Requests. **7)** Discussion Regarding Traffic Flow On 1st Street, In The Area East Of Alton Road And West Of Washington Avenue. **8)** Discussion Regarding Bringing V-Day To Miami Beach. **9)** Discussion Regarding A Potential Signage Program Establishing Miami Beach As A Hate Free Zone. **Addendum: 1)** Discussion Regarding The Need For Attended Bathrooms In The City Of Miami Beach. **2)** Discuss An Update On The Citywide Dunes Maintenance Plan.
- C6B Report Of The Land Use And Development Committee Of December 19, 2012: **1)** Alton Road Districts: a) Proposed Alton Road Historic District Buffer Overlay. b) Proposed Parking District #6 For The Alton Road Corridor. **2)** Parking Ordinances And Parking Discussion Items: a) Discussion On The Parking Requirement And How We Can Incentivize For Good Hotel Development. b) Sunset Harbour Parking District 5; Discussion Of A Residential Parking Reduction For Mixed-Use And Adaptively Re-Used Buildings. c) Discussion Regarding Hotels In Residential Neighborhoods And Parking Requirements. d) Proposed Ordinance: Revisions To Requirements For The Use Of Mechanical Parking Systems. **3)** Discussion Regarding Changing The Permitted Uses In A CD-2 District To Allow For Self Storage. **4)** Reduced Parking Rates For Hotel Employees. **5)** Discussion Of The Miami Beach Current City Code Chapter 6-4 (3) Relating To Alcoholic Beverage Sales That Requires A 300 Foot Distance Between Liquor Stores And Ask That The City Look Into Adopting The County Requirement Of 1500 Feet. **6)** Review Of Miami Beach Land Use Boards To Improve The City Of Miami Beach Building And Planning Department Processes: a) Minimum Unit Sizes For Historic Hotels & RM-2 Tower Setbacks. b) RM-3 Accessory Use Signage. c) Pool Setbacks And Mechanical Equipment Setback Encroachments. **7)** Discussion Of RFP For Tennis Maintenance And Bifurcating Maintenance And Operations. **8)** Discussion Regarding Miami Beach United Resolutions To Address The Issue Of Compatibility Of Certain Uses In Proximity To Residential Uses, To Create Safeguards While Still Allowing For Flexibility Of Development. **9)** Discussion Concerning The Miami Beach Human Rights Committee Resolution Regarding The Posting Of Public Notices. **10)** Discussion Regarding Food Trucks On Private Property. **11)** Discussion Regarding The Status Of The Second Hand Store Ordinance.

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Finance And Citywide Projects Committee Of December 20, 2012: **1)** Discussion Regarding A Proposed Marketing Program For Sunscreen And An Update On Other Potential Marketing Partnerships. **2)** Discussion Regarding The Motions Made By The Quality Of Education Committee During Their September Meeting. **3)** Discussion Concerning The Lease For The Miami-Dade Gay And Lesbian Chamber Of Commerce Foundation Located At Historic City Hall At 1130 Washington Avenue. **4)** Discussion Regarding To Consider A Request For Rent Relief From Penn 17, LLC., Regarding The Retail Space At The Pennsylvania Avenue Parking Garage. **5)** Discussion To Consider Two Lease Agreements: One Lease With State Representative David Richardson For 690 Square Feet Of Office Space Consisting Of Suites 402A And 402B Located At 1701 Meridian Avenue; And Another Lease With Commissioner Bruno Barreiro For 412 Square Feet Of Office Space Located On The Ground Floor Of City Hall; Said Discussion To Include The Setting And Advertising Of Public Hearings For The January 16, 2013, Commission Meeting. **6)** Discussion Regarding The Issuance Of A Request For Proposals For The Installation And Operation Of Citywide Automated Teller Machines At Various City-Owned Properties And Facilities, Approved By The City Commission On March 21, 2012. **7)** Discussion Of The Current Management And Operations Of The City Of Miami Beach Golf Courses, Clubhouses And Related Facilities And Options/Direction For The Future Management Agreement.

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or Her Designee To A Submit Grant Application To: 1) The National Endowment For The Arts FY 2013 Our Town Program, For Funding In The Amount Of \$25,000 For The Initial Planning Analysis For Artist Live/Work Space On Miami Beach; 2) Miami-Dade Metropolitan Planning Organization (MPO), Call For Ideas Program For Funding In The Approximate Amount Of \$250,000 For A Pre-Feasibility Study Related To Mass Transit Connectivity, And, 3) Retroactively, In The Approximate Amount Of \$65,212 To Miami-Dade County Homeless Trust In Response To The Request For Applications For Inclusion In The Application To Be Submitted By The Miami-Dade County Continuum Of Care For The 2012 US HUD Notice Of Funding Availability (NOFA) For The Continuum Of Care Program Competition, For Funding For The City's Homeless Outreach Program; Appropriating The Above Grants If Approved And Accepted By The City, And Authorizing The Execution Of All Documents Related To These Applications.

(Budget & Performance Improvement)

- C7B A Resolution Authorizing The Mayor And City Clerk To Execute Amendment Number 4 To The Professional Services Agreement With Atkins North America, Inc. For Supplemental Construction Administration Services, For A Period Of Up To Twelve (12) Months, For The South Pointe Park Pier Project; In The Negotiated Lump Sum Amount Of \$266,472 And An Additional Amount Of \$34,380 For Reimbursable Expenses, For A Total Amount Of \$300,852; With Previously Appropriated Funding In The Amount Of \$300,852 From Fund 389, South Pointe Capital Fund.

(Capital Improvement Projects)

C7 - Resolutions (Continued)

- C7C A Resolution Authorizing By 5/7th Vote, The Waiver Of Competitive Bidding, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Mayor And City Clerk To Execute An Amendment To The Contract Between The City Of Miami Beach And Frederick M. Keroff, M.D., Dated October 1, 2005, For Medical Director Of The City Of Miami Beach's Emergency Medical Services (EMS), In The Annual Amount Of \$47,207; Said Amendments Approving The Renewal Option Of The Contract, And Further Amending Section 1 Thereof (TERMS) To Allow Subsequent Renewal By The City Manager.
(Fire Department)
- C7D A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposals (RFP) No. 62-11/12, To Install And Maintain An Externally Web Hosted Software For Parks And Recreation; Authorizing The Administration To Enter Into Negotiations With The Second-Ranked Proposer: Capturepoint.com; And Should The Administration Not Be Successful In Negotiating An Agreement With The Second-Ranked Proposer, Authorizing Negotiations With The Top-Ranked Proposer, The Active Network; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Third-Ranked Proposer, Vermont Systems, Inc.; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.
(Parks & Recreation/Procurement)
- C7E A Resolution Adopting And Appropriating The First Amendment To The Police Confiscation Trust Budget For Fiscal Year 2012/2013 In The Amount Of \$130,000, To Be Funded From The Proceeds Of Federal-Justice Confiscated Funds In The Amount Of \$130,000, For The Appropriation And Expenditure Of Those Items Set Forth In Exhibit "A," Which Shall Be Funded Through The Police Confiscation Trust Fund.
(Police Department)
- C7F A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Changing The Mayor's Blue Ribbon Bikeways Committee To A Permanent Committee, Entitled Bicycle-Pedestrian Facilities Advisory Committee.
(Public Works)
- C7G A Resolution Accepting A Utility Easement From And Vacating A Portion Of A Utility Easement To William Goldsmith, Owner Of The Property Located At Lot 9 Of Block 2H Of The Third Revised Plat Of Sunset Islands, For The Construction, Installation, Maintenance, Repair, And Replacement Of Stormwater Piping.
(Public Works)
- C7H A Resolution Approving And Authorizing The City Manager To Issue A Certification Of Consistency With The City's FY 2008-2012 Consolidated Plan To Douglas Gardens Community Mental Health Center Of Miami Beach, Inc. For Its Starting Again Project; Further Authorizing The City Manager To Execute Any Subsequent Certifications Of Consistency With The City's Consolidated Plan For Renewal Applications Of Funding For The Aforesaid Project.
(Real Estate, Housing & Community Development)

C7 - Resolutions (Continued)

- C7I A Resolution Setting A Public Hearing, Pursuant To Section 118-262 Of The City Code, For An Appeal Filed By W. Tucker Gibbs, P.A., On Behalf Of Sunset Islands 3 And 4 Property Owners, Inc. And Olga Lens, Of The Design Review Board's Order Relative To DRB File No. 22889 For 1201-1237 20th Street, Palau At Sunset Harbor, And Setting Said Public Hearing For The City Commission Meeting Of March 13, 2013.
(Planning Department)
- C7J A Resolution Accepting The Recommendation Of The City Manager Pursuant To Request For Proposals (RFP) No. 68-11/12, For Electric Fireworks And Pyrotecnics For The City's Fourth Of July Celebration; Authorizing The Administration To Enter Into Negotiations With The Sole Proposer Zambelli Fireworks; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.
(Tourism & Cultural Development/Procurement)
- C7K A Resolution Creating The Mayor's Ad Hoc Committee To Plan The 2013 Sustainable & Authentic Florida Conference And Prescribing The Duties, Manner Of Appointment, And The Terms Of Office Of Committee Members.
(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
- C7L A Resolution Adopting The First Amendment To The Capital Budget For Fiscal Year 2012/13.
(Public Works)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

R5A An Ordinance Amending Chapter 2 Of The Miami Beach City Code Entitled "Administration," By Amending Article VI, Entitled "Procurement," By Amending Division 5, Entitled "Debarment Of Contractors From City Work," By Amending Section 2-397, Entitled "Purpose Of Debarment," To Provide The Purpose For Suspensions; By Amending Section 2-398, Entitled "Definitions," To Provide Additional Definitions Regarding Suspension Of Contractors; By Amending Section 2-399, Entitled "List Of Debarred Contractors," To Provide For The Additional Listing Of Suspended Contractors; By Amending Section 2-400, Entitled "Effects Of Debarment" To Provide For The Effects Of Suspension; By Amending Section 2-401, Entitled "Continuation Of Current Contracts," To Provide That Suspension May Affect The Continuation Of Current Contracts Or Bids; By Amending Section 2-402, Entitled "Restrictions On Subcontracting," To Provide For Restrictions On Suspended Contractors; By Amending Section 2-403; Entitled "Debarment," To Provide For The Mayor And City Commission, At Its Option And By Majority Vote, To Hear Debarment Or Suspension Matters, And To Provide For Procedures For The Suspension Of Contractors; By Amending Section 2-404, Entitled "Causes For Debarment," By Providing For Additional Causes For Debarment, And To Provide For Causes For Suspension; By Amending Section 2-405, Entitled "Debarment Procedures," To Amend The Procedures For Debarment And To Provide Procedures For The Suspension Of Contractors; By Amending Section 4-206, Entitled "Period Of Debarment," By Providing For Periods Of Suspension And Requests For Reducing Periods Of Suspension; Providing For Repealer; Severability; Codification; And An Effective Date.

11:00 a.m. Second Reading Public Hearing

(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
(First Reading on December 12, 2012 - Option B Version)

R5B An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance Of The City Of Miami Beach, Florida, By Amending The Salary Ranges And Establishing Compensation Provisions For The City Manager And The City Attorney; Providing For Repealer, Severability, Codification, And An Effective Date. **11:40 a.m. Second Reading Public Hearing**

(Requested by Commissioner Jonah Wolfson)
(Legislative Tracking: City Attorney's Office)
(Deferred from December 12, 2012)

R5 - Ordinances (Continued)

R5C Miami Heart Institute FLUM Change And Zoning Map Change

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 "Miami Heart Institute," More Particularly Described In The Legal Description Attached As Exhibit "A" Hereto, From The Current PF-HD, "Public Facility, Hospital," To The Future Land Use Category Of RM-1, "Residential Multifamily Low Intensity;" Providing For Inclusion In The Comprehensive Plan, Transmittal, Repealer, Severability And An Effective Date.

5:01 p.m. First & Only Reading, Public Hearing

(Requested by Applicant - 4701 North Meridian, LLC)

(Legislative Tracking: Planning Department)

(Continued from December 12, 2012)

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 "Miami Heart Institute," 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 RM-1, "Residential Multi-Family Low Intensity," Providing For Codification, Repealer, Severability And An Effective Date. **5:01 p.m. Second Reading, Public Hearing**

(Requested by Applicant - 4701 North Meridian, LLC)

(Legislative Tracking: Planning Department)

(Continued from December 12, 2012)

R5D Second Hands Goods Stores – Precious Metals

An Ordinance Amending The City Code, By Deleting Chapter 18, "Businesses", Article XII, "Secondhand Goods", Division 3, "Pawnshops"; And Division 4, "Secondhand Dealers"; And By Amending Chapter 102, "Taxation", Article V, "Local Business Tax", Section 102-356, "Construction Of Article; Definitions"; In Order To Conform City Code Provisions On Pawnshops And Secondhand Goods With Applicable Florida Statutes; And By Amending Chapter 142, "Zoning Districts And Regulations," Article II "District Regulations," Division 4 "CD-1 Commercial, Low Intensity District," Section 142-273, "Conditional Uses" And Division 5 "CD-2 Commercial, Medium Intensity District," Section 142-303 "Conditional Uses" By Including Second Hand Dealers Of Precious Metals As A Conditional Use In The CD-1 And CD-2 Zoning Districts; And Division 6, "CD-3 Commercial, High Intensity District," Section 142-335 "Prohibited Uses" And Division 18 "PS Performance Standard District," Section 142-693(c) "Permitted Uses," By Including Second Hand Dealers Of Precious Metals As Prohibited Uses In The CD-3 And PS Districts, Providing For Repealer, Severability, Codification And An Effective Date. **First Reading**

(Requested by Vice-Mayor Michael Góngora)

(Legislative Tracking: Planning Department)

R5E Hotel Parking Requirements

A Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130 "Off-Street Parking," Article II, "Districts; Requirements," By Amending The Off-Street Parking Requirements For Hotels In All Districts; Providing For Repealer, Severability, Codification And An Effective Date. **First Reading**

(Requested by Land Use & Development Committee)

(Legislative Tracking: Planning Department)

R5 - Ordinances (Continued)

- R5F An Ordinance Amending Chapter 102 Of The Miami Beach City Code, Entitled "Taxation," By Creating Section 102-2, To Be Entitled "Homestead Exemption For Low-Income Senior Citizens Who Are Long-Term Residents"; Providing For An Additional Homestead Exemption For Certain Low-Income Qualifying Senior Citizens Who Are Long-Term Residents To Be Applied To Millage Rates Levied By The City Of Miami Beach; Requiring Delivery Of Ordinance To The Miami-Dade County Property Appraiser; Providing For Repealer, Severability, Codification, An Effective Date, And Requiring A Majority Plus One Vote Of The Members Of The City Commission.

First Reading

(Requested by Matti Herrera Bower)
(Legislative Tracking: Finance Department)

R7 - Resolutions

- R7A Lease Agreements With State Representative David Richardson & Commissioner Bruno Barreiro
1. A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving A Lease Agreement With State Representative David Richardson To Temporarily Lease Suite 402B, Located At 1701 Meridian Avenue, Miami Beach, Florida, Containing 149 Square Feet Of Office Space, Until Such Time As Suite 402A, Containing 541 Square Feet Of Office Space Becomes Available, For An Initial Term Of Two Years Retroactively Commencing On December 20, 2012, And Expiring November 30, 2014, With Three (3) Extension Options For A Period Of Two (2) Years Each; And Further Authorizing The Mayor And City Clerk To Execute The Agreement Subject To Final Review By The City Manager And Form Approval By The City Attorney. **2:15 p.m. Public Hearing**
 2. A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving A Lease Agreement With Commissioner Bruno Barreiro And/Or The Miami-Dade Board Of County Commissioners To Lease 412 Square Feet Of Ground Floor Office Space Located At 1700 Convention Center Drive, Miami Beach, Florida, For An Initial Term Of Forty Six (46) Months Commencing On February 1, 2013, And Expiring November 30, 2016, With One (1) Extension Option For A Period Of Four (4) Years; And Further Authorizing The Mayor And City Clerk To Execute The Agreement Subject To Final Review By The City Manager And Form Approval By The City Attorney. **2:15 p.m. Public Hearing**
(Real Estate, Housing & Community Development)
- R7B A Resolution Accepting The Recommendations Of The Historic Preservation Board, And Granting A Certificate Of Appropriateness For The Total Demolition Of An Existing Single Story Building And The Construction Of A New 5-Story Parking Garage With Accessory Ground Level Commercial Space At 340 23rd Street (Collins Park Garage). **10:50 a.m. Public Hearing**
(Capital Improvement Projects)

R7 - Resolutions (Continued)

- R7C A Resolution Granting A Waiver Of Certain Development Regulations, Pursuant To Section 142-425(d) Of The City's Zoning Ordinance, For The Collins Park Garage Project, Located Within The Museum Historic District And Collins Park Neighborhood; Said Waiver Regarding The Maximum Building Height. **10:55 a.m. Public Hearing**
(Capital Improvement Projects)
- R7D A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Collins Park Garage Project (The Project).
(Capital Improvement Projects)
- R7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Guaranteed Maximum Price (GMP) Amendment No. 1, To The Pre-Construction Services Agreement With Thornton Construction Company, Inc., For The Construction Of The 6th And 53rd Street Restrooms Project, In The Amount Of \$1,225,197, Plus An Owner's Project Contingency Of \$110,268, For A Total Of \$1,335,465; With Previously Appropriated Funding In The Amount Of \$568,439 From SP Post RDA CDT And Municipal Resort Tax Fund 388, \$101,172 From SB Quality Of Life Resort Tax Fund 305, \$665,854 From Capital Projects Not Financed By Bonds Fund 301.
(Capital Improvement Projects)
- R7F A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its November 9, 2012 Meeting To Consider The Attached Ordinance Amending The Salary Ranges And Providing For Such Other Terms, Conditions, And Benefits As The City Commission May Deem In The Best Interest Of The City.
(City Attorney's Office)
(Deferred from December 12, 2012)
- R7G A Resolution Approving The City's State Legislative Agenda For The 2013 Session Of The Florida Legislature.
(City Manager's Office)
- R7H A Resolution Urging The United States Congress To Ban The Sale And Possession Of Semi-Automatic And Assault Weapons And High Capacity Ammunition Devices And Magazines And To Close The "Gun Show Loophole" Nationwide; Urging The Florida Legislature To Act Statewide To Require Private Sales Of Firearms To Include A Mandatory Background Check Of A Purchaser Of A Firearm Regardless Of Whether The Firearm Vendor Is Licensed Or Non-Licensed Pursuant To Federal Or State Law; And Giving Direction To The City Manager With Regard To The Enforcement Of Gun Laws Within The City.
(Requested by Vice-Mayor Michael Góngora)
(Legislative Tracking: City Attorney's Office)
- R7I A Resolution Establishing, Pursuant To City Charter Section 2.04, Procedures For Calling Special Meetings Of The City Commission By A Majority Of The Members Of The City Commission.
(City Attorney's Office/Mayor Matti Herrera Bower)

R7 - Resolutions (Continued)

R7J A Resolution Approving An Increase To The Owner's Contingency For The Right-Of-Way Infrastructure Improvement Program, Neighborhood No. 8E Bayshore, Sunset Islands I & II Project, In The Amount Of \$696,285, For The Additional Work Related To Construction Of Permanent Street Lighting System In Sunset Island I, Suitable And Unsuitable Fill Material Overruns, Outfall Reconstruction And Upsizing, Sanitary Sewer Pipe Lining, And Driveway Harmonization As A Result Of Unforeseen Conditions And Improvements With Previously Appropriated Funding In The Amount \$73,292 From Fund 304 - Capital Reserve, \$34,017 From Fund 424 - Water & Sewer Bonds 2000 Series, \$491,550 From Fund 431 - Storm Water Bonds 2011, And \$97,426 From Fund 427 – Storm Water Enterprise Fund, For A Grand Total Of \$696,285.

(Capital Improvement Projects)

R9 - New Business and Commission Requests

R9A Board And Committee Appointments.
(City Clerk's Office)

R9A1 Board And Committee Appointments - City Commission Appointments.
(City Clerk's Office)

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

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

R9C The Committee Of The Whole Will Meet During Lunch Recess Of The January 16, 2013 City Commission Meeting At The City Manager's Office Large Conference Room To Discuss External Audit Reports For FY 2010/11 And Internal Audit Status Report For FY 2011/12.
(Budget & Performance Improvement)

R9D The Committee Of The Whole Will Meet During Lunch Recess Of The January 16, 2013 City Commission Meeting At The City Manager's Office Large Conference Room To Discuss The City Attorney's Performance Evaluation.
(City Attorney's Office)

R9E The Committee Of The Whole Will Meet During Lunch Recess Of The January 16, 2013 City Commission Meeting At The City Manager's Office Large Conference Room To Discuss The City Manager Recruitment.
(City Clerk's Office)

R9F Discussion On The Schedule For The Selection Process Of The New City Manager.
(Requested by Commissioner Deede Weithorn)

R9 - New Business and Commission Requests (Continued)

- R9G Discussion On The Use Of Electricity By Sidewalk Cafes.
(Requested by Commissioner Deede Weithorn)
- R9H Discussion Regarding A Request For Reconsideration Of "Resolution Approving The Recommendation Of The City Manager To Shortlist The Top Two (2) Teams Of Portman CMC And South Beach ACE As The Shortlisted Proposers To Continue Onto Phase II Of The MBCC RFQ No. 22-11/22; And Authorizing The City Manager To Negotiate Letters Of Intent (LOI's) With The Shortlisted Proposers," Approved, City Commission Meeting December 12, 2012.
(Requested by Commissioner Deede Weithorn)
- R9I Discussion Concerning The Potential Involuntary Designation Of A Single Family Residence Located At 42 Star Island Drive As An Individual Historic Site By A Third Party.
(Requested by Commissioner Jonah Wolfson)
- R9J Discussion On The Miami Beach Human Rights Committee Resolution 2012-002 Regarding FDA Regulations For Blood Donation.
(Requested by Vice-Mayor Michael Góngora)
- R9K Discussion Regarding A Community Gun Buy Back Program.
(Requested by Commissioner Jerry Libbin)

R10 - City Attorney Reports

- R10A City Attorney's Status Report.
(City Attorney Office)

Reports and Informational Items

Reports and Informational Items (see LTC 008-2013)

End of Regular Agenda