

MIAMI BEACH

City Commission Meeting SUPPLEMENTAL MATERIAL 1

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.

SUPPLEMENTAL AGENDA

C2 - Competitive Bid Reports

- 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 \$1,234,500.00, 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)

C4 - Commission Committee Assignments

- C4E Referral To The Finance And Citywide Projects Committee & Convention Center Advisory - Discussion Regarding ING Marathon Use Of The Miami Beach Convention Center.
(Requested by Commissioner Deede Weithorn & Vice-Mayor Michael Góngora)
(Revised Memo from Vice-Mayor Michael Góngora)

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)
(Resolution)
- C7C A Resolution Approving By 5/7th Vote, A Waiver Of Competitive Bidding, Finding Such Waiver To Be In The Best Interest Of The City, And Approving Another One (1) Year Renewal Of The Contract Between The City And Frederick M. Keroff, M.D., Dated October 1, 2012, For Medical Director Of The City Of Miami Beach's Emergency Medical Services (EMS), In The Annual Amount Of \$47,207; Further Approving An Amendment To The Contract To Allow Further Renewals To Be Exercised By The City Manager, On Behalf Of The City .
(Fire Department)
(Resolution)
- 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)
(Revised Resolution & Additional Information)

R7 - Resolutions

- R7A Lease Agreements With State Representative David Richardson & Commissioner Bruno Barreiro
1. A Resolution Following A Duly Advertised Public Hearing, Approving And Authorizing The Mayor And City Clerk To Execute A Lease Agreement With State Representative David Richardson For Lease Of Office Space At The City Owned Building Located At 1701 Meridian Avenue, Miami Beach, Florida, To Operate And Maintain A District Office; Said Lease Having An Initial Term Of Two (2) Years Commencing Retroactively On December 20, 2012, And Expiring On November 30, 2014, With Three (3) Extension Options, At The City's Discretion, For A Term Of Two (2) Years Each; And Further Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, As Permitted Under Section 82-39(a) Of The City Code. **2:15 p.m. Public Hearing**
 2. A Resolution Following A Duly Advertised Public Hearing, Approving And Authorizing The Mayor And City Clerk To Execute A Lease Agreement With Commissioner Bruno Barreiro For Lease Of Approximately 412 Square Feet Of Office Space At The City Owned Building Located At 1700 Convention Center Drive, Miami Beach, Florida, To Operate And Maintain A District Office; Said Lease Having An Initial Term Of Forty Six (46) Months Commencing On February 1, 2013, And Expiring On November 30, 2016, With One (1) Extension Option, At The City's Discretion; And Further Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, As Permitted Under Section 82-39(a) Of The City Code. **2:15 p.m. Public Hearing**
(Real Estate, Housing & Community Development)
(Resolutions)
- R7B A Resolution Accepting The Recommendations Of The Historic Preservation Board (HPB) 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)
(Resolution)
- 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)
(Resolution)
- R7D A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Collins Park Garage Project (The Project).
(Capital Improvement Projects)
(Collins Park Place BODR - Under a Separate Cover)
- R71 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)
(Mayor Matti Herrera Bower's Version & NCAC's Version Resolutions)

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)

(Resolution)

Condensed Title:

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 \$1,234,500.00, 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.

Key Intended Outcome Supported:

Ensure well-maintained infrastructure
Supporting Data (Surveys, Environmental Scan, etc.): The 2009 Customer Satisfaction Survey indicated that 79% of businesses rated recently completed capital improvement projects as "excellent" or "good."

Issue:

Shall the City Commission approve the award of the contract?

Item Summary/Recommendation:

The Work consists of furnishing all materials, labor, and equipment to construct the street end improvements including bulkhead, paving/grading, and stormwater management.

Invitation to Bid (ITB) No. 07-12/13 was issued on November 27, 2012, with an opening date of December 28, 2012. The pre-bid conference was held on December 5, 2012. During the pre-bid conference, prospective bidders were instructed on the procurement process and the information their respective proposals should contain. The Public Group issued bid notices to 14 prospective bidders of which 5 accessed the advertised ITB documents. Also, Bidnet issued bid notices to 401 prospective bidders which resulted in the receipt of four (4) bids.

Through the Procurement Division's review of each bid for responsiveness, David Mancini & Sons, Inc. (DMSI), the lowest bidder at \$1,028,628.56, was deemed nonresponsive for failing to sign the Bid Proposal Form found in Section 00408 of the ITB nor any of the other required information provided under the section of the form entitled "Bidder's Affirmation." Also, the Subcontractor Listing Form in Section 06000 was missing from DMSI's bid, preventing the City from confirming the 40% self-performance requirement.

The Administrative Review Panel convened on January 4, 2013, to interview the responsive bidders and discuss their qualifications, experience, and competence to score and rank the firms accordingly pursuant to the evaluation criteria noted in the ITB. Ebsary Foundation Co., the second-lowest responsive bidder, received all five first-place votes for contract award as provided below. The Panel noted that Ebsary demonstrated in their interview to being the most prepared and knowledgeable of all of the responsive bidders. Their technical knowledge, along with, availability of resources, experience in working throughout Miami Beach, and detailed construction plan offered sufficient reasoning to offer the award.

Conversely, during their interview, FHP Tectonics Corp. did not demonstrate extensive knowledge of the project and existing conditions in the area. FHP also failed to provide a detailed construction plan to address issues concerning staging, dewatering, method of transportation, scheduling, vibratory analysis, soil conditions, and overall methodology to effectively fulfill the scope of the project. While FHP was the lowest bidder by \$9,497.62, the Committee determined it was in the best interest in the City to award the contract to Ebsary Foundation Co.

After considering the review and recommendation of City staff, the Interim City Manager exercised her due diligence and carefully considered the specifics of this ITB process. As a result, the Interim City Manager recommends to the Mayor and City Commission to award the contract to Ebsary Foundation Co. and further authorize the Administration to engage in value engineering to further reduce the cost and time for completion of said project.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account
1	\$756,272	427-8000-389100 – Stormwater Fund Balance
2	\$472,820	303-2717-069357 – Florida Inland Navigation District Grant
3	\$62,623	302-2717-069357 – Pay-As-You-Go
4	\$64,185	FDOT JPA Agreement
OBPI	Total	\$1,357,900

Financial Impact Summary: N/A

City Clerk's Office Legislative Tracking:

Fred Beckmann, ext. 6012

Sign-Offs:

Department Director	Assistant City Manager / Chief Financial Officer	Interim City Manager
FB AD <i>[Signature]</i>	JGG <i>[Signature]</i> PDW <i>[Signature]</i>	KGB <i>[Signature]</i>

T:\AGENDA\2013\January 16\ITB 07-12-13 – Bayfront Streetend Improvements at 10th St. – Summary.doc





COMMISSION MEMORANDUM

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

FROM: Kathie G. Brooks, Interim City Manager

DATE: January 16, 2013

SUBJECT: **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 \$1,234,500.00, 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.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

KEY INTENDED OUTCOME SUPPORTED

Ensure well-maintained infrastructure.

FUNDING

\$756,272	427-8000-389100 – Stormwater Fund Balance
\$472,820	303-2717-069357 – Florida Inland Navigation District Grant
\$64,623	302-2717-069357 – Pay-As-You-Go
\$64,185	FDOT JPA Agreement
\$1,357,900	Total

ANALYSIS

The Bayfront 10th Street End Improvement Project was developed to address shoreline erosion and improve stormwater drainage. The failing seawall will be replaced with a standard sheetpile seawall structure that meets the new Stormwater Management Master Plan design criteria. The project shall also include stormwater infrastructure upgrades that will improve the quality of discharge water entering Biscayne Bay.

Beginning on April 2013, FDOT shall be reconstructing the drainage system on Alton Road. As part of FDOTs plans, a stormwater forcemain will be constructed to discharge into Biscayne Bay by way of 10th Street. In order to minimize the duration of construction in this

area and disturbance to the adjacent properties, the City will be include a portion of the stormwater force main into the street end project through the agreement with FDOT.

SCOPE OF SERVICES

The Work consists of furnishing all materials, labor, and equipment to construct the street end improvements:

- *Bulkhead* - construction of approximately 70 linear feet of steel sheet pile bulkhead with reinforced concrete cap, and placement of 70 linear feet of limerock boulder revetment. Sheet pile work will include drainage structures and appurtenances.
- *Paving/Grading* – grade right-of-way to facilitate drainage, place 2-inch asphalt pavement for restoration, and sod adjacent areas around stormwater infrastructure.
- *Stormwater Management* – demolition of existing pavement, construction of stormwater management infrastructure including approximately 140 lf of 4' X 6' Concrete Culvert, outfall improvements to existing 60-inch and 24-inch outfalls, installation of pollution control structures for two outfalls along with tideflex valves, construction of outfall discharge structure with steel sheet piling and concrete structural works, construct outfall penetrations through sheet pile bulkhead, and provide access hatches to outfall discharge structure. Work includes installation of temporary shoring, coordination with Florida Gas Transmission for natural gas line relocation, and dewatering for underground utilities.

ITB PROCESS

Invitation to Bid (ITB) No. 07-12/13 was issued on November 27, 2012, with an opening date of December 28, 2012. The pre-bid conference was held on December 5, 2012. During the pre-bid conference, prospective bidders were instructed on the procurement process and the information their respective proposals should contain.

The Public Group issued bid notices to 14 prospective bidders of which 5 accessed the advertised ITB documents. Also, Bidnet issued bid notices to 401 prospective bidders which resulted in the receipt of the following four (4) bids:

- David Mancini & Sons, Inc.
- Ebsary Foundation Co.
- FHP Tectonics Corp.
- Lanzo Construction Co. Florida

Through the Procurement Division's review of each bid for responsiveness, David Mancini & Sons, Inc. (DMSI), the lowest bidder at \$1,028,628.56, was deemed nonresponsive for failing to sign the Bid Proposal Form found in Section 00408 of the ITB nor any of the other required information provided under the section of the form entitled "Bidder's Affirmation." Section 00300, subsection 4, of the ITB requires all bids to be signed and acknowledged by the Bidder. Section 00315 of the ITB also requires the Bid Proposal Form in Section 00408 to be fully completed and signed.

Also, the Subcontractor Listing Form in Section 06000 was missing from DMSI's bid, preventing the City from confirming the 40% self-performance requirement, which is noted as a minimum requirement on page 6 of the ITB and Section 27.4 of the General Conditions.

As a result, the following table provides the proposed total base bid prices of the three (3) responsive bids:

Company	Total Base Bid
FHP Tectonics Corp.	\$ 1,225,002.38
Ebsary Foundation Co.	\$ 1,234,500.00
Lanzo Construction Co. Florida	\$ 1,355,594.00

The Administrative Review Panel consisted of the following individuals and convened on January 4, 2013, to interview the responsive bidders:

- Josiel Ferrer-Diaz, Transportation Coordinator, Public Works
- Jose Perez, Capital Projects Coordinator, CIP
- Jose Rivas, Civil Engineer III, Public Works
- Jose Velez, Capital Projects Coordinator, CIP
- Elizabeth Wheaton, Environmental Resources Manager, Public Works

The Panel evaluated each bid based on the following criteria:

- **50 Points** - Base Bid Price
- **20 Points** - Interview of key personnel
- **10 Points** - Risk Assessment Plan/Value Added Submittals
- **10 Points** - Past Performance Evaluation Surveys
- **10 Points** – Qualifications of Bidder

Upon completion of the interviews, the Panel discussed each prospective bidder's qualifications, experience, and competence to score and rank the firms accordingly pursuant to the evaluation criteria noted in the ITB. Ebsary Foundation Co., the second-lowest responsive bidder, received all five first-place votes for contract award as provided below. The Panel noted that Ebsary demonstrated in their interview to being the most prepared and knowledgeable of all of the responsive bidders. Their technical knowledge, along with, availability of resources, experience in working throughout Miami Beach, and detailed construction plan offered sufficient reasoning to offer the award.

Conversely, during their interview, FHP Tectonics Corp. did not demonstrate extensive knowledge of the project and existing conditions in the area. FHP also failed to provide a detailed construction plan to address issues concerning staging, dewatering, method of transportation, scheduling, vibratory analysis, soil conditions, and overall methodology to effectively fulfill the scope of the project. While FHP was the lowest bidder by \$9,497.62, the Committee determined it was in the best interest in the City to award the contract to Ebsary Foundation Co.

	Ferrer-Diaz	Perez	Rivas	Velez	Wheaton	Total
Ebsary Foundation Co.	97 (1)	93 (1)	84.8 (1)	96 (1)	95 (1)	465.8 (5)
Lanzo Construction Co. Florida	90 (2)	90 (2)	78.4 (3)	89 (2)	93 (2)	440.4 (11)
FHP Tectonics Corp.	86 (3)	88 (3)	82 (2)	83 (3)	86 (3)	425 (14)

COMPANY PROFILE

Founded in 1922, Ebsary Foundation Co. has been providing foundation and general

construction services to South Florida. Ebsary has extensive experience in construction and rehabilitating seawalls, including large portions of the seawall and bulkhead at Dinner Key, Port of Miami, and Port Everglades. Brent Huffman, Project Manager, and Esmil Canet, Superintendent, have over 7 and 16 years of construction experience respectively. The following are similar ongoing and recently completed projects:

- Design-Build Services for Seawall Stabilization and Repair – City of Miami - \$2,369,250 – ongoing
- San Marco Island Drainage Improvements Cofferdam Construction – City of Miami - \$205,000 – completed 2012
- Large Vessel Mooring Facility – City of Miami - \$1,330,000 – completed 2011
- Berth 33 Bulkhead & Slip 3 Toe Wall – Broward County Seaport – completed 2011
- Wharf 1 Emergency Bulkhead Repairs Phase II – Miami-Dade County Seaport – completed 2010

INTERIM CITY MANAGER’S DUE DILIGENCE

After considering the review and recommendation of City staff, the Interim City Manager exercised her due diligence and carefully considered the specifics of this ITB process. As a result, the Interim City Manager recommends to the Mayor and City Commission to award the contract to Ebsary Foundation Co. and further authorize the Administration to engage in value engineering to further reduce the cost and time for completion of said project.

CONCLUSION

The Administration recommends that the Mayor and City Commission award a contract to Ebsary Foundation Co. as the lowest and best responsive bidder, pursuant to Invitation to Bid 07-12/13, for the City of Miami Beach Bayfront Street End Improvement Project for 10th Street, in the amount of \$1,234,500.00; plus approve a project contingency of 10% for a grand total of \$1,357,950.00 (subject to Commission approval of the First Amendment to the Capital Budget); further authorize the Administration to engage in value engineering to further reduce the cost and time for completion of said project.

KGB/JGG/FB/AD

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Kathie Brooks, Interim City Manager

FROM: Michael Góngora, Vice Mayor

DATE: January 10, 2012

SUBJECT: Referral Item for January 16 Commission Meeting

Please place on the January Commission meeting consent agenda a referral to the Convention Center Advisory Board to discuss the ING Marathon. If you have any questions please feel free to contact my aide Diana Fontani at ext 6087.

MG/df

Agenda Item C4E
Date 1-16-13

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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

WHEREAS, the National Endowment for the Arts was established by Congress in 1965 as an independent agency of the federal government and to date, the NEA has awarded more than \$4 billion to support artistic excellence, creativity, and innovation for the benefit of individuals and communities; and

WHEREAS, Artspace's mission is to create, foster, and preserve affordable space for artists and arts organizations. It pursues this mission through development projects, asset management activities, consulting services, and community-building activities that serve artists and arts organizations of all disciplines, cultures, and economic circumstances. By creating this space and Artspace supports the continued professional growth of artists, and enhances the cultural and economic vitality of the surrounding communities; and

WHEREAS, the Administration is considering submitting a grant application to the NEA in partnership with Artspace, to do the initial planning analysis for artist live/work space at the Byron Carlyle Theater or at another location on Miami Beach; and

WHEREAS, the project is anticipated to cost approximately \$15,000 for the initial feasibility study and \$42,500 for development of the concept plan after initial feasibility; and

WHEREAS, this grant requires matching funds and the grant request will be in the amount of \$25,000, the required match amount is \$25,000, however, the City will contribute approximately \$32,500 to cover the anticipated expenses of this project; and

WHEREAS, matching funds may be in a combination of cash and in-kind services donated to the project and matching funds will be requested, subject to award of this grant during the FY 13/14 budget cycle; and

WHEREAS, this project supports the key intended outcome diversify business base in Miami Beach; and

WHEREAS, the Administration requests approval to submit a grant application to 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; and

WHEREAS, the Miami-Dade Metropolitan Planning Organization (MPO) is responsible for transportation planning in Miami-Dade County and the MPO's Call for Ideas Program provides funding for transportation studies that provide effective solutions that alleviate traffic congestion in Miami Dade County; and

WHEREAS, approved transportation planning studies are incorporated into the Unified Planning Work Program (UPWP); and

WHEREAS, preliminary exploratory work relating to mass transit connectivity from the mainland to Miami Beach has been ongoing; the Administration would like to present the concept to the MPO and the Call for Ideas is an appropriate method; and

WHEREAS, the subject of mass transit connectivity has been referred to the City's Neighborhood Committee, Land Use Committee and Finance and Citywide Projects Committee; and

WHEREAS, the Call for Ideas Program does not require matching funds and supports the key intended outcome enhance mobility throughout the City; and

WHEREAS, approval is requested to submit a grant application to the 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

WHEREAS, the United States Department of Housing and Urban Development (US HUD) has issued a Notice of Funding Availability (NOFA) for its continuum of Care Program Competition which is the primary Federal funding source for homeless assistance programs; and

WHEREAS, all current US HUD funded projects with program funding expiring in calendar year 2013 must request renewal funding through this competitive process; and

WHEREAS, the Miami-Dade County Homeless Trust (Trust serves as the Applicant for US HUD NOFA funds on behalf of the Miami-Dade County Continuum of Care system (MDCoC); and

WHEREAS, the MDCoC encompasses all of Miami-Dade County, including all municipalities, all local entitlement jurisdictions are part of the MDCoC, the "Collaborative Application" will contain the projects submitted by Project Applicants (subrecipients) that are selected through the Request for Applications; and

WHEREAS, the City has received these funds since 2003 to support the salaries of Homeless Outreach staff and this year the NOFA was released with insufficient time for this item to be placed on the December Commission agenda and as such, in order not to lose this grant opportunity the City has applied for continuation of funding, in the amount of \$65,212, through this collaborative application and requests retroactive approval; and

WHEREAS, the Collaborative Application submitted by our community will be reviewed by US HUD, which will ultimately decide which projects submitted will be funded; and

NOW THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH hereby approve and authorize the City Manager or her designee to support grant applications to: 1) 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) Retroactive approval to submit to Miami-Dade County Homeless Trust for funding for Homeless Outreach services in the amount of \$65,212 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.

PASSED and ADOPTED this _____ day of _____, 2013

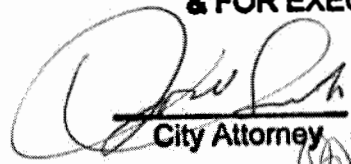
ATTEST:

MAYOR

CITY CLERK

KGB/JMH
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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

1-10-13

Date

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING BY 5/7TH VOTE, A WAIVER OF COMPETITIVE BIDDING, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING ANOTHER ONE (1) YEAR RENEWAL OF THE CONTRACT BETWEEN THE CITY AND FREDERICK M. KEROFF, M.D., DATED OCTOBER 1, 2012, FOR MEDICAL DIRECTOR OF THE CITY OF MIAMI BEACH'S EMERGENCY MEDICAL SERVICES (EMS), IN THE ANNUAL AMOUNT OF \$47,207; FURTHER APPROVING AN AMENDMENT TO THE CONTRACT TO ALLOW FURTHER RENEWALS TO BE EXERCISED BY THE CITY MANAGER, ON BEHALF OF THE CITY.

WHEREAS, Florida Statute 401.265 and Rules of the Department of Health, Chapter 64J 1.004, Florida Administrative Code, requires that all Fire Department emergency medical services have a licensed Medical Director; and

WHEREAS, Dr. Fredrick M. Keroff has served as Medical Director since March 28, 2002, as authorized by Resolution Numbers 2002-25038 and 2005-26030; and

WHEREAS, due to Dr. Keroff's familiarity with the Miami Beach Fire Department's EMS System and medical protocols, and his service to the Department and the City over the past ten (10) years, it is in the City's best interest to waive the competitive bidding requirement and to renew the contract with Dr. Keroff for another one (1) year term, commencing on October 1, 2012, and ending on September 30, 2013, and continue to contract with Dr. Keroff for the continued provision of said services, at an annual salary of \$47,207; and

WHEREAS, the Administration recommends that Dr. Keroff's contract also be amended so as to allow the City Manager to exercise future renewal options, on behalf the City.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve by 5/7th vote, a waiver of competitive bidding, finding such waiver to be in the best interest of the City, and approve another one (1) year renewal of the contract between the City and Frederick M. Keroff, M.D., dated October 1, 2012, for Medical Director of the City of Miami Beach's Emergency Medical Services (EMS), in the annual amount of \$47,207; further approving an amendment to the contract to allow further renewals to be exercised by the City Manager, on behalf of the City

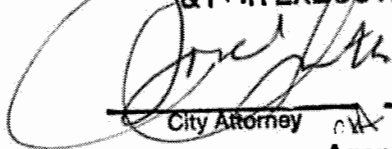
PASSED and ADOPTED this _____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney Date 1/11/13

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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.

WHEREAS, Section 2-22 of the Code of the City of Miami Beach provides for the creation of agencies, boards, and committees; and

WHEREAS, the Mayor and members of the community participated in the 2012 Sustainable & Authentic Florida Conference hosted by the communities of Ana Maria Island, the Anna Maria Island Preservation Trust, and the Island Players Theater, and found the Conference informative and inspiring; and

WHEREAS, the City of Miami Beach is proud of its historic, authentic, and sustainable community; and

WHEREAS, the Mayor and City Commission, as well as members of the community, have expressed an interest in promoting the City of Miami Beach and wish to showcase the City's efforts in historic preservation and sustainable practices and to educate others in building their communities in sustainable and authentic ways by hosting the 2013 Sustainable and Authentic Florida Conference in Miami Beach; and

WHEREAS, the planning for the hosting of the 2013 Sustainable & Authentic Florida Conference could best be accomplished by an Ad Hoc Committee composed of sixteen (16) members to be direct appointments by the Mayor, with additional members to be appointed at-large on an as needed basis, who shall report to, and receive input from, the Mayor and Commission, with terms to begin on January 29, 2013 and end on December 31, 2013 (subject to earlier or later sunset by the City Commission).

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that a Mayor's Ad Hoc Committee is hereby created whose purpose is to plan the 2013 Sustainable & Authentic Florida Conference to be held in Miami Beach, Florida in October of 2013 which shall be composed of sixteen (16) members to be direct appointments by the Mayor, with additional members to be appointed at-large on an as needed basis, and which shall report to, and receive input from, the Mayor and City Commission, with board member terms beginning on January 29, 2013 and expiring on December 31, 2013 (subject to earlier or later sunset by the City Commission).

PASSED and ADOPTED this _____ day of January, 2013.


ATTEST:

Rafael E. Granado, City Clerk

Matti Herrera Bower
Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

F:\ATTO\TURN\RESOS\Ad Hoc Sustainable.docx



City Attorney

1/10/13

Agenda Item C7K
Date 1-16-13



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: City Manager Kathie Brooks
City Clerk Rafael Granado

FROM: Mayor Matti Herrera Bower

DATE: January 10, 2013

SUBJECT: Referral to the City Commission – Formation of Mayor’s Ad Hoc Committee & Appointment of Members to Organize 2013 Sustainable & Authentic Florida Conference in Miami Beach.

Mayor Matti Herrera Bower would like to place an item on the January City Commission meeting consent agenda regarding the formation of a Mayor’s Ad Hoc Committee to plan and implement the 2013 Sustainable & Authentic Florida Conference in Miami Beach.

During its inaugural event in October 2012, the Sustainable & Authentic Florida Conference decided to bring its 2013 event to Miami Beach. To ensure the success of the Conference, Mayor Bower would like to appoint Elizabeth Wheaton from the Public Works Department as the City Liaison to work with the committee appointees listed below. Mayor Bower would also like to invite the City Commission to appoint additional persons as well:

Herb Sosa,	CMB Historic Preservation Board
Mitch Novick,	CMB Sustainability Committee
Com. Jerry Libbin,	City of Miami Beach
Becky Matkov,	Dade Heritage Trust
Gabriole Van Bryce,	Dream In Green
Luiz Rodriguez,	E-COMB
Brad Wells,	Entrepreneurial Center
George Neary,	GMVCB
Keith Menin,	Menin Hotels
John Stuart,	FIU School of Architecture and Art
Brian Scheinblum,	MBCC Sustainability Council
Jack Johnson,	Miami Beach CDC
Denis Russ,	Miami Beach CDC
Charles Urstadt,	Miami Design Preservation League
Daniel Veitia,	North Beach; Urban Resources
Elizabeth PlaterZyberk,	U of M School of Architecture

Attached, please find supporting material.
Thank you.



An inquiry into its appeal to investors,
innovators, visitors and residents

2012 CONFERENCE

October 17–19, 2012
Anna Maria Island

Hosted by the communities of Anna Maria Island,
the Anna Maria Island Preservation Trust, and the Island Players Theater

Vision

Authenticity advances sustainability for Florida's future

Conference challenges Florida orthodoxy with facts on the ground

A revived century-old main street in mid-October was the setting for the first Sustainable & Authentic Florida Conference that folklorist Peggy Bulger said "traced the historical trajectories, outlined the present realities and charted the imagined future of Florida."

For three days, scholars and citizen advocates from Florida places in the vanguard of change freshly stirred issues long stifled by the sprawl and empty civics of Sunshine State orthodoxy.



Conference Hosts and Speakers—Photo: RChinnis

For more than 100 people and graduate students from around the state, the conference in Anna Maria tackled Florida's great unmentionables.

"Is Florida over?" asked retired USF social historian Gary Mormino. "How can we replace, or should we repair, the former growth machine? We have made Florida. We must now make Floridians."

The difficulty, of course, is that Florida endlessly promises visitors that retirement here will deliver endless vacations, while offshore condominium investors occupy only Florida's waterfront edge. Still others who arrive in flight from poverty and oppression settle into ethnic enclaves where they remain linked to countries of origin, in the way that northerners still consider where they come from as home.

Consensus from conflict

Nonetheless, the conference did approach consensus about how younger Floridians no longer buy into the dream machine. Instead, educated but deeply in debt and with limited job opportunities, they pour into residential downtowns for networking inspired by loft living where they create "the new laboratories for better communities," in the words of environmentalist Clay Henderson. For photojournalist John Moran, the door has opened on "a new way of thinking that doesn't pit environmental preservation against economic prosperity."

The conference talked about how mainstream denial of climate change and the alienation caused by globalism might impel these new urbanists to work at climate economies. In the first instance this would depend on conserving irreplaceable resources that would balance global with local priorities. Citizen advocates from Miami Beach told how dispossessed young adults 35 years ago led the fight to protect their city's architectural heritage that, backed by creative investors, launched today's universally recognized "South Beach" brand.

These "investors look for 'the economics of amenity,'" said Partners for Livable Communities President Bob McNulty. "They look for places of distinct architecture, design and landscape that represent the infrastructure for redefining the strategic advantage of communities."

For water scientist and conference facilitator Duane De Freese, "sustainability and authenticity mean opportunity."

Conference blogger Andy Fairbanks identified his own generation as "a creative class of entrepreneurs in our thirties, [who] want something different than our predecessors. Golf courses are out and bike trails are in. Sustainability and authenticity matter. Developments that supply this are booming."

New Urbanist and Rollins College Professor Bruce Stephenson discerned that 'civic urbanism' is inspiring creativity and lowering the cost of living while raising quality of life."

Summing up the conference, registrant Susan Berry of Maitland "found the program empowered us with concepts and skills for answering our individual needs and addressing policy changes. Now it's up to us to carry this message into our own communities, to engage with local and state leaders for positive, transformative discussion and action."

Also by conference end, the City of Miami Beach had bid in a 2013 follow-up conference, and two more cities were bidding to host a third in 2014.

Manatee County means what it says:

Sustainable and Authentic



Florida Maritime Museum in Historic Cortez Village, and from there convened for the next two days at the oldest performing stage in the county, the Island Players Theater in Anna Maria.

**Conference Director,
Herb Hiller at Florida Maritime Museum**

In the same mid-October week, Manatee County introduced a new marketing brand that gained instant credibility when the Sustainable & Authentic Florida Conference also took place throughout the county's coastal region.

The brand is Real. Authentic. Florida. The conference showed more than 100 Floridians why the brand is the real thing.

The opening conference session took place at the

Landmark venues supplied more than just discussion sites. There was a walking tour of Cortez, Florida's oldest still viable fishing community with a back-of-the-house visit to the A.P. Bell Fish Company led by proprietor Karen Bell. There was a water tour aboard the Island Pearl through upper Sarasota Bay, where director Charlie Hunsicker of Manatee County Natural Resources and fishing guide Rusty Chinnis narrated stops at a pair of conservation islands.



Ed Chiles tour of Pine Avenue Restoration Project -- Photo RChinnis

There were walking tours led by Anna Maria preservation leaders Ed Chiles and Mike Coleman of the Pine Avenue Restoration Project where coarse sand walkways have replaced concrete sidewalks, native landscaping has replaced exotic plants, and heritage architecture now houses more than two dozen one-of-a-kind shops. Front porches with slat-back chairs allow for the exchange of endless greetings.

The half-mile Pine Avenue connection between Tampa Bay and the Gulf of Mexico locally is famed as "the greenest little main street in Florida".

Conference dinners took place at Mar Vista in the historic north end of Longboat Key and at the BeachHouse Restaurant in Bradenton Beach across the street from Anna Maria Island Resorts, where conference participants stayed. Lunches included a fish fry in Cortez of teeming Spanish mackerel and at the Village Café at Rosedale in the historic Green Village on Pine Avenue. The cluster of repurposed historic buildings here is a model for combining historic preservation with modern and sustainable development where businesses operate on net zero energy, generating more energy than they consume. Site for breakfasts was the Studio at Gulf and Pine across the street from the Island Players Theater, and a showplace for Florida artists and Florida art.

The conference and the county's new brand represent a bold vision for post-recession Florida. Together they affirm a so far rare commitment to ascending historical and conservation values.

Herb Hiller, Conference Director
herbhiller12@gmail.com

Caroline McKeon, Associate Director
caroline@floridajourneys.com

Sustainable and Authentic Florida Conference

Miami Beach, Florida

--2013--

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY ADVERTISED PUBLIC HEARING, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE AGREEMENT WITH STATE REPRESENTATIVE DAVID RICHARDSON FOR LEASE OF OFFICE SPACE AT THE CITY OWNED BUILDING LOCATED AT 1701 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA, TO OPERATE AND MAINTAIN A DISTRICT OFFICE; SAID LEASE HAVING AN INITIAL TERM OF TWO (2) YEARS COMMENCING RETROACTIVELY ON DECEMBER 20, 2012, AND EXPIRING ON NOVEMBER 30, 2014, WITH THREE (3) EXTENSION OPTIONS, AT THE CITY'S DISCRETION, FOR A TERM OF TWO (2) YEARS EACH; AND FURTHER WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, AS PERMITTED UNDER SECTION 82-39(A) OF THE CITY CODE

WHEREAS, on August 2012, David Richardson was elected by the voters to represent District 113 in the Florida House of Representatives, and he was sworn into office on November 20, 2012; and

WHEREAS, members of the Florida Legislature are each provided with a small budget to operate an office in the district that they represent; and

WHEREAS, the Miami Beach Visitor and Convention Authority (MBVCA), currently occupies approximately 541 square feet of space on the fourth floor of 1701 Meridian Avenue, but intends to vacate that space; and

WHEREAS, Representative Richardson has determined that the current MBVCA space meets his needs to serve as his new district office; and

WHEREAS, the proposed lease is for an initial term of two (2) years, commencing retroactively on December 20, 2012, and expiring on November 30, 2014, with three (3) three extension options, at the City's discretion, for two (2) years each; and

WHEREAS, the proposed lease was discussed at the December 20, 2012 Finance and Citywide Projects Committee meeting, and the Committee recommended that the City enter into a Lease Agreement with State Representative David Richardson.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission, following a duly advertised public hearing, hereby approve and authorize the Mayor and City Clerk to execute a Lease Agreement with State Representative David Richardson for lease of office space at the City owned building located at 1701 Meridian Avenue, Miami Beach, Florida, to operate and maintain a district office; said Lease having an initial term of two (2) years commencing retroactively on December 20, 2012, and expiring on November 30, 2014, with three (3) extension options, at the City's discretion, for a term of two (2) years each; and further waiving, by 5/7ths vote, the competitive bidding requirement, as permitted under Section 82-39(a) of the City Code.

PASSED and ADOPTED this _____ day of _____ 2013.

ATTEST:

Rafael Granado, CITY CLERK

Matti Herrera Bower, MAYOR APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE HISTORIC PRESERVATION BOARD (HPB) 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).

WHEREAS, on May 11, 2011, the Mayor and City Commission approved the issuance of Request for Qualifications No. 31-10/11 (the RFQ) for the Architectural, Engineering, Design, Bid and Award, and Construction Administration Services for the Collins Park Garage Project (the Project); and

WHEREAS, the RFQ was issued on June 17, 2011, and on September 14, 2011, the City Commission approved Resolution No. 2011-27735 authorizing the City Manager to negotiate with the top ranked firm of Zaha Hadid Limited t/a Zaha Hadid Architects; and

WHEREAS, on March 21, 2012, the City Commission adopted Resolution No. 2012-27869, approving a Professional Services Agreement between the City and a joint venture of Zaha Hadid Limited t/a Zaha Hadid Architects and Berenblum Busch Architecture, Inc. (the Consultant) for the Planning, Architectural, Engineering, Design, Bid And Award, And Construction Administration Services; and

WHEREAS, the Agreement was executed on May 3rd, 2012, and on May 24, 2012, the Notice to Proceed for the Planning Phase was issued; and

WHEREAS, the proposed parking garage will be constructed on the two properties currently occupied by surface parking lots located on 23rd Street, behind the Miami Beach Regional Library and the Miami City Ballet building, bridging over Liberty Avenue; and

WHEREAS, the ground level of the proposed structure, between Park and Liberty Avenues, will provide approximately 17,500 sq. ft. of retail space, while the upper five (5) levels of the parking garage will accommodate approximately 470 parking spaces; and

WHEREAS, the Project also contemplates a large public plaza at the ground level, just east of Liberty Avenue, which will merge into the Liberty Avenue right of way, between 22nd and 23rd streets, encouraging the pedestrian connectivity between the garage, Collins Park, the Miami Beach Regional Library and the Miami City Ballet; and

WHEREAS, there is currently a vacant, non-contributing, one-story building, located on the lot behind Miami City Ballet, which must be demolished in order to accommodate the new structure.

WHEREAS, on November 21, 2012, the Historic Preservation Board (HPB) granted approval of the Certificate of Appropriateness for the total demolition of the existing building, and construction of the new five-story parking garage with accessory ground level commercial space; and

WHEREAS, pursuant to Miami Beach City Code Section 118-563(i), the actions of the HPB regarding Certificates of Appropriateness for demolition of any building, structure, improvement, or landscape feature located within a historic district and located on City-owned property, shall be advisory with the right of approval or disapproval vested with the City Commission; and

WHEREAS, on December 12, 2012, the City Commission approved Resolution No. 2012-28076, setting a Public Hearing to consider the issuance of a Certificate of Appropriateness for the total demolition of an existing single story building and the construction of a new five-story parking garage with accessory ground level commercial space at 340 23rd Street (Collins Park Garage).

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission accept the recommendations of the Historic Preservation Board and grant a Certificate of Appropriateness for 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).

PASSED AND ADOPTED this 16th day of January, 2013.

ATTEST:

Rafael Granado, City Clerk

Matti Herrera Bower, Mayor

APPROVED AS TO FORM, LANGUAGE
AND FOR EXECUTION



City Attorney

1-10-13
Date

T:\AGENDA\2013\January 16\Collins Park Garage - Certificate of Appropriateness for Demolition\Collins Park Garage - Certificate of Appropriateness for Demolition - Reso.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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.

WHEREAS, on May 11, 2011, the Mayor and City Commission approved the issuance of Request for Qualifications No. 31-10/11 (the RFQ) for the Architectural, Engineering, Design, Bid and Award, and Construction Administration Services for the Collins Park Garage Project (the Project); and

WHEREAS, the RFQ was issued on June 17, 2011, and on September 14, 2011, the City Commission approved Resolution No. 2011-27735 authorizing the City Manager to negotiate with the top ranked firm of Zaha Hadid Limited t/a Zaha Hadid Architects; and

WHEREAS, on March 21, 2012, the City Commission adopted Resolution No. 2012-27869, approving a Professional Services Agreement between the City and a joint venture of Zaha Hadid Limited t/a Zaha Hadid Architects and Berenblum Busch Architecture, Inc. (the Consultant) for the Planning, Architectural, Engineering, Design, Bid And Award, And Construction Administration Services; and

WHEREAS, the Agreement was executed on May 3, 2012, and on May 24, 2012, the Notice to Proceed for the Planning Phase was issued; and

WHEREAS, the proposed design has been presented to the community and was approved by the Historic Preservation Board (HPB) on November 21, 2012; and

WHEREAS, the Basis of Design Report (BODR) is currently being finalized, and will be presented to the City Commission for approval in January, 2013; and

WHEREAS, the proposed parking garage will be constructed on the two properties currently occupied by surface parking lots located on 23rd Street, behind the Miami Beach Regional Library and the Miami City Ballet building, bridging over Liberty Avenue; and

WHEREAS, the ground level of the proposed structure, between Park and Liberty Avenues, will provide approximately 17,500 sq. ft. of retail space, while the upper five (5) levels of the parking garage will accommodate approximately 470 parking spaces; and

WHEREAS, the main vertical circulation core for the parking structure will be located on the property behind the Miami Beach Regional Library, in a landscaped urban plaza; and

WHEREAS, the plaza will not only serve as the "grand lobby" for the parking structure, but it will also serve as a successful pedestrian node and meeting place for the Collins Park neighborhood; and

WHEREAS, the location of this entrance plaza and vertical circulation core has been carefully studied by the architects so that it will conveniently service 23rd Street, Liberty Avenue, the Regional Library, the public beach, Collins Park, the Bass Museum, and the City Miami Ballet; and

WHEREAS, the height of the first parking level that bridges over Liberty Avenue to create the urban plaza space (level 4), has been carefully studied in context with the Miami Beach Library north façade; and

WHEREAS, the façade has a series of windows and two verandas facing the plaza, which dictates the minimum clear height of 30 feet required for this public space; and

WHEREAS, the upper parking deck levels (5 and 6) have been designed with the typical 10 feet slab-to-slab height, allowing sufficient clearance for vans and mechanical services; and

WHEREAS, the top of the roof deck (level 6) is set at approximately 56 feet, exceeding the maximum height of 50 feet permitted within a local historic district; and

WHEREAS, in order to maintain the optimal clear height for the public plaza space, and the current number of parking levels, which provides approximately 470 spaces, it is necessary to waive certain development regulations, pertaining to the maximum allowable building height in this District, which has been determined to be 50 feet; and

WHEREAS, pursuant to Section 142-425(d)(e) of the City Code, the Mayor and City Commission may waive development regulations following a noticed public hearing advertised in the newspaper at least fifteen (15) days prior to the hearing; and

WHEREAS, at its December 12, 2012 meeting, the City Commission set a public hearing for its January 16, 2013 meeting to consider waiving the development regulations; and

WHEREAS, following such duly notified public hearing, the City Commission hereby grants a waiver of the City's development regulations by 6 feet regarding the maximum building height.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby grant a waiver of feet with regard to certain development regulations, pursuant to Section 142-425(e) of the City's Zoning Ordinance, for the Collins Park Garage Project, locate within the Museum Historic District and Collins Park Neighborhood; said waiver regarding the maximum building height.

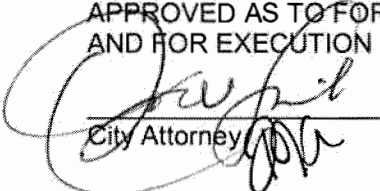
PASSED AND ADOPTED this 16th day of January, 2013.

ATTEST:

Rafael Granado, City Clerk

Matti Herrera Bower, Mayor

APPROVED AS TO FORM, LANGUAGE
AND FOR EXECUTION



City Attorney

1-11-13

Date

R7 - Resolutions

- R7D A Resolution Approving And Officially Adopting The Basis Of Design Report (BODR) For The Collins Park Garage Project (The Project).
(Capital Improvement Projects)
(Collins Park Place BODR - Under a Separate Cover)

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(MAYOR MATTI HERRERA BOWER'S VERSION)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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.

WHEREAS, Section 2.04 of the Miami Beach Charter provides that the "Mayor or the City Manager may call special meetings of the Commission upon at least twenty-four (24) hours written notice to each member, served personally, or left at his [/her] usual place of abode"; and

WHEREAS, in a Special Election held on August 14, 2012, the following ballot question was approved by the electorate of the City of Miami Beach, which provides for an additional method of calling a special meeting of the City Commission by a majority of the members of the Commission:

Shall Section 2.04 of the Miami Beach Charter be amended to provide that, in addition to being called by the Mayor or City Manager, special meetings of the City Commission may be called by a majority of the members of the Commission upon written notice to the City Clerk and in accordance with the procedures set forth in a resolution of the City Commission; and

WHEREAS, pursuant to City of Miami Beach Resolution No. 2012-28004, which was passed and adopted by the Miami Beach City Commission on September 12, 2012, the Miami Beach City Commission adopted the Miami-Dade County Canvassing Board's Certification of the Official Results of the August 14, 2012 Special Election for the above-stated City of Miami Beach ballot question and declared the results thereof; and

WHEREAS, Section 2.04 of the Miami Beach Charter has now been amended to include the following language:

...In addition, special meetings of the City Commission may be called by a majority of the members of the Commission upon written notice to the City Clerk and in accordance with the procedures set forth in a resolution of the City Commission"; and

WHEREAS, the following procedures for calling a special meeting by a majority of the members of the Miami Beach City Commission are hereby adopted in accordance with the above-stated Charter Amendment approved by the electorate in the August 14, 2012 City of Miami Beach Special Election:

Agenda Item R7I
Date 1-16-13

Procedures for the Calling of Special Meetings of the City Commission
by a Majority of the Members of the Commission.
Pursuant to Section 2.04 of the City Charter

A special meeting of the City Commission may be called by a majority of the members of the Commission. A special meeting shall be called only: (1) to address emergency matters that cannot be postponed until the next regularly scheduled city commission meeting and (2) whenever four or more members of the City Commission individually serve a written signed request for a special meeting upon the City Clerk by hand-delivery. The written request shall state the purpose(s) of the Special Meeting. The signature of the Mayor or of a Commissioner on each such request shall constitute a representation that the member of the City Commission intends to attend the Special Meeting.

Upon receipt of the initial signed written request for a Special Meeting from a member of the City Commission, the City Clerk shall immediately send notice thereof to the entire City Commission, as well as to the City Manager and the City Attorney. After receipt of a total of four or more written requests for a special meeting, the City Clerk shall schedule the Special Meeting and shall serve verbal and written notice (by hand-delivery or email) upon each member of the City Commission, the City Manager and the City Attorney, stating the date, hour, and place of the Special Meeting, and the purpose(s) for which such Special Meeting is called. The City Clerk shall use his or her best efforts to ensure that all, or as close as possible to all, of the members of the City Commission are available to attend the Special Meeting. The City Clerk shall further provide the public with Notice of the Special Meeting by publishing of the Special Meeting Notice on the City of Miami Beach's website, and shall also provide newspaper publication notice of the Special Meeting when there are at least seven (7) business days from the Clerk's scheduling of the Special Meeting to the date of the Special Meeting. At least 24 hours must elapse between the time the City Clerk receives four signed written requests for the Special Meeting and the time the Special Meeting is to be held. The City Commission chambers shall be made available for a special meeting whenever such a meeting is called. No business other than the purpose(s) stated in the Clerk's Notice of Special Meeting shall be transacted at the Special Meeting. If after reasonable diligence, it is impossible to give notice to each Commissioner, such failure shall not affect the legality of the Special Meeting if a quorum is present. The minutes of each special meeting shall show the manner and method by which notice of such special meeting was given to each member of the Commission.

A special meeting of the City Commission called pursuant to this Resolution may be cancelled as follows:

- (1) By motion adopted at a regular Commission meeting by a majority of the City Commission members present; or

- (2) By service upon the City Clerk of signed, written requests for cancellation of the special meeting from at least four members of the City Commission.

When a special meeting pursuant to this Resolution is cancelled, the City Clerk shall provide notice of said cancellation to each member of the City Commission, the City Manager, the City Attorney, and shall further provide the public with cancellation notice of the Special Meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt the procedures for the calling of special meetings by a majority of the members of the City Commission as set forth herein.

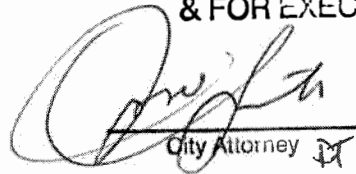
PASSED AND ADOPTED this ____ day of January, 2013.

ATTEST:

Matti Herrera Bower
Mayor

Rafael Granado
City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *JA*

1/10/13
Date

(NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE VERSION
12-17-12)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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.

WHEREAS, Section 2.04 of the Miami Beach Charter provides that the "Mayor or the City Manager may call special meetings of the Commission upon at least twenty-four (24) hours written notice to each member, served personally, or left at his [/her] usual place of abode"; and

WHEREAS, in a Special Election held on August 14, 2012, the following ballot question was approved by the electorate of the City of Miami Beach, which provides for an additional method of calling a special meeting of the City Commission by a majority of the members of the Commission:

Shall Section 2.04 of the Miami Beach Charter be amended to provide that, in addition to being called by the Mayor or City Manager, special meetings of the City Commission may be called by a majority of the members of the Commission upon written notice to the City Clerk and in accordance with the procedures set forth in a resolution of the City Commission; and

WHEREAS, pursuant to City of Miami Beach Resolution No. 2012-28004, which was passed and adopted by the Miami Beach City Commission on September 12, 2012, the Miami Beach City Commission adopted the Miami-Dade County Canvassing Board's Certification of the Official Results of the August 14, 2012 Special Election for the above-stated City of Miami Beach ballot question and declared the results thereof; and

WHEREAS, Section 2.04 of the Miami Beach Charter has now been amended to include the following language:

...In addition, special meetings of the City Commission may be called by a majority of the members of the Commission upon written notice to the City Clerk and in accordance with the procedures set forth in a resolution of the City Commission"; and

WHEREAS, the following procedures for calling a special meeting by a majority of the members of the Miami Beach City Commission are hereby adopted in accordance with the above-stated Charter Amendment approved by the electorate in the August 14, 2012 City of Miami Beach Special Election:

Procedures for the Calling of Special Meetings of the City Commission
by a Majority of the Members of the Commission.
Pursuant to Section 2.04 of the City Charter

A special meeting of the City Commission may be called by a majority of the members of the Commission. A special meeting shall be called whenever four or more members of the City Commission individually serve a written signed request for a special meeting upon the City Clerk by hand-delivery. The written request shall state the purpose(s) of the Special Meeting. The signature of the Mayor or of a Commissioner on each such request shall constitute a representation that the member of the City Commission intends to attend the Special Meeting.

Upon receipt of the initial signed written request for a Special Meeting from a member of the City Commission, the City Clerk shall immediately send notice thereof to the entire City Commission, as well as to the City Manager and the City Attorney. After receipt of a total of four or more written requests for a special meeting, the City Clerk shall schedule the Special Meeting and shall serve verbal and written notice (by hand-delivery or email) upon each member of the City Commission, the City Manager and the City Attorney, stating the date, hour, and place of the Special Meeting, and the purpose(s) for which such Special Meeting is called. The City Clerk shall use his or her best efforts to ensure that all, or as close as possible to all, of the members of the City Commission are available to attend the Special Meeting. The City Clerk shall further provide the public with Notice of the Special Meeting by publishing of the Special Meeting Notice on the City of Miami Beach's website, and shall also provide newspaper publication notice of the Special Meeting when there are at least seven (7) business days from the Clerk's scheduling of the Special Meeting to the date of the Special Meeting. At least 24 hours must elapse between the time the City Clerk receives four signed written requests for the Special Meeting and the time the Special Meeting is to be held. The City Commission chambers shall be made available for a special meeting whenever such a meeting is called. No business other than the purpose(s) stated in the Clerk's Notice of Special Meeting shall be transacted at the Special Meeting. If after reasonable diligence, it is impossible to give notice to each Commissioner, such failure shall not affect the legality of the Special Meeting if a quorum is present. The minutes of each special meeting shall show the manner and method by which notice of such special meeting was given to each member of the Commission.

A special meeting of the City Commission called pursuant to this Resolution may be cancelled as follows:

- (1) By motion adopted at a regular Commission City meeting by a majority of the City Commission members present; or
- (2) By service upon the City Clerk of signed, written requests for cancellation of the special meeting from at least four members of the City Commission.

When a special meeting pursuant to this Resolution is cancelled, the City Clerk shall provide notice of said cancellation to each member of the City Commission, the City Manager, the City Attorney, and shall further provide the public with cancellation notice of the Special Meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt the procedures for the calling of special meetings by a majority of the members of the City Commission as set forth herein.

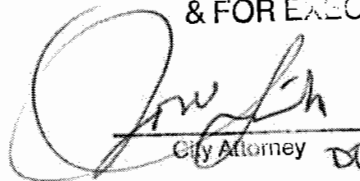
PASSED AND ADOPTED this ____ day of January, 2013.

ATTEST:

Matti Herrera Bower
Mayor

Rafael Granado
City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1/10/12

Date

RESOLUTION NO. 2013-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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 UNFORSEEN 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.

WHEREAS, On July 13, 2011, the City Commission, pursuant to Invitation to Bid (ITB) No. 27-10/11, approved the award of a construction contract to David Mancini & Sons, Inc. for the construction of the City of Miami Beach Right-of-Way Infrastructure Improvement Program Neighborhood No. 8E Bayshore, Sunset Islands I & II Project, in the amount of \$5,611,041 (the Agreement and the Project, respectively); and

WHEREAS, the contract is a Unit Price contract; and

WHEREAS, after clarifications and reductions took place prior to issuance of the second notice to proceed (NTP 2), the final approved contract amount was reduced to \$5,293,041; and

WHEREAS, on December 12, 2011, David Mancini & Sons, Inc. was issued the second Notice to Proceed (NTP 2) to mobilize and commence construction activities; and

WHEREAS, as of January 16, 2013 the project is 85% completed and has expended 74% of its original allocated contingency amount of \$561,104; and

WHEREAS, the Project is anticipated to be substantially completed during March 2013; and

WHEREAS, during the construction of the Project, the Administration determined that additional scope of work was warranted; and

WHEREAS, the City is requesting replenishment of expended contingency to cover additional costs for the installation of a permanent lighting system for Sunset Island 1 as a result of conflicts with the installation of the valley gutter; and

WHEREAS, funding is also being required for the removal of unsuitable backfill material and installation of suitable material required above the originally estimated quantities; and

WHEREAS, the City has identified the additional scope of work related to these unforeseen conditions and improvements that will require funding in the amount of \$765,128 plus a 10% variance of \$76,513, totaling \$841,641; and

WHEREAS, his amount less the remaining contingency balance of \$145,356 represents an additional \$696,285 required to address additional needs in the project required to bring it to finalization; and

WHEREAS, the administration is requesting that the remaining funding required be allocated to the project contingency, so as to allow change orders to be negotiated and properly executed pursuant to the requirements stated in the construction contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission of the City of Miami Beach, Florida, be authorized by the Mayor and City Clerk to approve 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.

PASSED AND ADOPTED this ____ day of _____, 2013.

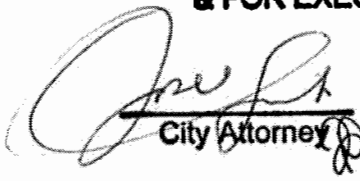
ATTEST:

RAFAEL E. GRANADO, CITY CLERK

MATTI HERRERA BOWER, MAYOR

T:\AGENDA\2013\January 16\Bayshore E - Sunset Islands 1 & 2\Bayshore E - Sunset Islands - RESO.docx

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

1-11-13

Date