

# MIAMI BEACH

## City Commission Meeting

### ADDENDUM MATERIAL 1

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
March 13, 2013

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

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.**

#### ADDENDUM AGENDA

##### C4 - Commission Committee Assignments

- C4N Referral To The Land Use And Development Committee To Discuss An Ordinance Requiring An Outside Firm Or The City Being The Entity That Mails Notice In Land Use Situations.  
(Requested by Vice-Mayor Jonah Wolfson)
- C4O Referral To The Finance And Citywide Projects Committee To Discuss Permit Expiration Courtesy Notices; Amnesty For Expired Permits; And Length Of Time For Building Permits.  
(Requested by Commissioner Deede Weithorn)
- C4P Referral To The Neighborhood/Community Affairs Committee To Discuss Unexpected Board Vacancies Requiring Commission Vote.  
(Requested by Commissioner Deede Weithorn)

**C4 - Commission Committee Assignments** (Continued)

- C4Q Referral To The Neighborhood/Community Affairs Committee To Discuss Bicyclist Safety Campaign With The Miami Beach Police Department, Deco Bikes And Local Bicycle Rental Companies.  
(Requested by Commissioner Deede Weithorn)
- C4R Referral To The Land Use And Development Committee To Discuss Chapter 30, Entitled "Code Enforcement," Article I, Entitled "In General," Article II, Entitled "Special Masters," And Article III, Entitled "Enforcement Procedure," Of The Code Of The City Of Miami Beach, Florida.  
(Requested by Vice-Mayor Jonah Wolfson)
- C4S Referral To The Land Use And Development Committee To Discuss Chapter 46, Entitled "Environment," Article IV, Entitled "Noise," Of The Code Of The City Of Miami Beach, Florida.  
(Requested by Vice-Mayor Jonah Wolfson)

**C7 - Resolutions**

- C7O A Resolution Rescinding Resolution No. 2013-28115 Which Created The Mayor's Ad Hoc Committee To Plan The 2013 Sustainable & Authentic Florida Conference And Dissolving Said Committee.  
(Requested by Mayor Matti Herrera Bower)  
(Legislative Tracking: City Attorney's Office)



# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

TO: Kathie Brooks, Interim-City Manager  
FROM: Jonah Wolfson, Vice Mayor  
DATE: March 7<sup>th</sup>, 2013  
SUBJECT: **Agenda Item**

Please place on the March 13<sup>th</sup>, 2013, Commission Meeting Agenda a referral to the Land Use and Development Committee to discuss an ordinance requiring an outside firm or the City being the entity that mails notice in Land Use situations.

If you have any questions, please contact Leonor Hernandez at extension 6437.

JW/lh

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# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Ms. Kathie Brooks, Interim City Manager  
Mr. Rafael Granado, City Clerk

FROM: Commissioner Deede Weithorn

DATE: March 7, 2013

SUBJECT: Referral to Finance Committee:  
**Permit Expiration Courtesy Notices; Amnesty for Expired Permits; and,  
Length of Time for Building Permits**

It has been the norm of our Building Department to send property owners and/or a permit holder a courtesy notification in the mail within 30 days of the expiration of their permit informing them that their permit will expire. The purpose of this notification is to allow a property owner or permit holder to request an inspection prior to a permit expiring to either close the permit or automatically extend the permit for a period of 180 if an inspection is approved. These courtesy notices also provide an opportunity for those property owners who have invested in pulling a permit but have as of yet not begun construction the opportunity request a permit extension prior to permit expiration.

Failure to extend, close, or renew a building permit prior to expiration will require a permit holder to pay a fee of 25% of the original permit fee plus a \$57 processing fee if the permit is renewed within 180 days of the expiration of the permit. If the request to renew a permit occurs after 180 days of the expiration date a fee of 25 percent of the original permit fee, plus a fee of 20 percent of the new permit fee shall be charged.

As a result of the expenses associated with renewing an expired permit, property owners and permit holders have come to rely on the notification cards which the Building Department mails to residents. Though the City's Building Department considers the notification cards a courtesy, they have become an expectation of the property owners and permit holders.

Recently, Commissioner Weithorn's office has received complaints from residents alleging late delivery and at times even no delivery of the Building Department's courtesy notification cards and, as a result, these property owners and permit holders have had their permit placed in expired status.

As such, Commissioner Deede Weithorn would like to refer to the Finance Committee a discussion item regarding the courtesy notification cards issued by the Building Department. As

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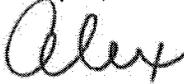
Agenda Item C40  
Date 3-13-13

part of this discussion, consideration should be given to the possibility of:

1. Creating policy formally establishing that the existing courtesy notices must be provided to property owners and/or permit holders at least 30 days prior to permit expiration;
2. Amnesty or a reduction of fees be provided to property owners and/or permit holders who have an expired permit as a result of receiving a late notification card which was post marked no earlier than 30 days prior to the expiration of a permit; and,
3. Allowing property owners to pull permits for a period of time more than six months and not to exceed one year and/or allow permit extensions of more than 180 days.

Should you have any questions and/or concerns, please do not hesitate to contact me at extension 6528.

Thank you,



Alex J. Fernández,  
Deputy to Commissioner Weithorn



# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Ms. Kathie Brooks, Interim City Manager  
Mr. Rafael Granado, City Clerk

FROM: Commissioner Deede Weithorn

DATE: March 7, 2013

SUBJECT: Referral to Neighborhoods Committee:  
**Unexpected Board Vacancies Requiring Commission Vote**

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Occasionally seats unexpectedly become vacant on the City's "power boards." Frequently these unexpected vacancies occur at times other than at the end of terms which usually occur at the end of the calendar year. These vacancies open the opportunity for a new appointment through a vote of the City Commission. Further, it has become the unwritten standard that, in order to be considered a viable applicant to fill a vacancy on any of these boards, the interested party should individually meet with the Mayor and City Commission to provide the elected officials the opportunity to get to know the applicant and his/her qualifications prior to casting a vote in favor or against their appointment to a board.

In an effort to provide interested and qualified residents an opportunity to apply and be considered for appointment, Commissioner Deede Weithorn would like to propose a minimum thirty day period between a seat becoming vacant (at times other than the end of a term or term limit) and a vote of the City Commission to fill the vacant seat. This period will especially help those interested parties who may have the necessary professional experience but lack the personal contact with the elected officials to quickly obtain a meeting.

Commissioner Weithorn would like to refer this item for discussion to the Neighborhoods Committee. Should you have any questions and/or concerns, please do not hesitate to contact me at extension 6528.

Thank you,

Alex J. Fernández,  
Deputy to Commissioner Weithorn

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# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Ms. Kathie Brooks, Interim City Manager  
Mr. Rafael Granado, City Clerk

FROM: Commissioner Deede Weithorn

DATE: March 7, 2013

SUBJECT: Referral to Neighborhoods Committee:  
**Bicyclist Safety Campaign**

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In its efforts to reduce traffic congestion, improve air quality and promote alternative modes of transportation, in March, 2011 the City of Miami Beach partnered with Deco Bike and together launched a successful bicycle share program. On January 24<sup>th</sup>, 2013, the Commission of the City of Miami voted unanimously to allow Deco Bike to expand its operations into Miami. This expansion will result in 50 new station locations and 500 bikes to be located in Miami's downtown, Coconut Grove, Omni, Little Havana, Midtown, Design District and the Brickell Financial District. And, according to Deco Bike's website, the new network will link with Deco Bike's well-known Miami Beach bike sharing program to form one of the largest programs in the US with 150+ station locations and more than 1,500 bikes.

With a membership of over 500,000 and over 1.2 million rides in 2012 alone, Deco Bikes touts its Miami Beach partnership as the busiest fleet-per-bike bicycle share program in the United States. As such, Miami Beach has witnessed an undisputable increase of bicyclists sharing the roadways with motor vehicles – a trend which can be expected to continue to increase once the City of Miami expansion is launched later in 2013.

With such great success in getting residents and visitors out of vehicles and on bicycles comes the responsibility of protecting the safety of all who use our roads. According to the Bikes Belong Foundation, most bicycle safety campaigns in the United States are geared to automobile drivers. However, other cities throughout the nation and internationally with high bicyclist activity have engaged in bicycle safety campaigns to educate bicyclists on the rights and laws that apply to them as well.

Cities such as Louisville, KY; Cambridge, MA; and, Columbia, MO have created initiatives with law enforcement to enforce bike safety laws. In Cambridge, MA local police are participating in physical education classes for kids' bicycle safety education. Portland, OR provides low income bicyclists free or discounted safety equipment including helmet, lights, reflectors, and bells.

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Larger and more traffic congested cities such as New York City provides bicyclists a helpful handbook with information on making cycling safer and easier, including applicable laws and tips on using newer bike facilities such as protected lanes and bike boxes.

In the State of Florida, as in New York, bicyclists have all of the rights and all of the duties applicable to the driver of any other vehicle – Florida State Statutes 316.2065. Though a bicyclist may be cited by law enforcement for violations of traffic laws, it is Commissioner Weithorn’s vision for the City of Miami Beach to engage in an educational campaign for bicyclists. As such, Commissioner Weithorn would like to refer to the Neighborhoods Committee a discussion item to create a public safety campaign with the Miami Beach Police Department, Deco Bikes, and local bicycle rental companies.

Should you have any questions and/or concerns, please do not hesitate to contact me at extension 6528.

Thank you,

A handwritten signature in black ink that reads "Alex". The signature is written in a cursive, flowing style.

Alex J. Fernández,  
Deputy to Commissioner Weithorn



# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

TO: Kathy Brooks, Interim-City Manager

FROM: Jonah Wolfson, Vice Mayor

DATE: March 8<sup>th</sup>, 2013

SUBJECT: Agenda Item

Please place on the March 13<sup>th</sup>, 2013, Commission Meeting Agenda a referral to the Land Use and Development Committee to discuss Chapter 30, entitled "Code Enforcement," Article I, entitled "In General," Article II, entitled "Special Masters," and Article III, entitled "Enforcement Procedure," of the Code of the City of Miami Beach, Florida.

If you have any questions, please contact Leonor Hernandez at extension 6437.

JW/lh

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# MIAMI BEACH

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## MEMORANDUM

TO: Kathy Brooks, Interim-City Manager  
FROM: Jonah Wolfson, Vice Mayor  
DATE: March 8<sup>th</sup>, 2013  
SUBJECT: Agenda Item

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If you have any questions, please contact Leonor Hernandez at extension 6437.

JW/lh

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# MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

To: Kathie G. Brooks, Interim City Manager

From: Matti Herrera Bower, Mayor

Date: March 7, 2013

Re: **Commission Agenda Item**

Please place on the consent agenda for the March 13, 2013 Commission Meeting a resolution to dissolve the *Mayors Ad Hoc Committee to Plan the Sustainable and Authentic Florida 2013 Conference*.

The Committee met recently and decided among themselves, through a duly passed motion, that the work required to produce a successful conference would best be accomplished through a separate not for profit organization.

I support their decision, urge the Commission to affirm their wishes and look forward to a successful Conference.

Should you have any questions, please contact Gabrielle Redfern at Extension 6157.

Thank you.

Agenda Item C70  
Date 3-13-13

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2013-28115 WHICH CREATED THE MAYOR'S AD HOC COMMITTEE TO PLAN THE 2013 SUSTAINABLE & AUTHENTIC FLORIDA CONFERENCE AND DISSOLVING SAID COMMITTEE.**

**WHEREAS**, Pursuant to Resolution No. 2013-28115, the Mayor and City Commission created a Mayor's Ad Hoc Committee ("Committee") whose purpose was to report to and receive input from the Mayor and City Commission with regard to the planning of the 2013 Sustainable & Authentic Florida Conference ("Conference") to be held in Miami Beach, Florida in October of 2013; and

**WHEREAS**, at the Committee's meeting of March 7, 2013, the Committee discussed the difficulties in proceeding forward in planning the Conference due to its structure as a City Commission and the ability of the Committee to best accomplish the planning of the Conference through the structure of a 501(c)(3) corporation; and

**WHEREAS**, based upon its discussion and careful consideration of the best way to proceed with the planning of the Conference, a motion was made and passed by the Committee to respectfully recommend to the Mayor and Commission that the Committee be dissolved; and

**WHEREAS**, the Mayor and City Commission accept the recommendation of the Committee.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that Resolution No. 2013-28115 is hereby rescinded and the Mayor's Ad Hoc Committee to plan the 2013 Sustainable & Authentic Florida Conference is hereby dissolved.

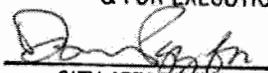
**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Matti Herrera Bower  
Mayor

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APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION  
  
\_\_\_\_\_  
CITY ATTORNEY      3/8/13  
DATE