

MIAMI BEACH

City Commission Meeting

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

April 17, 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

City Manager Jimmy L. Morales
City Attorney Jose Smith
City Clerk Rafael E. Granada

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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 February 2013.
(Requested by Commissioner Jorge R. Exposito)
- PA2 Certificates Of Recognition To Be Awarded To The Co-Founders Of The Winter Party Festival And Dade Human Rights Foundation.
(Requested By Commissioner Michael Góngora)
- PA3 Orange Bowl Presentation To City Of Miami Beach, For Appreciation Of Our Support For The 2013 Discover Orange Bowl And The 2013 Discover BCS National Championship Game.
(Requested by Mayor Matti Herrera Bower)
- PA4 Certificates Of Appreciation To Be Presented To The Miami Beach Women's Conference Committee For Their Support And To The Founders Of The Committee/Women's Exhibit.
(Requested by Mayor Matti Herrera Bower)
- PA5 Proclamation To Be Presented Declaring March 19 To March 23, 2013 As Fashion Week In The City Of Miami Beach.
(Requested by Commissioner Jerry Libbin)
- PA6 Certificates Of Appreciation To Be Presented To Participants Of The First Miami Beach Gun Buyback Event In The City Of Miami Beach.
(Requested by Commissioner Jerry Libbin)
- PA7 Proclamation To Be Presented Declaring April 11, 2013 As Parkinson's Day In Miami Beach.
(Requested by Commissioner Jerry Libbin)
- PA8 Proclamation To Be Presented To Dr. Maria Mercedes Pigni.
(Requested By Vice-Mayor Jonah Wolfson)
- PA9 Certificates Of Recognition To Be Presented To Susan Carman, Participant And The Children Trust Employer, In UNIDAD's Senior Placement Program.
(Requested By Vice-Mayor Jonah Wolfson)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Issue A Request For Qualifications (RFQ) For A Third Solid Waste Franchise Contractor To Provide Commercial Waste Collections And Disposal Services.
(Public Works/Procurement)

- C2B Request For Approval To Award Contracts To The Following Vendors: Solo Printing, Inc., Doral Digital Reprographics, Arc, And Tampa Envelope, Pursuant To Invitation To Bid No. 08-11/12, For Citywide Printing Services.
(Citywide/Procurement)

- C2C Request For Approval To Award A Contract Pursuant To Invitation To Bid No. 075-2013, For Two-Way Radio Subscriber Maintenance Services, To Control Communications, Inc., In An Estimated Annual Amount Not To Exceed \$100,000.
(Information Technology/Procurement)

- C2D Request For Approval To Issue A Request For Proposals (RFP) To Secure The Services Of A Consultant That Will Compile The City Stakeholder's Requirements And Recommend The Best Approach To Select And Replace The Existing Public Safety Radio System With A P25 Compliant System Before The 2016 Timeframe.
(Information Technology/Procurement)

- C2E Request For Approval To Issue A Request For Proposals (RFP) For Pay By Phone Services For The City's Parking Department.
(Parking Department/Procurement)

- C2F Request For Approval To Issue A Request For Proposals (RFP) For Gymnastic Program Instruction Services For The Parks And Recreation Department.
(Parks & Recreation/Procurement)

C4 - Commission Committee Assignments

- C4A Referral To The Land Use And Development Committee To Consider The Solicitation Of Letters Of Interest From Institutions Of Higher Education For The Development Of Our Municipal Assets In North Beach.
(Requested by Commissioner Deede Weithorn)

- C4B Referral To The Land Use And Development Committee - Discussion Regarding A Mass Transit Connectivity Feasibility Study Entitled "Beach Corridor Transit Connection Study" To Be Conducted By The Miami-Dade Metropolitan Planning Organization In Partnership With The City Of Miami Beach, City Of Miami, Miami-Dade Transit And The Florida Department Of Transportation.
(Public Works)

C4 - Commission Committee Assignments (Continued)

- C4C Referral To The Neighborhood/Community Affairs Committee To Discuss The Continuation Of The Adopt-A-Beach Pilot Program.
(Public Works)
- C4D Referral To The Neighborhood/Community Affairs Committee A Discussion On The Status Of The Naming Of The Tennis Center At Flamingo Park.
(Requested by Mayor Matti Herrera Bower)
- C4E Referral To The Land Use And Development Committee A Resolution To Amend The City's Human Rights Ordinance To Require The Posting Of Notices In Every Place Of Housing And Housing Accommodation And City Of Miami Beach Department And Facility That Is Subject To The Human Rights Ordinance.
(Requested by Mayor Matti Herrera Bower)
- C4F Referral To Neighborhood/Community Affairs Committee - An Ordinance Amending Miami Beach City Code Chapter 2 Entitled "Administration," Article VII Entitled "Standards Of Conduct," Division 2 Entitled "Officers, Employees, And Agency Members," By Amending Section 2-446 Thereof Entitled "Declaration Of Policy" To Provide For Limited Standards Of Conduct Applicable To The City's Special Masters, And Creating City Code Section 2-461 Establishing Special Master Lobbying Prohibitions; Providing For Repealer, Severability, Codification, And An Effective Date.
(Requested by Commissioner Deede Weithorn)
- C4G Referral To The Neighborhood/Community Affairs Committee And Committee On Quality Education - A Resolution Supporting The Efforts Of Miami-Dade County And The Miami-Dade County Public Schools' Joint Roundtable On Youth Safety.
(Requested by Mayor Matti Herrera Bower)
- C4H Referral To The Neighborhood/Community Affairs Committee To Discuss The Restoration Of Monument Island.
(Requested By Commissioner Michael Góngora)
- C4I Referral To The Finance And Citywide Projects Committee To Discuss Small Cells On Existing Polls.
(Requested By Commissioner Michael Góngora)

C6 - Commission Committee Reports

- C6A Report Of The Joint Neighborhood/Community Affairs Committee And Land Use Development Committee Meeting Of March 19, 2013: **1a)** Discussion Regarding Miami Beach Mass Transit Loop. **1b)** Discussion Regarding Transit Enhancements For North Beach. **2)** Mass Transit Connectivity. **3a)** Discussion Regarding The Bike Master Plan. **3b)** Discussion Regarding The Comprehensive Bike Master Plan. **3c)** Discussion Regarding The Impact Of Bicycles - Including The Deco Bike Program And The Bike Master Plan - And Other Vehicles, Such As Segways And Skateboards, On Sidewalks And Pedestrian Paths. **3d)** Discussion Regarding Updating The Bikeways Master Plan To Better Interact With The City's Traffic Calming Planning. **4a)** Discussion Regarding Status Of Beach Walk From Sunrise Plaza To 4th Street. **4b)** Status Update For The Beach Walk From Sunrise Plaza To Fifth Street.
- C6B Report Of The Capital Improvement Projects Oversight Committee Meeting Of January 14, 2013: **1)** Attendance. **2)** Review And Acceptance Of Minutes. **3)** Approval Of 2013 Meeting Dates. **4)** Public Comments. **5)** Old Business/Requested Reports: **a.** North Beach Neighborhoods: **1.** Status Report: Normandy Isle Phase II Neighborhood Improvements; **2.** Status Report: Biscayne Point Neighborhood Improvements Project. **b.** Middle Beach Neighborhoods: **1.** Status Report: Central Bayshore Improvements; **2.** Status Report: Lake Pancoast Improvements; **3.** Status Report: Sunset Islands I & II; **4.** Status Report: Sunset Islands III & IV; **5.** Status On Lower North Bay Road. **c.** South Beach Neighborhoods: **1.** Status Report: Venetian Island Neighborhood Improvement Project; **2.** Status Report: Palm & Hibiscus Island Undergrounding; **3.** Status Report: South Pointe Phase III, IV, & V Neighborhood Improvement Project. **6)** Commission Items: **a.** 6th And 53rd Street Restrooms Project. **b.** Sunset Islands I & II Project. **c.** Collins Park Garage Project. **d.** South Pointe Park Pier Project. **7)** Additional Discussion: Capital Improvement Projects Web Site.

(Capital Improvement Projects)

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Neighborhood/Community Affairs Committee Meeting Of March 18, 2013: **1a)** Discussion Regarding How Compliance Will Be Measured In Future Bids That Include Requirements To Take Affirmative Steps To Encourage The Use Of Certified Minority And Women Owned Businesses, Veterans, And Local Preference. **1b)** Discussion Regarding A Review And Consider Modification To The Military Veterans Vendor Preference Ordinance No. 2011-3748. **1c)** Discussion To Review And Consider Modification To The Local Vendor Preference Ordinance No. 2011-3747. **2)** Discussion Regarding Proposed Amendments To The City's Film And Print Guidelines. **3)** Discussion Regarding The Fine Schedule For A Proposed Ordinance Amending The Following Chapters In The Code Of The City Of Miami Beach To Provide Civil Enforcement And Penalty Provisions To Replace Criminal Misdemeanor Enforcement And Penalty Provisions As Follows: Amending Chapter 70 Entitled "Miscellaneous Offenses," By Amending Article I, Entitled "In General," By Amending Section 70-6, Entitled "Penalties," To Provide Civil Penalties And Special Master Enforcement Provisions Relative To The Prohibitions In Chapter 70, Except For Violations Of Section 70-3 Entitled "Vibration"; By Amending Chapter 74 Of The Miami Beach City Code Entitled "Peddlers And Solicitors," By Amending Article I, Entitled "In General," By Amending Section 74-1 Entitled "Soliciting Business In Public From Pedestrians," By Providing That The Solicitation Of Any Food, Beverage Or Service Is Also A Prohibited Activity And Providing Civil Penalties And Special Master Enforcement Provisions; By Amending Chapter 82 Of The Miami Beach City Code Entitled "Public Property," By Amending Article I, Entitled "In General," By Amending Section 82-1, Entitled "Conducting Business On Streets, Parks Or Other Public Property," By Providing Civil Penalties And Special Master Enforcement Provisions. **4)** Discussion Involving A Long Term Solution For The Ongoing Rodent issue on 41st Street. **5a)** Discussion Regarding Coordination Of FDOT Projects In The City. **5b)** Discussion Regarding A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Temporary License Agreements, Permanent Easement Agreements, And A Storm Water Pump Stations And Pollution Control Structures Maintenance Memorandum Of Agreement, In Substantially The Attached Forms, With The Florida Department Of Transportation, For The Construction, Harmonization, And Maintenance Of Proposed Improvements As Part Of The State Road 907/Alton Road Project From 5th Street To Michigan Avenue. **6)** Discussion Regarding The Illegal Vendors, Including Illegal Tobacco Vendors In Miami Beach. **7)** Discussion Regarding Forming A Corporate Partnership With City Of Miami Beach And Barry University. **8)** Quarterly Report Crime Statistics.
- C6D Report Of The Finance And Citywide Projects Committee Of March 21, 2013: **1)** Discussion Regarding The Issuance Of Request For Proposals (RFP) For Catering And Concession Services For The Miami Beach Convention Center. **2)** Discussion Regarding The Status Of Agreed Upon Audit Procedures For Towing Companies. **3)** Discussion Regarding Water Conservation Methods And Implementation. **4)** Discussion Regarding Authorizing The City Manager To Negotiate And Enter Into Temporary Licensing-Use Agreements With Contractors Requiring The Use Of City-Owned Property For The Purpose Of Staging And/Or Storage Of Construction Equipment In Connection With City Or Privately Funded Construction Projects. **5)** Discussion Regarding 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. **6)** Discussion Regarding The Possible World Out Games Miami Beach 2017 Funding. **7)** Discussion Of Performance And Operational Audit By Crowe Horwarth. **8)** Discussion Regarding The Bike Lanes At Central Bayshore. **9)** Discussion Regarding The Issuance Of A Request For Qualifications For A Third Franchise Solid Waste Contractor For Residential And Commercial Solid Waste Collections And Disposal. **10)** Discussion Regarding The Waiver Of Square Footage Fee And Lummus Park User Fees For Gay Pride 2013.

C7 - Resolutions

C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Applications: 1) A Grant Application To The Children's Trust Service Partnership Program For Funding, In The Approximate Amount Of \$720,000, For The City's Success University Program; 2) A Grant Application To The State Of Florida, Division Of Emergency Management, For Federal Funding From The U.S. Department Of Homeland Security, Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program, In The Approximate Amount Of \$120,000, For The Window Replacement Project At The Miami Beach Botanical Garden; 3) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The City's Out-Of-School Program, In The Approximate Amount Of \$310,000, To Provide Afterschool And Summer Services; 4) A Request To Negotiate And Execute A Contract Renewal With The Children's Trust For The Early Childhood Development Program In The Approximate Amount Of \$150,000, For The City's Parent-Child Home Program; And, Retroactively For: 5) An Application To The Re.Invest Initiative For Expertise And Staffing Support Relative To Sustainable Urban Infrastructure; And 6) A Request For Water Project Funding To The House Agriculture And Natural Resources Subcommittee In The Amount Of \$500,000, For The Bayshore Neighborhood Right Of Way Improvements Project (Lower North Bay Road); Authorizing The Execution Of All Necessary Documents Related To These Applications, Including, Without Limitation, Audits Of Such Grants, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants.

(Budget & Performance Improvement)

C7B A Resolution Accepting A Donation In The Amount Of \$10,000.00 From The Miami Beach Education Foundation From Proceeds Of The Miami Beach Chamber Of Commerce's Annual Golf Tournament To Be Utilized By The City Of Miami Beach's International Baccalaureate (IB) Educational Program, And Appropriating The \$10,000.00 Donation To City's IB Program.

(Requested by Commissioner Jerry Libbin)

(Legislative Tracking: Budget & Performance Improvements)

C7C A Resolution Retroactively Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2, To The Existing Professional Architecture & Engineering Services Agreement Between The City Of Miami Beach And Schwebke-Shiskin & Associates, Inc. (SSA), Dated December 14, 2011, For The Bayshore Neighborhood No. 8E - Sunset Islands I & II Right Of Way Project; In The Negotiated Not-To-Exceed Amount Of \$107,098; To Provide Extended Resident Project Representation And Additional Consulting Services During Construction Of The Project; With Previously Appropriated Funding.

(Capital Improvement Projects)

C7D A Resolution Approving The Second Year Renewal Option To The Professional Services Agreement Between The City And RBC Dain Rauscher, Inc., Now Known As RBC Capital Markets, LLC, Dated March 14, 2007, For Financial Advisory Services; Said Renewal Term Having Been Deemed To Commence Retroactively On March 15, 2013, And Ending On March 14, 2014.

(Finance Department)

C7 - Resolutions (Continued)

- C7E A Resolution Authorizing The Donation Of Two (2) Freightliner FL60 Ambulances, In "As Is" Condition, To Our Sister City Of Ica, Peru; And Authorizing The Donation Of Fifteen (15) Incomplete Sets Of Firefighting Protective Clothing, Forty-Five (45) Sections Of Hose, And Ten (10) Self Contained Breathing Apparatus (SCBA), In "As Is" Condition, To Our Sister City Of Cozumel, Mexico.

(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: Fire Department)

- C7F A Resolution Approving An Extension To The Services Framework Agreement Between The City And Parkeon, Inc., For Technical Support Services, Parkfolio And Online Credit Card Processing, Maintenance, And Extended Hardware Warranty; Said Amendment Commencing On July 1, 2013 And Expiring On June 30, 2014; Further Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Agreement.

(Parking Department)

- C7G A Resolution Accepting The Recommendation Of The Joint Neighborhood/Community Affairs And Land Use And Development Committees, And Authorizing The City Manager To Negotiate And Execute An Interlocal Agreement With The Miami-Dade Metropolitan Planning Organization For A Mass Transit Connectivity Feasibility Study To Be Conducted By The Miami-Dade Metropolitan Planning Organization; And Further Allocating \$25,000 Towards The Total Cost Of The Feasibility Study.

(Public Works)

- C7H A Resolution Setting A Public Hearing To Consider A Revocable Permit Request By The Ungar-Marshall Company To Permit Two Encroachments Into The Rights-Of-Way Adjacent To The Retail Property Located At 1100 Lincoln Road (The Gap Store): 1) A Proposed Metal Canopy With Horizontal Dimensions Not To Exceed Five Feet Eleven Inches (5'-11") Along Michigan Avenue, Six Feet (6') Along Lincoln Road Mall, And Ten Feet Four Inches (10'-4") Above The Sidewalk; And 2) A Proposed Concrete Eyebrow, Having Horizontal Dimensions Not To Exceed A Length Of 6 Feet (6') Along Lincoln Road And Michigan Avenue, At A Height Of Approximately 30 Feet (30'-00") Above The Sidewalk.

(Public Works)

- C7I A Resolution Approving And Adopting The City Of Miami Beach Local Housing Assistance Plan (LHAP) For The State Housing Initiatives Partnership (SHIP) Program For Fiscal Years 2013/2014, 2014/2015, And 2015/2016, As Required By The State Housing Initiatives Partnership Program Act, Subsections 420.907 - 420.9079; Authorizing Execution Of The Necessary Certifications By The Mayor And The City Clerk; Authorizing Submission Of The Local Housing Assistance Plan To The Florida Housing Finance Corporation For Its Review And Approval; Authorizing The Appropriation Of SHIP Program Funds For Fiscal Years 2013/2014, 2014/2015 And 2015/2016 In Amounts To Be Determined By The State Of Florida Or Such Final Allocation Amounts As Adjusted By The Florida Housing Finance Corporation; And Authorizing The Appropriation Of Any Interest Accrued Thereon For Eligible Activities Under The SHIP Program Rules.

(Real Estate, Housing & Community Development)

C7 - Resolutions (Continued)

- C7J A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Waiving The Square Footage And Lummus Park User Fees For Gay Pride 2013.
(Tourism & Cultural Development)
- C7K A Resolution Waiving, By A 5/7ths Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Purchase Of Food And Snacks From Publix, Costco, Gordon Foods, And BJ's Wholesale To Be Consumed By: A) The City's Parks And Recreation Department's Participants In Their After-School Programs, Summer Camps, Special Events And Other Programmed Activities, And B) Other Departments And Offices Citywide, As Approved In Their Respective Annual Budgets; Said Waiver Shall Be Authorized For A Period Of Three (3) Years, On A Year-To-Year Basis, Contingent Upon City Commission Approval Of The Departments' Related Budget Allocation(s) During The Adoption Of The City's Annual Budget.
(Parks & Recreation)
- C7L A Resolution Exercising A Month-To-Month Extension Of The Agreement Between The City And Clear Channel Adshel Inc., To Construct, Operate And Maintain Directory Structures In The Lincoln Road Area; Which Expires On April 17, 2013; With Said Extension Commencing On April 18, 2013, And Terminating, For Convenience And Without Cause, At Such Time As New Directory Structures Are Replaced And Installed.
(Public Works)
- C7M A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement With Industrial/Organizational Solutions, Inc., Approved By The City Commission On July 18, 2012. Said Amendment To Provide Additional Testing Services During The First Contract Year For Police And Fire Entry Level Positions; And Requesting Additional Funding, In An Amount Not To Exceed \$70,000.
(Human Resources)
- C7N A Resolution Accepting A Donation For Monument Island.
(Requested By Commissioner Michael Góngora)
(Legislative Tracking: City Attorney's Office)

End of Consent Agenda

REGULAR AGENDA

C2 - Competitive Bid Reports

- R2A Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 049-2013TC, For The City Of Miami Beach Flamingo Park Football Field/Track Renovation Project; Authorizing The Mayor And City Clerk To Execute An Agreement With CSR Heavy Construction, Inc., In The Amount Of \$2,266,016 For The Construction Of The Project, Plus Approve A Project Contingency Of 10% For A Not-To-Exceed Grand Total Of \$2,492,618; Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project.
- (Capital Improvement Projects/Procurement)

R5 - Ordinances

- R5A CD-2 Self Storage
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 5, CD-2 "Commercial, Medium Intensity District," By Permitting "Self-Storage Warehouses" As A Conditional Use In This Zoning District; Providing For Repealer, Severability, Codification And An Effective Date.
10:45 a.m. Second Reading Public Hearing
(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: Planning Department)
(Continued from March 13, 2013/Referred to LUDC)
- R5B No Wake Zone Ordinance
An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 66, Entitled "Marine Structures, Facilities And Vehicles," By Amending Article II, To Be Entitled "Restricted Wake Zones," To Create Regulations For Restricted Wake Zones; Providing For A Purpose; Providing For Definitions; Providing For Restricted Areas; Providing For Posting Of Regulatory Markers; Providing For Exemptions; Providing For Enforcement And Penalties; Providing For Repealer, Severability, Codification, And An Effective Date. **11:00 a.m. Second Reading Public Hearing**
(Requested by Commissioner Jorge R. Exposito)
(Legislative Tracking: City Attorney's Office)
(First Reading on March 13, 2013/Referred to LUDC)
- R5C An Ordinance Amending Chapter 12 Of The Miami Beach City Code, Entitled "Arts, Culture And Entertainment," By Amending Article I Thereof, Entitled "Film And Print Production Permits," By Amending Section 10 Entitled "Enforcement"; And Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**
(Requested by Neighborhood/Community Affairs Committee)
(Legislative Tracking: Tourism & Cultural Development)

R5 - Ordinances (Continued)

- R5D An Ordinance Amending Chapter 10 Of The Miami Beach City Code Entitled "Animals," By Amending Section 10-11, Entitled "Running At Large Prohibited," By Extending The Pilot Program Off-Leash Area For Dogs In South Pointe Park Through And Including December 31, 2013; By Amending The Afternoon Off-Leash Hours In The Designated Area From Between 4:00 p.m. And 7:00 p.m. To Between 6:00 p.m. And 9:00 p.m., Monday Through Friday; And Relocating The Off-Leash Area From The Area South And East Of The Washington Avenue Entry Plaza To Its Original Location In The Triangular Area South And West Of The Washington Avenue Entry Plaza; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**
(Requested by the City Commission)
(Legislative Tracking: Parks & Recreation)

R5E Ordinances Amending Procedures For Vendor Preference

1. An Ordinance Amending Section 2-372 Of The Miami Beach City Code, Entitled "Procedures To Provide Preference To Miami Beach-Based Vendors In Contracts For Goods And Contractual Services;" Amending Section 2-372(1)(b) Thereof, To Require That Miami Beach-Based Vendors Have A Business Tax Receipt To Provide The Goods And Services Required Under A Subject City Bid For At Least One (1) Year Prior To The Issuance Of The Bid, As Well As Have Their Business Headquarters, Or An Office Of The Business, Within The City For A Period Of At Least One (1) Year Prior To The Issuance Of The Bid; And Amending Section 2-372(2)(b) To Limit Such Preference Only To Proposers; Providing For Codification, Repealer, Severability, And An Effective Date.
First Reading
2. An Ordinance Amending Section 2-374 Of The Miami Beach City Code, Entitled "Procedure To Provide Preference To Veterans In Contracts For Goods And Contractual Services;" By Amending Section 2-374(2)(b) To Limit Such Preference Only To Proposers; Providing For Codification, Repealer, Severability, And An Effective Date.
First Reading
(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: Procurement)

R7 - Resolutions

- R7A A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Third Amendment To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; And Further Approving, Following A Duly Noticed Public Hearing As Required By Section 142-362 Of The City Of Miami Beach Code, An Entertainment Component, Which Will Be Added As An Additional Use Of The Leased Premises In Conjunction With Tenant's Re-Opening And Re-Branding Of Such Premises. **10:00 a.m. Public Hearing, Joint City Commission & Redevelopment Agency**
(Real Estate, Housing & Community Development)

R7 - Resolutions (Continued)

- R7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Employment Agreement Between The City Of Miami Beach And City Manager Jimmy Morales, With The City Manager's Term Of Employment Having Deemed To Commence Retroactively, As Of April 1, 2013.

(City Attorney's Office)
(To Be Submitted In Supplemental)

- R7C A Resolution Approving In Substance The Terms Of A Professional Services Agreement With The International City/County Management Association ("ICMA") For Review And Recommendations For Efficiencies For The Fire Department; Authorizing The City Manager And City Attorney's Office To Negotiate And Draft The Agreement Based Upon The Approved Terms; And Authorizing The Mayor And City Clerk To Execute The Final Agreement In An Amount Not To Exceed \$70,000.

(City Manager's Office)
(Not Reached on March 13, 2013)

- R7D A Resolution Adopting The First Amendment To The General Fund, Enterprise, Internal Service And Special Revenue Funds Budgets For Fiscal Year (FY) 2012/13 To Appropriate Funds Carried Forward From FY 2011/12, And To Appropriate Funds To The Waste Haulers Additional Services And Public Benefit Fund Budget, To Be Funded By Additional Contributions From The City's Existing Waste Haulers.

(Budget & Performance Improvement)

- R7E A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its December 20, 2012 Meeting, And Waiving, By 5/7th Vote, The Formal Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Negotiate, In Accordance With The Substantive Terms (In The Term Sheet Attached As Exhibit "A" To This Resolution) And, If Successful, Execute A New Agreement With Professional Course Management II, LTD., For The Management And Operations Of The City Of Miami Beach Golf Courses, Clubhouses And Related Facilities; With Said Agreement Having An Initial Term Of Three (3) Years, With Two (2) One (1) Year Renewals, At The City's Sole Discretion.

(Parks & Recreation Department)

- R7F A Resolution Approving And Appointing, Pursuant To Sections 142-108(g)(3) And 118-537(b) Of The Miami Beach City Code, _____, To Serve As Special Master, On The Appeal Of "In Re: 42 Star Island Drive, Miami Beach, FL", Case No. HPSM-13-001, DRB File No. 22936.

(City Clerk's Office)

R7 - Resolutions (Continued)

R7G Bicycle Lane Along Prairie Avenue And Royal Palm Avenue

1. A Resolution Accepting The Recommendation By Staff And Respective Consultants Atkins North America, Inc. And Street Plans, Inc., Following A Presentation To The Finance And Citywide Projects Committee On March 21, 2013, And Maintaining The Current Width Of Prairie Avenue As Well As Its Respective Bicycle Lanes, Pursuant To The Regulations Established By Miami-Dade County Public Works, And Further Retaining Royal Palm Avenue's Current Design As Proposed In The Construction Plans, And As Approved Under Resolution 2013-28163 Via Amendment No. 2 To Lanzo Construction Co.
2. A Resolution Rejecting The Recommendation By Staff And Respective Consultants Atkins North America, Inc. And Street Plans, Inc., Following A Presentation To The Finance And Citywide Projects Committee On March 21, 2013, And Directing Staff To Continue To Evaluate The Reduction Of Prairie Avenue To Eliminate The Current Bicycle Lanes And Study Further The Possibility Of Including An Advisory Bicycle Lane Along Both Prairie Avenue And Royal Palm Avenue; And Further Authorizing The City Manager To De-Program Work Associated In The Construction Of The Valley Gutters, As Well As Proposed Re-Grading And Milling And Resurfacing Along Prairie Avenue, As Outlined In Amendment No 2, And As Authorized Under Resolution 2013-28163; Modifying Such Amendment To Add To The Contract Funds For A One Inch (1") Overlay Of Asphalt Over The Current Existing Roadway, And Resurface The Street To A Drivable Condition During The Experiment And Approval Process For An Advisory Bicycle Lane, By Providing For All Respective Credits And Charges To Be Further Defined And Amended Into The Contract At A Later Date.

(Capital Improvement Projects Office)

R7H A Resolution Consenting To And Confirming The Appointment Of Sylvia Crespo-Tabak As The Director Of Human Resources For The City Of Miami Beach.

(Human Resources)

R7I A Resolution Consenting To And Confirming The Appointment Of Mariano V. Fernandez As The Director Of Building Department And Building Official For The City Of Miami Beach.

(Human Resources)

R7J A Resolution Consenting To And Confirming The Appointment Of Keith R. Kleiman As The Director Of The Office Of Budget And Performance Improvement For The City Of Miami Beach.

(Human Resources)

R7K A Resolution Consenting To And Confirming The Appointment Of Eric T. Carpenter As The Director Of Public Works Department For The City Of Miami Beach.

(Human Resources)

R7 - Resolutions (Continued)

R7L A Resolution Approving Option "A" And Accepting The Recommendation Of The City Manager Pursuant To Invitation To Negotiate No. 059-2013ME, For Food And Beverage Services For The Miami Beach Convention Center (ITN), And Authorizing The Administration To Enter Into Negotiations With The Second And Third Ranked Proposers, Centerplate And Aramark; Or, In The Alternative, Approving Option "B" And Rejecting All Proposals In Response To The ITN, And Authorizing The Administration To Include The Provision Of Food And Beverage Services For The Miami Beach Convention Center As A Component Of The Scope Of Services In The New Convention Center Management And Operation Agreement Being Negotiated With Global Spectrum.

(City Manager/Procurement)

R7M Calling For A Special Election To Amend Charter Section 2.02 With Regard To Term Limits For The Mayor And City Commissioners

1. A Resolution Calling For A _____, 2013 City Of Miami Beach Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Miami Beach City Charter Section 2.02 Should Be Amended To Provide That Commencing With The City's General Election In November 2013 The "Consecutive" Term Limit Language Shall Be Deleted, Providing Instead For Term Limits Of Six Years (Three Terms) For Mayor And Eight Years (Two Terms) For Commissioner, Retaining Remaining Provisions In Charter Section 2.02 Including Retroactive Applicability Of Term Limits.

2. A Resolution Calling For A _____, 2013 City Of Miami Beach Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether Miami Beach City Charter Section 2.02 Should Be Amended To Provide That Commencing With The City's General Election In November 2013 Term Limits Set Forth Therein Are Subject To A Lifetime Ban On Further Election To The City Commission For Individuals Who Have Served 14 Consecutive Years As Members Of The City Commission, Retaining Remaining Provisions In Charter Section 2.02 Including Retroactive Applicability Of Term Limits.

(Requested by Commissioner Edward L. Tobin)

(Legislative Tracking: City Attorney's Office)

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.)

R9 - New Business and Commission Requests (Continued)

- R9C Update On The Miami Beach Convention Center Project.
(City Manager's Office)
- R9D Discuss A Resolution Urging The United States Congress To Support National Immigration Reform That Leads To A Pathway To United States Citizenship.
(Requested by Mayor Matti Herrera Bower)
- R9E Discuss Repealing Sec. 74-1, Entitled "Soliciting Business In Public From Pedestrians" Of The Code Of The City Of Miami Beach, Florida And/Or A Referral To The Land Use And Development Committee To Discuss Said Section 74-1.
(Requested by Vice-Mayor Jonah Wolfson)
- R9F Discuss A Resolution Requiring The Two Short Listed Proposer Firms Being Disqualified If They Do Not Submit The Required Affidavits On Or Before May 1, 2013, For The Convention Center RFQ.
(Requested by Vice-Mayor Jonah Wolfson)
- R9G Discussion Of Actuarial Valuation Reports For The City's Two Pension Plans, The Miami Beach Employees Plan And The City Pension Fund For Firefighters And Police Officers.
(Requested by Commissioner Deede Weithorn)

R10 - City Attorney Reports

- R10A City Attorney's Status Report.
(City Attorney Office)
- R10B Notice Of Closed Executive Session
Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, April 17, 2013, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Of Actuarial Valuation Reports For The City's Two Pension Plans, Miami Beach Employees Plan And The City Pension Fund For Firefighters And Police Officers.
(Requested by Commissioner Deede Weithorn)

Reports and Informational Items

1. Reports and Informational Items (see LTC No. 118-2013)
2. List of Projects Covered by the Cone of Silence Ordinance - LTC.
(Procurement)

End of Regular Agenda

Miami Beach Redevelopment Agency

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
April 17, 2013**

Chairperson of the Board Matti Herrera Bower
Member of the Board Jorge Exposito
Member of the Board Michael Góngora
Member of the Board Jerry Libbin
Member of the Board Edward L. Tobin
Member of the Board Deede Weithorn
Member of the Board Jonah Wolfson

Executive Director Jimmy L. Morales
Assistant Director Jorge Gomez
General Counsel Jose Smith
Secretary Rafael E. Granado

AGENDA

1. NEW BUSINESS

- A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency (RDA), Approving And Authorizing The Chairperson And Secretary To Execute A Third Amendment To That Certain Retail Lease Agreement By And Between The City Of Miami Beach, The Miami Beach Redevelopment Agency (Collectively, Lessor), And Penn 17, LLC (Lessee), Dated September 16, 2011, Involving The Lease Of Approximately 7,655 Square Feet Of Ground Floor Retail Space At The Pennsylvania Avenue Garage, 1661 Pennsylvania Avenue, Miami Beach, Florida; And Further Approving, Following A Duly Noticed Public Hearing As Required By Section 142-362 Of The City Of Miami Beach Code, An Entertainment Component, Which Will Be Added As An Additional Use Of The Leased Premises In Conjunction With Tenant's Re-Opening And Re-Branding Of Such Premises. **10:00 a.m. Public Hearing, Joint City Commission & Redevelopment Agency**

(Real Estate, Housing & Community Development)