



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

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

FROM: Jimmy L. Morales, City Manager

DATE: April 17, 2013

SUBJECT: **REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE HELD ON MONDAY, MARCH 18, 2013**

A meeting of the Neighborhood/Community Affairs Committee was held on Monday, March 18, 2013 at 3:00 pm, in the City Manager's Large Conference Room. **Commissioners in attendance:** Commissioners Ed Tobin, Jerry Libbin and Jorge Exposito. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

THE MEETING OPENED AT 3:31 PM.

1. **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.**
 - b) **Discussion Regarding A Review And Consider Modification To The Military Veterans Vendor Preference Ordinance No. 2011-3748.**
 - c) **Discussion To Review And Consider Modification To The Local Vendor Preference Ordinance No. 2011-3747. (3:31PM)**

Commissioner Libbin presented the item. The way it is being handled, he said, is not what he intended. The evaluation committee was given the Request for Qualifications (RFQ), a score sheet with all the companies on it, and a score already assigned on how many points they already have for various preferences, like veterans, local vendors, etc., thus eliminating the ability to score them independently.

- 1) The points should be blind, the committee shouldn't have knowledge of who's getting what, and the ranking should be based on the total amount of points after the administration applies the points, then determined who is first, second or third.
- 2) We need a better definition to define a local vendor. Does the vendor need to have an office within the City? Does the vendor need to have a main office in the City doing the same business?

Raul Aguila added that it was a good idea to add that the vendor should have an office in the City during the duration of the proposal.

Commissioner Libbin added that this should only apply to the principal team members, not the whole team that they submit the proposal.

Commissioner Tobin stated that he liked the idea of local preference, but asked if this really helps the City of Miami Beach.

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Alex Denis, Procurement Director, stated that there were two issues: 1) The definition of local preference; and 2) Whether or not it is the Team or Principal which qualifies for the designation. According to most agencies, like the County, City of Miami, State of Florida and Federal GSA, the principal is the defining member. As to the local preference, the City recently implemented a requirement that applicants had to have a lease within city limits for at least 6 months prior to their submittal.

Commissioner Tobin asked Alex Denis to figure out the best way to do this, in order to accomplish the objective. He also suggested revisiting the issue in 6 months to a year. He went on to say that if the City got more contracts with companies hiring veterans and employing locals, maybe applicants will employ a little bit more scrutiny pre-screening employees.

Kathie G. Brooks, Interim City Manager, agreed and stated that the City is trying to define what is important. Currently, we look for the State Certification verifying a veteran-owned business. Is this enough? Or is it that they also employ veterans as well?

Commissioner Libbin stated that companies on the State Certified list qualify.

Erick ...
Bill Diggs Spoke

Raul Aguila asked the commissioners to give recommendations on the items discussed today including: 1) Blind Scoring; 2) The clarification as to principals; and 3) Establishing 6 months residency requirement.

Commissioner Libbin made a motion to strengthen this ordinance for local and veteran vendors with the points applied at the end and requiring the principal to have a local office in the City one year prior to bid submission. Motion was seconded by Commissioner Tobin.

ACTION: The committee (Commissioner Tobin and Libbin present) unanimously moved the motion.

2. Discussion Regarding Proposed Amendments To The City's Film And Print Guidelines. (4:34PM)

Acting Assistant City Manager Max Sklar presented the item and explained the ordinance in reference to the guidelines for the City's Film and Print permit.

Commissioner Libbin asked the amount of current fines imposed for violations.

Kathie G. Brooks, Interim City Manager, stated that the City does not have a set fine schedule for such permits. The process is for the violation to go to the Special Master and then a fine is assigned.

Commissioner Libbin thinks that the penalties are too subjective and suggested they need to be more objective, i.e. be more in detail, exactly what are you going to be measuring, why, how the fines, etc.

Commissioner Libbin made a motion to tighten this ordinance and bring in it to the Commission Meeting; motion was seconded by Commissioner Tobin.

ACTION: The committee (Commissioner Tobin and Libbin present) unanimously moved the motion to bring it to the Commission Meeting.

- 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; Providing For Repealer; Severability; Codification; And An Effective Date. (Deferred)**

ACTION: Item was deferred to the April NCAC meeting

- 4. Discussion Involving A Long Term Solution For The Ongoing Rodent issue on 41st Street.**

ACTION: Item was deferred to the April NCAC meeting

- 5. a) Discussion Regarding Coordination Of FDOT Projects In The City.**
 - b) 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 (4:00PM)**

In reference to current City projects, Commissioner Libbin asked if the administration has a Bar Graph showing the overlap for the next three years. By doing so, we can see what is impacted and raise awareness so people know what is going on and what is going to happen and when. This can help the administration get the word out so residents are informed.

Commissioner Tobin agreed with Commissioner Libbin's suggestion. He further asked the Public Works Department to provide information about the approach used for handling these large construction projects.

Jay Fink, Public Works Assistant Director, gave an overview on how the projects are being handled including message boards and similar things that come in each phase of various projects. As they come up with their MOT as to where they are going to direct traffic, the City gives the ok, From the City point of view, we need various message boards in key locations so traffic can be diverted accordingly With the Alton Road project, Lynn Bernstein has been assisting trying to get the PIO for FDOT to reach out to all the businesses, the committee and various members of the local HOA to come up with monthly meetings, so that as the project goes into construction, everybody on that quarter is aware of what is going on.

Commissioner Libbin asked in reference of the Collins project that starts on May 29, if there have been meetings with business owners to let them know what is going to happen and how are they going to deal with the interruption of traffic or parking.

Patricia Walker, Chief Financial Officer, stated that there is an ongoing meeting with the leadership of the Collins Improvement Association (CIA) and the same public officers for the Alton Road project will serve in the same capacity for Collins Avenue and they will go door to door to bring more up to date information. She asserted that it is an ongoing process and a, Fact Sheet will be provided.

Commissioner Tobin alluded to a resolution passed by the commission stating that the Public Works Department was to look up the FDOT projects not only for compliance but for also getting best amount of work on the street as possible.

Commissioner Libbin made a motion to request the administration to provide more detail and a timeline with schedule of work and it's the impact specifically

ACTION: The committee (Commissioner Tobin and Libbin present) unanimously moved the motion.

6. Discussion Regarding the Illegal Vendors, Including Illegal Tobacco Vendors in Miami Beach. (4:24PM)

Commissioner Libbin presented the item, stating how the prices had been increasing due to illegal vendors for the different tours rides, and that the City should be stopping the illegal vendors.

Kathie G. Brooks, Interim City Manager reminded that in last Commission meeting there was a referral in reference to the tour operators, because the City does not have any regulations in place.

Commissioner Libbin brought the issue of illegal Tobacco Vendors, who are roaming the streets approaching customers selling them various products, and sometimes have their merchandise covered with a towel, so as to hide what they are selling.

Robert Santos-Alborna, Code Compliance Director stated that a few months ago had the opportunity to work with a Lieutenant from the Alcohol, Beverages and Tobacco (ABT) agency regarding a specific vendor that was selling fake Cuban cigars. He stated this is an issue; Code Compliance is working on continuously.

ACTION: No action was taken

7. Discussion Regarding Forming A Corporate Partnership With City Of Miami Beach And Barry University.

ACTION: No action was taken

8. Quarterly Report Crime Statistics (4:16PM)

Raymond Martinez, Miami Beach Police Chief presented the report.

THE MEETING ADJOURNED AT 4:45 PM.



NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE

March 18, 2013

SIGN-IN SHEET

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