

MIAMI BEACH

City Commission Meeting

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

May 8, 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. Granado

Visit us at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

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 April 2013.
(Requested by Commissioner Jorge R. Exposito)

- PA2 Presentation To The City Commission From The Office Of The Citizens Independent Transportation Trust, Announcing The 2013 Transportation Summit For Miami-Dade County On June 6, 2013.
(Public Works)

- PA3 Presentation On The State Of The Travel And Tourism Industry By William Talbert, President & CEO Of The Greater Miami Convention & Visitors Bureau And Recognition Of National Travel And Tourism Week.
(Requested By Mayor Matti Herrera Bower)

- PA4 Proclamation To Be Presented Declaring May 4-12, 2013 As "National Tourism Week" In The City Of Miami Beach.
(Requested by Mayor Matti Herrera Bower)

- PA5 Certificates Of Recognition To Be Presented To The Students And Staff Of Miami Beach Public And Private Schools.
(Requested by Mayor Matti Herrera Bower)

- PA6 Certificate Of Recognition To Be Presented To Rachel Castillo For Her Act Of Kindness In The Return Of \$36,000 Found By Her And Belonging To A Senior Citizen.
(Requested By Vice-Mayor Jonah Wolfson & Commissioner Deede Weithorn)

- PA7 Proclamation To Be Presented To Maria Laria For Her Dedication And Commitment To Miami Beach.
(Requested by Commissioner Michael Góngora)

CONSENT AGENDA

- Action:**
- Moved:**
- Seconded:**
- Vote:**

C2 - Competitive Bid Reports

- C2A 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)
(Deferred from April 17, 2013)
- C2B Request For Approval To Issue A Request For Proposals (RFP) For Pay By Phone Services For The City's Parking Department.
(Parking Department/Procurement)
(Deferred from April 17, 2013)
- C2C 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)
(Deferred from April 17, 2013)
- C2D Request For Approval To Issue A Request For Proposals (RFP) For Audits Of Resort Taxes And Other Internal Audits As Needed.
(Budget & Performance Improvement/Procurement)

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - 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)
- C4B Referral To The Finance And Citywide Projects Committee - Discussion On The Euclid Avenue Street End Project.
(City Manager's Office)
- C4C Referral To The Land Use And Development Committee To Discuss FDOT's Recommendation Of The Undertaking Of A Study Concerning The Speed Limit On Alton Road.
(Requested by Commissioner Michael Góngora)

C4 - Commission Committee Assignments (Continued)

- C4D Referral To The Finance And Citywide Projects Committee (Budget Meetings) To Discuss Hiring An Inspector To Investigate Claims Of Fraudulent Activity And Perform Other Investigative Services.
(Requested by Commissioner Michael Góngora)
- C4E Referral To Neighborhood/Community Affairs Committee - An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2, Entitled "Officers, Employees And Agency Members," By Amending Section 2-450, Entitled "Disclosure Of Interest In/Relationship With Business Entity," And Section 2-458, Entitled "Supplemental Abstention And Disclosure Requirements;" To Require Additional Public Disclosure Of Conflicts/Interests Possessed By City Officers And Employees Via Public Disclosure Statements; Providing For Repealer, Severability, Codification, And An Effective Date.
(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: City Attorney's Office)
- C4F Referral To The Neighborhood/Community Affairs Committee To Discuss And Consider A New False Claims Ordinance (Whistle Blower).
(Requested by Commissioner Jerry Libbin)
- C4G Referral To The Neighborhood/Community Affairs Committee To Discuss The 1st Annual "Canstruction" Jr. South Florida Competition.
(Requested by Commissioner Edward L. Tobin)
- C4H Referral To The Land Use And Development Committee To Discuss An Item Addressing The Uses Adjacent To St. Patrick's Church And The Possibility Of Permitting Additional Uses.
(Requested by Commissioner Edward L. Tobin)
- C4I Referral To The Neighborhood/Community Affairs Committee To Discuss The FDOT Alton Road Project Between 6th And Michigan.
(Requested by Commissioner Edward L. Tobin)

C6 - Commission Committee Reports

- C6A Report Of The Land Use And Development Committee Meeting Of April 23, 2013: **1)** Discussion Regarding The Development Of The West Lots Between 79th Street To 87th Street And Collins Avenue. **2)** Discussion Regarding Development Of The Parking Lot Between 72nd And 73rd Street And Collins Avenue. **3)** Zoning And Planning Initiatives For North Beach Including Ordinance Amendments For Parking Requirements And Development Regulations. **4)** Reduced Parking Rates For Hotel Employees. **5)** Discussion Of The Miami Beach Current City Code Chapter 6-4 (3) Relating To Alcoholic Beverage Sales That Requires A 300 Foot Distance Between Liquor Stores And Ask That The City Look Into Adopting The County Requirement Of 1500 Feet. **6)** Review Of Miami Beach Land Use Boards To Improve The City Of Miami Beach Building And Planning Department Processes. **7)** Discussion Regarding Food Trucks On Private Property. **8)** Discussion Pertaining To “Smarter Materials For Next Generation Infrastructure,” Such As Eliminating The Disposal Of Tires In Global Landfills And Incinerators. **9)** Discussion Regarding The Condition Of The Stones In The 1100 Block Of Lincoln Road. **10)** CD-2 Self Storage. **11)** Discussion On The Boardwalk. **12)** Discussion Regarding The Current Sidewalk Café Ordinance. **A.** Discussion Regarding The Lincoln Road Utilization Areas For Sidewalk Cafes. **B.** Use Of Electricity By Sidewalk Cafés; And Refer All Current Sidewalk Café Matters To LUDC. **C.** Discussion Regarding Restaurant Solicitation Of Pedestrians On City Sidewalks, Particularly Ocean Drive And Lincoln Road. **13)** 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.
- C6B Report Of The Capital Improvement Projects Oversight Committee Meeting Of March 11, 2013: **1)** Attendance. **2)** Review And Acceptance Of Minutes. **3)** Public Comments. **4)** 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 On Sunset Islands III & IV; **5.** Status On Lower North Bay Road; **C.** South Beach Neighborhoods: **1.** Status Report: Venetian Islands Neighborhood Improvement Project; **2.** Status Report: Palm & Hibiscus Island Neighborhood Improvements & Utilities Undergrounding; **3.** Status Report: South Pointe Phase III, IV & V Neighborhood Improvement Project. **5)** Commission Items: **A.** 6th And 53rd Street Restrooms Project; **B.** City Center Right-Of-Way Neighborhood Improvement Project; **C.** Central Bayshore And Lake Pancoast Right Of Way Infrastructure Improvements; **D.** Venetian Islands Right-Of-Way Infrastructure Improvements. **6)** Capital Improvement Projects Website.

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Finance And Citywide Projects Committee Meeting Of April 25, 2013: **1)** Discussion Regarding A Recommendation By The GLBT Committee To Address The Issue Of Benefits Tax Inequality For City Employees With Registered Domestic Partners Versus Legally Married Spouses. **2)** Discussion On Water Conservation Methods And Implementation. **3)** Discussion Regarding Budget Advisory Committee Recommended Pension Reform Policies And Guidelines. **4)** Discussion Regarding The Issue Of Encouraging Businesses To Support The Effort Of Implementing More Homeless Meters. **5)** Discussion Regarding Fine Schedules And Enforcement Of The City Of Miami Beach Code Provisions For Police And Fire False Alarms, Implementing Additional Fines For False Alarms, And Contracting With An Outside Entity For Billing And Collection Services For False Alarm Fees. **6)** Discussion Regarding The Florida's Safe Routes To School Program (FLSRTS). **7)** Discussion Regarding FCWPC Travel Channel's Proposal To Film A Documentary With Miami Beach. **8)** Discussion Regarding Bayfront To Miami Ferry And A Proposal To Rent The Old Pilot House South Of Miami Beach Marina.

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Take The Following Actions: 1) Submit A Grant Application To The Nora Roberts Foundation For Funding, In The Approximate Amount Of \$40,000, For Books And Electronic Readers (E-Readers) For The City's Parent-Child Home Program; 2) Negotiate And Execute A Contract Renewal With The Children's Trust For The Youth Development Program For Funding, In The Approximate Amount Of \$100,000, For The City's Morning All Stars Program; 3) Submit An Application To The Robert Wood Johnson Foundation Annual RWJF Roadmaps To Health Prize, To Provide Medical Attention To The Underserved And Uninsured Children Of Our Communities, And Further, Retroactively Approving The Following: 4) Submittal Of An Application To The Code For America Program For A Web Development Team To Evaluate And Implement Web And Mobile Applications; Appropriating The Above Grants, Matching Funds And City Expenses, If Approved And Accepted By The City; Authorizing The Execution Of All Necessary Documents Related To The Aforestated 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 The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 022-2013TC, For A Construction Manager At Risk Firm To Provide Pre-Construction Services And Construction Phase Services Via A Guaranteed Maximum Price (GMP) Amendment For The Scott Rakow Youth Center Ice Skating Rink, Mechanical Repairs, And Building Renovations; And Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm, Thornton Construction Company, Inc.; And Should The Administration Not Be Able To Successfully Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm, Lynx Construction Management, LLC; And Further Authorizing The Mayor And City Clerk To Execute An Agreement For Pre-Construction Services.

(Capital Improvement Projects/Procurement)

C7 - Resolutions (Continued)

C7C A Resolution Approving The City's Federal Legislative Agenda For The First Session Of The 113th Congress.

(Intergovernmental Affairs)

C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Contract Between The City Of Miami Beach And Peterson's Harley Davidson Of Miami, LLC, Dated January 27, 2011, For The Lease Or Purchase Of Police Motorcycles, In The Estimated Annual Amount Of \$99,000; Said Amendment Approving The First Year Renewal Option Of The Contract, And Further Amending Section 2.2 Thereof (Terms) To Allow Subsequent Renewal By The City Manager.

(Fleet Management)

C7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2, To The Existing Professional Services Agreement Between The City Of Miami Beach And Schwebke-Shiskin & Associates, Inc., For Additional Resident Project Representative And Supplemental Construction Administration Services, For The Venetian Islands Bid Package 13C Right-Of-Way Neighborhood Improvement Project; Said Amendment In The Negotiated Not-To-Exceed Amount Of \$349,957; With Previously Appropriated Funding In The Capital Budget From The Following Funds: \$181,492 From Fund 384 - 2003 GO Bonds - Neighborhood Improvements; \$100,491 From Fund 427 - Stormwater Enterprise Fund; And \$67,974 From Fund 420 - W&S GBL Series 2010.

(Capital Improvement Projects Office)

C7F A Resolution Adopting Revised Administrative Guidelines For Utility Billing Deposits, Shut-Offs And Payment Plans As Recommended By The Finance And Citywide Projects Committee.

(Finance Department)

C7G A Resolution Approving The Purchase Of Eight (8) Budgeted Replacement Vehicles, In The Amount Of \$191,681.26, Utilizing Florida State Contract Number 071-000-13-1.

(Fleet Management/Procurement)

C7H A Resolution Approving A Memorandum Of Agreement (MOA) Between The City, On Behalf Of The Miami Beach Fire Department, And The United States Coast Guard Base In Miami Beach, For The Purpose Of Providing Fire Protection And Emergency Services To The Coast Guard Base, Located At 100 Macarthur Causeway, Miami Beach, And Any Moored Cutters And Small Boats.

(Fire Department)

C7 - Resolutions (Continued)

- C7I A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving The Purchase Of One (1) Ford Taurus From Bartow Ford, In The Amount Of \$22,056; One (1) Ford F-350 Truck From Alan Jay Ford, In The Amount Of \$24,942; And One (1) Ford F-150 Truck From Duval Ford, In The Amount Of \$18,504; From Contract No. 12-20-0905, With The Florida Sheriffs Association.
(Fleet Management)
- C7J A Resolution Accepting The Donation Of A Canine From The Miami Beach K-9 Knights, For A Specially Trained Canine That Will Be Utilized By The Miami Beach Police Department Operations Division Canine Squad, Which Shall Be Used For The Detection, Tracking And Apprehension Of Subjects Involved In Criminal Activity.
(Police Department)
- C7K A Resolution Authorizing The City Manager And City Clerk To Execute A Memorandum Of Understanding Between The City Of Miami Beach, On Behalf Of The Miami Beach Police Department, And The Federal Bureau Of Investigation, South Florida Violent Crime Fugitive Safe Streets Task Force, Which Serves The Purpose Of Identifying And Prosecuting Criminal Enterprise Groups Or Individuals Responsible For Violent Crimes, And The Apprehension Of Dangerous Fugitives.
(Police Department)
- C7L A Resolution Approving The Vacation Of An Existing City Utility Easement, Located On The Private Residential Property At 118 West Dilido Drive (The Property), And Accepting A New Utility Easement From Mary Carpenter, The Owner Of The Property, For The Construction, Installation, Maintenance, Repair, And Replacement Of A New Fifteen-Inch (15") Stormwater Outfall Pipe.
(Public Works)
- C7M A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Landscape And Irrigation Maintenance Memorandum Of Agreement With The Florida Department Of Transportation, For The Relocation Of Landscape Along State Road A1A/Indian Creek Drive, From 42nd Street To 44th Street, As Part Of The State Road A1A/Indian Creek Drive Project, From 42nd Street To 44th Street And State Road A1A/Collins Avenue/Indian Creek Drive Project Along 43rd Street.
(Public Works)

C7 - Resolutions (Continued)

C7N A Resolution Approving The Grant Of Three (3) Easements To The Florida Department Of Transportation (FDOT) For The Construction, Installation, Maintenance, Repair, And Replacement Of: 1) A Stormwater Pump Station And Associated Infrastructure On West Avenue At 6th Street; 2) A Stormwater Pump Station And Associated Infrastructure At The Western Terminus Of 10th Street; And 3) A Stormwater Pump Station And Associated Infrastructure At The Western Terminus Of 14th Street; Provided, However, That The Aforestated Grant Is Subject To And Contingent Upon Successful Negotiation Of The Final Easement Agreements Between The City And FDOT, Which Easement Agreements, If Successfully Negotiated And Finalized, Shall Be Subject To Final Approval By The City Manager And City Attorney; Further Authorizing The Mayor And City Clerk To Execute The Final Easement Agreements, If And When Finalized.

(Public Works)

C7O A Resolution Further Extending On A Month-To-Month Basis The Management And Operating Agreements Between The City And The Market Company For The Operation Of The Green Markets On Lincoln Road And Normandy Isle; And The Management And Operating Agreement Between The City And Production Sud, Inc., For The Operation Of The Antique And Collectibles Market On Lincoln Road, Until Such Time That A Request For Proposals (RFP) Process Results In The Selection And Execution Of New Contract Or Contracts For The Management And Operation Of Street Markets In Miami Beach At Various Locations.

(Real Estate, Housing & Development)

C7P Setting of the Public Hearing - Alton Road Historic District Buffer Overlay
A Resolution Setting A Public Hearing To Consider An Ordinance Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road - Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," And Section 142-859 "Development Regulations," Including Among Other Provisions Regulations On Maximum Floor Area Ratio; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverage Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess Of 10,000 Sq. Ft.; And Prohibiting Alcoholic Beverage And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance; Providing For Codification; Repealer; Severability; And An Effective Date.

(Requested by Vice-Mayor Jonah Wolfson)
(Legislative Tracking: Planning Department)

End of Consent Agenda

REGULAR AGENDA

R2 - Competitive Bid Reports

R2A Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 060-2013TC, For The Sunset Harbour Pump Stations Retrofit And Drainage Improvements; Authorizing The Mayor And City Clerk To Execute An Agreement With Lanzo Construction Co., Florida; In The Amount Of \$1,854,963.40 For The Construction Of The Project, Plus Approve A Project Contingency Of 10% For A Not-To-Exceed Grand Total Of \$2,040,459.74; Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project.

(Public Works/Procurement)

R2B Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 013-2013TC, For The FEMA Impact Window Replacement Project; Authorizing The Mayor And City Clerk To Execute An Agreement With Sunryse Construction Services, Inc.; In The Amount Of \$1,012,451.41, For The Construction Of The Project, Plus Approve A Project Contingency Of 10% For A Not-To-Exceed Grand Total Of \$1,113,696.55; Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The Cost And Time For Completion Of Said Project.

(Property Management/Procurement)

R5 - Ordinances

R5A 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. **10:15 a.m. Second Reading Public Hearing**

(Requested by Neighborhood/Community Affairs Committee)

(Legislative Tracking: Tourism & Cultural Development)

(First Reading on April 17, 2013)

R5B 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. **10:30 a.m. Second Reading Public Hearing**

(Requested by the City Commission)

(Legislative Tracking: Parks & Recreation)

(First Reading on April 17, 2013)

R5 - Ordinances (Continued)

R5C 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 April 17, 2013/Referred to LUDC)

R5D 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.

11:00 a.m. Second Reading Public Hearing

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.

11:00 a.m. Second Reading Public Hearing

(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: Procurement)
(First Reading on April 17, 2013)

R5E An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 54, Entitled "Floods," By Amending Article II, Entitled "Floodplain Management," By Amending Division 1, Entitled "Generally," By Amending Section 54-35, Entitled "Definitions" By Amending And Deleting Certain Definitions Therein; By Amending Division 2, Entitled "General Provisions," By Amending Section 54-38, Entitled "Designation Of Floodplain Administrator" To Designate The Building Official, Instead Of The Building Director, As The Floodplain Administrator; By Amending Division 3, Entitled "Administration," By Amending Section 54-45, Entitled "Permit Procedures" And Section 54-46, Entitled "Duties And Responsibilities Of The Building Director Or Designee" To Change All Building Director References Therein To The Floodplain Administrator; Amending Division 4, Entitled "Provisions For Flood Hazard Reduction"; By Amending Section 54-47, Entitled "General Standards," Section 54-48, Entitled "Specific Standards," And Section 54-49, Entitled "Specific Standards For A-Zones Without Base Flood Elevations And Regulatory Floodways" To Modify Certain Flood Hazard Reduction Provisions; By Deleting Section 54-50, Entitled "Standards For A-O Zones"; By Amending Division 5, Entitled "Variance Procedures," To Change All Building Director References Therein To The Floodplain Administrator; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

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

R5 - Ordinances (Continued)

- R5F An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 62, Entitled "Human Relations," By Amending Article III, Entitled "Domestic Partnerships," By Amending Section 62-128, Entitled "Employment Benefits" To Add Section 62-128(d) To Provide Tax Equity To City Employees With Domestic Partners Enrolled In The City's Health And Dental Plans Who Currently Bear A Disproportionate Tax Burden Over That Of Their Married Counterparts. **First Reading**
(Requested by Commissioner Michael Góngora)
(Legislative Tracking: Human Resources)
- R5G Sunset Harbour Residential Parking Requirements
An Ordinance Amending The Code Of The City Of Miami Beach, Florida By Amending Chapter 130, "Off-Street Parking," Article II "District; Requirements," Section 130-33 "Off-Street Parking Requirements For Parking Districts Nos. 2, 3, 4 And 5," By Amending The Parking Requirements For Sunset Harbour Parking District No. 5 For Residential And Live-Work Type Uses; Providing For Codification; Repealer; Severability; Applicability; And An Effective Date. **First Reading**
(Requested by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
- R5H Accessory Setback Encroachments
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article IV, "Supplementary District Regulations," Section "142-1132" To Modify The Setbacks For Allowable Encroachments Including Driveways, Carports And Mechanical Equipment; By Amending Section "142-1133" To Modify The Setback Requirements For Swimming Pools And The Requirements For The Construction Of Swimming Pools On Corner And Thru Lots Within Single Family Districts; Providing For Codification; Providing For Repealer, Severability And An Effective Date. **First Reading**
(Requested by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
- R5I Minimum Unit Sizes For Historic Hotels And RM-2 Tower Setbacks
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," By Amending Article II, "District Regulations," By Amending Division 3, "Residential Multifamily Districts," By Amending Section "142-155" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The RM-1 District; By Amending Section "142-217" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The RM-2 District; By Amending Section "142-218" To Modify The Tower Setback Requirements Within The RM-2 District; By Amending Section "142-246" To Modify The Requirements For Minimum Hotel Room Size For Historic Hotels Within The RM-3 District; Providing For Codification; Repealer, Severability And An Effective Date. **First Reading**
(Requested by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)

R5 - Ordinances (Continued)

- R5J Alton Road Parking District No. 6
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130 Off-Street Parking, Article II "Districts; Requirements," Section 130-31 "Parking Districts Established," Creating A New Parking District No. 6, And Section 130-33 "Off-Street Parking Requirements For Parking Districts Nos. 2, 3 And 4," By Adding New Parking Regulations For Parking District No. 6, For Properties With A Lot Line On Alton Road From 5th Street To Dade Boulevard, Including A Reduction In Off-Street Parking Requirements For Certain Land Uses And Bicycle Parking Requirements; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**
(Requested by Vice-Mayor Jonah Wolfson)
(Legislative Tracking: Planning Department)

R7 - Resolutions

- R7A A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 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)
(Continued from April 17, 2013)
- R7B A Resolution Granting A Revocable Permit To Ungar-Marshall Company (Applicant), As The Owner Of The Retail Property Located At 1100 Lincoln Road (The GAP Store), Following A Duly Noticed Public Hearing, To Allow For The Placement And Maintenance By Applicant Of The Following Encroachments Into The Public Rights Of Way Adjacent To The Property: 1) A Proposed Metal Canopy With Horizontal Dimensions Not To Exceed Five-Foot Eleven-Inches (5'-11") Along Michigan Avenue, Six-Foot (6') Along Lincoln Road Mall, And Ten-Foot Four-Inches (10'-4") Above The Sidewalk; And 2) A Proposed Concrete Eyebrow, Having Horizontal Dimensions Not To Exceed A Length Of 6-Foot (6') Along Lincoln Road And Michigan Avenue, At A Height Of Approximately 30-Foot (30') Above The Sidewalk. **11:15 a.m. Public Hearing**
(Public Works)
- R7C A Resolution Adopting And Appropriating The Third Amendment To The Police Confiscation Trust Budget For Fiscal Year 2012/2013 In The Amount Of \$95,000, To Be Funded From The State Confiscated Funds. **11:30 a.m. Public Hearing**
(Requested by Commissioner Jerry Libbin)
(Legislative Tracking: Police Department)

R7 - Resolutions (Continued)

- R7D A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving The Purchase Of One (1) Pierce Custom Pumper Fire Engine From Pierce Manufacturing, Inc., In The Amount Of \$720,106.90; From Contract No. 11-10-1202, With The Florida Sheriffs Association.
(Fleet Management/Procurement)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments.
(City Clerk's Office)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C Update On The Miami Beach Convention Center Project.
(City Manager's Office)
- R9D 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)
(Not Reached on April 17, 2013)
- 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)
(Not Reached on April 17, 2013)
- R9F 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)
(Not Reached on April 17, 2013)
- R9G Discussion Regarding A Resolution Pursuant To City Code Section 118-591 Declining To Pursue The Proposed Designation Of 42 Star Island Drive As An Historic Site.
(Requested by Vice-Mayor Jonah Wolfson)

R9 - New Business and Commission Requests (Continued)

- R9H Discussion Regarding An Update And Status Of The Hibiscus Island RFQ Involving The Undergrounding Of Overhead Utilities Plus Street And Drainage Improvements.
(Requested by Commissioner Jorge R. Exposito)
- R9I Discussion Regarding A Resolution Waiving Space Rental Charges In An Amount Not To Exceed \$7,900.00 At The Colony Theatre For The Film Life Foundation, A Non-Profit Which Is Producing The American Black Film Festival, For The Festival's Events To Be Held June 19 - 23, 2013.
(Requested by Mayor Matti Herrera Bower)
- R9J Discuss Authorizing Funding For The City's Proportionate Share Of The Estimated \$62,000, As Recommended By The Finance And Citywide Projects Committee, For A Full Time Registered Nurse With Benefits Subject To The Other Neighboring Municipalities Also Contributing Their Share Of The Expenses, To Benefit North Beach Elementary, Treasure Island Elementary, And Ruth K. Broad Bay Harbour Elementary.
(Requested by Commissioner Jerry Libbin)

R10 - City Attorney Reports

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

Reports and Informational Items

1. Reports and Informational Items (see LTC No. 158-2013)
2. List of Projects Covered by the Cone of Silence Ordinance (LTC No. 142-2013).
(Procurement)

End of Regular Agenda

Miami Beach Redevelopment Agency

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

May 8, 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 Amendment No. 3 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)

(Continued from April 17, 2013)