

MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
June 5, 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 April 2013.
(Requested by Commissioner Jorge R. Exposito)
- PA2 Certificate Of Appreciation To Be Presented To Prague Princess For The Grand Opening Of Their New Boutique On 13th And Collins.
(Requested by Commissioner Jorge R. Exposito)
- PA3 Certificates Of Appreciation To Be Presented To North Beach Elementary School Students For The Jennifer Beth Turken Heart Award.
(Requested by Commissioner Jorge R. Exposito)
- PA4 Certificates Of Recognition To Be Presented To Principal, Vice Principals And Teachers Of Feinberg Fisher K-8 Center.
(Requested by Commissioner Michael Góngora)
- PA5 Certificates Of Recognition To Be Presented To Keep Paddlin', A Non-Profit Organization, Helping To Benefit Conservation Charities Events And Environmental Issues.
(Requested by Commissioner Michael Góngora)
- PA6 Certificates Of Appreciation To Be Presented To Karem Cortez And Monet Guardado Of The Miami Beach Teen Club, For Singing The National Anthem At The Miami-Dade County League Of Cities Annual Installation Gala.
(Requested by Commissioner Deede Weithorn)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Award Contracts To Fortiline, Inc., As Primary Vendor, And Sunstate Meter And Supply, Inc., As Secondary Vendor, Pursuant To Invitation To Bid (ITB) No. 068-2013, For The Purchase Of Water Meters, In The Annual Estimated Total Amount Of \$124,000.
(Public Works/Procurement)
- C2B Request For Approval To Award Contracts Pursuant To Invitation To Bid No. 145-2013, For Routine And Emergency Sanitary Sewer And Storm Water Pipes Cleaning, And Close Circuit Television (CCTV) Inspection Services, To JCC Enterprise Labor, Inc., The Lowest Bidder, As The Primary Vendor A&A Drainage & Vac Services, Inc., The Second Lowest Bidder, As The Secondary Vendor, And Shenandoah Construction, The Third Lowest Bidder, As The Tertiary Vendor.
(Public Works/Procurement)

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Proposed Vacation Of The Alley Included In The Amended Plat Of The Aquarium Site Resubdivision (500 Block Of Alton Road).
(Public Works)
(Memorandum to be Submitted in Supplemental)
- C4B Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding The Collins Park Garage Project (Collins Park Place).
(Capital Improvement Projects Office)
- C4C Referral To The Finance And Citywide Projects Committee To Discuss Potential Annual Funding Sources For The Refund Of Green Building Program Certification Application And Review Fees As Stipulated By The Green Building Ordinance.
(Requested by Commissioner Jerry Libbin)
- C4D Referral To The Neighborhood/Community Affairs Committee To Discuss The Enforcement Components Of The Recycling Ordinance.
(Requested by Commissioner Jerry Libbin)
- C4E Referral To The Neighborhood/Community Affairs Committee To Discuss An Amendment To The Special Event Requirements And Guidelines To Include Recycling Requirements For All Special Events That Require A Sanitation Plan.
(Requested by Commissioner Jerry Libbin)

C4 - Commission Committee Assignments (Continued)

- C4F Referral To The Neighborhood/Community Affairs Committee To Discuss An Amendment To The Energy Economic Zone Ordinance To Include Miami-Dade County's Green Business Certification Program As An Eligibility Criteria To Receive The EcoZone Program Tax Incentives.
(Requested by Commissioner Jerry Libbin)
- C4G Referral To The Land Use And Development Committee To Discuss A Proposed Amendment To City Code Section 142-213 - Conditional Uses.
(Requested By Vice-Mayor Jonah Wolfson)
- C4H Referral To The Next Neighborhood/Community Affairs Committee A Report From City Staff On The Traffic Calming And School Zone Expansion Initiative For 41st Street Between Meridian Avenue And Garden Avenue To Improve School Safety At Nautilus Middle School.
(Requested by Mayor Matti Herrera Bower)
- C4I Referral To The Health Advisory Committee For A Discussion On Educating People On HIV Prevention And The Importance Of Getting Tested For HIV.
(Requested by Commissioner Michael Góngora)
- C4J Referral To The Land Use And Development Committee For A Discussion Involving Restricting A Portion Of City Street Located In The Middle Of St. Patrick's School And Pre-K School For Safety And Security Reasons.
(Requested by Commissioner Michael Góngora)
- C4K Referral To Finance And Citywide Projects Committee Exploring The Impacts From The Reduction Of On-Street Parking Spaces On Alton Road Between 6th Street And Michigan Avenue Caused By The FDOT Project.
(Requested by Commissioner Deede Weithorn)

C6 - Commission Committee Reports

- C6A Report Of The Neighborhood/Community Affairs Committee Meeting Of April 29, 2013: **1)** Discussion And Update On The Citywide Dunes Maintenance Plan. **2)** Discuss The Log Cabin Property And The Possibility Of A Collaborative Community Center. **3)** Discussion Regarding The City Of Miami Beach Centennial, Which Will Occur On March 26, 2015. **4)** Discussion Regarding A Long Term Solution For The Ongoing Rodent Issue On 41st Street. **5)** Discussion Regarding Beach Erosion And Sand Shifting. **6)** Discussion Regarding Amending Procedures For Appeals To The Special Master For Certain Frequent Code Enforcement Violations. **7)** Discussion Regarding The Current Policy Against Bullying And Harassment In Miami-Dade Public Schools And Begin Planning For A Citywide Youth Anti Bullying Outreach Program. **8)** Discussion Regarding Criminal Background Checks For Employees Of City Contractors And Spot Check Updates For Those Background Checks. **9)** Discussion Regarding Placing An Informal Plaque At The Base Of The Sculpture Of Jackie Gleason. **10)** Discussion Regarding The City Of Miami Beach Fire Prevention Fines And Citations Related To Nightclubs And Other Assemblies. **11)** Discussion Regarding Possible Amendments To Chapter 70 Article III (Section 70-122-129), "Graffiti Ordinance." **12)** Discussion Regarding Considering Hosting A Biannual Art Camp Held In Miami Beach In Cooperation With UNESCO. **13)** Discussion Regarding Unexpected Board Vacancies Requiring Commission Vote. **14)** Discussion Regarding Providing Reserved Parking For Monthly Permit Holders On Lower Floors In Our Garages To Alleviate Inconvenience Experienced By Permit Holders During Major Events Such As The Boat Show. **15)** Discussion Regarding The Continuation Of The Adopt A Beach Pilot Program. **16)** Discussion Regarding Miami Beach Mass Transit Loop And Transit Enhancements For North Beach.
- C6B Report Of The Capital Improvement Projects Oversight Committee Meeting Of April 15, 2013: **1)** Attendance. **2)** Review And Acceptance Of Minutes. **3)** Public Comments. **4)** Old Business/ Requested Reports: **4A.** Status On The City's Ongoing Sewer Rehabilitation Program. **4B.** North Beach Neighborhoods: **1.** Status Report: Normandy Isle Phase II Neighborhood Improvements; **2.** Status Report: Biscayne Point Neighborhood Improvements Project; **4C.** 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; **4D.** 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: **5A.** Central Bayshore – Bicycle Lane Along Prairie Avenue & Royal Palm Avenue; **5B.** Flamingo Park Football Field/Track Renovation Project. **5C.** Additional Discussion: Flooding In Sunset Harbour Neighborhood.

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Finance And Citywide Projects Committee Meeting Of May 13, 2013: **1)** Discussion Of Performance And Operational Audit By Crowe Horwarth. **2)** Discussion Regarding The Catering And Concessions For The Miami Beach Convention Center. **3)** Discussion Regarding A Proposed Marketing Program For Sunscreen. **4)** Discussion Regarding Renewal Of The Professional Services Agreement Between The City Of Miami Beach And The Superlative Group For Professional Services In Corporate Sponsorship Marketing Pursuant To Request For Proposal No. 06-04/S05. **5)** Discussion Regarding PACE (Property-Assessed Clean Energy). **6)** Discussion Regarding Budget Advisory Committee Recommended Pension Reform Policies And Guidelines. **7)** Discussion Regarding The Issue Of Encouraging Businesses To Support The Effort Of Implementing More Homeless Meters. **8)** Discussion Regarding The Collection Of City Liens. **9)** Discussion Regarding The Implementation Of The Regional Climate Action Plan. Discussion Regarding To Review The 28 Rules To Determine What Can Be Done When Performing City Projects, To Avoid Doing Double Work And Increasing The Cost. **10)** Discussion Regarding International City/County Management Association ("ICMA") Recommendations For Fire Department Efficiencies. **11)** Discussion Regarding Labor Peace Agreements. **12)** Discussion Regarding The Management Agreement For The Management Of The Miami Beach Convention Center And Colony Theater. **13)** Discussion Of Senior Lunch Funding. **14)** Discussion Of Lincoln Road (Euclid). **15)** Discussion Of Waste Haulers.

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 Florida's Safe Routes To School Program In The Approximate Amount Of \$150,000 For Funding For Various Infrastructure Improvements, For Fienberg-Fisher K-8 Center; 2) Submit A Grant Application To The Florida's Safe Routes To School Program, For Funding, In The Approximate Amount Of \$800,000 For Various Infrastructure Improvements At Nautilus Middle School And North Beach Elementary And For A Traffic Study And Various Infrastructure Improvements At Miami Beach Senior High School; 3) Submit An Application To Florida Department Of Transportation For Funding In The Approximate Amount Of \$1,000,000 For Transportation Alternatives Program (TAP) Funds For The Middle Beach Recreational Corridor From 58th To 64th Street; And Further, Retroactively Approving The Following: 4) Submittal Of A Grant Application To The US Department Of Justice, Office Of Community Oriented Policing Services (COPS), Cops Hiring Program For Funding In The Approximate Amount Of \$1,600,000 Over Three Years For The Hiring Of Additional Career Law Enforcement Officers; 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)

C7 - Resolutions (Continue)

C7B A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Authorizing The Mayor And City Clerk To Execute Amendment No. 25 To The Professional Services Agreement Between The City Of Miami Beach, Florida, And CH2MHill For The Professional Landscape, Architectural And Engineering Services For The Right-Of-Way Infrastructure Improvement Program For Neighborhood No. 8 Bayshore And Sunset Islands, Dated May 16, 2001 (The Agreement), For Additional Design Services To Update The Current Design To Adhere To The Public Works Department Storm Water Design Guidelines And To Incorporate The Seawall Reconstruction Design For The Street End Of 23rd Street For The Bayshore Neighborhood No. 8 - Lower North Bayroad (Package B), For A Not To Exceed Amount Of \$XXXX And An Additional Amount Of \$XXXX For Reimbursables Expenses, For A Total Amount Of \$XXXX, With Previously Appropriated Funding.
(Capital Improvement Projects Office)
(Memorandum to be Submitted in Supplemental)

C7C A Resolution Authorizing The Mayor And City Clerk To Execute Amendment No. 2 To The Existing Professional Services Agreement Between The City Of Miami Beach And Atkins North America, Inc. Dated September 23, 2011, For The Bayshore Neighborhood No. 8 Right Of Way Infrastructure Improvement - Central Bayshore (Package A), Lower North Bay Road (Package B), And Lake Pancoast (Package C) Projects, For Additional Resident Project Representative Services, For A Period Of Eight (8) Months, In The Negotiated Not-To-Exceed Amount Of \$234,409 And An Additional Amount Of \$6,950 For Reimbursables Expenses, For A Total Amount Of \$241,359, With Previously Appropriated Funding.
(Capital Improvement Projects Office)

C7D A Resolution Electing Commissioner Edward L. Tobin, Group V, As Vice-Mayor For A Term Commencing On July 1, 2013, And Terminating On October 31, 2013, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.
(City Clerk's Office)

C7E 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 Two (2) Ford F-450 Trucks In The Amount Of \$77,056, From Duval Ford, From Contract No. 12-10-0905; One (1) Ford Expedition XL SUV, In The Amount Of \$38,012, And One (1) Ford F-250 Truck, In The Amount Of \$27,827, From Duval Ford, From Contract No. 12-20-0905; And Two (2) Traumahawk Ambulances From ETR, L.L.C., In The Amount Of \$492,514, From Contract No. 11-10-1202; Through The Florida Sheriffs Association.
(Fleet Management)

C7F 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 Mayor And City Clerk To Execute An Agreement With Cassidian Communications, Inc., For An Initial Term Of Two (2) Years, With The Option To Renew For Two (2) Additional Years, In The Annual Amount Of \$12,415.
(Information Technology)

C7 - Resolutions (Continue)

- C7G 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 Mayor And City Clerk To Execute An Agreement With AT&T To Add Centrex Services To The AT&T Master Service Agreement For A Term Of Three (3) Years, In The Annual Amount Of \$183,000.
(Information Technology)
- C7H 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 Sports Lighting Systems From Musco Lighting For Purposes Of Standardization Of The City's Athletic Fields, Sport Courts, And Driving Range Lighting.
(Parks & Recreation)
- C7I 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 Airfares, Hotels, Meals, Local Transportation, Program Expenses And Any Associated League And Tournament Fees And The Purchase Of Prepared Foods And Related Products, To Be Utilized By The City Of Miami Beach Parks And Recreation Department's Participants In Programs And Activities Including, But Not Limited To, Athletics, Sports, Out Of Town Travel And In-House Local Events And Programs; 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 Department's Related Budget Allocation(s), The Department's Fund Raising Efforts And Receipt Of Sponsorships, Donations, Grants, And Other Funding Sources.
(Parks & Recreation)
- C7J A Resolution Approving The City's Exercise Of A One (1) Year Renewal Term Under The City's Current Contracts For Disaster Recovery Services With The Following Firms: Ashbritt, Inc.; Ceres Environmental Services, Inc.; Phillips And Jordan, Inc.; And Crowdergulf Joint Ventures, Inc. (With Such Renewal Term Commencing Retroactively On February 1, 2013, And Ending On January 31, 2014).
(Public Works)
- C7K A Resolution Accepting A Donation From Aimco, Owner Of The Flamingo South Beach, Of Two (2) Park Benches And Landscaping At The Street End Of 14th Street.
(Public Works)
- C7L A Resolution Approving An Amendment To The Flamingo Neighborhood Basis Of Design Report As Requested By The Flamingo Park Neighborhood Association For 10-Foot Wide Travel Lanes In The Local Avenues, 6-Foot Wide Sidewalks, And For A Cycle Track On 16th Street.
(Public Works)

C7 - Resolutions (Continue)

- C7M A Resolution Approving And Accepting Two (2) Easements From Dorothy Riggs, John Riggs, William Riggs, And BMO Harris Bank As The Owner Of The Property Located At 6876 Collins Avenue (The Publix Property) For: 1) A Utility Easement Located At The South End Of The Property For The Construction, Installation, Maintenance, Repair, And Replacement Of City Utilities; And 2) A Non-Exclusive Pedestrian Easement On The North Side Of The Property Parallel To The South Side Of 69th Street, From Collins Avenue To Harding Avenue.
(Public Works)
- C7N 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 Procurement Of Services By Community Asphalt To Adjust Or To Relocate Approximately Ninety-Three (93) Valve Boxes, Fourteen (14) Sanitary Sewer Manhole Covers, And Twenty-Two (22) Water Meter Boxes, Sixteen (16) Fire Hydrants, Two (2) Water Services, And One (1) 8-Inch Water Main For The FDOT Construction Project On Collins Avenue, From 5th Street To Lincoln Road, In Conjunction With The FDOT Project.
(Public Works)
- C7O A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee On March 21, 2013, Allowing For The Use Of Vacant City-Owned Fee Simple Land, As May Become Available From Time To Time, For The Purpose Of Staging And/Or Storing Construction Equipment In Connection With City-Funded Construction Projects Only; And Further Directing The Administration To Develop Policies And Procedures For Such Purpose.
(Real Estate, Housing & Community Development)
- C7P A Resolution Approving An Expenditure Of \$5,050 For The City's Joint Tourism And Hospitality Scholarship Program In Partnership With Global Spectrum And Centerplate; And Further Awarding Said Scholarships.
(Tourism, Culture & Economic Development)
- C7Q A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee To Establish A Centennial Celebration Ad-Hoc Committee To Provide Ideas And Recommendations Pertaining To All Matters With Respect To Events And Activities Related To The City Of Miami Beach Centennial On March 26, 2015.
(Tourism, Culture & Economic Development)
- C7R A Resolution Approving The Conceptual Plan Developed For The Euclid Avenue Street End Project On Lincoln Road; Further Authorizing The City Manager To Enter Into Negotiations With The Developer For An Agreement To Design And Build The Project.
(Tourism, Culture & Economic Development)

C7 - Resolutions (Continue)

- C7S A Resolution Adopting The Five-Year (FY 2013-2017) Consolidated Plan For Federal Funds In Substantially The Attached Form; And Authorizing The City Manager To Execute All Applicable Documents And To Submit The Five-Year (FY 2013-2017) Consolidated Plan To The U.S. Department Of Housing And Urban Development (HUD).
(Real Estate, Housing & Community Development)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

- R5A 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. **10:45 a.m. Second Reading Public Hearing**
(Requested by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
(First Reading on May 8, 2013)
- R5B 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. **12:00 p.m. Second Reading Public Hearing**
(Requested by Commissioner Michael Góngora)
(Legislative Tracking: Human Resources)
(First Reading on May 8, 2013/Referred to FCWPC)
(Memorandum to be Submitted in Supplemental)
- R5C Alton Road Historic District Buffer Overlay
An Ordinance 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. **5:00 p.m. First & Only Reading Public Hearing**
(Requested by Land Use & Development Committee)
(Legislative Tracking: Planning Department)

R5 – Ordinances (Continued)

- R5D 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, 4 And 5,” 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. **5:05 p.m. Second Reading Public Hearing**
(Requested by Vice-Mayor Jonah Wolfson)
(Legislative Tracking: Planning Department)
(First Reading on May 8, 2013)
- R5E An Ordinance Amending Miami Beach City Code Chapter 38 Entitled “Elections,” By Including Reference To Applicable Statutory Provisions Of Florida Election Code; Correcting Typographical Errors; Amending City Code Section 38-4 To Provide For Commission Canvassing Of Election Returns On The First Business Day Immediately Following The County Supervisor Of Election’s Issuance Of Final Election Returns And Confirming Authorization Of Emergency Commission Action Taken At Any Commission Meeting Occurring Between General Election Date And Acceptance Of Final Run-Off Election Returns; Amending City Code Section 38-6 By Establishing The Number Of Days For Early Voting Relative To City General, Run-Off And Special Elections Upon City Commission Authorization Of Early Voting, And Authorizing City Commission To Change Early Voting Schedule For Elections Not Held In Conjunction With County Or State Elections; And Creating City Code Section 38-7 Entitled “Petitions” Establishing Information To Be Provided By Petition Circulators And Persons Signing Initiative, Referendum And/Or Recall Petitions; Providing For Repealer, Severability, Codification, And An Effective Date.
First Reading
(Requested by Neighborhood/Community Affairs Committee)
(Legislative Tracking: City Attorney’s Office)
- R5F An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, Entitled “Administration,” By Amending Article III, Entitled “Agencies, Boards And Committees,” By Amending Division 1, Entitled “Generally,” By Amending Section 2-22, Entitled “General Requirements,” To Provide Procedures For The Filling Of Special Vacancies On The Board Of Adjustment, Planning Board, Design Review Board, And Historic Preservation Board; By Amending Section 2-24, Entitled “Termination Of Office Of Agency, Board And Committee Members,” To Amend The Exception Provisions To Include Special Vacancies Filled Pursuant To Section 2-22 (21); And Providing For Repealer, Severability, Codification, And An Effective Date.
First Reading
(Requested by Commissioner Deede Weithorn)
(Legislative Tracking: City Attorney’s Office)

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 May 8, 2013)

(Memorandum to be Submitted in Supplemental)

R7B A Resolution Accepting The Recommendation Of The City Manager Pursuant To Invitation To Negotiate (ITN) No. 059-2013ME, Approving All Material And Substantive Terms Of An Agreement Between The City And Aramark Sports And Entertainment Services, LLC. (Aramark) To Provide Professional Food And Beverage Facilities Management Services For The Miami Beach Convention Center; Based On Those Material And Substantive Terms And Conditions In The Term Sheet Attached As Exhibit "A" To This Resolution; Authorizing And Directing Aramark And The City Manager And City Attorney's Office To Finalize The Agreement Based On The Approved Term Sheet; Further Authorizing Aramark And The City Manager And City Attorney's Office To Make Any Non-Substantive And Non-Material Revisions And/Or Additions To The Agreement, As Required, And Authorizing The Mayor And City Clerk To Execute The Final Agreement (Said Agreement Having An Initial Term Of Three (3) Years, Commencing On October 1, 2013, And Ending On September 30, 2016, With Two (2) One Year Renewal Terms, To Be Exercised At The City's Sole Option And Discretion).

(Tourism, Culture & Economic Development)

(Memorandum to be Submitted in Supplemental)

R7C A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement And Approving An Agreement Between The City And Global Spectrum, LP (Global) For The Operation, Management, Maintenance, Promotion And Marketing Of The Miami Beach Convention Center And Colony Theatre, Based On Those Material And Substantive Terms And Conditions In The Term Sheet Attached As Exhibit "A" To This Resolution; Authorizing And Directing Global And The City Manager And City Attorney's Office To Finalize The Agreement Based On The Approved Term Sheet; Further Authorizing Global And The City Manager And City Attorney's Office To Make Any Non-Substantive And Non-Material Revisions And/Or Additions To The Agreement, As Required, And Authorizing The Mayor And City Clerk To Execute The Final Agreement (Said Agreement Having An Initial Term Of Three (3) Years, Commencing On October 1, 2013, And Ending On September 30, 2016, With Two (2) One Year Renewal Terms, To Be Exercised At The City's Sole Option And Discretion).

(Tourism, Culture & Economic Development Department)

R7 - Resolutions (Continued)

R7D A Resolution Approving A Settlement Agreement Between Seville Acquisition, LLC, And The City Of Miami Beach, Concerning The Partial Demolition Of The Boardwalk And The Construction Of A Beachwalk Behind The Marriott Edition Hotel At 29th Street And Collins Avenue, And Authorizing The Mayor And City Clerk To Execute The Settlement Agreement, And Authorizing The City Manager And City Attorney To Take Such Actions As May Be Necessary To Carry Out The Intent Hereof.

(City Attorney's Office)

R7E A Resolution Consenting To And Confirming The Appointment Of David Martinez As The Acting Director Of The Office Of Capital Improvement Projects For The City Of Miami Beach.

(Human Resources)

(Memorandum to be Submitted in Supplemental)

R7F A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its May 20, 2013 Meeting Regarding Housekeeping Amendments To Chapter 38 Of The City Code Concerning Early Voting, Acceptance Of Run-Off Election Returns, And Petitions.

(City Attorney's Office)

R7G A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its April 29, 2013 Meeting To Consider An Ordinance Addressing Unexpected Vacancies On The City's Land Use Boards, And Including Notice And Waiting Period Provisions For The Filling Of Such Vacancies.

(Requested by Commissioner Deede Weithorn)

(Legislative Tracking: City Clerk'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)

R9A2 Reappoint Mitchell Kaplan As One Of The City's Representatives To The Adrienne Arsht Center For The Performing Trust.

(Requested by Mayor Matti Herrera Bower)

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)
(Report to be Submitted in Supplemental)
- 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 May 8, 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 May 8, 2013)
- R9F Discussion Regarding The Protocol Of Items The Commission May Entertain During Sutnick Hour.
(Requested by Commissioner Jorge R. Exposito)

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, June 5, 2013, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Collective Bargaining.

R10 - City Attorney Reports (Continued)

R10C Closed Attorney-Client Session

Pursuant To Section 286.011, Florida Statutes, The City Attorney Hereby Advises The Mayor And City Commission That He Desires Advice Concerning The Following Pending Litigation Matter:

Seville Acquisition, LLC v. City Of Miami Beach Case No.: 2013-17539-CA-01

Therefore, A Private Closed Attorney-Client Session Will Be Held During The Lunch Recess Of The City Commission Meeting On June 5, 2013, In The City Manager's Large Conference Room, Fourth Floor, City Hall To Discuss Settlement Negotiations And/Or Strategy Related To Litigation Expenditures With Regard To The Above-Referenced Litigation Matters.

The Following Individuals Will Be In Attendance: Mayor Matti Herrera Bower; Members Of The City Commission: Jorge R. Exposito, Michael Góngora, Jerry Libbin, Edward L. Tobin, Deede Weithorn And Vice-Mayor Jonah Wolfson; City Manager Jimmy Morales, City Attorney Jose Smith, And First Assistant City Attorney Gary Held.

Reports and Informational Items

1. Reports and Informational Items (see LTC 184-2013)
2. List of Projects Covered by the Cone of Silence Ordinance - LTC No. 175-2013.
(Procurement)

End of Regular Agenda

Miami Beach Redevelopment Agency

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
June 5, 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 May 8, 2013)

(Memorandum to be Submitted in Supplemental)

- B A Resolution Setting A Public Hearing To Consider A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency Adopting And Appropriating The Second Amendment To The Operating Budget For The City Center Redevelopment Area, For Additional Revenue In Fiscal Year 2012/13.

(Tourism, Culture & Economic Development Department)

End of RDA Agenda