

MIAMI BEACH

City Commission Meeting

ADDENDUM MATERIAL 1

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. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

C4 - Commission Committee Assignments

- C4L Referral To The Neighborhood/Community Affairs Committee To Discuss A Potential Public Basketball Court To Be Located Between 8th And 9th Streets, West Of The Dune, Near The Exercise Equipment.
(Requested by Commissioner Jerry Libbin)
- C4M Referral To The Neighborhood/Community Affairs Committee To Discuss Safety And Water Sports In Residential Areas On Miami Beach.
(Requested by Commissioner Edward L. Tobin)
- C4N Referral To The Land Use And Development Committee To Discuss The Code Section Governing Unities Of Title And Covenants In Lieu Of Unity Of Title.
(Requested by Commissioner Edward L. Tobin)

C7 - Resolutions

- C7T A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Directing The City Manager To Use Any And All Reasonable Efforts To Obtain, During Negotiations Between The City And The Master Developer Selected By The City Pursuant To Request For Qualifications No. 22-11/12 For The Development Of The Miami Beach Convention District (The RFQ Or Project), A Labor Peace Requirement In The Project Development Agreement And/Or In The Ground Lease(s); And, Specifically, That For The Component(s) Of The Project Pertaining To The Operation And/Or Provision Of Hotel Services And/Or Hotel-Related Food And Beverage (F & B) Services For The Convention Center Hotel On City Property, The Master Developer (Or Its Hotel Operator) Be Required To Execute A Labor Peace Agreement (Or Agreements) With Any Labor Organization That Seeks To Represent The Hotel Services And/Or Hotel F & B Employees; Provided Further, However, That The Foregoing Direction To The Manager Is Not Intended To Mandate And/Or Otherwise Require A Labor Peace Requirement And/Or Labor Peace Agreement(s) As A Pre-Requisite Of The City's Approval Of Any Agreement(s) For The Convention Center RFQ Project.
(City Attorney's Office)

R7 - Resolutions

- R7H A Resolution Consenting To And Confirming The Appointment Of John E. Woodruff As The Director Of The Office Of Budget And Performance Improvement For The City Of Miami Beach.
(Human Resources)
- R7I A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Not To Name The New Tennis Center At Flamingo Park (The Center) The "Flamingo Park Tennis Center," As Proposed By The Flamingo Park Neighborhood Association And, Further, To Keep The Existing Proposed Name Of The Center As The "Flamingo Park/Holtz Tennis Center," In Accordance With The Intent Of The Prior Agreement(s) Entered Into By The City.
(City Attorney's Office)

R9 - New Business and Commission Requests

- R9G Discussion Regarding The FDOT Alton Road Project And The Alton Road Reconstruction Coalition (AARC).
(Requested by Commissioner Edward L. Tobin)



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager
FROM: Jerry Libbin, Commissioner *Jel*
DATE: May 30, 2013
SUBJECT: Referral to Neighborhood / Community Affairs Committee

Please place on the June 5th Commission Meeting agenda, a referral to the Neighborhood / Community Affairs Committee to discuss a potential public basketball court to be located on the sand between 8th and 9th Streets, west of the dune near the exercise equipment. A resident of Miami Beach has offered to pay the full cost including design and construction should the city decide to move forward.

The resident has been advised that any construction located east of the Coastal Construction Control Line (CCCL) is required to obtain a permit from the Florida Department of Environmental Protection. This process takes between six months and one year, depending on the complexity of the project and the quality of the construction plans. However, before applying for the permit, the resident would like to know if it is the will of the Commission.

Please contact my office at ext. 7106 if you have any questions.

JL/er

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager
FROM: Ed Tobin, Commissioner
DATE: May 29, 2013
SUBJECT: Agenda item for June 5, 2013 City Commission Meeting

Please place on the June 5th City Commission Meeting a referral to the Neighborhood/Community Affairs Committee to discuss safety and water sports in residential areas on Miami Beach.

If you have any questions please contact, Dessiree Kane at Extension 6274.

ET/dk

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager
FROM: Ed Tobin, Commissioner
DATE: May 29, 2013
SUBJECT: Agenda item for June 5, 2013 City Commission Meeting

Please place on the June 5th City Commission Meeting a referral to the Land Use and Development Committee to discuss the code section governing unities of title and covenants in lieu of unity of title. "Discussion concerning Covenants in Lieu."

If you have any questions please contact, Dessiree Kane at Extension 6274

ET/dk

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MIAMI BEACH

OFFICE OF THE CITY ATTORNEY
JOSE SMITH, CITY ATTORNEY

COMMISSION MEMORANDUM

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

FROM: Jose Smith, City Attorney 

CC: Jimmy L. Morales, City Manager

DATE: June 5, 2013

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AND DIRECTING THE CITY MANAGER TO USE ANY AND ALL REASONABLE EFFORTS TO OBTAIN, DURING NEGOTIATIONS BETWEEN THE CITY AND THE MASTER DEVELOPER SELECTED BY THE CITY PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 22-11/12 FOR THE DEVELOPMENT OF THE MIAMI BEACH CONVENTION DISTRICT (THE RFQ OR PROJECT), A LABOR PEACE REQUIREMENT IN THE PROJECT DEVELOPMENT AGREEMENT AND/OR IN THE GROUND LEASE(S); AND, SPECIFICALLY, THAT FOR THE COMPONENT(S) OF THE PROJECT PERTAINING TO THE OPERATION AND/OR PROVISION OF HOTEL SERVICES AND/OR HOTEL-RELATED FOOD AND BEVERAGE (F & B) SERVICES FOR THE CONVENTION CENTER HOTEL ON CITY PROPERTY, THE MASTER DEVELOPER (OR ITS HOTEL OPERATOR) BE REQUIRED TO EXECUTE A LABOR PEACE AGREEMENT (OR AGREEMENTS) WITH ANY LABOR ORGANIZATION THAT SEEKS TO REPRESENT THE HOTEL SERVICES AND/OR HOTEL F & B EMPLOYEES; PROVIDED FURTHER, HOWEVER, THAT THE FOREGOING DIRECTION TO THE MANAGER IS NOT INTENDED TO MANDATE AND/OR OTHERWISE REQUIRE A LABOR PEACE REQUIREMENT AND/OR LABOR PEACE AGREEMENT(S) AS A PRE-REQUISITE OF THE CITY'S APPROVAL OF ANY AGREEMENT(S) FOR THE CONVENTION CENTER RFQ PROJECT.**

At its regular meeting on May 13, 2013, the Finance and Citywide Projects Committee (Committee) discussed an item, referred by Commissioner Jorge Exposito at the April 17, 2013 City Commission Meeting, pertaining to a request from UNITEHERE!, a labor organization for hotel, food and beverage, and casino employees, that the City consider adopting a proposal which would require contracts (such as leases, management and concession agreements, etc.) to operate food, beverage, or hotel services on City property within the Convention Center

Agenda Item CTT
Date 6-5-13

District, to include a "labor peace" requirement. The request is similar to an action taken by Miami-Dade County in 2007, via County Resolution No. R-148-07, which directed the County Manager to include labor peace requirements in all RFP's, RFQ's, bids, and contracts for concessions at the Miami International Airport.

Labor peace requirements in public contracts are typically enforced through a separate agreement, entered into between the contractor (who is providing services under the public contract) and a labor organization seeking to organize the contractor's employees (i.e. those employees which will be providing the requested services under the public contract). Essentially, a labor peace agreement provides that, in exchange for the opportunity by contractor to unionize the contractor's employees and, if successful, to thereafter be recognized as the exclusive collective bargaining agent for the unionized employees, the labor organization will ensure that the contractor has "labor peace" during the term of contractor's agreement with the public entity. "Labor peace" means that the labor organization makes a contractual assurance, by entering into a labor peace agreement with the contractor, that, during the term of the public contract, the union will not engage in picketing, strikes, or other labor unrest that would interrupt or otherwise compromise the services provided by the contractor under the public contract. In the event of the labor organization's breach of the labor peace agreement (i.e. in the event that labor unrest does occur), then the public entity has certain direct remedies against the contractor, which may include suspension and/or termination of the public contract, and the right to contract with another provider for the services.

Following a presentation by the City Attorney's Office regarding the aforesaid request and labor peace agreements in general (all, as summarized above), the Committee directed the Office to prepare an appropriate Resolution, for consideration by the full City Commission. Accordingly, the City Attorney's Office has prepared the attached Resolution which authorizes the City Manager to use all reasonable efforts, during the course of negotiations with the selected Master Developer pursuant to the Convention Center Project (as contemplated under the RFQ), to have the Developer, or its hotel operator, secure a labor peace agreement, for the component of the Project related to the Convention Center Hotel (and, within that, for the hotel services and food and beverage services components of the Hotel).

The attached Resolution does not (as the County's resolution did) *obligate* the City to require the Master Developer (as the developer of the Convention Center Hotel) or its Hotel operator to obtain labor peace agreements as a required condition to the City's approval of any development agreement and/or ground leases for the Convention Center Project. The City Attorney's Office expressed its concern to the Committee (as it did previously to UNITEHERE!) in *mandating* a labor peace requirement at this point in the Convention Center Project negotiations. Had the City Commission expressed a desire to include such a requirement as part of this Project, then the more appropriate way of realizing such policy would have been for the City to include it as a mandatory requirement within the RFQ document (since doing so would have effectively provided all prospective respondents with notice of that requirement prior to submitting their proposals). This is the procedure that the County followed in its Resolution; that is, by requiring the labor peace requirement in County bids (i.e. RFP's, RFQ's, and bids for non-concessions) for certain MIA contracts, the language was included as a mandatory requirement in the bid documents.

Notwithstanding, in the event that the City Commission finds that the public interest would now be served by including a labor peace requirement as part of the Convention Center Project negotiations, the Resolution drafted by the City Attorney recommends that the City Manager be

directed to include it in the negotiations; but not that it be mandated as a pre-requisite to the City's approval of any development agreement or ground lease for the Project. Similarly, the Office recommends that the requirement, if negotiated, only apply as to hotel services and hotel F&B services for the proposed Convention Center Hotel.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AND DIRECTING THE CITY MANAGER TO USE ANY AND ALL REASONABLE EFFORTS TO OBTAIN, DURING NEGOTIATIONS BETWEEN THE CITY AND THE MASTER DEVELOPER SELECTED BY THE CITY PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 22-11/12 FOR THE DEVELOPMENT OF THE MIAMI BEACH CONVENTION DISTRICT (THE RFQ OR PROJECT), A LABOR PEACE REQUIREMENT IN THE PROJECT DEVELOPMENT AGREEMENT AND/OR IN THE GROUND LEASE(S); AND, SPECIFICALLY, THAT FOR THE COMPONENT(S) OF THE PROJECT PERTAINING TO THE OPERATION AND/OR PROVISION OF HOTEL SERVICES AND/OR HOTEL-RELATED FOOD AND BEVERAGE (F & B) SERVICES FOR THE CONVENTION CENTER HOTEL ON CITY PROPERTY, THE MASTER DEVELOPER (OR ITS HOTEL OPERATOR) BE REQUIRED TO EXECUTE A LABOR PEACE AGREEMENT (OR AGREEMENTS) WITH ANY LABOR ORGANIZATION THAT SEEKS TO REPRESENT THE HOTEL SERVICES AND/OR HOTEL F & B EMPLOYEES; PROVIDED FURTHER, HOWEVER, THAT THE FOREGOING DIRECTION TO THE MANAGER IS NOT INTENDED TO MANDATE AND/OR OTHERWISE REQUIRE A LABOR PEACE REQUIREMENT AND/OR LABOR PEACE AGREEMENT(S) AS A PRE-REQUISITE OF THE CITY'S APPROVAL OF ANY AGREEMENT(S) FOR THE CONVENTION CENTER RFQ PROJECT.

WHEREAS, the City has a financial and proprietary interest in revenue producing contracts which include food and beverage ("F&B") facilities and operations on City-owned properties; and

WHEREAS, if the City selects and approves a Master Developer pursuant to Request for Qualifications No. 22-11/12 for the Development of the Miami Beach Convention Center District (RFQ or the Project), one of the Project components contemplated under the RFQ includes construction of a convention center headquarters hotel ("Hotel") on land leased from the City; and

WHEREAS, the Hotel will also include related F& B facilities and operations; and

WHEREAS, a labor dispute at the Hotel (including at the Hotel – related F&B facilities) may result in interrupted services and lead to a loss of revenue for the City; and

WHEREAS, a labor peace policy can protect the City from labor disruptions that could otherwise negatively impact City revenues; and

WHEREAS, labor peace policies are in effect in Miami-Dade County and the City of Miami, as well as other local governments throughout the country; and

WHEREAS, on October 5, 2012, Miami-Dade County Mayor Carlos Gimenez wrote to Mayor Bower that the City should consider a labor peace resolution similar to the one that Miami-Dade County approved for request for proposals, requests for qualifications, bids, and contracts for concession opportunities at Miami International Airport (a copy of Mayor Gimenez's letter, and County Resolution No. R-148-07, are attached as Exhibits "A" and "B," respectively); and

WHEREAS, a similar request was also made by UNITEHERE!, a labor organization that organizes employees in the food and beverage, hotel, and casino industry, that the City require contracts to operate food, beverage, or hotel services, on City property within the Convention Center District, to include a "labor peace" requirement; and

WHEREAS, at its regular meeting on April 17, 2013, at the request of Commissioner Jorge Exposito, the City Commission referred a discussion regarding the labor peace requirement to the Finance and Citywide Projects Committee ("Committee"); and

WHEREAS, the item was discussed by the Committee at its May 13, 2013 meeting and, following a presentation by the City Attorney's Office, the Committee directed the City Attorney to prepare an appropriate Resolution to be considered by the City Commission.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the Finance and Citywide Projects Committee and direct the City Manager to use any and all reasonable efforts to obtain, during negotiations between the City and the Master Developer selected by the City pursuant to Request for Qualifications No. 22-11/12 for the Development of the Miami Beach Convention District (the RFQ or Project), a labor peace requirement in the Project Development Agreement and/or in the Ground Lease(s) to be entered into between the City and Developer; and, specifically, that for the component(s) of the Project pertaining to the operation and/or provision of hotel services and/or hotel-related food and beverage (F & B) services for the Convention Center Hotel on City property, the Master Developer (or its hotel operator) be required to execute a Labor Peace Agreement (or Agreements) with any labor organization that seeks to represent the hotel services and/or hotel F & B employees; provided further, however, that the foregoing direction to the Manager is not intended to mandate and/or otherwise require a labor peace requirement and/or labor peace agreement(s) as a pre-requisite of the city's approval of any agreement(s) for the Convention Center RFQ Project. The labor peace agreement must be a valid agreement which includes a No-Strike Pledge prohibiting the labor organization and its members from engaging in any picketing, work stoppages, boycotts, or any other economic interference with the operation for as long as the City determines that its revenues are at material risk from a potential labor dispute. The labor peace agreement shall cover all food and beverage and hotel operations which are conducted by sublessees or subtenants or under management agreements. "Contractor" as used herein means any person party to a Contract subject to this ordinance. The Labor Peace agreement shall not include any provision that would require or compel an employee to be a member of any labor organization.

PASSED and ADOPTED this ____ day of _____, 2013.

ATTEST:

MAYOR

CITY CLERK

F:\ATTOVAGUR\RESOS-ORD\MBCC Labor Peace Reso (5-29-13).doc

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/30/13

Date

Exhibit "A"



CARLOS A. GIMENEZ
MAYOR
MIAMI-DADE COUNTY

October 5, 2012

The Honorable Matti Herrera Bower
Office of the Mayor, 4th Floor
1700 Convention Center Drive
Miami Beach, FL 33139

Dear Mayor Herrera-Bower:

I share your vision to establish a world class convention center in Miami Beach.

As the City of Miami Beach moves towards this goal, the City should consider a labor peace resolution similar to one that Miami-Dade County approved unanimously in 2007 (R-148-07). This resolution has helped our airport administration avoid work disruptions that could lead to unnecessary and costly delays. By shielding the County, our citizens, and our visitors from the negative impacts that labor disputes may have, we are better positioned to keep operations moving smoothly for millions of passengers every year.

A similar policy for the convention center and anchor hotel could offer the City of Miami Beach the same security.

Should you have any questions, please feel free to contact me

Sincerely,

A handwritten signature in cursive script, appearing to read "Carlos A. Gimenez".

c: Miami Beach City Commission

Exhibit "B"

Approved _____ Mayor

Agenda Item No. 11(A) (2)

Veto _____

02-06-07

Override _____

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

RESOLUTION NO. R-148-07

**RESOLUTION DIRECTING COUNTY MANAGER
TO INCLUDE LABOR PEACE REQUIREMENT IN
ALL REQUESTS FOR PROPOSALS, REQUESTS
FOR QUALIFICATIONS, BIDS AND CONTRACTS
FOR CONCESSION OPPORTUNITIES AT MIAMI
INTERNATIONAL AIRPORT**

WHEREAS, Miami International Airport is the major gateway to Miami-Dade County; and

WHEREAS, concessionaires lease property from the Airport and base their lease payments to the Airport in part on the revenue they generate; and

WHEREAS, Miami-Dade County has a financial and proprietary interest in the success of the concessionaires doing business at Miami International Airport; and

WHEREAS, passengers and others using the Airport need and deserve uninterrupted access to concessions at the Airport; and

WHEREAS, work disruptions at the Airport can lead to unnecessary and costly delays for the traveling public and a loss of revenue to the County; and

WHEREAS, the County finds that the efficient and uninterrupted operation of concession operations at the Airport may be threatened by labor disputes; and

WHEREAS, the County wishes to shield itself, its citizens and visitors from any impact that labor disputes may have to the extent legally permissible; and

3

WHEREAS, the County finds that provisions protecting the County from labor disruptions at the Airport should be included in all future contracts with Airport concessionaires,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that all Requests for Proposals, Requests for Qualifications and bids for food/beverage, retail/news/gifts and hotel services at Miami International Airport ("MIA") shall require the proposer to sign a labor peace agreement with the labor organization(s) that seeks to represent the proposer's employees and submit such agreement as part of its proposal to assure that no labor dispute or unrest will disrupt their operations at MIA; and further requiring that all contracts for such concessions at MIA shall include a provision giving the County the right, in the event of a labor disruption, to suspend the County's obligations under the contract while the labor disruption is ongoing and to use alternative means to provide the service that is affected by the labor disruption. In the event a proposer is unable to reach an agreement with a labor organization regarding the terms of a labor peace agreement, the dispute between the proposer and the labor organization shall be resolved by expedited binding arbitration in which the decision shall be rendered within ten (10) days of the request for arbitration but no later than five days prior to the date the proposal is due. The proposer and the labor organization shall equally share the costs of arbitration. The proposer shall ensure that all sub-tenants also sign a labor peace agreement.

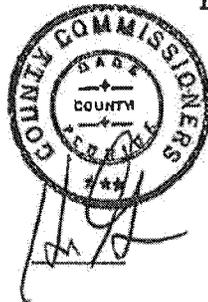
The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner Sally A. Heyman, who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye	
	Barbara J. Jordan, Vice-Chairwoman	aye	
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of February, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry H. Gillman

MEMORANDUM

Agenda Item No. 11(A)(2)

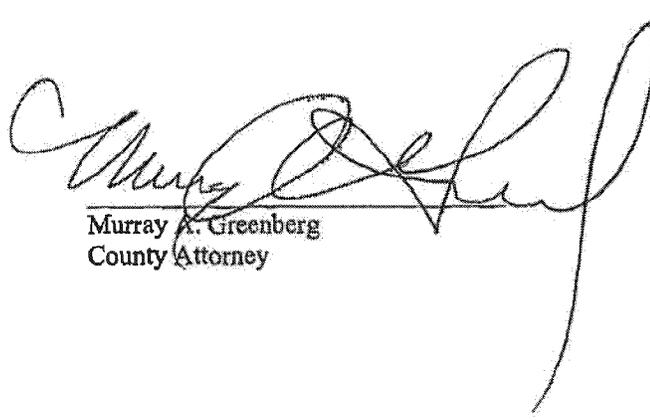
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution directing County
Manager to include labor
peace requirement in all
RFPs for concession
opportunities at Miami
International Airport

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Carlos A. Gimenez.


Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

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Condensed Title:

Consenting to the appointment of John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

Key Intended Outcome Supported:

Maintain strong growth management policies; Maximize efficient delivery of services; Control cost of payroll including salary and fringes/minimize taxes/ensure expenditure trends are sustainable over the long term; Improve the City's overall financial health and maintain overall bond rating; strengthen internal controls.

Supporting Data (Surveys, Environmental Scan, etc.): N/A

Issue:

Shall the Mayor and City Commission adopt the attached Resolution consenting and confirming John E. Woodruff as the Director of the Office of Budget and Performance Improvement?

Item Summary/Recommendation:

The Office of Budget and Performance Improvement (OBPI) is focusing on performance excellence by blending strategic management, resource allocation, performance management and revenue maximization. The OBPI Director is responsible for the administration of the following offices: Budget, Internal Audit, Performance Improvement and Grants. The incumbent is also responsible for: coordinating Citywide efforts in support of the community's priorities; performance management process by focusing on the City's Strategic Plan through the alignment of priorities, allocation of resources and processes' re-engineering.

Pursuant to the requirements of Article IV, Section 4.02 of the City Charter, it is recommended that the Mayor and the City Commission adopt the attached resolution consenting and confirming John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
1			
2			
3			
Total			

OBPI

City Clerk's Office Legislative Tracking:

Sylvia Crespo-Tabak, Human Resources

Sign-Offs:

Department Director	Assistant City Manager	City Manager
SCT <i>Sylvia Crespo-Tabak</i>	KGB	JLM <i>JLM</i>

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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: June 5, 2013

SUBJECT: **A RESOLUTION OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO THE APPOINTMENT OF JOHN E. WOODRUFF AS THE DIRECTOR OF THE OFFICE OF BUDGET AND PERFORMANCE IMPROVEMENT FOR THE CITY OF MIAMI BEACH.**

ADMINISTRATION RECOMMENDATION

Pursuant to the requirements of Article IV, Section 4.02 of the City Charter, it is recommended that the Mayor and the City Commission adopt the attached resolution consenting and confirming John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

ANALYSIS

Mr. Woodruff has over 15 years of local government experience with an emphasis in: leadership; strategic planning; performance analysis; budget and financial management; project and process management; managing change and fostering continuous improvement. Mr. Woodruff is also proficient in developing strategies and processes to resolve complex operational and financial challenges, as well as the ability to combine metrics-driven analyses with practical management knowledge to streamline operations, improve quality, and reduce costs. His past experience also granted him significant expertise in managing billion dollar-plus budgets.

From 1998 through 2002, Mr. Woodruff was employed by the City of San Antonio, Texas, as an analyst and later as a senior analyst in the Office of Management and Budget. He was responsible for managing business units' operating and capital budgeting processes. During his tenure with the City of San Antonio, Mr. Woodruff created a transparent funding process that improved the effectiveness and accountability of the Facilities Improvement & Maintenance Program; enhanced arbitrage compliance by refining the accuracy of the linkage between the six-year capital budget and the long-term debt plan; and, most importantly, successfully developed pro-forma budgets for the over \$100 million expansion of the convention center.

Upon relocation to Florida in 2002, Mr. Woodruff was hired by the Pinellas County Administration as the Manager for the Office of Management and Budget. As such, he was responsible for managing a \$500 million capital budget and business units' operating budgets of over \$100 million. Mr. Woodruff also spearheaded special projects, including performance optimization and benchmarking, as well the issuance of new debt and compliance with ongoing reporting requirements. In 2007, Mr. Woodruff was promoted to the Director of the Office of Management and Budget.

During his tenure with the Pinellas County Government, Mr. Woodruff led the implementation of the strategic plan and transition to outcome-based performance metrics using the balanced scorecard strategic framework, where he continuously monitored the performance of multiple business units and helped drive performance enhancements. He was able to craft unique budget processes, such as developing 10-year rolling forecasts for 10 major funds, to address dramatic revenue challenges resulting from recession-driven market changes and regulatory burdens.

Upon assuming the Director position, Mr. Woodruff led a team of ten analysts and was responsible for overseeing the development and administration of a \$1.6 billion operating and capital budget, a 10-year rolling forecast and strategic plan, and special projects including revenue enhancements, cost reductions, and an ERP implementation. He coordinated the implementation of the organization's first formal strategic plan and chaired the executive team driving the strategic planning goals and action items. Mr. Woodruff was also successful in addressing dramatic revenue decreases by reducing the organization's position count by 35 percent, while maintaining key service levels in high priority programs.

CONCLUSION

Appointment of John E. Woodruff as the Director for the Office of Budget and Performance Improvement will contribute to the City's continuous efforts to improve its overall financial health through the Citywide performance management process that focuses on the City's Strategic Plan aligning performance priorities, allocating associated resources, improving processes and reporting results Citywide.

Pursuant to the requirements of Article IV, Section 4.02, of the City Charter, it is recommended that the Mayor and City Commission adopt the resolution consenting and confirming John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSENTING TO AND CONFIRMING THE APPOINTMENT OF JOHN E. WOODRUFF AS THE DIRECTOR OF THE OFFICE OF BUDGET AND PERFORMANCE IMPROVEMENT FOR THE CITY OF MIAMI BEACH.

WHEREAS, the City Manager has appointed John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach; and

WHEREAS, pursuant to Section 4.02 of the City of Miami Beach Charter, as well as Section 2-3 of the City Code, the City Manager has power to appointment directors of the City departments with the consent and conformance of the Mayor and the City Commission; and

WHEREAS, the Mayor and the City Commission wish to consent to and confirm the appointment of John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and the City Commission have consented to and confirmed the appointment of John E. Woodruff as the Director of the Office of Budget and Performance Improvement for the City of Miami Beach.

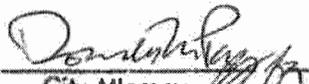
PASSED and ADOPTED this ____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney 5/30/13
Date



MIAMI BEACH

OFFICE OF THE CITY ATTORNEY
JOSE SMITH, CITY ATTORNEY

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission
FROM: Raul J. Aguila, Chief Deputy City Attorney *R J Aguila*
CC: Jimmy L. Morales, City Manager
DATE: June 5, 2013

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOODS AND COMMUNITY AFFAIRS COMMITTEE NOT TO NAME THE NEW TENNIS CENTER AT FLAMINGO PARK (THE CENTER) THE "FLAMINGO PARK TENNIS CENTER," AS PROPOSED BY THE FLAMINGO PARK NEIGHBORHOOD ASSOCIATION AND, FURTHER, TO KEEP THE EXISTING PROPOSED NAME OF THE CENTER AS THE "FLAMINGO PARK/HOLTZ TENNIS CENTER," IN ACCORDANCE WITH THE INTENT OF THE PRIOR AGREEMENT(S) ENTERED INTO BY THE CITY**

BACKGROUND

At its regular meeting on May 20, 2013, the Neighborhoods and Community Affairs Committee (Committee) considered a proposal by the Flamingo Park Neighborhood Association to name the new tennis center at Flamingo Park, the "Flamingo Park Tennis Center." In conjunction with this proposal, the Committee also held a broader discussion with regard to the history of the naming of the previous tennis center at Flamingo Park which, until it was demolished (between May 2012 and May 2013) to make way for the new center, had been named the "Holtz Stadium." The 5/20/13 Committee Memorandum, attached as Exhibit "A" hereto, set forth the chronology and relevant facts with regard to the history of the naming; which chronology/history is again summarized below.

TENNIS CENTER NAMING CHRONOLOGY/HISTORY

I. 1983 – TENNIS STADIUM NAMED "ABEL HOLTZ STADIUM" AND TENNIS CENTER NAMED "FLAMINGO PARK – CAPITAL BANK TENNIS CENTER"

In 1983, the City approved and entered into an agreement (the 1983 Agreement) with Capital Bank (Capital) under which Capital agreed to fund and construct the old tennis center improvements, including the tennis stadium, in exchange for the naming rights to the center and stadium. The tennis stadium would be named the "Abel Holtz Stadium," in perpetuity; and the overall tennis center improvements would be named the "Flamingo Park-Capital Bank Tennis Center." The aforesaid names could not be removed or

Agenda Item R7I
Date 6-5-13

changed without the prior approval of Capital. The City also agreed that the “character” of the improvements would remain as a tennis stadium unless Capital approved a proposed change in character, or unless the use of the entire Flamingo Park property were changed.

II. 1995 - NAME CHANGED FROM “ABEL HOLTZ STADIUM” TO “HOLTZ STADIUM”

In 1995, following a 1994 written request by Mayor Gelber to Capital Chairman Daniel Holtz, Capital consented to and agreed to a name change from the “Abel Holtz Stadium,” to the “Holtz Stadium” (the 1995 Agreement). While the Mayor’s request complied with the 1983 Agreement, in that it sought to obtain Capital’s consent for the City-requested name change, the action was not ratified by the entire City Commission. Nevertheless, the City implemented the name change; the new signage was paid for by Capital; and—thereafter—the tennis center name was changed to “Holtz Stadium;” which named remained until demolition of the center, between 2012-13.

III. 2000 – NAMING OF PROPOSED NEW TENNIS CENTER, “FLAMINGO PARK HOLTZ TENNIS CENTER”

In 2000, in anticipation of the City’s proposed demolition of the tennis stadium and tennis center improvements (constructed under the 1983 Agreement) to make way for the proposed construction of a new tennis center, the City Manager and Abel Holtz executed a letter agreement, attached as Exhibit “B” hereto, which agreed that, in the event the City demolished the existing Stadium (which it did), the City agreed, and Mr. Holtz consented to, “the placement of signage at the south entrance of the new Tennis Center complex, to read “Flamingo Park/Holtz Tennis Center”(the 2000 Agreement).

ANALYSIS

While the City acknowledges the factual arguments made by the Flamingo Park Neighborhood Association (the Association) in opposition to the name change under the 2000 Agreement (i.e. that the 2000 Agreement was not: 1) ratified by the City Commission [it was executed by the City Manager]; 2) executed by Capital [or—since Capital no longer existed—by a successor bank]; or 3) submitted for approval as a proposed naming, or re-naming under the City’s existing Naming Ordinance at that time), the City’s intent under such Agreement was not to circumvent the City Commission or the Naming Ordinance. Rather, the City—whether erroneously or not—believed that the steps it took to change the name under the 2000 Agreement were valid, in that it followed substantially the same process that had been taken in 1995 (when, pursuant to the 1995 Agreement, the name was changed to “Holtz Stadium”).

The City presumed that the 1983 Agreement created a continuing contractual obligation (which predated the enactment of any City Naming Ordinance) which required the City to keep the name “Holtz Stadium” on any overall tennis improvements in Flamingo Park, in perpetuity, unless the City obtained Capital’s consent for a new name. Since Capital no longer existed in 2000, and considering that the original 1983 transaction came about as a result of the efforts of then Capital Chairman, Abel Holtz (who also executed the 1983 Agreement), the City also presumed—whether erroneously or not—that Capital was the Holtz family and that, therefore, Abel Holtz would be the proper party, on behalf of the Holtz family, to execute any subsequent agreement in Capital’s stead.

Finally, the 2000 Agreement also accomplished two significant things for the City: 1) It obtained Capital/Holtz's consent for demolition of the old tennis stadium and other tennis center improvements, in the event that Capital/Holtz were to subsequently argue that, by constructing a new tennis center, the City was changing the "character" of the original improvements to something other than a tennis stadium; and, more importantly, 2) it got Capital/Holtz to consent to the inclusion of "Flamingo Park" as part of the name change (i.e. The tennis center would no longer be known as just the "Holtz Stadium," but rather as the "Flamingo Park Holtz Tennis Center").

The Association has rejected the aforesaid arguments in support of the City's reasons for—until now—proceeding to name the facility the "Flamingo Park Holtz Tennis Center," and has instead proposed that the tennis center be named the "Flamingo Park Tennis Center." In accordance with the City's Naming Ordinance, the Association's naming proposal was referred to, and considered by, the Committee at its May 20, 2013 Meeting. Following a presentation of the item by the City Attorney's Office; comments from members of the public (including Abel Holtz); and discussion among the members present, the Committee recommended keeping the name of the facility as the "Flamingo Park Holtz Tennis Center," as intended by the City under the relevant agreements set forth above. Following the Committee's vote, members of the public who supported the Association's naming proposal (i.e. "Flamingo Park Tennis Center"), but who arrived after the vote, were asked whether they wished to make any public comments on the item. The Committee clarified that, although it had already heard the item, taken action, and made its recommendation, the matter would now be forwarded to the City Commission, at which time the Commission could either accept the Committee's recommendation or take such other action as it deemed necessary.

RECOMMENDATION

The City Commission may proceed with one (1) of the following options:

Option 1 - Accept the Committee's recommendation to keep the proposed existing name of the facility as the "Flamingo Park Holtz Tennis Center," in acknowledgement of the City's intent based on the prior history regarding the naming of the tennis improvements, including the aforesaid prior Agreements. As this option also effectively denies the Association's proposed naming request for the tennis center (i.e. "Flamingo Park Tennis Center"), no further action would be required with respect to such proposal; or

Option 2 - Not accept the Committee's recommendation, and take such other action as the City Commission deems necessary; provided, however, that if the City Commission desires to proceed with the Association's proposal to name the tennis center the "Flamingo Park Tennis Center," it would then have to refer that name back to the Committee for further consideration since, under the Naming Ordinance, the City Commission can only consider a name that has been approved by a majority of the Committee.

Additionally, it should be noted that, should the City Commission elect to proceed with *any* proposal to change the name of the tennis center, it has already been put on notice of the likelihood of a legal challenge by Mr. Holtz, to defend his right (under the aforesaid Agreements) to have the tennis center named the "Flamingo Park Holtz Tennis Center."



MIAMI BEACH

MEMORANDUM

TO: Neighborhood/Community Affairs Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 20, 2013

SUBJECT: **Discussion on the Status of the Naming of the New Tennis Center at Flamingo Park**

Introduction

In a written request to the Mayor and City Commissioners, dated March 20, 2012, the Flamingo Park Neighborhood Association requested that the new tennis center be named the "Flamingo Park Tennis Center." At its regular meeting on April 17, 2013, the Mayor and City Commission referred the proposal to name the tennis center to the Neighborhoods and Community Affairs Committee, for its consideration and recommendation. Attached is a copy of the April 17, 2013 Commission referral. (Attachment A).

Chronology of Naming/Re-Naming of the Flamingo Park Tennis Facilities

1. Under the August 5, 1983 Amended and Restated Agreement between the City and Capital Bank (the 1983 Agreement), in consideration of Capital Bank's agreement to construct certain tennis related improvements in Flamingo Park (which included a stadium with tennis courts, and permanent and portable grandstand seating; fencing; landscaping; sidewalks and pedestrian paths for access to and from the stadium; lighting; an electric scoreboard; a water sprinkling system for the landscaping and tennis court maintenance; and interior conduits for communications facilities; all defined in the Agreement as the "Improvements"), the City agreed:
 - a) to name the Improvements the "Abel Holtz Stadium," in perpetuity; and
 - b) to re-name the entire Flamingo Park tennis facilities from the "Flamingo Park Tennis Center," to the "Flamingo Park – Capital Bank Tennis Center."

Attached please find photographs of examples of the signage following the approval of the 1983 Agreement (Attachment B).

2. Under the 1983 Agreement, the names could not be "removed, altered, or changed unless approved by Capital;" or, if Capital chose to change the name of the Tennis Center, "it should submit the name and appropriate new signage plan to the City for approval and Capital may, thereafter change the signage at its sole cost and expense."

3. In a December 4, 1994 letter to Capital Bank President Daniel Holtz, Mayor Seymour Gelber requested that Capital Bank consent to re-name the "Abel Holtz Stadium" (i.e. the Improvements), by withdrawing Mr. Holtz's name.
4. In a March 16, 1995 letter to Mayor Gelber, Daniel Holtz stated that Capital Bank's Board of Directors had voted to change the name of the Improvements, from the "Abel Holtz Stadium," to the "Holtz Stadium" (with the cost of the change of name to be paid by the Bank).
5. Mayor Gelber acknowledged the name change in his subsequent letter to Mr. Holtz, dated March 21, 1995, stating "I certainly approve the proposals offered by Capital Bank and will be pleased to present this contract modification to our City Commission for approval." The Mayor also sent a memorandum, dated March 23, 1995, to City Manager Roger Carlton, advising him to place any required contractual amendment on a future City Commission agenda for ratification. Notwithstanding, there is no record of the City Commission ever approving an amendment to the 1983 Agreement, or otherwise approving the re-naming.
6. The City effectuated and implemented the 1995 re-naming by removing Abel Holtz's name from the tennis center and leaving only the Holtz family and Capital Bank names... Attached please find dated photographs of examples of the revised signage. (Attachment C).
7. In August 8, 2000, in anticipation of the City's proposed future demolition of the existing tennis stadium, and intent to construct a new tennis center complex at Flamingo Park, City Manager Lawrence Levy and Abel Holtz executed a letter agreement with regard to modifications to the existing signage (the 2000 Letter Agreement). The City Manager and Mr. Holtz agreed that, "following the proposed improvements to the Tennis Stadium, and, as stated, in the event the City demolishes the existing Stadium pursuant to said improvements, the City agrees and Mr. Holtz herein consents to, the placement of signage at the south entrance of the new Tennis Center complex, to read "Flamingo Park/Holtz Tennis Center."
8. The 2000 Letter Agreement was not approved by either the City Commission or Capital Bank, the original parties to the 1983 Agreement. In fact, by August 2000, Capital Bank no longer existed.
9. A Resolution of the Mayor and City Commission granting a Certificate of Appropriateness for the demolition of the Holtz Tennis Stadium was approved at the May 16, 2007, City Commission meeting, the tennis stadium was subsequently demolished in July, 2007. Any remaining Improvements constructed by Capital Bank under the 1983 Agreement were also demolished when the new Tennis Center renovations were built between May, 2012, and May, 2013. It should be noted that the new tennis center renovations do not include a tennis stadium.

10. The current and proposed signage for the new Flamingo Park tennis center improvements are as follows (please refer to the Attachment D for additional information):
- A) Proposed new Tennis Center building naming signage;
 - B) Plaques (located on east side pro-shop patio wall);
 - C) Way finding signage (temporary to be removed prior to opening of new center);
 - D) Tennis informational/fees sign (temporary to be removed prior to opening of new center).
11. In a written request to the Mayor and City Commissioners, dated March 20, 2012, the Flamingo Park Neighborhood Association requested that the new tennis center be named the "Flamingo Park Tennis Center." At its regular meeting on April 17, 2013, the Mayor and City Commission referred the proposal to name the tennis center to the Neighborhoods and Community Affairs Committee, for its consideration and recommendation.
12. On April 1, 2013, the City of Miami Beach Tennis Advisory Committee (TAC) held a discussed the proposed name and background on the naming of the tennis center at Flamingo Park. Following the discussion, the TAC unanimously approved the following motion:
- MOTION: The Tennis Advisory Committee recommends to the City Commission that the tennis center at Flamingo Park be named the Flamingo Tennis Center and also recommends that no name be placed on the tennis center until there is an appropriate public forum and the forum is concluded. A Letter To Commission forwarding this action was subsequently issued on April 23, 2013.** Attached is a copy of this LTC. (Attachment E).
13. On April 20, 2013, an article entitled "Miami Beach Tennis Center is still named after Abel Holtz" appeared in the *Miami Herald*. (Attachment F). The article provided a history of the tennis center naming process and concluded with a quote from Mr. Holtz that he would " 'feel bad' if his name came off the center, but he wouldn't take any action against the city if that happened". Mr. Holtz also went on to state "None whatsoever, I am willing to waive it, if the city asks for it. I'm not going to do anything to hurt the city".
14. Notwithstanding, the 4/20/13 article, Attorney Clifford Schulman wrote a letter to the City Attorney Jose Smith on behalf of Abel Holtz, dated May 1, 2013, stating that, if required, Mr. Holtz will defend his rights to have the Tennis Center renamed the "Flamingo Park Holtz Tennis Center." (Attachment G).

Conclusion

The Administration recommends that the discussion concerning the status of the naming of the Tennis Center at Flamingo Park be held at the Neighborhood/Community Affairs Committee and direction as to the next actions be provided to the Administration.

Neighborhoods/Community Affairs Committee

May 20, 2013

Discussion of the Naming of the Tennis Center at Flamingo Park

JLM/JMT/JS/RA/KS

F:\RCPA\ALL\Previous\KEVIN\Commission Committees Meetings - 2013\NCAC Meeting 5-20-13\N-CAC Referral - Discussion on the status of naming the Tennis Center at Flamingo Park.doc

ATTACHMENT - A

**APRIL 17, 2013, COMMISSION REFERRAL TO
NEIGHBORHOODS/COMMUNITY AFFAIRS**

**DISCUSSION ON THE STATUS OF THE NAMING OF THE TENNIS
CENTER AT FLAMINGO PARK**



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

To: Jimmy Morales, City Manager

From: Matti Herrera Bower, Mayor

Date: April 1, 2013

Re: Commission Agenda Item

Please place on the agenda for the April 17, 2013 Commission Meeting an item to refer to the Neighborhood/Community Affairs Committee a discussion on the status of the naming of the Tennis Center at Flamingo Park.

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

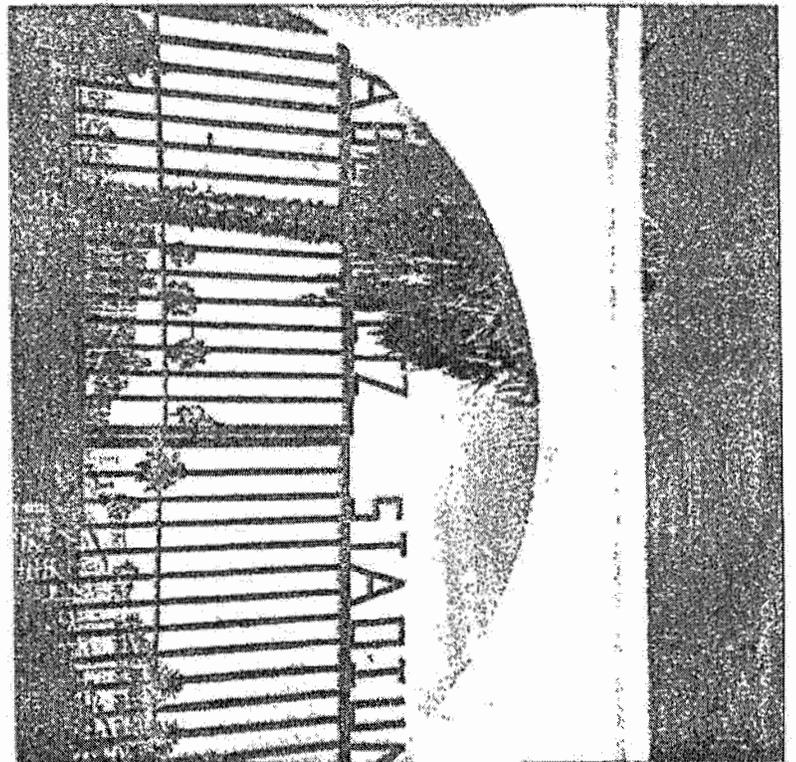
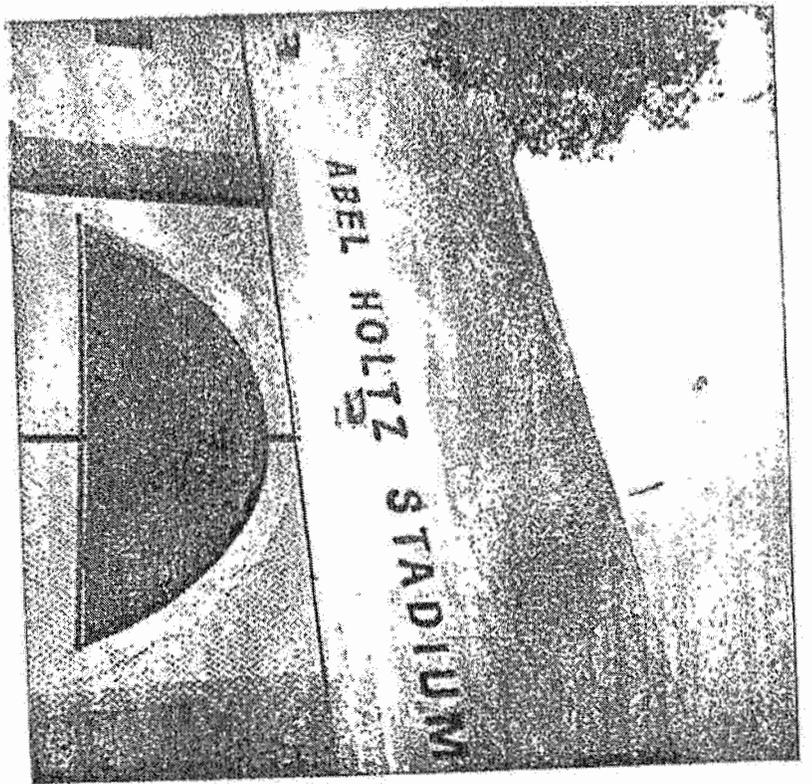
Thank you.

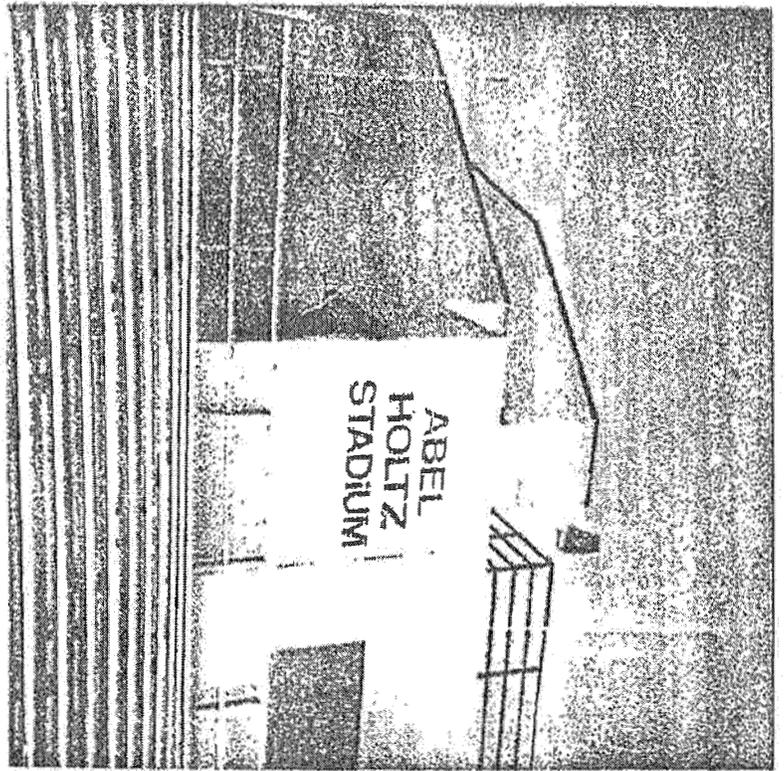
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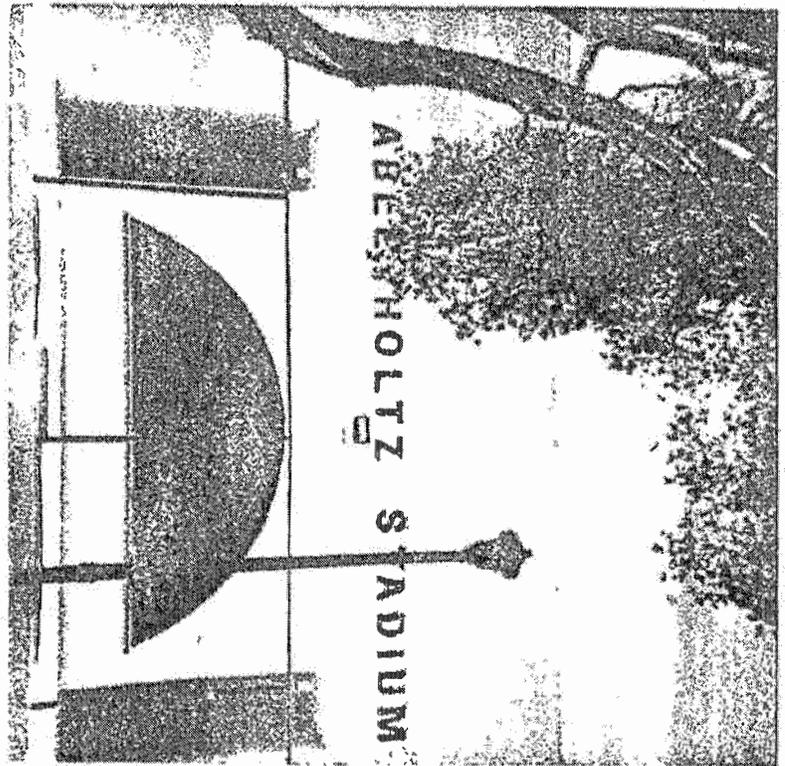
Agenda Item C4D
Date 4-17-13

ATTACHMENT - B

**PHOTOGRAPHS OF EXAMPLES OF SIGNAGE FOLLOWING THE
APPROVAL OF THE 1983 AGREEMENT**

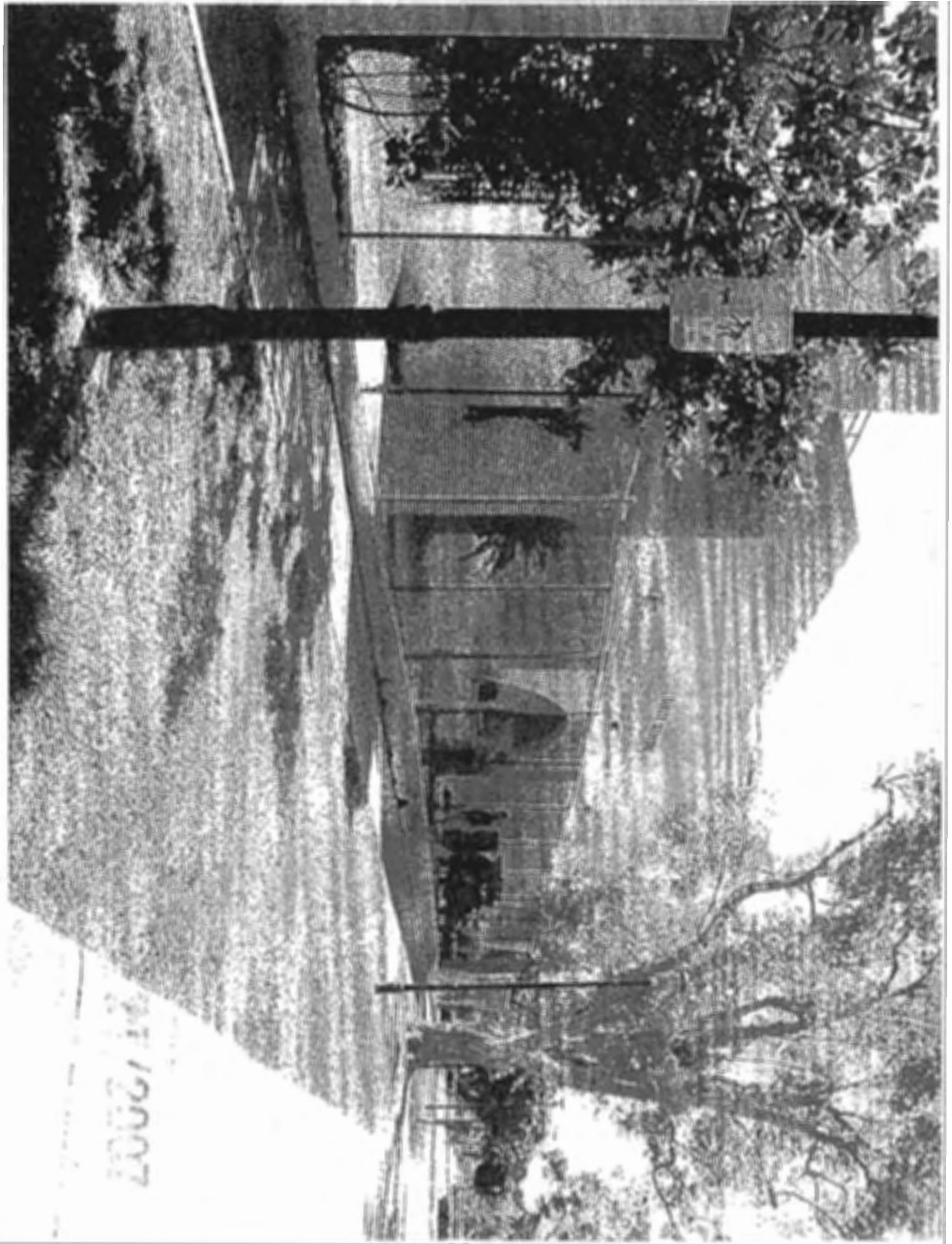


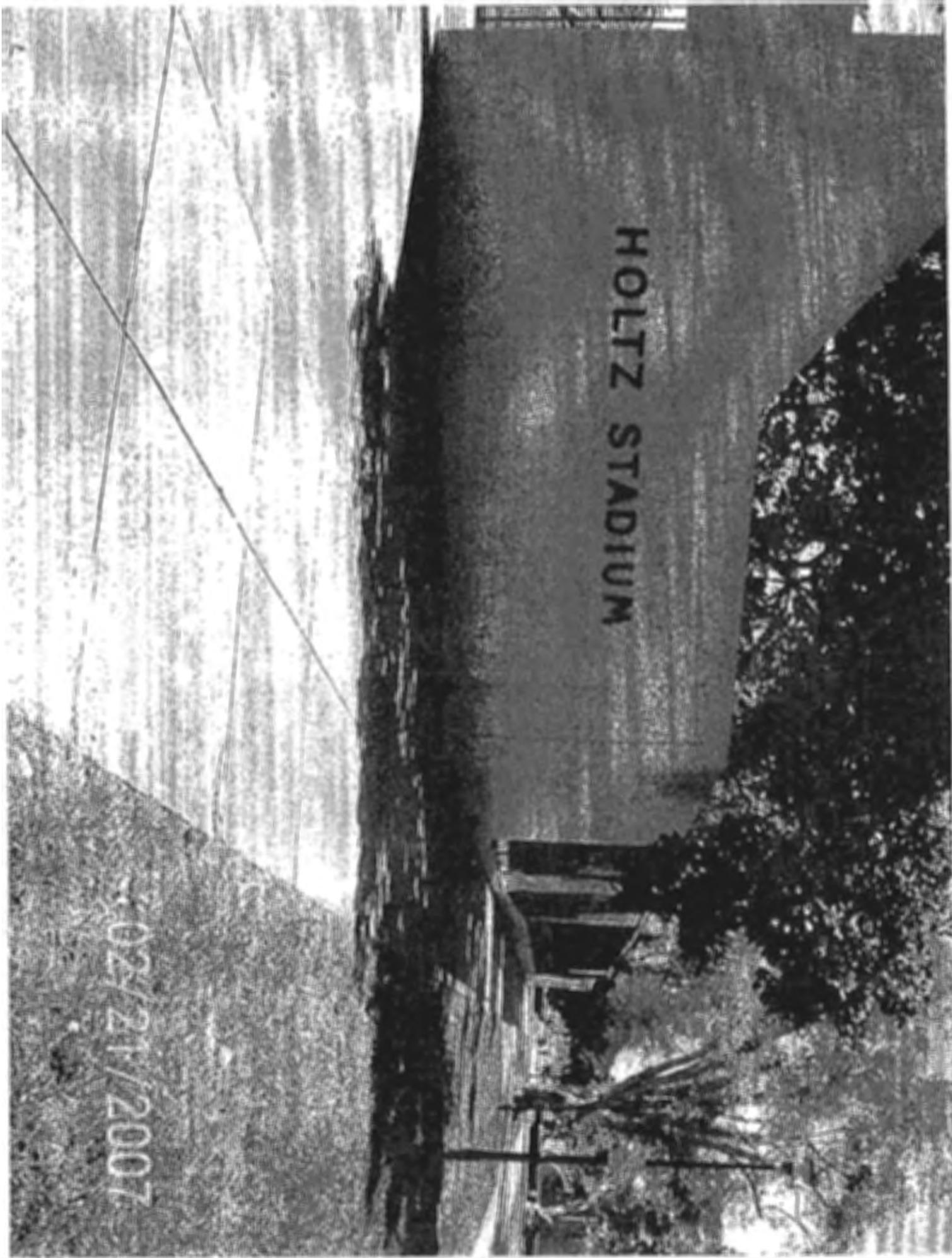




ATTACHMENT – C

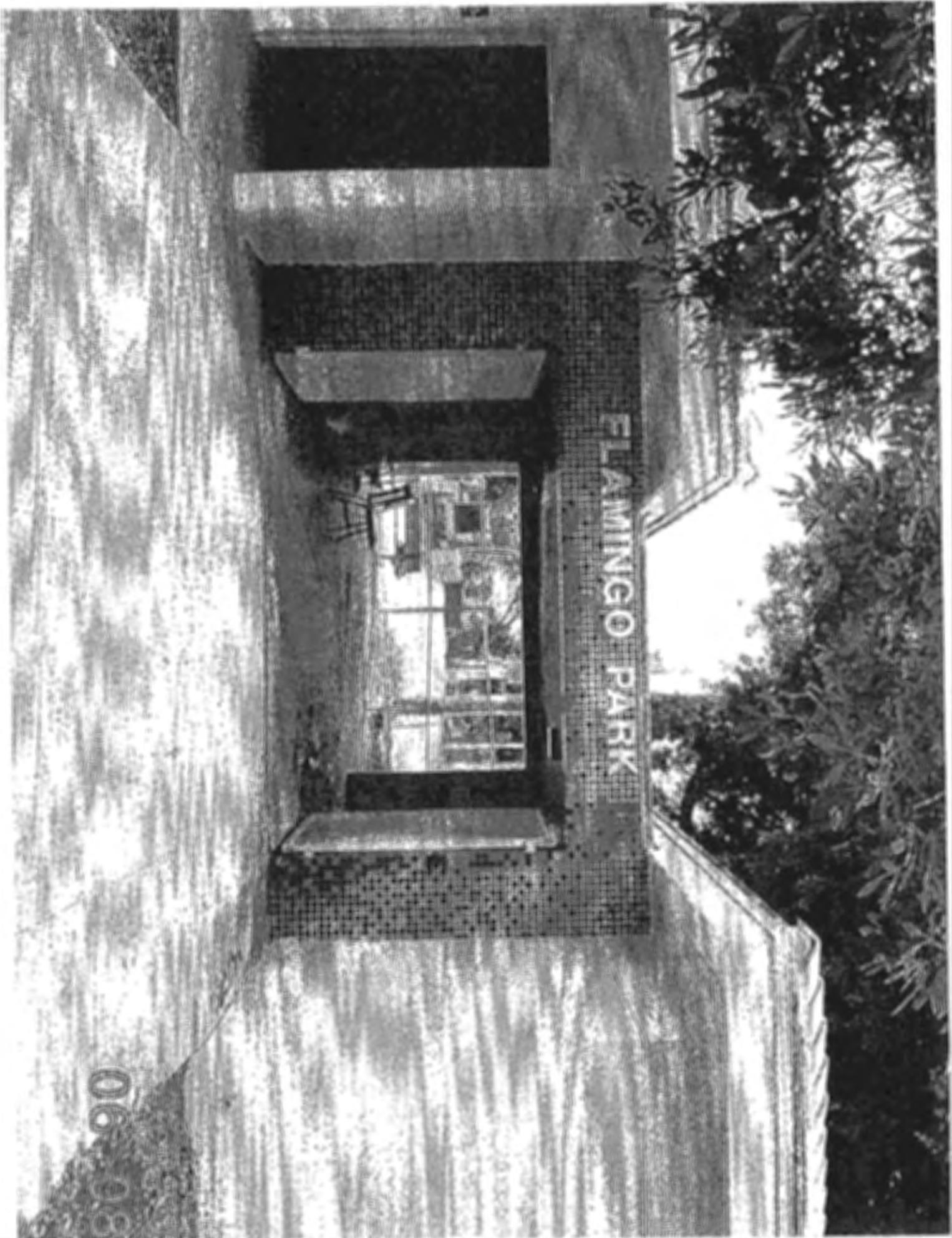
**DATED PHOTOGRAPHS OF EXAMPLES OF REVISED SIGNAGE POST
1995 REMOVAL OF ABEL HOLTZ'S NAME FROM THE TENNIS CENTER
ONLY LEAVING HOLTZ FAMILY NAME**





HOLTZ STADIUM

02/21/2007



06-90



HOLTZ STADIUM

POINTS GAMES

1 2 3 4 5

FLAMINGO PARK

CAPITAL BANK TENNIS CENTER

11/13/2006

ATTACHMENT – D

CURRENT AND PROPOSED SIGNAGE FOR THE NEW TENNIS CENTER

Attachment D - 1

Currently Proposed Flamingo Park Tennis Center Naming Signage

Attachment D - 2

Plaques

(Located on east side pro-shop patio wall)

Attachment – D - 3

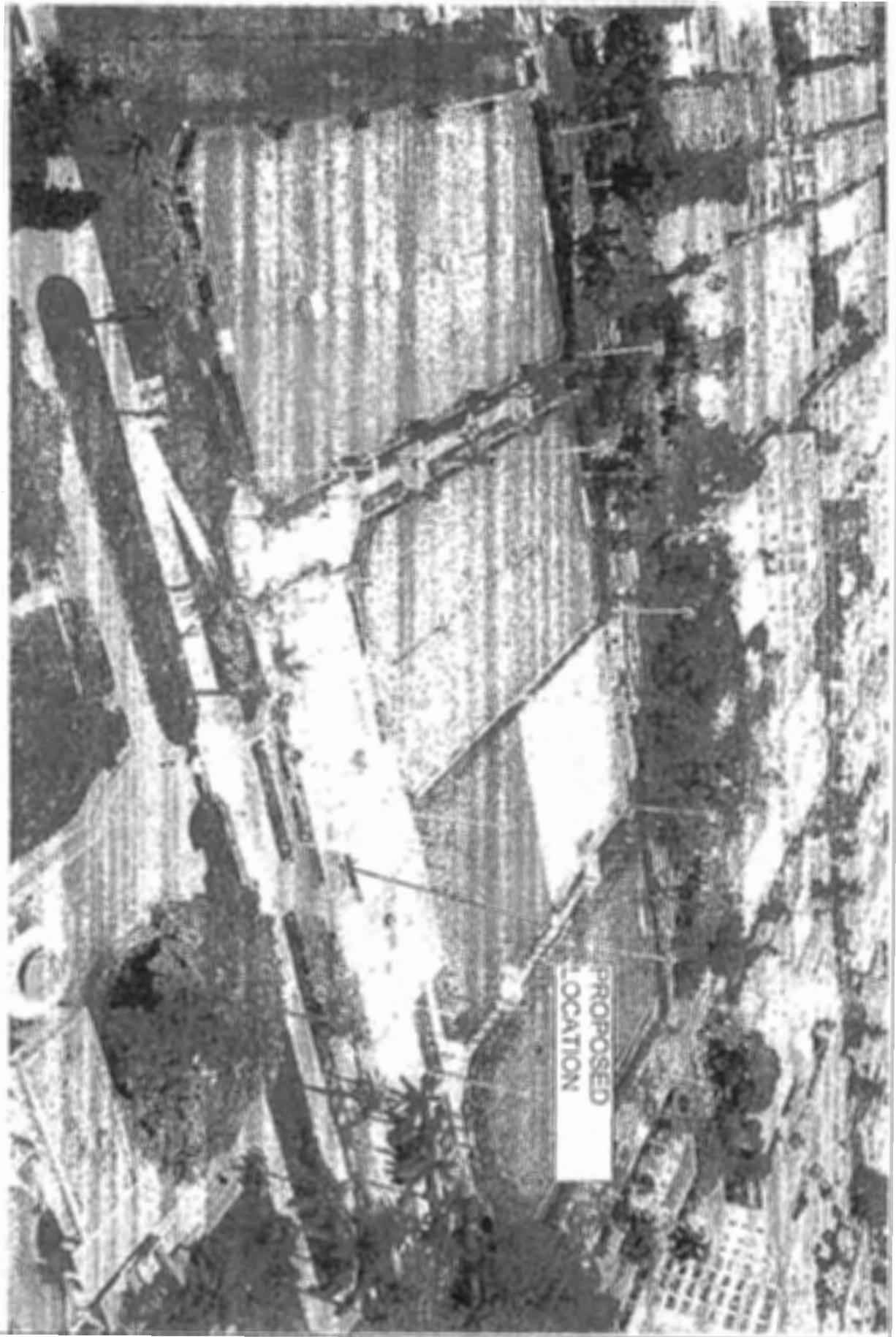
Way Finding Signage

(Temporary to be removed prior to opening of new center)

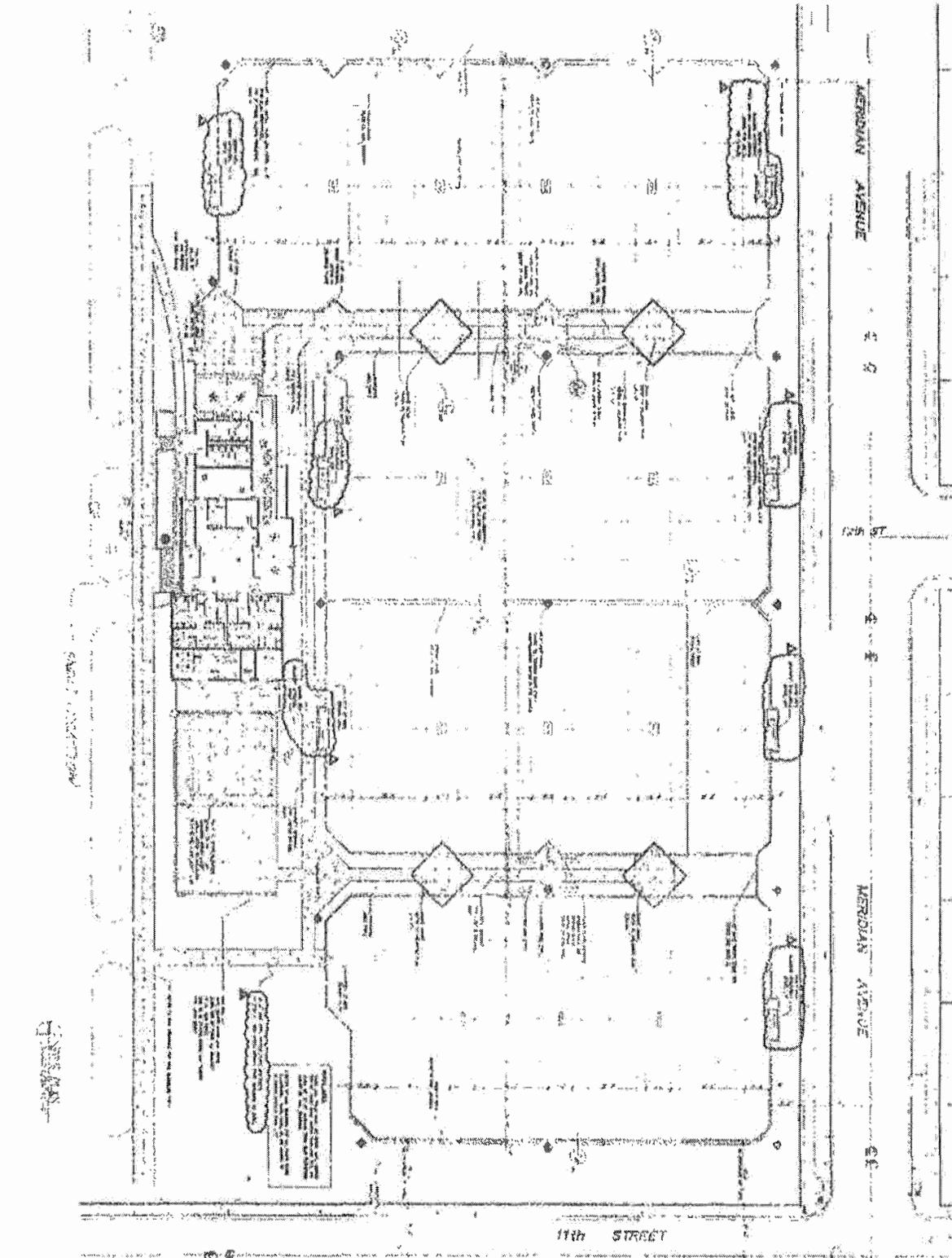
Attachment – D - 4

Tennis Center Information and Fees Signage

(Temporary and new similar signage will be posted in new center)



ATTACHMENT: D-1

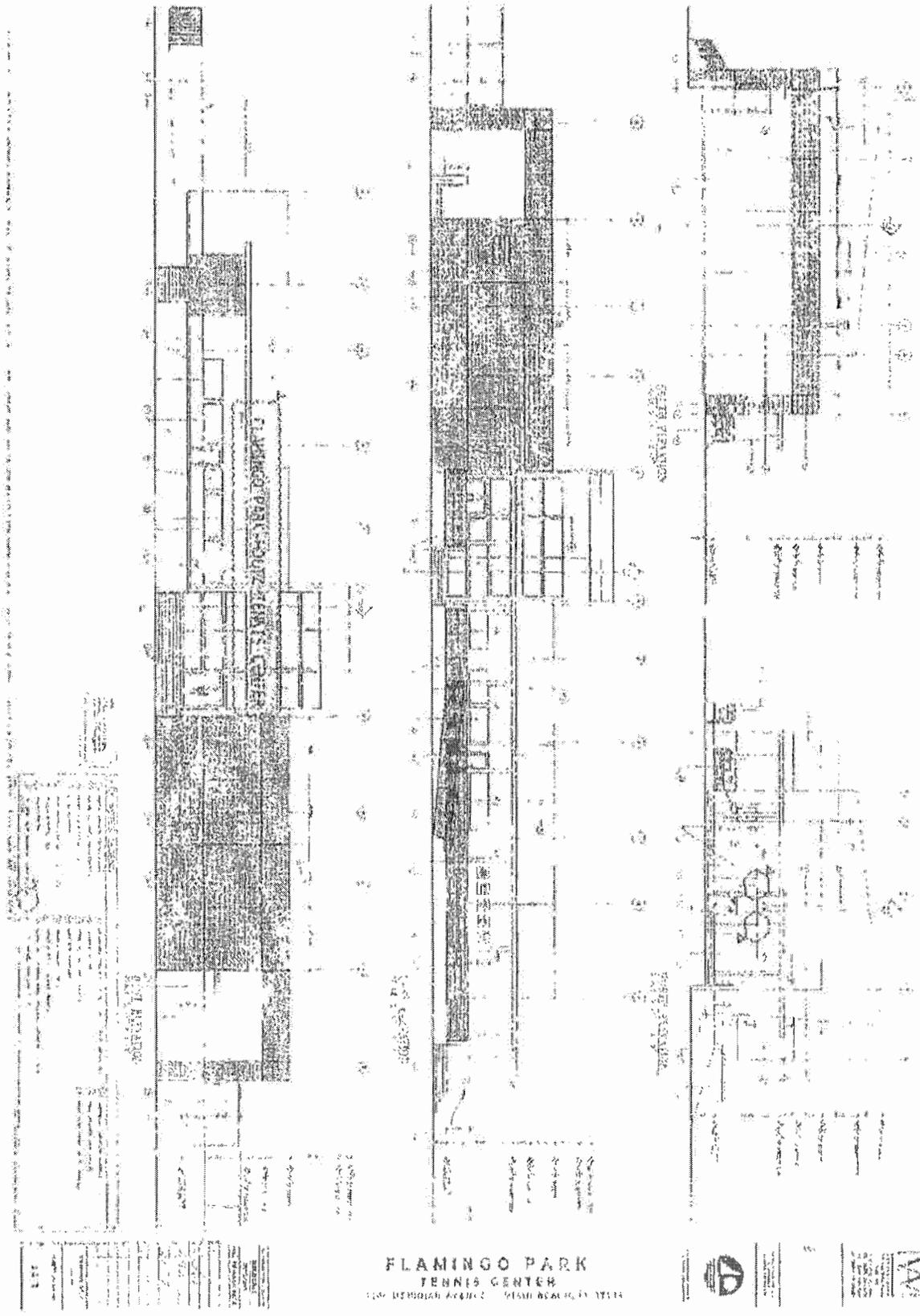


NO.	DESCRIPTION	DATE
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FLAMINGO PARK
TENNIS CENTER
7225 MERIDIAN AVENUE, N.W. ATLANTA, GEORGIA 30328



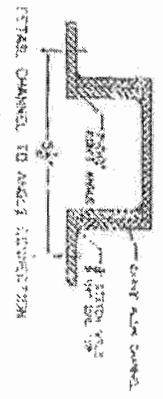
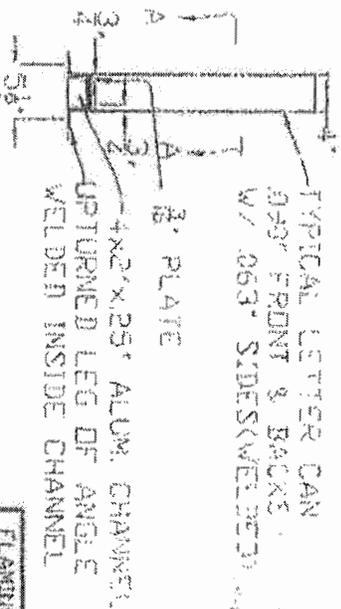
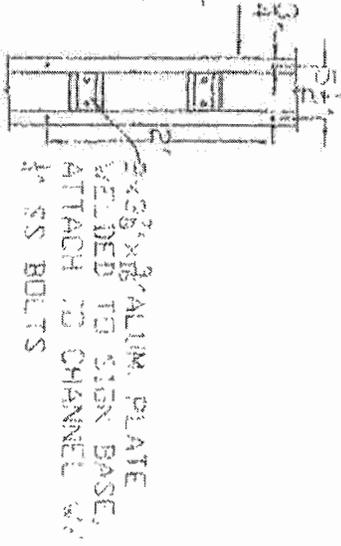
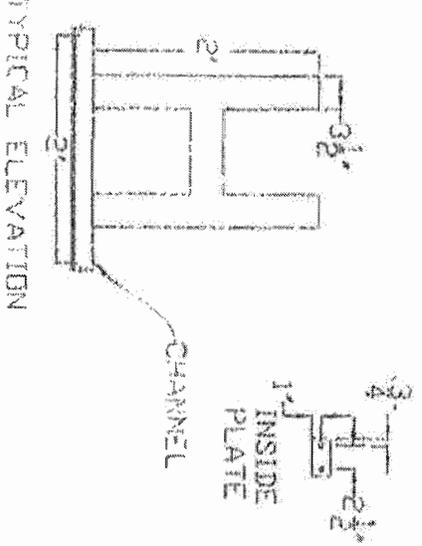
ATTACHMENT: D-1



ATTACHMENT: P-1

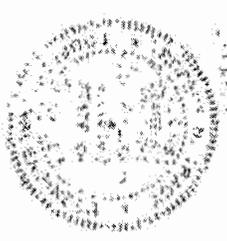
FLAMINGO PARK HOLTZ TENNIS CENTER

CENT 2x2x1/4 ALUM. 5053-T6 ANGLE
 WELDED TO ALUM. 6063-T6 CHANNEL
 & CONNECTED TO CONCRETE DECK
 W/ ONE 1/4" TAPCONS. 1.75" EMBED.
 @ 2' O/C. BOTH SIDES



TRACY CONSULTANTS, INC. 0663998
 ROBERT M TRACY P.E., M.D.S. PRESIDENT
 4550 SV 128 AVE. EASTWEST RANCHES, FL 32839-2902
 (352) 634-3035 FAX(352) 405-1571 MOB(352) 559-4767

FLAMINGO PARK HOLTZ TENNIS CENTER	
1500 NERIBAR AVE., MIAMI BEACH, FL	
DATE: 01/26/2013	SCALE: NTS
DRAWN BY: [Signature]	CHECKED BY: [Signature]
DATE: 01/26/2013	SCALE: NTS
INTELLIGENT STORAGE, INC.	
FORT LAUDERDALE, FLORIDA	
DATE: 01/26/2013	SCALE: NTS
DRAWN BY: [Signature]	CHECKED BY: [Signature]
DATE: 01/26/2013	SCALE: NTS



IN GRATEFUL RECOGNITION
OF
THE HOLTZ FAMILY

FOR THEIR RESOLUTE EFFORTS
AND GENEROUS CONTRIBUTIONS
TO CHAMPION THE SPORT OF TENNIS
FOR GENERATIONS OF ENTHUSIASTS
IN MIAMI BEACH

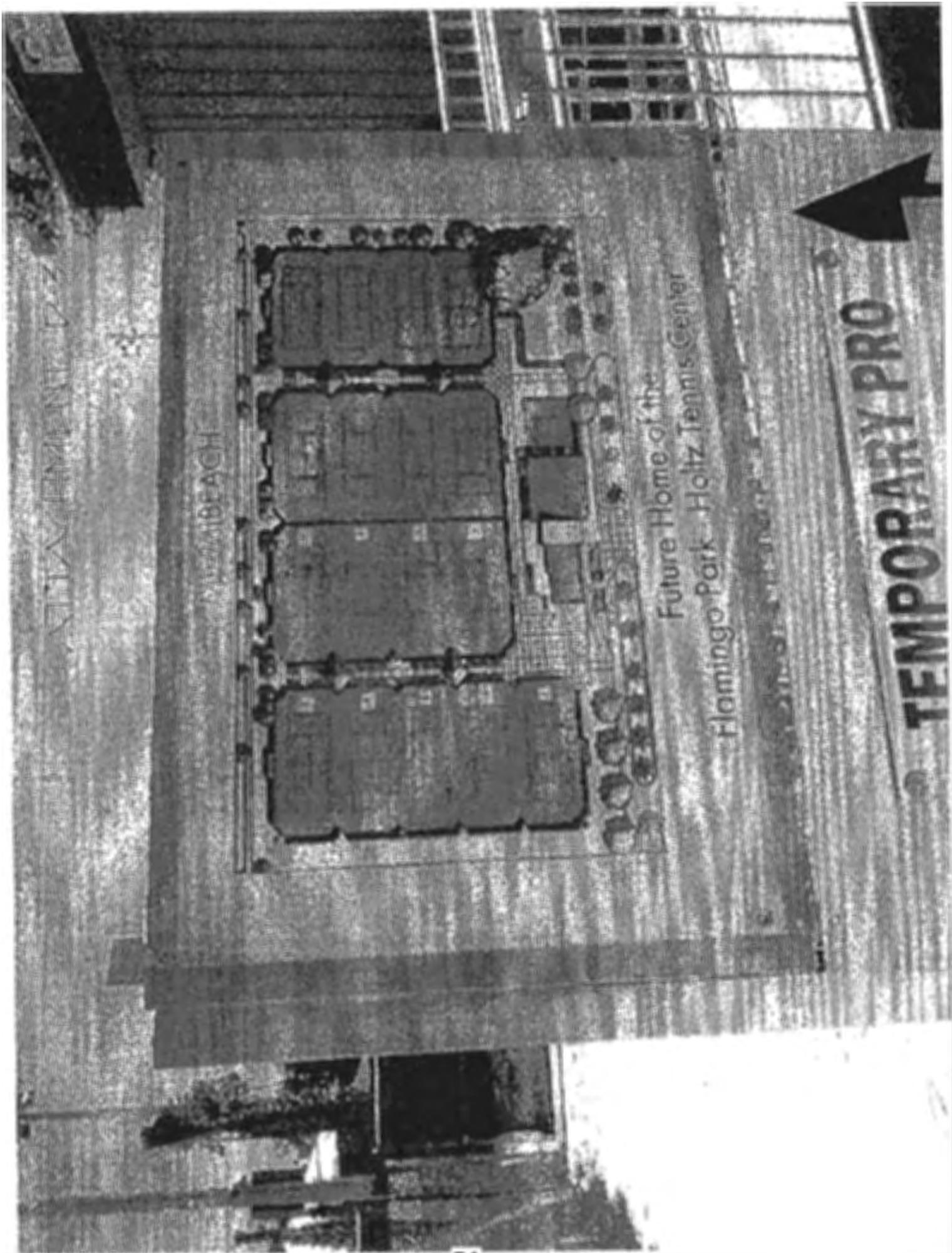
FLAMINGO PARK TENNIS CENTER/HOLTZ STADIUM
CITY OF MIAMI BEACH



1984

36"

36"



Entrance to Tennis Courts
All visitors must check-in
before using courts.



TEMPORARY PRO
SHOP

ATTACHMENT 17

**TEMPORARY PRO
SHOP**



Entrance to Tennis Courts



NT: 7-4

MIAMI BEACH

Parks & Recreation

Welcome to Flamingo Park

TENNIS CENTER

305-673-7761

HOURS OF OPERATION

Monday - Friday 8:00 a.m. - 9:00 p.m.
Saturday & Sunday 7:00 a.m. - 8:00 p.m.

MEMBERSHIP FEES

Annual Pass (effective 10/01 - 09/30)

	Residents	Non-residents
Adult	\$210	\$350
Senior (65+)	\$175	\$425
Junior (16-18)	\$ 75	\$250
Family	\$500	\$1,250
Light Fee	\$1.50	\$1.50

(Light fee for night play)

COURT FEES

	Residents	Non-residents
Hourly rate	\$5	\$10
Light Fee	\$1.50	\$1.50

(Light fee for night play)

PROGRAM FEES

PARENT AFTER SCHOOL CLINIC
(Minimum required by the school program) \$25

JR. AFTER SCHOOL PROGRAM
Per Class

Academy	\$50
Tournament Fee Waiver	\$100
Sr. Academy	\$100
Fee Waiver	\$50

JUNIOR & ADULT MINI CAMP
Daily \$52
Weekly \$215

TENNIS SUMMER CAMP

Full - Day (for the week)	\$400
Half Day (for the week)	\$215
Full - Day	\$70
Half Day (AM)	\$35

ADULT CLINIC
Per Class

Adult Clinic	\$25
Match Tough	\$20

PRIVATE LESSON
Hourly Rate

Staff Tennis Professionals	\$60
Tom Mar	\$75
James B. Butler	\$75
Victor Whitman	\$75

TENNIS LADDER
Per Account

	\$30
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* Tennis racket fee provided by Ode Tennis Warehouse/Flamingo Park
* For additional information, please visit www.miamibeachparks.com

If you do not receive a RECEIPT, your next visit is on us!
CUSTOMER SATISFACTION

ATTACHMENT E

COPY OF THE APRIL 23, 2013 LETTER TO COMMISSION FORWARDING THE CITY'S TENNIS ADVISORY COMMITTEE'S MOTION THAT THE TENNIS CENTER AT FLAMINGO PARK BE NAMED THE FLAMINGO PARK TENNIS CENTER.



MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 140-2013

LETTER TO COMMISSION

RECEIVED
2013 APR 25 PM 12:16
CITY CLERK'S OFFICE

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

FROM: Jimmy L. Morales, City Manager

DATE: April 23, 2013

SUBJECT: Tennis Advisory Committee Motion

The purpose of this Letter to Commission is to inform you that the Tennis Advisory Committee passed a motion at their April 1, 2013 meeting.

Naming of the Tennis Center at Flamingo Park

The Tennis Advisory Committee discussed the proposed name and the background on the naming of the facility. As such, the following motion was proposed:

MOTION: The Tennis Advisory Committee recommends to the City Commission that the tennis center at Flamingo Park be named the Flamingo Park Tennis Center and also recommends that no name be placed on the tennis center until there is an appropriate public forum and the forum is concluded.

Members Present: David Berger, Gayle Durham, Dolores Hirsh, Carrie Johnson and Tegan Eve.

Motion Made By: David Berger
Motion Seconded By: Gayle Durham
Motion Passed: Votes 5-0

JLM/

c: Mark Taxis, Assistant City Manager
Kevin Smith, Parks & Recreation Director
Julio Magrisso, Assistant Parks & Recreation Director

ATTACHMENT F

**APRIL 20, 2013, MIAMI HERALD ARTICLE ENTITLED
"MIAMI BEACH TENNIS CENTER IS STILL NAMED AFTER ABEL HOLTZ"**

The Miami Herald

Posted on Sat, Apr. 20, 2013

Miami Beach tennis center is still named after Abel Holtz

By Christina Veiga
The Miami Herald



Holtz Tennis Center is still under construction. A sign at Flamingo Park announces the new park facility grand opening date in the summer of 2013.

There's the street in downtown Miami. The children's hospital at Jackson Memorial. And now, the tennis center in Miami Beach.

All bear the name of Abel Holtz: former banker, generous philanthropist and convicted felon.

Many remember the Miami Beach tennis stadium that was named after him. That was before Holtz pleaded guilty in 1994 to lying to a grand jury about making secret payments to a famously corrupt Miami Beach mayor.

The stadium is long gone, but a separate tennis center still stands. After years of

work and millions of public dollars poured into renovations, that center is slated to reopen soon.

Signs on site declare: Flamingo Park Holtz Tennis Center.

"It's scandalous," said Gayle Durham, who sits on the Beach's Tennis Advisory Committee.

She's not just talking about the name. Tennis enthusiasts also wonder about the process that landed Holtz's name there.

As it turns out, it was a process involving contract obligations that the city might no longer be bound by — a contract that Holtz himself, now 78, told The Miami Herald he wouldn't try to enforce.

Before he went to prison, Abel Holtz was an influential banker. He escaped Castro's Cuba and went on to build Capital Bank, which made him a multimillionaire.

Holtz spread his wealth, donating generously to organization such as Miami's Children's Hospital. He also built a tennis stadium that he donated to Miami Beach.

Built on city land, it cost \$550,000, according to news reports at the time, and was called Abel Holtz Stadium. He gave the city favorable terms on a loan that was used to renovate the separate, nearby tennis center. In return, the center was renamed the Flamingo Park-Capital Bank Tennis Center.

To seal the deal, the city in 1983 entered into a contract with Capital Bank. According to the contract, the stadium would keep the name "in perpetuity," and the center name would not be "removed, altered or changed unless approved by Capital" and unless the city agreed.

At the same time he was building his stadium, Holtz was buying political influence, said former Miami Beach Mayor Alex Daoud.

Daoud was a young lawyer and a Miami Beach city commissioner when he first met Holtz at the banker's waterfront Venetian Islands mansion. It was there that Holtz first offered him a bribe, Daoud said in a telephone interview with The Miami Herald. Daoud said he was paid between \$1,000 and \$1,500 a month in "legal fees" for services he never provided.

"It was for influence," Daoud said. "He bribed me."

Daoud, who went on to serve three terms as mayor, was pocketing money from plenty of other people. His political career ended in 1991, when he was slapped with a 41-count federal indictment charging him with racketeering, extortion, money-laundering and filing false tax returns. The disgraced mayor testified that he had accepted the payments from Holtz.

Daoud was sentenced to five years in prison, but served only about 18 months.

Pleading guilty

Holtz, meanwhile, pleaded guilty in October 1994 to lying to a grand jury about the payments. His conviction meant he could no longer run his bank, so his son, Daniel Holtz, was put in charge.

The city, meanwhile, pondered what to do with its tennis stadium, which now bore the name of a criminal tied to one of the most infamous chapters in Miami Beach history. Contractually, the city needed Capital Bank's permission before it could change the name.

Then-Mayor Seymour Gelber shot off a letter to Daniel Holtz in December 1994, asking the bank to remove Abel Holtz's name from the stadium.

Daniel Holtz responded in March 1995 that the bank's directors voted to drop Abel's name and call the facility simply "Holtz Stadium."

Holtz goes on to say that signs at the tennis center should read: "Capital Bank Tennis Center," taking out "Flamingo Park" from the name.

By 2000, the tennis stadium was no longer in use, and the city wanted to tear it down. So Beach officials met with Abel Holtz and got his permission to do so. At that time, he and

the city also agreed on a new name for the center: The Flamingo Park Holtz Tennis Center.

The meeting and the naming agreement are outlined in a 2000 letter written by Raul Aguila, who is now a chief deputy city attorney.

"That never went through any public hearing or any notification or any commission vote," said Rebecca Boyce, who runs a tennis program out of Flamingo Park." It was done in a back-room deal."

In addition to the perceived secrecy of the deal, tennis enthusiasts also wonder: Why did the city negotiate with Holtz at the time?

Remember: The contract regarding naming rights was made between the city of Miami Beach and Capital Bank. But by 2000, Holtz's bank no longer existed.

Capital loss

After his felony conviction forced him to transfer control of Capital Bank to his family, a judge ruled that the Holtz family did not have the "character, reputation, experience and financial responsibility to control and operate" the bank. The Holtzes were forced to sell their empire to Union Planters (which eventually merged with Regions Bank).

"The contract gave Capital Bank, not Abel Holtz, the right to change the name on the tennis facility. Once Abel Holtz lost control of Capital Bank, he no longer had any authority under the contract," University of Miami law professor Andrew B. Dawson wrote in an email to the Herald. He read the contract for the newspaper.

But Aguila, the city attorney, laid out several reasons why Holtz might still have authority over naming rights at the center. The attorney emphasized that he wasn't advocating for the name, but simply trying to protect the city from any legal action Holtz might take against the city.

Among the reasons:

- Abel Holtz "had, in effect, been Capital Bank," he wrote in an email. Therefore, he had "standing," a legal term that basically means Holtz has a legal stake in the issue.
- Holtz is a "beneficiary" of the 1983 contract. In other words, he is someone who was not a party to the contract but who still receives a benefit from that contract — like the beneficiary of a life insurance policy.

Arguing that Holtz is a beneficiary to the contract "may be a stretch," wrote Dawson, the UM professor.

WHAT HOLTZ SAYS

Abel Holtz, who now lives in Bal Harbour, says he doesn't understand why someone would be against his name being on the tennis center,

"It's either someone we turned down for a loan, or a maybe we never got along and socialized with, or something like that," he theorized.

Holtz said he staged competitions at the old stadium, which brought prestige to the city. He also said he gave the city money over the years to pay for the center's upkeep.

He said he would "feel bad" if his name came off of the center, but he wouldn't take any action against the city if that happened.

"None whatsoever. I'm willing to waive it, if the city asks for it. I'm not going to do anything to hurt the city," he said.

The City Commission has referred the name issue to an advisory committee.

This story has been corrected to reflect that the tennis center name was changed in 1995 to simply "Capital Bank Tennis Center."

Follow [@Cvejga](#) on Twitter.

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<http://www.miamiherald.com>

ATTACHMENT G

**MAY 1, 2013 CORRESPONDENCE FROM ATTORNEY CLIFFORD SCHULMAN
ON BEHALF OF ABEL HOLTZ ADVISING THE CITY MR. HOLTZ WILL DEFEND
HIS RIGHTS TO HAVE THE TENNIS CENTER RENAMED THE "FLAMINGO
PARK HOLTZ TENNIS CENTER".**

WEISS SEROTA HELFMAN
PASTORIZA COLE & BONISKE, P.L.

ATTORNEYS AT LAW
A PROFESSIONAL LIMITED LIABILITY COMPANY
INCLUDING PROFESSIONAL ASSOCIATIONS

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2525 PONCE DE LEON BOULEVARD
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200 EAST BROWARD BOULEVARD • SUITE 1900
FORT LAUDERDALE, FLORIDA 33301
TELEPHONE 954-763-4242 • FACSIMILE 954-764-7770

*OF COUNSEL

May 1, 2013

VIA E-MAIL & U.S. MAIL

MITCHELL BIERMAN, P.A.
NINA L. BONISKE, P.A.
MITCHELL J. BURNSTEIN, P.A.
JAMIE ALAN COLE, P.A.
STEPHEN J. HELFMAN, P.A.
GILBERTO PASTORIZA, P.A.
MICHAEL S. POPOK, P.A.
JOSEPH H. SEROTA, P.A.
SUSAN L. TREVARTHEN, P.A.
RICHARD JAY WEISS, P.A.
DAVID M. WOLPIN, P.A.

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BRETT J. SCHNEIDER
CLIFFORD A. SCHULMAN
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JOHANNA M. LUNGGREN
ALEIDA MARTÍNEZ MOLINA*
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ALISON F. SMITH
ANTHONY C. SOROKA
EDUARDO M. SOTO
JOANNA G. THOMSON
PETER D. WALDMAN*
SAMUEL J. ZESKIND

Jose Smith, Esq.
City Attorney
City of Miami Beach
1700 Convention Center Drive, 4th Floor
Miami Beach, FL 33139

Re: Naming of Flamingo Park Holtz Tennis Center

Dear Mr. Smith:

My client, Mr. Abel Holtz, has just recently returned to town and has only just reviewed the Miami Herald article dated April 20, 2013 where the Herald reporter stated:

“He said he would ‘feel bad’ if his name came off of the center, but he wouldn’t take any action against the city if that happened.

“None whatsoever. I’m willing to waive it, if the city asks for it. I’m not going to do anything to hurt the city,” he said.”

My client would like you to know that the above statements were taken out of context and only referred to certain provisions in the original 1983 contract, and not with changes made thereafter in 1999 and 2000, which eventually led to the City’s agreement to rename the stadium as the “Flamingo Park Holtz Tennis Center”. Mr. Holtz wanted to make sure you are aware that he will, if required, defend his right to have the Center so named.

It is our understanding that this matter is to be discussed at the City’s Neighborhood and Community Affairs Committee, presently scheduled for May 20th. Please provide us with any

RECEIVED
13 MAY -2 PM 4: 09
CITY ATTORNEY'S OFFICE

Jose Smith, Esq.
May 1, 2013
Page 2

memos directed to the Committee from the Manager, City Attorney or staff, so that we can review prior to the meeting.

Thank you for your considerations.

Very truly yours,



Clifford A. Schulman

CAS/msr
2035.001

cc: Mr. Abel Holtz
Raul Aguila, Esq.
James Morales, Esq.

OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A



MURRAY H. DUBBIN
City Attorney

Telephone: (305) 673-7470
Telecopy: (305) 673-7002

August 8, 2000

Cliff Schulman, Esq.
Greenberg Traurig
1221 Brickell Avenue
Miami, FL 33131

Re: Modifications to Flamingo Park/Holtz Tennis Stadium Signage

Dear Mr. Schulman:

This letter will confirm the Agreement between the City and Mr. Abel Holtz, on behalf of the Holtz Family, with regard to modifications to the existing signage at the Flamingo Park/Holtz Tennis Stadium.

The City recognizes the contributions that have been made by the Holtz family to the Tennis Stadium. Pursuant to our meeting on July 17, 2000, which also included Parks and Recreation Director Kevin Smith, you were informed that the City intends to make future improvements to the existing Tennis Stadium, with funding available from a portion of the Series 1999 General Obligation Bond Program. Pursuant to these improvements, it is the City's intention to demolish the existing Stadium concurrent with the creation of an updated overall Tennis Center complex at Flamingo Park.

As you also know, pursuant to that certain Amended and Restated Agreement, dated August 5, 1983, the existing tennis related improvements at the Stadium were originally to be named "Abel Holtz Stadium", in perpetuity, and the entire Flamingo Park Tennis Facilities renamed "Flamingo Park-Capital Bank Tennis Center", with said name(s) not to be removed, altered or changed unless as approved by Mr. Holtz, pursuant to the terms of said Agreement. Most recently, pursuant to then-Mayor Seymour Gelber's request, the City, with Mr. Holtz's consent, subsequently changed the aforementioned name designations, *in toto*, to "Flamingo Park - Holtz Tennis Center".

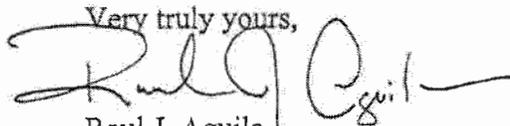
Accordingly, this letter shall confirm the Agreement between the City and Mr. Holtz, wherein, following the proposed improvements to the Tennis Stadium, and, as stated, in the event the City demolishes the existing Stadium pursuant to said improvements, the City agrees, and Mr. Holtz herein consents to, the placement of signage at the south entrance of the new Tennis Center complex, to read "Flamingo Park / Holtz Tennis Center". Additionally, if the City, in its discretion, deems it appropriate to place signage at the east entrance of the Tennis Center complex, the name "Flamingo Park / Holtz Tennis Center" shall also be placed at that location. Said signage shall be

1700 Convention Center Drive -- Fourth Floor -- Miami Beach, Florida 33139

Cliff Schulman, Esq.
Modifications to Flamingo Park /
Holtz Tennis Center Signage
August 8, 2000
Page 2

consistent with such plans and specifications for signage as approved by the City for the Tennis Center project; shall be erected concurrent with the improvements to the Tennis Center complex; and shall be incorporated into the project costs for same. Additionally, the City shall, at its sole cost and expense, replace the existing plaque at the Tennis Stadium, acknowledging the Holtz Family's contribution toward the Tennis Center.

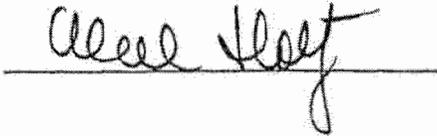
If the aforesaid terms and conditions meet with Mr. Holtz's approval, please have him acknowledge, execute and have same duly witnessed in the space provided below. Upon execution by the City, we will forward a fully executed copy to your office for your records.

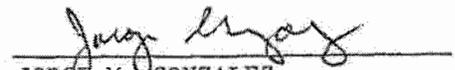
Very truly yours,

Raul J. Aguila
First Assistant City Attorney

I have read this Letter Agreement and, fully understanding same, consent and agree to be bound by the terms and conditions contained herein.

Abel Holtz

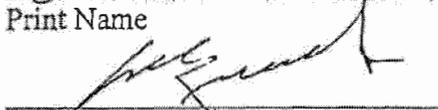
City of Miami Beach




JORGE M. GONZALEZ
City Manager

Witnesses:


Signature
DAMARIS C. GONZALEZ
Print Name


Signature
WALDO ROCHA
Print Name

cc: Murray H. Dubbin, City Attorney
Mayra Diaz Buttacavoli, Assistant City Manager
Kevin Smith, Parks and Recreation Director

FAATTOUAGURVAGREEMNTFLMGOPK.MOD

RESOLUTION TO BE SUBMITTED

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager
FROM: Ed Tobin, Commissioner
DATE: May 29th, 2013
SUBJECT: Agenda item for June 5th, 2013 City Commission Meeting

Please place on the June 5th City Commission Meeting a discussion regarding the FDOT Alton Road Project and the ALTON ROAD RECONSTRUCTION COALITION (AARC) "Alton Road for Everyone" (emails attached).

If you have any questions please contact, Dessiree Kane at Extension 6274

ET/dk

Kane, Dessiree

From: Ronald Starkman [rpstarkman@gmail.com]
Sent: Wednesday, May 29, 2013 1:30 PM
To: Bower, Matt H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
Subject: An Alton Road For Everyone

Dear Elected Official

I urge you to support the Alton Road Reconstruction Coalition's (ARRC) proposed design, "Alton Road for Everyone," as a far superior alternative to FDOT's current plan for the 5th - Michigan corridor. This section of Alton Road is one the most important commercial districts in Miami Beach, on par with Lincoln, Washington and Collins Avenues. It would be a tragedy to spend \$32 million dollars on a project that does not improve safety, economic vitality, and cultural progress.

The ARRC alternative plan was prepared by professional urban planners who are nationally recognized for their expertise in the design of urban roadways. They are thoroughly familiar with Florida State regulations and are volunteering their time as concerned residents in an affected neighborhood. FDOT's own study reports the optimal speed for maximizing traffic capacity is 27 MPH. Reducing the speed limit to 30 MPH and slightly narrowing traffic lane widths would allow an equivalent volume of traffic to flow, and would enable the recapture of parking spaces lost in the FDOT plan, permit wider sidewalks and a protected bike trail. The plan also calls for medians which would provide safe landing spots for crossing pedestrians and room for additional landscaping.

It's not too late to give your support to this plan. Please use your position, leverage, and resources to convince FDOT to adopt the Alton Road For Everyone design.

--
Ronald Starkman
rpstarkman@gmail.com
300 South Pointe Dr Apt 2602
Miami Beach, FL 33139

Kane, Dessiree

From: Daniel Davidson [Dan@cineo.com]
Sent: Thursday, May 30, 2013 10:50 AM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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..
Daniel Davidson
Dan@cineo.com
1415 Euclid Ave.
Miami Beach, FL 33139

Kane, Dessiree

From: Bryan Palmer [palmermiami@gmail.com]
Sent: Wednesday, May 29, 2013 11:02 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobln, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Bryan Palmer
palmermiami@gmail.com
1198 Venetian Way # 111
Miami , FL 33139

Kane, Dessiree

From: Meghan Formel [meghan.formel@gmail.com]
Sent: Tuesday, May 28, 2013 12:10 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Meghan Formel
meghan.formel@gmail.com
Miami Beach, FL 33140

Kane, Dessiree

From: Tammy Tibbles [t@tammytibbles.com]
Sent: Tuesday, May 28, 2013 10:53 AM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Tammy Tibbles
t@tammytibbles.com
1446 Jefferson Avenue
Miami Beach, Florida 33139

Kane, Dessiree

From: Caryn Goodman [Shindylu@aol.com]
Sent: Monday, May 27, 2013 12:24 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
Subject: An Alton Road For Everyone

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--
Caryn Goodman
Shindylu@aol.com

Kane, Dessiree

From: John van der Kieft [jwvdkiv@yahoo.com]
Sent: Sunday, May 26, 2013 6:06 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
John van der Kieft
jwvdkiv@yahoo.com
1688 West Ave., Apt. 403
Miami Beach, FL 33139

Kane, Dessiree

From: Kenneth Bereski II [altonroad@bikeanotherday.com]
Sent: Saturday, May 25, 2013 2:49 AM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Kenneth Bereski II
altonroad@bikeanotherday.com
1525 Pennsylvania Ave #12
Miami Beach, FL 33139

Kane, Dessiree

From: ben batchelder [benbatchelder@gmail.com]
Sent: Friday, May 24, 2013 4:08 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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ben batchelder
benbatchelder@gmail.com
1127 euclid ave., apt. 204
miami beach, Florida 33139

Kane, Dessiree

From: Brian Falk [brian.falk@gmail.com]
Sent: Friday, May 24, 2013 8:50 AM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
Subject: An Alton Road For Everyone

Dear Elected Official

I urge you to support the Alton Road Reconstruction Coalition's (ARRC) proposed design, "Alton Road for Everyone," as a far superior alternative to FDOT's current plan for the 5th - Michigan corridor. This section of Alton Road is one the most important commercial districts in Miami Beach, on par with Lincoln, Washington and Collins Avenues. It would be a tragedy to spend \$32 million dollars on a project that does not improve safety, economic vitality, and cultural progress.

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--
Brian Falk
brian.falk@gmail.com
1330 West Ave., Apt. 2110
Miami Beach, FL 33139

Kane, Dessiree

From: Shawn Bryant [SoBeFL@gmail.com]
Sent: Thursday, May 23, 2013 11:07 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Shawn Bryant
SoBeFL@gmail.com
1330 West Avenue
Miami Beach, FL 33139

Kane, Dessiree

From: Maria Mercer [Bimercer@hotmail.com]
Sent: Thursday, May 23, 2013 8:43 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Maria Mercer
Bimercer@hotmail.com
Coral Way
Mia I, FL 33129

Kane, Dessiree

From: Nicole Kenaston [niki31b@gmail.com]
Sent: Thursday, May 23, 2013 8:35 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Nicole Kenaston
niki31b@gmail.com
Miami Beach 33139

Kane, Dessiree

From: Jack Johnson [Jjsobe@gmail.com]
Sent: Thursday, May 23, 2013 7:25 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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Jack Johnson
Jjsobe@gmail.com
831 tenth st
Miami beach, Fl 33139

Kane, Dessiree

From: Nicholas Thaw [nthaw@juno.com]
Sent: Thursday, May 23, 2013 7:04 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Nicholas Thaw
nthaw@juno.com
20 Island Avenue
Miami Beach, Florida 33139

Kane, Dessiree

From: Laura Lafata [tuttiatavola1@gmail.com]
Sent: Thursday, May 23, 2013 6:15 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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—
Laura Lafata
tuttiatavola1@gmail.com
33139

Kane, Dessiree

From: Aaron Sugarman [aaronlife@netzero.net]
Sent: Thursday, May 23, 2013 5:51 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Aaron Sugarman
aaronlife@netzero.net
1446 Jefferson Avenue
Miami Beach, FL 33139

Kane, Dessiree

From: Corey Gregg [corey.e.gregg@gmail.com]
Sent: Thursday, May 23, 2013 5:50 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
Corey Gregg
corey.e.gregg@gmail.com
51 SW 11th St
Miami, Florida 33130

Kane, Dessiree

From: shane jensen [shanejjensen@icloud.com]
Sent: Thursday, May 23, 2013 5:36 PM
To: Bower, Matti H.; Libbin, Jerry; Weithorn, Deede; Gongora, Michael; Wolfson, Jonah; Exposito, Jorge; Tobin, Ed; margolis.gwen.web@flsenate.gov; david.richardson@myfloridahouse.gov
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--
shane jensen
shanejjensen@icloud.com
802 Euclid Ave APT 203
Miami Beach, FL 33139

Kane, Dessiree

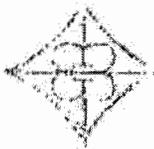
From: Heather M. Leslie [heather@hmlpublicoutreach.com]
Sent: Tuesday, May 14, 2013 6:35 PM
To: WAvNA; Brooks, Kathie; LANCZ.DAVID@flsenate.gov; David.Richardson@myfloridahouse.gov; margolis.gwen.web@flsenate.gov; Fernandez, Alex; barbieparedes@miamibeachfl.gov; Weithorn, Deede; Tobin, Ed; Libbin, Jerry; Wolfson, Jonah; Exposito, Jorge; Gongora, Michael; Kane, Dessiree; Fontani, Diana; Rodriguez, Enid; Hernandez, Leonor; Bower, Matti H.; Redfern, Gabrielle; Denis Russ; gayle@cfsystems.com; Carpenter, Eric; Saltrick, Richard; Gonzalez, Jose; Ferrer, Josiel; Bernstein, Lynn; virginia.morgan@myfloridahouse.gov; Morales, Jimmy
Cc: 'Shotton, Amanda'; 'Fuentes, Karina'; 'Iglesias, Daniel'; Ivan Hay; Kathy Yeomans; Monica Diaz; Enrique Tamayo - Tamayo Engineering; 'John Bolton'; Cabrera, Mario; 'Croft, Mark'; Maribel Lena; harold.desdunes@dot.state.fl.us; debora.rivera@dot.state.fl.us; gus.pego@dot.state.fl.us
Subject: RE: Alton Road -- We can do better

Good afternoon, everyone. The Florida Department of Transportation would like to provide an update regarding the request to alter Alton Road's typical section as part of the ongoing construction project. The Department's position remains that the Alton Road project will not provide dedicated bicycle lanes within the project limits.

The finalized typical section along Alton Road will include the following:

- An 11 foot inside travel lane
- A 14 foot outside travel lane with shared-use pavement markings for cyclists
- A 10 foot parking lane from 7 Street to Lincoln Road and between Dade Boulevard and Michigan Avenue – the parking lane will be 8 feet wide everywhere else.
- An 11 foot center turn lane
- Sidewalks on either side of the street with a width that varies between 9 feet and 15.5 feet

The above typical section was discussed at meetings and agreed upon with the City of Miami Beach in July 2012. The City has committed to constructing bicycle lanes along West Avenue and all connecting side streets with a one-way pair format. This bicycle facility will run parallel to the Alton Road corridor and provide connectivity to residents, business patrons and visitors to the area. Please let us know should you have any additional questions and we look forward to continued cooperation throughout the construction project. Thank you.



Heather M. Leslie
Principal
HML Public Outreach
cell: 305-905-5876 | heather@hmlPublicOutreach.com

From: West Avenue Corridor Neighborhood Association [westavenuesobe@gmail.com]
Sent: Tuesday, February 12, 2013 9:25 PM
To: Brooks, Kathie; Shotton, Amanda; Fuentes, Karina; Leslie, Heather; Iglesias, Daniel; Hay, Ivan; Yeomans, Kathy; Tasha; LANCZ.DAVID@flsenate.gov; David.Richardson@myfloridahouse.gov; margolis.gwen.web@flsenate.gov; Alex Fernandez; Barbie Paredes; Commissioner Deede Weithorn; Commissioner Ed Tobin; Commissioner Jerry Libbin; Commissioner Jonah Wolfson; Commissioner Jorge Exposito; Commissioner Michael Gongora; Dessiree Kane; Diana Fontani Martinez; Enid Rodriguez; Leonor Hernandez; Mayor Matti Bower; gabrielleredfern@miamibeachfl.gov

Cc: Denis Russ; Gayle Durham
Subject: Fwd: Alton Road -- We can do better

Denis,

Flamingo Park Neighborhood Association is correct in presenting a plan that reflects the highly residential flavor of our communities, rightly touching on the needs of pedestrians, bicyclists and small businesses.

We understand the project has benefits in terms of addressing flooding, we are cheering this aspect, but the design can be altered during this portion of the project. All of us can appreciate the perspective provided even if some of us might find differences over design. The proposal presented reflects the unique flavors of our communities - pedestrian, residential and highly dense.

FDOT and the City of Miami Beach have this moment in time to create a design plan that is forward thinking, fully respectful of our communities' current and future needs and to which we could all be proud.

I have blind copied the WAVNA distribution list for members to review the proposal.

Thank you for taking the initiative and your Associations thoughtful consideration of our Community.

Christine Florez, Co-Chair

----- Forwarded message -----

From: Denis Russ <Denis@miamibeachcdc.org>

Date: Tue, Feb 12, 2013 at 7:53 PM

Subject: Alton Road -- We can do better

To: Mayor Matti Bower <MayorBower@miamibeachfl.gov>, "Jorge Exposito (Jorge@miamibeachfl.gov)" <Jorge@miamibeachfl.gov>, Michael Gongorra <Michael@miamibeachfl.gov>, "jerry@miamibeachfl.gov" <jerry@miamibeachfl.gov>, "Edward L. Tobin (ed@miamibeachfl.gov)" <ed@miamibeachfl.gov>, "Deede Weithorn (deede@miamibeachfl.gov)" <deede@miamibeachfl.gov>, "Jonah Wolfson (jonah@miamibeachfl.gov)" <jonah@miamibeachfl.gov>, "kbrooks@miamibeachfl.gov" <kbrooks@miamibeachfl.gov>, "Fred Beckmann (fredbeckmann@miamibeachfl.gov)" <fredbeckmann@miamibeachfl.gov>, "RichardSaltrick@miamibeachfl.gov" <RichardSaltrick@miamibeachfl.gov>, "Gonzalez, Jose" <JoseGonzalez@miamibeachfl.gov>, "Josiel Ferrer-Diaz (josieferrer@miamibeachfl.gov)" <josieferrer@miamibeachfl.gov>, "Virginia.Morgan@myfloridahouse.gov" <Virginia.Morgan@myfloridahouse.gov>, "David.Richardson@myfloridahouse.gov" <David.Richardson@myfloridahouse.gov>, "margolis.gwen.web@flsenate.gov" <margolis.gwen.web@flsenate.gov>, "fdot.pio@dot.state.fl.us" <fdot.pio@dot.state.fl.us>

Flamingo Park Neighborhood Association is opposed to the FDOT plan for the reconstruction of Alton Road and seeks your support and assistance to require the Florida Department of Transportation to adequately address concerns of surrounding neighborhoods with the project. Alton Road reconstruction is a once in 50 year opportunity to properly address the multiple needs of all user groups – multi modal mobility options for pedestrians, bikers, autos, and transit users, contribute to a functional environment for business and foster an attractive and safe neighborhood for our residents and visitors with trees, landscaping, street furniture and a safety priority.

Delineation of Concerns with FDOT Plan

The Process of adoption failed to provide community input, discussion and participation in the final decision-making;

The South Beach neighborhoods adjoining Alton Road are characterized by a pedestrian oriented urban design fabric that serves an outstanding amenity for local residents and a major attraction for visitors. The maintenance of such character is a high priority in one of Florida's most highly dense and highly neighborhoods. The proposed Alton Road plan does irreparable damage to the character of our adjoining neighborhoods.

Creation of 13' wide outside traffic lane, fosters an unacceptable high rate of speed along the Road; This condition would also require that pedestrians cross an unacceptably wide roadway; The crossing width must be shortened to limit the amount of time pedestrians take to cross the "kill zone";

Additional safety measures must be incorporated into the program: The speed limits on Alton must be reduced from 35 mph to 30 mph; No-turn-on-red restrictions should be incorporated at intersections with heavy foot traffic;

The current plan provides inadequate pedestrian amenities and lack of support for local businesses; All intersections should provide crosswalks and traffic controls to meet pedestrian needs; Meager sized sidewalk and planting area: Narrowing the sidewalks and swales limit the landscaping and makes the street less friendly to pedestrians, shoppers, neighborhood businesses and sidewalk cafes;

The highly pedestrian environment requires automatic pedestrian Walk signalization as the lights change rather than requiring push buttons. Many people either don't know to press the button or arrive at the crosswalk at or near the time the signal changes. It is unacceptable to force those pedestrians to wait another vehicle cycle.

The current "solution" for Alton Road is worse and more auto-oriented than it is today; In fighting to remove the bike lane, nothing was gained that the removal of the bike lane was supposed to create;

Our proposal for a shared-use pedestrian/bike path would satisfy the need and statutory requirement for biking facilities, and in our high-density urban corridor this is far safer for both bikes and pedestrian safety than a sharrow on a widened street with faster-moving traffic.



**Concept Vision for Alton Road
Neighborhood**

Offered by Flamingo

Complete Statement with Community Reflections is attached

**Denis Russ -- 305-672-4782 -- Denis@MiamiBeachCDC.org
Miami Beach Community Development Corporation**

Since 1981 -- Building & Sustaining Community -- Unique, Vibrant, Diverse

West Avenue Corridor Neighborhood Association (WAVNA)
blog: wavnacommunity.com
twitter: WestAvenueSoBe
Facebook: www.facebook.com/wavnacommunity
phone: (786) 309-2620

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