

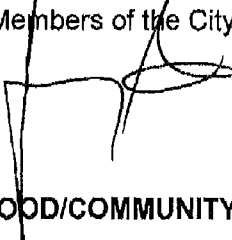


MIAMI BEACH

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: September 11, 2013

SUBJECT: **REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE HELD ON MONDAY JULY 29, 2013.**

A meeting of the Neighborhood/Community Affairs Committee was held on Monday, July 29, 2013 at 3:00 pm, and was held in the City Manager's Large Conference Room, 4th Floor. **Commissioners in attendance:** Commissioners Jerry Libbin, Ed Tobin and Jorge Exposito. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

THE MEETING OPENED AT 3:06 PM.

1. Discussion Regarding The 1st Annual "Canstruction" Jr. South Florida Competition.

Commissioner Tobin **withdrew** the Item.

2. Discussion Regarding Building A Guardhouse At The East Entrance Of Normandy Shores (4:50 PM)

Commissioner Tobin began the discussion regarding the history and some background on the Guardhouse item. He stated that the purpose for this Guardhouse was to enhance the neighborhood and can potentially be a healthy investment for the homeowners and overall neighborhood. The fence however, was placed there by Police to deter crime in the area.

Commissioner Libbin stated that due to this fence, Police were able to arrest someone that was committing a crime.

Eric Carpenter, Public Works Director spoke on the item

Jose Smith, City Attorney explained about the new developer who is willing to put a guardhouse.

John Bowes, Normandy Shores Association president spoke.
Avanti and Fairway Park Association spoke

Motion: By Commissioner Tobin Public Works Director, Eric Carpenter to come up with an estimate for the guardhouse and maintenance. Also, work with legal to solidify and come back to committee in September. Second by Commissioner Exposito.

Agenda Item CGG
Date 9-11-13

3. Discussion Regarding A Request To Set Up Maintenance Standards For All City Plaques. (5:15 PM)

Commissioner Exposito stated that the City's plaques should have proper maintenance.

Eric Carpenter presented the item and stated that currently the City does not have a person or budget to maintain these plaques. There are approximately sixty to sixty-five metal (bronze or aluminum) plaques throughout the City that would benefit from maintenance standards. It was recommended to have a professional, who is familiar with plaques assessment, restoration and reconditioning to develop the maintenance standards.

Commissioner Tobin disagreed in that the City needs a professional and asked to have Eric Carpenter drill down and get the task done in-house.

Motion: By Commissioner Tobin directing Public Works department to move forward and find a way to implement a maintenance program. Second by Exposito.

4. Discussion Regarding Bringing The Junior Orange Bowl Tennis Tournament To Miami Beach. (3:06 PM)

Max Sklar, Tourism, Culture and Economic Development Director presented the item. He gave some background on the history of this tournament which was hosted by the City at the Flamingo Tennis Center until 1998. The tournament is currently in Plantation, FL, in part, because there is no current facility in Miami-Dade County that offers the sufficient clay courts to meet their needs. Miami Beach could accommodate the tournament by combining the new Flamingo Park tennis center with the clay courts at North Shore Park. City staff and staff from the Greater Miami Convention and Visitors Bureau have been engaged in ongoing discussions with the Orange Bowl Committee and the United States Tennis Association Director of Junior Competition, Lewis Brewer. Based on these discussions, the following is a list of items that need to be addressed in order to meet their needs.

- A limited amount of parking could be accommodated at Flamingo Park, but the majority of the parking would be located off-site at both public and private parking lots and garages in the area surrounding Flamingo Park. A shuttle would need to be provided to help transport attendees to and from the park.
- The tournament overlaps with Art Basel Miami Beach. The City has been working with the GMCVB to identify potential hotels both within the City and on the mainland.
- Temporary bleachers would be required to provide seating for spectators. These are available for rental and can be installed on a temporary basis.

Commissioner Tobin spoke regarding his desire to have this tournament back. He would like administration to look at various opportunities and drill down.

Commissioner Libbin expressed his concerns regarding the overlap with Art Basel Miami Beach and requested to have Max Sklar discuss having the dates changed.

Howard Kaufman spoke

Motion: Commissioner Tobin gave direction to administration to send a formal courtship letter to the USTA to see if they can be flexible with their dates and come back to committee in December.

5. Discussion Regarding Bicyclist Safety Campaign With The Miami Beach Police Department, Deco Bikes And Local Bicycle Rental Companies. (4:15 PM)

Transportation Manager Jose Gonzalez presented the item. He shared the current efforts being done by the City in conducting bicycle safety campaigns. The City has partnered with FDOT and the University of Miami Bike Safe Program and other agencies to promote bicyclist safety. The City is currently airing ten (10) public service announcements (PSA) pertaining to the bicyclist safety campaign. In addition, the Transportation Division will update its previous brochure to ensure that the information is current. These will be disseminated during the campaign by Police Neighborhood Resource Officers, the City website, social media networks, printed media and Channel 77.

Commissioner Tobin encouraged all involved to continue the campaign safety efforts.

Alex Fernandez, Aide to Commissioner Weithorn spoke regarding the efforts with working with FDOT and Alton Road. Commissioner Weithorn would like to see bike rules and regulations at all Deco Bike stations as well as all rental bike shops. He stated that Commissioner Weithorn would like to see a plan prior to enforcement and take the plan to the Bike Committee within six (6) months.

Commissioner Tobin expressed his frustrations with this issue and the lack of embracement with optional transportation within the community.

Commissioner Libbin suggested working with our schools and perhaps, developing a bike safety check program with Police.

Commissioner Tobin would like to see the City continue with our informational material and PSA.

Motion: Motion by Commissioner Tobin Transportation Division to develop a plan and refer to Bike Committee once established. Bring back to Neighborhood/Community Affairs Committee in six (6) to eight (8) months. Second by Commissioner Exposito

6. Discussion Regarding An Ordinance Amending Miami Beach City Code Chapter 2 Entitled "Administration," Article VII Entitled "Standards Of Conduct," Division 2 Entitled "Officers, Employees, And Agency Members," By Amending Section 2-446 Thereof Entitled "Declaration Of Policy" To Provide For Limited Standards Of Conduct Applicable To The City's Special Masters, And Creating City Code Section 20461 Establishing Special Master

Lobbying Prohibitions; Providing For Repealer, Severability, Codification, And An Effective Date. (5:10 PM)

Deborah Turner, First Assistant City Attorney presented the item. She stated that this item was a referral by Commissioner Weithorn to consider amending the ordinance in order to promote good government practices and standards. The proposed amendments will prohibit the Chief Special Master and Special Masters from lobbying City Personnel during their City service and will also prohibit their lobbying before the Chief Special Master or Special Masters for a period of one year following cessation of their City service.

Motion: By Commissioner Tobin directing the City Attorney's Office to tweak language and move forward to Commission. Second by Commissioner Exposito

7. Discussion Regarding Miami Beach Mass Transit Loop And Transit Enhancement For North Beach And Middle Beach Circulator (4:30 PM)

Jose Gonzalez, Transportation Manager presented the item. Pursuant to the Committee's request, City staff has conducted a review of over a dozen transportation studies in Miami Beach completed in recent years. Three studies in particular included recommendations for transit circulator service in the Middle and North Beach communities. The three transit studies identified were the following:

- Coastal Communities Transit Plan (CCTP) (2007)
- Miami Beach Municipal Mobility Plan (1999)
- Miami Beach Intermodal Feasibility Study (2000)

Staff conducted a preliminary comparison between the North Beach Circulator route recommended in the CCTP and the current MDT Route 115/117 bus service implemented as a result of the CCTP. Based on the preliminary comparison, City staff developed proposed revisions to the CCTP North Beach (NB) Circulator in an effort to improve route connectivity and increase service area coverage. With the proposed truncations and extensions to the CCTP North Beach Circulator route, the circulator would serve as a larger market in the NB community than the current MDT Route 115/117. Further analysis and route refinement is needed to develop the optimal route for a circulator in NB. The optimal route would also need to comply with acceptable headways (15 min. to 20 min.) to ensure its success.

Commissioner Exposito expressed his concerns with the long headways. Given that the current headways are more than 40 minutes, he feels this will not get ridership. It must be less than 20 in order to get people to ride the bus.

Commissioner Tobin wants administration to have a business plan with exactly what it is going to take to have something in place soon; such as budget, ridership, headways, etc.

Commissioner Libbin would like to see the City put efforts into implementing a loop and connector and try it for six (6) months. He would like to see something by January 1, 2014.

Deborah Ruggiero, North Beach resident spoke

Commissioner Exposito would like the City to start with North Beach and he would like to see the connection to Mid-Beach soon after.

Motion: Made by Commissioner Libbin to direct administration to bring plan to commission in September and make an additional category (5th bucket) with Quality of Life funding; Second made by Commissioner Exposito.

**8. Discussion To Consider A New False Claims Ordinance (Whistle Blower).
(3:31 PM)**

Commissioner Tobin introduced the item.

Commissioner Libbin invited Jonathan Kroner, Labor Attorney to speak regarding the False Claims Ordinance. Commissioner Libbin asked Mr. Jonathan Kroner to explain the inadequacies of the ordinance.

Commissioner Libbin had a conversation with Mr. Josh Fuller regarding the process and filing of a case. He is concerned that the whistle blower could be penalized for coming forth. He wants to ensure that the person coming forward is protected.

Mr. Jonathan Kroner spoke regarding the history of the ordinance.

Motion: By Commissioner Libbin directing City Attorney's office to go through and red line the ordinance and bring back to committee in September; Second by Commissioner Tobin.

**9. Discussion Regarding A Potential Public Basketball Court To Be Located
Between 8th and 9th Street, West Of The Dune, Near The Exercise Equipment.**

Action: Item deferred and to bring back to committee in September.

**10. Discussion Regarding The Transportation And Parking Committee And The
Bicycle-Pedestrian Facilities Advisory Committee Of A Resolution
Approving An Amendment To The Flamingo Neighborhood Association For
10-Foot Wide Travel Lanes In The Local Avenues, 6-Foot Wide Sidewalks,
And For A Cycle Track On 16th Street. (5:20 PM)**

Public Works Director Eric Carpenter presented the item. He explained the history of this item. When the City moved forward with the Flamingo 10F project (bound by 7th St, Washington Ave, 10th St and Meridian Avenue), the Flamingo Park Neighborhood Association (FPNA) objected to the bicycle lanes on Euclid Avenue as it would have required a reduction in the 7.5-foot wide planting areas that were part of the BODR.

In exchange for support of the project and the bicycle lanes on Euclid Avenue at a Historic Preservation Board meeting on August 10, 2010, the FPNA requested that all

avenues designated as local have 10-foot travel lanes and that all sidewalks be a minimum of six (6) feet in width. The Historic Preservation Board, per File No. 7192 and File No. 7232, approved the Flamingo 10F project, including the 10-foot wide travel lanes in the local avenues, 6-foot wide sidewalks, and bicycle lanes on Euclid Avenue, at its August 10, 2010 and April 12, 2011 meetings, respectively.

However, since the development of the Flamingo BODR and the AGN Master Plan, the Flamingo neighborhood has evolved. At the February 19, 2013 Neighborhood/Community Affairs Committee (NCAC) the committee endorsed the reduction in travel lane width and increase in minimum sidewalk width in order to achieve the goal.

There has also been additional research on alternative types of bicycle facilities such as cycle tracks wherein bicyclists are separated from vehicular traffic. Cycle tracks (off street bike path) are particularly suited for corridors in which there are few driveways and cross-streets which create potentially unsafe conflicts. Staff has evaluated the cycle track cross-section for 16th Street and believes that it is a more appropriate bicycle facility than the bicycle lanes in this instance.

Commissioner Exposito asked if this is going to be placed on the swale what material was being used.

Eric Carpenter did not have the specifics but believes the material would be asphalt and yes, it would be in the swale.

At the June 5, 2013 the Commission referred this item to the Transportation and Parking Committee (TPC),

Mark Needle, resident spoke

Assistant City Manager Kathie Brooks clarified the reason for this item coming back to committee. The item was placed on the June Commission Agenda by Administration for approval of the resolution in amending the BODR.

Discussion regarding swale encroachment took place. A letter should be mailed to these residents letting them know that the swale is government property.

Currently, CIP sends a letter advising residents that they need to remove the plants from swale.

Commissioner Exposito would like to see more neighborhood input.

Commissioner Tobin would like to have the Parks & Recreation Department's Arborist take a look and work with Public Works.

Motion: By Commissioner Tobin directing Public Works to move item to Commission for October with the plan of action and objective.

11. An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By

Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road-Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," and Section 142-859 "Development Regulations," Including Among Other Provisions Regulations On Maximum Floor Area Ration; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverages Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess of 10,000 sq. Ft.; And Prohibiting Alcoholic Beverages And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance; Providing For Codification; Repealer; Severability; And An Effective Date. 5:00p.m. First & Only Reading Public Hearing (5:50 PM)

Planning Department Director Richard Lorber presented the item. The purpose of the Alton Road – Historic District Buffer Overlay is to minimize the impacts of development along Alton Road on residential properties located in the Flamingo Park Historic District and the Palm View Historic District. Specifically the overlay district is intended to apply to properties zoned CD-2 Commercial Medium Intensity that are adjacent to lower intensity RS-4 and RM-1 residential buildings in designated local historic districts. The overlay district regulations are intended to achieve a more compatible relationship of scale and massing between the Alton Road corridor and the adjoining residential neighborhoods.

The proposed ordinance limits the floor area ratio (FAR) to a maximum of 1.5 by removing the existing bonus of .5 FAR for mixed-use buildings. This will make new construction along Alton Road more compatible in scale and intensity with the adjoining historic neighborhood zoned RM-1, which has existing buildings that range from 0.5 to 1.25 FAR with a few scattered sites over 1.25 FAR.

Joe Jimenez, Assistant City Manager explained all three pieces of this ordinance and recommended that further discussion is needed to solidify the language.

Direction: Administration to work with City Attorney's office and review the ordinance.

12. Quarterly Reports, Code Enforcement, Police And Sanitation Regarding Washington Avenue. (3:57 PM)

Police Assistant Chief Overton and Captain Doce presented the crime statistics



MIAMI BEACH

NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE

July 29, 2013

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

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