

MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
October 16, 2013

Mayor Matti Herrera Bower
Vice-Mayor Edward L. Tobin
Commissioner Jorge R. Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Jose Smith
City Clerk Rafael E. Granada

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ATTENTION ALL LOBBYISTS

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

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date, which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business & Commission Requests
R10 City Attorney Reports

Reports and Informational Items

Presentations and Awards

- PA1 Proclamation To Be Presented To Lourdes Lopez For Her Contributions As Artistic Director Of Miami City Ballet.
(Requested By Mayor Matti Herrera Bower)
- PA2 Certificates Of Recognition To Be Presented To The Volunteers Of The Cat Network For Their Many Hours And Dedication.
(Requested By Mayor Matti Herrera Bower)
- PA3 Certificates Of Recognition To The PAL Police Explorers For Their Win Of The Multi-Agency Law Enforcement Competition.
(Requested By Mayor Matti Herrera Bower)
- PA4 Proclamation To Be Presented To Temple Beth Shmuel Montessori School Celebrating Their 10th Year Anniversary.
(Requested by Mayor Matti Herrera Bower)
- PA5 Proclamation To Be Presented To *Dance Now!* For Their Many Performances Throughout The City Of Miami Beach For The Past 13 Years As Well As Collaborating With Miami Beach Based Visual Artists, Poets, Architects, Fashion Designers And Composers In The Creation Of High Quality Art.
(Requested by Mayor Matti Herrera Bower)
- PA6 Certificates Of Recognition To Be Presented To Boriquen Health Clinic, Little Havana Activity Center, And Miami Beach Health Center For Their Participation As The Top Three Employers In The UNIDAD Senior Employment Program.
(Requested by Mayor Matti Herrera Bower)
- PA7 Proclamation To Be Presented In Support Of The United Nations Campaign, “UNiTE To End Violence Against Women, And Declare October 25, 2013 “Orange Day” In The City Of Miami Beach To Focus On Safe Public Spaces For Women And Girls.
(Requested by Mayor Matti Herrera Bower)
- PA8 Certificate Of Appreciation To Be Presented To The Miami Beach Police Department's Officer Of The Month For August 2013.
(Requested by Commissioner Jorge R. Exposito)
- PA9 Certificate Of Appreciation To Be Presented To Officer Ernesto Rodriguez For Going Above And Beyond To Help The Elderly Residents Of Miami Beach On September 3, 2013 At Congresswoman Debbie Wasserman Schultz Mobile Food Pantry.
(Requested by Commissioner Jorge R. Exposito)

Presentations and Awards (Continued)

- PA10 Proclamation To Be Presented To John Kunkle, Entrepreneur Of The Year.
(Requested by Commissioner Jorge R. Exposito)
- PA11 Certificates Of Recognition To Be Presented To Principal, Vice Principals And Teachers Of
Treasure Island Elementary And Ruth K. Broad Bay Harbor K-8 Center.
(Requested by Commissioner Michael Góngora)
- PA12 Certificates Of Appreciation To Be Presented To Last Year's And Current PTA Presidents Of
Miami Beach Public Schools For Their Hard Work And Dedication.
(Requested by Commissioner Michael Góngora)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Issue A Request For Qualifications (RFQ) For A Construction Manager
At Risk Firm (CMR) To Provide Pre-Construction Services And Construction Phase Services Via
A Guaranteed Maximum Price (GMP) Amendment For The Collins Park Parking Garage Project.
(Capital Improvement Projects)
- C2B Request For Approval To Issue A Request For Proposals (RFP) For The Acquisition Of
Emergency Shelter Beds To Serve Homeless Men, Women And Families.
(Community Services/Procurement)
- C2C Request For Approval To Award A Contract, Pursuant To Invitation To Bid (ITB) No. 179-
2013SW, For The Installation, Removal, Maintenance And Storage Of Holiday Decorations.
(Parks & Recreation/Procurement)
- C2D Request For Approval To Issue A Request For Qualifications (RFQ) For A Third Solid Waste
Franchise Contractor To Provide Commercial Waste Collections And Disposal Services.
(Public Works/Procurement)

C2 - Competitive Bid Reports (Continued)

- C2E Request For Approval To Purchase One (1) 2013 International Durastar Truck With A TCM425 HD Industries Pot Hole Patcher, In The Amount Of \$148,870.00, And One (1) 2013 International 7400 Sixteen (16) Cubic Yard Dump Truck, In The Amount Of \$115,183.00, From Rechten International Trucks; And One (1) 2013 John Deere 544K Wheel Loader, In The Amount Of \$132,504.00, From Nortrax Inc., Pursuant To Florida Sheriffs Association Contract No. 12-10-0905; and One (1) Tennant ATLV 4300 Sweeper, In The Amount Of \$35,013.99, From Tennant Sales And Service Company, Pursuant To Florida State Contract No. 365-001-11-1.
(Public Works/Procurement)
- C2F Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 404-2013LR, For Resurfacing And Scarifying Tennis Courts At North Shore Tennis Center.
(Parks & Recreation/Procurement)
- C2G Request For Approval To Award A Contract, Pursuant To Invitation To Bid No. 405-2013LR, For The Purchase Of Dogipot Junior Bag Dispensers And Biodegradable Dogipot Litter Pickup Bags.
(Parks & Recreation/Procurement)
- C2H Request For Approval To Award A Contract, Pursuant To Invitation To Bid (ITB) No. 269-2013ME, For Citywide Janitorial Services.
(Public Works/Procurement)
(Memorandum to be Submitted in Supplemental)

C4 - Commission Committee Assignments

- C4A Referral To The Land Use And Development Committee - Discussion Regarding Decks, Docks & Seawall Over City Land, And The Need To Issue A Revocable Permit.
(Public Works)
- C4B Referral To The Planning Board - Proposed Amendment To The Land Development Regulations And Comprehensive Plan To Accommodate The Redevelopment Of The Talmudic University Property Located At 4000 Alton Road.
(Planning)
- C4C Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding The Modification Of South Beach Local Circulator Service To Belle Isle And Improvement Of On-Time Performance On The Bi-Directional Route.
(Public Works)
- C4D Referral To The Land Use And Development Committee - Discussion Regarding Short Term Rentals In The Collins Park Neighborhood.
(Requested by Commissioner Jerry Libbin)

C4 - Commission Committee Assignments (Continued)

- C4E Referral To The Planning Board To Amend Section 114-1 Of The City Code To Amend The Definition Of Floor Area To Exempt Only Non-Habitable Floor Area Located Below Grade Where The Ceiling Is Also Below Grade.
(Requested by Mayor Matti Herrera Bower)
- C4F Referral To The Neighborhood/Community Affairs Committee To Review Existing Policy On Public Testimony At Public Meetings.
(City Attorney's Office/City Manager's Office/City Clerk's Office)
- C4G Referral To The Land Use And Development Committee For Consideration Of Establishing Acceptable Accessory Uses Permitting Restaurants In Contributing Historic Structures Within The RM2 Cultural Arts Neighborhood Overlay District.
(Requested by Commissioner Jorge R. Exposito)

C6 - Commission Committee Reports

- C6A Report Of The Land Use And Development Committee Meeting And Special Public Workshop Of September 23, 2013: **Regular Agenda: 1)** Discussion Of The Redevelopment Of The Talmudic University Property Located At 4000 Alton Road. **2)** Discussion Regarding Taxi Service In Miami Beach And Miami-Dade County. **Special Public Workshop: 1)** Discussion Regarding An Amendment To The Land Development Regulations That Will Create Protection From Total Demolition Of Architecturally Significant Single Family Homes Built Prior To 1942. **2)** Ordinance Amendment Pertaining To Oversized Single Family Homes. **3)** Discussion On Architecturally Significant Homes - The City Of Coral Gables Ordinance Language In Regards To The Review Of Total Demolition Requests For Single Family Homes.
- C6B Report Of The The Neighborhood/Community Affairs Committee Meeting Of September 30, 2013: **1)** Discussion Regarding The Placement Of A Plaque At The Flamingo Park Tennis Facility Commemorating Mr. Jerry Moss And His Tremendous Contribution To Tennis On Miami Beach. **2)** Discuss The Log Cabin Property And The Possibility Of A Collaborative Community Center. **3)** Discussion Regarding Potential Options For Collins Canal Project. **4)** Discussion Regarding The Conditions Of South Pointe Park. **5)** A Discussion Regarding Criminal Background Checks For Employees Of City Contractors And Spot Check Updates For Those Background Checks. **6)** Discussion Regarding Sightseeing And Tour Bus Industry Regulations. **7)** Discussion Regarding A Potential Public Basketball Court To Be Located Between 8th and 9th Streets, West Of The Dunes, Near The Exercise Equipment. **8)** Discussion Regarding The Continuation Of The Adopt-A-Beach Pilot Program. **9)** Discussion Regarding The Permanent Closure Of The 400 Block Of Española Way Between Washington Avenue And Drexel Avenue. **10)** Discussion regarding Recycling Ordinance Amendment Recommended By The Sustainability Committee, Which Changes The Number Of Multifamily Units Required To Recycle From Nine Or More Units To Two Or More Units. **11)** Discussion Regarding A Barrier With Foliage Be Installed By FDOT In The Median On 41st Street From Alton Road To Meridian Avenue Within Two Years From The Completed FDOT Traffic Study. **12)** Discussion Regarding The Normandy Shores North Guardhouse On Bay Road. **13)** Discussion Regarding The Veteran's Day Parade.

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Finance And Citywide Projects Committee Meeting Of September 19, 2013: **1)** Discussion Of Old Business Items To Determine If They Should Remain On The Pending Items List: **a)** Status Update On Business Tax Process Improvement; **b)** Additional Proposed Amendment To The City's Living Wage Ordinance Mandating Health Benefits Plan; **c)** Discussion Of Responses Received From The Request For Letters Of Interest (RFLI) For A North Beach Parking Garage; **d)** Discussion On Water Conservation Methods And Implementation; **e)** Discussion Regarding Upgrade To Municipal Parking Garage Gated Revenue Control System; **f)** Discussion Regarding The Issuance Of A Request For Qualifications For A Third Franchise Solid Waste Contractor For Residential And Commercial Solid Waste Collections And Disposal; **g)** Discussion Regarding Permit Expiration Courtesy Notices; Amnesty For Expired Permits; And Length Of Time For Building Permits. **2)** Discussion Regarding Existing Tenant's New Proposal To Renew The Retail Lease Agreement With 1560 Collins Avenue, Inc. D/B/A Shan ("Tenant"), For The Use Of Suites B And C In The Anchor Shops, Located At 1560 Collins Avenue, Suite No 2, Miami Beach, Florida ("Space"); Compared To The US Vintage Proposal For This Space, Approved At The July 25, 2013 Citywide Projects Commission Committee. **3)** Discussion Regarding A Proposal From Alpha 22, LLC To Lease 2,216 Square Feet Of City-Owned Vacant Property, Located At 22nd Street And Washington Avenue, Adjacent To Existing Restaurant Space Located At 816 Commerce Street, Miami Beach, Florida 33139 (Space), To Be Used As Outdoor Café, Concurrent With The Lease/Use Of The Adjoining Restaurant. **4)** Discussion Regarding An Amendment To The Lease By And Between The City Of Miami Beach ("Landlord") And Massage Partners, Inc. ("Tenant") Dated September 15, 2010, For The Premises Located At 1701 Meridian Avenue, Unit 2 (A/K/A 767 17th Street), Miami Beach, Florida, Concerning: 1) The Additional Use Of The Demised Premises As A Nail Salon; And 2) The Use Of The Common Area Restrooms Located On The Second Floor Of The 1701 Meridian Avenue Office Building For Tenant's Nail Salon Customers. **5)** Discussion Regarding Red Light Cameras In Miami Beach In Light Of A New State Law That Goes Into Effect On July 1, 2013. **6)** Discussion To Immediately Reinstate The Fee Waiver For Sidewalk Cafes In North Beach.

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Take The Following Actions: 1) Submit An Application To The State Of Florida, Department Of Environmental Protection, Recreational Trails Program For Funding In The Amount Of \$75,000 For The Middle Beach Recreational Corridor Project (Phase II); 2) Submit An Application To The US Department Of Homeland Security, Federal Emergency Management Agency (FEMA) For Fiscal Year (FY) 2013/14 Urban Area Security Initiative (UASI) Funding In The Approximate Amount Of \$100,000 For Citywide Emergency Preparedness; 3) Submit A Response To The Request For Proposals From The National League Of Cities, Institute For Youth, Education, And Families, For The Cities Expanding Health Access For Children And Families (CEHACF) Planning Grant In The Amount Of \$30,000 For Funding For The Planning Process And Development Of A Business Plan To Expand Health Access For Children And Families; And, Further, Retroactively Approving The Following: 4) Submittal Of An Application To The Rockefeller Foundation For The 100 Resilient Cities Centennial Challenge Program, For Technical And Financial Resources To Create And Execute Resilience Strategies On A Citywide Scale; Appropriating The Above Grants, Matching Funds, And City Expenses, If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To The Aforestated Applications, Including, Without Limitation, Audits, And Authorizing The City Manager Or His Designee To Take All Necessary Actions Related To These Grants.
(Budget & Performance Improvement)
- C7B A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Adopting Background Check Requirements And Other Security Measures For Employees Of City Contractors.
(Procurement)
- C7C A Resolution Increasing The Annually Estimated Contract Amount Per Contract, Pursuant To Resolution 2009-27254, From \$300,000 To \$650,000.
(Building)
- C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 To The Professional Services Agreement With Stantec Consulting Services, Inc. For Additional Architectural Engineering Services, For The Flamingo Park Football Field And Track Renovation Project; In The Negotiated Amount Of \$46,138; With Previously Appropriated Funding In The Amount Of \$46,138 From Fund 301, Quality Of Life Fund.
(Capital Improvement Projects)
- C7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Settlement Agreement Between The City Of Miami Beach And Bermello Ajamil & Partners, Inc., (BAP) For Extended Professional Construction Engineering Inspection Services (CEI) For The Florida Department Of Transportation (FDOT) Work Included In The Water Mains And Sanitary Sewer Mains, And Milling And Resurfacing Improvements Along Indian Creek Drive Between 26th And 41st Streets; In The Amount Of \$73,000 From Previously Appropriated Funding.
(Capital Improvement Projects)

C7 - Resolutions (Continued)

- C7F A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 5 To The Professional Architectural And Engineering (A/E) Services Agreement Between The City Of Miami Beach, Florida And Wolfberg Alvarez And Partners, For Additional Professional Services For The Flamingo Park Project; In The Negotiated Not-To-Exceed Amount Of \$381,261 And An Additional Amount Of \$22,000 For Reimbursable Expenses, For A Total Amount Of \$403,261; With Previously Appropriated Funding From Fund 390, Miami-Dade County Building Better Communities General Obligation Bond Program.
(Capital Improvement Projects)
- C7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Professional Services Agreement With Coastal Systems International, Inc. For Supplemental Construction Administration Services, For The Beachwalk II - Phase I Project; In The Negotiated Amount Of \$48,360 And An Additional Amount Of \$1,000 For Reimbursable Expenses, For A Total Not To Exceed Amount Of \$49,360; With Previously Appropriated Funding In The Amount Of \$49,360 From Fund 389, South Pointe Capital Fund And Ratifying The Additional Professional Services Provided By The Consultant During The Design Phase In The Amount Of \$35,590.
(Capital Improvement Projects)
- C7H A Resolution Providing For 1) Amending Resolution No. 2003-25171, Which Approved The Basis Of Design Report (BODR) For The Bayshore Right Of Way Improvement Project; Said Amendment Amending The BODR As Follows: A) Change In Roadway Widths And; B) 40th Street Parking Modifications.
(Capital Improvement Projects)
- C7I A Resolution Amending Resolution No. 2012-28066, Setting The Dates For The 2013 Commission Meetings; Authorizing A Change In The Commission Meetings In November 2013, Which Are Held For The Purpose Of Canvassing Returns Of The General And Special Elections, From The Scheduled Meeting Date Of November 6, 2013 To November 12, 2013; And If A Run-Off Election Is Necessary, Changing The Meeting Date Of November 20, 2013 To November 25, 2013.
(City Clerk's Office)
- C7J A Resolution Electing Commissioner Deede Weithorn, Group VI, As Vice-Mayor, For A Term Commencing On November 1, 2013 And Terminating On November 12, 2013, Or If A Runoff Election Is Held, Terminating On November 25, 2013.
(City Clerk's Office)
- C7K A Resolution Approving And Consenting To An Assignment Of The Existing Agreement Between The City And Horizon Investigations, Inc. ("Horizon") (As Assignor), To Proven Investigation, L.L.C. (As Assignee) With Such Approval And Consent Effective Upon Execution Of Assignment By The Mayor And City Clerk.
(Human Resources/Procurement)

C7 - Resolutions (Continued)

- C7L A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Parking Lease Agreement With The National Marine Manufacturers Association (NMMA) Boat Show For The Preferred Parking Lot And Other City Property Adjacent To The Boat Show Exhibition Space/Premises; Said Lease For The Boat Show Dates In February 2014, 2015, And 2016, Respectively, And Running Concurrently With The Boat Show Lease Agreement For Use Of The Miami Beach Convention Center.
(Parking Department)
- C7M A Resolution Creating A Commercial Use Permit Process And Fee For The Purpose Of Legitimizing And Management Of Fitness, Training, Tennis And Other Outdoor Professional Services At City Facilities Parks And Beaches.
(Parks & Recreation)
- C7N A Resolution Accepting The Revised Recommendation Of The City Manager Pursuant To Request For Proposals (RFP) No. 01-2013ME, For Unarmed Security Guard Services.
(Police/Procurement)
(Deferred from July 17, 2013)
- C7O A Resolution Authorizing The City Manager And City Clerk To Execute Mutual Aid Agreements With The Following Governmental Agencies: 1) Bal Harbour Village, Florida; 2) Town Of Bay Harbor Islands, Florida; 3) Village Of Biscayne Park, Florida; 4) City Of Coral Gables, Florida; 5) City Of Doral, Florida; 6) City Of Hialeah Gardens, Florida; 7) Town Of Medley, Florida; 8) City Of Miami Springs, Florida; 9) City Of Opa Locka, Florida; And 10) City Of Sweetwater, Florida; For The Purpose Of Coordinating Law Enforcement Planning, Operations, And Mutual Aid Benefit Between The City Of Miami Beach And Bal Harbour Village, Town Of Bay Harbor Islands, Village Of Biscayne Park, City Of Coral Gables, City Of Doral, City Of Hialeah Gardens, Town Of Medley, City Of Miami Springs, City Of Opa Locka, And The City Of Sweetwater.
(Police)
- C7P A Resolution Authorizing The City Manager And City Clerk To Execute A Memorandum Of Understanding Between The City Of Miami Beach On Behalf Of The Miami Beach Police Department And Miami-Dade County On Behalf Of The Miami-Dade Police Department To Participate In Operation Stonegarden, A Waterborne Law Enforcement Initiative.
(Police)
- C7Q A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Voluntary Cooperation Mutual Aid Agreement Between The Miami Beach Police Department And The Florida Department Of Law Enforcement, Miami Regional Operations Child Abduction Response Team, A Multi-Agency Team, Formed To Investigate And Prosecute Persons Involved In The Abduction Of Children, And Provide A Response To Missing And Endangered Children.
(Police)

C7 - Resolutions (Continued)

- C7R A Resolution Approving And Authorizing The City Manager To Participate In The Southeast Florida Governmental Purchasing Co-Operative For The Purchase Of Competitively Bid Routine Operational Requirements, And Waiving By 5/7th Vote The City's Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City.
(Procurement)
- C7S A Resolution Formally Requesting That The Florida Department Of Transportation (FDOT) Convey Ownership To The City Of Certain Property Owned By The FDOT, Located At 1050 41st Street, And Legally Described As Lot D, Block 1, Plat Book 35, Page 46 Of The Re-Subdivision Of Lots 48, 49, 50, And 51 Of Lot 1 Nautilus Subdivision; Which Property Has Been The Site Of A City Water Pump Station Since 1961.
(Public Works)
- C7T A Resolution Approving An Amendment To The Flamingo Neighborhood Basis Of Design Report For 10-Foot Travel Lanes On Local Avenues And Streets As Well As Four (4) Feet Of Green Space And A 10-Foot Wide Path/Cycle Track Sidewalk Shared On Each Side In Lieu Of Bike Lane For 16th Street.
(Public Works)
- C7U A Resolution Waiving, By 5/7th Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The City's Best Interest, And Authorizing The Annual Purchase Of Fuel Management System Parts And Services From AHA Electronics And Fuel Systems, Inc., The Sole Representative For The City's RNI/Fuelomat System, By The City's Fleet Management Division, For The Fueling Of City Vehicles, In An Amount Estimated At \$124,160.
(Public Works)
- C7V A Resolution Waiving By 5/7th Vote, The Formal Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The Purchase Of Fuel From The Miami Beach Marina For Refueling Of Marine Patrol And Ocean Rescue Vessels, In An Amount Estimated At \$100,000 Annually.
(Public Works)
- C7W A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A New Professional Services Agreement With Arts For Learning/Miami, A Not-For-Profit Corporation, For In-School And After-School Arts Education Programs At Various City Preschools, Public Schools And Parks And Youth Centers, In An Amount Not To Exceed \$105,000, Said Agreement Having An Initial Term Of One (1) Year, Commencing On October 1, 2013, And Ending On September 30, 2014, With The Option, At The City's Sole Discretion, To Extend For An Additional Two (2) Years Contingent Upon Funds Appropriations.
(Tourism, Culture & Economic Development)

C7 - Resolutions (Continued)

- C7X A Resolution Retroactively Approving And Authorizing The Acceptance Of \$3,898.00 Dollars In Donations And Sponsorships Made To The City For The Annual Family & Community Service Day, A Free Event.
(Tourism, Culture & Economic Development)
- C7Y A Resolution Retroactively Approving A Special Event Fee Waiver In An Amount Not To Exceed \$32,390.00, For Sun And Fun Hospitality Give Back Day, Which Was Held On September 29, 2013 In Lummus Park.
(Tourism, Culture & Economic Development)
- C7Z A Resolution Approving Special Event Fee Waivers In An Amount Not To Exceed \$12,055.25, Plus A "To Be Determined" Lummus Park User Fee, For The 2013 Dolphins Cycling Challenge (DCC), Which Will Take Place On November 2, 2013 On The Beachfront North Of 10 Street.
(Requested by Commissioner Deede Weithorn)
(Legislative Tracking: Tourism, Culture & Economic Development)
- C7AA A Resolution Authorizing The Acceptance Of A Twenty-Two Thousand Dollars (\$22,000) In Cash Donation (Including Sponsorship) From The Marilyn And Edward Gadinsky Charitable Foundation Made To The City In Support Of The Soundscape Cinema Series For Fiscal Year 2013/14; And Authorizing The City Manager Or His Designee To Make Such Expenditures And/Or Reimbursements From The Aforestated Donation, In Furtherance Of And Consistent With The Aforestated Event.
(Tourism, Culture & Economic Development)
- C7BB A Resolution In Support Of The United Nations Secretary-General's Campaign "UNiTE To End Violence Against Women"; Supporting The October 25, 2013 "Orange Day" Around The World Which Will Focus On "Safe Public Spaces For Women And Girls"; Supporting The "Proudly To End Violence Project" Also Aligned With The UNiTE Campaign; And Encouraging Other Cities To Join The City Of Miami Beach In Supporting These Efforts.
(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
- C7CC A Resolution Approving And Consenting To A Waiver Of Consumer Price Index Rate Adjustments For Fiscal Year 2013/2014 For Building, Planning, Public Works And Fire Department Fees Contained In Appendix A Of The City's Code Of Ordinances Retroactive To October 1, 2013.
(Building)
- C7DD A Resolution Setting A Public Hearing To Adopt The Third Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2012/13.
(Budget & Performance Improvement)

C7 - Resolutions (Continued)

C7EE A Resolution Urging The Florida Legislature To Consider And Enact Legislation That Would Recognize Legal Rights For Pets Beyond Their Current Common Law Status As Personal Property And To Provide For The Recovery Of Non-Economic Damages For Harm To Pets To Compensate Pet Owners For Their Emotional And Psychological Pain And Suffering Resulting From Such Harm.

(Requested by Commissioner Michael Góngora)
(Legislative Tracking: City Attorney's Office)

C7FF A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment To The Professional Services Agreement With Industrial/Organizational Solutions, Inc., Approved By The City Commission On July 18, 2012; Said Amendment To Provide Additional Testing Services During The First Contract Year For Ocean Rescue; And Requesting Additional Funding, In An Amount Not To Exceed \$38,000.

(Human Resources)

C7GG A Resolution Directing The City Administration To Pursue The Relocation Of The Pedestrian Signal At Garden Avenue And The Extension Of The School Zone On 41st Street With The Florida Department Of Transportation To Improve The Safety Of Nautilus Middle School Students And Pedestrians Crossing 41st Street.

(Public Works)

C7HH Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Directing Staff To Work With The Greenspace-Tree Advocacy Group To Develop Interim Landscaping Options For The Dade Boulevard Shared-Use Path Project.

(Public Works)

C7II A Resolution Approving Funding In An Amount Of Up To \$50,000, Authorizing The City Manager Or His Designee To Reimburse The Miami Beach Visitor And Convention Authority (MBVCA) (In An Amount Not To Exceed \$50,000.00) With Regard To The MBVCA's Completion Of The Build-Out Of The Office Space Located At 1701 Meridian Avenue, Unit 403 To Include The Heating, Ventilation, And Air Conditioning (HVAC) System Design, Engineering, Permitting And Installation.

(Tourism, Culture & Economic Development)

(Memorandum to be Submitted in Supplemental)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 62, Entitled "Human Relations," By Amending Article II, Entitled "Discrimination," By Amending Division 3, Entitled "Regulations," By Adding Sec. 62-92 To Require The Posting Of Notices In Every Place Of Employment, Public Accommodation, Housing Accommodation, And City Facility That Falls Subject To The Human Rights Ordinance Indicating The Applicable Substantive Provisions Of The Human Rights Ordinance, The Place Where Complaints May Be Filed, And Such Other Information As The City Of Miami Beach Deems Pertinent; Providing For Enforcement Procedures And Providing For Severability, Codification And An Effective Date.

10:30 a.m. Second Reading Public Hearing

(Sponsored by Mayor Matti Herrera Bower & Commission Michael Góngora)

(Legislative Tracking: City Clerk's Office)

(First Reading on September 11, 2013)

- R5B Accessory Setback Encroachments

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Section 142-1132 To Modify The Setbacks For Allowable Encroachments Including Driveways, Carports And Mechanical Equipment; By Amending Section 142-1133 To Modify The Setback Requirements For Swimming Pools And The Requirements For The Construction Of Swimming Pools On Corner And Thru Lots Within Single Family Districts; Providing For Codification; Providing For Repealer, Severability And An Effective Date. **10:45 a.m. Second Reading Public Hearing**

(Requested by the Land Use & Development Committee)

(Legislative Tracking: Planning Department)

(Continued from July 17, 2013)

- R5C Alton Road Historic District Buffer Overlay

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8 "Alton Road - Historic District Buffer Overlay," By Including Section 142-858 "Location And Purpose," And Section 142-859 "Development Regulations," Including Among Other Provisions Regulations On Maximum Floor Area Ratio; Maximum Building Height; Minimum Setbacks; Building Separation; Demolition Or Additions To Contributing Buildings In An Historic District; And Land Use Regulations For Location Of Retail Uses, Restaurants, Bars, Entertainment Establishments, Alcoholic Beverage Establishments And Similar Uses; Requiring Conditional Use Approval Of Such Uses In Excess Of 10,000 Sq. Ft.; And Prohibiting Alcoholic Beverage And Entertainment Establishments In Open Areas With Exceptions As Prescribed In The Ordinance; Providing For Codification; Repealer; Severability; And An Effective Date. **11:00 a.m. First Reading Public Hearing**

(Requested by Land Use & Development Committee)

(Legislative Tracking: Planning Department)

(Deferred on June 5, 2013/Referred to NCAC)

R5 - Ordinances (Continued)

R5D Palm View Hotel Uses

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity," To Limit Hotels As Hereinafter Provided In The Palm View Corridor To Those Existing As Of May 28, 2013; Defining The Palm View Corridor As All Properties Abutting The West Side Of Meridian Avenue Between 17th Street And Collins Canal; Defining The Rights Of Existing Hotels As Legal Conforming Uses; To Exclude Outdoor Entertainment Establishments And Outdoor Entertainment From Permitted Hotel Accessory Uses; To Add Hotels As A Prohibited Use Within The Boundaries Of The Palm View Corridor Of The RM-2 District; Acknowledging State Pre-Emption Of Short Term Rental Regulations; Providing Rules For Cessation And Resumption Of Hotel Uses; And Providing For Codification; Repealer, Severability And An Effective Date. **11:10 a.m. Second Reading Public Hearing**

(Requested by the Land Use and Development Committee)

(Legislative Tracking: Planning Department)

(First Reading on September 11, 2013)

R5E West Avenue Hotel Uses

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity"; And By Amending Subdivision V, "RM-3 Residential Multifamily, High Intensity," To Limit Hotels As Hereinafter Provided In The West Avenue Corridor To Those Existing As Of May 28, 2013; Defining The West Avenue Corridor As That Area Bordered By Collins Canal To The North, Alton Road To The East, Biscayne Bay To The West And 6th Street To The South; Defining The Rights Of Existing Hotels As Legal Conforming Uses; To Exclude Outdoor Entertainment Establishments And Outdoor Entertainment From Permitted Hotel Accessory Uses; To Add Hotels As A Prohibited Use Within The Boundaries Of The West Avenue Corridor Of The RM-2 And RM-3 Districts; Acknowledging State Pre-Emption Of Short Term Rental Regulations; Providing Rules For Cessation And Resumption Of Hotel Uses; And Providing For Codification; Repealer, Severability And An Effective Date. **11:20 a.m. Second Reading Public Hearing**

(Requested by the Land Use and Development Committee)

(Legislative Tracking: Planning Department)

(First Reading on September 11, 2013)

R5F RM-3 Principal And Accessory Use Signage

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 138, "Signs," By Amending Article V, "Sign Regulations By District," By Amending Section 138-171, "General Provisions," To Modify The Requirements For Hotels And Apartment Buildings Within The RM-3 District, And By Amending Section 138-172, "Schedule Of Sign Regulations For Principal Use Signs," To Modify The Requirements For Hotels And Apartment Buildings Within The RM-3 District; Providing For Codification; Repealer; Severability; And An Effective Date. **11:30 a.m. Second Reading Public Hearing**

(Requested by the Land Use and Development Committee)

(Legislative Tracking: Planning Department)

(First Reading on September 11, 2013/HPB)

R5 - Ordinances (Continued)

- R5G An Ordinance Amending Chapter 100 Of The Miami Beach City Code, Entitled "Sustainability," By Amending Article II Entitled "Energy Economic Development Zone Pilot Program" To Include Miami-Dade County's Green Business Certification As An Additional Eligibility Criteria To Participate In The Energy Economic Development Zone Pilot Program; Providing For Severability; Codification, Repealer, And An Effective Date. **11:40 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Jerry Libbin)
(Legislative Tracking: Tourism, Culture & Economic Development)
(First Reading on September 11, 2013)

- R5H An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 54, Entitled "Floods," By Amending Article II, Entitled "Floodplain Management," By Amending Division 1, Entitled "Generally," By Amending Section 54-35, Entitled "Definitions" By Amending And Deleting Certain Definitions Therein; By Amending Division 2, Entitled "General Provisions," By Amending Section 54-38, Entitled "Designation Of Floodplain Administrator" To Designate The Building Official, Instead Of The Building Director, As The Floodplain Administrator; By Amending Division 3, Entitled "Administration," By Amending Section 54-45, Entitled "Permit Procedures" And Section 54-46, Entitled "Duties And Responsibilities Of The Building Director Or Designee" To Change All Building Director References Therein To The Floodplain Administrator; Amending Division 4, Entitled "Provisions For Flood Hazard Reduction"; By Amending Section 54-47, Entitled "General Standards," Section 54-48, Entitled "Specific Standards," And Section 54-49, Entitled "Specific Standards For A-Zones Without Base Flood Elevations And Regulatory Floodways" To Modify Certain Flood Hazard Reduction Provisions; By Deleting The Provisions In Section 54-50, Entitled "Standards For A-O Zones"; By Amending Division 5, Entitled "Variance Procedures," To Change All Building Director References Therein To The Floodplain Administrator; Providing Non-Substantive, Clerical Revisions Throughout Article II Of Chapter 54; And Providing For Repealer, Severability, Codification, And An Effective Date. **11:50 a.m. Second Reading Public Hearing**

(Sponsored by Mayor Matti Herrera Bower)
(Legislative Tracking: Building Department)
(First Reading on September 11, 2013)

- R5I An Ordinance Amending Miami Beach City Code Chapter 82, Entitled "Public Property," By Amending Article IV Thereof Entitled "Uses In Public Right-Of-Way," By Amending Section 82-383, Entitled "Permit Fee; Penalties For Late Payments; Review Of Fee," By Amending Subsection (a) Thereof To Abate Sidewalk Café Fees For Businesses North Of 63rd Street, Through And Including September 30, 2015 And Requiring A Budget Analysis And Review By The City Administration By September 15, 2015; Providing For Repealer, Codification, Severability, And An Effective Date. **12:00 p.m. Second Reading Public Hearing**

(Sponsored by Commissioner Jerry Libbin)
(Legislative Tracking: Public Works)
(First Reading on September 11, 2013)

R5 - Ordinances (Continued)

R5J Fire And Police Salary Ordinance

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: In Accordance With The Negotiated Collective Bargaining Agreements, Providing For The Classifications In Group II, Represented By The Fraternal Order Of Police (FOP) William Nichols Lodge No. 8., And For The Classifications In Group III, Represented By The International Association Of Fire Fighters, (IAFF), Local 1510; Effective The First Pay Period Ending In October Of 2014, There Shall Be An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Three Percent (3%); Effective April 1, 2015, Adding An Additional Step (I) To The Classifications Of Police Officer, Sergeant Of Police, Lieutenant Of Police And Firefighter I, Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **12:10 p.m. Second Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

(First Reading on September 11, 2013)

R5K Unclassified Salary Ordinance

An Ordinance Amending Ordinance No. 1605, The Unclassified Employees Salary Ordinance; Abolishing Pay Grade 1 And Pay Grade 2; Abolishing The Classifications Of: General Services Director, Transportation And Concurrency Manager, Neighborhood Services Director, Community/Economic Development Director, Cultural Affairs & Tourism Development Director, Procurement Division Director, Information Technology Division Director, Code Compliance Division Director, Assistant Director Procurement Division, Service Delivery Manager, And Office Associate I; Establishing The Classifications Of Tourism, Cultural Affairs And Economic Development Director, Deputy Building Director, Procurement Director, Information Technology Director, Assistant Director Human Resources, Housing And Community Development Director, Infrastructure Division Director, Assistant City Engineer, Assistant Director Procurement, Building Operations Manager, Investigator Supervisor, Community Services Division Director, Administrative Services Manager, Public Safety Special Projects Coordinator, Property Maintenance/Operations Superintendent, Director Of The Office Of Communications, Leasing Specialist, Public Safety Management/Budget Analyst, Performance And Scheduling Analyst, Office Manager (City Attorney), Visual Communications Specialist, Constituent/Commission Aide, Financial Analyst, Public Safety Payroll Administrator, Senior GIS Analyst, And Records Supervisor; Ratifying The Pay Grade Change For The Assistant Director Parking, Assistant Director Parks And Assistant Director Recreation Classifications; And Effective The First Full Pay Period Ending In October 2014, Increasing The Minimum And The Maximum Of Each Pay Grade By Three Percent (3%); And Granting An Across The Board Cost Of Living Adjustment Of Up To Three Percent (3%) For Any Unclassified Employee Whose Base Salary Does Not Exceed The Maximum Of The Pay Range For The Comparable Job Title As Recommended By The 2009 Condrey Classification And Compensation Study "Pay Scale B", Subsequently Amended By Seven Percent (7%) In August 2013, By The Consultant; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **12:20 p.m. Second Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

(First Reading on September 30, 2013)

R5 - Ordinances (Continued)

R5L Others Salary Ordinance

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group VI, Not Represented By A Collective Bargaining Unit And Commonly Referred To As "Others"; Amending All Of The Pay Grades By Abolishing Pay Grade 1; Establishing The Classifications Of Fire Inspector I And Seasonal Recreation Aide; And Effective The First Full Pay Period Ending In October 2014, Increasing The Minimum And The Maximum Of Each Pay Grade, By Three Percent (3%); And Granting An Across The Board Cost Of Living Adjustment Of Up To Three Percent (3%) For Any "Others" Employee Whose Base Salary Does Not Exceed The Maximum Of The Pay Range For The Comparable Job Title As Recommended By The 2009 Condrey Classification And Compensation Study "Pay Scale B" And Subsequently Amended By Seven Percent (7%) In August 2013 By The Consultant; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **12:29 p.m. Second Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

(First Reading on September 30, 2013)

R5M MBERP For GSAF

An Ordinance Implementing Provisions Of The 2012-2015 Collective Bargaining Agreement Between The City And The Government Supervisors Association Of Florida, OPEIU, Local 100 (GSAF); Amending The Miami Beach Employees' Retirement Plan Created By Ordinance 2006-3504; Amending Section 2.26 Of The Plan By Extending The Deferred Retirement Option Plan (DROP) Program From Three (3) To Five (5) Years For Eligible Members; Amending Section 5.13 To Reflect Amended Eligibility And Participation Requirements And Amended Drop Plan Features; Amending Section 4.03 By Eliminating The Purchase Of Additional Creditable Service For Certain Members; Amending Section 6.03 Requiring The City To Contribute At Least The Normal Cost To Pension Each Year, Requiring An Experience Study At Least Every Three (3) Years And Requiring Five (5), Ten (10) And Twenty (20) Year Projections Of Required Pension Contributions As Part Of The Annual Actuarial Valuation; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing An Effective Date. **First Reading**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

R5N GSAF Classified Salary Ordinance

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group V, Represented By The Government Supervisors Association Of Florida, OPEIU, Local 100 (GSAF), In Accordance With The Negotiated Collective Bargaining Agreement; Effective The First Pay Period Ending In October Of 2014, There Shall Be An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Three Percent (3%); Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **First Reading**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

R5 - Ordinances (Continued)

- R5O An Ordinance Amending Chapter 90 Of The Miami Beach City Code, Entitled "Solid Waste," By Amending Article V, Entitled "Citywide Recycling Program For Multifamily Residences And Commercial Establishments" By Amending Section 90-340, Entitled "Recycling Program And Separation Of Recyclable Materials From Solid Waste Stream Required For Multifamily Residences Of Nine (9) Dwelling Units Or More; Owner/Association Liability; Recycling Contractors' Assistance," To Apply To Multifamily Residences Of Two (2) Or More Dwelling Units; Providing For Repealer Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Jerry Libbin)
(Legislative Tracking: Public Works)
(Deferred on September 11, 2013)
- R5P Stay Against Issuance Of Demolition Orders Or Permits - Architecturally Significant Homes Outside Of Historic Districts
An Ordinance To Adopt A Stay On The Issuance Of Orders Or Permits For The Substantial Or Total Demolition Of Architecturally Significant Homes Located Outside Of Historic Districts, To Allow For The Review Of Current And Proposed Ordinances That Would Protect Against Demolition, And For Review Of Incentive Programs To Encourage Retention And Restoration Of Such Homes, Providing For Duration Of Stay Through November 28, 2013, Providing For Extensions, Providing For Exceptions And Review Procedures, And Providing For Repealer, Severability And An Effective Date. **First Reading**
(Sponsored by the City Commission)
(Legislative Tracking: Planning)
(Deferred on September 11, 2013)
- R5Q An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Section 2-22, Entitled "General Requirements," To Amend The Exceptions For The Term Of Office Of At-Large Commission Appointees When An Appointee Is Appointed To Fill An Unexpired Term; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Requested by Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
- R5R An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article XI, Entitled "Adoption Of The Mark Wandall Traffic Safety Act And Program," By Amending Section 106-480, Entitled "Adoption Of State Act And Program," That Delineates The Statutory Authority For Using Traffic Infraction Detectors In The City Of Miami Beach; By Amending Sections 106-481 Through 106-484, Entitled "Reserved" By Adding Section 106-481, Entitled "Local Hearing Officer," Which Authorizes A Local Hearing Officer To Conduct Hearings For A Violation Of Section 316.0083 Of The Florida Statutes; By Providing The Process For The Selection Of A Local Hearing Officer; By Authorizing The Miami Beach Clerk's Office To Serve As Staff For The Local Hearing Officer; By Limiting The Authority Of The Local Hearing Officer; And Setting Forth Penalties And Costs To Be Imposed By The Local Hearing Officer; Providing For Codification; Severability; Repealer; And An Effective Date. **First Reading**
(Requested by Finance & Citywide Projects Committee)
(Legislative Tracking: Police)

R5 - Ordinances (Continued)

R5S An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 62, Entitled "Human Relations," By Amending Article II, Entitled "Discrimination," By Amending Division 1, Entitled "Generally," By Amending Sec. 62.31 Entitled "Definitions" To Define Intersexuality And Add That Term As A Protected Classification Category; To Amend Sections 62-33 Entitled "Purpose; Declaration Of Policy," 62-37(b) Entitled "Duties And Powers," 62-88.1 Entitled "Discrimination In Public Services," 62-90 Entitled "Use Of Municipal Facilities," 62-91 Entitled "Municipal Funds," And 62-112(c) Entitled "Housing" To Include Intersexuality As A Protected Classification Category; And Providing For Severability, Codification And An Effective Date. **First Reading**

(Requested by Mayor Matti Herrera Bower)

(Legislative Tracking: City Attorney's Office)

R5T An Ordinance Amending Chapter 42 Of The Miami Beach City Code, Entitled "Emergency Services," By Amending Article II Thereof, Entitled "Alarm Systems," By Amending Section 42-86, Entitled "False Alarms," To Prohibit Three (3) Or More False Intrusion Alarms; By Amending Section 42-89 Entitled "Notification Of False Alarms," Which Shall Be Entitled "Enforcement," And Sets Forth The Enforcement Authority Of The Miami Beach Police Department And The Issuance Of A Notice Of Violation For Section 42-86; By Amending Section 42-90 Entitled "Initial Review Upon Notification," Which Shall Be Entitled "Rights Of Violators; Payment Of Fine; Right To Appear; Failure To Pay Civil Fine Or To Appeal," And Specifically Delineates The Rights Of Violators, Payment Of Fine, Right To Appear, And Failure To Pay The Civil Fine Or Appeal; By Amending Section 42-91 Entitled "Appeal Of False Alarm Designation," Which Shall Be Entitled "Penalties," By Providing For Penalties Regarding A False Intrusion Alarm; By Amending Section 42-92 Entitled "Penalty For Violation Of Division," Which Shall Be Entitled "Enhanced Penalties," By Creating Enhanced Penalties For Excessive False Intrusion Alarms; Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**

(Requested by Finance & Citywide Projects Committee)

(Legislative Tracking: Police Department)

(Memorandum to be Submitted in Supplemental)

R7 - Resolutions

R7A A Resolution Accepting The Recommendation Of The City's Finance And Citywide Projects Committee ("FCWPC"); Approving And Authorizing The Mayor And City Clerk To Execute A Lease Agreement Between The City And Alpha 22, LLC ("Tenant") Involving The Use Of Approximately 2,216 Square Feet Of City-Owned Vacant Property, Located At 22 Washington Avenue, Miami Beach, Florida ("Property"), Adjacent To Existing Restaurant Space Located At 816 Commerce Street, Miami Beach, Florida ("Restaurant Space"), To Be Used As An Outdoor Café, Concurrent With The Lease/Use Of The Adjoining Restaurant Space; Said Lease Having An Initial Term Of Five Years, With An Option To Renew For Four Years And 364 Days, At The City's Sole Discretion; And Further Waiving, By A 5/7th Vote, The Competitive Bidding Requirement, As Required By Section 82-39 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The Public. **10:10 a.m. Public Hearing**

(Tourism, Culture & Economic Development)

R7 - Resolutions (Continued)

R7B A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City And Massage Partners, Inc. ("Tenant"), Dated September 15, 2010, For The Premises Located At 1701 Meridian Avenue, Unit 2 (A/K/A 767 17th Street), Miami Beach, Florida; Said Amendment To The Lease Concerning: 1) The Additional Use Of The Leased Premises As A Nail Salon; 2) The Non-Exclusive, Revocable Use Of The Common Area Restrooms Located On The Second Floor Of The 1701 Meridian Avenue Office Building For Tenant's Nail Salon Customers; And 3) The Rental Rate To Be Paid By Tenant For The Use Of Said Common Area Restrooms.

(Tourism, Culture & Economic Development)

R7C A Resolution Approving And Authorizing The Mayor And The City Clerk To Execute Guaranteed Maximum Price (GMP) Amendment No. 1 To The Pre-Construction Services Agreement With QGS Development, Inc., Dated October 19, 2011, For Construction Management At Risk Services For The Par 3 Golf Course Project, In The Amount Of \$_____ With Previously Appropriated Funding From The MDC CDT Interlocal-CDT/Resort Fund 388.

(Capital Improvement Projects)

(Memorandum To Be Submitted In Supplemental)

R7D GSAF Collective Bargaining Agreement

A Resolution Ratifying A Three (3) Year Collective Bargaining Agreement Between The City Of Miami Beach And The Government Supervisors Association Of Florida, OPEIU, Local 100 (GSAF), For The Period From October 1, 2012, Through September 30, 2015; And Authorizing The Mayor And City Clerk To Execute The Agreement.

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Human Resources)

R7E A Resolution Adopting The Second Amendment To The Fiscal Year (FY) 2012/13 Special Revenue Fund Budgets. **10:20 a.m. Public Hearing**

(Budget & Performance Improvement)

R7 - Resolutions (Continued)

R7F A Resolution Consenting To The Appointment Of David D. Martinez As The Director Of The Office Of Capital Improvement Projects For The City Of Miami Beach.

(Human Resources)

R7G A Resolution Consenting To The Appointment Of Hernan D. Cardeno As The Director Of The Code Compliance Department For The City Of Miami Beach.

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments.
(City Clerk's Office)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C Update On The Miami Beach Convention Center Project.
(City Manager's Office)
(Memorandum to be Submitted in Supplemental)
- R9C1 Discussion Regarding The Convention Center Master Plan.
(Requested by Mayor Matti Herrera Bower)
- R9D Recommendation To Nominate Henry Stolar For The Noise Working Group.
(Requested by Commissioners Michael Góngora & Jorge Exposito)
(Deferred in September 11, 2013)
- R9E Discussion Regarding Art Basel And Its Economic Benefit To The City.
(Requested by Commissioner Deede Weithorn)
(Deferred in September 11, 2013)
- R9F Discussion And Referral To The Finance And Citywide Projects Committee Regarding The Liability Of Police Officers As It Pertains To Off Duty Work.
(Requested by Commissioner Jorge R. Exposito)
- R9G Discussion Regarding The Building Located On 1701 Meridian Avenue, Construction And Permitting Status Of The VCA Offices As Well As Representative David Richardson Office.
(Requested by Commissioner Jorge R. Exposito)
- R9H A Discussion Delineating Potential Concerns On Two Future Roadway Projects To Be Undertaken By The Florida Department Of Transportation (FDOT) Along Alton Road, From Michigan Avenue To 43rd Street And From 43rd Street To East Of Allison Road; And Urging FDOT To Ensure That All Community Concerns, Including, But Not Limited To, Loss Of On-Street Parking, Impacts To Mature Shade Trees, And Appropriate Bicycle Facilities, Are Properly Addressed As Part Of The Respective Future Alton Road Projects.
(Public Works)

R9 - New Business and Commission Requests (Continued)

- R9I Discussion Regarding The Permanent Closure Of The 400 Block Of Española Way Between Washington Avenue And Drexel Avenue.
(Public Works)
- R9J Discussion Regarding Loss Of Parking Spaces In Biscayne Beach Neighborhood.
(Requested by Mayor Matti Herrera Bower)
- R9K The Committee Of The Whole Will Meet On October 16, 2013 In The City Manager's Office Large Conference Room To Discuss The Proposed Revisions To The Personnel Rules For The Classified Service.
(Human Resources)
- R9L Discussion Regarding The Status Of The Collins Park Neighborhood Improvement Project.
(Requested by Mayor Matti Herrera Bower)
- R9M Discussion Regarding Extending An Agreement For Governmental Services Between The City And MWW Group.
(City Manager's Office)
- R9N Discussion And Referral To The Finance & Citywide Projects Committee - Enhance Police Patrol In Miami Beach Schools, Which In Turn Secures The Safety Of All Students, Parents And Staff.
(Requested by Commissioner Jorge R. Exposito)
- R9O Discussion And Referral To The Finance & Citywide Projects Committee - Look Into What Occurs With Our MBPD Retired Police Dogs And To Discuss Possible Allocation Of Funding For Their Medical Needs.
(Requested by Commissioner Jorge R. Exposito)
- R9P Discussion Regarding Extending Hours For Winter Party, White Party And Pride.
(Requested by Commissioner Michael Góngora)
- R9Q A Presentation From The American Athletic Conference Regarding The Miami Beach Bowl.
(City Manager's Office)
- R9R Discussion On The Outcome Of The Public Meetings Held By FDOT Regarding The Proposal To Add Medians Along The Alton Road Corridor Within The Project Limits Of The Current Reconstruction Project From 5th Street To Michigan Avenue.
(Requested by Mayor Matti Herrera Bower)

R9 - New Business and Commission Requests (Continued)

- R9S Discussion And Referral To Neighborhood/Community Affairs Committee To Look Into An Establishment For A Handicap Beach Within Our City Limits.
(Requested by Commissioner Jorge R. Exposito)

R10 - City Attorney Reports

R10A City Attorney's Status Report.

(City Attorney Office)

R10B Notice Of Closed Executive Session

Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, October 16, 2013, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Collective Bargaining.

Reports and Informational Items

1. Reports and Informational Items (see LTC No. 370-2013)
2. List of Projects Covered by the Cone of Silence Ordinance - LTC.
(Procurement)
3. Report From Commission Committees Of Withdrawn Items Not Heard Within (6) Six Months From Their Referral Date.
(City Clerk's Office)

End of Regular Agenda

Miami Beach Redevelopment Agency

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
October 16, 2013**

Chairperson of the Board Matti Herrera Bower
Member of the Board Jorge Exposito
Member of the Board Michael Góngora
Member of the Board Jerry Libbin
Member of the Board Edward L. Tobin
Member of the Board Deede Weithorn
Member of the Board Jonah Wolfson

Executive Director Jimmy L. Morales
Assistant Director Joe Jimenez
General Counsel Jose Smith
Secretary Rafael E. Granado

AGENDA

1. NEW BUSINESS

- A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency ("RDA") Accepting The Recommendation Of The City's Finance And Citywide Projects Committee ("FCWPC") Pertaining To The Lease Agreement Between The Miami Beach Redevelopment Agency ("Landlord") And 1560 Collins Avenue, Inc. D/B/A Shan ("Tenant"), In Connection With The Use Of Suites B And C In The Anchor Shops, Located At 1560 Collins Avenue, Suite No. 2, Miami Beach, Florida ("Space") And Approving And Authorizing The Chairperson To Execute Lease Amendment No. 1, Exercising The Renewal Option Period, For The Five (5) Year Period Commencing March 19, 2013 And Ending March 18, 2018, Based Upon The Renewal Rent Schedule Approved By FCWPC.
(Tourism, Culture & Economic Development Department)