

MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
December 11, 2013

Mayor Philip Levine
Vice-Mayor Deede Weithorn
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg
Commissioner Edward L. Tobin
Commissioner Jonah Wolfson

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.

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 The South Florida Digital Alliance Recognizes The City Of Miami Beach As The 2013 Universal Access DAE Awards Winner In The Government Category For Their Support Of Community IT Projects.

(City Manager's Office)

PA2 Introductory Address By Representative David Richardson.

(City Manager's Office)

CONSENT AGENDA

Action:

Moved:

Seconded:

Vote:

C2 - Competitive Bid Reports

C2A Request For Approval To Authorize The Issuance Of 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 Place Project.

(Capital Improvement Projects)
(Item not reached on October 16, 2013)

C2B Request For Approval To Award Contracts Pursuant To Invitation To Bid No. 405-2013LR For The Purchase Of Biodegradable Dog Litter Pickup Bags And Dispensers.

(Parks & Recreation/Procurement)
(Item not reached on October 16, 2013)

C2C Request Approval To Exercise Term Renewal Options On Contracts For Routine Operational Requirements.

(Procurement)

C2D Request For Approval To Award Contracts Pursuant To Invitation To Bid No. 113-2013, For Routine And Emergency Repairs For Water, Sanitary Sewer And Storm Water Pipe Break; Cured-In Place Lining For Sanitary Sewer Pipes And Storm Water Drainage Pipes; And Rehabilitation Of Sanitary Sewer Manholes And Storm Water Manholes.

(Public Works/Procurement)

C2 - Competitive Bid Reports (Continued)

- C2E Request For Approval To Authorize The Issuance Of A Request For Proposals (RFP) For Design-Build Services For Sunset Islands 3 & 4 Right-Of-Way Infrastructure Improvements.
(Capital Improvement Projects/Public Works/Procurement)

C4 - Commission Committee Assignments

- C4A 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.
(Planning)
- C4B Referral To The Neighborhood/Community Affairs Committee A Discussion Regarding The Andree Juliette Brun Bust And Chuck Hall Bust That Were Formerly On Display At The Jackie Gleason Theater.
(Tourism, Culture & Economic Development)
- C4C Referral To The Planning Board - Proposed Amendments To The Land Development Regulations For Parking Requirements And RM-1 Development Regulations In The North Beach Area.
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning)
- C4D Referral To The Planning Board - Proposed Amendment To The Land Development Regulations Regarding Non-Medical Office Uses For Residential Properties Located In The RM-2 Zoning District.
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning)
- C4E Referral To The Planning Board - Proposed Amendment To The Land Development Regulations To Modify The Regulations Pertaining To Minimum Hotel Unit Size Requirements In The City's Commercial Zoning Districts.
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning)
- C4F Referral To The Planning Board - Proposed Amendment To The Land Development Regulations To Create An Overlay District Including And Adjacent To, Or Possible Rezoning Of, The Property Located At 1729 Lenox Avenue To Accommodate Additional Children At The Temple Beth Shmuel Montessori School.
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning)

C4 - Commission Committee Assignments (Continued)

- C4G Referral To The Tennis Advisory Committee From The Neighborhood/Community Affairs Committee - Discussion And Recommendations Regarding A Jerry Moss ("Wall Of Fame") Plaque At The Flamingo Park Tennis Center.
(Sponsored by Commissioner Jonah Wolfson)
(Legislative Tracking: Parks & Recreation)
- C4H Referral To The Finance And Citywide Projects Committee - TECO/Peoples Gas System, Inc. Franchise Agreement.
(Public Works)
- C4I Referral To The Planning Board - An Ordinance Amending The Code Of The City Of Miami Beach, Subpart B, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article II, Entitled "District Regulations," By Amending Division 2, Entitled "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending Section 142-109, Entitled "Commercial Use Of Single-Family Homes Prohibited," By Amending The Definitions Therein, And By Adding New Subsection (C)(1)D, Which Prohibits Advertising Of Unlawful Occupancy And Use; By Amending Subsection (C)(2), Which Removes The Limitations On Enforcement; By Amending Article IV, Entitled "Supplementary District Regulations," By Amending Division 2, Entitled "Accessory Uses"; By Amending Section 142-905, Entitled "Permitted Accessory Uses In Single-Family Districts," By Adding New Subsection (B)(5)A Which Prohibits The Advertisement For The Lease Of Single Family Homes For Less Than Six Months And One Day, By Adding New Subsection (B)(5)B, Which Provides The Enforcement For A Violation Of Section (B)(5); By Amending Article IV, Entitled "Supplementary District Regulations," By Amending Division 3, Entitled "Supplementary Use Regulations," By Amending Section 142-1111, Entitled "Short-Term Rental Of Apartment Units Or Townhomes," By Amending Section (A) To Prohibit The Advertisement Of Short Term Rental Of Apartments Units Or Townhomes; And Providing For Repealer, Severability, Codification, And An Effective Date.
(Sponsored by Commissioner Edward L. Tobin)
(Legislative Tracking: City Attorney's Office/Code Compliance)
- C4J Referral To The Finance And Citywide Projects Committee - The Budget Advisory Committee's (BAC) Recommendation For A City Resort Tax Reserve Policy (As Described In LTC No. 422-2013 Budget Advisory Committee Motion).
(Requested by Commissioner Deede Weithorn)
- C4K Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Creating A Community Vegetable Garden Through Our Parks & Recreation Program For Miami Beach Elderly In Our Senior Centers; To Include Regular Transportation To The Garden.
(Requested by Commissioner Edward L. Tobin)

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.

(Item not reached on October 16, 2013)

C6B Report Of The Capital Improvement Projects Oversight Committee Meeting Of July 15, 2013: **1)** Attendance. **2)** Accomplishments: **A.** Groundbreaking - Flamingo Park Football Field Track; **B.** New CIP Website. **3)** Review And Acceptance Of Minutes. **4)** Public Comments. **5)** Old Business/Requested Reports: **A.** Neighborhood Projects Map; **B.** Report On Flooding Conditions In Orchard Park Area; **C.** North Beach Neighborhoods: **1.** Status Report: Normandy Isle Phase II Neighborhood Improvements; **2.** Status Report: Biscayne Point Neighborhood Improvement Project; **D.** Middle Beach Neighborhoods: **1.** Status Report: Central Bayshore Improvements; **2.** Status Report: Lake Pancoast Improvements; **3.** Status Report: Sunset Islands I & II; **4.** Status On Lower North Bay Road; **E.** South Beach Neighborhoods: **1.** Status Report: Venetian Islands Neighborhood Improvement Project; **2.** Status Report: Palm & Hibiscus Island Neighborhood Improvements & Utilities Undergrounding; **3.** Status Report: South Pointe Phase III, IV & V Neighborhood Improvement Project. **6)** Commission Items: **A.** Bayshore Neighborhood Right-Of-Way Neighborhood Infrastructure Improvement Project; **B.** Lower North Bay Road Neighborhood Improvements; **C.** Beachwalk Phase II From South Pointe Drive To 3rd Street; **D.** 6th Street Restrooms, 53rd Street Restrooms, And Ocean Rescue Office.

C6C Report Of The Land Use And Development Committee Meeting Of October 23, 2013: **1)** Discussion Of The City's Draft Tree Ordinance Prepared By The Parks And Recreation Department's Green Space Management Division. **2)** Parking District No. 5 - Sunset Harbour. **3)** Zoning And Planning Initiatives For North Beach Including Ordinance Amendments For Parking Requirements And Development Regulations. **4)** Discussion To Consider The Solicitation Of Letters Of Interest From Institutions Of Higher Education For The Development Of Our Municipal Assets In North Beach. **5)** Accessory Setback Encroachments - An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Article IV, Entitled "Supplementary District Regulations," By Amending 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. **6)** Discussion Regarding A Proposed Amendment To Section 142-213 - Conditional Uses To Include The Following Language: And Non-Medical Low Intensity Offices, Such As Architect Offices, Accountant Offices, Attorney Offices And Real Estate Offices, Which Are Located On The Lobby Level Of Bay Front Apartment Buildings The Proposed Section Will Read As Follows: Sec. 142-213. - Conditional Uses. Conditional Uses In The RM-2 Residential Multifamily, Medium Intensity District Are Adult Congregate Living Facility; Day Care Facility; Nursing Home; Religious Institutions; Private And Public Institutions; Schools; Commercial Or Noncommercial Parking Lots And Garages; Accessory Neighborhood Impact Establishment, As Set Forth In Article V, Division 6 Of This Chapter; And Non-Medical Low Intensity Offices, Such As Architect Offices, Accountant Offices, Attorney Offices And Real Estate Offices, Which Are Located On The Lobby Level Of Bay Front Apartment Buildings. **7)** Discussion Involving Restricting A Portion Of City Street Located In The Middle Of St. Patrick's School And Pre-K School For Safety And Security Reasons. **8)** Boat Docks And Marine Structures Ordinance. **9)** Discussion Concerning The Motion By The GLBT Business Enhancement Committee Regarding Extending Hours Of Operation For The Four Event Weekends: White Party, Winter Party Festival, Miami Beach Gay Pride And Aqua Girl. **10)** Consideration Of A Proposed Ballot Question To Permit Limited Transfer Of FAR Within A Specific Zone, Pursuant To Criteria That Shall Be Established In Upcoming Ordinances Regarding Alton Road. **11)** Discussion On A Resolution Calling For A Special Election To Be Held On November 5, 2013, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach An Advisory, Non-Binding Straw Ballot Question Asking Whether The City Commission Should, Without Owner Consent, Designate Individual Single Family Homes That Satisfy The City Code's Evaluation Criteria For Local Historic Site Designation? **12)** Discussion Regarding Repealing Sec. 74-1, Entitled "Soliciting Business In Public From Pedestrians" Of The Code Of The City Of Miami Beach, Florida. **13a)** 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. **13b)** Discussion On The Historic Preservation Board's Recommendation To Adopt A Demolition Ordinance For Single Family Residences, As Similar As Possible To The City Of Coral Gables Ordinance, Which Requires Review Of Total Demolition Requests For Any Structure 50 Years Of Age Or Older By The City's Historic Preservation Officer, In Order To Determine If The Structure Should Be Brought To The Historic Preservation Board For Historic Designation Consideration. **14)** Discussion To Consider An Amendment To Article II, Section 142 Of The Land Development Regulations, To Modify The Regulations Pertaining To Minimum Hotel Unit Size Requirements In The City's Commercial Zoning Districts, Permitting Nonconforming Historic Hotels To Be Significantly Renovated Without The Need For Additional Variances For Unit Size. **15)** Discussion Regarding The Beachwalk II Project Phase II (3rd Street To 5th Street). **16)** Discussion Regarding The Creation Of An Overlay District Including And Adjacent To, Or Possible Rezoning Of, The Property Located At 1729 Lenox Avenue To Accommodate Additional Children At The Temple Beth Shmuel Montessori School. **17)** Discussion Regarding Taxi Service In Miami Beach And Miami-Dade County.

C6 - Commission Committee Reports (Continued)

- C6D Report Of The Neighborhood/Community Affairs Committee Meeting Of October 28, 2013: **1)** Status Update For The Beachwalk From 3rd Street To Fifth Street. **2)** Discussion Regarding The Possible Renaming Of 21st Street, From Miami Beach Drive To Washington Avenue, As “Collins Park South” And 22nd Street, From Miami Beach Drive To Dade Boulevard, As “Collins Park North”. **3)** Discussion Regarding The Disability Access Committee’s Motion In Regards To Alternative Leaf Blowers. **4)** Discussion Regarding Water Taxi Proposal. **5)** Discussion Regarding The Log Cabin Property And The Possibility Of A Collaborative Community Center. **6)** Discussion Regarding Potential Options For Collins Canal Project/Discussion Regarding Interim Landscaping Option For The Dade Boulevard Shared-Use Path Project. **7)** Discussion Regarding Alternative Location For Dog Park In South Pointe Park.

C7 - Resolutions

- C7A A Resolution Retroactively Approving And Authorizing The City Manager, Or His Designee, To Take The Following Actions: 1) Submittal Of An Application To The U.S. Department Of Homeland Security, Federal Emergency Management Agency (FEMA) For The Emergency Food And Shelter Program (EFSP) For Phase 31 Funding In The Amount Of \$50,000 For Emergency Assistance; 2) Submittal Of An Application To The Miami-Dade County Homeless Trust For Fiscal Year (FY) 2013/14 Primary Care Housing And Services Funds In The Amount Of \$62,673 For The City’s Homeless Outreach Program; 3) Submittal Of An Application To Miami-Dade County Homeless Trust For Fiscal Year (FY) 2013/14 Funding In The Amount Of \$25,000 For Identification Assistance Services For Homeless Individuals And Families As Part Of The City’s Homeless Outreach Program; 4) Submittal Of An Application To The US Department Of Homeland Security, Federal Emergency Management Agency (FEMA), For The FY 2013/14 Assistance To Firefighters Grant Program, For Funding In The Approximate Amount Of \$32,000 For Equipment For Fire Department Operations; 5) Submittal Of An Application To The Florida Department Of Transportation (FDOT) For The Fiscal Year 2013/14 High Visibility Enforcement (HVE) Program For Funding In The Approximate Amount Of \$180,000 For The Police Department Pedestrian And Bicycle Safety Initiative; 6) Submittal Of A Request In The Amount Of \$2,750 To The National Arts Program Foundation® For The City Of Miami Beach Employee Art Show; And, 7) Approve The City’s Participation In The South Florida Climate Change And Extreme Weather Vulnerability Assessment And Adaptation Pilot Project Program For Adaptation Options For Transportation Infrastructure; 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 City Manager’s Revised Recommendation To Reject All Proposals Received Pursuant To Request For Proposals (RFP) No. 064-2013, For Audit Services Of Capital Improvement Projects.

(Budget & Performance Improvement/Procurement)

C7 - Resolutions (Continued)

- C7C A Resolution Setting A Public Hearing To Adopt The First Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year (FY) 2013/14.

(Budget & Performance Improvement)

- C7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 4 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 \$22,586; With Previously Appropriated Funding In The Amount Of \$22,586 From Fund 301, Quality Of Life Fund.

(Capital Improvement Projects)

(Item not reached on October 16, 2013)

- C7E A Resolution Accepting The City Manager's Revised Recommendation To Reject All Proposals Received Pursuant To Request For Proposals (RFP) No. 01-2013ME, For Unarmed Security Guard Services; Further Authorizing A Continuing Month-To-Month Extension Of The Current Security Guard Services Contract With Security Alliance LLC, Dated April 2, 2007, With Said Extension Terminable By The City, For Convenience And Without Cause, At Such Time As A New Contract For Security Guard Services Is Approved And Executed.

(Citywide/Procurement)

(Item not reached on October 16, 2013)

- C7F A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Execute A Letter Of Agreement With Jewish Community Services Of South Florida, Inc. (JCS) In The Amount Of \$40,000, For Provision Of Litter Control And Sanitation Support Services, Through JCS's HOPE Program, In The Area From 5th To 11th Streets, Between Lenox And Meridian Avenues.

(Public Works)

- C7G A Resolution Authorizing The Issuance Of A Request For Qualifications (RFQ) For An Insurance Broker Of Record, For Property And Liability Insurance As Needed For The City Of Miami Beach, Florida; And Authorizing A Month-To-Month Extension To Arthur J. Gallagher And Co. Agreement Until A New Contract Is Awarded And Executed.

(Human Resources/Procurement)

- C7H A Resolution Approving And Consenting To An Assignment Of The Existing Agreement For Investigative And Adjusting Services For Selected Tort Liability And Workers' Compensation Claims On An "As Needed" Basis Between The City And Horizon Investigations, Inc. ("Horizon") (As Assignor), To Proven Investigation, L.L.C. ("Proven") (As Assignee), With Such Approval And Consent Effective Upon Execution Of Assignment By The Mayor And City Clerk.

(Human Resources/Procurement)

(Item not reached on October 16, 2013)

C7 - Resolutions (Continued)

- C7I A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 185-2013, For P25 Mobile Radio System Consulting Services; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Proposer, TUSA Consulting Services; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing Negotiations With The Second-Ranked Proposer, RCC Consultants, Inc.; And Should The Administration Not Be Successful In Negotiating With The Second-Ranked Proposer, Authorizing Negotiations With The Third-Ranked Proposer, ACD Telecom LLC; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.
(Information Technology/EOC/Procurement)
- C7J A Resolution Waiving, By 5/7ths Vote, The Formal Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager To Negotiate And Execute An Agreement With Verizon Terremark, In The Not To Exceed Amount Of \$328,560, For A Period Of One (1) Year.
(Information Technology)
- C7K A Resolution Approving A Parking Agreement Lease With The NMMA (National Marine Manufacturers' Association) Boat Show For The Preferred Parking Lot And Related Space; Additional Storage Space; And Services To Be Provided By The City's Parking Department, For Specific Dates In February 2014; 2015; And 2016, Said Lease Running Concurrently With The Boat Show Lease With Miami Beach Convention Center.
(Parking)
(Item not reached on October 16, 2013)
- C7L A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 157-2013, For Gymnastic Program Instruction Services; Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Proposer, Gym Kidz Inc.; And Should The Administration Not Be Successful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing The City To Issue A New Request For Proposals; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.
(Parks & Recreation/Procurement)
- C7M A Resolution Approving And Authorizing The City Manager To Execute Amendments, Acceptable To The City Attorney's Office, To The Various Locally Funded Agreements And Memoranda Of Agreements With The Florida Department Of Transportation, As Previously Approved By Resolution No. 2012-27899 Dated May 9, 2012, For Construction And Maintenance Of The Deep Root Green Infrastructure Product "Silva Cells" As Part Of The Florida Department Of Transportation's State Road 907/Alton Road Project From 5th Street To Michigan Avenue, With Funding Provided By The City Of Miami Beach In An Amount Not To Exceed \$250,000.00 From The FY 2013/14 305-Quality Of Life Fund - South Beach, Subject To Future Appropriation Through A Budget Amendment To The Capital Budget For Fiscal Year 2013/14 To Be Presented At The December 11, 2013 Commission Meeting.
(Parks & Recreation)

C7 - Resolutions (Continued)

- C7N A Resolution Accepting The Donation Of Two Specially Trained Canines From The Miami Beach K-9 Knights, That Will Be Utilized By The Miami Beach Police Department Operations Division Canine Squad, Which Shall Be Used For The Detection, Tracking And Apprehension Of Subjects Involved In Criminal Activity.
(Police)
- C7O A Resolution Accepting The Donation Of \$10,000 From Mr. David Wallack To Purchase A Specially Trained Canine To Be Utilized By The Miami Beach Police Department's Operations Division Canine Squad, For The Detection, Tracking, Apprehension, And Arrest Of Subjects Involved In Criminal Activity.
(Police)
- C7P A Resolution Authorizing An Upgrade To The Automated Fingerprint Identification System (AFIS) Latent Workstation And Future Maintenance From Morphotrak Inc., And Further Authorizing The Mayor And City Clerk To Execute A Product System Agreement With Morphotrak, Inc., For Said Purpose, In The Total Amount Of \$44,500.
(Police/Procurement)
- C7Q A Resolution Approving The Appropriation Of An Amount Not To Exceed \$100,000 To Implement The Previously Approved Settlement Agreement With The Seville Acquisition, LLC For The Construction Of An Elevated Beachwalk And Use Of Rubberized Pavers Behind The Marriott Edition Hotel At 29 Street And Collins Avenue Subject To Future Appropriation Through A Budget Amendment To The Capital Budget For Fiscal Year 2013/14 To Be Presented At The December 11, 2013 Commission Meeting.
(Public Works)
- C7R A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Directing The Administration To Develop Criteria For The Co-Naming Of Streets.
(Public Works)
- C7S A Resolution Accepting The Recommendation Of The Neighborhoods/Community Affairs Committee Directing The City Administration To Explore Potential Locations And Times For Water Taxi Service Within The City And To Mainland Miami.
(Public Works)
- C7T A Resolution Approving Funding In An Amount Of Up To \$50,000, And Authorizing The City Manager Or His Designee To Reimburse The Miami Beach Visitor And Convention Authority (VCA) (In An Amount Not To Exceed \$50,000) With Regard To The VCA's Completion Of The Build-Out Of Its New Office Space, Located At 1701 Meridian Avenue, Unit 403; Such Reimbursement For A New Heating, Ventilation, And Air Conditioning (HVAC) System Design, Engineering, Permitting And Installation.
(Tourism, Culture & Economic Development)
(Item not reached on October 16, 2013)

C7 - Resolutions (Continued)

- C7U A Resolution Retroactively Approving And Authorizing The Acceptance Of \$14,075 In Sponsorships And Donations Made To The City For The 2013 Annual Hispanic Heritage Event, The Hazardous Waste Event, The Peace Pole Event, The Soundscape Cinema Series, And The Veterans Day Parade.
(Tourism, Culture & Economic Development)
- C7V A Resolution Approving A Contribution From The Ocean Drive Association In An Amount Not To Exceed \$24,680 In Support Of The Closure Of Ocean Drive For The 2013-2014 New Year's Celebration.
(Tourism, Culture & Economic Development)
- C7W A Resolution Authorizing The City Manager To Execute An Amendment To The Interlocal Agreement With Miami-Dade County For The Provision Of Public Transportation Services For The South Beach Local For The Purpose Of Implementing The Miami-Dade Transit 'Next Bus' Mobile App Service For The South Beach Local And Future North Beach Local, Subject To A Budget Amendment To The Capital Budget For Fiscal Year 2013/14 To Be Presented At The December 11, 2013 Commission Meeting.
(Public Works)
- C7X A Resolution Acknowledging Mayor Philip Levine's Decision To Voluntarily Forego The Full Annual Salary, And Such Other Compensation And Benefits Afforded To The Office Of Mayor, As Set Forth In Exhibit "A" To This Resolution (And Collectively Referred To In This Resolution As The "Mayor's Compensation"), And Further Accepting The Mayor's Recommendation That Such Compensation Be Allocated To Offset Any Shortfalls And/Or Funding Gaps To The City's Elder Meals Programs, As A Result Of Federal Sequestration Cuts.
(Requested by Mayor Philip Levine)
(Legislative Tracking: Human Resources/City Attorney's Office)
(Memorandum to be Submitted in Supplemental)
- C7Y A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 305-2013TC For Design/Build Services For Right-Of-Way Infrastructure Improvement Program No. 8B - Lower North Bay Road; And Further Authorizing The Mayor And City Clerk To Execute An Agreement For Design/Build Services With Previously Appropriated Funding, And Future Appropriation Through A Capital Budget Amendment To The Capital Budget For Fiscal Year 2013/2014.
(Capital Improvement Projects/Procurement)

C7 - Resolutions (Continued)

C7Z A Resolution Amending Resolution No. 94-21382, As Amended By Resolution Nos. 97-22607, 98-22693, And 2003-25446, By Amending Paragraph 1 To Establish A Flood Mitigation Committee; By Amending Paragraph 2 To Provide That The Mayor Shall Serve As A Fourth Voting Member On All City Commission Committees; By Amending Paragraph 3 To Provide That The Mayor Shall Appoint A Chairperson And Vice Chairperson For All City Commission Committees; And By Amending Paragraph 4 Regarding The Calling Of Meetings.

(Requested by Mayor Philip Levine)

(Legislative Tracking: City Attorney's Office)

C7AA A Resolution Authorizing The City Manager To Decline, In Writing, The Right Of First Offer Transaction, As Required Pursuant To The Terms Of Section 36.2 Of The Agreement Of Lease ("Ground Lease") Between City Of Miami Beach, Florida ("Owner") And Pelican Investment Holdings, LLC ("Tenant"), Dated As Of December 1, 1999, Involving The Improvements To Property Located At 1027 Collins Avenue, Miami Beach, Florida And 1041 Collins Avenue, Miami Beach, Florida (Collectively The "Project"); Further Approving The Sale Of The Project To The Proposed Purchaser, Jones Lang Lasalle Income Property Trust, Inc., Upon Satisfactory Completion Of The City's Due Diligence In Connection With Said Proposed Sale; And Authorizing The City Manager And City Clerk To Execute Any And All Closing Documents On Behalf Of The City.

(Tourism, Culture & Economic Development Department)

(Memorandum to be Submitted in Supplemental)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

- R5A 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
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
(Continued from October 16, 2013)
- R5B 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**
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
(Continued from October 16, 2013)
- R5C 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. **11:15 a.m. Second Reading Public Hearing**
(Sponsored by Former Mayor Matti Herrera Bower)
(Legislative Tracking: City Attorney's Office)
(First Reading on October 16, 2013)

R5 - Ordinances (Continued)

R5D 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. **11:30 a.m. Second Reading Public Hearing**

(Sponsored by Vice-Mayor Deede Weithorn)
(Legislative Tracking: Human Resources)
(First Reading on October 16, 2013)

R5E 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 Deleting Section 42-92 Entitled "Penalty For Violation Of Division"; Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**

(Sponsored by the Finance & Citywide Projects Committee)
(Legislative Tracking: Police Department)
(Item not reached on October 16, 2013)

R5F 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**

(Sponsored by Finance & Citywide Projects Committee)
(Legislative Tracking: Police)

R5 - Ordinances (Continued)

- R5G An Ordinance Amending Chapter 10 Of The Miami Beach City Code Entitled "Animals," By Amending Section 10-11, Entitled "Running At Large Prohibited," By Extending The Pilot Program Off-Leash Area For Dogs In South Pointe Park Through And Including December 31, 2014; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**
(Sponsored by the Neighborhood/Community Affairs Committee)
(Legislative Tracking: Parks & Recreation)
- R5H Single Family Development Regulations
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending The Criteria And Procedures For The Review And Approval Of Single-Family Residential Construction, By Replacing The Single-Family Residential Review Panel, By Clarifying And Amending The Standards And Procures For Reviewing New Construction And Additions In Single Family Districts, Including Modifications To Lot Coverage, Unit Size And Overall Height, By Clarifying The Below Flood Level Construction Requirements For Affected Properties In High Flood Zones, And By Clarifying Setback And Lot Coverage Requirements; Providing Codification; Repealer; Severability; And An Effective Date. **First Reading**
(Sponsored by the Planning Board)
(Legislative Tracking: Planning Department)
- R5I Architecturally Significant Single Family Home Retention Incentives
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 II, "District Regulations," Division 2, "Single-Family Residential Districts," By Revising The Standards And Review Requirements For New Construction, Additions And Modifications To Properties That Contain An Architecturally Significant Single Family Home Not Located Within A Designated Historic District; Providing For Repealer, Codification, Severability And An Effective Date. **First Reading**
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)
- R5J Temporary Business Signs on Public Property
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 82, "Public Property," Article IV, "Uses In Public Rights-Of-Way," Division 6, "Prohibited Signs Over Public Property," Section 82-411, "Prohibited Signs Generally; Exemptions; Banners; Removal," To Permit The Placement Of Temporary Business Signs On City Rights-Of-Way During Public Construction Projects; Providing For Codification; Repealer; Severability And An Effective Date. **First Reading**
(Sponsored by the Land Use & Development Committee)
(Legislative Tracking: Planning Department)

R7 - Resolutions

- R7A A Resolution Setting The Dates For The Year 2014 City Commission Meetings. **Joint City Commission & Redevelopment Agency**
(City Clerk's Office)
- R7B A Resolution Adopting The First Amendment To The Capital Budget For Fiscal Year (FY) 2013/14. **10:15 a.m. Public Hearing**
(Budget & Performance Improvement)
- R7C A Resolution Setting Forth An Order [Granting Or Denying] An Appeal Request Filed By Patricia Fuller, Pertaining To A Decision Of The Design Review Board ("DRB") For The Property Located At 1 Washington Avenue – South Pointe Park (File No. 22977). **11:45 a.m. Public Hearing**
(Parks & Recreation/City Attorney's Office)
- R7D A Resolution Consenting To The Appointment Of Ariel Sosa As The Acting Director Of The Information Technology Department For The City Of Miami Beach.
(Human Resources)
- R7E 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)
(Item not reached on October 16, 2013)
- R7F 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 March 20, 2012, For Construction Management At Risk Services For The Par 3 Golf Course Project, In The Amount Of \$4,227,898 Plus A Five Percent Owner's Contingency In The Amount Of \$211,395; For A Total Amount Of \$4,439,293 With Previously Appropriated Funding In The Amount Of \$3,637,975 From Fund 388 - MDC CDT Interlocal-CDT/Resort Fund; \$100,000 From Fund 431 - 2011 Stormwater Bonds - Reso 2011-27782; \$211,395 From Fund 388 - MDC CDT Interlocal - CDT/Resort Fund; And \$489,923 From Fund 306 - Mid Beach Quality Of Life, Subject To Future Appropriation Through A Capital Budget Amendment To The Capital Budget For Fiscal Year 2013/14 To Be Presented At The December 11, 2013 Commission Meeting.
(Capital Improvement Projects)
(Item not reached on October 16, 2013)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.
(City Clerk's Office)
- R9A1 Board And Committee Appointments - City Commission Appointments.
(City Clerk's Office)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)
- R9C Update On The Miami Beach Convention Center Project.
(City Manager's Office)
- R9D 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)
(Item not reached on October 16, 2013)
- R9E Discussion Regarding Flooding At Royal Palm Avenue And 46th Street, Miami Beach.
(Requested by Commissioner Edward L. Tobin)
(Item not reached on October 16, 2013)
- R9F Discussion Regarding Extending An Agreement For Legislative Services Between The City And Rutledge Ecenia, P.A., Gomez Barker Associates, Inc., And Robert M. Levy & Associates, Inc.
(City Manager's Office)
- R9G Discussion And Referral To Land Use And Development Committee Regarding The Betsy/ Carlton Hotel Renovation And Possibility Of An Air Rights Easement And Green Alley.
(Requested by Commissioner Edward L. Tobin)
- R9H Discussion Regarding The City's Design For New Median On South Pointe Drive.
(Requested by Commissioner Edward L. Tobin)
- R9I Discussion Of The Charter Review And Revision Board's Recommendations Regarding Amendments To The City Charter.
(City Clerk's Office)
- (Memo to be Submitted in Supplemental following Charter Review Meeting of December 4, 2013)**

R9 - New Business and Commission Requests (Continued)

- R9J Discussion Regarding The South Pointe Elementary Grant Request For Safe Schools Via Stanley Security.
(Requested by Commissioner Michael Grieco)
- R9K Discussion And Update Regarding The School Nurse Initiative Program And How The City Can Maintain It Going Forward.
(Requested By Commissioner Micky Steinberg)
- R9L Status Update And Report Outlining The Actions Taken By The City In The Last 12 Months To Implement Anti-Corruption Initiatives.
(Requested By Commissioner Micky Steinberg)
- R9M Discussion Regarding The Drainage Improvements For Upper North Bay Road.
(Requested by Commissioner Edward L. Tobin)
- R9N Discussion Regarding An Update For Programmatic Plan For Renovation And Expansion Of The Wolfsonian-FIU Museum.
(Requested by Commissioner Edward L. Tobin)

R10 - City Attorney Reports

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

Reports and Informational Items

1. Reports and Informational Items (see LTC 426-2013)
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
December 11, 2013**

Chairperson of the Board Philip Levine
Member of the Board Michael Grieco
Member of the Board Joy Malakoff
Member of the Board Micky Steinberg
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), Setting The Dates For The Year 2014 Redevelopment Agency Meetings.
Joint City Commission & Redevelopment Agency
(City Clerk's Office)

End of RDA Agenda