

**AGENDA ITEM
PREVIOUSLY
REFERRED BY
COMMISSIONERS WHO
ARE NO LONGER WITH
THE CITY COMMISSION**



MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # *016-2014*

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LETTER TO COMMISSION
CITY CLERK'S OFFICE

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy Morales, City Manager

DATE: January 9, 2014

SUBJECT: COMMITTEE AGENDA ITEMS

The purpose of this Letter to Commission is to provide you with a list of agenda items that were previously referred by Commissioners who are no longer with the City Commission, in order to determine if you would like to sponsor them for the respective Committee.

The list of items from the Land Use and Development Committee, Neighborhoods/Community Affairs Committee, and the Finance and Citywide Projects Committee are attached for your review.

Please inform the respective committee liaisons if you would like any of these items to remain.

Please feel free to contact me if you have any questions or require additional information.

JLM
JLM:KGB:ap

LAND USE AND DEVELOPMENT COMMITTEE PENDING ITEMS

COMMITTEE LIAISON: JOE JIMENEZ

1. DISCUSSION ON AN ORDINANCE TO ALLOW THE TEMPORARY STORAGE OF BOATS IN THE FRONT YARD OF RESIDENTIAL PROPERTIES FOR THE PURPOSE OF REPAIRS AND CLEANING.
(REQUESTED BY COMMISSIONER JERRY LIBBIN
JULY 17, 2013 CITY COMMISSION MEETING, ITEM C4N)
2. AN ORDINANCE THAT WOULD REQUIRE THAT ALL EASEMENT, ALLEY AND/OR RIGHT-OF-WAY VACATION REQUESTS BE APPROVED BY THE CITY COMMISSION BEFORE THE PROJECT IN QUESTION IS HEARD BEFORE ANY OF THE CITY'S LAND USE BOARDS.
(REQUESTED BY MAYOR MATTI HERRERA BOWER
JULY 17, 2013 CITY COMMISSION MEETING, ITEM C4I)
3. DISCUSSION CONCERNING RETRACTABLE ROOFS ON OUTDOOR CAFES.
(REQUESTED BY COMMISSIONER MICHAEL GONGORA
JULY 17, 2013 CITY COMMISSION MEETING, ITEM C4K)
4. 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.
(RETURNING FROM THE OCTOBER 23, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY MAYOR MATTI HERRERA BOWER
JULY 17, 2013 CITY COMMISSION MEETING, ITEM C4S)
5. 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.
(RETURNING FROM THE OCTOBER 23, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY MAYOR MATTI HERRERA BOWER
SEPTEMBER 11, 2013 CITY COMMISSION MEETING, ITEM C4J)
6. DISCUSSION REGARDING THE MIAMI HERALD STORY REGARDING SEWAGE ON MERIDIAN AVENUE, THE GREASE PAN ORDINANCE, AND OTHER PREVENTATIVE MEASURES TO STOP THIS FROM HAPPENING IN THE FUTURE.
(REQUESTED BY COMMISSIONER MICHAEL GONGORA
JULY 17, 2013 CITY COMMISSION MEETING, ITEM R9G)
7. DISCUSSION REGARDING THE BEACHWALK II PROJECT PHASE II (3RD STREET TO 5TH STREET).
(RETURNING FROM THE OCTOBER 23, 2013 LUDC MEETING

**ORIGINALLY REQUESTED BY COMMISSIONER MICHAEL GONGORA
SEPTEMBER 11, 2013 CITY COMMISSION MEETING, ITEM C4N)**

- 8. DISCUSSION REGARDING SHORT TERM RENTALS IN THE COLLINS PARK NEIGHBORHOOD.**

**(REQUESTED BY COMMISSIONER JERRY LIBBIN
OCTOBER 16, 2013 CITY COMMISSION MEETING, ITEM C4D)**

- 9. DISCUSSION FOR CONSIDERATION OF ESTABLISHING ACCEPTABLE ACCESSORY USES PERMITTING RESTAURANTS IN CONTRIBUTING HISTORIC STRUCTURES WITHIN THE RM-2 CULTURAL ARTS NEIGHBORHOOD OVERLAY DISTRICT.**

**(REQUESTED BY COMMISSIONER JORGE EXPOSITO
OCTOBER 16, 2013 CITY COMMISSION MEETING, ITEM C4G)**

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE PENDING ITEMS

COMMITTEE LIAISON: KATHIE BROOKS

Item #			
1	<i>Item R9I, September 11, 2013</i>	Discussion Regarding Consideration Of Creating A Mural Wall Area In North Beach Similar To The Wynwood Walls In The City Of Miami Where Artists Would Be Able To Express Themselves	<i>Commissioner Gongora</i>
2	<i>Item C4F May 8, 2013</i>	Discussion Regarding A New False Claims Ordinance. (Whistle Blower)	<i>Commissioner Libbin</i>
3	<i>Item C4I October 16, 2013</i>	Discussion Regarding How To Deal With Noise Abatement Issues Relative To Overhead Flights That Do Not Follow The Standards Set By The FAA.	<i>Commissioner Exposito</i>
4	<i>Item R9S October 16, 2013</i>	Discussion Regarding Exploring Into An Establishment For A Handicap Beach Within Our City Limits	<i>Commissioner Exposito</i>

FINANCE AND CITYWIDE PROJECTS COMMITTEE PENDING ITEMS

COMMITTEE LIAISON: PATRICIA WALKER

Item #	Title	Referred By	Date Referred
1	Status update on Business Tax Process Improvement.	Jorge R. Exposito	
80	Discussion Regarding: Business Tax Receipt Renewal Notices; How We Handle Over Charges; Reasons For Miscalculations; And Corrective Action Plan.	Jorge R. Exposito	October 24, 2012 Commission Item C4B
127	Discussion regarding small cells on existing poles	Michael Gongora	April 17, 2013 Commission Item C4I
157	Discussion regarding proposed City Wide survey of Single Family Home Districts in order to determine the number of architecturally significant homes in the City		July 19, 2013 Commission Item C4M
159	Discussion regarding Red Light Cameras in Miami Beach in light of a new State Law that goes into effect on July 1, 2013	Michael Gongora	July 19, 2013 Commission Item R9M
172	Discussion regarding Enhancements to our Parking System to offer resident's better rate as it pertains to scooters and motorcycles, and set up special spaces to encourage the use of scooters and motorcycles to further reduce traffic.	Jorge R. Exposito	September 11, 2013 Commission Item C4A

FINANCE AND CITYWIDE PROJECTS COMMITTEE PENDING ITEMS

COMMITTEE LIAISON: PATRICIA WALKER

173	Discussion to add the additional pending block party fees to the already approved Commission Waiver Fee for Miami Beach Gay Pride 2013 that was approved in March 2013	Michael Gongora	September 11, 2013 Commission Item R9M
174	Discussion to support Miami-Dade County Public Schools Spanish Foreign Language initiative in which all Miami Beach Feeder Schools offer Spanish Foreign Language tracks to enable all interested Miami Beach students to take Spanish for High School credit in all Miami Beach Middle Schools and High Schools (Nautilus Middle, Feinberg Fisher K8, and Ruth K. Broad Bay Harbor K8)	Michael Gongora	September 11, 2013 Commission Item R9O
175	Ordinance No. 2013-3826 adopted and referred to the Finance and Citywide Projects Committee to discuss the 60 employees that are capped out	Jorge R. Exposito	October 16, 2013 Commission Item R5K
176	Discussion regarding the Liability of Police Officers as it pertains to off duty work	Jorge R. Exposito	October 16, 2013 Commission Item R9F
177	Discussion to enhance Police Patrol in Miami Beach Schools, which in turn secures the safety of all students, parents and staff	Jorge R. Exposito	October 16, 2013 Commission Item R9N
178	Discussion that looks into what occurs with our MBPD retired police dogs and to discuss possible allocation of funding for their medical needs	Jorge R. Exposito	October 16, 2013 Commission Item R9O

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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jimmy L. Morales, City Manager

DATE: January 30, 2014

SUBJECT: **DISCUSSION TO ADD THE ADDITIONAL PENDING BLOCK PARTY FEES TO THE ALREADY APPROVED COMMISSION WAIVER FEE FOR MIAMI BEACH GAY PRIDE 2013 THAT WAS APPROVED IN MARCH 2013**

This item was referred by Commission Gongora at the September 11, 2013 City Commission Meeting.

BACKGROUND

In 2008, Mayor Bower created the Gay Business Development Ad Hoc Committee. One of the first initiatives of this Ad Hoc Committee was to establish Miami Beach Gay Pride. In 2009, the Committee celebrated the inaugural Miami Beach Gay Pride event and they have successfully produced the event for three (3) consecutive years. The City does not provide waivers to any entity for hard costs (police and fire personnel, parking or sanitation), and cannot waive building fees by State law. It should be also noted that approximately ten (10) years ago, fee waivers for special events were reduced significantly because most non-profits were receiving waivers for a majority of their special event permit related fees. Since that time, all new events produced by a non-profit could only receive a waiver of their Application and Permit fees; all other fees are required to be paid. As a result, Miami Beach Gay Pride has been required to pay for all special event permit fees except for the Application and Permit fees.

On March 12, 2012, the City Commission adopted Resolution No. 2012-27865 waiving the Lummus Park User Fee and Square Footage Fee for Gay Pride 2012 event. On March 21, 2013, The Finance and Citywide Projects Committee discussed waiving these fees again for the 2013 event. The Committee recommended in favor of waiving the Square Footage and Lummus Park User fees for Gay Pride 2013. Based on prior years the Square Footage Fee is estimated to be \$5,130.65 and the Lummus Park User Fee is estimated to be \$3,476.70, totaling an estimated \$8,607.35.

On April 17, 2013, the City Commission adopted Resolution No. 2013-28179, as recommended by the Finance and Citywide Projects Committee, waiving the Square Footage Fee (\$5,130.65) and the Lummus Park User Fee (\$3,476.70) for Miami Beach Gay Pride 2013. This fee waiver was specifically for activities which took place on Ocean Drive and did not include Block Party that took place at Mova. The total outstanding fees are \$827.60, which include \$292.11 (Square footage) and \$535.49 (Lincoln Road User Fee).

CRITERIA FOR FEE WAIVERS

The Administration was also directed to develop criteria for future fee waivers. The following criteria have been developed for consideration.

1. Type of Event

- a. The event must be produced by a 501(c)3 non-profit organization that provides direct services to the community.
- b. All proceeds from the event must be received by the 501(c)3 non-profit organization producing the event.
- c. The event must be open to the general public.
- d. The event must be within one of the City's target categories (i.e. Design and Architecture; Film and Fashion; LGBT; Wine and Food).

2. Economic Impact and Promotional Value to the City

- a. Significant Impact – events that have a track record or a demonstrable potential to provide a significant national and/or international return for Miami Beach in regard to publicity and visitorship.
- b. Television Coverage – events with confirmed television coverage and viewership from a major network or cable provider.
- c. Hotel Room Nights – events with confirmed hotel room nights in Miami Beach with 500 room nights or greater.
- d. Development Areas – events which occur during holidays; programs which help expand the positive impact of tourism into under-utilized areas.

3. Other

- a. The entity producing the event must be in good standing with the City and be current on all debts.

RECOMMENDATION

The additional waiver of \$827.60 is being presented for consideration.


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COMMITTEE MEMORANDUM

TO: Finance and Citywide Projects Committee

FROM: Jimmy L. Morales, City Manager

DATE: January 30, 2014

SUBJECT: **ADOPTED UNCLASSIFIED SALARY ORDINANCE AND EMPLOYEES AT THE MAXIMUM OF THE CONDREY AND ASSOCIATES RECOMMENDED RATE OF PAY**

BACKGROUND

The City of Miami Beach has employees in seven salary groups, one of which is comprised of at-will employees, commonly referred to as unclassified employees. There are approximately 408 employees in the subject salary group.

In 2008, the Administration entered into a contract with Condrey & Associates to perform a citywide study to ensure the City had a classification and compensation system that was appropriate, competitive and fair.

Condrey & Associates, in conjunction with a professor/researcher from the University of Miami, also conducted a best practices benefits survey to collect data on what other jurisdictions were doing to control related costs. Condrey & Associates presented their preliminary findings to the City administration in early October 2008, just days after the major economic downturn experienced by the stock market. Given the grim economic news and forecasts, employee layoffs from many local and national organizations, and others freezing or reducing salaries and benefits, the administration asked the consultants to analyze findings further to make a more accurate and timely recommendation to the City, considering the evolving economic, financial and labor factors. During the study, employees covered by a bargaining unit had an opportunity to review the recommended pay grades with the consultant; unclassified employees did not.

In August 2009, the City received the final Condrey & Associates Classification and Compensation Study (Condrey). The report included an analysis of the salary and benefits data, along with the jurisdictions that responded to the surveys and recommended pay ranges for all classified and unclassified employees in the City. The recommendations included that any employee above the maximum of the range remain at their current salary level until such time as the maximum of the range for their assigned pay grades meets or exceeds their current salary. In August 2013, the consultant provided the City with a letter advising that the minimum and the maximum of the salary scales recommended in the study should be adjusted by seven percent to reflect changes in pay scales that have occurred since the study was conducted.

As of the fall of 2013, there were 60 unclassified employees who were above the maximum of the range recommended by Condrey with an aggregate value of \$518,323.

The City's past practice has been to provide cost of living adjustments (COLAs) to unrepresented classified employees and unclassified employees consistent with those negotiated and agreed to for employees covered by collective bargaining units. Therefore, the administration recommended, and the City Commission approved by adopting ordinance 2013-3826, that effective with the first full pay period ending in October 2014, the minimum and maximum of the pay grades in the unclassified salary group be increased by three percent and that employees be eligible for up to a three percent COLA if their salaries did not exceed the maximum of the pay range for the comparable job title in the Condrey Study, subsequently adjusted by seven percent in August 2013, consistent with Condrey's recommendation.

During the public hearing at the second reading of the ordinance, one employee earning more than the recommended maximum for his range spoke on behalf of the information technology department employees. He identified himself as one of the approximately 60 people who would be ineligible for the COLA and contended that not extending the range by the COLA was being restricted to employees in the unclassified salary groups. All bargaining unit employees who negotiated the same 3 percent COLA will have the minimum and the maximum of their respective classifications extended accordingly.

In the memorandum accompanying the ordinance, the Administration stated that the Human Resources Director will review and determine the appropriate range for those classifications not analyzed by Condrey. Based on an appropriately determined range, with the City Manager's concurrence, the eligibility of each incumbent in those classifications for up to a three percent COLA will be determined.

In addition to adopting the ordinance, the Commission referred the discussion of unclassified employees earning above the maximum of the Condrey recommendation to the Finance and Citywide Projects Committee.

ANALYSIS

Similar to the recommendation above for new classifications, the administration recommends that Condrey also be asked to review unclassified pay ranges where staff is earning over the maximum of the recommended range and the employee believes additional information should be considered and the pay range reviewed. Based on the findings of this review, pay ranges would be adjusted, as appropriate.

In addition, in order to provide some mechanism for motivating and recognizing performance by employees who are at or over the maximum of their range, whether Condrey's recommended salary scale or the City's unclassified salary scale, the Administration recommends that the pay plan be adjusted to allow for a one-time, non-recurring, non-pensionable range of adjustment from one to two percent of salaries based on whether employees meet, exceed, or significantly exceed, expectations as indicated by their performance evaluations.

CONCLUSION

The Administration is seeking direction and input from the Committee.

JLM/KGB/SC-T