

Ms. Fernandez advised that administration is not recommending amending the ordinance to allow dogs off-leash. Vice-Mayor Wolfson asked if someone from code can go to each park several times per week during the hours of 5:30pm and 8:00pm. Ms. Fernandez advised that is being done in Belle Isle and in Pinetree Park. The detail that handles this also handles artist vendors, litter, monitoring tennis pros on the public courts, and handbills. There is a problem with resources however we can arrange to rotate the parks they visit and add to the locations they visit.

Commissioner Libbin reminded the committee that the ordinance allows security guards to enforce the dog issues. Ms. Fernandez agreed and added that the parks that are a problem do not have the security guards. Commissioner Tobin asked to prioritize this issue for some period of time before somebody gets bitten and come back to the next Neighborhoods meeting and see what happens. Vice-Mayor Wolfson suggested going out once a week, alternating the day and you will catch the offenders.

Commissioner Tobin made the motion to have administration reprioritize for the next two months and then see where we are. Vice-Mayor Wolfson seconded.

Commissioner Gross stated that the committee had already approved the dog beach over a year ago with direction to administration to write the rules and regulations. Commissioner Libbin stated that he would be against the dog beach if there is no one there to supervise it. Vice-Mayor Wolfson and Commissioner Weithorn expressed their concern with the proposed location of the dog beach because they would have to walk through the park to reach the beach and this has the potential to be dangerous with the now heavy use of the park.

Jorge M. Gonzalez, City Manager, stated that in light of the current economic situation he cannot recommend putting somebody out there to regulate this.

Commissioner Weithorn asked if an alternate location can be looked into for the dog beach so that users of the beach do not have to walk through a green space or an alternate entry that is not through the Open Space park.

**ACTION:** The committee deferred the beach component of this discussion to the next meeting of the Neighborhoods/Community Affairs Committee.

## **6. DISCUSSION REGARDING THE POTENTIAL OPERATIONAL ISSUES RELATED TO THE NEWLY RECONSTRUCTED SOUTH POINTE PARK.**

Kevin Smith, Parks and Recreation Department Director, opened the discussion by reviewing the management plan for South Pointe Park. He explained that prior to the closing of the park, the operational hours were sunrise to midnight and they are proposing the same hours when the park re-opens. He added that the restaurant, Smith and Wollensky is open until 2:00am on Friday and Saturday and visitors to the restaurant may want to walk the cutwalk to enjoy the lights. Commissioner Tobin asked if the restaurant could help with security after midnight on those nights. Mr. Smith explained that security is planned for 24 hours daily and that they are advocating closing the park sections at midnight with the exception of south of the restaurant, namely the cutwalk area until 2:00am with security in force to ensure the other areas are closed.

Commissioner Libbin asked why not close the park at 2:00am on Friday and Saturday so it would be consistent with the hours of the restaurant. Jorge M. Gonzalez, City Manager

explained that "closing" the park, does not mean the park is physically closed however it allows security to move people out.

John Oldenberg, Parks and Recreation Assistant Director, explained that one of the reasons that midnight was chosen was that sanitation services are budgeted until 11:30pm so it is a matter of keeping the area clean as well as a security issue. Commissioner Weithorn suggested closing the park earlier than suggested since this is in the middle of a residential area.

Ruth Remington spoke.

A lengthy discussion ensued regarding the hours. Mr. Gonzalez explained, from an operational perspective, closing earlier is better.

Commissioner Gross suggested establishing hours and revisit the issue in six months after the opening of the park. Commissioner Libbin made a motion to close the park daily at 10:00pm and the hours of the cutwalk would mirror the hours of operation of Smith and Wollensky. Vice-Mayor Wolfson seconded.

Hilda M. Fernandez, Assistant City Manager, requested direction from the committee regarding programming in the park.

Kimberly Lake spoke.

A lengthy discussion ensued regarding special events, their intensity and frequency. Commissioner Tobin asked for agreement to direct the City Manager to look into managing the frequency of events at the park. Ms. Fernandez added that Smith and Wollensky had asked for the use of park greens for special events associated with their restaurant. The committee determined to have the restaurant go through the same special event process as any other person or group with the same limitations per year.

There was some discussion on limiting the total number of events in the park and Mr. Gonzalez added that the city is creating a new venue that it has never owned before and to limit ourselves right now is probably not wise. We should grow into it and eventually we will get to a limited number of events. Commissioner Wolfson requested a monthly report at each commission agenda as to the number of events.

The committee agreed with the administration's recommendation for no dogs off-leash, no fishing until the pier is opened, and no swimming in the park. The committee determined to not allow bicycles, skateboards, rollerblades on elevated pathways (pedestrians only) and no skateboards on the cutwalk.

Kevin Smith reviewed the rental rates. Mayor Bower expressed her concern with commercial events and noise on the rooftop in the park. Commissioner Weithorn added that no commercial banners should be allowed. The committee asked that Ms. Fernandez come back with ideas for guidelines on the use of the rooftop.

Note: Recording of the meeting ended due to technical difficulties at approximately 5:32pm.

With regard to direction on the handling of the concession area, the committee recommended to move forward with a Request for Proposals (RFP). The committee asked the administration to work with the Legal department to eliminate artist vendors and street performers from the park.

**ACTION:** The committee made the following recommendations/requests:

- The park will close daily at 10:00pm and the hours of the cutwalk will mirror the hours of the restaurant, Smith and Wollensky.
- Parks programming should be developed for the park
- Special events (via special events permits) to be allowed in the park however the administration is to report to the commission monthly on the number of events that are occurring for possible limits to be considered if necessary
- Smith and Wollensky is to request use of the park for special events via the special event permit process as any other person or group
- Dogs are not to be permitted off-leash in the park
- No fishing allowed in the park
- Do not allow bicycles, skateboards, rollerblades on elevated pathways (make pedestrians only) and no skateboards on the cutwalk.
- No swimming from the park allowed
- The concession shall go through the RFP process.
- Administration is to work with the legal department to eliminate artist vendors and street performers from the park.

**7. DISCUSSION REGARDING A RESOLUTION ADOPTED BY THE ORCHARD PARK NEIGHBORHOOD ASSOCIATION REQUESTING THE CREATION OF AN ORGANIC COMMUNITY GARDEN IN PINE TREE PARK.**

Commissioner Libbin advised that the community is aware that is no funding at this time for this project.

Janna Whitley spoke.

**ACTION:** The committee moved to allow this project to go through the regular Capital Improvements process.

THE MEETING ADJOURNED AT 5:52 PM.

JMG/HMF/rfm



MIAMI BEACH

NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE

February 17, 2009

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

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MIAMI BEACH

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