

**City Commission Meeting**

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
February 11, 2015**

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

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

Visit us at www.miamibeachfl.gov for agendas and video streaming of City Commission Meetings.

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 Office of the City Clerk. Questions regarding the provisions of the Code should be directed to the Office of the City Attorney.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to an alternate meeting date. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Meeting called to order at 8:30:59 a.m.

9:03:15 a.m.

Pledge of Allegiance led by Assistant Chief of Police Laretta Hill.

9:02:46 a.m.

Invocation given by Reverend Fermin Castañeda.

ADDENDUM MATERIAL 1:

C4P R9P

ADDENDUM MATERIAL 2:

C4Q C7K R9Q

ADDENDUM MATERIAL 3:

R7F

ADDENDUM MATERIAL 4:

R7G

ADDENDUM MATERIAL 5:

R7H

SUPPLEMENTAL MATERIAL 1:

R5B Ordinance

R7A Memorandum & Resolution

SUPPLEMENTAL MATERIAL 2:

R7B Revised Memorandum

SUPPLEMENTAL MATERIAL 3:

C7K Form-Approved Resolution

Rafael E. Granado, City Clerk, announced items added, separated and withdrawn.

ITEMS WITHDRAWN

C7I

R9I

ITEMS SEPARATED

C7B by Mayor Levine

C4G and C4M by Vice-Mayor Malakoff

C7K and C4F by Commissioner Tobin

Commissioner Tobin asked what the emergency about the added items was and stated he will vote in opposition.

Commissioner Weithorn is against adding emergency items as well.

ADDENDUM AGENDA

9:06:10 a.m.

ACTION: Motion made by Commissioner Weithorn to add items C4P, C4Q, C7K, R7F, R7G, R7H, R9P and R9Q to the Commission Agenda; seconded by Vice-Mayor Malakoff; Voice-vote: 6-1; Opposed: Commissioner Tobin.

Presentations and Awards

Presentations and Awards will take place on February 25, 2015.

CONSENT AGENDA

9:06:28 a.m.

ACTION: Motion made by Commissioner Weithorn; seconded by Vice-Mayor Malakoff to approve the Consent Agenda except separated items; Voice-vote: 7-0.

C2 - Competitive Bid Reports

C2A Request For Authorization To Issue Request For Proposals (RFP) 2015-095-MT For Elevator Inspection And Plan Review Services.
(Building/Procurement)

ACTION: Request awarded. **Mariano Fernandez and Alex Denis to handle.**

C2B Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) 2015-052-WG For Temporary Staffing Services And To Authorize The City Manager To Execute Agreements.
(Citywide/Procurement)

ACTION: Request awarded. **Alex Denis to handle.**

C2C Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2015-042-JR For Aggregate, Top Soil And Sand.
(Parks & Recreation/Public Works/Procurement)

ACTION: Request awarded. **John Rebar, Eric Carpenter and Alex Denis to handle.**

C2D Request Approval To Exercise Term Renewal Options On Contracts For Routine Operational Requirements.
(Procurement)

ACTION: Request awarded. **Alex Denis to handle.**

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - A Discussion Regarding The Concession Agreement For The Management And Operation Of A Food And Beverage Concession, Currently Operated By Blissberry, LLC., Located In A Portion Of The South Pointe Park Pavilion Building.

(Tourism, Culture & Economic Development)

ACTION: Item referred. Patricia Walker to place on the committee agenda. **Max Sklar to handle.**

- C4B Referral To The Finance And Citywide Projects Committee - A Discussion Regarding The Concession Agreement For The Management And Operation Of Concession Stand Buildings And Beachfront Concession Areas, Currently Operated By Tim Wilcox, Inc., Located At 21st And 46th Streets.

(Tourism, Culture & Economic Development)

ACTION: Item referred. Patricia Walker to place on the committee agenda. **Max Sklar to handle.**

- C4C Referral To The Finance And Citywide Projects Committee - A Discussion Regarding The Construction Of A Parking Garage At The 27th Street And Collins Avenue Parking Lot.

(Parking)

ACTION: Item referred. Patricia Walker to place on the committee agenda. **Saul Frances to handle.**

- C4D Referral To The February 24, 2015 Planning Board Meeting - Review Of Waiver Of Development Regulations Pertaining To A General Advertising Sign For A Playground At Crespi Park Located At 7801 Crespi Boulevard, Miami Beach, Florida.

(Parks & Recreation)

ACTION: Item referred. Thomas Mooney to place on the board agenda. **John Rebar to handle.**

- C4E Referral To The Planning Board - Proposed Amendments To Chapter 142 Of The City Code Modifying The Adjusted Grade Of Required Yards In Single Family Districts.

(Sponsored by Vice-Mayor Joy Malakoff)

ACTION: Item referred. **Thomas Mooney to place on the board agenda and to handle.**

9:23:38 a.m.

C4F Referral To The Planning Board - Proposed Amendments To Chapter 142 Of The City Code Modifying The Maximum Height Restrictions In The CD-3 Zoning District For Properties Located In The Architectural District.

(Sponsored by Commissioner Jonah Wolfson)

ACTION: Item referred. Item separated by Commissioner Tobin. Commissioner Weithorn moved that the item be delayed until a Workshop is held; seconded by Vice-Mayor Malakoff; Voice-vote: 7-0. **Thomas Mooney to place on the committee agenda and to handle. Jose Gonzalez to schedule transportation workshop.**

Commissioner Tobin stated this item came before the Land Use & Development Committee and deals with height restrictions in a commercial neighborhood. He was originally opposed to this item, because he would rather have resources spent on alternate means of transportation, and not have more parking garages built, but he wants an in depth discussion of the City's transportation needs during the next five or six years. In the interim, parking garages serve a purpose, and we need to determine if more are needed. This item is a referral to increase the height restriction of the entire neighborhood. The developer's reasoning is that the proposed parking garage is better suited for seven stories rather than five, because it will have a rooftop restaurant, and retail stores on the ground floor.

Mayor Levine agreed that they need to have a conversation about where the City is going in terms of transportation.

Commissioner Wolfson added that they should limit this discussion to the actual referral. It is a complex issue that requires a great deal of attention, but he supports it, because of the comprehensive explanation City staffers gave him.

Commissioner Grieco is supportive of the item.

Commissioner Weithorn expressed her reasons for opposing this item. One cannot compare a built-up historic neighborhood with an area in the City where officials are encouraging growth. The City needs to be looked at in micro-groups. This is not a one size fits all solution. Building a garage in a historic area where valets are travelling six to 10 blocks away to park cars, creating additional traffic is a different solution when we are presented with an area of low intensity, and then building something much bigger. She urged a thorough discussion among her colleagues.

Discussion continued.

Nancy Liebman stated that this situation is out of control. First, she does not approve of this proposal taking place in a historic district. Secondly, if the Commission wants to stop the traffic congestion in the City, they must stop building garages. The Commission is considering offering 30 more feet so a developer can build a bigger garage. This is a little symptom of a big problem.

Vice-Mayor Malakoff has a problem with building garages, and she understands that in the best of possible worlds the City would have subways, electric buses and electric rails. However, today residents of Miami Beach, and possibly in the next five years, will still use cars. Inclement weather forces people to use their vehicles. If there were more garages where people could park, they would not drive around the City looking for parking spots, which increases traffic congestion.

Nancy Liebman stated that the building of garages is archaic thinking. She wants to take public transportation, because driving her car has become such a hassle due to traffic. She urged the Commission to stop huge developments.

Mayor Levine asked if they wanted to delay the item.

Commissioner Weithorn moved that the item be delayed until a Transportation/Traffic Workshop is held. **Jose Gonzalez to handle.**

Commissioner Tobin added that there is a loophole that by increasing one's height, one increases the FAR. He would like to discuss this further. **Thomas Mooney to handle.**

Commissioner Weithorn moved that the item be delayed until a Workshop is held; seconded by Vice-Mayor Malakoff.

9:08:49 a.m.

C4G Referral To The Planning Board - Proposed Amendments To Chapter 118 Of The City Code Pertaining To Revisions To Lot Split And Form Of Ownership.

(Sponsored by Commissioner Edward L. Tobin)

ACTION: Item referred as amended. Item separated by Vice-Mayor Malakoff. She requested that the Planning Board add for discussion specifically the issue when a lot that was not originally planned and is up for being split. She asked the Planning Board to look at the adverse effects of such action. Motion made by Vice-Mayor Malakoff to approve the referral to Planning Board and Land Use & Development Committee, seconded by Commissioner Tobin; Voice-vote: 7-0. **Thomas Mooney to place on the board and committee agendas and to handle.**

REFERRALS: Planning Board; and
Land Use & Development Committee

Vice-Mayor Malakoff pulled this item, because she wanted to discuss it before going to the Planning Board. The City of Miami Beach used to have many homes with large gardens. As the years have gone by, more and more homes have been demolished, and the lots have been split two and three ways. This has not only increased the density of the City, but it is also taking away garden green spaces. Lot splits are going to continue, and there needs to be greater restrictions. She also wants to discuss the situation that occurs when a lot that was not originally planned for individual homes, is being split. The adverse effects of such action need to be looked at very carefully.

Thomas Mooney, Planning Department Director, asked since the LUDC referral was to send the item back for more discussion, would the Vice-Mayor want an Ordinance sent to the Planning Board. Vice-Mayor Malakoff stated that she wants it sent to LUDC first.

Discussion continued.

- C4H Referral To The Planning Board And Land Use And Development Committee Of A Companion Item To The Parking Plan For Construction Workers Ordinance.
(Sponsored by Commissioner Michael Grieco)
(Legislative Tracking: Planning)

ACTION: Item referred. **Thomas Mooney to place on the board agenda and to handle.**

- C4I Referral To The Land Use And Development Committee - Discussion Of Proposed Amendments To The City Code Pertaining To Additional Restrictions And An Increase In Fees For Single Family Lot Split Applications.
(Sponsored by Vice-Mayor Joy Malakoff)
(Legislative Tracking: Planning)

ACTION: Item referred. **Thomas Mooney to place on the committee agenda and to handle.**

- C4J Referral To The Land Use And Development Committee - Discussion Regarding Seawall Conditions, Encroachments Into Public Property For Private Use.
(Public Works)

ACTION: Item referred. Thomas Mooney to place on the committee agenda. **Eric Carpenter to handle.**

- C4K Referral To The Land Use And Development Committee Regarding Ordinance Amendment To Chapter 142 Relating To Proposed Definition For Entertainment.
(Sponsored by Commissioner Michael Grieco)

ACTION: Item referred. **Thomas Mooney to place on the committee agenda and to handle.**

- C4L Referral To The Neighborhood/Community Affairs Committee Regarding Modification To The Code Relating To Seawalls - In Particular - To Allow Enforcement In Multifamily Districts, Not Just Single Family.
(Sponsored by Commissioner Michael Grieco)

ACTION: Item referred. Vania Pedraja to place on the committee agenda. **Hernan Cardeno to handle.**

9:12:58 a.m.

- C4M Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Status Of City Funds Given To The Wolfsonian-FIU Museum.
(Sponsored by Commissioner Edward L. Tobin)

ACTION: Item referred and separated by Vice-Mayor Malakoff. Motion made by Commissioner Tobin to approve the referral; seconded by Vice-Mayor Malakoff; Voice vote: 7-0. **Vania Pedraja to place on the committee agenda. Max Sklar to handle.**

REFERRAL:

Neighborhood/Community Affairs Committee

Vice-Mayor Malakoff stated that she pulled this item because she wanted to provide her colleagues with information on The Wolfsonian. She is now on the Advisory Board of the Wolfsonian FIU Museum. Rene Gonzalez's firm has been working on the Master Plan for The Wolfsonian, which is what the \$150,000 in City funds was for. The Master Plan will be delivered by March 31, 2015. Mr. Gonzalez is incorporating information and insight from the Master Planner the City hired for Washington Avenue. The Wolfsonian is trying to go step by step with the recommendation from Mr. Zyscovich. They want to make the museum more accessible to the public and add 25,000 square feet of additional exhibition space.

Commissioner Tobin stated he voted yes to this project as long as The Wolfsonian's model went from a museum that lends its work around the country to a museum where people can go and enjoy themselves. He is looking forward to hearing about this item at the NCAC meeting.

- C4N Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Administration's Exploration Of The New xG Technology.
(Sponsored by Commissioner Edward L. Tobin)

ACTION: Item referred. Vania Pedraja to place on the committee agenda. **Ariel Sosa to handle.**

- C4O Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding The Lack Of Available Public Parking At 46th And Collins Avenue.
(Sponsored by Commissioner Micky Steinberg)

ACTION: Item referred. Vania Pedraja to place on the committee agenda. **Saul Frances to handle.**

ADDENDUM MATERIAL 1:

- C4P Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Status Of Beach Chair Lock Boxes For Valuables.
(Requested by Commissioner Edward L. Tobin)

ACTION: Item referred. Vania Pedraja to place on the committee agenda. **Max Sklar to handle.**

ADDENDUM MATERIAL 2:

C4Q Referral To The Finance And Citywide Projects Committee - Discuss The Issuance Of A Solicitation For The Placement Of ATM Machines On City Owned Property (i.e. City Owned Parking Garages, etc.).

(Requested by Commissioner Jonah Wolfson)

ACTION: Item referred. Patricia Walker to place on the committee agenda. **Alex Denis and Max Sklar to handle.**

C6 - Commission Committee Reports

C6A Report Of The January 7, 2015 Finance And Citywide Projects Committee Meeting: **1)** Discussion Regarding The Greater Miami Convention And Visitors Bureau Interlocal Agreement. **2)** Discussion Regarding Whether Or Not To Pursue Food And Beverage Concessions For Soundscape Park, Collins Park, And The Miami Beach Botanical Garden. **3)** Discussion Regarding The Live Nation Management Agreement For The Jackie Gleason Theater. **4)** Discussion Regarding A Public Private Partnership For A Two-Story Parking Structure To Be Erected Over Both City Parking Lot P62 And A Private Parking Lot, On 42nd Street, Between Jefferson Street And Meridian Avenue. **5)** Discussion Regarding The Miami Beach Convention Center Booking Policy. **6)** Discussion To Consider Approving And Authorizing The RDA To Enter Into A Lease Agreement Between The Miami Beach Redevelopment Agency (Landlord) And Mr. R Sports, Inc. (Tenant), In Connection With The Use Of Suite "J" At The Anchor Shops, Located At 100 16th Street, Suite No. 5, Miami Beach, Florida (Space), For An Initial Term Ending On October 1, 2015, With Two (2) Renewal Option Of Three (3) Years And Three (3) Years And 364 Days Respectively. **7)** Discussion Regarding City Manager Jimmy Morales' Letter Dated December 1, 2014 Regarding His Employment Contract. **8)** Discussion Regarding Entering Into An Employment Agreement With The City Clerk. **9)** Discussion Regarding Changes In Indexes Used For Reimbursement Of Travel Expenses. **10)** Discussion Regarding Partial Payments Of Annual And Sick Leave For Participants Of The Deferred Retirement Option Plan (DROP). **11)** Discussion Regarding Options To Reintegrate The Baptist Hospital Network Among Providers Available To City Employees.

ACTION:

1) Greater Miami Convention And Visitors Bureau Interlocal Agreement.
Item deferred to February.

2) Beverage Concessions For Soundscape Park, Collins Park, And The Miami Beach Botanical Garden.

ACTION: The Committee recommended moving forward with the Soundscape Park term sheet presented. The Committee also determined that Collins Park will go out as a Request for Letter of Interest for a pop up or a temporary food concession concept and the results are to be brought back to the Finance Committee. In reference to the Botanical Gardens, the Committee is waiting for staff to bring back additional concepts.

3) Live Nation Management Agreement For The Jackie Gleason Theater.
Item deferred to February.

4) Public Private Partnership For Parking Structure To Be Erected Over Both City Parking Lot P62 And A Private Parking Lot, On 42nd Street.

Item deferred to February.

5) Miami Beach Convention Center Booking Policy.

Item deferred to February.

6) Approving And Authorizing The RDA To Enter Into A Lease Agreement Between The Miami Beach Redevelopment Agency (Landlord) And Mr. R Sports, Inc. (Tenant)

ACTION: The Committee recommended moving forward with authorizing the Redevelopment Agency to enter into a lease agreement between the Miami Beach Redevelopment Agency (landlord) and Mr. R Sports, Inc. (Tenant), in connection with the Anchor Shops, located at 100 16th Street, Suite No. 5, Miami Beach, Florida (Space), for an initial term ending on October 1, 2015, with two (2) renewal options of three (3) years and three (3) years and 364 days respectively. This term coincides with the lease term for the other space occupied by Mr. R Sports, Inc. and would essentially have both leases following concurrent terms.

7) Discussion Regarding City Manager Jimmy Morales' Letter Dated December 1, 2014 Regarding His Employment Contract.

ACTION: The Committee recommended moving this item to the Commission with staggered terms for the City Manager, City Clerk and the City Attorney. City Attorney date set for 2017, the City Clerk set for 2018 and the City Manager set for 2019. Chairperson Deede Weithorn has volunteered to work on developing the contract for the City Clerk. It was also recommended that the compensation and contract terms be discussed at an informal meeting open to the public.

City Clerk's Note: See item C7F.

8) Discussion Regarding Entering Into An Employment Agreement With The City Clerk.

ACTION: The Committee recommended moving this item to the Commission with staggered terms for the City Manager, City Clerk and the City Attorney. City Attorney date set for 2017, the City Clerk set for 2018 and the City Manager set for 2019. Chairperson Deede Weithorn has volunteered to work on developing the contract for the City Clerk. It was also recommended that the compensation and contract terms be discussed at an informal meeting open to the public.

City Clerk's Note: See item C7F.

9) Discussion Regarding Changes In Indexes Used For Reimbursement Of Travel Expenses.

ACTION: The Committee moved this item without recommendation because they wanted to see the difference between the Runzheimer Index and the U.S. General Service Administration rate. Item will be presented at the January 14, 2015 City Commission meeting.

10) Discussion Regarding Partial Payments Of Annual And Sick Leave For Participants Of The Deferred Retirement Option Plan (DROP). 11) Discussion Regarding Options To Reintegrate The Baptist Hospital Network Among Providers Available To City Employees.

ACTION: Item deferred to February.

C6B Report Of The January 21, 2015 Land Use And Development Committee Meeting: **1)** Discussion On Washington Avenue Overlay Districts. **2a)** Discussion On Proposed Amendments To The Single Family Home Ordinance (Rear Yard Swimming Pools). **2b)** Discussion Of A Proposed Amendment To The Adjusted Grade Of Required Yards In Reference To Seawall Built At 5'7" NAVD. **3)** Discussion Regarding Seawall Height Standards And Its Impact On Single Family Home Development. **4)** Discussion On Possible Amendments To Chapter 6 And Chapter 142 Of The City Code. **5)** Discussion Regarding The Concession Contract With RCI Group, The Management Company Of Miami Beach Marina. **6a)** Annual Evaluation Of Parking Impact Fee Structure. **6b)** Discussion Regarding The Philosophy Behind Parking Impact Fees. **7)** Definition Of Unified Development Site An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 118, "Administration And Review Procedures," Article I, "In General," Section 118-5, "Unity Of Title; Covenant In Lieu Thereof," By Amending The Requirements And Standards For A Covenant In Lieu And By Providing A Definition For Unified Development Site; Providing For Codification, Repealer, Severability And Effective Date. **8)** Discussion Regarding Zoning In Progress. **9)** Discuss The Modification Of Special Event Permit Criteria On Ocean Drive Between 9th And 12th Streets. **10)** Discussion On General Height Restrictions In CD-3 Districts. **11)** Discussion Regarding Completion Of The Central Bayshore Area Storm Water And Roadways Construction. **12)** Discussion On The Collins Canal Project.

ACTION:

1) Discussion On Washington Avenue Overlay Districts.

MOTION: Continued to February 18, 2015 by Acclamation.

2a) Proposed Amendments To The Single Family Home Ordinance (Rear Yard Swimming Pools).

2b) Proposed Amendment To The Adjusted Grade Of Required Yards In Reference To Seawall Built At 5'7" NAVD.

MOTION: JW/JM (3-0)

Recommendation that the items be referred to the Planning Board.

City Clerk's Note: See Item C4E

3) Seawall Height Standards And Its Impact On Single Family Home Development.

MOTION: No further action taken.

4) Possible Amendments To Chapter 6 And Chapter 142 Of The City Code.

MOTION: Continued to February 18, 2015 by Acclamation.

5) Concession Contract With RCI Group, The Management Company Of Miami Beach Marina.

MOTION: Continued to February 18, 2015 by Acclamation.

6a) Annual Evaluation Of Parking Impact Fee Structure.

6b) Discussion Regarding The Philosophy Behind Parking Impact Fees.

MOTION: Continued to February 18, 2015 by Acclamation.

7) Definition Of Unified Development Site.

MOTION: ET/JM (3-0)

Motion to send both Ordinances to the Planning Board and refer an item related to the fee for Lot Split applications for single-family homes to the Land Use Development Committee.

8) Discussion Regarding Zoning In Progress.

MOTION: Continued to February 18, 2015 by Acclamation.

9) Modification Of Special Event Permit Criteria On Ocean Drive Between 9th And 12th Streets.

MOTION: Continued to February 18, 2015 by Acclamation.

10) General Height Restrictions In CD-3 Districts.

MOTION: JWJM (2-1)

Motion to refer an Ordinance to the Planning Board.

City Clerk's Note: See Item C4F

11) Completion Of The Central Bayshore Area Storm Water And Roadways Construction.

MOTION: No further action taken.

12) Discussion On The Collins Canal Project.

MOTION: Continued to February 18, 2015 by Acclamation.

C6C Report Of The January 30, 2015 Neighborhood/Community Affairs Committee Meeting: **1)** Report From Miami-Dade County Public Schools On The Status Of The Action Plan Related To Nautilus Middle School And Progress To Date. **2)** Discussion Regarding The Purdy Boat Ramp. **3)** Discussion Regarding An Update On The Plans For The Par 3 Park. **4)** Discussion Regarding The Implementation Of A Memorial Tree Program. **5)** A Discussion To Include Restrooms And Storage Building Ln The First Phase Of The Altos Del Mar Park Plan. **6)** Discussion Regarding A Way To Streamline The Process So That Miami Beach Senior High School Band Can Play In Public Venues. **7)** Discussion Regarding The "Mind Your Block" Program, An Initiative To Encourage Residents And Businesses To Take Ownership Of Their Specific Block, Which Would Include Among Other Things Trash, Dog Waste, Noise, Suspicious Vehicles And Activity. **8)** Discussion Regarding The Continuation Of The Alton-West Trolley Route. **9)** Discussion Regarding Solutions For Failing Intersections. **10)** Discussion Regarding Long Term Problems That Need To Be Addressed At 17th Street And Alton Road Intersection. **11)** Discussion Regarding Adding Pride/Rainbow Colors To The Street Signs From 10th Street To 12th Street On Washington/Collins/Ocean, As Per The Recommendation Of The LGB Business Enhancement Committee. **12)** Monthly Crime Statistics Report.

ACTION:

1) Report From Miami-Dade County Public Schools On The Status Of The Action Plan Related To Nautilus Middle School And Progress To Date.

ACTION: Item Deferred to February 27, 2015.

2) Discussion Regarding The Purdy Boat Ramp.

MOTION: by Commissioner Grieco to move this item to the Commission with positive recommendation.

RECOMMENDATION: by Commissioner Grieco to include in the plans for the Purdy Boat Ramp the elimination of commercial use, the installation of a gate that will only allow residential use and the installation of a non-motorized ramp. Second by Commissioner Tobin.

3) Discussion Regarding An Update On The Plans For The Par 3 Park.

DIRECTION by Commissioner Tobin to have this item brought back to the February NCAC meeting as a status update.

MOTION: by Commissioner Grieco to move this item to Commission with positive recommendation to issue the RFP for consultants to design the park based on concept including

community outreach and taking into account comments at today's meeting, given that there are certain concepts that need to be addressed. Seconded by Commissioner Tobin.

City Clerk's Note: See also item R90.

4) Discussion Regarding The Implementation Of A Memorial Tree Program.

MOTION: by Commissioner Grieco to move this item to the City Commission with positive recommendation. Seconded by Commissioner Tobin.

5) A Discussion To Include Restrooms And Storage Building In The First Phase Of The Altos Del Mar Park Plan.

MOTION: By Commissioner Grieco to move the single story building with direction to find funding to add bathrooms to the first phase of the Altos Del Mar Park Plan. Seconded by Commissioner Tobin.

6) Discussion Regarding A Way To Streamline The Process So That Miami Beach Senior High School Band Can Play In Public Venues.

No action taken.

7) The "Mind Your Block" Program.

MOTION: by Commissioner Grieco to move this item to the City Commission with positive Recommendation.

RECOMMENDATION by Commissioner Tobin to have a budget proposed with this item. Seconded by Commissioner Tobin.

8) Discussion Regarding The Continuation Of The Alton-West Trolley Route.

MOTION: by Commissioner Grieco to have this item come back to NCAC after a route has been decided on and a discussion is held with the County. Seconded by Commissioner Tobin.

9) Discussion Regarding Solutions For Failing Intersections.

DIRECTION by Commissioner Tobin to have this item brought back next month with a more developed concept.

10) Discussion Regarding Long Term Problems That Need To Be Addressed At 17th Street And Alton Road Intersection.

MOTION: by Commissioner Grieco to include a planning portion to the scheduled transportation workshop that is being held for the City Commission. Seconded by Commissioner Tobin.

11) Adding Pride/Rainbow Colors To The Street Signs From 10th Street To 12th Street.

DIRECTION: by Commissioner Grieco to defer this item until the following meeting in order to have Commissioner Steinberg present.

12) Monthly Crime Statistics Report.

No action taken.

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager, Or His Designee, To Take The Following Actions: 1) Submit A Grant Application To The Florida Department Of Environmental Protection, Land And Water Conservation Fund, In The Approximate Amount Of \$200,000 For Altos Del Mar Park, 2) Submit A Grant Application To The National Emergency Management Association (NEMA) In The Approximate Amount Of \$10,000 For Automated External Defibrillators, And 3) Submit Requests To The State Legislature For Water Projects Funding; Approving And Authorizing The Appropriation Of The Above Grants And Funding Requests, Including Any Requisite Matching Funds And City Expenses; And Further Authorizing The City Manager, Or His Designee, To Take All Necessary Steps And To Execute All Necessary Documents In Connection With The Aforestated Grants And Funding Requests, Including, Without Limitation, Applications, Grant And Funding Agreements, And Audits.
(Budget & Performance Improvement)

ACTION: Resolution 2015-28909 adopted. Patricia Walker to appropriate the funds if approved and accepted. **Judy Hoanshelt to handle.**

9:36:02 a.m.

- C7B A Resolution Electing Commissioner Jonah Wolfson, Group IV, As Vice-Mayor, For A Term Commencing On March 1, 2015 And Terminating On June 30, 2015, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.
(Office of the City Clerk)

ACTION: Resolution 2015-28910 adopted. Item separated by Mayor Levine. Motion made by Vice-Mayor Malakoff; seconded by Commissioner Tobin; Voice-vote: 7-0. **Rafael E. Granado to handle.**

- C7C A Resolution Approving The City's Fiscal Year 2015/16 Federal Legislative Agenda.
(Office of the City Manager)

ACTION: Resolution 2015-28911 adopted. Joe Jimenez to handle.

- C7D A Resolution Approving The City Manager's Recommendation Of Underwriters For Bonds The City Anticipates Will Be Issued In 2015, Including Stormwater Revenue Bonds And Bonds Relating To The Miami Beach Convention Center Renovation And Expansion Project ("MBCC Project"), Including Miami Beach Redevelopment Agency Tax Increment Bonds, Resort Tax Revenue Bonds, And Parking Revenue Bonds.
(Finance)

ACTION: Resolution 2015-28912 adopted. Patricia Walker to handle.

- C7E A Resolution Authorizing The City Manager To Issue A Request For Proposals (RFP) For Eligible Public Service, Housing, And Capital Activities To Be Funded From The City Of Miami Beach Fiscal Year 2015/2016 Community Development Block Grant (CDBG) And Home Investment Partnerships (HOME) Entitlement Allocations From The U.S. Department Of Housing And Urban Development (HUD).

(Housing & Community Services)

ACTION: Resolution 2015-28913 adopted. Maria Ruiz to handle.

- C7F A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee To Negotiate Staggered-Term Employment Agreements With The City Clerk And The City Manager, With The City Clerk's Agreement Concluding In 2018 And The City Manager's Agreement Concluding In 2019; With Mayor To Represent The City Commission In The Negotiations Of The Employment Agreement With The City Clerk And The Mayor Or His Designee To Represent The City Commission In The Negotiations Of The Employment Agreement With The City Manager; And For The Final Compensation And Contract Terms For Each To Be Discussed At A Committee Of The Whole Workshop And A Summary Of The Committee Of The Whole Recommendations Announced At The Following City Commission Meeting.

(Human Resources)

ACTION: Resolution 2015-28914 adopted. Sylvia Crespo-Tabak to handle.

- C7G A Resolution Amending Resolution No. 2012-28082, Authorized Pursuant To Section 2-367 (d) Of The Miami Beach City Code, The Sole Source Purchase Of Alliant Techsystems (ATK) Ammunition, From Florida Bullet Inc., The Sole Source Distributor, To Amend The Annually Estimated Contract Amount For Ammunition From \$44,676.70 To The Amount That Is Annually Available In The Police Department's Budget For Ammunition.

(Police/Procurement)

ACTION: Resolution 2015-28915 adopted. Police Chief Oates and Alex Denis to handle.

- C7H A Resolution Amending A Contract Award Pursuant To Invitation To Bid (ITB) No. 10-10/11 To Amend The Annually Estimated Contract Amount For Electric Motor Rewind And Repair Services For The Public Works Department From \$60,000 To The Amount That Is Annually Available In The Public Works Department's Budget For Such Services.

(Public Works/Procurement)

ACTION: Resolution 2015-28916 adopted. Eric Carpenter and Alex Denis to handle.

- C7I A Resolution Waiving, By 5/7th 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 A Service Contract With MAI Engineering Services, Inc. To Install A Hybrid Sheet Piling Seawall System Manufactured By Truline, In The Amount Of \$390,000 Plus A Total Project Contingency In The Amount Of \$19,500; For A Total Amount Of \$409,500.
(Public Works)

ACTION: Item withdrawn.

Handouts and Reference Materials:

1. Email from Rafael Granado dated February 7, 2015, RE: Agenda Item Waiving Bidding for MAI Engineering Services.

- C7J A Resolution Setting A Public Hearing, As Required Pursuant To Section 82-93(a) Of The City Code, To Consider Renewal Of An Existing Revocable Permit For Vera Mender And The Drake Condominium Association, Inc., To Continue To Retain An Existing Handicap Access Ramp In The City Right Of Way Abutting The Drake Condominium, Located At 1460 Ocean Drive, Miami Beach, Florida.

(Office of the City Attorney)

ACTION: Resolution 2015-28917 adopted. Office of the City Attorney to handle. Public hearing to occur on March 11, 2015. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received.

9:15:54 p.m.

ADDENDUM MATERIAL 2:

SUPPLEMENTAL MATERIAL 3: Form-Approved Resolution.

- C7K A Resolution Approving The Issuance Of New Towing Permits To Beach Towing Services, Inc. And Tremont Towing, Inc., With Said Permits Having A Three (3) Year Term, Commencing On March 1, 2015, And Expiring On February 28, 2018.

(Requested by Commissioner Jonah Wolfson)

ACTION: Resolution 2015-28918 adopted. Item separated by Commissioner Tobin. Motion made by Commissioner Wolfson, seconded by Commissioner Grieco; Voice-vote: 6-1; Opposed: Commissioner Tobin. **Saul Frances to handle and Alex Denis to handle.**

Commissioner Tobin stated he has always opposed towing issues and he will vote "no" to extend their contract for three years on an emergency basis. Towing companies have an exclusive right to tow cars in the City, and they additionally get numerous contracts throughout the City. This is a multi-million dollar business for the towing companies. He thought the City could request to reduce the fee amount for towing, or maybe offer some of its lots for towed cars. He spoke to the towing companies to see if they would make voluntary contributions towards educational components. He added that these companies could reach out and speak with Dr. Leslie Rosenfeld, Chief Learning Development Officer. He separated this item so that the City could engage in discussion.

Commissioner Wolfson stated that this has always been too much of a political issue. The towing companies serve an important function, and they have done a great deal for non-profits in the City. They have done the best they can in this situation, and for the most part, things have not been confrontational.

City Manager Morales stated, for the record, that they are in the third year of the contract, which expires in November 2015.

Discussion held.

Mayor Levine mentioned that it is a good idea to discuss this item now to avoid making it an issue during the November election.

Commissioner Weithorn stated that it is important for residents and visitors to have these towing facilities in the City, so that they do not need to leave the area if their vehicles are towed, and that is part of the reason the City contracted with these two towing companies. She thinks it is wise to approve this item. The current situation is much better than what it used to be. She added that the City of Fort Lauderdale has increased its towing rates, because towing is punitive towards bad behavior.

Commissioner Tobin agrees it is good not to politicize this item, because towing brings in a great deal of money for campaigns, and new commissioners would not be able to get as much money as in previous election cycles.

City Manager Morales stated that the current contract has aspirational aspects to it, and this should continue. If directed, they can ask for school funds.

Mayor Levine stated that it is unwise for the Commission to have a quid-pro-quo with any vendor to renew their agreement. It is a wonderful request to get more funds for schools, but it should not be done in this manner.

Commissioner Tobin stated that the City routinely does this with other companies, such as garbage collection.

Mayor Levine encouraged Commissioner Tobin to meet with the companies.

End of Consent Agenda

REGULAR AGENDA**R2 - Competitive Bid Reports****9:37:08 p.m.**

R2A Request For Approval To Authorize The Issuance Of A Request For Proposals (RFP) For Security Guard Services.
(Emergency Management/Procurement)

ACTION: Item referred to Finance & Citywide Projects Committee (FCWPC). See also discussion with item R9N. Motion made by Commissioner Wolfson to refer the item to the FCWPC; seconded by Commissioner Weithorn; Voice-vote: 6-1. Opposed Vice-Mayor Malakoff. **Chuck Tear and Alex Denis to handle.**

REFERRAL:

Finance & Citywide Projects Committee

Commissioner Wolfson explained that he would like to refer this item to the FCWPC to expand the discussion. He pointed out that the City is doing a Park Ranger program, and there are some allotments in the RFP for that.

Commissioner Weithorn suggested referring both items, the Park Ranger Program and Security Guard Services to the FCWPC.

Discussion held.

Commissioner Wolfson suggested taking out portions that would be duplicated in the Security Guard Services and the Park Ranger program.

Commissioner Grieco is not pleased about delaying the Park Ranger program. He believes the RFP has provisions that do not allow overlap.

Commissioner Weithorn suggested not stopping the Park Ranger program. She wants to discuss the alignment of the Park Ranger program and the Security Guard Services. She wants to give as much information as possible to the bidders, so they can prepare proper bids. When the City did a Parking Attendant contract it was a Cost Plus contract that asked the parties what their profit would be, and the City provided them with a number of how many people it needed. This may be an appropriate way to go about this contract.

Commissioner Wolfson agreed to incorporate the Park Ranger program in the discussion at the FCWPC regarding the Security Guard Services.

Vice-Mayor Malakoff stated she will discuss this at FCWPC, but she read the RFP for the Security Officer Services and read the Park Ranger section. She believes both items are separate, clear, and the money is adequately divided among them.

R5 - Ordinances**10:51:03 a.m.**

R5A An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Entitled "Miscellaneous Offenses," By Amending Article II, Entitled "Public Places," By Amending Division 2, Entitled "Bicycling, Skateboarding, Roller Skating, In-Line Skating, And Motorized Means Of Transportation"; By Amending Section 70-67, Entitled "Prohibited Activities," By Prohibiting Bicycling, Roller Skating, In-Line Skating, And Skateboarding On The East Side Of Ocean Drive From 5th To 15th Streets; By Amending Section 70-70, Entitled "Responsibilities Of Persons And Business Entities Providing Rentals, Leases, And/Or Tours Of Electric Personal Assistive Mobility Devices," By Amending The Responsibilities Set Forth Therein And To Include Persons And Business Entities Providing Rentals, Leases, And/Or Tours Of Other Motorized Means Of Transportation, And Correcting Scrivener's Errors Therein; By Amending Section 70-71, Entitled "Enforcement; Penalties," By Amending The Enforcement And Penalty Provisions Therein; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:10 a.m. Second Reading Public Hearing**

(Sponsored by Commissioners Jonah Wolfson & Michael Grieco)

(Legislative Tracking: Transportation)

(Continued from January 14, 2015 – R5C)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3920 adopted as amended.** Motion made by Commissioner Grieco to approve the Ordinance as amended; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0. **Jose Gonzalez to handle.**

Amendments:

1. Tours of electric personal assistance mobility devices prohibited in public parks. (Page 12)
Sec. 70-70. Responsibilities of persons and business entities providing rentals, leases, and/or tours of motorized means of transportation devices.

Except in those instances in which any of the following requirements and prohibitions is expressly limited to electric personal assistive mobility devices and/or other specified devices, any person or business entity that rents, leases, and/or provides tours for motorized means of transportation devices shall:

(e) Lease, rent, or use electric personal assistive mobility devices:

(1) only for tours, but such tours shall not be operated (A) on the grassy or sandy areas or the interior pathways of any public park, or (B) in any other place where the operation of electric personal assistive mobility devices is otherwise prohibited;

2. Extend prohibition of bicycling, roller-skating, in-line skating and skateboarding on the east sidewalk of Ocean Drive from South Pointe Drive to 15 Street

Henry Stolar, Miami Beach resident, distributed to the City Commission copies of the amendments he is proposing. He recognized Commissioner Grieco, Debora Turner and those that helped in redrafting this Ordinance six times. Mr. Stolar proposal regarding enforcement would expand the authority of Code Compliance Officers.

Commissioner Grieco has emailed Mr. Stolar several times stating that the problem is that Code Compliance Officers cannot detain anyone. If persons rollerblade or skateboard pass a Code Compliance Officer, they can attempt to call the persons over and speak to them.

Discussion held regarding Code Compliance.

Commissioner Grieco explained that the only person that can enforce an Ordinance where someone cannot walk away is a Police Officer. This Ordinance gives the Police the ability to issue a lawful order asking for identification and issue a citation. This is enforceable, and does not take power away from Code Compliance Officers. Code Compliance Officers are limited to what they can do.

Mr. Stolar stated that he frequently flags down people who ride on Lincoln Road, and informs them that what they are doing is not allowed. He would like Code Compliance Officers to be able to do the same.

Mayor Levine asked if they could pass this item and bring Mr. Stolar's suggestions back at another meeting.

Commissioner Grieco wants to leave the item the way it is, but he would like to add the suggested amendments. There are too many people who ride their bicycles and Segways on the grass on Lummus Park, and Commissioner Grieco requested to prohibit riders in Lummus Park.

Vice-Mayor Malakoff suggested expanding the prohibitions (bicycles, roller-skating, in-line skating and skateboarding) on the east sidewalk of Ocean Drive, from South Pointe Drive to 15th Streets, since many pedestrians walk in that area.

Motion made by Commissioner Grieco to approve the Ordinance as amended including the amendments proposed by Vice-Mayor Malakoff and Commissioner Grieco.

Roll call vote. Item approved as amended.

Handouts or Reference Materials:

1. The Miami Herald Ad 983
2. Email from Henry Stolar henrystolar@bellsouth.net dated February 8, 2015 RE: Motorized and Non-Motorized Vehicles – February 11, 2015 Commission Meeting Agenda Item R5A (Pages 359-379) – Second Reading.
3. Email from Henry Stolar henrystolar@bellsouth.net dated February 10, 2015 RE: Motorized and Non-Motorized Vehicles – February 11, 2015 Commission Meeting Agenda Item R5A (Pages 359-379) – Second Reading with attached letter.
4. Letter from Henry Stolar henrystolar@bellsouth.net dated February 8, 2015 RE: Motorized and Non-Motorized Vehicles – February 11, 2015 Commission Meeting Agenda Item R5A (Pages 359-379) – Second Reading, regarding proposed amendments.
5. Email from Morris Sunshine noisecontrol@the-beach.net dated February 8, 2015 RE: Biking on Ocean Drive sidewalks south of Fifth.
6. Email from Morris Sunshine noisecontrol@the-beach.net dated February 9, 2015 RE: Biking on Ocean Drive sidewalks south of Fifth.

11:03:50 a.m.

SUPPLEMENTAL MATERIAL 1: Ordinance

R5B Nonconforming Buildings - Balconies

An Ordinance Amending The Code Of The City Of Miami Beach, Florida By Amending Chapter 118, "Administrative And Review Procedures", Article IX, "Nonconformances," By Amending Section 118-395, "Repair And/Or Rehabilitation Of Nonconforming Buildings And Uses," By Modifying And Clarifying Allowable Additions To Non-Conforming Buildings; Providing For Codification; Repealer; Severability; Applicability; And An Effective Date. **10:15 a.m. Second Reading Public Hearing**

(Sponsored by Vice-Mayor Joy Malakoff & Commissioner Michael Grieco)

(Legislative Tracking: Planning)

(First Reading on January 14, 2015 – R5F)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3921 adopted as amended.** Motion made by Vice-Mayor Malakoff to approve the Ordinance; seconded by Commissioner Weithorn; Ballot vote: 7-0. **Thomas Mooney to handle.**

Amendments:

Sec. 118-395 (a) Nonconforming uses. If a building, which contains a nonconforming use, is, repaired or rehabilitated at a cost exceeding fifty (50) percent of the value of the building...

Sec. 118-395 (b)(1)(e) Any new construction shall comply with the existing development regulations in the zoning district in which the property is located, provided however, that open private balconies, except that as it pertains to height, open private balconies, including projecting balconies and balconies supported by columns, not to exceed a depth of 30 feet from an existing building wall, and may be permitted as a height exception. The addition of balconies may be permitted, including up to the height of the highest habitable floor for a building non-conforming in height, provided such balconies meet applicable FAR and setback regulations. Any addition of a balcony in a nonconforming building shall be subject to the review and approval of the design review board or historic preservation board, as may be applicable.

Sec. 118-395 (2) Nonconforming buildings which are repaired or rehabilitated by more than fifty (50) percent of the value of the building as determined by the building official, shall be subject to the following conditions:

b. The entire building, and any new ~~addition~~ construction shall meet all requirements of the City property maintenance standards, the applicable Florida Building Code and the Fire Safety Code.

Thomas Mooney, Planning Department Director, stated that at the request of Vice-Mayor Malakoff he distributed to the City Commission a technical amendment that duplicates the language that the City Commission approved on the January 14, 2015 meeting, which repeats it in a separate section of the non-conformances. The Ordinance that was approved in January only included this language and revisions to a non-conforming structure that did not exceed the 50% rule. He recommends adding it to the section regarding non-conformances that exceed the 50% rule.

Commissioner Weithorn asked for clarification.

Thomas Mooney, Planning Department Director, stated that under the non-conforming structure of the Code, one could have improvements that are less than the 50% rule, which means the improvements are less than 50% of the value of the building within a 12-month period. They are

trying to add a separate section dealing with improvements to a non-conforming structure that exceeds the 50% rule. That section of the Code would be a little more expansive in terms of the improvement that one would be required to make.

Discussion held.

Handouts or Reference Materials:

1. The Miami Herald Ad 983

11:06:49 a.m.

11:16:52 a.m.

R5C An Ordinance Amending Subpart A – General Ordinances, Chapter 106 “Traffic And Vehicles”, At Article I, Division 1 Entitled “Generally”, To Clarify That A Parking Enforcement Specialist May Issue Code Compliance Violations Under Section 106-116 Through 106-126, With Enforcement Through The Special Master; And At Article II Entitled “Metered Parking; Creating Division 3 Entitled “Construction Parking And Traffic Management Plan”; And Creating Sections 106-116 Through 106-130; Providing For Legislative Intent; Definitions; Creating A Requirement That All Contractors Provide Traffic Plan To The Building And Parking Department(s) Prior To Obtaining A Building Or Grading And Shoring Permit For All Projects Over A Certain Construction Threshold; To Ensure That All Employees, Contractors, And Subcontractors Are Part Of A Traffic Management And Parking Plan For Parking Of Vehicles; Providing For Penalties, Enforcement Procedures And Appeals; Providing For Repealer; Severability; Codification; And An Effective Date. **10:20 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Michael Grieco)

(Legislative Tracking: Parking)

(First Reading on January 14, 2015 - R5G)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3922 adopted as amended.** Motion made by Commissioner Grieco to approve the Ordinance; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0. **Saul Frances to handle.**

Amendments:

1. All construction parking plans proposing the use of municipal parking spaces must have the recommendation of both the Parking Director and the City Manager or designee, and must be approved by the Mayor and the Commission via Resolution.
2. Exclude 42nd Street Parking Garage
3. Contractors must post a copy of the plans with the business permits on the site for residents concerned to have that information available.

Saul Frances, Parking Director, informed the Commission that they held a second industry meeting with construction contractors, and over 20 contractors were invited, but only four of them attended; among these four they have approximately seven or eight percent of the construction projects that are causing an impact, and the reason this Ordinance is proposed.

Commissioner Grieco reminded everyone that this is in response of repeated concerns and complaints of residents regarding neighborhoods being overrun with construction vehicles in the City. This is simply requiring the construction companies to submit a parking plan as part of their application.

Vice-Mayor Malakoff has two friendly amendments. First is that all construction parking plans proposing the use of municipal parking spaces must have the recommendation of both the Parking Director and the City Manager or designee, and must be approved by the Mayor and the Commission via Resolution. The second amendment is to exclude the 42nd Street Garage.

Commissioner Weithorn added to the amendment that they must post a copy of the plans with the business permits on the site for residents concerned to have that information available.

Discussion held.

Motion made by Commissioner Grieco to move the item as amended by Vice-Mayor Malakoff and Commissioner Weithorn; seconded by Vice-Mayor Malakoff.

Daniel Ciraldo stated this is a great idea and he thanked the City Commission for doing this because it will allow the residents to be aware of what is going on.

Commissioner Grieco explained that this does not impact building permits that have already been issued, so one of the ways they are addressing it in the residential areas is to create a two-hour parking limits in certain areas that have been affected, so it forces some of the all-day trucks to have to relocate.

Discussion continued.

Handouts or Reference Materials:

1. The Miami Herald Ad 983

11:21:54 a.m.

R5D An Ordinance Amending Chapter 46 Of The Code Of The City Of Miami Beach, Entitled "Environment," By Amending Article III, Entitled "Litter," By Amending Division 1, Entitled "Generally," By Amending Section 46-92 Thereof, Entitled "Litter; Definitions; Prohibitions On Litter; Penalties For Litter And Commercial Handbill Violations; Commercial Handbill Regulations, Fines, And Rebuttable Presumptions; Seizure And Removal Of Litter By The City; Enforcement; Appeals; Liens" To Amend Subsection (a) To Define The Terms "Polystyrene" And "Expanded Polystyrene" And To Amend Subsection (c) To Prohibit Any Person From Carrying Any Expanded Polystyrene Product Onto Any City Marina, Pier, Dock, Or Boat Ramp; Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article I, Entitled "In General," By Amending Section 82-7 Thereof, Entitled "Prohibitions Regarding Sale Or Use Of Expanded Polystyrene Food Service Articles By City Contractors And Special Event Permittees," To Amend The Definition Of "City Contractor," Define The Term "Polystyrene," Amend The Definition Of "City Facility" To Include City Marinas, Piers, Docks, And Boat Ramps, Amend The Definitions Of "City Facility" And "City Property" To Include Property Leased To The City, And Clarify The Effective Date Of Section 82-7; Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, Entitled "Uses In Public Rights-Of-Way," By Amending Division 5, Entitled "Sidewalk Cafes," By Amending Subdivision I, Entitled "Generally," By Amending Section 82-366 Thereof, Entitled "Definitions," To Define The Terms "Polystyrene," "Expanded Polystyrene," And "Expanded Polystyrene Food Service Articles"; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:25 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Michael Grieco)
(Legislative Tracking: Office of the City Attorney/Environment & Sustainability)
(First Reading on January 14, 2015 - R5I)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3923 adopted.** Motion made by Commissioner Weithorn to approve the Ordinance; seconded by Commissioner Grieco; Ballot vote: 7-0. **Elizabeth Wheaton and Office of the City Attorney to handle.**

Elizabeth Wheaton, Environmental and Sustainability Director, explained the item. This Ordinance would extend the existing prohibition of expanded polystyrene products throughout the City to include marinas, piers, docks and boat ramps. These facilities' proximity to bodies of water that surround the City makes them more susceptible to marine pollution. By expanding the definition, the City will better protect the marine environment. This Ordinance also expands polystyrene prohibition to publicly owned and leased facilities.

Handouts or Reference Materials:

1. The Miami Herald Ad 983

11:25:25 a.m.

R5E Telecommunications Rights Of Way

An Ordinance Amending The City Code, Chapter 104, "Telecommunications," Article I, "Communications Rights Of Way," By Amending And Providing Definitions; Amending The Registration Process; Amending The Permit Application Process To Require The Issuance Of Permits; To Require Design And Appropriateness Review And Approval By The Design Review Board And Historic Preservation Board; Creating Standards For Communications Facilities Design, Location And Collocation; Adding Standards For Site Improvements, Use Of And Restoration Of Sites And Rights-Of-Way, Including Distance Separation Between Communications Facilities And Between Such Facilities And Residential Uses And Contributing Buildings In Historic Districts; To Provide For Compensation To The City For The Use Of Public Rights-Of-Way For These Purposes; And Amending Such Other Sections As Are Appropriate To Protect The Public Health, Safety And Welfare; And Amending The Land Development Regulations Of The City Code, Chapter 118, Article II, "Boards," Divisions 3 And 4, "Design Review Board" And "Historic Preservation Board," Sections 118-71 And 118-102, "Powers And Duties," To Add Review And Approval Of Improvements In The Rights-Of-Way As Being Within The Jurisdiction Of The Design Review Board And Historic Preservation Board Respectively; And Chapter 118, Article VI, "Design Review Procedures," Section 118-251, "Design Review Criteria," And Article X, "Historic Preservation," Division 3, "Issuance Of Certificate Of Appropriateness/ Certificate To Dig/Certificate Of Appropriateness For Demolition," Section 118-564, "Decisions On Certificates Of Appropriateness," Adding Criteria For Such Review For Telecommunications Equipment And Facilities; Providing For Codification; Repealer; Severability And An Effective Date. **10:30 a.m. Second Reading Public Hearing**

(Sponsored by Vice-Mayor Joy Malakoff)

(Legislative Tracking: Office of the City Attorney)

(First Reading on December 17, 2014 - R5K)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3924 adopted as amended.** Motion made by Vice-Mayor Malakoff to approve the Ordinance; seconded by Commissioner Weithorn; Ballot vote: 7-0. **Office of the City Attorney and Thomas Mooney to handle.**

Amendment:

(2) Registrants seeking to place, construct or modify a wireless communications facility in the right-of-way shall either:

- a) collocate wireless communications facilities with the wireless communications facility of other wireless providers, as set out in Florida Statutes § 365.0172, as amended, or
- b) install their wireless communications facilities on existing structures within the right-of-way, including without limitation existing power poles, light poles and telephone poles in a stealth design or
- c) repurpose an existing structure. With respect to proposals to locate a new tower or replace an existing tower or wireless communication facility in the right-of-way, engineering documentation demonstrating either: (i) how the proposed tower of communications facility can accommodate multiple collocations: (ii) why the City's interest in safe, aesthetic, efficient and effective management of the public rights-of-way is better served by the proposed tower or wireless communications facility than by a communications facility that could accommodate multiple collocations;

Eve Boutsis, Deputy City Attorney, distributed an amended version (page 15), which would require every pole to have a stealth design. This clarification was requested by Vice-Mayor Malakoff. This item has been discussed for approximately a year, and has been vetted by every Board and this Commission. She gave the City Clerk a letter in support from AT&T to distribute among the Commission. She has communicated with all of the major companies: AT&T, Verizon, Crown Castle and FP&L. The Ordinance has been changed over time, based upon their input, as well as comments from Vice-Mayor Malakoff and Commissioner Weithorn that obsolete equipment be removed from the right-of-way, equipment consolidation and ensuring stealth design.

Handouts or Reference Materials:

1. The Miami Herald Ad 983
2. Telecommunications Rights of Way Ordinance Draft distributed by Eve Boutsis
3. Letter in support from AT&T, dated February 11, 2015.

5:04:42 p.m.

R5F Short Term Rentals In Collins Waterfront District

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, Entitled "Zoning Districts And Regulations," Article IV, Entitled "Supplementary District Regulations," Division 3, Entitled "Supplementary Use Regulations," To Modify The Regulations And Requirements For Short Term Rentals To Include Properties Located Within The Collins Waterfront Local Historic District; Providing For Repealer; Severability; Codification; And An Effective Date. **5:01 p.m. Second Reading Public Hearing**

(Sponsored by Commissioner Michael Grieco)

(Legislative Tracking: Planning)

(First Reading Public Hearing on January 14, 2015 - R5E)

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2015-3925 adopted.** Motion made by Commissioner Grieco to approve the Ordinance; seconded by Commissioner Tobin; Ballot vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. **Thomas Mooney to handle.**

Commissioner Weithorn introduced the item and asked Deputy City Attorney Boutsis to explain the changes.

Eve Boutsis, Deputy City Attorney, explained that on the Commission Agenda (page 474) language is included under Sec. 142-111(3)(G) the short term rental use requires at least a seven (7) night reservation, and Sec. 142-111(3)(F) any property seeking to have short term rental will need to demonstrate that there is on-site management, 24 hours per day, seven (7) days a week. Further cleanup language will be done at another time. The changes cover the Collins Park Waterfront Local Historic District and incorporate all edits.

Discussion held.

Ray Breslin spoke.

Handouts or Reference Materials:

1. The Miami Herald Ad 986 and 987

5:08;29 p.m.R5G 226 87th Terrace - Parking Category Comprehensive Plan And Rezoning

1. Comprehensive Plan - Parking Category

An Ordinance Amending Policy 1.2 Of The Future Land Use Element Of The Comprehensive Plan Pursuant To The Procedures In Section 163.3184(3), Florida Statutes, By Modifying The Parking (P) Future Land Use Category To Allow For Residential Uses When Abutting A Land Use Category That Permits Such Uses; Providing For Inclusion In The Comprehensive Plan; Transmittal; Repealer; Severability; And An Effective Date. **5:02 p.m. First Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Planning)

(Continued from December 17, 2014 - R5D1)

ACTION: Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to open and continue the item to April 15, 2015; seconded by Commissioner Weithorn; Voice vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Ad 986 and 988

5:09:11 p.m.2. Rezoning - 226 87th Terrace

An Ordinance Amending The Official Zoning District Map, Referenced In Section 142-72 Of The Code Of The City Of Miami Beach, Florida, By Changing The Zoning District Classification For The Parcel Located At 226 87th Terrace, From The Current Zoning Classification Of GU, "Government Use District", To The Proposed Zoning Classification Of RM-2, "Multifamily Residential, Medium Intensity;" Providing For Codification; Repealer; Severability; And An Effective Date. **5:02 p.m. First Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Planning)

(Continued from December 17, 2014 - R5D2)

ACTION: Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to open and continue the item to April 15, 2015; seconded by Commissioner Weithorn; Voice vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Ad 986 and 988

5:09:52 p.m.

R5H RM-2 Regulations, Parking Regulations And Signage Regulations Within 250 Of North Shore Open Space Park (NSOSP)

1. RM-2 Regulations Within 250 Feet Of NSOSP

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, 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," By Amending Sections 142-215, "Prohibited Uses," And 142-218, "Setback Requirements," In Order To Permit Outdoor Bar Counters As Accessory Uses In Oceanfront Hotels In The RM-2 District; Allowing For Modification Of Interior Side Setback Requirements For Drives Or Sidewalks; Providing Access Between Parcels In The RM-2 District; Modifying The Interior Side Tower Setback Requirements For Oceanfront RM-2 Parcels Within 250 Feet Of North Shore Open Space Park; By Amending Chapter 142, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Division 3 "Accessory Uses," By Amending Section 142-902, "Permitted Accessory Uses," To Permit Neighborhood Impact Establishments, As Conditional Uses For Oceanfront Hotels In The RM-2 District Within 250 Feet Of North Shore Open Space Park; Providing For Codification; Repealer; Severability; And An Effective Date. **5:03 p.m. First Reading Public Hearing**

(Sponsored by Commissioner Deede Weithorn)

(Legislative Tracking: Planning)

(Continued from December 17, 2014 - R5E1)

ACTION: Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to open and continue the item to April 15, 2015; seconded by Commissioner Weithorn; Voice vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Ad 986 and 989

5:11:11 p.m.

2. Parking Regulations Within 250 Feet Of NSOSP
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130, "Off-Street Parking," Article III, "Design Standards," By Amending Section 130-68, "Commercial And Noncommercial Parking Garages," To Establish Regulations For Main Use Parking Garages Located On Non-Oceanfront Lots In The RM-2 District With A Property Line Within 250 Feet Of North Shore Open Space Park; Providing For Codification; Repealer; Severability; And An Effective Date. **5:03 p.m. First Reading Public Hearing**
(Sponsored by Commissioner Deede Weithorn)
(Legislative Tracking: Planning)
(Continued from December 17, 2014 - R5E2)

ACTION: Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to open and continue the item to April 15, 2015; seconded by Commissioner Weithorn; Voice vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Ad 986 and 989

5:12:49 p.m.

3. Signage Regulations Within 250 Feet Of NSOSP
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 138, "Signs," Article V, "Sign Regulations By District" And Article VI, "Specific Use Signs," By Amending Section 138-172, "Schedule Of Sign Regulations For Principal And Accessory Use Signs," In Order To Establish Sign Criteria For Ground Floor Commercial Uses In Parking Garages Located On Non-Oceanfront Lots In The RM-2 District, With A Property Line Within 250 Feet Of North Shore Open Space Park; And Creating Section 138-206, Entitled "City Identification Signs At City Entrance And Exit Points," In Order To Establish The Process By Which The City May Erect City Identification Signs Near The City's Entry And Exit Points; Providing For Codification; Repealer; Severability; And An Effective Date. **5:03 p.m. First Reading Public Hearing**
(Sponsored by Commissioner Deede Weithorn)
(Legislative Tracking: Planning)
(Continued from December 17, 2014 - R5E3)

ACTION: Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to open and continue the item to April 15, 2015; seconded by Commissioner Weithorn; Voice vote: 5-0; Absent: Mayor Levine and Commissioner Steinberg. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to handle.**

Handouts or Reference Materials:

1. The Miami Herald Ad 986

9:40:59 a.m.**R5I Definition Of Unified Development Site**

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 118, "Administration And Review Procedures," Article I, "In General," Section 118-5, "Unity Of Title; Covenant In Lieu Of Unity Of Title," By Amending The Requirements And Standards For A Covenant In Lieu And By Providing A Definition For Unified Development Site; Providing For Codification, Repealer, Severability And An Effective Date. **First Reading**

(Sponsored by Commissioner Edward L. Tobin)

(Legislative Tracking: Planning)

(Continued from December 17, 2014 - R5J)

ACTION: Title of the Ordinance read into the record. Motion made by Commissioner Tobin to open and continue the item to April 15, 2015 and refer to the Planning Board for further modifications; seconded by Commissioner Grieco; Voice vote: 7-0. Lilia Cardillo to place on the Commission Agenda if received. **Thomas Mooney to place on the board agenda and to handle.**

REFERRAL:

Planning Board for further modifications.

Commissioner Tobin explained that he placed the item on the agenda several years ago at the request of community activists. He thinks there is a loophole regarding building big development sites, and at one point there was a question about acquiring properties across the street and then doing a unity of title, and the question of whether those properties were abutting such that they could aggregate the FAR into a bigger building; that issue was clarified, but he thought there was still some kind of loophole that allows to aggregate parcels to build something bigger in a piece of property that would normally not be able to be done, by aggregating certain lots under a unity of title. He is against allowing someone to build out of scale or character and aggregate, because this just continues year after year and it continues not to be ready to be voted on.

Thomas Mooney, Planning Director, explained that under the City Code, the only manner to aggregate FAR is if the lots are abutting, and this Ordinance confirms that. This Ordinance also confirms that the properties can be combined, either through a unity of title, or a covenant in lieu, which would be similar to unity of title in terms of binding the properties together in perpetuity. This was before the City Commission in October. In reviewing the Ordinance with the City Attorney, they felt other areas needed to be modified. The item was referred to the Land and Use Development Committee for additional discussion and they agreed to the changes. Due to the extent of the changes, it was recommended referring the item to the Planning Board.

Discussion continued.

Handouts or Reference Materials:

1. The Miami Herald Ad 986

9:44:35 a.m.

R5J An Ordinance Amending Chapter 18 Of The City Code, Entitled "Businesses," By Amending Article XVI Titled "Nude Dance Establishments," By Creating Section 18-914 Thereof To Be Entitled "Compensation Standards For Workers And Performers," Which Provides Requirements Regarding The Method Of Compensation For Those Workers And Performers In Nude Dance Establishments; And Amending Section 18-915 Entitled "Enforcement; Penalties," By Setting Forth Penalties For A Violation Of Section 18-914; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**
(Sponsored by Commissioner Edward L. Tobin)
(Legislative Tracking: Office of the City Attorney)

ACTION: Title of the Ordinance read into the record. **Ordinance approved on first reading.** Motion made by Commissioner Tobin to approve the Ordinance; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0. Second reading and Public Hearing scheduled for March 11, 2015. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Office of the City Attorney and Hernan Cardeno to handle.**

City Manager Morales added that dancers would not be allowed to be brought in by a third party, to address the issue of human trafficking.

Handouts or Reference Materials:

1. The Miami Herald Ad 986

10:33:05 a.m.**SUPPLEMENTAL MATERIAL 1: Memorandum & Resolution**

R7A A Resolution Adopting The Second Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2014/15 And Accepting The Recommendation Of The Finance And Citywide Projects Committee Regarding Resort Tax Quality Of Life Funding Allocation. **10:05 a.m. Public Hearing**
(Budget & Performance Improvement)

ACTION: Public Hearing held. **Resolution No. 2015-28919 adopted as amended.** Motion made by Commissioner Grieco; seconded by Commissioner Tobin; Voice vote: 5-2: Opposed: Vice-Mayor Malakoff and Commissioner Weithorn. **John Woodruff to handle.**

Amendments:

- Accept staff's original recommendation regarding Resort Tax quality of life funding allocations (split quality of life funds and not increase funding for the arts and take all the remaining funds and add to transportation); See City Clerk's Note below.
- Add Centennial Celebration \$1 million contingency funding;
- Add funding for Residential Housing program; and
- Enhance parking lot cleanliness.

City Clerk's Note: Revised funding splits for Quality of Life Funds, as per John Woodruff's clarification on June 4, 2015:

- 10% Arts
- 15% North Beach – Capital
- 15% Mid Beach – Capital
- 15% South Beach – Capital
- 45% Transportation

John Woodruff, Budget Director, explained that this is the second operating budget amendment of the year, and there are four items. The first one has to do with accepting the recommendation of the Finance and Citywide Projects Committee regarding modifying the splits of quality of life funding, the resort tax pledge was recently released from the RDA funds, resulting in an additional \$6.1 million being available, so these funds are to be reallocated. The City has many transportation initiatives to fund, and an LTC went out today outlining what those are. (See LTC 060-2015) This action will add additional funds of \$3.7 million to the transportation fund.

Commissioner Weithorn asked if this is done, how much they would be short funding the items on the LTC today.

Jimmy L. Morales, City Manager, explained that two of the items identified in terms of budgets on the LTC would be the Mid-Beach Loop and Collins Link, for an approximate total of \$6.4 million. He thinks the amount of money mentioned was \$3.7, so these would be short-funded.

Discussion held.

John Woodruff, Budget Director, stated that they have an additional \$6.1 million to allocate; the original staff recommendation was to increase the quality of life capital funding for North, Mid and South Beach by 50%; then for the arts piece, they felt there was enough funding there already, and the rest of it would go towards transportation. At Finance, it was recommended increasing the Arts by the same amount as the quality of life funds, and then decreasing transportation funds slightly.

Discussion held.

Vice-Mayor Malakoff explained that arts and culture are essential to the City, not only for the residents and for the beauty of the City, but as part of the City's business plan. Vice-Mayor Malakoff believes it is erroneous not to give the additional money to include arts, as it has been in the past. Transportation has many areas where they can obtain funding.

Commissioner Weithorn suggested that all dollars should go to transportation; because that is the problem, they need to fix. There are limited resources in the budget, and money has to go towards where the biggest problem is. At Finance, the staff did not properly inform the members of the Committee.

Discussion continued regarding a funding gap.

Jimmy L. Morales, City Manager, explained that there is not a gap today as these funding projects are aspirational. To the extent that these projects become real, then they would have a funding gap.

Discussion continued regarding funding distributions.

Commissioner Grieco explained the three options available on the table: 1) unencumbered funds to go towards transportation; 2) split quality of life funds and not increase funding for the arts and take all the remaining funds and add to transportation, which was the original staff's recommendation; and 3) increase funding for the arts. Commissioner Grieco explained that he is supportive of the staff's recommendation.

Commissioner Steinberg is supportive of the staff's recommendation, but she wants to identify

funds for the arts as well.

Commissioner Wolfson moved to accept staff's recommendation; seconded by Commissioner Grieco.

John Woodruff, Budget Director, explained that the second item has to do with the Centennial Celebration. There is a great deal of uncertainty about how much sponsorship revenue the City will receive, and the City will incur expenses, so they need to put in place appropriations to cover Police, Fire, Emergency Management, Public Works, etc., and they want to put together a contingency amount of approximately \$1 million for this purpose. Any other amount to be allocated for spending would have to be authorized by the City Manager.

City Manager Morales explained that there would be a great deal of public resource committed, and added that \$1 million is a conservative figure, but they do not want to be short.

Commissioner Weithorn added that this was not in the budget and she is not comfortable with this, and she will probably vote against it.

Mr. Morales explained that there would be no additional funding requested, and it could be less if money is raised through sponsorship. \$1 million is a conservative estimate.

Discussion continued.

Commissioner Weithorn asked what the rationale is for taking additional funds from resort tax.

Mr. Woodruff explained that the Centennial events have a nexus with tourism, which is what they used to determine if resort taxes are eligible for these expenditures. \$1.5 million is a definite expenditure they are going to have, and \$1 million is the contingency.

Commissioner Weithorn stated that she would definitely vote against this item.

In answering Commissioner Steinberg's question, City Manager Morales explained that Alpha Bravo, Police, Fire, Parking, trolleys and street cleaning crews are included in the \$1 million contingency.

Commissioner Wolfson stated that this is a one-time expenditure, and it is a once in a lifetime opportunity to be branded out and redefine Miami Beach; it is a once in a lifetime chance to get out there in a big way, and he is in support.

Mayor Levine added that Miami Beach is a high profile City; it is turning 100 years old, and these are major events, including a free concert.

Vice-Mayor Malakoff added that the reason people are visiting Miami Beach and attending the concert is due to the arts. Arts are what make Miami Beach.

Commissioner Tobin requested that bathroom cleaning be included in the services during the event.

Mr. Woodruff added that the next item is the residential housing program. He explained that the City recently acquired four properties, establishing a residential housing program, and this is setting the budget to be able to receive and perform the operational costs associated with that. The last item is initiative to improve cleanliness in the City's parking lots. This action would add

an additional crew to help improve cleanliness ratings at a cost of \$105,000. The parking fund will pay for it, so there is no need for an amendment as they have contingency funds to cover it; however, the sanitation fund will receive the revenue and then appropriate the expenditures for the current year.

11:40:28 a.m.

Commissioner Steinberg asked City Manager Morales to provide the City Commission with the Centennial Celebration's operational costs by March 11, 2015. This would allow the City Commission to review, amend, and cutback unnecessary expenditures.

City Manager Morales stated that his team would provide the operational costs by the date requested by Commissioner Steinberg, and more importantly, by then they will have a clear sense of what is needed to cover the 100-hour Celebration.

Handouts or Reference Materials:

1. The Miami Herald Ad 983

11:29:07 a.m.**SUPPLEMENTAL MATERIAL 2: Revised Memorandum**

R7B A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its February 2, 2015 Meeting, To Approve The Vacation Of The Right Of Way Known As Liberty Avenue (Palm Avenue) Between 22nd Street (Ocean Avenue) And 23rd Street (Atlantic Avenue), Which Is A 50 Foot In Width Right-Of-Way, Containing Approximately 12,500 Square Feet In Total Area, As Shown On The Plat Of Amended Map Of The Ocean Front Property Of The Miami Beach Improvement Company, Recorded In Plat Book 5 At Page 7, Of The Public Records Of Miami-Dade County, In Favor Of The City Of Miami Beach, (The Applicant); Waiving By 5/7th Vote, The Competitive Bidding And Appraisal Requirements Pursuant To Section 82-39(a) And (b) Of The City Code, Finding That The Public Interest Would Be Served By Waiving Such Conditions. **10:35 a.m. First Reading Public Hearing**
(Capital Improvement Projects)

ACTION: Public Hearing held. **Resolution No. 2015-28920 adopted** on first reading. Motion made by Commissioner Weithorn; seconded by Commissioner Grieco; Voice vote: 7-0. Second Reading Public Hearing scheduled for March 11, 2015. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **David Martinez to handle.**

David Martinez, CIP Director, explained that this item is to accept the recommendation of the Finance and Citywide Projects Committee to vacate Liberty Avenue, between 22nd and 23rd, to allow for the previously approved pedestrian plaza that will be part of the Collins Park Garage.

Commissioner Weithorn stated, for the record, that the City puts itself through the same process as if was any other development.

Handouts or Reference Materials:

1. The Miami Herald Ad 983
2. Email from Eve Boutsis dated January 28, 2015 RE: Collins Parking Garage.

9:46:22 a.m.

R7C A Resolution Accepting The Recommendation Of The Mayor's Blue Ribbon Panel On Flooding And Sea Rise, And Approving A Desired Minimum Elevation For The Crown Of Roads In The City

To Be One Foot (1') Higher Than The Tailwater Design Criteria, For Proper Drainage Within The City And Protection From Tidal Flooding.

(Public Works)

ACTION: Resolution No. 2015-28921 adopted as amended. Commissioner Grieco made a motion to move forward and apply the standards holistically with the listed projects; seconded by Vice-Mayor Malakoff; Voice-vote: 7-0. **Eric Carpenter to handle.**

LIST OF CURRENT PROJECTS:

- 1) West Avenue on 10th Street;
- 2) West Avenue on 14th Street;
- 3) 17th Street;
- 4) A portion of West Avenue between Lincoln and 17th Street; and
- 5) 20th Street.

Eric Carpenter, Public Works Director, stated that the City is heavily investing in infrastructure improvements in order to mitigate flooding and meet the challenges of sea level rise. In February 2014, the City adopted a resolution that modified the tailwater elevation from 0.5 feet NAVD to 2.7 feet NAVD in the Stormwater Management Master Plan, which required the setting of the minimum inlet elevation at 2.7 feet NAVD above the tailwater. They are also recommending for the crown of road be set at one foot above the inlet elevations. They are currently working on a project on West Avenue, which will be the first project eligible for this increase in roadway elevation. Mr. Carpenter presented alternatives and measures on how the road cross sections will look to the neighborhood associations, the Blue Ribbon panel and committee. The recommendation was to bring it in front of the City Commission to discuss further. In answering Commissioner Tobin's question, Mr. Carpenter stated that the fiscal impact would mean that they would be raising roadway elevation when doing reconstruction activities, and it depends on the length of road they are doing. Mr. Carpenter estimated that spending would be impacted by a 10% increase.

Discussion continued.

Commissioner Tobin asked how they would move the water from the swales in flat contact to the catch basin, and asked how they will get the conveyance on the street.

Mr. Carpenter explained that the roads have high and low points, and the inlet is set at these low points, and they will keep the same slopes but at a higher elevation.

Discussion continued.

Vice-Mayor Malakoff has previously viewed Mr. Carpenter's presentation and found it interesting; although she still has a hard time picturing what the street would look like with the elevation. She suggested delaying the implementation of the new standards to see how these pilot projects work before doing it throughout the City. She is concerned about how people will navigate the streets, how they will get out of their cars into the sidewalk and how it is going to affect them.

Mayor Levine stated that what Vice-Mayor Malakoff is requesting is to move forward with the existing projects, but not Citywide, until they see what they look like.

Commissioner Weithorn stated that it is important, at this time, not to proceed with the new

standards Citywide, and added that residents must first be educated. Commissioner Weithorn requested for Public Works staff to first meet with residents and try to answer their questions on the subject, so the public has knowledge of the proposed new standards and thereby avoid unintended consequences. Commissioner Weithorn agrees the proposal needs to be implemented, but the public first needs to be informed. Residents have many questions that need to be answered. **Eric Carpenter to handle.**

Mayor Levine stated that Miami Beach is a pioneer on this program, and they have to proceed with this proposal in a few places and test as they go forward.

Commissioner Grieco asked that they be specific as to what projects are needed now.

Mr. Carpenter listed the projects:

- 1) West Avenue on 10th Street;
- 2) West Avenue on 14th Street;
- 3) 17th Street;
- 4) A portion of West Avenue between Lincoln and 17th Street; and
- 5) 20th Street.

Commissioner Grieco made a motion to move forward and apply the standards holistically to the listed projects above, and wait until the results of the projects come back to move forward.

Discussion continued.

Commissioner Tobin asked about the projects in the design phase.

Eric Carpenter, Public Works Director, explained that this is a challenge, but at the same time, he believes this will be a successful program and they should move forward with the design of the projects within reason.

There was consensus in continuing with the design phase. **Eric Carpenter to handle.**

Commissioner Tobin requested ensuring that everyone in the community gets the same amount of money per linear foot for these projects.

Seconded by Vice-Mayor Malakoff; Voice-vote: 7-0.

Commissioner Steinberg asked about public education and outreach. Mr. Carpenter stated that they have met with the West Avenue Association and they have already scheduled meetings with the individual condominiums so that they understand the specifics of the project.

Commissioner Weithorn emphasized that it is the City's responsibility to do outreach. They have to schedule meetings with all those involved.

Discussion continued.

9:58:34 a.m.

R7D A Resolution Approving And Authorizing The Mayor And City Clerk To Reappropriate Sewer Funds Totaling \$1,000,000 Towards The Sanitary Sewer Infiltration And Inflow (I&I) Program - Phase 3, In Order To Fund Ongoing Sanitary Sewer Cleaning, Televising, Repairs, And Sanitary Sewer Lining Needed To Comply With Miami-Dade Consent Decree Requirements.

(Public Works)

ACTION: Resolution No. 2015-28922 adopted. Motion made by Vice-Mayor Malakoff; seconded by Commissioner Tobin; Voice vote: 7-0. **Eric Carpenter to handle.**

Eric Carpenter, Public Works Director, explained that they have \$1 million appropriated for Pump Station I, to rebuild one of the concrete chambers. However, that project can be delayed for a few months. They are currently doing the sanitary system evaluation survey in order to reduce the amount of infiltration and inflow of water going into system, and they want to continue to do this. The bonds have not been issued for the \$2.8 million budgeted for the SSES program for this year and they just want to borrow the funds from the other project and will put it back when the bonds are issued.

Discussion held.

Commissioner Weithorn stated that this is the best option according to Finance and Citywide Projects Committee.

Commissioner Wolfson added that this would allow them to budget better and use the money in a timely fashion.

10:01:32 p.m.

R7E A Resolution Authorizing A Policy Direction Towards Collecting Delinquent Account Payments Under The Fee In Lieu Of Parking Program, Under Section 130-131, Of The City Code; To Provide The Planning Director, City Manager And City Attorney The Authority To Negotiate And Execute Payment Plans For Delinquent Accounts Under The Following Conditions: (1) The Delinquent Account Holder Must Pay The Current Fiscal Year Fee Prior To Entering Into A Payment Plan For Delinquent Fees; (2) The Delinquent Account Holder Must Repay The Entire Amount Due To The City, Regardless Of The Year The Delinquency Occurred; (3) The Delinquent Account Must Have An Active And Correct Business Tax Receipt (BTR); (4) No Payment Plan May Exceed 36 Months In Length; (5) Failure To Comply With The Plan Shall Result In A Revocation Of The Business Tax Receipt (BTR), And/Or Revocation Of The Certificate Of Occupancy/Certificate Of Use (CO/CU) For The Delinquent Account; (6) The Total Outstanding Balance Shall Become Due And Payable If Payment Under The Plan Is Not Received By The 10th Of The Applicable Month; And (7) Authorize The City Manager To Take Such Action To Execute Any And All Necessary Documents To Coordinate The Execution Of Payment Plans

(Office of the City Manager)

ACTION: Resolution No. 2015-28923 adopted as amended. Item heard in conjunction with R9F and R9G. Motion made by Commissioner Wolfson; seconded by Commissioner Grieco; Voice vote: 6-1; Opposed: Commissioner Tobin. **Thomas Mooney, Carmen Sanchez, Joe Jimenez and Eve Boutsis to handle.**

Clerk's Note: Item heard in conjunction with R9F and R9G.

Motion 1:

Commissioner Wolfson made a motion to accept Commissioner Grieco's recommendation that regarding the 2014 and 2015 bills, which were timely issued, they must be timely paid; if they are not paid, the City should take action. As to the previous invoices, after notification and payment plan negotiation, if no payment plan is made, then the City should follow suit; seconded by

Commissioner Grieco; Voice-vote: 3-3: Opposed: Commissioners Tobin, Weithorn and Steinberg. Absent: Mayor Levine.

Motion 2:

Motion made by Commissioner Weithorn to amend the previous motion to have the ability to charge late fees on all debts to businesses that do not pay the fees for this year or the year before. If businesses are having trouble paying, they can enroll in a payment plan, but they must pay 2014 and 2015; seconded by Commissioner Wolfson; Voice vote: 5-1; Opposed: Commissioner Tobin. Absent: Mayor Levine.

Final Action: The following policy direction towards collecting delinquent account payments for the Fee In Lieu of Parking Program, under Section 130-131, of the City Code was approved, providing the Planning Director, City Manager and City Attorney the authority to negotiate and execute payment plans for delinquent account holders under the following conditions: (1) the delinquent account holder must pay the current fiscal year fee prior to entering into a payment plan for delinquent fees; (2) the delinquent account holder must repay the entire amount due to the City, regardless of the year the delinquency occurred; (3) the delinquent account holder must have an active and correct Business Tax Receipt (BTR); (4) no payment plan may exceed 36 months in length; (5) failure to comply with the plan shall result in a revocation of the Business Tax Receipt (BTR), and/or revocation of the Certificate of Occupancy/Certificate of Use (CO/CU) for the delinquent account holder; (6) the total outstanding balance shall become due and payable if payment under the plan is not received by the 10th of the applicable month; (7) authorize the City Manager to take such action to execute any and all necessary documents to coordinate the execution of payment plans; and other conditions including the staff preparation of a form notice letter to be issued to delinquent accounts and placed on the March 11, 2015 City Commission Consent Agenda for review.

Carmen Sanchez, Assistant Planning Director, introduced the item. Ms. Sanchez detailed the payment plans for parking accounts that have not been billed or have not been paid. It proposes a three-year term with additional conditions. The billed businesses need to become current in the present fiscal year.

Commissioner Tobin asked how letters of credit or other types of assurances are put into place for businesses that may enter into payment plans but go out of business.

Joe Jimenez, Assistant City Manager, explained that the payment plan would have to be co-signed with the business owner; otherwise, they will not be eligible for a payment plan.

Commissioner Tobin agrees with a payment plan for businesses that owe for many years. He wants the City to focus on businesses that owe hundreds of thousands of dollars, and not waste efforts on small businesses that owe small amounts.

Commissioner Steinberg asked about interests moving forward to incentivize businesses to pay what they owe in full.

Carmen Sanchez, Assistant Planning Director, stated that the interest for fiscal year 2015 is being collected, but the interest fees are not being assessed for prior years, and that is the incentive they are providing the debtors.

Commissioner Weithorn explained that the Audit Committee thought it was imprudent to charge interest and penalties because in most of the reviewed cases, the City had never billed the businesses. Charging interest for an error the City committed would be imprudent. The Audit

Committee did recommend a few things, such as: the parking fee must be paid in advance of issuing a (Business Tax Receipt) BTR. This means a business license will be pulled if the fee is not paid. Some businesses have not paid in over 10 or 12 years. People are getting a break for bad behavior. The best interest for the City would be to collect what it can, and move forward.

Commissioner Grieco asked what the standard is to allow someone to get a payment plan. He made the point that the list includes some wealthy people, who he knows are able to pay what they owe upfront, but may chose to stretch out their payments in three years.

Carmen Sanchez, Assistant Planning Director, stated that they have not categorized the people who owe the City parking fees into those who can pay and those who cannot. To make it fair, they chose to permit a three-year payment plan to anyone who owes, as long as the current year of parking fees is paid.

Commissioner Wolfson gave an example of the Burger & Beer Joint restaurant, which owes the City approximately \$18,000. He asked what the City is asking them to do.

Carmen Sanchez, Assistant Planning Director, replied they are asking that establishment to pay what they owe for the current year.

Discussion held regarding payment plan process.

Raul J. Aguila, City Attorney, explained that the book he distributed, included the invoice dates and due dates; presumably if the amount is not paid by the due date, his intent is to file suit to collect.

Commissioner Wolfson does not agree. He does not want lawsuits against businesses that did not receive invoices from the City.

Discussion continued regarding interest charges and balancing the small businesses.

Commissioner Wolfson stated that the City should not sue these debtors unless they refuse to deal with the City, then at that time, come back to the City Commission and decide what legal action to take. Secondly, he suggested sending letters, to either pay, or call to pay the amount. If agreements are made, then reissue the BTR. He would treat them all differently. He does not want collection agency acting on behalf of the City.

Commissioner Weithorn explained that if debtors are not paying what they owe, she wants the legal department (Office of the City Attorney) to go after them. If debtors do not pay the most current year, it is very unlikely they will pay the previous years. She wants to give City Attorney Aguila and his team every possibility to do the right thing to protect the City's interest.

Joe Jimenez, Assistant City Manager, clarified that individual invoices are going out, and are treated on a case-by-case basis, but the bottom line is that all businesses must pay the current bill.

Discussion continued.

Commissioner Wolfson requested that City Manager Morales write a letter detailing what the penalties are if these businesses do not pay the current year's charges. That way, everyone is aware of the consequences. **TO DO: Joe Jimenez to handle.**

Commissioner Tobin stated that some people owe an enormous amount of money to the City. It is important to give the Legal Department (Office of the City Attorney) the ability to file lawsuits when appropriate to protect the City's interest. He gave the example of an individual who does not pay the water bill. This person would eventually get cutoff from the water supply. He wants this handled in the most businesslike fashion as possible. The City should not be afraid of filing a lawsuit because some of these businesses are million dollar industries.

Jimmy L. Morales, City Manager, explained that, per the Commission's direction, they sent out invoices for fiscal year 2014 and 2015 in January 2015. Afterwards, they sent the older invoices of 2010 through 2013 to work out the payment plans. With respect to the 2014 and 2015 invoices, these must be paid immediately. Businesses then have 30 days to pay the older invoices or enter a three-year payment plan.

Discussion continued.

Commissioner Tobin asked which files meet the Statute of Limitations, and give direction to file lawsuits.

Raul Aguila, City Attorney, stated that the invoices were sent as directed. The Statute of Limitations will start when the invoices were sent, that gives the City four years to collect these fees.

Commissioner Grieco stated that all invoices, past and current, have been issued, and they all agree that the City did not send bills for many years. Regarding the 2014 and 2015 bills, when the invoices were timely issued, they must be timely paid; if they are not paid, the City should take action. As to the previous invoices, after notification and payment plan negotiation, if no payment plan is made, then the City should follow suit.

Commissioner Weithorn added that small business debtors should not be treated any differently from businesses that owe a lot of money.

Discussion continued.

Commissioner Wolfson accepted Commissioner Grieco's recommendation, and wants to have the letter City Manager Morales will send to the businesses brought back to the City Commission via Consent Agenda for approval. **TO DO. Joe Jimenez to handle.**

Carmen Sanchez, Assistant Planning Director, mentioned that many businesses have been coming to them regarding the payment plan, and how to pay off what they owe. If the businesses reach out to the City, there is no need to send them a letter.

Commissioner Tobin called a Point of Order. He requested clarification on what the direction is concerning late fees.

Carmen Sanchez, Assistant Planning Director, stated that the late fees are being assessed for the 2014-2015 year. Nothing prior to that is being assessed, because the City failed intermittingly to send invoices.

Commissioner Tobin stated that Commissioner Weithorn mentioned certain businesses that did

receive bills, but did not pay. He believes the Legal Department should have the ability to negotiate with these businesses to pay what they owe, or even waive the fees.

Commissioner Grieco stated that since the invoices have been sent, they do not need to worry about the Statute of Limitations. He addressed the fairness issue on invoicing these companies. One cannot expect a business, especially a small business to pay immediately a bill of five figures. He does not agree with Commissioner Tobin's example comparing this situation with an individual getting his/her water cutoff for not paying the water bill, because in this instance it would be as if the water company never sent the bill.

Motion made by Commissioner Wolfson to accept Commissioner Grieco's recommendations, seconded by Commissioner Grieco; Voice-vote: 3-3: Opposed: Commissioners Tobin, Weithorn, and Steinberg. Absent: Mayor Levine.

Commissioner Weithorn stated she voted against the item with Commissioner Grieco's recommendations because she wanted it stronger, she wants to grant the City more power to collect what is due.

Commissioner Wolfson requested clarification on the late fee process.

Joe Jimenez, Assistant City Manager, clarified the process for charging late fees. He recognized the Planning Department staff's late hours, and they would rather waive late fees. If it is not paid timely, they will charge a late fee like the one they do with any other bill.

Discussion held regarding late fees.

Commissioner Weithorn offered an amendment. She wants the City to have the ability to charge late fees on all debts to businesses that do not pay the fees for this year or the year before. If businesses are having trouble paying, they can enroll in a payment plan, but they must pay.

Commissioner Wolfson asked City Manager Morales to add what Commissioner Weithorn stated regarding late fees applying if the fiscal year 2014 and 2015 payments are not met. **Joe Jimenez to handle.**

Motion made by Commissioner Weithorn as amended; seconded by Commissioner Wolfson; Voice vote: 5-1; Opposed: Commissioner Tobin. Absent: Mayor Levine.

Frank Del Vecchio stated it is unfair and unrealistic to expect the Planning Department to spend excess time on this. This City Manager needs to come up with a collection procedure. The prior Planning Department failed to collect the fees, and now everyone on the dais has been forced to micromanage. It is unfair to expect a Master on City Planning to become an expert on collection fees and Statute of Limitations.

1:54:43 p.m.

ADDENDUM MATERIAL 3:

R7F A Resolution Cancelling Request For Proposals No. 2014-294-ME, For Design/Builder Services For The Miami Beach Convention Center Renovation And Expansion Project (The Project); Rejecting All Phase I Proposals And Terminating The Phase II Evaluation Process; And Directing The City Manager To Prepare A New Request For Qualifications For A Construction Manager At Risk Firm (CMR) To Provide Pre-Construction Services And Construction Phase Services Via A Guaranteed Maximum Price Amendment For The Project.

(Office of the City Manager)

ACTION: Resolution No. 2015-28924 adopted as amended. Item heard in conjunction with R7G and R9C. Motion made by Commissioner Tobin; seconded by Commissioner Grieco to cancel the RFP and prepare a new RFQ or RFP; Voice vote: 7-0. **Maria Hernandez to handle.**

Amendment:

Add language to prepare a new RFQ or RFP.

Jimmy L. Morales, City Manager, explained that at the last Commission Meeting, they talked about the No. 2 bidder withdrawing from the process, and they were faced with what was going to be a competitive design build process, no longer had that aspect to it. The City Commission gave direction to proceed down the path with the No. 1 ranked bidder, Clark Construction, to see if they could get to a point where there would be competitive pricing, and secondly, to have an option B ready. They met at length with the construction team, they came in good faith, ready to work hard and prove they are an extremely qualified team. However, at the end of the process, despite the discussions, the City Manager could not, in good faith, assure the City Commission, and more importantly assure the residents and taxpayers, that they were getting the most competitive and best price that they could within the context. He thinks that a project of this nature should not have that cloud hanging over it. The goal is to move forward with the next process and in fairness to Clark Construction the less money they have to spend preparing on this process, as it is a major investment on their part as well. He added that there would be minimal impact on schedule by rejecting this process.

As per direction at the last meeting, the following steps will be taken:

1. Have Fentress continue with the drawings.
2. Come back in two weeks with an RFQ proposal.
3. Issue an RFQ for construction management at risk.
4. Once the ultimate firm is on board in a competitive and transparent process, then take the documents from 30% to 70%, 80%, 90% and 100% throughout that process.
5. Ensure they are within budget.
6. Go to a competitive process of the trades, and the subcontractors bidding in an open book process.
7. Coordinate a contiguous landscape to create continuity in the neighborhood.

He stated that the goal is to have a transparent and truly competitive process, for the residents in the community to understand the process, and focus on the issue of schedule to make sure that they are still going to be able to break ground after Art Basel this year.

Maria Hernandez, Project Director of the Convention Center, reiterated that they will not lose time, and it will not cost the City any additional monies.

A slide show showing the schedule was presented.

Maria Hernandez explained that the construction would start on time; they will meet the Art Basel dates, and have more time for drawings. They have to go through another procurement process and rewrite the existing contract, but they are committed to doing this, and they believe this is the only way to go under the current circumstances.

Jeff Sachs, Strategic Advisory Group and the City's Advisor on the project, explained that the design build process was roughly 30% of the design, it was out to bid to the teams, and had they

had competition, they would have come back with a competitive price and then the design would have started back up, roughly in June, and all the bidding would take place with the design builder with the prices upfront. The change to the Construction Manager at Risk is that they do the design now, the same design period takes place, and while they are doing the design, they bring the construction manager on board, and that is a competition on their fee or mark-up, and their staffing costs, which is called general conditions. They agree on those two items in the next month and a half, they will work with the City's design team, the design team will put the bid packages together, they will start going out in the fall, and about that same time, they will agree upon the guaranteed maximum price, based on cost estimates. The bidding will take place, and then they will save the sharing on any difference between the estimate agreed upon and the ultimate bids. Those five broad bids will be one for the demolition, one for site work, one for the foundations and structures, one for the enclosures, one for the interiors and one for the park. Within those bids, there will be several sub-bids with the different specialties that come together. After bids come in, they will come back to the City Commission with the total of the bid, plus their fee, plus their agreed-upon staffing costs, and then there will be a change order to that contract with the ultimate price, guaranteed to be delivered by the construction management firm. That is their at risk part.

Discussion held regarding RFQ versus an RFP and regarding the at risk process.

In answering Commissioner Wolfson's question, Maria Hernandez mentioned that the Collins Park Garage is an at-risk process and added that they have had savings in every one of those projects and the savings is 2 or 3%. To give the City Commission an idea, if they were to save 2.5% on this project, that would equate to \$8.8 million.

Mayor Levine recognized staff for doing an amazing job. The City in an amazing position. The City has the money; they own the land, and they are designing this project. Now they just need to decide on the contractor.

Commissioner Weithorn asked to address market risk. In moving forward with this process, they now bear market risk as far as the upside, and asked how they make sure that they are completely transparent on these costs, so people do not believe that they have done anything that they should not do as far as transparency. When referring to an RFP, everything except for the main firm is going to be competitively price. Once they appear on the qualification list that they can do the work, is pure price. She does not want anyone to think that they are opening this up for any manipulation. She is concerned about market risk.

Ms. Hernandez explained that they have markups already built into the budget. They have contingencies built in during the construction document phase. In addition, if there is anything that they missed, they have about \$18 million set aside to be able to put that into the trade cost budget. Then during the bidding phase, they have another 5%. Therefore, it is about another \$18 million if they discover something during the bidding phase. Then of course, they have escalation of 6.75% fee assuming escalations over the next couple of years. Lastly, they have an owner's contingency, which is the biggest contingency they have.

Commissioner Weithorn suggested that if they have savings, to reap the rewards and enhance landscaping. Typically, when there are savings they are allocated somewhere else, but this is a closed project. The last thing she wants to discuss is that often on a project this big there is a position in the firm watching contracts, costs, such as contract compliance, and asked if they are building that into this contract, since they are absorbing some more risk.

Mr. Morales stated that Hill was hired as the Project Manager, and he has asked John Woodruff

and Jim Sutter in the Budget Department, to assign, audit, monitor and work with staff at the front end.

Mayor Levine stated that once the general contractor is on board, they could adjust the drawings, reduce or add and have more ability to control the process.

Commissioner Grieco stated that this is not a negative comment about Clark, his understanding is that they acted in good faith; but it is a smarter way to go about it from their perspective.

Discussion continued.

Alex Heckler, Esq., representing Clark Construction, stated that they look forward to moving with the at risk process, and recognized staff from the City that worked with them. They are all victims of the circumstances. At the last meeting, Clark and 21 members showed up for the Sunshine meeting, and offered an open book to show them their numbers, costs and fees. They look forward to moving forward with the process.

Sidney J. Jordan, CEO from Clark Construction, stated that the bid date was February 27 and they did not get to the bid date. They were looking at historical costs and reviewing the documents prepared by Fentress, as they thought it was in the best interest of everyone to share their thoughts. They never said the project was over budget. What they said is that there are some alternatives that they might be able to find some pricing that the City Commission could make a decision at a later point. It was reported in the newspapers that they could not come to a deal, where there was never a deal on the table. They are in full support of staff. They would be doing in the construction management the same thing they would be doing in design build, working with the architect and trying to help bring the project in, on budget. They have been in business for 25 years and are looking forward to the RFP. The advice they can give to the City Commission is to select the construction manager as early as possible. If he were a Commissioner, he would try to hire the most qualified firm that he could, and so those are the recommendations that they have. This is a very important project for the City and a very important project for his corporation. They are here to assist in any way that they can.

City Manager Morales looks forward to Clark bidding. They will bring back at the Presentation Meeting a solicitation for the construction manager at risk. He asked authorization and approval to cancel the RFP.

MOTION 1:

Motion made by Commissioner Tobin; seconded by Commissioner Grieco to cancel the RFP and prepare a new RFQ; Voice vote: 7-0.

Jeff Sachs suggested that the motion states prepare a new RFQ or RFP. Movers of the motion accepted the amendment.

ACTION: Motion made by Commissioner Tobin; seconded by Commissioner Grieco to cancel the RFP and prepare a new RFQ or RFP.

Frank Del Vecchio stated that the parks are of terrific public interest, and stated it would be useful for the public to know whether there is a budget for the parks, whether those parks are an element of the prospective RFP or RFQ, and whether the surrounding streets, including 17th Street, Washington Avenue, and Convention Center Drive, will be a part of this particular forthcoming Convention Center project, or whether they will be a separate item.

Ms. Hernandez explained that the only part of Washington Avenue that will be done is the lane

that is the closest to the Convention Center, because they are going to eliminate the drop-off lane from that side of the street; therefore, they will be doing work there. 17th Street is not in the scope of work for the Convention Center. Convention Center Drive is in the scope of work, and they will be doing all Convention Center Drive. The two parks, the mini park in the back, which is the 21st Street Park, as well as the P-Lot Park are part of the project. They are going to have pump stations installed in the P-Lot Park, as well as in the 21st Street Park, and this is under a Public Works contract. Those moneys are not coming out of the Convention Center budget. In answering Commissioner Grieco's question, she stated that 19th Street is being expanded and is part of the project; 18th street is not encumbered by the project.

Commissioner Weithorn stated that it would be wonderful if they could continue some landscape elements, so that it all looks like one neighborhood, and requested that as they go through these projects, they attempt to coordinate a contiguous landscape.

2:06:08 p.m.

ADDENDUM MATERIAL 4:

R7G A Resolution Approving And Authorizing The City Manager To Execute Amendment Number 5 To The Professional Services Agreement With Fentress Architects ("Fentress") In The Lump Sum Amount Of \$14,469,500, For Additional Design And Construction Administration Services For The Miami Beach Convention Center Renovation And Expansion Project (The Project); Accepting The City Manager's Certification Of A Valid Public Emergency And Waiving The Public Announcement And Qualification Procedures Of The Consultants' Competitive Negotiation Act ("CCNA") Pursuant To Fla. Stat. 287.055(3)(A)(1).

(Office of the City Manager)

ACTION: Resolution No. 2015-28925 adopted. Item heard in conjunction with R7F and R9C. Motion made by Commissioner Weithorn; seconded by Vice-Mayor Malakoff; Voice vote: 7-0. **Maria Hernandez to handle.**

Handouts or Reference Materials:

1. Letter from Curtis Fentress dated February 10, 2015 addressed to the Mayor and City Commissioners, regarding Miami Beach Convention Center Addendum.

2:48:30 p.m.

ADDENDUM MATERIAL 5:

R7H A Resolution Urging The Florida Legislature To Oppose Florida House Bill 583, Which Would Require That The Use Of Single-Sex Public Facilities Be Restricted To Persons Of The Sex For Which The Facilities Are Designated, Provide Criminal Penalties For Knowingly And Willfully Entering A Single-Sex Public Facility Designated For Or Restricted To Persons Of The Other Biological Sex, Provide A Private Cause Of Action Against Violators Of The Proposed Law, And Preempt Local Regulations To The Contrary.

(Sponsored by Commissioner Micky Steinberg)

ACTION: Resolution No. 2015-28926 adopted. Motion made by Commissioner Steinberg; seconded by Commissioner Grieco; Voice vote: 7-0. **Office of the City Clerk to handle to transmit resolution.**

Raul J. Aguila, City Attorney, explained that they have prepared a resolution at the request of Commissioner Steinberg. State Representative Artiles has proposed Florida House Bill 583, which if passed would state that the use of single sex public facilities, most predominantly

restrooms, dressing rooms, fitting rooms, locker rooms, showers and other similar public facilities, be restricted to persons of the sex for which the facilities are designated. In other words, men to the men's room, women to the ladies' room. Currently the County has amended its Human Rights Ordinance to provide antidiscrimination protections for transgender individuals and to include gender identity as a protected class, to protect transgender individuals or individuals who identify with another sex. This resolution, if passed, is to be transmitted to the Legislature to oppose the Bill. As for the second part of this item, Commissioner Steinberg would also request that the City Commission authorize the Administration to prepare an amendment to the City's Human Rights Ordinance, which is not in sync with the County's Ordinance, to coincide with the County's language as to discrimination against individuals based on gender identity, with no exception for public accommodations.

Discussion held.

Commissioner Grieco stated that procedurally they would need to amend the existing Ordinance.

Commissioner Weithorn knows that many people feel this is this is just an LGBT issue, but this is an issue that affects everyone, and the fact that one could be arrested for this she finds troubling. She thinks this transcends sexual preference, and the Bill it is not well thought out.

Discussion continued.

Christian Ulvert, Chairman, SAVE Dade, commended Commissioner Steinberg and the City Commission for bringing this issue up, and stated that this resolution will send a strong message.

Discussion continued.

Commissioner Steinberg thanked everyone for the support and moved the item.

Tony Lima, Executive Director of SAVE Dade, thanked the City Commission for doing the right thing, on behalf of the LGBTQ Community.

R9 - New Business and Commission Requests

R9A Board And Committee Appointments.
(Office of the City Clerk)

ACTION: The following appointments, reappointments and changes were made:

AFFORDABLE HOUSING ADVISORY COMMITTEE:

Michael I. Feldman	Resides in Jurisdiction		
	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.22
Mayela Mueller	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21

ART IN PUBLIC PLACES COMMITTEE:

Cathy Byrd	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.19
Susan Caraballo	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.18
Megan Riley	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Janda Wetherington	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16

BUDGET ADVISORY COMMITTEE:

Steve Zack	Term Ending 12.31.15	Appointed by Mayor Levine	TL 12.31.22
------------	----------------------	---------------------------	-------------

Christopher Pace Removed due to absences

COMMITTEE ON THE HOMELESS:

Calvin Kohli	Term Ending 12.31.16	Reappointed by Commissioner Malakoff	TL 12.31.22
Lior Leser	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.21
Rachael Zucherman	Removed due to absences		
Mirta Lamonta	Removed due to absences		

COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH:

Richard Hull	Term Ending 12.31.16	Appointed by Commissioner Tobin	TL 12.31.22
--------------	----------------------	---------------------------------	-------------

GAY, LESBIAN, BISEXUAL AND TRANSGENDER ENHANCEMENT COMMITTEE:

Dale Stine	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.17
------------	----------------------	-------------------------------------	-------------

HEALTH ADVISORY COMMITTEE:

Richard Cuello-Fuentes (Physician)	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.22
Jeremy B. Green (Physician)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.19
Stacey J. Krueger (Physician)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Mark L. Rabinowitz (CEO, Community Health Center)	Term Ending 12.31.16	Appointed by City Commission	TL N/A
Julie Zalharatos	Removed due to absences		
Wirk Shaheen	Removed due to absences		
Daniel Nixon	Removed due to absences		
David Farcy	Removed due to absences		

HEALTH FACILITIES AUTHORITY BOARD:

Mark Sinnreich (Health Provider)	Term Ending 06.19.16	Appointed by City Commission	TL N/A
----------------------------------	----------------------	------------------------------	--------

HISPANIC AFFAIRS COMMITTEE:

Christina LaBuzetta	Term Ending 12.31.16	Appointed by Mayor Levine	TL 12.31.21
Antonio Purrinos	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.16
Eneida Menas	Resigned		

HISTORIC PRESERVATION BOARD:

Dominique F. Bailleul (At Large)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Jane D. Gross (Dade Heritage)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Herb Sosa (At Large) (TL 12.31.15)	Term Ending 12.31.15	Appointed by City Commission	TL 12.31.15

Note: Herb Sosa held the MDPL position and is now appointed to At Large.

MARINE AND WATERFRONT PROTECTION AUTHORITY:

Robert Christoph	Term Ending 12.31.16	Appointed by Commissioner Grieco	TL 12.31.22
Lizette Lopez	Term Ending 12.31.16	Appointed by Commissioner Wolfson	TL 12.31.22

MAYOR'S BLUE RIBBON PANEL ON NORTH BEACH:

Ricky Arriola	Term Ending 03.03.15	Reappointed by Mayor Levine	TL 03.02.16
Margueritte Ramos	Term Ending 03.03.15	Reappointed by Mayor Levine	TL 03.02.16
Daniel Veitia	Term Ending 03.03.15	Reappointed by Mayor Levine	TL 03.02.16

MIAMI BEACH COMMISSION FOR WOMEN:

Jessica Conn	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.19
Laurie Kaye Davis	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.21
Jill Shockett	Term Ending 12.31.16	Appointed by Commissioner Malakoff	TL 12.31.22

MIAMI BEACH CULTURAL ARTS COUNCIL:

Dale Gratz	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.20
Dawn McCall	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.20
Israel Sands	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.20
Ileana Bravo	Removed due to absences		

MIAMI BEACH HUMAN RIGHTS COMMITTEE:

David Mardini	Term Ending 12.31.16	Appointed by Mayor Levine	TL 12.31.22
Monica Harvey	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.18
Amy Rabin	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.19
Rachel Umlas	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.18
Bernardo Collado	Resigned		
Bradley Ugent	Removed due to absences		

MIAMI BEACH SISTER CITIES PROGRAM:

Steve Adkins (Other)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.22
Samantha Bratter (Other)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Omar Caiola (Other)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Joyce Garret (Ica)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Maria Maltagliati (Fortaleza)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Jacqueline Powers (Nahariya)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Lidia Resnick (Santa Marta)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21
Howard Weiss (Other)	Term Ending 12.31.16	Reappointed by Mayor Levine	TL 12.31.21

PARKS AND RECREATIONAL FACILITIES BOARD:

Leslie Graff (TL 12.31.15)	Term Ending 12.31.15	Reappointed by Commissioner Tobin	TL 12.31.15
Harriet Halpryn (TL 12.31.15)	Term Ending 12.31.15	Reappointed by Commissioner Wolfson	TL 12.31.15
Ronald M. Krongold (Golf)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.19
Chris P. Growald (Tennis)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.21

PERSONNEL BOARD:

Lori E. Gold	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.18
Mojdeh L. Khaghan	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Gabriel J. Paez (TL 12.31.15)	Term Ending 12.31.15	Reappointed by City Commission	TL 12.31.15

POLICE/CITIZENS RELATIONS COMMITTEE:

John E. Kanter	Term Ending 12.31.15	Appointed by Mayor Levine	TL 12.31.22
Steven Oppenheimer	Term Ending 12.31.16	Reappointed by Commissioner Wolfson	TL 12.31.17
Claire Warren	Term Ending 12.31.16	Reappointed by Commissioner Grieco	TL 12.31.21
Alejandro Dominguez	Removed due to absences		

PRODUCTION INDUSTRY COUNCIL:

Joanna Popper	Term Ending 12.31.16	Reappointed by Commissioner Malakoff	TL 12.31.21
---------------	----------------------	--------------------------------------	-------------

SUSTAINABILITY COMMITTEE:

Michael DeFilippi	Term Ending 12.31.16	Reappointed by Commissioner Tobin	TL 12.31.21
-------------------	----------------------	-----------------------------------	-------------

TRANSPORTATION, PARKING, BICYCLE-PEDESTRIAN FACILITIES COMMITTEE:

Eric Montes de Oca	Term Ending 12.31.15	Appointed by Commissioner Tobin	TL 12.31.22
--------------------	----------------------	---------------------------------	-------------

VISITOR AND CONVENTION AUTHORITY:

Margaret (Peggy) Benua (Hotel Industry)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.17
Aaron Perry (At Large)	Term Ending 12.31.16	Reappointed by City Commission	TL 12.31.16
Mark Tamis (At Large)	Term Ending 12.31.16	Appointed by City Commission	TL 12.31.22

11:41:29 a.m.

R9A1 Board And Committee Appointments - City Commission Appointments.
(Office of the City Clerk)

ACTION: The following appointments were made:

- Michael I. Feldman is appointed to the Resides in Jurisdiction position on the Affordable Housing Advisory Committee.
- Cathy Byrd was reappointed to the Art in Public Places Committee.
- Susan Caraballo was reappointed to the Art in Public Places Committee.
- Megan Riley was reappointed to the Art in Public Places Committee.
- Janda Wetherington was reappointed to the Art in Public Places Committee.
- Dr. Richard Cuello-Fuentes was appointed Physician Position on the Health Advisory Committee. *Note: Replacing Dr. Andrew Nullman who is term limited.*
- Dr. Jeremy B. Green was reappointed to the Physician Position on the Health Advisory Committee.
- Dr. Stacey J. Krueger was reappointed to the Physician position on the Health Advisory Committee.
- Dr. Mark L. Rabinowitz was appointed to the CEO/Community Health Center position on the Health Advisory Committee.
- Dr. Mark Sinnreich was reappointed to the Health Provider position on the Health Facilities Authority Board. **Clerks Note:** *Dr. Sinnreich's current term expires on June 19, 2015.*
- Dominique F. Bailleul was reappointed to the At Large position on the Historic Preservation Board.
- Jane D. Gross was reappointed to the Dade Heritage position on the Historic Preservation Board.
- Herb J. Sosa was appointment to the At Large position on the Historic Preservation Board. **Clerk's Note:** This is deemed an appointment and not a reappointment as Mr. Sosa formerly held the MDPL seat.
- Dale A. Gratz was appointed to the Miami Beach Cultural Arts Council.
- Dawn L. McCall was appointed to the Miami Beach Cultural Arts Council.
- Israel Sands was appointed to the Miami Beach Cultural Arts Council.
- Monica Harvey was reappointed to the Miami Beach Human Rights Committee.
- Amy L. Rabin was reappointed to the Miami Beach Human Rights Committee.
- Rachel J. Umlas was reappointed to the Miami Beach Human Rights Committee.
- Ronald M. Krongold was reappointed to the Golf position on the Parks and Recreational Facilities Board.
- Stephanie S. Rosen was reappointed to the North Shore Park Youth Center position on the Parks and Recreational Facilities Board.
- Chris P. Growald was reappointed to the Tennis position on the Parks and Recreational Facilities Board.

- Lori E. Gold was reappointed to the Personnel Board.
- Mojdeh L. Khaghan was reappointed to the Personnel Board.
- Gabriel J. Paez was reappointed to the Personnel Board.
- Margaret (Peggy) A. Benua was reappointed to the Hotel Industry position on the Visitor and Convention Authority.
- Aaron B. Perry was reappointed to the At Large position on the Visitor and Convention Authority.
- Mark L. Tamis was appointed to the At Large position on the Visitor and Convention Authority.

Affordable Housing Advisory Committee

Commissioner Grieco requested that they hold off on his nomination of Allison L. Stone for the For-Profit Provider position of the Affordable Housing Advisory Committee as he and the staff are confirming Ms. Stone's eligibility.

Discussion was had regarding Michael I. Feldman who had been nominated for appointment by Commissioners Steinberg and Grieco to the Resides in Jurisdiction position and Christina S. LaBuzetta, who had been nominated to the same position by Commissioner Wolfson.

Mr. Wolfson inquired if Ms. LaBuzetta had been recently appointed to the Hispanic Affairs Committee. City Clerk Rafael E. Granado responded that Mayor Levine had recently appointed Ms. LaBuzetta to the Hispanic Affairs Committee.

Since Ms. LaBuzetta is on the Hispanic Affairs Committee, Commissioner Wolfson withdrew his nomination of Ms. LaBuzetta to the Affordable Housing Advisory Committee and the Miami Beach Cultural Arts Council. This leaves one nominee, Mr. Feldman, for the Resides in Jurisdiction position on the Affordable Housing Committee.

There was unanimous consensus to appoint Mr. Feldman to the Affordable Housing Advisory Committee, Resides in Jurisdiction Position, by acclamation.

ACTION: Michael I. Feldman is appointed to the Resides in Jurisdiction position on the Affordable Housing Advisory Committee.

Art in Public Places Committee

City Clerk Rafael E. Granado explained that there was one nominee, no vacancies and four possible reappointments to be made.

Commissioner Weithorn requested and received the attendance report for those members of the Art in Public Places Committee who are eligible for reappoint.

Clerk's Note: The Art in Public Places Committee nominations were again discussed at 3:03:48 p.m.

Vice-Mayor Malakoff stated that earlier in the day, she had wished to pass on the Art in Public Places Committee nominations as she thought there was a vacancy on the Committee. However, there are no vacancies at this time, there is one person who was recently appointed to the Art in Public Places Committee who has not attended a meeting as of yet. However, the four individuals who are eligible for reappointment have attended the meetings on a regular basis and are in good standing. Not only that, these individuals are also on the Special PAC (Performance Art Center) Committee who are working on choosing the art in public places connected to the Convention Center and Convention Center Park (a/k/a Centennial Park). Vice-Mayor Malakoff nominated to

reappoint the following individuals to the Art in Public Places Committee:

Cathy Byrd
Susan Caraballo
Megan Riley
Janda Wetherington

There was unanimous consensus of all Commissioners present to make the above listed reappointment by acclamation. Absent: Mayor Levine and Vice-Mayor Wolfson.

ACTION:

Cathy Byrd was reappointed to the Art in Public Places Committee.

Susan Caraballo was reappointed to the Art in Public Places Committee.

Megan Riley was reappointed to the Art in Public Places Committee.

Janda Wetherington was reappointed to the Art in Public Places Committee.

Health Advisory Committee

Commissioner Steinberg moved to appoint and reappoint all the individuals who had been nominated to the Health Advisory Committee; seconded by Mayor Levine. The nominees were:

- Dr. Richard Cuello-Fuentes.
Nominated for appointment (Physician position) by Mayor Levine
Nominated for appointment (Physician position) by Commissioner Grieco.
Clerk's Note: Replacing Dr. Andrew Nullman who is term limited.
- Dr. Jeremy B. Green
Nominated for reappointment (Physician position) by Mayor Levine.
- Dr. Stacey J. Krueger
Nominated for reappointment (Physician position) by Commissioner Grieco.
- Dr. Mark L. Rabinowitz
Nominated for appointment (CEO/Community Health Center) by Vice-Mayor Malakoff.

There was unanimous consensus to make the above listed appointment and reappointments by acclamation.

ACTION:

Dr. Richard Cuello-Fuentes was appointed Physician Position on the Health Advisory Committee.
Note: Replacing Dr. Andrew Nullman who is term limited.

Dr. Jeremy B. Green was reappointed to the Physician Position on the Health Advisory Committee.

Dr. Stacey J. Krueger was reappointed to the Physician position on the Health Advisory Committee.

Dr. Mark L. Rabinowitz was appointed to the CEO/Community Health Center position on the Health Advisory Committee.

Health Facilities Authority Board

Dr. Mark Sinnreich was nominated for reappointment (Health Provider position) by Mayor Levine. Seconded by Commissioner Weithorn. There was unanimous consensus to reappoint Dr. Sinnreich to the Health Provider position on the Health Facilities Authority Board by acclamation.

ACTION: Dr. Mark Sinnreich was reappointed to the Health Provider position on the Health Facilities Authority Board. **Clerks Note:** *Dr. Sinnreich's current term expires on June 19, 2015.*

Historic Preservation Board

Commissioner Weithorn requested not to do the MDPL position at this time. Mayor Levine agreed. Commissioner Weithorn and Mayor Levine are in agreement with the rest of the nominations.

Vice-Mayor Malakoff spoke on behalf of architect F. Michael Steffens who is her nominee to the MDPL (Miami Dade Preservation League) position on the Historic Preservation Board. Vice-Mayor Malakoff met with Mr. Steffens, and he was on the list of architects referred by the Miami Dade Preservation League. Vice-Mayor Malakoff listed Mr. Steffens credentials and stated that he is experienced and interested in serving.

Commissioner Steinberg reached out to the MDPL, and agrees that Mr. Steffens is qualified and a great choice, but she prefers Scott Needleman, and that is whom she would have nominated for the MDPL seat.

The Consensus was to proceed, and fill the MDPL seat at another time.

The following nominations were made.

- Dominique F. Bailleul
Nominated for reappointment (At Large position) by Vice-Mayor Malakoff.
Nominated for reappointment (At Large position) by Commissioner Grieco.
Nominated for reappointment (At Large position) by Commissioner Tobin.
- Herb J. Sosa
Nominated for reappointment (At Large position) by Commissioner Steinberg.
- Jane D. Gross
Nominated for reappointment (Dade Heritage position) by Commissioner Steinberg
Nominated for reappointment (Dade Heritage position) by Commissioner Grieco.
Nominated for reappointment (Dade Heritage position) by Vice-Mayor Malakoff.
Nominated for reappointment (Dade Heritage position) by Commissioner Tobin.

Motion to approve said nominations made by Commissioner Wolfson; seconded by Commissioner Grieco. There was unanimous consensus to make the above listed appointment and reappointments by acclamation.

ACTION:

Dominique F. Bailleul was reappointed to the At Large position on the Historic Preservation Board.

Jane D. Gross was reappointed to the Dade Heritage position on the Historic Preservation Board.

Herb J. Sosa was appointment to the At Large position on the Historic Preservation Board.
Clerk's Note: This is deemed an appointment and not a reappointment as Mr. Sosa formerly held the MDPL seat.

Miami Beach Cultural Arts Council

The following nominations were made:

- Dale A. Gratz
Nominated for appointment by Vice-Mayor Malakoff.
Nominated for appointment by Commissioner Grieco.
Nominated for appointment by Commissioner Tobin. .
- Dawn L. McCall
Nominated for appointment by Commissioner Grieco.
Nominated for appointment by Vice-Mayor Malakoff.
- Israel Sands
Nominated for appointment by Vice-Mayor Malakoff.

There was unanimous consensus to make the above listed appointment and reappointments.

ACTION:

Dale A. Gratz was appointed to the Miami Beach Cultural Arts Council.

Dawn L. McCall was appointed to the Miami Beach Cultural Arts Council.

Israel Sands was appointed to the Miami Beach Cultural Arts Council.

Miami Beach Human Rights Committee

City Clerk Rafael E. Granado explained that there were four possible reappointments to be made in this Committee, but only three nominations for reappointments were received. Commissioner Weithorn asked that Rafael Trevino, the member who was not nominated for reappointment to reach out to the members of the City Commission to indicate his interest in continuing to serve on the Miami Beach Human Rights Committee. **Marcia Monserrat to handle.**

The following nominations were made:

- Monica Harvey
Nominated for reappointment by Commissioner Weithorn.
Nominated for reappointment by Commissioner Tobin.
- Amy L. Rabin
Nominated for reappointment by Vice Mayor Malakoff.
Nominated for reappointment by Commissioner Weithorn.
Nominated for reappointment by Commissioner Grieco.
Nominated for reappointment by Commissioner Tobin.

- Rachel J. Umlas
Nominated for reappointment by Commissioner Weithorn.

There was unanimous consensus to make the above listed reappointments by acclamation.

ACTION:

Monica Harvey was reappointed to the Miami Beach Human Rights Committee.

Amy L. Rabin was reappointed to the Miami Beach Human Rights Committee.

Rachel J. Umlas was reappointed to the Miami Beach Human Rights Committee.

Parks and Recreational Facilities Board

The following nominations were made:

Golf Position

- Ronald M. Krongold
Nominated for reappointment (golf position) by Commissioner Steinberg.

North Shore Park Youth Center

- Stephanie S. Rosen
Nominated for reappointment (North Shore Park Youth Center) by Commissioner Weithorn.
Nominated for reappointment (North Shore Park Youth Center) by Commissioner Tobin.

Tennis Position

- Chris P. Growald
Nominated for reappointment (tennis position) by Commissioner Wolfson.

There was unanimous consensus to make the above listed reappointments by acclamation.

ACTION:

Ronald M. Krongold was reappointed to the Golf position on the Parks and Recreational Facilities Board.

Stephanie S. Rosen was reappointed to the North Shore Park Youth Center position on the Parks and Recreational Facilities Board.

Chris P. Growald was reappointed to the North Shore Park Youth Center position on the Parks and Recreational Facilities Board.

Personnel Board

The following nominations were made:

- Lori E. Gold

Nominated for reappointment by Vice-Mayor Malakoff.

- Mojdeh L. Khaghan
Nominated for reappointment by Mayor Levine.
Nominated for reappointment by Commissioner Grieco.
Nominated for reappointment by Commissioner Tobin.
- Gabriel J. Paez
Nominated for reappointment by Commissioner Grieco.
Nominated for reappointment by Vice-Mayor Malakoff.

There was unanimous consensus to make the above listed reappointments by acclamation.

ACTION:

Lori E. Gold was reappointed to the Personnel Board.

Mojdeh L. Khaghan was reappointed to the Personnel Board.

Gabriel J. Paez was reappointed to the Personnel Board.

Visitor and Convention Authority (VCA)

City Clerk Rafael E. Granado announced that there was one vacancy and two possible reappointments to be made. Mr. Granado explained that there was one reappointment in the hotel industry, and only one nominee for that category. Mr. Granado added that there were was one At Large vacancy and one At Large reappointment, so two seats in that category were available. Mr. Granado announced that three nominees had been received for the two At Large seats.

The following nomination was made for the Hotel Position:

- Margaret (Peggy) A. Benua
Nominated for **reappointment** (hotel industry position) by Commissioner Weithorn.
Nominated for **reappointment** (hotel industry position) by Commissioner Grieco.

Commissioner Steinberg moved to accept the nomination of Ms. Benua; Seconded by Vice-Mayor Malakoff. There was unanimous consensus to appoint Margaret (Peggy) A. Benua to the Hotel Industry Positon of the Visitor and Convention Authority by acclamation.

The following nominations were made for the At Large Position:

- Debora (Debbie) A. Castillo
Nominated for appointment (At Large) by Vice-Mayor Malakoff.
- Aaron B. Perry
Nominated for reappointment (At Large position) by Commissioner Weithorn.
Nominated for reappointment (At Large position) by Commissioner Grieco.
- Mark L. Tamis
Nominated for appointment (large position) by Mayor Levine.
Ballot votes were cast. Commissioners were instructed to write the names of the two individuals whom they wish to fill the two vacancies. The results were as follows:

Debora (Debbie) A. Castillo received three votes: Vice-Mayor Malakoff and Commissioners Steinberg and Tobin.

Aaron B. Perry received five votes: Mayor Levine and Commissioners Grieco, Steinberg, Tobin and Weithorn.

Mark L. Tamis received five votes: Mayor Levine, Vice-Mayor Malakoff and Commissioners Grieco, Weithorn and Wolfson.

Handouts: Ballots cast for At Large Position at the VCA.

ACTION:

Margaret (Peggy) A. Benua was reappointed to the Hotel Industry position on the Visitor and Convention Authority.

Aaron B. Perry was reappointed to the At Large position on the Visitor and Convention Authority.

Mark L. Tamis was appointed to the At Large position on the Visitor and Convention Authority.

Handouts or Reference Materials:

1. The Miami Herald Ad No. 981
2. Email from Frank Del Vecchio dated February 5, 2015 RE: Dominique Bailleul's HPB Reappointment.

8:30:59 a.m.

R9B1 Dr. Stanley Sutnick Citizen's Forum. (8:30 a.m.)

ACTION: The following individuals spoke:

1. Daniel Ciraldo explained that History Miami Museum is doing fundraising efforts for the digitalization of the Carl Fisher archives. The amount needed is approximately \$8,000 and it would be a great project during the City's Centennial, and asked if the City could find resources.

Jimmy Morales, City Manager, asked Mr. Ciraldo to reach out to him regarding digitalization.

Rafael E. Granado, City Clerk, explained the digitalization project that is in progress in the Office of the City Clerk, and explained how to view the images currently available online.

Mr. Ciraldo did data research regarding single-family homes and showed a chart to the City Commission. He stated that the demolition of single-family homes began in 2012 with a then record of 24 demolitions. The Ordinance that passed at the time added some loopholes, and currently the number of demolitions has increased. He asked if they could discuss this issue regarding demolition rate and add changes that could reduce the demolition rate. He added that there is a petition for 44 Star Island and he hopes that the owner can be convinced to preserve one of the first founders of Miami Beach's homes. He asked that the City Commission reach out to the owner and suggested changing the zoning code to discourage further demolition of homes.

2. Nancy Liebman is here to speak about the 17th Street and Alton Road traffic congestion. There was some action taken at the Committee, but there needs to be more done. She is hoping that one of the actions taken at the meeting was that there is some sort of gathering for some kind of intelligence to look at the bigger picture of what is going on. It is not just

about sidewalks and streets, but how the City has been expanding, and its zoning. The overbuilding in the City is outrageous.

Commissioner Tobin spoke to the Planning Department and they agree that they will discuss the City's planning. He assured Ms. Liebman that this issue would be discussed.

Discussion continued.

Nancy Liebman stated that there is a proposed garage to be built on James Avenue. She is against it. She wants a moratorium on all parking garages being built. Parking garages are attracting more cars. She wants infrastructure for a walkable community. She attended a Belle Island meeting the other day, and she was alarmed at the amount of road construction that will take place.

City Manager Morales stated that the challenge is lack of parking spaces. The challenge is to meet the demand for parking. More parking means more cars, but fewer parking spots means more cars circle around the streets.

Discussion continued.

Nancy Liebman explained that at the Belle Island meeting residents commented that they feel they are trapped, and the City cannot keep doing things the same way. She quoted a comment someone she respects said: "congestion is the City's fault; it is not anybody else's fault." The City fixed the flooding problem; traffic congestion is the second biggest hurdle. Mayor Levine stated that they need to have a conversation about having streetcar, trolleys and alternative car services operational.

Ms. Liebman suggested for the City to stop allowing huge developments.

Mayor Levine stated that they agree with her and they are making hard choices, road construction is taking place because they need to take care of flooding.

3. Hugh Chernowiski is a musician who performs on Lincoln Road and has been issued violations for noise. He asked what is the proper barometer of the sound he is allowed to play. He was not given a standard, or decibel limit.

City Manager Morales explained the noise Ordinance. Each officer needs to make a determination that a noise is reasonable.

Mayor Levine asked that Mr. Chernowiski meet with Code Compliance regarding the issue. **Hernan Cardeno to handle.**

Discussion held regarding parking permits.

1:03:59 p.m.

1:10:31 p.m.

R9B2 Dr. Stanley Sutnick Citizen's Forum.

ACTION: The following individual spoke:

1. Stanley Shapiro asked whether writing a letter to the Mayor or City Commissioner at home be considered public record.

Raul J. Aguila, City Attorney, explained that this could be construed as a public record if the letter is referring to City business.

Mr. Shapiro stated that he is speaking about the circular trolleys, and asked Commissioner Tobin to investigate why the City cannot take over the South Beach Local from the County, since Miami-Dade County is inefficient in their handling of transportation. He spoke about Uber as the thing of the future, but we currently cannot permit it. He asked if the City could make it a felony for drivers who are disregarding the law, and perhaps give them jail time. He asked why the City Commission focuses so much time on 17th Street and Alton Road.

Announcement:

Vice-Mayor Malakoff announced a recess until 1:30 p.m.

1:54:43 p.m.

R9C Update On The Miami Beach Convention Center Project.
(Office of the City Manager)

ACTION: Update given. See actions with R7F and R7G.

2:34:55 p.m.

R9D Update On Police Department Policy On Body Camera Deployment.
(Police)

ACTION: Update given. **Police Chief Dan Oates to handle.**

RECOMMENDATIONS:

C. Prohibited Actions and Conduct (2) No one shall post anything that is against policy regardless of the format in which is received.

Chief of Police Dan Oates referred to a memorandum provided to the City Commission, which is a current working draft for the body camera deployment policy for their review. They need additional input from the Labor Union. They have a meeting schedule for next week with the Union. This is a work in progress, and they will go slowly in deploying the equipment, perhaps starting out with 10 or 20 on the street. The policy will probably evolve based on the results of the first phase. There is a thoughtful study done by the Police Executive Research Forum; they consulted that and have taken some of that advice. The two questions are when to turn the cameras on and off and when to preserve the material stored. Much of the policy is procedural and management. The Labor Union is concerned with several scenarios that they need to work through together. The policy today is the current best thinking of the Police Department with the advice from counsel, and they are looking around the country to see how other agencies are wrestling with this issue. Anyone that uses this equipment will have to be fully trained. This will require a full day of training, and they are thinking to use survey instruments for officers at the end of the day with their insight as of their learning. This is the second time he is deploying cameras, and like the last time, which was very successful, he will start with carefully selected traffic officers, as they do high volume citizen contact traffic stops. It is very useful for that type of work. He has also recommended to the City Manager that other departments considering deploying this to wait until their experiences come back.

Aleksandr Boksner, First Assistant City Attorney, added that they addressed the legal issues upon review, and they believe this is an appropriate starting point for the department to utilize, in trying to ensure the protection, of not only residents of Miami Beach, but also the tourists and police officers that at time are wrongly accused of conduct. He added that as Commissioner Steinberg has mentioned before regarding privacy issues, he was notified today that there is House Bill 581 that deals with the privacy issues standing from the recording of audio and video, and regrettably they had proposed some amendments to that House Bill that have not been adopted as of yet, but the City's lobbyists are speaking to the Representatives to ensure that the confidentiality component under Public Records law is added to the House Bill.

Discussion held.

Chief Oates stated that he is wearing the camera, and showed where the camera is deployed in the body and how it is turned on and off.

Commissioner Steinberg referred to page 612, No. 2, releasing, posting, or sharing any footage on any social media is prohibited. She suggested clarifying that to include the Internet.

Discussion continued.

Commissioner Weithorn suggested that no one should post anything that is against policy regardless of the format in which is received. **Chief Oates to handle.**

11:30:37 a.m.

R9E Discussion Regarding Life Guard Stands In Miami Beach.

(Requested by Commissioner Jonah Wolfson)

ACTION: Item referred. Motion made by Commissioner Wolfson referring this item to the Finance and Citywide Projects Committee; seconded by Commissioner Grieco; Voice-vote: 7-0. **Patricia Walker to place on the committee agenda. Fire Chief Virgil Fernandez to handle.**

REFERRAL AND RECOMMENDATION:

Finance and Citywide Projects Committee

Reach out to hotel operators and adjacent condominiums to partner with the City

Commissioner Wolfson stated that he has noticed that some of the beach areas behind private condominiums lack lifeguards. He wants to discuss to what extent the City wants to make sure it has enough lifeguards and lifeguard stands to prevent loss of life on the beach.

Mayor Levine agrees with Commissioner Wolfson. He stated that when he walked on the beach, going from lifeguard stand to lifeguard stand, there was a long stretch that had no lifeguard stands around 50th Street, and also around 20th Street.

Virgilio Fernandez, Fire Department Chief, stated that there are six areas that are under guarded; some of them are behind condominiums, and some are behind signature hotels. These areas are prioritized, and he has spoken to the City Manager about it so it can be placed on next year's budget to enhance some of that service. He asked how they should go about it, whether one lifeguard stand should be built a year, two per year, or all six lifeguard stands at the same time.

Discussion held regarding asking for condominiums and signature hotels help fund lifeguard stands.

Vice-Mayor Malakoff suggested referring this to the Finance and Citywide Projects Committee (FCWPC), because each lifeguard stand equals a lifeguard at the station.

Mayor Levine mentioned to City Manager Morales that they need to discuss the Blue and Green Diamond sand nourishment plan.

Commissioner Grieco suggested inviting hotel operators as well as adjacent condominiums to the FCWPC meeting regarding the lifeguard stands.

Discussion continued.

Commissioner Wolfson stated resort taxes should be used to fund this project.

Mayor Levine suggested having donation plaques being placed on lifeguard stands to incentivize donations and cooperation from other parties.

10:01:32 p.m.

R9F Discussion Regarding The Collection Of Delinquent Parking Impact Fees (Including Pre 2010); And A Written Progress Report, With An Alphabetical List Of All Corporations, LLCs And Their Named Principles Associated With Said Accounts.

(Requested by Commissioner Edward L. Tobin)

ACTION: Item heard in conjunction with R7E and R9G.

10:01:32 p.m.

R9G Discussion Regarding Payment In Lieu Of Parking Program; And Providing List Of The Top 25 Accounts In Arrears With A Listing Of Principals Associated With Said Accounts.

(Office of the City Attorney)

ACTION: Item heard in conjunction with R7E and R9F.

11:38:05 p.m.

R9H Report From Atlantic Broadband Cable.

(Requested by Mayor Philip Levine)

(Requested on January 14, 2015 - R9H)

ACTION: Report given. **Eric Carpenter to handle.**

Jimmy L. Morales, City Manager, stated that since discussion at the last meeting, Mr. Keefe, from Atlantic Broadband, indicated that they were trying to create some redundancy by perhaps being able to lay some cable along the MacArthur Causeway, but they did not have relationships with FDOT. The City Manager facilitated conversations and meetings between Atlantic Broadband and FDOT.

Eric Carpenter, Public Works Department, spoke to Mr. Keefe and reiterated that if he needs assistance from them, they are supportive of them having redundancy in the system, and he explained that they were meeting with FDOT next week and is hopeful that they will move forward.

Discussion held.

Commissioner Weithorn asked about her issue of having duplicate poles; the City staff was to inventory those locations. The explanation given to her is that at times FP&L is unable to remove poles because they still have other the utility, primarily telephone and Atlantic Broadband, utilizing the old pole. She requested a commitment from the utility companies to take their utilities and move them to the new poles. She has inventoried in excess of 100 duplicate pole locations in the City, where they have a new and an old pole. She is also concerned about these poles falling during hurricanes or storms. **Eric Carpenter to handle.**

- R9I Discussion Regarding Motorcycle/Scooter Parking In Conventional Parking Spots.
(Requested by Commissioner Micky Steinberg)
(Pulled from January 14, 2015 - R9O)

ACTION: Item withdrawn.

11:08:19 p.m.

- R9J Discussion Regarding A Work Program For Adults With Disabilities.
(Requested by Commissioner Jonah Wolfson)

ACTION: Discussion held. Item referred to the Disability Access Committee (DAC). **Valeria Mejia to place on the committee agenda. Sylvia Crespo-Tabak to handle.**

DIRECTION:

Instruct the City Manager to look into a program in the City (beyond Best Buddies). Refer the item to the Disability Access Committee. **Sylvia Crespo-Tabak to handle.**

Commissioner Wolfson stated that the City used to have at the Log Cabin Nursery a program for adults with disability, but the program was not as productive as it could have been, but he thought that they could do something in the City, where adults with disability can work in the City. He introduced Ana Saruski to explain her experience as a mother of adults with disabilities.

Mrs. Ana Saruski introduced herself and stated that she has three children: 14, 19 and 22. She has two children with special needs, one who is in the high end of the spectrum; he is high functioning autistic and has participated successfully in many of City programs; her 22-year-old son, Joe, who is deaf and blind, is on the other side of the spectrum and is very profoundly impaired. Joe has been at a special school in Boston since there was no proper education setting for him in Miami-Dade County. Now at 22, he is aging out of the educational system. Her husband and her are doing research to find what is available out there, and they found that for someone with such profound disabilities as him, there is nothing. Her son is able to participate in activities in the community with a companion, which Medicare waiver would provide. He has had extensive vocational training received in Boston, and she is looking for community partners to create opportunities to be able to provide services to enrich their lives. Her other son is going into a secondary program at FIU and he has a great deal of potential, but her concern now is for the opportunities available for her 22 year old son.

Commissioner Grieco suggested receiving input from the Disability Access Committee and suggested a meeting to discuss other opportunities. There are plenty of services for children, but as a parent, he knows that it is a scary thought to think they turn 18 and there is little in the way of service and placement for those young adults affected with disabilities.

Commissioner Weithorn suggested reaching out to Joni Blacher, former Vice-Mayor of Bal Harbour, and get her involved, as she is part of this process and has reached out to League of Cities for a variety of tasks. She urged her to use Joni as a resource.

Commissioner Wolfson requested that the City Manager look into starting a program where they can have people in the City working tasks and enriching their lives and be at the forefront, beyond Best Buddies. **Sylvia Crespo-Tabak to handle.**

Mayor Levine sits on the board of Best Buddies, and they have a huge work program. The City has been at the forefront by hiring two individuals from Best Buddies, and they are moving forward with it.

3:05:04 p.m.

5:13:25 p.m.

R9K Discussion Regarding Planning Board Resolution - A Resolution Of The Planning Board Of The City Of Miami Beach, Florida, Requesting That The Mayor And City Commission Authorize An Impact Study Relating To Traffic, Operations, And Relating To The Various Types Of Medical Type Uses Proposed, Including But Not Limited To Urgent Care, Outpatient Surgery, Diagnostics, Medical Offices, Etc., To Be Utilized In Conjunction With Analyzing The Project At 709, 721, And 745 Alton Road, Under Planning Board File No. 2151; On Behalf Of Applicant South Beach Heights II, LLC And KMB Equities, LLC.

(Office of the City Manager)

ACTION: Discussion held. Item deferred to the February 25, 2015 Presentation and Awards Commission Meeting. Lilia Cardillo to place on the Commission Agenda if received. **Joe Jimenez to handle.**

Vice-Mayor Malakoff announced that there has been a request to have the Mayor present to discuss the item.

Nancy Liebman spoke.

Commissioner Weithorn respectfully requested to adjourn until 4:30 p.m., or defer the item to the next Presentation and Awards Meeting. She stated that everyone should be present to make this decision, as it is unprecedented for the Planning Board to not make a decision and come to the City Commission, and for anything of this importance, she thinks there should be a majority present.

Vice-Mayor Malakoff explained that there being no quorum, the item will be deferred, since Mayor Levine and Commissioner Wolfson are absent.

Rafael E. Granado, City Clerk, clarified that the item has been deferred to February 25, 2015.

Cecilia Coppola, 744 Lenox Avenue, lives directly behind the proposed Baptist Urgent Care Center development. As a member of the community and looking at the project there is such vagueness about the development; there is a clear absence of transparency as to what the true impact of the development is for the City and the neighborhood. The traffic analysis that has been done has been incomplete. Peak traffic times were ignored, and the study done was based on medical use office use or a dental clinic office use, instead of a near hospital facility, which is

proposed now. She is not opposed to an Urgent Care Center like Baptist, but it is in the wrong location. It is going to cause major traffic congestion for the area and for the surrounding communities. Secondly, the alley used, which is Lenox Court, has not been addressed as to the impact to the adjoining neighborhoods. Thirdly, the 8th Street intersection light cannot handle the traffic at peak times, and the appropriate studies show that this cannot be handled. Additionally, the applicant is vague about parking at the facility; it fails to indicate how many spaces are needed or how many people are going to be coming into the City to visit the Baptist Urgent Care. How are ambulances going to come in and exit? From what has been said, everything is going to be happening through an alley, and the alley is a standard sized alley in Miami Beach. In looking at other urgent care centers around Miami, they all fall on major thoroughfares with easy access for ingress and egress, and ambulances and deliveries usually occur at the front facility. This facility is on the street, and everything is coming through an alley. For these reasons, she does not think that this is the adequate location, another place has to be found and more studies need to be done.

Handouts and Reference Materials:

1. Email from Dr. Steve Mandy dated February 10, 2015 RE: Alton Seventh, with attached letter.

Announcement:

Vice-Mayor Malakoff announced a recess until 4:50 p.m.

1:31:48 p.m.

R9L Discussion Regarding The City Of Miami Beach Sustainability Objectives And Priorities For The Calendar Year Of 2015.

(Requested by Commissioner by Michael Grieco)

ACTION: Discussion held. Referral to Sustainability and Resiliency Committee of a discussion regarding the installation of filter grates in front of the storm water drains. Motion made by Commissioner Grieco; referred by acclamation. Elizabeth Wheaton to place on the committee agenda. **Eric Carpenter and Mike Alvarez to handle.**

REFERRAL:

Sustainability and Resiliency Committee

Commissioner Grieco placed this item on the agenda, because the Commission and Mayor Levine in particular, have made it a priority in 2015 to make sustainability issues something that the Commission needs to focus on. Mayor Levine did so to the extent that he absorbed the Flooding Mitigation Committee, previously chaired by Commissioner Wolfson, which was made up of himself and Vice-Mayor Malakoff, and expanded it to the Sustainability and Resiliency Committee, which will not only be addressing Flooding issues, but they will address all sustainability issues and green space issues in Miami Beach. Commissioner Grieco has put this item on not to talk about his agenda when it comes to sustainability, but to inquire of his colleagues of the types of things they want the Sustainability and Resiliency Committee, which he is now the Chair, to handle. Commissioner Grieco placed a few referrals to the Sustainability and Resiliency Committee on the last Commission meeting to be addressed at their Committee's meeting, which will be held at 1:00 p.m., February 18, 2015. Commissioner Grieco wants to know what his colleagues think is important, as well as what the people who have been talking to his fellow Commissioners think is important to them regarding sustainability and environmental issues in the City.

Commissioner Tobin recalls that at one point the Commission discussed gauging the life of our canals through a process where the dissolved oxygen in the water is measured. Commissioner Tobin believes the canals could get better cleaning throughout the City. There is an individual that lives in the Florida Keys that does such measuring for the Florida Keys. The Florida Keys and this individual have ways of getting the shopping carts, rubber tires, and other such litter out of the canals, and in turn, they place oxygen into the waterways to get the canals clean and bring fish back.

Mayor Levine knows wants the Sustainability and Resiliency Committee to monitor that the filter grates in front of drains are being installed. Mayor Levine wants to ensure there is a process in place to do this.

Commissioner Grieco reported that the Committee spoke to Mike Alvarez, Public Works Administrator, about it and the grate installation is being done. Commissioner Grieco explained, for the benefit of the public, that some of the City's flooding mitigation involves dealing with our own pipe system and outflows being clogged with garbage that enters through the City's storm water system. One of things proposed is installing grates that allow for adequate water flow, but it catches all the garbage before it enters the system; thus making it easier for the Sanitation Department to clean it all. Commissioner Grieco recalls approving this on a pilot program.

Commissioner Wolfson has asked on numerous occasions to fashion these grates in the Public Works shop. It is not a complicated matter to design different types of grates that could be placed over the outfalls/sewer openings. Commissioner Wolfson inquired if any work or test had been done on this matter.

Commissioner Grieco asked for a referral to the Sustainability and Resiliency Committee regarding the status of the installation filter grates in front of the storm water drains. Item referred by acclamation.

Mayor Levine inquired of Commissioner Grieco if the Sustainability and Resiliency Committee was going to get involved with bike paths and biking. Commissioner Grieco stated that the Neighborhood/Community Affairs Committee and the Sustainability and Resiliency Committee would be covering that issue at length. Commissioner Grieco announced that on February 17, 2015 at 6:00 p.m. at the Gulf Club there is a meeting regarding bicycling and mobility.

Mayor Levine inquired if Commissioner Grieco would like to bring forth at the March 11, 2015 Commission meeting a list of objectives of what he envisions the Sustainability and Resiliency Committee will be tackling. Commissioner Grieco stated that the Sustainability and Resiliency Committee is having its first meeting next week, and they will come back to the Commission with such a list.

Commissioner Grieco added that if his fellow commissioners have any referrals they wish to make to the Sustainability and Resiliency Committee to please do so.

4:58:51 p.m.

R9M Discussion Regarding Awareness Program "Don't Text And Drive, It Can Save A Life."
(Requested by Commissioner by Michael Grieco)

ACTION: Discussion held. **Captain Paul Acosta to handle and Nannette Rodriguez to handle.**

Alex Kline, a Miami Beach Resident and a junior at the RASG Hebrew Academy, addressed the City Commission. Ms. Kline is the co-captain of her schools Jump Team. Jump is a leadership

program where they compete against other schools across the country in four challenge areas. Ms. Kline is proud that last year they won the national Jump competition. Ms. Kline is here with a two other members of the team. This year, one of the challenges involves texting and driving awareness. Ms. Kline and her team thought it would be a great idea to collaborate with the City of Miami Beach to bring awareness locally, where we live. They, along with Commissioner Grieco, have come up with a plan for the Commission's consideration. They intend to print business cards and sun bands. The business cards will say "Save a life. Don't text and drive." The sun bands will say, "It can wait," written with a W and the number 8 (W8) (It can W8). Ms. Kline and her team would like Police Officers to hand out these items to people that they meet. Ms. Kline thanked Captain Paul Acosta for his assistance. Ms. Kline also requested from the City other signage, electronic or otherwise, during the period of their awareness campaign, for example during the "Don't Text and Drive Week." Ms. Kline and the team would also like the City to provide a couple minutes on the radio station for a public service announcement. Lastly, Ms. Kline would like to invite a team of Police Officers to address the RASG Hebrew Academy student body about the dangers of texting and driving. Ms. Kline stated that we are fortunate to live in the beautiful City of Miami Beach, and she would like to see if we can help people enjoy the beautiful view Miami Beach offers by getting persons to look up from their cellular telephones and enjoy the view. Getting the public to stop people from texting and driving will make the City of Miami Beach a safer place for those on roads or on foot. On behalf of herself, her team and as well as the students at Hebrew Academy, Ms. Kline thanked the City Commission for listening and hopefully partnering with them.

Commissioner Tobin thanked Ms. Kline for the very impressive presentation; he is certain that the Commission will agree to help.

Police Captain Paul Acosta is grateful for the opportunity to be here with these young folks to address such an important law that unfortunately has taken such a long time for people to come in compliance with. As we all see on a daily basis, law enforcement around the country conduct investigations related to deaths and serious injuries ae caused as a result of people who text while driving. Captain Acosta commented that people are killed or seriously injured doing something that can wait. Therefore, to see the young people in our community being creative and proactive and bringing awareness to the City of Miami Beach and all the motorists is phenomenal. Captain Acosta announced, on behalf of the Chief of Police Oates, that the City's Police Officer want to sit and talk with the students, review their project in general, and do their best to participate and help in anyway.

Vice-Mayor Malakoff notified Ms. Kline that the City asked its lobbyist in Tallahassee to try to have the Florida Legislature pass an additional law requiring motorist to use hands free devices when speaking on their cellular telephones. Vice-Mayor Malakoff stated that to hold the telephone in one's hand while driving is dangerous. Vice-Mayor Malakoff suggested a grammatical change to the team's slogan.

Commissioner Grieco ask that as a Commission they issue a policy direction to the Miami Beach Police Department to partner with the Jump team, and do as much as being asked within reason, such as the cards, the LED signs, and the student presentation. Commissioner Grieco thinks the plan presented by Ms. Kline is a good one, and it is something he worked with them on. **Captain Paul Acosta to handle.**

Commissioner Steinberg thanked Commissioner Grieco for bringing this to the Commission's attention. Commissioner Steinberg praised Ms. Kline for speaking so beautifully and the wonderful job that she and her team are doing. Commissioner Steinberg commented that it is

refreshing to see high school students who are engaged in something so wonderful; their civic activism has begun.

2:55:16 p.m.

R9N Status Update On The Park Ranger Program.
(Parks & Recreation)

ACTION: Status update given. See also discussion for item R2A. **John Rebar to handle.**

John Rebar, Parks and Recreation Department Director, gave the update. He is working with the Police Department, specifically with Police Chief Dan Oates on the Park Ranger proposal. The proposal is that in lieu of guarding Sound Scape Park, South Pointe Park and Pier, Flamingo Park, North Shore Park, Youth Center, and North Beach area parks through contracted guards, instead take those funds and add them to the already budgeted \$208,000 Park Ranger program, in order to start the in-house Park Ranger Program in cooperation with the Police Department. This is a unique cooperation between the Police Department and the Parks Department. Chief of Police Dan Oates will dedicate a Police Sergeant to help lead the Park Ranger program, and that creates immediate cohesiveness between the Parks and the Police Departments. There will be times when matters will go beyond the enforcement authority of the Park Rangers, but the Parks Rangers will have direct access to the Police through the Sergeant, who is a true supervisor. The proposal they are suggesting includes one dedicated Sergeant from the Police Department, a Park Ranger Supervisor, five full time Park Rangers, and the remaining funds could pay for approximately 22,000 hours of part time Park Ranger hours. If it works well it can be expanded throughout the City through a future budget process.

Vice-Mayor Malakoff stated that it is a great project due to the joint efforts of the Police and Parks and Recreation Departments. This proposal will help provide the City with the highest levels of security, safety, and ensure that the rules on skateboarding, Segways, etc. are followed, and it will help with the homelessness issue.

Commissioner Grieco thanked his colleagues for their support, and thanked John Rebar for working hard on this item.

1:10:31 p.m.**1:37:22 p.m.**

R9O Discussion Regarding The Unbelievable Staff Design For The Par 3.
(Requested by Commissioner Edward L. Tobin)

ACTION: Discussion held. **John Rebar to handle.**

RECOMMENDATIONS:

Further, discuss the name of the park.

Bring back safety ideas associated with the ponds.
Design sufficient parking so as not to infringe on the surrounding neighborhood.

Thomas Mooney, Planning Department Director, introduced the item. Mr. Mooney explained that under the direction of the City Manager, his staff undertook a project to take a fresh look at what is the currently the old Par 3 Golf Course in the Bayshore neighborhood. Carmen Sanchez, Deputy Director of the Planning Department, worked very closely with three staff members, two of whom are present, Rogelio Madan, Principal Planner and Alejandro Garavito, Planner, the third, Daniella Bonilla, Planner could not be present.

Rogelio Madan, Principal Planner, made a PowerPoint presentation showing the initial design concept/master plan for the park. Click [here](#) to view the presentation. Mr. Madan stated that they would work closely with the Parks Department and the Capital Improvements Department to further refine these ideas. Mr. Madan added that the conceptual name of the park is Banyan Tree Park, as there are some beautiful banyan trees on the northern perimeter of the park and are the main focal features of the area.

Mayor Levine congratulated the staff on the great work, and commented that the work looked terrific.

Mayor Levine asked what the sizes of the ponds are. Mr. Madan responded that they are large, as they are designed to serve a storm water function. The size could vary, and further consultation is needed with the Public Works Department to see what their needs are.

Mayor Levine expressed concerns about mosquitos breeding on the ponds. Mr. Madan explained that they have designed fountains and other features to keep the water moving, so that mosquitos should not be a problem.

Mayor Levine inquired if wood would be the principal material used in the design of the proposed dock, as it would pose a challenge to maintain. Mr. Madan answered that artificial wood could be utilized, similar to the South Pointe Pier.

A brief discussion was held regarding the name of the park. Possible names include Banyan Tree Park and Centennial Park. Vice-Mayor Malakoff prefers the Convention Center Park to be called Centennial Park. Commissioners Weithorn and Vice-Mayor Malakoff prefer Banyan Tree Park for the former Par 3. Commissioner Weithorn commented that this park before them is actually a neighborhood park, and Centennial Park should be higher profile. Commissioner Wolfson likes both names.

Commissioner Steinberg complimented the staff on a great job. Commission Steinberg is concerned about water safety associated with the ponds. Mr. Madan responded that the issue needs to be explored further. **TO DO:** Come back with safety ideas. **Planning Department to handle.**

Vice-Mayor Malakoff suggested that in Central Park (New York City) there are sailboats; could something similar be done in these ponds? Mr. Madan responded that it would depend on the depth of the water.

Mayor Levine commented that in Central Park the activities are very clean and organized. Mayor Levine cautioned that he did not want these ponds to turn out to be swamp ponds.

Commissioner Grieco added that when this design was introduced at the Neighborhood/Community Affairs Committee, the residents of the adjacent neighborhood were present, liked the overall concept and embraced it. Commissioner Grieco added that there are some tweaks that are needed, but the overall concept, which is staff-based, was embraced by the surrounding neighbors.

Commissioner Steinberg wants to ensure that the final design is beautiful and functional. Commissioner Steinberg asked what the current parking is for the Par 3. Mr. Madan stated that there is a parking lot for the Scott Rakow Youth Center and people park in the swale area. Commissioner Steinberg stated that she does not want people parking on swales as this park is surrounded by a single-family neighborhood. She wants to see sufficient parking so that visitors to the park do not infringe on the neighborhood. Mr. Madan explained that their goal was to keep cars out of the residential neighborhood. Mr. Madan added that they are looking at having a perimeter of parking along the northern edge so that people are not parking on the residential yards.

Mayor Levine agrees with Commissioner Steinberg's parking concerns.

Commissioner Wolfson complimented the Planning staff for their in-house design, which is something that he has always been asking for, to do this type of work in-house. The City design has saved money on the upfront design soft cost. Commissioner Wolfson is in agreement with the design.

Commissioner Tobin has seen many park presentations from companies all over the world during his seven years as a Commissioner. It is not only the money saved, but also the quality of the product that was presented is something that they should be so proud of. The community should know that this is one of the most thoughtful presentations he has seen related to a Park in the seven years he has been in office. Commissioner Tobin is glad to see our employees doing this type of work. Commissioner Tobin called the design a fabulous job. Commissioner Tobin explained to his colleagues that this is not a voting item, only a preliminary presentation in nature. He thanked Carmen Sanchez for allowing staff to do this.

City Manager Morales stated that at the March 11, 2015 meeting they would be bringing a proposal to take this concept to the next step.

2:58:39 p.m.

ADDENDUM MATERIAL 1:

R9P Request A Traffic Impact Study For The Residential Streets Of North Bay Road, Pine Tree And La Gorce Drive, Which Are Being Used As Short Cuts By Commuters To Avoid The Traffic On Alton Road Heading North.

(Requested by Vice-Mayor Joy Malakoff)

ACTION: Discussion held. Item to be brought back on March 11, 2015. Lilia Cardillo to place on the Commission Agenda if received. **Jose Gonzalez to handle.**

Vice-Mayor Malakoff requested this because Alton Road, not only with the Boat Show where the bridge is up every hour on the hour, but throughout the year, except for the summer – when Alton Road traffic backs up, cars take the routes through the residential areas up North Bay Road heading east to then go north on Collins Avenue or Indian Creek, heading up to North Beach or more likely to Golden Beach, Hallandale or other parts of Broward County. Anecdotally, and what she is told by neighbors, is that cars are lined all the way back down to North Bay Road, and goes up either on the La Gorce Drive or Pine Tree Drive to 63rd Street. There are traffic lights on

63rd Street and La Gorce and 63rd Street and Pine Tree Drive, they are making left hand turns there, and then go across the 63rd Street Bridge. The residential area would like very much for that short cut to be stopped; and not having cars making left turns on 63rd Street and La Gorce or Pine Tree. When we initially discussed it, it seemed that a traffic impact study is needed to see whether this is warranted.

Commissioner Grieco stated that a couple of weeks ago he sat on the Pine Tree and La Gorce Neighborhood Association meeting. Additionally, County Commissioner Sally Heyman and Public Works Director Eric Carpenter attended this meeting. Commissioner Grieco explained that one of the things that the County is likely to do is, and this is a County not a City decision, make Pine Tree and La Gorce two-way roads again. Commissioner Grieco added that the drawing for this has already been completed by the County. Commissioner Grieco explained that the County's proposed change would deter much of what Vice-Mayor Malakoff is complaining about when it comes to the cut through. Commissioner Grieco stated that this change would happen relatively quickly, probably this year. The County is working on creating a roundabout in the intersection of 51st Street and Pine Tree and La Gorce. That alone would act as a deterrent to much of the cut through.

Vice-Mayor Malakoff stated that it is not the objection of the residents of Pine Tree Drive going north; it is the objection of cars heading to the east on Alton Road from say 51st Street to 63rd Street. These cars are heading east on North Bay Road, instead of Alton Road to avoid the traffic on Alton. Then they are cutting through, instead of where there is a traffic light, they are heading back south to 63rd Street.

Commissioner Steinberg agrees. A larger story that is occurring, and she is bringing an item for discussion next month, is traffic in North Beach. There is much going on that causes the backlog. It is all a change reaction. On March 11, 2015, she expects to have a County representative to talk about signalization, and a representative from the Coast Guard because of the bridge. **Jose Gonzalez to handle.** There are many factors that affect traffic, and we must have this conversation.

Vice-Mayor Malakoff asked to postpone this item until we hear more. In fact the County is really going forward to making Pine Tree and La Gorce two-way roads again, she believes that more cars will be travelling on Pine Tree and La Gorce, and less will be taking Alton, so it will be more evenly divided, as it used to be. Now everyone takes Alton because of the difficulty of driving on La Gorce and Pine Tree.

2:20:46 p.m.

R9Q Discussion Regarding Pedestrian Safety And Parking Conditions At Parking Lots On 41st Street.
(Requested by Commissioners Michael Grieco)
(Co-Requested by Vice-Mayor Joy Malakoff)

ACTION: Discussion held. **Saul Frances to handle.**

Vice-Mayor Malakoff stated that the 41st merchants, some of whom are here today, neighbors, doctors in the Sheridan Building and their clients/customers have been complaining for several months. Ever since the construction plan began, construction trucks or construction workers' vehicles and hotel workers' vehicles are being parked in the 42nd Street garage. The merchants need their customers to be able to park nearby, they are losing business. These merchants are losing business. The owners of the business cannot even find a place to park to open their businesses. The second issue has to do with the safety of the children at North Beach Elementary School; and the confusion with drop-off parking and the safest routes Prairie and the

parking lot there.

Saul Frances, Parking Director, first addressed the issue relating to the parking garage and the surface lot, and the available parking in the area. One of the things happening is that construction workers are parking in the garage, and because of the events in the area, such as the Yacht and Brokerage Show on Collins Avenue, there is a substantial increase in February of workers who are now overflowing either when the garage fills and overflow into the parking lot P-63, which is immediately east of the garage. One of the things that the Parking Department is doing is changing the pay station, the metered parking in the lot, so that there is two-hour maximum time limit at the pay station between 8:00 a.m. and 12 Noon. The intent is to discourage longer-term parking in the parking lot, so that obviously there is parking availability for those that are patronizing the 41st Street corridor. In addition, the Parking Department is also adjusting the Pay By Phone Service to a 2-hour maximum as well so the maximum parking process cannot be circumvented.

Mr. Frances addressed the school component. The City currently has 20 spaces on the western portion of the metered lot. Of the 20 spaces closest to the Prairie Avenue designated as school passenger loading during the morning hours and the afternoon hours, they are expand that to additional spaces, most likely 10 to 15 additional spaces. If more are needed, more will be provided, to try to accommodate the drop off and pick up period. The City has been receiving complaints from the parents dropping off the children at school and they are parking on 42nd Street in the bicycle lane, so that causes some enforcement action. Mr. Frances hopes that these changes will create some availability for those parents.

The following individuals spoke:

Neal Alper, from Lee Alper & Son Jewelers.

Brent Coetzee, from Roasters and Toasters.

Saul Frances, Parking Director, clarified that the 2-hour restriction will only work if it is enforced. The Parking Department's enforcement unit will have an officer in the morning and afternoon, when there is student drop off and pick up. As well as the 2-hour patrol to ensure that those vehicles are turning over and not parked continuously for 8 hours.

Saul Frances explained that initially the 2-hour maximum parking will be from 8 a.m. to 12 Noon. The thought is that those employees who are coming in and parking, particularly the construction workers, are arriving in the early hours. Those people that are parking there in the early morning hours, if they can only park for two hours and they have to move their car, it is an inconvenience for them so they will likely find another location where to park for 8 or 10 hours. Saul Frances stated that they could do the 2-hour enforcement for the entire day; Mr. Frances added that once they create the turnover of the two-hour parking, local business owners and their employees will find spaces to park, and the permits that these local business owners and their employees have will be honored the entire day. The permit will not restrict the local business owners or their employees to the 2 hours maximum.

Mr. Frances added that they would enforce the school drop off and pick up areas as well, to ensure that the spaces are available for the parents to park.

Discussion regarding signage was had.

Commissioner Grieco stated that earlier in the day the Commission passed an Ordinance that would require future building projects to submit a parking plan, and that is something that has never been done in this City. Vice-Mayor Malakoff added a provision to the Ordinance, that the

42nd Street Garage was eliminated as an alternative, so the parking plan could not include the 42nd Street Garage. Commissioner Grieco added that what is also being done in multiple neighborhoods, such as South of 5th, as that is also a mixed used neighborhood, is that the City puts up these two hour limit signs with exception for residential stickers, and it works. It has been effective South of Fifth and on Flamingo Drive. The signs are followed up with immediate enforcement. That is how Commissioner Grieco envisions this; having employee stickers and residential stickers that allow parking for the entire day. The two-hour limit will not apply to them. Commissioner Grieco added that most people could eat or buy jewelry in less than two hours, so this restriction would not affect customers. When Saul Frances says enforcement will happen, it will happen.

Discussion continued.

Commissioner Tobin suggesting going longer than 12 Noon on the 2-hour restriction; maybe having the 2-hour limit extends to 2:00 p.m.

Discussion continued.

Commissioner Grieco is concerned and wants Mr. Frances to monitor that these changes do not transfer any parking to the adjacent residential neighborhoods. **Saul Frances to handle.**

Vice-Mayor Malakoff asked if there were hotels on Collins Avenue that are allowed to use the garage or surface lot for valet parking. Mr. Frances responded that there is no such authorized use, and stated that they would keep an eye out to see if any valet operators are parking vehicles there. Vice-Mayor Malakoff asked Neal Alper and Brent Coetzee to inform Mr. Frances if they were aware of any such valet use of the surface lot or the garage.

Handouts or Reference Materials:

1. Speakers List.

R10 - City Attorney Reports

R10A City Attorney's Status Report.

(City Attorney Office)

ACTION: Report given.

11:56:03 a.m.

Raul J. Aguila, City Attorney, read the following into the record: Pursuant to section 447.605, Florida statutes, a closed executive session will be held during recess of the City Commission meeting on Wednesday, February 11, 2015, in the City Manager's Large Conference Room, fourth floor, City Hall, for a discussion relative to Risk Management.

R10B Notice Of Closed Executive Session

Pursuant To Section 768.28, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, February 11, 2015, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Risk Management.

(Human Resources)

ACTION: Announced and held.

Reports and Informational Items

1. Reports And Informational Items (see LTC 049-2015)

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.
(Office of the City Clerk)

End of Regular Agenda

City Clerk's Note: The Appellee, Crown Castle NG East, has withdrawn their application, making the following appeal moot: Appeal Filed Pursuant To Section 118-262 Of The City Code By ARRP Miami, LLC, Of The Design Review Board's Order Relating To DRB File No. 23062 To Locate A Distributed Antenna System (DAS) Node At 1604 Alton Road.

Miami Beach Redevelopment Agency
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
February 11, 2015

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
Member of the Board Miami-Dade County Commissioner Bruno A. Barreiro

Executive Director Jimmy L. Morales
Assistant Director Kathie G. Brooks
General Counsel Raul J. Aguila
Secretary Rafael E. Granado

AGENDA

Rafael E. Granado, City Clerk, announced that all members of the Redevelopment Agency are present with the exception of Mayor Levine and Commissioner Wolfson. Present is also County Commissioner Bruno Barreiro.

1. NEW BUSINESS

2:42:47 p.m.

- A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency (RDA), Accepting The Recommendations Of The Finance And Citywide Projects Committee Approving And Authorizing The RDA To Enter Into A Lease Agreement Between The Miami Beach Redevelopment Agency (Landlord) And Mr. R Sports, Inc. (Tenant), In Connection With The Use Of Suite No. 5 At The Anchor Shops, Located At 100 16th Street, Suite No. 5, Miami Beach, Florida (Space), For An Initial Term Ending On October 1, 2015, With Two (2) Renewal Option Of Three (3) Years And Three (3) Years And 364 Days Respectively.
(Tourism, Culture & Economic Development)

ACTION: RDA Resolution No. 611-2015 adopted. Title of the RDA Resolution read into the record. Motion made by Board Member Weithorn; seconded by Board Member Grieco; Voice vote: 6-0. Absent: Mayor Levine and Commissioner Wolfson. **Max Sklar to handle.**

Max Sklar, Tourism and Economic Development Director, stated that this unit has been vacant since October. The prior tenant had a lease approved by their redevelopment agency, but ultimately did not execute it and they had to evict the tenant. They had a few offers for use of the space, and the adjacent tenant, who has units one through four, Mr. Sports, submitted an offer at \$65 a square foot in order to expand his business into the adjacent unit. This was discussed at the Finance and Citywide Projects Committee, and they recommended in favor of it. The lease runs concurrent with the lease he has on units one through four, so this year is a truncated year that terminates October 2015, so basically it will be seven months under these terms, and then they will renew with this other lease with the escalation at that time of about three percent (3%).

Commissioner Grieco asked how the space is going to be expanded, and Mr. Sklar explained that it would be one contiguous space. The location is in the middle of 16th Street block.

Discussion held.

In answering Commissioner Tobin's question as to how they marketed this space, Mr. Sklar explained that signs were posted, they reached out to brokers, and for other existing vacant spaces, they are in the final stages of settling on an agreement with prior tenant to release that space, and they will begin marketing it. There is a contract that the City has that they can piggyback off to use brokerage services to market that space. They have received offers, but they are aggressively marketing this large vacant space.

Handouts and Reference Materials:

1. Email from Max Sklar dated January 20, 2015 RE: Miami Beach RDA Dates.

Meeting adjourned at 5:16:42 p.m.