



Presentations & Awards/City Commission Meeting
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
March 18, 2015

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

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

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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.

ADDENDUM MATERIAL 1:
R9A

SUPPLEMENTAL MATERIAL 1:
R7F Memorandum

Meeting called to order at 5:09:45 p.m.

Pledge of Allegiance lead by Police Chief Oates.

5:47:52 p.m.

Announcement by the City Clerk

Rafael E. Granado, City Clerk, announced that due to the absence of three Commissioners, items R7A, and R7F, which require a 5/7 vote, will not be heard. The City Clerk announced that as items R7G and R9A are addendum items, which require a 5/7th vote to be added to the agenda, those two items cannot be heard either. He read the titles into the record pursuant Commissioner Malakoff's request.

ADDENDUM AGENDA

ACTION: No items were added to the Agenda due to the absence of three Commissioners.

Presentations and Awards

5:13:56 p.m.

PA1 Certificates Of Recognition To Be Presented To The Miami Beach Police Department LEO (Law Enforcement Officer) Award Finalists: Detective Rob Lanier, Officer Christina O'Neal - Safety Category (Award Winner), Officer Tino Serrano - Safety Category, Victim Advocate Aifa Alvarez - Investigative Services Category, Public Safety Specialist Brittany Amuso - Specialized Services Category, Detective Jenny Velazquez - Investigative Services Category (Winner Of The Federal Law Enforcement Officers Association Officer Of The Year Award); And The MBPD's Two Miami-Dade County Association Of Chiefs Of Police Officer Of The Month Winners During 2014: Officer Garfield Taylor And Sergeant James Nolan.

(Requested by Commissioner Micky Steinberg)

ACTION: Certificates and Medals of Honor presented.

Mayor Levine introduced Police Chief Oates to lead the presentation.

Police Chief Oates thanked the Mayor and City Commissioners. He explained that at the end of 2014, there were a series of Extraordinary Police Work Awards for the region, and the Commission agreed to honor some of these officers and civilian members. He mentioned that Officer Garfield Taylor, who was recognized as Officer of the Month by Miami-Dade County for catching an armed robber who attacked a tourist, could not be present because he was on assignment. Chief Oates called the names of Officer Christina O'Neal, nominated and awarded Officer of the Year in the Safety Award Category for successfully resuscitating a robbery victim who suffered a heart attack; Officer Tino Serrano, nominated and recognized for the Safety Award in helping a Florida Highway Patrol Trooper provide CPR and save the life of a crash victim; Victim Advocate Aifa Alvarez, nominated in the Investigative Service Category for helping a family cope with the death of a four-month old victim; Public Safety Specialist Brittany Amuso, recognized for extraordinary efforts in a variety of administrative projects within the Police Department's Internal Affairs Unit; Detective Jenny Velazquez, nominated in the Investigative Services Category and nominated for Officer of the Year Award for rescuing children being victimized by sexual predators in a child pornography case; Officer Garfield Taylor, recognized as Officer of the Month as was stated previously; and Sergeant James Nolan, recognized as Officer of the Month in May 2014 for his efforts in rescuing a victim of human trafficking. Police Chief Oates also mentioned that Detective Rob Lanier is a member of the FBI South Florida Violent Crimes Task Force. This Task Force was awarded the Investigative Excellence Award by South Florida Chapter of Federal Law Enforcement Officers Association.

Mayor Levine stated that the City Commission is proud of each one of the members of the Police Department.

5:19:57 p.m.

- PA2 Certificates Of Appreciation To Be Presented To The Parks And Recreation Team Members That Were Instrumental In Putting Together The North Shore Park Senior Valentine Party: Andrew Plotkin, Eric Perez, Julissa Judd, Maria Araujo, And Carlos Fabian.
(Requested by Commissioner Micky Steinberg)

ACTION: Certificates presented by Commissioner Malakoff in Commissioner Steinberg's absence.

Commissioner Malakoff congratulated the following Parks and Recreation Team Members: Andrew Plotkin, Julissa Judd, Maria Araujo, Eric Perez, who was not present, and Carlos Fabian. These employees are being recognized for their efforts in arranging a North Shore Senior Park Valentine's Day Event. These employees interacted with the seniors as if they were their own parents. It was a caring and wonderful event for the seniors of this community.

5:23:14 p.m.

- PA3 Certificate Of Recognition To Be Presented To George Castell, Code Compliance Manager, For Going Above And Beyond To Help A Resident.
(Requested by Commissioner Micky Steinberg)

ACTION: Certificate presented by Commissioner Malakoff in Commissioner Steinberg's absence.

Commissioner Malakoff recognized Code Compliance Officer George Castell for going above and beyond the call of duty, by helping an elderly gentleman who had boulders in the swale of his property. In order to help the gentleman, who was going out of town, not to receive a citation from Code Compliance, Mr. Castell drove to the property, and personally moved each boulder to an adequate location.

Hernan Cardeno, Code Compliance Director, thanked the City Commission for the recognition.

5:26:13 p.m.

- PA4 Certificates Of Recognition To Be Presented To The Hebrew Academy Jump Team: Michael Bixon, Adina Bronstein, Elinor Dahan, Merah Frank, Avraham Hilu, Ariela Israelov, Alix Klein (Co-Captain), Jacob Mitrani (Co-Captain), Aliza Posner, And Malka Suster
(Requested by Commissioner Michael Grieco)

ACTION: Certificates and Medals of Honor presented.

Commissioner Grieco introduced Alix Klein, a member of the Hebrew Academy Jump Team.

Alix Klein introduced herself and provided more information about her group. The Hebrew Academy Jump Team is a Leadership Program of the National Council of Synagogue Youth. Each year teams from schools across the country gather for different challenges. This year's events were Israel advocacy, social action for texting and driving awareness, kindness project, and a fundraiser.

Commissioner Grieco recognized all of the Jump Team's efforts. He read the certificate into the record: "On behalf of the Mayor and Commission of the City of Miami Beach, we are proud to recognize all of you for your community service and leadership, demonstrated at such a young age. As a member of the Hebrew Academy Jump Team, the youth group is promoting not only

leadership community service, but also awareness to the Jump Team campaign 'do not text and drive.' They are activists making a difference in our community for generations to come." He read out the names of the Jump Team Members: Michael Bixon, Adina Bronstein, Elinor Dahan, Merah Frank, Avraham Hilu, Ariela Israelov, Alix Klein, Jacob Mitrani, Aliza Posner, and Malka Suster.

Police Officer Paul Acosta stated that the initiative these students are taking is phenomenal. They have even partnered with the Miami Beach Police Department to continue this program.

Jacob Mitrani presented thanked the City Commission for the recognition.

5:10:57p.m.

PA5 Certificates Of Recognition To Be Presented To Blanca R. Gonzalez And Ricardo Gonzalez For Winning The Domino Contest Held At Scott Rakow On February 21, 2015.
(Requested by Mayor Philip Levine)

ACTION: Presentation of prizes and Medals of Honor.

Mayor Levine introduced Blanca and Ricardo Gonzalez and congratulated them for winning the Domino Tournament, which took place at the Scott Rakow Youth Center on February 21, 2015. They were given custom-made domino tables with the embedded images of Celia Cruz and Jose Marti. The Mayor presented Mr. and Mrs. Gonzalez with Medals of Honor.

REGULAR AGENDA

R7 - Resolutions

5:33:09 p.m.

R7A A Resolution Pursuant To Section 142-452(d) Of The City Code, Waiving By 5/7th Vote Of The City Commission After Public Hearing, The Development Regulations In A GU (Government Use) District Pertaining To Section 138-73, Entitled "General Advertising Signs," In Order To Authorize The Installation Of A General Advertising Sign For A New Playground At Crespi Park Located At 7801 Crespi Boulevard, Miami Beach, Florida. **5:05 p.m. Public Hearing**
(Parks & Recreation)

ACTION: Item deferred to the March 25, 2015 Special Commission Meeting due to the absence of three Commissioners. Rafael E. Granado to notice. Lilia Cardillo to place on the Special Commission Agenda when received. **John Rebar to handle.**

Mayor Levine explained that items R7A and R7F would not be heard today due to the absence of three Commissioners. The items will be placed at a Special Commission Meeting to be scheduled by the City Manager next week. (Clerk's Note: Special Commission Meeting held on March 25, 2015.)

Jimmy L. Morales, City Manager, stated that his Office would coordinate and schedule the Special Commission Meeting. **Office of the City Manager to handle.**

Handouts or Reference Materials:
Ad in The Miami Herald No. 995
Mailing List labels copy

5:33:42 p.m.

R7B A Resolution Authorizing The Issuance Of Not To Exceed \$100,000,000 In Aggregate Principal Amount Of City Of Miami Beach, Florida Stormwater Revenue Bonds, Series 2015, For The Principal Purpose Of Paying A Part Of The Cost Of Certain Improvements To The Stormwater Utility, Pursuant To Section 209 Of Resolution No. 2000-24127 Adopted By The City On October 18, 2000; Providing That Said Series 2015 Bonds And Interest Thereon Shall Be Payable Solely As Provided In Said Resolution No. 2000-24127 And This Resolution; Providing Certain Details Of The Series 2015 Bonds; Delegating Other Details And Matters In Connection With The Issuance Of The Series 2015 Bonds, Including Whether The Series 2015 Bonds Shall Not Be Secured By The Reserve Account And Whether To Secure A Credit Facility And/Or A Reserve Account Insurance Policy, ~~To The Mayor~~ To The City Manager, Within The Limitations And Restrictions Stated Herein; Permitting Conditional Optional Redemption Of The Series 2015 Bonds; Appointing Underwriters, A Bond Registrar And A Disclosure Dissemination Agent; Authorizing The Negotiated Sale Of The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution Of A Bond Purchase Agreement; Authorizing And Directing The Bond Registrar To Authenticate And Deliver The Series 2015 Bonds; Approving The Form Of And Distribution Of A Preliminary Official Statement And An Official Statement And Authorizing The Execution Of The Official Statement; Providing For The Application Of The Proceeds Of The Series 2015 Bonds And Creating Certain Funds, Accounts And Subaccounts; Authorizing A Book-Entry Registration System With Respect To The Series 2015 Bonds; Covenanting To Provide Continuing Disclosure In Connection With The Series 2015 Bonds And Approving The Form Of And Authorizing The Execution And Delivery Of A Continuing Disclosure Agreement; Authorizing Officers And Employees Of The City To Take All Necessary Related Actions; And Providing For An Effective Date. **5:06 p.m. First Reading Public Hearing**
(Finance)

ACTION: Resolution adopted on first reading as amended. Public Hearing held. Motion by Commissioner Malakoff to move the Resolution on first reading as amended; seconded by Commissioner Grieco; Voice vote: 4-0; Absent: Commissioners Tobin, Steinberg and Weithorn. Second reading, public hearing scheduled for the April 15, 2015 Commission Meeting. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda if received. **Patricia Walker to handle.**

AMENDMENT:

The series 2015 bonds shall not be secured by the reserve account and whether to secure a credit facility and/or a reserve account insurance policy, ~~to the Mayor~~ to the City Manager

Patricia Walker, Chief Financial Officer, explained that this is the first reading, public hearing on the Series 2015 Stormwater Revenue Bonds in the amount not to exceed \$100 million. This item was discussed at the Finance & Citywide Projects Committee (F&CPC) on March 2, 2015. This program will design and implement the upgrade of the City's Storm drainage system to meet the new designed criteria set by this City Commission with a potential estimated cost of \$300 million, and with a target completion period of approximately five years. Upgrades include installation of 16 pump stations and 21 injection pump conversions. The estimated portion of the project for which the bonds are to be issued is \$100 million. If these bonds are approved today, a second public hearing will be held on April 15, 2015. These bonds delegate certain responsibility to the Mayor to execute and to the City Manager for working with the Chief Financial Officer as well as

the Financial Advisor to determine different considerations of the bonds as they move forward with the negotiation process. They will also commit to a Disclosure Dissemination Agent Agreement with Digital Assurance Certification "DAC," which is an electronic repository where they send all financial reports and bond offerings, which is available to the public. The Bond Registrar to be used is the U.S. Bank National Association.

Commissioner Malakoff suggested amending the language and substituting the City Manager for the Mayor as the responsible official to negotiate the upcoming \$100 million Stormwater bond issuance, and asked if this change would delay anything. She explained that the reason is that within the City Manager's functions and powers, as pointed out by Mr. Del Vecchio, is the power to negotiate all contracts and agreements in which the City is a party, subject to the approval of the City Commission.

Mayor Levine asked if they wanted him to negotiate.

Commissioner Malakoff clarified that it was read into the record, originally, that it was going to be the Mayor that negotiated, and she is asking to substitute the City Manager for the Mayor.

Raul J. Aguila, City Attorney, stated that they could make that change at the next meeting, as it affects several portions of the bond Resolution. He added that historically the way bond resolutions have been written is granting the delegation to negotiate to the Mayor. The Charter states that unless there is a delegation made by the City Commission to the Mayor by Ordinance, the Manager is to negotiate. Because technically bond resolutions require two hearings to be approved, the same as an Ordinance, the delegation has occurred via resolution. City Attorney Aguila stated that if the City Commission so directs, the negotiations can be performed by the City Manager, and the change will not delay this matter.

Frank Del Vecchio pointed out that the environment for negotiating this kind of bond issuance is a good one, and thinks the language to be amended was probably an oversight. He explained that this Resolution would decide to negotiate, which is more expeditious than putting it out to competitive bids; the negotiation had been worded as in the past to be done by the Mayor, but the Charter requires that contracts and agreements be negotiated by the City Manager. One key item is that the Charter does require that the product of the negotiation has to come to the City Commission for ratification. He suggested that they recognize the separation of powers, and that can be done before the next Commission Meeting. In answering Vice-Mayor Wolfson's questions, Mr. Del Vecchio stated that it is his opinion that the Charter language is clear and explicit, and should be followed. He added that even though there may have been shortcuts with good reason in the past, this is a different Commission from the previous Commission and is able to do things fast, correct and legally.

Discussion held.

Raul J. Aguila, City Attorney, stated that if one looks at the Charter pertaining to the powers of the Office of Mayor, one can delegate additional powers to the Office of Mayor by Ordinance of the City Commission. The City Commission, if it so desires, can delegate these powers and duties to the Mayor. In order for the delegation to be compliant with the Charter, it must be done by Ordinance not a Resolution.

Frank Del Vecchio suggested the language change, as they do not want to jeopardize something like this without having closed that gap.

Raul J. Aguila, City Attorney, stated that he does not want to create any implication, and he does not think Mr. Del Vecchio is saying that any bonds this City has approved in the past have been done with any intent to circumvent the powers of duty of the Manager as stated in the Charter. The delegation is intended to be able to negotiate these agreements and have the Mayor execute these agreements. Historically these agreements do not come back to the City Commission for approval. If this City Commission wishes to give their final approval, it will delay the timing of the bonds.

Discussion continued.

Patricia Walker, Chief Financial Officer, explained that what they negotiate is an interactive, dynamic process, where they work to price the bonds, based on current market condition. They go into the market and take orders for the bonds at that time. Based on an approved scale, they adjust the scale as the day goes on to make sure the bonds are sold. Once they are priced, the bond purchase agreement is executed they close. That is when the Mayor executes at closing, but they do not typically come back to the Commission after that.

Mr. Del Vecchio asked to add language ensuring that the process is legal.

Commissioner Grieco suggested that on second reading, if approved, they can anticipatorily approve the negotiations.

Patricia Walker, Chief Financial Officer, explained that they anticipate, if approved today and on second reading, pricing the bonds in April and closing in May. They are doing this in an expedited fashion.

Discussion continued.

Motion by Commissioner Malakoff to move the Resolution on first reading as amended; seconded by Commissioner Grieco; Voice vote: 4-0; Absent: Commissioners Tobin, Steinberg and Weithorn.

Handouts or Reference Materials:

1. Ad in The Miami Herald No. 996
2. Email from Frank Del Vecchio dated March 18, 2015 RE: Negotiating \$100 million in Stormwater Revenue Bonds, Item R7B.

5:49:54 p.m.

R7C A Resolution Urging The State Legislature And Miami-Dade County School Board (School Board) To Reduce Class Sizes In Miami Beach Feeder Pattern Schools To Conform To Article IX, Section (1)(a) Of The Florida Constitution; And Lobby The State Legislature To Expand The List Of "Core Curriculum" Courses Rather Than Continue To Eliminate Core Curriculum Courses, Like Advanced Placement Classes, From The Class Size Amendment Requirements Of The Florida Constitution By Calling Such Courses "Extracurricular"; And Call Upon The School Board To Voluntarily Subject Itself To The Class Size Requirements For All Classes, Whether They Are Considered Core Curriculum Or Extracurricular.

(Sponsored by Commissioner Michael Grieco)
(Legislative Tracking: Office of the City Attorney)
(Deferred from March 11, 2015 - R7N)

ACTION: Item referred. Motion made by Commissioner Grieco; seconded by Commissioner Malakoff to table the Resolution and refer the item to the April 8, 2015 Finance & Citywide Projects Committee meeting; Voice: vote: 4-0. Absent: Commissioners Tobin, Steinberg and Weithorn. Patricia Walker to place on the Committee Agenda. **Office of the City Attorney to handle.**

REFERRAL:

Finance and Citywide Projects Committee.

Commissioner Grieco introduced the item that pertains to the school system, and addresses issues of class size and core class designations in the Miami Beach Feeder Pattern of Nautilus Middle School, and the Miami Beach Senior High School. He and members of the School Board have been working together for the past two weeks to correct these issues, and they are additionally trying to have the City funds match School Board funds to supplement education. He is referring this resolution to the Finance & Citywide Projects Committee meeting of April 8, 2015.

5:52:31 p.m.

R7D A Resolution Accepting The Recommendation Of The City Manager To Amend Contracts With AAA Automatic Door Repair, Inc., Best Garage Doors. Inc., And Dash Door And Closer Service, Inc., Pursuant To Invitation To Bid (ITB) No. 09-11/12, For Required Door Related Repair And Replacement Services, Automatic Doors And Gates, Roll-Up Doors, Access Control, And Clicker Gates, By Amending The Annually Estimated Contract Amount From \$75,000.00 To The Amount That Is Annually Available In The Public Works Department's Budget For Such Services.

(Public Works/Procurement)

ACTION: Resolution 2015-28966 adopted. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Voice: vote: 4-0. Absent: Commissioners Tobin, Steinberg and Weithorn. **Eric Carpenter and Alex Denis to handle.**

Jimmy L. Morales, City Manager, stated that this is a routine procurement item that refers to the contract with the companies that do door repairs for the City. He recommended amending the estimated contract amount from \$75,000 to the amount that is annually available in the Public Works Department's budget for such services.

5:52:58 p.m.

R7E A Resolution Amending Resolution Number 2014-28825; Said Amended Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2 (Amendment) To The Contract Between The City And Limousines Of South Florida, Inc., For Turn-Key Operations And Maintenance Services Of A Municipal Trolley System For The City Of Miami Beach, Executed As Of May 8, 2014; Said Amendment Increasing The Scope Of The Contract To Include The Provision Of Additional Shuttle Services During Events Which Impact Mobility In The City, In The Administration's Discretion; And Clarifying That Said Enhanced Scope Shall Include The Use Of Alternate Vehicles (Other Than Trolley Vehicles), Such As Coach Buses; A Modified Hourly Rate Commensurate With The Use Of The Alternative Vehicle And Equipment; Additional Staff Time; Special Routes; And Increasing The Cost Of The Contract For Said Additional Shuttle Services, In An Amount Not To Exceed \$45,000 Annually, With An Additional Increase For Such Additional Shuttle Services During The 2014-2015 Fiscal Year, Solely, In An Amount Not To Exceed \$100,000, In Order To Accommodate The Additional Transportation Expenses Needed For The Centennial Celebration.

(Transportation)

ACTION: Resolution 2015-28967 adopted. Motion made by Vice-Mayor Wolfson; seconded by Commissioner Grieco; Voice: vote: 4-0. Absent: Commissioners Tobin, Steinberg and Weithorn. **Jose Gonzalez to handle.**

Jose Gonzalez, Transportation Director, explained that this item is related to the Centennial Celebration; it is an amendment to the contract with the trolley operator Limousines of South Florida. The amendment will do two things: 1) it will allow the City to use vehicles other than trollies and cutaway buses for the Centennial; specifically it will allow the use large capacity Coach buses, and 2) it also increases the funding for this Fiscal Year because of the Centennial Celebration.

5:33:09 p.m.**SUPPLEMENTAL MATERIAL 1: MEMORANDUM**

R7F A Resolution Waiving By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, Authorizing The City Manager To Hire David Mulholland, Senior Vice-President And Project Manager, Of The Orlando Firm GMB Engineers & Planners, Inc., (The Firm) To Provide Professional Traffic Consultant Services Relating To Watson Island, Island Gardens, City Of Miami Development Site; And Further Authorizing The City Attorney To Execute A Retainer Agreement With The Firm, In An Amount Not To Exceed \$200,000.

(Office of the City Attorney)

ACTION: Item deferred to the March 25, 2015 Special Commission Meeting. See action with R7A. Rafael E. Granado to notice. Lilia Cardillo to place on the Special Commission Agenda if received. **Office of the City Attorney to handle.**

Clerk's Note: See announcement by the City Clerk on page 2 of this After Action.

ADDENDUM MATERIAL 2:

R7G A Resolution Accepting The Recommendation Of The Mayor's Blue Ribbon Panel On Flooding And Sea Rise, And Submitting Comments To The Federal Emergency Management Agency Regarding The Proposed Revised Guidelines For Implementing Executive Order 11988, Entitled "Floodplain Management," As Amended By Executive Order 13690 [Docket ID FEMA-2015-0006].

(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Office of the City Attorney)

ACTION: Item deferred to the March 25, 2015 Special Commission Meeting. Lilia Cardillo to place on the Special Commission Agenda if received. **Office of the City Attorney to handle.**

Clerk's Note: See announcement by the City Clerk on page 2 of this After Action.

R9 - New Business and Commission Requests

5:47:52 p.m.

ADDENDUM MATERIAL 1:

R9A Discussion Regarding The City Co-Sponsoring The American Cancer Society's Relay For Life Event Which Will Be Held At Flamingo Park On May 2, From 10:00 a.m. To 10:00 p.m.
(Requested by Commissioner Joy Malakoff)

ACTION: Item deferred to the March 25, 2015 Special Commission Meeting. Lilia Cardillo to place on the Commission Agenda. **Office of the City Attorney to handle.**

Clerk's Note: See announcement by the City Clerk on page 2 of this After Action.

End of Agenda

Meeting adjourned at 5:57:59 p.m.