



**Presentations & Awards/City Commission Meeting  
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
April 29, 2015**

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

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

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**ADDENDUM MATERIAL 1:**

R7E

**SUPPLEMENTAL MATERIAL 1:**

R7D **Memorandum**

R9A **WABRP Action Items**

**Recommendations 2015.04.01 & WABRP Recommendations 2015.04.29**

Meeting called to order at 5:01:29 p.m.

Pledge of Allegiance led by Miami-Dade County Commissioner Sally Heyman.

### **ADDENDUM AGENDA**

**5:53:14 p.m.**

**ACTION:** Motion made by Commissioner Malakoff to add item R7E to the Commission Agenda; seconded by Commissioner Grieco; Voice-vote: 7-0.

### **Presentations and Awards**

**5:32:09 p.m.**

PA1 Proclamation To Be Presented In Honor Of Landscape Architecture Month.  
(Requested by Commissioner Joy Malakoff)

**ACTION:** Proclamation presented.

Commissioner Malakoff presented a proclamation in honor of Landscape Architects. She stated that this profession enhances public and private areas, and without them, the City would not be as beautiful. It is through their careful planning that they are able to protect and conserve our unique eco system. Commissioner Malakoff thanked Deena Bell, who is a landscape architect on the Design Review Board, and proclaimed April "Landscape Architecture Month."

Deena Bell thanked the City Commission, and gave a brief historical background on the concept of landscape architecture.

**5:40:06 p.m.**

PA2 Proclamation Of Recognition To Be Presented To Michael Alessandri.  
(Requested By Commissioner Michael Grieco)

**ACTION:** Proclamation presented.

Commissioner Grieco explained that April is Autism Awareness Month around the world. He introduced Dr. Michael Alessandri, and read the following language into the record: "We are proud to recognize Michael Alessandri for his service and activism working with individuals with autism and their families for more than 30 years. Since the Spring of 2008, the City of Miami Beach Parks and Recreation Department partnered with the University of Miami and Nova Southeastern University Center for Autism and Related Disabilities, it is called UM-NSU CARD, a comprehensive outreach and support program serving people with autism and related disorders, and hosted their first camp for children with autism spectrum disorder. The unique camp experience offered by CARD, a comprehensive outreach center based at the University of Miami's College of Arts and Sciences, serves more than 8,000 individuals with autism spectrum disorders and their families each year. The camp takes place in South Pointe Park where students spend two hours per day surfing, and learning basic oceanographic and meteorology, and practice swimming and other skills. The camp concludes with a surfing demonstration and a beach side award ceremony made possible by generous sponsorships. Participants attend surf camp free of charge. Dr. Michael Alessandri, the man behind the program is the Executive Director of the Center for Autism and Related Disorders. He is also the Assistant Chairman of the Department of Psychology, and Clinical Professor of Psychology and Pediatrics at the University

of Miami. Dr. Alessandri has worked with individuals with autism and their families for more than 30 years. He is a Phi Beta Kappa graduate at the University of Rochester, where he earned his bachelor's degree in Psychology, and attended Graduate School at Rutgers University where he obtained his MD and PhD in clinical psychology."

Dr. Alessandri stated that for many years the City has been most supportive in their efforts. His organization now serves over 8,800 clients, who get support free of charge.

**5:44:49 p.m.**

PA3 Certificates Of Appreciation To Be Presented To The 2015 SOIL @ MBSH Art Contest Winners, SOIL @ MBSH Honorees, And The 2015 SOIL @ MBSH Essay Contest Winners.

(Requested By Commissioner Michael Grieco)

**ACTION:** Certificate presented.

Commissioner Grieco introduced Ivan Roble a Miami Beach Senior High School student.

Ivan Roble introduced himself to the City Commission and spoke about "SOIL" the organization he belongs to. Sustainable Organic Integrated Livelihoods (SOIL) is a non-profit organization dedicated to protecting soil resources, empowering communities and transforming wastes into resources in Haiti. They believe that the path to sustainability is through transformation, of both disempowered people and discarded materials, turning apathy and pollution into valuable resources. SOIL helps over 70,000 people in Haiti by making compost out of human waste, and uses it as fertilizer for the local crops. This is an effort to revitalize the Haitian community. The students present advocate for the group and the community.

Commissioner Grieco stated that an art and essay contest was held, and in recognition, he will present them with a certificate, which he read into the record: "The City of Miami Beach's sustainable organic integrative livelihoods in Miami Beach Senior High School recognize in 2015 as coastal and inland cities around the world face environmental and ecological threats, your art evidences your consciousness about issues that affect us all. Congratulations this is an outstanding accomplishment." He read the names of the winners into the record: "MBSH Art Contest Winners and SOIL at MBSH Honorees: First Place: Ligia Filgueiras; Second Place: Raphaella Frank; Third Place: Alejandro Ciccica; MBSH Essay Contest Winners: First Place: Eleanor Aristide; Second Place: Samantha Hurtado; Third Place: Bryan Espinoza."

**5:49:27 p.m.**

PA4 Proclamation To Be Presented To Elaine Lancaster, "Elaine Lancaster Day," For Her Dedicated Services To The Miami Beach LGBT Community.

(Requested by Commissioner Deede Weithorn)

**ACTION:** Proclamation presented.

Commissioner Weithorn presented a proclamation to "Elaine Lancaster" and read the following language into the record: "James I. Davis, also known as Elaine Lancaster, has been a resident of South Florida since July 15, 1997. Elaine has become a constant supporter of every major charity and is a community leader and James Davis/Elaine Lancaster has been recognized since her arrival in South Florida as a writer, socialite, style icon and lauded for years of activism, and community leadership, television reality star, hostess for the annual HIV AIDS fund raiser, White Party since 1998, cohost for the Task Force recognition dinner, MC for Miami Beach gay pride,

host for Miami Beach Centennial celebration, inaugural recipient of the diversity honor award by the Harvey Milk Foundation and the Pride Center at Equality Park for her transformational effort in improving the lives of others, leading the charge to promote inclusion and acceptance for the LGBT community worldwide, and will serve as the 2017 champion for the global sporting event the World Outgames. Whereas the City of Miami Beach is proud of Elaine Lancaster and acknowledges the bright light she shines on our City, and generate a positive image in ambassadorship, and we proclaim April 29, 2015 as Elaine Lancaster Day.

James Davis/Elaine Lancaster thanked the City Commission, and stated that he loves Miami Beach. He came here in 1997 to work for Gianni Versace.

**5:08:18p.m.**

PA5 Community Resiliency Award To Be Presented To David Guthrie.  
(Requested by Commissioner Deede Weithorn)

**ACTION:** Award presented.

Commissioner Weithorn honored David Guthrie, the AP Environmental Teacher at Miami Beach High School. The passion many young people have towards the environment is a result of Mr. Guthrie's class. She then presented Mr. Guthrie with an Xavier Cortada poster.

David Guthrie stated that this will be a bittersweet year upon his retirement and thanked the City Commission for the award.

**5:02:45 p.m.**

PA6 Community Resiliency Award To Be Presented To Harvey Ruvin.  
(Requested by Commissioner Micky Steinberg)

**ACTION:** Award presented.

Commissioner Steinberg presented an award to Miami Beach resident Harvey Ruvin, who also serves as Clerk of the Courts and was County Commissioner prior to that. She stated that his services are appreciated. Mr. Ruvin is a leader when it comes to climate change, and he has been recognized for his efforts in fighting climate change and to improve the environment.

Jimmy L. Morales, City Manager, stated that he and Harvey served eight years as County Commissioners, and as a young County Commissioner, Harvey was single-handedly responsible for re-nourishing our beaches at the State and Federal level. He has been a leader in climate change on an international level. Harvey is someone that is way ahead of the curve on the issue, and Mr. Morales is proud to recognize him as a friend, his professionalism as a Clerk, a resident and colleague.

Commissioner Steinberg presented Mr. Ruvin with the Excellence in Environmental and Civic Activism Award. The award consists of a poster of a painting made by Xavier Cortada, who was inspired by a 1915 microscopic diatom. The artwork captures these diatom images of glass-encased algae that lived in Biscayne Bay 100 years ago and was gifted to the City to mark the Centennial celebrations.

Mayor Levine added that the one thing they need more in government is more Harvey Ruvins.

Miami-Dade County Clerk of Courts, Harvey Ruvin, stated that he is extremely proud of the amazing job that this City Commission and this City Manager are performing on the issue of climate change. He is proud to be a Miami Beach resident. He added that the leadership, initiatives and proactive ways in which they are addressing this issue is a model, and the City has stepped in front of all the municipalities in South Florida to take the lead. This is a critical issue of our times. He is honored for the recognition and will find a special place in his home to display this award.

**5:20:56 p.m.**

PA7 Certificates Of Recognition To Be Presented To Teen Job Corps, St. Patrick Church, And Helping Ko-Op, For Their Partnership And Participation In The City Of Miami Beach Grocery Delivery Program.

(Requested by Commissioner Edward L. Tobin)

**ACTION:** Certificates presented.

Commissioner Tobin stated that between the different partners, Teen Job Corps, St. Patrick Church, and Helping Ko-Op, groceries were delivered for the elderly; this came out of discussions to get the youth involved in helping the needy in the community. They all worked together and partnered with Deborah Ruggiero and Frankie, her husband, and the Teen Job Corps, doing the outreach. He presented a dinner coupon for Frankie.

The following individuals were recognized:

Kyara Arana Ruiz  
Daniel Arana Ruiz  
Iara Docaos  
Yanilys Orta  
Emily Fader  
Melanie Fader  
Stephanie McGrath Prodan  
Frank Ruggiero

Deborah Ruggiero thanked the City Commission and stated that it is a wonderful thing what they are doing. This is very close to her heart and the kids helped so much. She thanked the City Commission and she knows what it means to the community. It is a pleasure for her to have the opportunity to do this.

Commissioner Tobin added that this Commission stepped up and voted to fund this project.

Joseph Jorczak stated that he had brain cancer and the City helped him with all the programs available, for housing and this program. He thanked the City for doing what they did for him and he hopes that he can repay someday.

Ms. Ruggiero added that she teaches her kids that there is no "I" in team. They all work together well and she thanked them and all the students for all they do, CDBG funding and everyone that helps make this possible.

Commissioner Tobin added that Maria Ruiz and Dessiree Kane were instrumental in doing this and he thanked them both.

Rabbi Aharon Greenberg, Talmudic University, spoke.

**5:17:48 p.m.**

- PA8 Certificate Of Recognition To Be Presented To Miami Beach Resident Chris Wyman For His Brave Actions That Led To The Arrest Of Two Felons.  
(Requested by Commissioner Edward L. Tobin)

**ACTION:** Certificate presented.  
Commissioner Tobin introduced the item.

Police Chief Daniel J. Oates explained that on January 26, 2015, a flight attendant went out to Collins Avenue and at this point two suspects came by and grabbed her cellular telephone and ran. Mr. Wyman ran after and held the suspect until the Police arrived. With Mr. Wyman's help, the Police was able to catch the second suspect; no one was injured, all due to Mr. Wyman's help. Chief Oates also expressed his congratulation to Mr. Wyman.

**5:35:41 p.m.****New Item:**

- PA9 Proclamation To Be Presented To The City Of Miami Beach By Miami-Dade County Commissioner Bruno A. Barreiro and Commissioner Sally Heyman For The Miami Beach Centennial.  
(Requested by Mayor Philip Levine)

**ACTION:** Proclamation presented to the City on the Centennial.

County Commissioner Sally Heyman stated she and her colleague County Commissioner Bruno Barreiro are happy that in representing Miami-Dade County, Miami Beach is part of their district, and they are proud to serve their constituents.

County Commissioner Barreiro is very proud and honored to represent Miami Beach together with Commissioner Heyman. He is proud of this great City and proud of its great history and the great things that are occurring. The Miami-Dade County Commission wanted to present a proclamation to the City, on behalf of Miami-Dade County, for all the accomplishments during the 100 years celebration. He read language into the record: "Miami Beach began as a 165 plot of land intended for planting and harvesting coconuts, and then in 1870 Henry and Charles Lums purchased the land from the Federal Government for 25 cents an acre, and then resold to John Collins and Thomas Pancoast. Mr. Collins partnered with Carl Fisher in 1913, who had a new vision for this tiny island, and embarked on an agricultural venture, thereby, making it what it is today, a manmade island of paradise. They declare March 26, 2015, "City of Miami Beach 100 Birthday," on behalf of the Miami-Dade County Commission.

**5:11:44 p m.****New Item:**

- PA10 Recognition To The Miami Beach Senior High School Ensemble, Guitar Quartet, Wind Ensemble And Rock Ensemble.  
(Requested by Mayor Philip Levine)

**ACTION:** Certificates of award and Medals of Honor were presented to students.

Commissioner Malakoff stated that it is her pleasure that everyone knows that Miami Beach High School talent is fantastic. They went to New Orleans to compete in the National Heritage Performance Festival. 47 young musicians represented four musical groups and came home with

top honors. The Jazz Ensemble won top honor gold; the Guitar Quartet top honor gold; the Wind Ensemble and Rock Ensemble both won Silver. Two standout performers, Angel Perez received the highest rating maestro award for piano; Angel was recognized as the best soloist in competition for piano. Theodore Brumm won the maestro award. He was recognized as the best soloist competition for his fantastic guitar playing. She expressed their gratitude and thanked recognized Director Iran Garcia who is in the audience. The gentleman, Frankie Trullenque, is also recognized for bringing this musical challenge and success to their attention.

Frankie Trullenque expressed appreciation for the support that the City Commission has shown.

Commissioner Malakoff recognized music director Joshua Figueroa.

Joshua Figueroa thanked the City Commission for the support during the last seven years. He hopes to bring the group to City Hall whenever the Mayor and Commissioners want them here to play.

## REGULAR AGENDA

### R7 - Resolutions

**5:53:44 p.m.**

R7A A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Proposals (RFP) No. 2015-129-ME, For Construction Manager At Risk Services For The Miami Beach Convention Center Renovation And Expansion Project ("Project"); Authorizing The Administration To Negotiate An Agreement With Clark Construction Group, With Said Agreement Subject To Prior Approval By The Mayor And City Commission Before Final Execution Thereof.  
(Office of the City Manager)

**ACTION: Resolution 2015-28998 adopted.** Motion made by Vice-Mayor Wolfson seconded by Commissioner Grieco to approve the item and negotiate an agreement with Clark Construction; Voice-vote: 6-1; Opposed: Commissioner Tobin. **Maria Hernandez to handle.**

Jimmy L. Morales, City Manager, explained that the Administration was directed to have a competitive bidding process for the At-Risk Construction Manager. Clark Construction was the only bidder, so now he is asking for authorization to proceed with the best contract they can get with Clark Construction, and later present it to the City Commission for approval.

Commissioner Tobin suggested that the project be delayed, but wanted to read into the record the following: "Clark [Construction], who is the one and only bidder, has proposed a Construction Manager CMR fee equating to 3.95% of the work that they are going to manage. This equates to their fee of \$19 million based on our current budget. Preliminary research indicated that market fees for these services typically range from 2.75% to 3.0%. The City has previously budgeted the 3% for this fee, which equates to \$14.6 million based on the current budget, so because they have the benefit of being the only bidder, for various reasons, including the market, which is very hot right now, instead of paying the \$14.6 million, which was a retail amount of money that we were willing to pay, they are asking to be paid \$19 million, a significant difference, but that is not the only thing that the community would find significant. They have proposed a pre-guaranteed maximum price service fee before the construction starts at \$3.669 million, this includes \$2.424 million for staffing and I am going to come back to that, because it is significant. I think it boils down to them proposing to bring 19 employees here at an annual salary of a quarter of \$1 million

each and that is prior to us doing construction. Therefore, they propose this \$3.669 million additional money includes \$2.424 million for staffing, \$534,000 for expenses and \$715,000 for profit and overhead. I will come back to the profit and overhead, which is also alarming. We had budgeted \$2.5 million earned, they are at \$3.669 million, and because of the way we bid this they are in a position to negotiate the \$2.4244 million in staffing, which provides for the equivalence of six months, and equates to an average annual cost of \$255,186 per person, so for each of those 19 employees that they are proposing to bring for pre-construction staffing, it is a significant amount of money. What is also significant is their profit and overhead. They propose to charge \$715,000, which is a 24% markup on their staffing. In other words, they are charging us for 19 full-time equivalents at \$255,000 for their employees and then they propose to charge us a 24% markup on their staff for \$715,000, which also includes a markup on their expenses, which is what they are, \$530,000 I imagine is for trailers and other things we can keep track of, but to charge us overhead on the employees that they are providing for us seems to be--there is no doubt they have qualifications, but because the market is hot I do not want to say they are taking advantage, but I think that they are. I think we will have to perhaps reconsider. That would be my position, and the memo that the City staff prepared is even more detailed, and it would be alarming to most people, but I am not going to read it for the benefit of brevity."

Mayor Levine asked Commissioner Tobin what the difference was between what he thought the City should be paying, and what he thinks the City is committing itself to pay.

Commissioner Tobin stated that the City typically provides a very healthy budget, and what Clark Construction is asking for is significantly above that budget. He is concerned that if they are in this situation now, when construction is fully underway, there will continually be additional costs.

Mayor Levine believes that the difference between the original estimate and what Clark Construction is asking for is approximately \$5 million. He reminded the City Commission that this is a \$500 million project, and \$5 million is a relatively small price difference.

Discussion held.

Vice-Mayor Wolfson stated that this was the proposal made by Clark Construction. The City now has to negotiate with them to bring the price down and come to an agreement. He suggested approving the item and begin negotiations.

Mayor Levine addressed the City Manager and stated that as far as he knew, the City would be operating in terms of individual contracts with vendors, and have an open process to bid big-ticket items on a competitive basis, and that the City would be working with Clark Construction in the event they move forward.

City Manager Morales explained that even in the absence of competitors, the City will be able to negotiate the fees, and all of the work will be competitively bid to get the best price, including steelwork, carpentry, subcontractors, and trades. The Construction Manager At-Risk will work with the architects to hone the plan to come within budget. The next step will be the negotiations that will be brought back to the Commission for approval.

Commissioner Tobin stated that it seems that the City is paying 30% over the market. He asked the City Manager to make sure he would do to not pay so much over the market.

Discussion held.

Motion made by Vice-Mayor Wolfson seconded by Commissioner Grieco to approve the item and negotiate; Voice-vote: 6-1; Opposed: Commissioner Tobin.

**6:04:27 p.m.**

R7B A Resolution Approving The Creation Of A Mayor's Task Force On The Development Of A Continuous Bicycle Pathway Along The East Coast Between Miami Beach And Fort Lauderdale; And Prescribing The Duties, Manner Of Appointment, And The Terms Of Office Of Task Force Members; And Urging The Mayors Of The Cities Of Surfside, Bal Harbour, Sunny Isles, Golden Beach, Hollywood, And Fort Lauderdale To Appoint A Representative From Its Respective Jurisdictions To Serve As Task Force Member; And Urging The Florida Department Of Transportation District Four And Florida Department Of Transportation District Six, Miami-Dade County, Broward County, Miami-Dade Metropolitan Planning Organization, And The Broward County Metropolitan Planning Organization To Each Appoint A Representative To Serve As Member Of The Mayor's Task Force; And Directing The Administration To Share This Resolution With The Above-Referenced Cities And Agencies.

(Requested by Mayor Philip Levine)

(Legislative Tracking: Transportation)

**ACTION:** Item withdrawn.

**6:05:09 p.m.**

R7C A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Regarding The Continuation Of The Alton-West Trolley Route And Directing The Administration To Implement The Proposed Bi-Directional South Beach Trolley Route And Service Plan That Connects Collins Avenue In The East, 17<sup>th</sup> Street In The North, Alton Road In The West, And 1<sup>st</sup> Street In The South.

(Transportation)

**ACTION: Resolution 2015-28999 adopted.** Motion made by Commissioner Malakoff to adopt Alternative 1B, which is a bi-directional service for the proposed South Beach Trolley route; seconded by Commissioner Grieco; Voice-vote: 7-0. **Jose Gonzalez to handle.**

Jose Gonzalez, Transportation Director, introduced the item. The item pertains to the recommendation of the Neighborhood/Community Affairs Committee (NCAC) to move forward implementing a South Beach trolley service. He stated that Miami-Dade Transit expressed concerns with this trolley service going South of Fifth Street, and in particular if it goes by the Rebecca Towers, because the South Beach Local serves that area, and they do not want services duplicated.

Motion by Commissioner Weithorn, seconded by Commissioner Grieco; Voice-vote; 7-0.

Commissioner Weithorn stated that she is uncomfortable not knowing what the funding will be for this trolley service, and does not want to write a blank check.

City Manager Morales stated that the routes need to be determined before they can assess the funds needed.

Discussion held.

City Manager Morales stated that this item will be brought back to the Commission.

Jose Gonzalez, Transportation Director, added that the NCAC also recommended alternative 1B, the bi-directional service as the preferred option, and alternative 1A, the unidirectional service as the secondary option for the proposed South Beach Trolley route.

Commissioner Tobin elaborated on alternative 1B, stating that it is a great proposal for South Beach. He showed a map of the Alton-West Trolley route. He stated that this will add a great component, by having the trolleys cross 11<sup>th</sup> Street to service Washington Avenue. He mentioned that the trolley services have been very successful, and stated that they should work together with the County to not duplicate the efforts, after all the trolley service is funded directly by the City's parking impact fees.

Motion made by Commissioner Malakoff to accept the NCAC's recommendation to move forward implementing a South Beach trolley service, and adopt Alternative 1B; seconded by Commissioner Grieco; Voice-vote: 7-0.

**6:11:53 p.m.**

**SUPPLEMENTAL MATERIAL 1: Memorandum**

R7D A Resolution Expressing Support For Expediting The South Beach Component As The First Phase Of The Beach Corridor Transit Connection Project Which Proposes Light Rail Transit/Modern Streetcar Connectivity Between The City Of Miami And The City Of Miami Beach; And Directing The City Clerk To Transmit A Copy Of This Resolution To The Agencies Involved With The Beach Corridor Transit Connection Study (i.e., Miami-Dade Metropolitan Planning Organization, Florida Department Of Transportation, Miami-Dade Transit, And City Of Miami).

(Sponsored by Mayor Philip Levine)

(Legislative Tracking: Transportation)

**ACTION: Resolution 2015-29000 adopted.** Motion made by Commissioner Grieco to approve the item; seconded by Vice-Mayor Wolfson; Voice-vote; 6-1; Opposed; Commissioner Tobin. **Jose Gonzalez to handle.**

Raul J. Aguila, City Attorney, distributed the revised resolution and memorandum.

Jose Gonzalez, Transportation Director, introduced the item. This resolution will expedite the South Beach component of the light rail project that proposes to connect Miami Beach to Downtown Miami via the MacArthur Causeway. The South Beach component pertains specifically to Fifth Street and Washington Avenue. This part of the project will be the least complicated from an engineering and environmental perspective.

Commissioner Malakoff asked for clarification as to the routes of the light rail project.

Mr. Gonzalez explained that the study is looking for several alternatives, but they are focusing on the direct connection alternative. The direct connection is the quickest way in and out to link Miami Beach and Downtown Miami; this would be through Fifth Street, up Washington Avenue and serving the Convention Center.

Mayor Levine stated that there is plan of having the light rail go up Washington Avenue, service the Convention Center, loop around Dade Boulevard, and go down Alton Road, where it will eventually reconnect, but currently the direct connection plan, is the least expensive route.

Commissioner Tobin stated that he would like to see Miami Beach connecting to the airport via light rail. He asked if there are any impediments to this plan.

Raul J. Aguila, City Attorney, explained that there are two components to the actions required today; first to initiate the South Beach component and this contemplates the interior needs within the City. The larger component, the regional project, which involves the Miami-Dade Metropolitan Planning Organization (MPO), to connect the County with Miami Beach, and they are asking authorization for both projects, which they contemplate, will unite into one project.

Discussion held.

Mayor Levine stated that the City of Miami is moving forward with their streetcar that will go from Downtown to the Design District. Miami Beach needs to move at the same pace to not be left behind.

Raul J. Aguila, City Attorney, added that the Administration has contemplated that whatever vehicles used in the project must be compatible with the large regional project.

Commissioner Malakoff stated that she prefers the light rail to loop around Alton Road, to meet the transportation needs of South Beach.

Jose Gonzalez, Transportation Coordinator, explained that the light rail would operate in a loop using the direct connection approach. He and his team had considered the alternative Commissioner Malakoff mentioned, but that project would require a lot more money because far more tracks need to be placed on the streets.

Discussion held regarding the total project costs, and the costs to the City.

Commissioner Grieco stated that he is in support of giving direction to move forward with the project and the environmental study.

Motion made by Commissioner Grieco; seconded by Vice-Mayor Wolfson; Voice-vote; 6-1; Opposed; Commissioner Tobin.

Commissioner Tobin asked Mr. Gonzalez to brief him on the item. **Jose Gonzalez to handle.**

Handouts or Reference Materials:

Revised Commission Memorandum and Resolution distributed on the dais.

#### **6:22:51 p.m.**

R7E A Resolution Acknowledging The City Manager's Approval Of A "No Cost Extension" Under That Certain Grant Agreement Between The City And The Florida International University Board Of Trustees For The Benefit Of The Wolfsonian-FIU (Grantee) For Development Of A Programmatic Plan For The Renovation And Expansion Of Wolfsonian-FIU, Dated July 26, 2013, Extending The Expenditure Deadline And Project Completion Date To July 31, 2015.

(Tourism, Culture & Economic Development)

**ACTION: Resolution 2015-29001 adopted.** Commissioner Malakoff moved the item; seconded by Commissioner Weithorn; Voice-vote: 7-0.

City Manager Morales stated that the Wolfsonian-FIU has asked for an a three to four months extension to finish their master plan.

Commissioner Malakoff stated that she agrees to extend the deadline.

**6:04:27 p.m.**

R7B A Resolution Approving The Creation Of A Mayor's Task Force On The Development Of A Continuous Bicycle Pathway Along The East Coast Between Miami Beach And Fort Lauderdale; And Prescribing The Duties, Manner Of Appointment, And The Terms Of Office Of Task Force Members; And Urging The Mayors Of The Cities Of Surfside, Bal Harbour, Sunny Isles, Golden Beach, Hollywood, And Fort Lauderdale To Appoint A Representative From Its Respective Jurisdictions To Serve As Task Force Member; And Urging The Florida Department Of Transportation District Four And Florida Department Of Transportation District Six, Miami-Dade County, Broward County, Miami-Dade Metropolitan Planning Organization, And The Broward County Metropolitan Planning Organization To Each Appoint A Representative To Serve As Member Of The Mayor's Task Force; And Directing The Administration To Share This Resolution With The Above-Referenced Cities And Agencies.

(Requested by Mayor Philip Levine)  
(Legislative Tracking: Transportation)

**ACTION:** Item withdrawn.

**6:05:09 p.m.**

R7C A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Regarding The Continuation Of The Alton-West Trolley Route And Directing The Administration To Implement The Proposed Bi-Directional South Beach Trolley Route And Service Plan That Connects Collins Avenue In The East, 17<sup>th</sup> Street In The North, Alton Road In The West, And 1<sup>st</sup> Street In The South.

(Transportation)

**ACTION: Resolution 2015-28999 adopted.** Motion made by Commissioner Malakoff to adopt Alternative 1B; seconded by Commissioner Grieco; Voice-vote: 7-0. **Jose Gonzalez to handle.**

Jose Gonzalez, Transportation Director, introduced the item. The item pertains to the recommendations of committee in trying to move forward in implementing the trolley. Miami-Dade Transit has concerns regarding the trolley going South of Fifth, and in particular to the Rebecca Towers. They did not say it was impossible but they do have concerns. Their perspective is that the concern can be reached at a higher level. The recommendation is to accept the NCAC to move forward.

Motion by Commissioner Weithorn, seconded by Commissioner Grieco; Voice-vote; 7-0.

Commissioner Weithorn asked what the funding is at this time. She is uncomfortable writing a blank check.

Discussion held.

Jimmy L. Morales, City Manager, will bring this item back.

Mr. Gonzalez added that Alternative 1B was recommended by committee.

Commissioner Tobin stated that this is a great proposal for South Beach. He showed a map of the Alton-West Trolley route. He stated that this adds a great component and he would like to vote on the route that traverses Alton Road, and reach out to the County not to duplicate efforts. They are keeping the trolley and adding the Washington Avenue service and bring it up.

Motion made by Commissioner Malakoff to adopt Alternative 1B; seconded by Commissioner Grieco; Voice-vote: 7-0.

**6:11:53 p.m.**

**SUPPLEMENTAL MATERIAL 1: Memorandum**

R7D A Resolution Expressing Support For Expediting The South Beach Component As The First Phase Of The Beach Corridor Transit Connection Project Which Proposes Light Rail Transit/Modern Streetcar Connectivity Between The City Of Miami And The City Of Miami Beach; And Directing The City Clerk To Transmit A Copy Of This Resolution To The Agencies Involved With The Beach Corridor Transit Connection Study (i.e., Miami-Dade Metropolitan Planning Organization, Florida Department Of Transportation, Miami-Dade Transit, And City Of Miami).

(Sponsored by Mayor Philip Levine)  
(Legislative Tracking: Transportation)

**ACTION: Resolution 2015-29000 adopted.** Motion made by Commissioner Grieco; seconded by Vice-Mayor Wolfson; Voice-vote; 6-1; Opposed; Commissioner Tobin. **Jose Gonzalez to handle.**

Raul J. Aguila, City Attorney, distributed revised memorandum.

Jose Gonzalez, Transportation Director, introduced the item. This resolution will expedite the South Beach component of the light rail project that proposes connecting Miami Beach to the Causeway along Fifth Street and Washington Avenue. There is an opportunity to expedite the South Beach component, which is the portion that is less complicated from an engineering and environmental perspective. This resolution aims to authorize the Administration to work quickly to implement the South Beach component.

Commissioner Malakoff asked for clarification as to the routes.

Mr. Gonzalez explained that the direct connection is the quickest way in and out to connect from Miami Beach to the Causeway.

Mayor Levine stated that initially they are looking at the least expensive route.

Commissioner Tobin stated that the MPO was talking about connecting everyone from Downtown Miami, and he always thought getting to the airport to Mid Beach, why not connecting directly. What is the impediment to that? He has questions and will vote against it.

Raul J. Aguila, City Attorney, explained that there are two components to the actions required today; first to proceed to initiate the South Beach component and this contemplates the interior needs within the City, which at this time have been finalized. The larger component, the regional project, which involves Miami-Dade, MPO, is looking into connecting the County with Miami Beach, and they are asking authorization for both projects, which they contemplate will unite into one project.

Discussion held.

Mayor Levine stated that the City needs to move at the same time with the County in order to move forward.

Raul J. Aguila, City Attorney, added that the Administration has contemplated that whatever vehicles used in the project have to be compatible with the large regional project.

Commissioner Malakoff does not understand if the Washington Avenue alone, will not take care of the transportation needs.

Jose Gonzalez, Transportation Coordinator, explained that it will operate in a loop and they determined that the cheapest way was this route.

Discussion held regarding total cost of \$17 million.

Commissioner Grieco is in support of moving forward.

Motion made by Commissioner Grieco; seconded by Vice-Mayor Wolfson; Voice-vote; 6-1; Opposed; Commissioner Tobin.

Commissioner Tobin asked Mr. Gonzalez to brief him on the item. **Jose Gonzalez to handle.**

#### 6:22:51 p.m.

R7E A Resolution Acknowledging The City Manager's Approval Of A "No Cost Extension" Under That Certain Grant Agreement Between The City And The Florida International University Board Of Trustees For The Benefit Of The Wolfsonian-FIU (Grantee) For Development Of A Programmatic Plan For The Renovation And Expansion Of Wolfsonian-FIU, Dated July 26, 2013, Extending The Expenditure Deadline And Project Completion Date To July 31, 2015.  
(Tourism, Culture & Economic Development)

**ACTION: Resolution 2015-29001 adopted.** Commissioner Malakoff moved the item; seconded by Commissioner Weithorn; Voice-vote: 7-0.

### R9 - New Business and Commission Requests

#### 6:27:50 p.m.

##### SUPPLEMENTAL MATERIAL 1:

##### WABRP Action Items

##### Recommendations 2015.04.01 & WABRP Recommendations 2015.04.29

R9A Washington Avenue Blue Ribbon Panel (WABRP) Presentation With Final Recommendations.  
(Requested by Commissioner Joy Malakoff)

**ACTION:** Verbal report given. Items 5 and 8 referred to the Planning Board and the Land Use and Development Committee. **Thomas Mooney to place on the board and committee agendas. Jose Gonzalez to handle.**

#### 1. PILOT PROJECT FOR ONE YEAR:

There was no consensus to move forward with this proposed item.  
Commissioner Weithorn requested bringing item No. 1 back to the City Commission after the traffic study. **Jose Gonzalez to handle.**

#### 2. RFP TO PROPERTY OWNERS BETWEEN 9TH AND 13TH STREETS.

Motion made by Commissioner Malakoff; seconded by Commissioner Grieco to approve Item No. 2; Voice-vote: 7-0. **Alex Denis to handle.**

**3. REDESIGN CONNECTION FROM LINCOLN ROAD TO WASHINGTON AVENUE.**

Motion made by Commissioner Malakoff; seconded by Commissioner Grieco to approve the item with a Master Plan; Voice-vote: 7-0.

**4. RELOCATE POLICE STATION TO THE CITY CENTER.**

Not approved.

- **Item 4(a):**

The City Commission directed the City Manager to look into a Mutual Aid Agreement with the School Board with the idea of creating a pedestrian/bicycle connection between Española and 14th Street. By acclamation. **City Manager's Office to handle.**

**5. INCENTIVES FOR DEVELOPMENT THAT DO NOT INCLUDE INCREASING FAR.**

Commissioner Malakoff requested a dual referral to Land Use and Development Committee and Planning Board, to discuss adjustments not included in the Master Plan, and the creation of smaller rooms and larger public space. Approved by acclamation. **Thomas Mooney to place on the committee and board agenda.**

**6. IMPROVE DELIVERY OF CITY SERVICES.**

The City Administration has proposed budget enhancements for different departments to address the issue.

**7. CREATE A FUNDING MECHANISM FOR STREETScape IMPROVEMENTS.**

Not approved.

**8. ESTABLISH A WASHINGTON AVENUE TASK FORCE.**

Create a Task Force and refer to the Land Use and Development Committee to discuss the creation of a process and criteria for parklet applications. Approved by acclamation. **Thomas Mooney to place on the committee agenda.**

Saul Gross thanked the City Commission for creating this process and for the opportunity to bring forth their recommendations. He stated that the Blue Ribbon Panel has met ten times over the last five months, and he recognized members Lyle Stern, Eric Lawrence and Brian Falk who are experts in a variety of fields. He added that the community participated in this process. He introduced Bernard Zyscovich to speak about the details of the proposed project.

Bernard Zyscovich stated that the purpose of this project is to revitalize Washington Avenue. South Beach is a destination for the world, yet Washington Avenue is not better off than it was decades ago, and this was a prevalent concept of the mission. He explained the details of the discussions and as they began to talk about the potential for change, they realized that they needed to define in terms of time, so they began to think in the context of immediate short-term goals and broad future goals. The panel created a plan that has evolved through committee process, which is a series of action items for approval by the City Commission. He stated that the objective is the revitalization of Washington Avenue, which is tied to changing the look of the area to make a bold statement. He stated that in one sentence, they need to rebrand Washington Avenue. The following are their recommendations or proposals:

**1. PILOT PROJECT FOR ONE YEAR:**

- Expand the sidewalks into the existing parking lane to make room for outdoor cafes, establish guidelines for parklets and waive sidewalk café fees.
- Bring a protected bike lane to both sides of the street.
- Move the on street parking over one lane. Bus stops and freight loading zones are located in this parking lane just as they are now. One lane remains for cars traveling in each direction, same as Collins Avenue.
- Embrace Washington Avenue as a main transit street for a bidirectional trolley or bus rapid transit connecting Downtown and the Convention Center. Pilot project will be a dry run for how to configure future transit. Dedicated lanes for future transit will also leave only one lane of travel for cars in each direction (unless on street parking is removed which is not recommended).
- Establish a trolley dedicated to Washington Avenue running from the Convention Center to 5<sup>th</sup> Street or South Pointe Park.

**2. City to issue an RFP to property owners between 9th and 13th Streets** to buy their air rights and build a municipal garage of 275+ spaces above existing ground floor retail. They have identified one or two suitable locations.

**3. Redesign the connection from Lincoln Road to Washington Avenue** so that pedestrians are attracted to head south on Washington Avenue.

**4. Relocate the Police Station to the City Center** (near a re-built City Hall on the west side of the P Lot) and **re-purpose the Police Station** as a 100,000 square foot office building with the 419 parking space garage available to the general public.

**5. Incentives for development** that do not include increasing FAR: Raise the maximum allowable height to 75 feet for larger projects and eliminate for five years the parking impact fee for new hotels and new small office buildings.

**6. Improve delivery of City services** to make Washington Avenue safe and clean: dedicated police foot patrols; enhanced homeless outreach and afternoon litter pick up.

**7. Create a funding mechanism for streetscape improvements** by expanding down Washington Avenue the CRA that currently covers City Center. Not approved.

**8. Establish a Washington Avenue Task Force** to monitor City progress in implementing the Master Plan ideas and provide guidance to the City throughout the process.

Mayor Levine thanked Saul Gross and Mr. Zyscovich for his effort and dedication to this matter. He suggested going through proposed items, keep comments concise, and decide if they want to move in that direction or make a decision or give direction on how to move forward.

Saul Gross thanked Mayor Levine for his leadership.

Commissioner Malakoff attended most of the Washington Avenue meetings, and she thinks they must issue the RFP to property owners get the garage built. If they can get a municipal garage built, there is a lot of concern with reducing the travel lanes from two to one in each direction, but if they had a parking garage, they could eliminate parking on both sides, still have two lanes and still have the protected bike lanes.

Mayor Levine asked if there is consensus regarding taking away the lanes.

Commissioner Grieco is opposed to taking away lanes.

Discussion held.

Commissioner Weithorn explained that she is not prepared to do what is suggested, since they have to meet with stakeholders and the community; traffic issues to address; however, she does not want to stop discussing the issue.

Discussion continued.

Commissioner Grieco stated that even if there is consensus, they would need a traffic study from the County.

Discussion held.

Mr. Zyscovich explained that the issue of the lane is controversial and requires more study, but he worries that with that conversation there will be a cessation of discussion on how to expand the sidewalks, because unless they expand the sidewalks, they cannot have sidewalk cafés or attract new tenants. The key point is to be able to change the tenant mix, and they need tools to do that. If they want to keep the lanes and the parking and forget the bike lanes, how do they expand the sidewalks so they can have more pedestrians on the sidewalks?

Commissioner Malakoff asked why they can expand the sidewalk on the east side only for sidewalk café and give up parking on that side of the street.

Saul Gross stated that there is not enough parking today, and when the freight loading zones were carved out of the parking, there was a huge loss of 200 spaces in the South Beach area.

Discussion continued.

Commissioner Grieco explained that he is in support of expanding the sidewalks, but he thinks the reduction of lanes would cause even more traffic congestion. He is not in support of eliminating a lane of traffic unless there is an alternative form of transportation for intra-City movement, in the way of a trolley or rail car, but without that option he is against it; and he agrees with Commissioner Malakoff's suggestion of coupling this project where they would take over the parking and take the parking and move it into a garage.

Commissioner Steinberg requested to see the traffic study.

Commissioner Tobin wants a commitment from the City Manager's Office to expedite some of these options. He is in favor of sidewalk café, but would like to see a traffic study and alternative options to expanded sidewalks. **Jose Gonzalez to handle.**

Vice-Mayor Wolfson asked Mr. Gross how many sidewalk cafés they can have in the City, and requested that they discuss this later.

Saul Gross stated that many operators cannot afford the rent on Lincoln Road and they would like to attract them to Washington Avenue if they are able to provide sidewalk cafés.

Discussion held.

**Item No. 1****Pilot Project for one year:**

There was no consensus to move forward with this proposed item.

Commissioner Weithorn requested bringing item No. 1 back to the City Commission after the traffic study. **Jose Gonzalez to handle.**

Discussion continued.

**Item No. 2****RFP to property owners between 9th and 13th Streets:**

Motion made by Commissioner Malakoff; seconded by Commissioner Grieco to approve Item No. 2; Voice-vote: 7-0.

Discussion continued.

**Item No. 3****Redesign the connection from Lincoln Road to Washington Avenue:**

Motion made by Commissioner Malakoff; seconded by Commissioner Grieco to approve the item with a Master Plan; Voice-vote: 7-0.

Jimmy L. Morales, City Manager, informed that the City hired a group out of New York and they are preparing a Master Plan that includes Lincoln Road and east and west to the ocean. He proposes incorporating this idea of the vision of Lincoln Road into the Master Plan.

**Item No. 4****Relocate the Police Station to the City Center:**

Mayor Levine stated this is a long-term goal.

Commissioner Malakoff added that instead of having stone and concrete in front of the Police Station, they can landscape it and make it more open.

**Item 4(a):**

Mr. Zyscovich stated that he proposed this as Item 4(a). He met on behalf of the committee with the School Board to talk to them about the idea of creating a pedestrian/bicycle connection. Between Española and 14<sup>th</sup> Street, that is School Board property, which is inaccessible. It would be a positive element within the local community and Washington Avenue to begin to open up that space between Ida Fischer and that other space to create a better flow of circulation by foot or bicycle, and perhaps do this as a Mutual Aid Agreement. **The City Commission directed the City Manager to look into a Mutual Aid Agreement with the School Board.**

There was consensus to direct the City Manager to look into a Mutual Aid Agreement; by acclamation.

Discussion continued.

**Item No. 5:****Incentives for development that do not include increasing FAR:**

Commissioner Malakoff requested a dual referral to Land Use and Development Committee and Planning Board to discuss adjustments not included in the Master Plan, and the creation of smaller rooms and larger public space. By acclamation.

Bernard Zyscovich stated that there are additional tweaks that were not included in the Master Plan, one of them is that there is a cutoff point of 45,000 square feet related to FAR, and it is something that needs to be adjusted although it does not require a referendum, but it needs to be included in the Master Plan. There is also a new movement in hospitality to smaller rooms and larger public space, and that should also be included.

Discussion continued.

**Item No. 6:**

**Improve delivery of City services:**

City Manager Morales stated that the City has already proposed budget enhancements from different departments to address the issue.

**Item No. 7:**

**Create a funding mechanism for streetscape improvements:**

Not approved.

Mayor Levine stated that this is a great idea but there is not an appetite for this now; perhaps in the future.

Discussion continued.

Commissioner Grieco asked if there is an opportunity to do a Business Improvement District (BID) on Washington Avenue, as it was done in Coral Gables with Miracle Mile. He suggested meeting with all the stakeholders and this may help contribute with marketing ideas.

Mayor Levine added that this should be revisited.

Jimmy L. Morales, City Manager, added that last year the City asked extending the City Center to Washington Avenue and it was denied.

Discussion held regarding BID and its costs.

**Item No. 8:**

**Establish a Washington Avenue Task Force:**

The recommendation is to create a Task Force to continue where this panel left off. This item was referred to the Land Use and Development Committee by acclamation to discuss creating a process with criteria and sending together to LUDC for discussion. By acclamation.

Commissioner Steinberg commended Commissioner Malakoff for attending every meeting and reporting back to her colleagues, and thanked her for continuing to do that.

Mr. Zyscovich requested re-evaluating the pilot project in one respect; the concept of a parklet, or the small extension of the sidewalk, one parking space at a time, they have guidelines from San Francisco, and if they can think about one per block, that would allow for a café to open.

Discussion held.

Commissioner Malakoff stated that she has seen in in other cities and it works without affecting traffic.

Saul Gross suggested creating a process with criteria for a parklet application.

Discussion continued.

**REFERRAL:**

The City Commission referred Item No. 8, relating to the parklet application, to create a process and criteria to the Land Use and Development Committee for discussion. Approved by acclamation.

Discussion continued.

City Manager Morales stated that Legal staff is working on is the panhandling Ordinance, because one of the big issue now is that since folks in Fort Lauderdale and other districts are not able to panhandle there, they are coming to Miami Beach during the day and then go back across. That legislation is underway to help address some of the issues facing Washington Avenue.

Mr. Gross commended the City Manager for his initiative to reach out to some of the storeowners to get them to sign a no single beer pledge, and they are in support, and if the Administration gives them some blank forms, they will help get them signed.

Mayor Levine thanked Mr. Gross and Mr. Zyscovich for their efforts.

Discussion continued.

Commissioner Tobin thanked Lyle Stern, Eric Lawrence and everyone for their participation.

**6:24:14 p.m.**

R9B Request For Waiver Of Conflict By Weiss, Serota, Helfman, Cole & Bierman.  
(Office of the City Attorney)

**ACTION:** Request for waiver of conflict approved. Motion made by Vice-Mayor Wolfson, seconded by Commissioner Grieco; Voice-vote: 7-0. . **Office of the City Attorney to handle.**

Raul J. Aguila, City Attorney, explained that they are requesting authority to waive any potential conflict of interest issue about the list of cases that are under representation. They do not believe there is an adverse relationship at this time; therefore, the Office of the City Attorney would like to retain the Laws Firm of Weiss, Serota to represent the City in the Federal lawsuit that has been filed challenging the Red Light Cameras. The reasons for the retention of this law firm is that their offices have taken the lead in Florida for Red Light Camera disputes, and they are already representing multiple municipalities and counties on this issue. Since the City only has an indemnification and/or a contract with Xerox to cover legal fees up to \$150,000, he believes this is the best way to do it. Secondly, Weiss, Serota has the experience, and so they are asking authorization for a waiver of any conflict of interest to retain Weiss.

Commissioner Steinberg asked, for clarification, if there are any other legal services currently that do this type of work in other municipalities.

Raul J. Aguila, City Attorney, added that Weiss, Serota currently represent a number of municipalities and have taken the lead on this matter, and he believes they are the logical choice.

Vice-Mayor Wolfson asked if there is an agreed hourly rate.

Raul J. Aguila, City Attorney, stated that they have no retainer agreement with Weiss, Serota until they obtain the waiver of conflict of interest.

Discussion held.

Vice-Mayor Wolfson stated that the Office of the City Attorney has been handling these situations very differently than they were in the past, and has negotiated arrangements with outside counsel, but in the past hourly rates were up to \$600 to \$700 an hour for outside counsel, and he feels this is not necessary.

Discussion held.

Alek Boksner, First Assistant City Attorney, explained that he spoke to Mr. Guetis from Weiss, Serota on this and he has identified their hourly rate to be between \$200 and \$300.

Motion made by Vice-Mayor Wolfson, seconded by Commissioner Grieco; Voice-vote: 7-0.

**End of Agenda**

Meeting adjourned at 7:23:11 p.m.