



## City Commission Meeting

City Hall, Commission Chambers, 3<sup>rd</sup> Floor, 1700 Convention Center Drive  
September 2, 2015

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

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

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### 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.*

### AGENDA

1. Call to Order - 8:30 a.m.
2. Inspirational Message and Pledge of Allegiance
3. Requests for Additions, Withdrawals, and Deferrals
4. Recess for lunch at approximately 12:00 p.m.

**Presentation**

- PA1 Proclamation To Be Presented In Honor Of Hispanic Heritage Month (September 15 - October 15, 2015).  
(Office of the City Manager)

**CONSENT AGENDA**

**C2 - Competitive Bid Reports**

- C2A Request For Approval To Issue A Request For Qualifications (RFQ) No. 2015-240-KB For Architectural And Engineering Design Services For The Future Community Park (Former Par 3) Project.  
(Procurement/Capital Improvement Projects)

**C4 - Commission Committee Assignments**

- C4A Referral To The Planning Board - Proposed Ordinance Amending Chapter 130 Of The Land Development Regulations Of The City Code Pertaining To Off-Street Loading Space Requirements.  
(Sponsored by Commissioner Deede Weithorn & Joy Malakoff)  
(Legislative Tracking: Planning)
- C4B Referral To The Planning Board - Proposed Ordinance Amending Chapter 142 Of The Land Development Regulations Of The City Code Pertaining To Mandatory Traffic Studies For DRB And HPB Development Applications.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Planning)
- C4C Referral To The Planning Board - Proposed Ordinances Amending Chapter 114 And Chapter 142 Of The Land Development Regulations Of The City Code, And Chapter 6 Of The City Code, Pertaining To Alcoholic Beverage Regulations.  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)
- C4D Referral To The Planning Board - Proposed Ordinance Amending Chapter 130 Of The Land Development Regulations Of The City Code Pertaining To Electric Vehicle Charging Stations.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Planning)
- C4E Referral To The Planning Board - Proposed Ordinance Creating Chapter 133 In The Land Development Regulations Of The City Code Pertaining To Sustainability And Resiliency.  
(Sponsored by Commissioners Micky Steinberg & Michael Grieco)  
(Legislative Tracking: Planning)

- C4F Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding July 4<sup>th</sup> Celebration.  
(Tourism, Culture & Economic Development)
- C4G Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding The Convention Center Park And Veteran's Plaza.  
(Office of the City Manager)
- C4H Referral To The Sustainability And Resiliency Committee - Discussion To Improve The Resiliency Of Government Buildings And Operations To Reduce And Mitigate The Impacts Of Greenhouse Gas Emissions.  
(Sponsored by Commissioner Micky Steinberg)

**C6 - Commission Committee Reports**

- C6A Report Of The July 29, 2015 Land Use And Development Committee Meeting: **1.** Discussion On Possible Amendments To Chapter 6 And Chapter 142 Of The City Code. **2.** Discussion On The Collins Canal Project. **3. a)** Annual Evaluation Of Parking Impact Fee Structure. **3. b)** Discussion Regarding The Philosophy Behind Parking Impact Fees. **4.** Discussion Regarding Seawall Conditions, Encroachments Into Public Property For Private Use. **5.** Discussion Regarding The Provision Of Renewable Energy Sources In New Construction Projects. **6.** Sidewalk Café Ocean Drive Umbrellas - An Ordinance Amending Chapter 82, Entitled "Public Property," Article IV, Entitled "Uses In Public Rights-Of-Way," Division 5, Entitled "Sidewalk Cafes," Subdivision 2, Entitled "Permit," By Creating Section 82-389, Entitled "Additional Minimum Standards, Criteria, And Conditions For Operation Of Sidewalk Cafes On Ocean Drive Between 5<sup>th</sup> Street And 15<sup>th</sup> Street" To Provide Minimum Standards For Umbrellas And Awnings, Require Regular Maintenance Of Umbrellas, And Provide Prohibitions; And Providing For Repealer, Severability, Codification, And An Effective Date. **7.** Discussion Regarding Grade Elevations For New Construction. **8.** Discussion Regarding Traffic Studies. **9.** Proposed Revisions To Chapter 126 Of The Land Development Regulations Of The City Code, Pertaining To Landscaping And Minimum Standards For The Landscaping Of Private Properties And Adding A Requirement For A Tree Survey Prior To The Issuance Of A Demolition Permit. **10.** Amendment To Chapter 130 Of The Land Development Regulations To Modify Minimum Requirements For Off Street Loading Spaces. **11.** Discussion: Legal Opinion Concerning Whether A Vacancy On The Historic Preservation Board Renders The Board Improperly Constituted And Without Power To Act, And To Discuss An Amendment To Sec. 2-22(21) To Require The Mayor And City Commission To Fill Board Vacancies Within 90 Days. **12.** Discussion Regarding Amending The City Charter And City Code To Provide That Instead Of The Board Of Adjustment The Chief Special Master Shall Hear And Decide Appeals From, And Review, Any Order, Requirements, Decision Or Determination Made By An Administrative Official Charged With The Enforcement Of The Zoning Ordinance Of The City Of Miami Beach. **13.** Discussion Regarding RFP For Electric Vehicle Charging Stations For City Parking Facilities. **14.** Discussion On A Proposed Ordinance Amendment To Modify The Minimum Front And Side Setback, And Minimum Pervious Area Requirements For Single Family Homes, As Well As Simplifying The Regulations Pertaining To The Calculation Of Unit Size And Lot Coverage. **15.** Discussion Pertaining To Main Use Parking Structure Height Limits On Terminal Island. **16.** Discussion Regarding Additional Height In The Alton Road Parking District For Projects That Provide Structured Parking. **17.** Discussion Regarding Withdrawing The Proposed Ordinance Assigned File No(s): 2233, 2234, And 2235 (All Related To Alcohol Beverage Regulations) From The Planning Board's Jurisdiction.

- C6B Report Of The July 22, 2015 Sustainability And Resiliency Committee: **1)** Mayor's Blue Ribbon On Flooding And Sea Level Rise Update. **2)** Sustainability Committee Update. **3a)** Discussion Regarding The Provision Of Renewable Energy Sources In New Construction Projects And Green Building Practices In New Construction Projects. **3b)** Referral Regarding The Incorporation Of Green Roofs In Future Building Projects. **4)** Referral Designating A Department Or Specific Employees To Develop And Oversee Sound And Comprehensive Policy Regarding Climate Change. **5)** Discussion Regarding The Incorporation Of Green Alleys **6)** Charging Stations For Plug-In Vehicles.
- C6C Report Of The July 31, 2015 Neighborhood/Community Affairs Committee (NCAC) Meeting: **1)** Report From Miami-Dade County Public Schools On The Status Of The Action Plan Related To Nautilus Middle School And Progress Date. **2)** Discussion Regarding The Status Of City Funds Given To The Wolfsonian-FIU Museum. **3)** Discussion Regarding Status Of Beach Chair Lock Boxes For Valuables. **4)** Discussion Regarding Bicycle Parking Locations And Adding Attractive Bike Racks Throughout The City. **5)** Discussion Regarding The Lack Of Availability Of Public Parking At 46th Street And Collins Avenue; And Discussion Regarding A Competition Swimming Pool. **6)** Discussion Regarding Amending Chapter 74 Of The Code Of The City Of Miami Beach, Entitled "Peddlers And Solicitors," By Amending Article III, Entitled "Panhandling On Public Property," To Provide Additional Areas Where Panhandling Is Prohibited; Providing For Repealer, Severability, Codification, And An Effective Date. **7)** Discussion And Update Regarding Undergrounding Of FPL Lines In The Venetian Islands And Citywide. **8)** Discussion Regarding Options For The Relocation Of The 21<sup>st</sup> Street Teen Center. **9)** Monthly Crime Statistics Report.

### **C7 - Resolutions**

- C7A A Resolution Approving And Authorizing The City Manager, Or His Designee, To: 1) Collaborate With Harvard University Graduate School Of Design On An Application To The National Science Foundation For The Infrastructure Management And Extreme Events Grant In The Amount Of \$250,000; 2) Submit Applications To: A) Miami-Dade County For FY 2014/15 Edward Byrne Memorial Justice Assistance Grant Program Funds In The Approximate Amount Of \$10,000 And B) The United States Conference Of Mayors For The 2015 Childhood Obesity Prevention Awards Program In The Amount \$120,000; And 3) Retroactively Approve The Submittal Of The Following Grant Applications: A) Christopher And Dana Reeve Foundation For Funding In The Approximate Amount Of \$25,000 For Adaptive Exercise Equipment For The Allison Park Project And B) Florida Department Of Environmental Protection, Florida Recreation Development Assistance Program (FRDAP) For Funding In The Approximate Amount Of \$200,000 For The Allison Park Project; And Further Authorizing The City Manager, Or His Designee, To Take All Necessary Steps And To Execute Documents In Connection With The Aforestated Grants And Funding Requests, Including, Without Limitation, Applications, Grant And Funding Agreements, And Audits..  
(Budget & Performance Improvements)

C7B Reappointment Of Chief Special Master

1. A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Section 30-36 Of The Code Of The City Of Miami Beach, Concerning The Reappointment Of Enrique Zamora, Esq., To Serve As Chief Special Master, For A Term Commencing On October 24, 2015 And Ending On April 23, 2016; Provided Further That Chief Special Master Zamora Shall Be Authorized To Hold Hearings And Impose Fines, Liens And Other Non-Criminal Penalties Against Violators Of The City And County Codes And Ordinances, And Shall Also Be Authorized To Appoint Such Other Special Masters As May Reasonably Be Required To Conduct The Subject Hearings; And Further Incorporating All Other Matters Set Forth Within Chapter 30 Of The City Code, Including, Without Limitation, Sections 30-37 And 30-38 Thereof, Concerning The Compensation And Duties Of The Chief Special Master.

(Office of the City Clerk)

2. A Resolution Approving And Reappointing, Pursuant To Section 102-356 Of The City Code, Enrique Zamora, Esq. (Chief Special Master Reappointed Pursuant To Resolution No. \_\_\_\_\_ As The City Manager's "Designee" Under Section 102-356 Of The City Code; Said Designation Commencing With Mr. Zamora's Term As Chief Special Master On October 24, 2015 And Ending On April 23, 2016.

(Office of the City Clerk)

C7C A Resolution Authorizing The City Of Miami Beach To Accept A Donation Of A Deco Bike From Decobike LLC., On Behalf Of The Miami Beach Police Department (MBPD), With An Approximate Value Of \$800, To Be Used In Decoy Operations To Identify And Apprehend Bicycle Thieves.

(Police)

C7D A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Pursuant To Request For Qualifications No. 2015-144-YG (The RFQ), For Public Information Outreach (PIO) Services On Right Of Way And Facilities Construction Projects; Authorizing The Administration To Enter Into Negotiations With HML Public Outreach, LLC., Infinite Source Communications Group, LLC., Media Relations Group, LLC., And Quest Corporation Of America, Inc., To Establish A Pool Of Consultants That Can Provide The Required PIO Services On An As Needed Basis; And Further Authorizing The Mayor And City Clerk To Execute Agreements Upon Conclusion Of Successful Negotiations By The Administration.

(Procurement/Capital Improvement Projects/Public Works)

C7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Tyler Technologies, Inc., Agreement Between The City Of Miami Beach And Tyler Technologies, Inc., Dated October 10, 2014, Amending The ERP System 'Go-Live' Dates, To The Contract With Tyler Technologies, Inc.

(Procurement/Office of the City Manager)

**(Item to be Submitted in Supplemental)**

- C7F A Resolution Approving, Pursuant To Section 2-367(d) Of The Miami Beach City Code, The Sole Source Purchase Of Technical Service Support For Manual External Defibrillators And Automated External Defibrillators From Physio-Control Inc., The Sole Source Provider; And Approving And Authorizing The City Manager To Execute, In Substantial Form, The Attached Technical Service Support Agreement Between The City And Physio-Control Inc., For A Three (3) Year Term, Commencing On October 1, 2015 And Ending On September 30, 2018, For A Total Cost Of \$117,036.82, Subject To Review And Form Approval By The City Attorney's Office; And Further Authorizing The Administration, In Its Discretion, To Purchase Any Necessary Accessories And Electrodes Pursuant To Said Agreement.  
(Procurement/Fire)
- C7G A Resolution Approving And Authorizing The Acceptance Of Sponsorships Valued At \$10,650 For The 2015 Annual Family Service Day, The 2015 Annual Veterans Day Parade, And For One Monthly Food Truck And Music Festival, As Well As An In-Kind Sponsorship Valued At \$60,000, Made To The City For A One Year Supply Of Dog Waste Bags.  
(Tourism, Culture & Economic Development)
- C7H A Resolution Approving An Award Of \$3,350 For The City's Joint Tourism And Hospitality Scholarship Program In Partnership With Spectra Management Group And Centerplate, Inc.  
(Tourism, Culture & Economic Development)
- C7I Request To Amend The Awarded Contracts Pursuant To Invitation To Bid (ITB) 113-2013, For Routine And Emergency Repairs For Water, Sanitary Sewer And Storm Water Pipe Break; Cured-In Place Lining For Sanitary Sewer Pipes And Storm Water Drainage Pipes; And Rehabilitation Of Sanitary Sewer Manholes And Storm Water Manholes.  
(Procurement/Public Works)

**End of Consent Agenda**

**REGULAR AGENDA**

**R2 - Competitive Bid Reports**

- R2A Request For Approval To Issue A Request For Proposals (RFP) No. 2015-258-LR For The Collection And Disposal Of Residential Solid Waste, Yard Trash And Bulk Waste And The Operation Of The City's Green Waste Facility.  
(Procurement/Public Works)  
**(Item to be Submitted in Supplemental)**

**R5 - Ordinances**

- R5A Incentives For Architecturally Significant Single Family Homes  
An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," Section 142-108, "Provisions For The Demolition Of Single-Family Homes Located Outside Of Historic Districts;" By Amending The Requirements And Procedures For The Retention Of Architecturally Significant Single-Family Homes; Providing For Codification; Repealer; Severability; And An Effective Date.  
**10:00 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)  
(First Reading on July 8, 2015 - R5K)

- R5B Demolition Procedures For Pre-1942 SF Homes  
An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," Section 142-108, "Provisions For The Demolition Of Single-Family Homes Located Outside Of Historic Districts;" By Amending The Requirements And Procedures For The Issuance Of A Demolition Permit Prior To The Issuance Of A Full Building Permit For Architecturally Significant Pre-1942 Single Family Homes; Providing For Codification; Repealer; Severability; And An Effective Date. **10:05 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)  
(First Reading on July 8, 2015 - R5L)

- R5C Single Family Home Development Regulations For Lot Splits  
An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending The Maximum Unit Size And Lot Coverage For All Homes On Lots Resulting From A Lot Split; Providing For Repealer; Codification; Severability; And An Effective Date. **10:10 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)  
(First Reading on July 8, 2015 - R5M)

- R5D CD-3 Architectural District Parking Garage Heights  
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 6, "CD-3 Commercial High Intensity District," By Amending Section 142-337, "Development Regulations And Area Requirements", To Clarify And Amend The Maximum Height Requirements; Providing Codification; Repealer; Severability; And An Effective Date.  
**10:15 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)  
(First Reading on July 8, 2015 - R5N)
- R5E Washington Avenue Zoning Incentives  
An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 5, "CD-2 Commercial, Medium Intensity District," To Establish Section 13-309, "Washington Avenue Development Regulations And Area Requirements," To Modify The Development Regulations For Properties Fronting Washington Avenue Between 6<sup>th</sup> Street And Lincoln Road; By Amending Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," To Establish Parking District 7 To Modify The Parking Requirements For The Properties Fronting Washington Avenue Between 6<sup>th</sup> Street And Lincoln; Providing For Codification; Repealer; Severability; And An Effective Date. **10:20 a.m. First Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)
- R5F An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 66, Entitled "Marine Structures, Facilities And Vehicles," By Amending Article II, Entitled "Restricted Wake Zones," By Amending Section 66-43, Entitled "Restricted Areas," By Amending Subsection B Thereof Regarding The Idle Speed, No Wake Zones By Adding An Idle Speed, No Wake Zone In The Area Of The Miami Beach Marina And Amending The Appendices To Section 66-43, Accordingly; Providing For Repealer, Severability, Codification, And An Effective Date.  
**10:25 a.m. Second Reading Public Hearing**  
(Sponsored by Mayor Philip Levine)  
(Legislative Tracking: Environment & Sustainability)  
(First Reading on July 8, 2015 - R5O)
- R5G An Ordinance Amending Chapter 46 Of The Code Of The City Of Miami Beach, Entitled "Environment," By Creating Article VI, To Be Entitled "Expanded Polystyrene Sale And Use Restrictions," To Provide Regulations For The Sale And Use Of Expanded Polystyrene Food Service Articles, And To Provide For Enforcement, Penalties, And Waivers For Financial Hardship; And Providing For Repealer, Severability, Codification, And An Effective Date.  
**10:30 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Environment & Sustainability)  
(First Reading on July 8, 2015 - R5P)

- R5H An Ordinance Amending Chapter 18 Of The Miami Beach City Code, Entitled "Businesses," By Amending Article VIII, Entitled "Parking Lot," By Amending Division I, Entitled "Generally," By Amending Section 18-310, Entitled, "Requirements For Issuance Of License," By Requiring A Notarized Letter Before Issuance Of Valet Parking License; By Deleting Section 18-311, Entitled, "Employers And Valet Operators Code Of Conduct," And Creating A New Section 18-311, Entitled "Operation Of Service," By Removing Language That Allowed The Leasing Of Municipal Spaces; By Removing Section 18-312, Entitled, "Operation Of Service;" By Deleting Section 18-313, Entitled, "Special Event Permit;" By Deleting Section 18-314, Entitled, "Enforcement, Fine Schedule, And Right Of Appeal;" By Deleting Section 18-315, Entitled, "Compliance Date;" By Amending Division 2, Entitled, "Valet Parking Permits For Use Of Public Property," By Amending Section 18-336, Entitled, "Separate Permit Required," Authorizing Consolidation Of Valet Parking Ramps And Identifying The Types Of Uses For Space Rental Valet Parking; By Amending Section 18-337, Entitled, "Requirements," Which Establishes Submission Standards For A Valet Parking Operational Plan; By Deleting Section 18-339, Entitled, "Cancellation And Revocation;" And Creating A New Section 18-339, Entitled, "Private Storage Of Valet Vehicles," Which Requires The Parking Director To Confirm Sufficient Rental Storage Capacity; By Creating A New Section 18-340, Entitled, "Employees And Valet Operators Code Of Conduct" That Establishes The Code Of Conduct Standards For Valet Operators And Their Employees; By Creating A New Section 18-341, Entitled, "Operation Of Service," Which Requires The Identification Of Rented Spaces, Ramping, On-Call Valet Ramps, Storage And Valet Parking Street Furniture; By Creating A New Section 18-342, Entitled, "Exceptions," That Permits Valet Service In Residential Zoned Areas; By Creating A New Section 18-343, Entitled, "Penalties And Enforcement, Fine Schedule, Right Of Appeal," And Further Amending Division 3, Entitled, "Rentals," By Amending Section 18-361, Entitled, "Rental And Operation Of Municipal Parking Spaces," Which Modifies The Permissible Operations Of Public Spaces For Ramping; And The Deletion Of Section 18-362, Entitled, "Rental Of Additional Parking For Storage Of Vehicles," Providing For Repealer, Severability, Codification, And An Effective Date. **10:35 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Parking)  
(First Reading on July 8, 2015 - R5Q)
- R5I An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article II, Entitled "City Commission," By Amending Section 2-12, Entitled "Meeting Agendas," By Amending The Requirements And Procedures Relating To City Commission Meetings And Agenda; Providing For Repealer, Severability, Codification, And An Effective Date. **10:40 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)  
(First Reading on July 8, 2015 - R5R)
- R5J MXE Setbacks  
An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations", Division 13, "MXE Mixed Use Entertainment District," At Section 142-547, "Setback Requirements," By Amending The Setback Requirements To Include Separate, Reduced Setback Requirements For Commercial Buildings That Do Not Contain Any Hotel Or Residential Units; Providing For Codification; Repealer; Severability, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Jonah Wolfson)  
(Legislative Tracking: Planning)  
(Deferred from July 8, 2015 - R5J)

- R5K An Ordinance Amending Miami Beach City Code Chapter 82, Entitled “Public Property,” By Amending Article IV Thereof Entitled “Uses In Public Right-Of-Way”, By Amending Section 82-383, Entitled “Permit Fee; Penalties For Late Payments; Review Of Fee,” By Amending Subsection (a) Thereof To Abate Sidewalk Café Fees For Businesses North Of 63<sup>rd</sup> Street, Through And Including September 30, 2017; Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Edward L. Tobin)  
(Legislative Tracking: Public Works)
- R5L Amend Penalties For Franchise And Permit Fees Not Paid To The City By Private Waste And Specialty Contractors  
An Ordinance Amending Chapter 90 Of The Code Of The City Of Miami Beach, Entitled “Solid Waste,” By Amending Article IV, Entitled “Private Waste Contractors,” By Amending Division 3, Entitled “Franchise,” By Amending Section 90-225, Entitled “Failure To Pay Franchise Fee,” To Amend The Penalties For Failure To Pay Franchise Fees; And By Amending Division 4, Entitled “Specialty Contractors,” By Amending Section 90-278, Entitled “Fees And Requirements,” To Amend The Penalties For The Failure To Pay Permit Fees; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**  
(Sponsored by Commissioner Deede Weithorn)  
(Legislative Tracking: Budget & Performance Improvement)
- R5M An Ordinance Amending Part I, Subpart B, Article IX, Related Special Acts, Of The Miami Beach City Code Entitled “Pension System For Disability And Retirement Of Members Of Police And Fire Departments”; Amending The Pension System To Comply With Applicable Provisions Of The Internal Revenue Code And Regulations Thereunder; Amending Section 62, Entitled “Definitions”; Amending Section 63, Entitled “Source Of Monies For Fund; Computation Of Liability; Use And Investment Of Fund”; Amending Section 66, Entitled “Service And Disability Benefits Generally”; Amending Section 70, Entitled “Return Of Contribution”; Amending Section 79, Entitled “Deferred Retirement Option Plan”; Amending Section 82, Entitled “Military Service”; Amending Section 83, Entitled “Limitations On Benefits;” Amending Section 84, Entitled “Distribution Limitation”; Amending Section 85, Entitled “Distribution To Retirement Plan”; Providing For Severability; Repealing All Ordinances In Conflict Therewith; And Providing An Effective Date. **First Reading**  
(Sponsored by Commissioner Deede Weithorn)  
(Legislative Tracking: Human Resources)
- R5N 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 To Amend The Enforcement And Penalty Provisions For Violations Of Subsections (b), (c), (d), And (e), By Increasing Penalties For Violations Of Subsections (b), (c), (d), And (e), And Imposing Criminal Penalties For Violations Of Subsection (b) On Beaches, Parks, Marinas, Piers, Docks, And Boat Ramps; To Amend Provisions In Subsections (l) And (m) Regarding Appeals From Violations; And To Amend The Provisions In Subsection (m) Regarding Liens For Unpaid Fines; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Grieco)  
(Legislative Tracking: Environment & Sustainability)  
**(Item to be Submitted in Supplemental)**

- R5O An Ordinance Amending Chapter 106 Of The Miami Beach City Code, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-47, Entitled "Freight, Commercial, And Passenger Curb Loading Zones; Hours, Deliveries"; By Deleting Subsection (c), (d) And (e); By Amending Subsection (b) To Require Property Owners And Businesses To Confirm Compliance With Subsection (g) For Commercial Motor Vehicles Deliveries And Services; By Prohibiting Deliveries Or Services For Commercial Motor Vehicles That Fail To Comply With Subsections (f) Through (n); By Creating A New Subsection (d) And (e), Which Limits The Authority Of The Special Master; By Amending The Enforcement And Penalty Provisions For Violations Of Subsections (b); Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)
- R5P An Ordinance Amending Chapter 142 Of The Miami Beach City Code, Entitled "Zoning Districts And Regulations," By Amending Article IV, Entitled "Supplementary District Regulations"; By Amending Division 3, Entitled "Supplementary Use Regulations"; By Amending Subsection (5), To Require Transient Guest(s) Or Occupant(s) To Register At The Suite Hotel; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)
- R5Q An Ordinance Amending Chapter 90 Of The Code Of The City Of Miami Beach, Entitled "Solid Waste," By Amending Article II, Entitled "Administration," By Amending Section 90-39 Thereof, Entitled "Fine Schedule For Violations Issued And Applied To Owners, Agents, Tenants, Occupants, Operators Or Managers, Or Persons Responsible For The Violation," To Amend The Fine Schedules Therein; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**  
(Sponsored by Deede Weithorn)  
(Legislative Tracking: Code Enforcement)  
**(Item to be Submitted in Supplemental)**

### **R7 - Resolutions**

- R7A A Resolution Approving, Following Second Reading/Public Hearing, A Development And Ground Lease Agreement, As Authorized, Respectively, Under Section 118-4 Of The City Code, Sections 163.3220 - 163.3243, Florida Statutes, And Section 82-37 Of The City Code, Between The City And Portman Miami Beach, LLC ("Portman"), For The Development Of An 800-Room Convention Headquarter Hotel And Related Facilities, Including Up To 95,000 Square Feet Of Conference And Ballroom Facilities, And Up To 37,400 Square Feet Of Restaurant Facilities (The "Hotel"), On An Approximately 2.65 Acre Site On The Northeast Corner Of 17<sup>th</sup> Street And Convention Center Drive, Bounded Roughly By The Miami Beach Convention Center To The North, 17<sup>th</sup> Street To The South, The Fillmore Miami Beach At The Jackie Gleason Theater To The East, And Convention Center Drive To The West (The "Leased Property"); Delineating The Conditions For The Design, Construction, Equipping And Operation Of The Hotel On The Leased Property, With No City Funding Therefor; Providing For A 99-Year Term Of The Leased Property Once Certain Conditions Are Satisfied; Prohibiting Gambling Establishments On The Leased Property; And Providing For Annual Base Rent To The City, After The Hotel Opens, Of The Greater Of Minimum Fixed Rent Or A Percentage Of The Gross Operating Revenues Of The Hotel, Among Other Rent. **11:00 a.m. Second Reading Public Hearing**  
(Office of the City Manager/Office of the City Attorney)  
(First Reading on July 31, 2015 - R7A)

- R7B A Resolution Calling For A November 3, 2015 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether City Should Lease 2.65-Acre Property At Northeast Corner Of 17th Street And Convention Center Drive To Portman Miami Beach LLC For 99 Years, Requiring, Per Resolution 2015-\_\_\_\_\_, Construction/Operation Of Privately-Funded 800 Room Hotel With 300 Foot Height Limit, Connected To Convention Center Via Pedestrian Skybridge; No Gambling; And Rent To City After Hotel Opens, Including Greater Of: Minimum Rent (\$12,373,785 Over First Ten Years, Adjusted Thereafter) Or Percentage Of Hotel's Revenues Annually.  
(Office of the City Attorney/Office of the City Manager)
- R7C A Resolution Calling For A November 3, 2015 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida, A Question Asking Whether The Floor Area Ratio (FAR) For The "Ocean Terrace Overlay District," With An Underlying Zoning Designation Of "Commercial District-2" ("CD-2") And "Mixed Use Entertainment District" ("MXE"), Be Increased From A Maximum 2.0 FAR To A Maximum 3.0 Far For Residential And Hotel Uses Only, And Allow No FAR Increase For Commercial Uses; Which Ocean Terrace Overlay District Is Located Between 73<sup>rd</sup> And 75<sup>th</sup> Streets, Collins Avenue, And Ocean Terrace?  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Office of the City Attorney)
- R7D A Resolution Calling For A November 3, 2015 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether City Code Section 2-459 Should Be Amended To Provide Further Exception Allowing Historic Preservation And Design Review Board Members Who Are Architects Or Landscape Architects To Lobby City Personnel And Agencies On Land Development Applications, Except For Applications Before The Board On Which They Serve.  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Office of the City Attorney)  
(On July 8, 2015, it was requested to bring this item to September 2, 2015 - R7R)
- R7E A Resolution Supporting "The Envelope Please" Initiative, Which Asks Hotels To Place Envelopes In Hotel Rooms To Remind Guests To Express Their Gratitude By Leaving Tips For Room Attendants, And Encouraging All Hotels In The City Of Miami Beach To Participate In The Initiative.  
(Sponsored by Mayor Philip Levine)  
(Legislative Tracking: Office of the City Attorney)
- R7F A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Settlement Agreement Between The City (Owner), PKY Lincoln Place, LLC (Tenant), And 16<sup>th</sup> Street Partners, LLC (Master Subtenant), Relating To That Certain Agreement Of Lease (Ground Lease), Dated September 1, 1999, For The Lincoln Place Garage, Located At 1601 Washington Avenue.  
(Office of the City Attorney/Tourism, Culture & Economic Development)  
**(Item to be Submitted in Supplemental)**

- R7G A Resolution Approving The Extension Of Hours For Certain Alcoholic Beverage Establishments With A 5:00 a.m. Liquor License To 7:00 a.m., Under Certain Specified Conditions Pursuant To Section 6 Of The City Code, For White Party 2015 (November 27<sup>th</sup> And 28<sup>th</sup>, 2015), Winter Party Festival 2016 (March 4<sup>th</sup> And 5<sup>th</sup>, 2016), And Miami Beach Gay Pride 2016 (April 8<sup>th</sup> And 9<sup>th</sup>, 2016) As Recommended By The LGBT Advisory Committee, And Further Providing That The Extension Of Alcoholic Beverage Service Be Applied Only To Events Held In The City Of Miami Beach On The Above-Stated Dates.  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)
- R7H A Resolution Adopting The Sixth Amendment To The Capital Budget For Fiscal Year 2014/15.  
**11:05 a.m. Public Hearing**  
(Budget & Performance Improvement)  
**(Item to be Submitted in Supplemental)**
- R7I Approve Accessible Beach, Outdoor Recreation & Playground Facility And Wellness Center at Allison Park
1. A Resolution Approving, In Concept, An Accessible Beach And An Accessible Outdoor Recreation And Playground Facility At Allison Park.  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Capital Improvement Projects)
  2. A Resolution Approving, In Concept, The Proposed Construction Of A New Wellness Center At Allison Park; And Further Authorizing The City Manager And City Attorney's Office To Negotiate The Material Business Terms Of A Proposed Ground Lease Agreement Between The City, As Lessor, And The Sabrina Cohen Foundation, As Lessee, For Approximately 10,000 Square Feet Of City-Owned Land, For Construction And Development Of The Proposed New Wellness Center At Allison Park (At Lessee's Sole Cost And Expense), Which Final Negotiated Lease Agreement Shall Be Subject To Approval By The City Commission And By A Majority Of The Voters In A City-Wide Referendum, Pursuant To Section 1.03(b) Of The City's Charter; Provided Further That The Final Negotiated Term Sheet Shall Be Brought Back To The City Commission For Approval.  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Capital Improvement Projects)
- R7J A Resolution Approving And Authorizing A Substantial Amendment To The City's Five-Year Consolidated Plan To Allocate \$271,000 Of Previously Unallocated Home Investment Partnerships (HOME) Funds From Prior Years To The London House Apartments Affordable Housing Project; Authorizing The City Manager To Recapture And Reallocate \$48,343 Of HOME Funds From The Meridian Place Apartments Affordable Housing Project To The London House Apartments Project; Issue A Notice Of A Thirty (30) Day Public Comment Period On The Proposed Substantial Amendments To The City's Five-Year Consolidated Plan; And Authorizing The City Manager To Execute Inter-Departmental Agreements For Recipients Of The Funds.  
(Housing & Community Services)

R7K A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement, Substantially In The Form Attached To This Resolution, Between The City And Skidata, Inc., Pursuant To Invitation To Negotiate (ITN) 2014-170-SW, For A Gated Revenue Control System For The City's Parking Garages, For An Initial Term Of Ten (10) Years, With Two (2) Five (5) Year Options, At The City's Sole Discretion.

(Procurement/Parking)

(On July 8, 2015, it was requested to bring the agreement for approval on September 2, 2015 - R7N)

**(Item to be Submitted in Supplemental)**

R7L A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee To Relocate The Teen Club From Its Current Location At The 21<sup>st</sup> Street Recreation Center, To The Scott Rakow Youth Center.

(Parks & Recreation)

R7M A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Pursuant To Request For Proposals No. 2015-146-YG (The RFP), For Parking Attendants For City Parking Garages.

(Procurement/Parking)

R7N A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 2015-135-WG For Parking Meter Collection Services.

(Procurement/Parking)

R7O A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Change Order No. 5 To The Design-Build Agreement With Bergeron Land Development, Inc., Dated April 30, 2014 (The Agreement), Related To The Disposal Of Soils From The West Avenue Neighborhood Project, Provide Rental Generators To Reduce Flooding And Establish Street Lighting Standards For The City, Further Increasing The Cost Of The Agreement By \$2,000,000.

(Public Works)

R7P A Resolution Approving And Authorizing Amendment No. 1 To The Development Agreement Between The City And Jameck Development, Inc. (Jameck Or Developer), Dated July 23, 2014, For The Design, Development, And Construction Of Certain Streetscape Improvement In The City's Right Of Way, At The Portion Of Euclid Avenue Between Lincoln Road And Lincoln Lane South (The Project); Said Amendment Increasing The Budgeted Cost Of The Project To A Guaranteed Maximum Price (GMP) Of \$786,200, Due To Construction Cost Increases, But Without Changing The City's Financial Contribution To The Project (In The Original Approved Amount Of \$485,820); And Requiring The Developer To Pay For Any Project Costs Exceeding The City's Contribution.

(Public Works)

R7Q A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Existing Joint Participation Agreement (JPA) Between The City And Florida Department Of Transportation (FDOT), Providing For Funding In The Amount Of Additional \$302,518, For Patterned Pavement Crosswalks By FDOT Highway Contractor For The Construction Within The Project Area, As Part Of The State Road 907/Alton Road Project, From 5th Street To Michigan Avenue; Further Approving And Authorizing The Mayor And City Clerk To Execute As Well A Corresponding Maintenance Memorandum Of Agreement.  
(Public Works)

R7R A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Request For Qualifications No. 2014-115-SR, For Professional Engineering Consulting Services Relating To The Design Of The New West Avenue Bridge Over The Collins Canal (The "RFQ"); To Withdraw This Procurement Process And Amend The Existing Contract With Gannett Fleming, Inc., Who Completed The Planning Development And Environmental Phase Of This Project; Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon Conclusion Of Successful Negotiations By The Administration.  
(Public Works)  
**(Item to be Submitted in Supplemental)**

R7S A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee, And Approving Amended And Restated Booking Policy Guidelines For The Miami Beach Convention Center.  
(Tourism, Culture & Economic Development)

R7T A Resolution Pursuant To Section 82-37(a)(2) Of The City Code, Setting A Public Hearing To Consider Approving, On Second Reading, The Transfer, Via An Air Rights Easement Agreement, To Betsy Ross Owner, LLC, The Property Identified In Exhibit "A," For The Construction Of Bridge Over The Ocean Court Alley Between The Carlton And The Betsy Hotels; Containing Approximately 181.66 Square Feet In Total Area; Further Waiving, By 5/7<sup>th</sup> Vote, The Competitive Bidding Requirements Of Section 82-39(b) Of The City Code, Finding That The Public Interest Would Be Served By Waiving Such Condition; Directing The Item Be Sent To The Next Finance And Citywide Projects Committee Meeting With A Copy Of The Updated Appraisal; And Directing The City's Planning Department To Prepare A Planning Analysis Pursuant To Section 82-38 Of The City Code.  
(Public Works)

R7U A Resolution Approving The Washington Avenue Storm Water Pipe Replacement Project, From 20th Street To Collins Avenue (Project), Having An Estimated Construction Cost Of \$2,500,000, Plus A \$250,000 Project Contingency, For A Grand Total Of \$2,750,000 And Further Authorizing The City Manager To Procure The Project Construction Services Utilizing The Competitively Bid National Joint Powers Alliance (NJPA) Cooperative Contract For Construction Services With The Gordian Group.  
(Public Works)

**R9 - New Business and Commission Requests**

- R9A Board And Committee Appointments.  
(Office of the City Clerk)
- R9A1 Board And Committee Appointments - City Commission Appointments.  
(Office of the City Clerk)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (8:30 a.m.)  
R9B2 Dr. Stanley Sutnick Citizen's Forum. (1:00 p.m.)
- R9C Update On The Miami Beach Convention Center Project.  
(Office of the City Manager)
- R9D Discussion On Proposed Modifications To The Flamingo Park Masterplan And The Actions Of  
The Historic Preservation Board.  
(Office of the City Manager)
- R9E Discussion Regarding Negotiations Between The City Of Miami Beach And Xerox State And  
Local Solutions, Inc., Pursuant To The Red-Light Camera Agreement, As Authorized By The  
Mayor And City Commission Under Resolution No. 2015-29018.  
(Police)
- R9F Presentation On Beautification Of Alton Road Flyover Bridge At Eastern End Of I-395.  
(Public Works)
- R9G Discussion Regarding PSA Litter Advertising On Garage Gate Arms And Wrapping Interior Of  
Elevators In Garages Near Beach.  
(Sponsored by Commissioner Michael Grieco)
- R9H Discussion Regarding Provisions For Attractive Window Wraps For Vacant Commercial  
Properties.  
(Sponsored by Commissioner Michael Grieco)
- R9I Discussion Regarding Tour Buses Misusing And Blocking The Streets In The Entertainment  
District And South Of Fifth.  
(Sponsored by Commissioner Michael Grieco)
- R9J Discussion Regarding The ECOMB Lease.  
(Sponsored by Commissioner Michael Grieco)

- R9K Discussion Regarding Unsolicited Proposal To Convert Collins Park Garage Project To A Ground Lease And Cooperative Development.  
(Sponsored by Commissioner Michael Grieco)
- R9L Discussion Regarding Potential Air And Sea Show For Memorial Day Weekend 2017/World OutGames.  
(Sponsored by Commissioner Michael Grieco)
- R9M Annual Report Regarding Tennis Management.  
(Sponsored by Commissioner Michael Grieco)
- R9N Discussion Regarding Extending Lanzo's Contract In Sunset Harbor To Incorporate The Final Phase 2.  
(Sponsored by Commissioner Michael Grieco)
- R9O Report On The City Of Miami Beach Action Plan For Special Needs Residents During A Hurricane Or Other Emergency.  
(Sponsored by Vice-Mayor Edward L. Tobin)  
(Emergency Management/Housing & Community Services)  
(Report requested on June 10, 2015 - R9R)
- R9P Discussion And Update Regarding Undergrounding Of FPL Lines In The Venetian Islands And Citywide.  
(Sponsored by Vice-Mayor Edward L. Tobin)  
(Legislative Tracking: Public Works)  
(Item requested on July 8, 2015 - R9L)
- R9Q Discussion Regarding Storm Water Pump Stations Policy.  
(Public Works)
- R9R Discussion Related To Making Sure Our City's Website Is Bilingual.  
(Sponsored by Commissioner Micky Steinberg)
- R9S Discussion Regarding A Potential Tennis Event In North Beach And Other Areas Of Miami Beach.  
(Sponsored by Commissioner Micky Steinberg)
- R9T Status Of Franchise Utilities Undergrounding - Sunset Islands 3 And 4.  
(Capital Improvement Projects)

**R10 - City Attorney Reports**

R10A City Attorney's Status Report.

(Office of the City Attorney)

R10B Notice Of Closed Executive Session

Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, September 2, 2015, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Collective Bargaining.

**Reports and Informational Items**

1. Reports and Informational Items (see LTC 334-2015).
2. List of Projects Covered by the Cone of Silence Ordinance - LTC No. 329-2015.  
(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**

## **Miami Beach Redevelopment Agency**

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
September 2, 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**

Call to Order - 2:00 p.m.

1. NEW BUSINESS

- 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; Waiving The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The RDA; And Approving And Authorizing The Chairperson And Secretary To Execute A Lease Agreement With Artconnection International, Inc. (Tenant), In Connection With The Use Of Suite No. 6 At The Anchor Shops, Located At 100 16<sup>th</sup> Street, Suite No. 6, Miami Beach, Florida (Premises); Said Lease Having An Initial Term Of Five (5) Years, Commencing On November 12, 2015, With Two Renewal Options (At Tenant's Option), Of Three (3) Years And One (1) Year And 364 Days, Respectively.

**2:00 p.m. Public Hearing**

(Tourism, Culture & Economic Development)