

# MIAMI BEACH

## Presentations & Awards/Commission Meeting

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

October 21, 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 - 5:00 p.m.
2. Pledge of Allegiance
3. Requests for Additions, Withdrawals, and Deferrals

**Presentations and Awards**

- PA1 Presentation Of 100 Automatic External Defibrillators (AEDs) Purchased By Baptist Health South Florida And Donated To The City Of Miami Beach.  
(Police)
  
- PA2 Commend All Firefighters Of The Fire Department For Their Efforts With The 2015 “Fill The Boot” Campaign On Behalf Of The Muscular Dystrophy Association And Proclaim The Month Of September As “City Of Miami Beach Firefighter Appreciation Month.”  
(Fire)
  
- PA3 Proclamation To Be Presented Honoring The Late Dr. Harold Unger.  
(Sponsored by Commissioner Joy Malakoff)

**REGULAR AGENDA**

**R5 - Ordinances**

- R5A Sunset Harbour CD-2 Entertainment Prohibition  
An Ordinance Amending The Code Of The City Of Miami Beach, Florida By Amending Chapter 142, “Zoning Districts And Regulations,” Article II, “District Regulations,” Division 5, “CD-2 Commercial Medium Intensity District,” At Section 142-305, “Prohibited Uses,” By Adding Bars, Dance Halls, And Entertainment Establishments As Prohibited Uses Within The CD-2, Sunset Harbour Neighborhood, Generally Bounded By Purdy Avenue, 20<sup>th</sup> Street, Alton Road And Dade Boulevard; Providing For Codification; Repealer; Severability; Applicability; And An Effective Date. **5:05 p.m. First Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)
  
- R5B An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 102, Entitled “Taxation,” By Amending Article IV, Entitled “Resort Tax,” By Amending Section 102-307, Entitled “Imposition Of Tax; Rate,” By Amending Subsection A Thereof Regarding The Rate Of The Tax To Be Paid On The Rent Of Every Occupancy Of A Room Or Rooms In Any Hotel, Motel, Roominghouse, Or Apartment House In The City, Pursuant To Section 5.03(B) Of The City Charter; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Finance)

**R7 - Resolutions**

- R7A A Resolution Adopting The Fourth Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year (FY) 2014/15. **5:06 p.m. Public Hearing**  
(Budget & Performance Improvement)

R7B A Resolution Accepting, Pursuant To Article 6 Of The Construction Manager At Risk Agreement (“Agreement”) Between The City And Clark Construction Group, LLC (“Clark”) For The Miami Beach Convention Center Renovation And Expansion Project (“Project”), A Guaranteed Maximum Price (“GMP”) For The Project In The Amount Of \$515,458,058.00; Approving And Authorizing The Mayor And City Clerk To Execute The GMP Amendment To The Agreement; Authorizing The Direct Purchase Of Materials And Equipment In Accordance With The Agreement; Authorizing The City Manager To Bind Coverage For Builder’s Risk And Other Insurance For The Project In An Amount Not-To-Exceed \$11,600,000.00 (Net Of Non-Construction Related Premiums For On-Going Convention Center Operations); Establishing A City Contingency For The Project, For Use By The City, In The Amount Of \$35,000,000.00; And Delegating To The City Manager The Authority To Use The City Contingency To Execute Any Project-Related Agreements Or Contract Amendments As May Be Necessary For The Successful Delivery Of The Project, With Monthly Reporting To The City Commission With Regard To Utilization Thereof.

(Office of the City Manager/Office of the City Attorney)

R7C A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amended And Restated Agreement With Hill International, Inc., For Owners Representative Services For The Miami Beach Convention Center Renovation And Expansion Project (“Project”), In The Amount Of \$6,303,753.

(Office of the City Manager/Office of the City Attorney)

R7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 8 To The Professional Services Agreement Between The City Of Miami Beach And Strategic Advisory Group Dated October 19, 2011 For Consulting Services Relative To The Expansion And Enhancement Of The Miami Beach Convention Center In An Amount Not-To-Exceed \$700,000.00, Including All Reimbursable Expenses.

(Office of the City Manager/Office of the City Attorney)

R7E A Resolution Accepting The Recommendation Of The City’s Finance And Citywide Projects Committee, And Waiving, By A 5/7<sup>th</sup> Vote, The Competitive Bidding Requirement In Section 82-39(a) Of The City Code, Finding Such Waiver To Be In The Best Interest Of The City; Further Waiving, By A 5/7<sup>th</sup> Vote, The Appraisal Requirement In Section 82-39(b) Of The City Code, Finding Such Waiver To Be In The Best Interest Of The City; And Approving, Upon First Reading Of This Resolution, A Ground Lease Agreement, Substantially In The Form Attached To This Resolution, Between The City (Owner Or Landlord) And The Sabrina Cohen Foundation (Tenant), In Connection With The Use Of 5,100 Square Feet Of City-Owned Land, Located At Allison Park, Having A Street Address Of 6475 Collins Avenue (Premises), For A Term Of Ninety-Nine (99) Years With No Renewal Options; And Further Setting The Second And Final Reading And Public Hearing Of The Lease, As Required Pursuant To Section 82-37(a)(2) Of The City Code, For A Time Certain On December 9, 2015. **First Reading**

(Sponsored by Commissioner Joy Malakoff)

(Legislative Tracking: Office of the City Attorney/Parks & Recreation/Public Works)

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

R7F A Resolution Authorizing The City Manager To Exercise Two (2) One (1) Year Renewal Terms Of The Agreement Between The City And Global Spectrum, L.P. ("Global") For The Operation, Management, Maintenance, Promotion And Marketing Of The Miami Beach Convention Center And Colony Theatre; Waiving, By 5/7<sup>th</sup> Vote, The Competitive Bidding Requirement Pursuant To Section 2-367 Of The City Code, For The Limited Purpose Of Approving An Additional Two (2) Year Renewal Term, And Finding Such Waiver To Be In The Best Interest Of The City; And Authorizing The Mayor And City Clerk To Execute Amendment No. 2 Of Said Agreement, With Said Agreement Having A Term Commencing On October 1, 2016, And Ending On September 30, 2020.

(Tourism, Culture & Economic Development)

R7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Agreement Between The City And The Greater Miami Convention And Visitors Bureau (GMCVB), In The Form Attached To This Resolution, With Said Agreement Having A Five (5) Year Initial Term, Commencing Retroactively On October 1, 2015, And Ending On September 30, 2020.

(Tourism, Culture & Economic Development)

R7H A Resolution Setting A Public Hearing On December 9, 2015 At 11:00 a.m. For The Owners Of The Property To Be Assessed Within The Proposed Sunset Islands 3 & 4 Utility Improvement District Or Any Other Interested Persons To Be Heard By The Mayor And City Commission As To The Propriety And Advisability Of Funding The Placement Underground Of Utilities On Sunset Islands 3 & 4 With Special Assessments, As To The Cost Thereof, As To The Manner Of Payment Therefor, And As To The Amount To Be Assessed Against Each Property So Improved, Following Which The Mayor And City Commission Shall Meet As An Equalizing Board To Hear And Consider Any And All Complaints As To The Special Assessments And To Adjust And Equalize The Assessments On A Basis Of Justice And Right.

(Capital Improvement Projects/Office of the City Attorney)

R7I A Resolution Accepting The Recommendation Of The City Manager And Waiving, By 5/7<sup>th</sup> Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 3 To The Agreement, Dated May 8, 2014, Between The City And Limousines Of South Florida, Inc., For Turn-Key Operations And Maintenance Services Of A Municipal Trolley System For The City Of Miami Beach; Said Amendment Increasing The Scope Of The Agreement To Include The Following: (1) The Addition Of The Operation And Maintenance Services For Two New Routes In Middle Beach (The Middle Beach Loop And The Collins Link); (2) The Addition Of Fifteen (15) New Low-Floor Trolley Vehicles For The Operation Of The North Beach And Middle Beach Routes; (3) A Negotiated New Hourly Rate Commensurate With The Cost Of Said New Trolley Vehicles And The Additional Services For The New Middle Beach Routes; (4) The Early Exercise Of The Two (2) Renewal Options, Extending The Agreement Term Through May 7, 2021; (5) In Addition To The Term Provided In Subsection (4) Of This Resolution, Further Extending The Term, As To Each Route, To Include A Full Sixty (60) Month Term, Commencing As Of The Roll-Out Date Of All The New Trolley Vehicles For Each Respective Route; (6) Authorizing The City Manager To Approve The Purchase Of Additional Optional Equipment For The Trolley Vehicles In The City Fleet, As May Be Needed In The Administration's Discretion, Subject To Funding Availability; And (7) Any Additional Modifications Deemed Necessary By The Administration With Respect To The Additional Scope Contemplated By The Amendment; Said Amendment Increasing The Cost Of The Agreement, In An Amount Not To Exceed \$7,880,000 Annually.

(Transportation)

(Deferred from October 14, 2015 - R7K)

**R9 - New Business and Commission Requests**

- R9A Discussion Regarding 71 Investments, LLC Settlement And Release Agreement Between 71 Investments, LLC And The City Of Miami Beach Regarding The Property Located At 912 71<sup>st</sup> Street.

(Office of the City Attorney)  
**(Item to be Submitted in Supplemental)**

**End of Regular Agenda**