

# MIAMI BEACH

## City Commission Meeting

City Hall, Commission Chambers, 3<sup>rd</sup> Floor, 1700 Convention Center Drive  
December 9, 2015

Mayor Philip Levine  
Commissioner John Elizabeth Alemán  
Commissioner Ricky Arriola  
Commissioner Kristen Rosen Gonzalez  
Commissioner Michael Grieco  
Commissioner Joy Malakoff  
Commissioner Micky Steinberg

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.

**CONSENT AGENDA**

**C2 - Competitive Bid Reports**

- C2A Request For Approval To Exercise Term Renewal Options On Contracts For Routine Operational Requirements.  
(Procurement)
- C2B Request For Approval To Award Contracts To Structured Cabling Solutions, Inc., As Primary Vendor, And ASE Telecom & Data, Inc., As Secondary Vendor Pursuant To Invitation To Bid (ITB) No. 2015-203-AK For Telecommunications Wiring Services.  
(Procurement/Information Technology)
- C2C Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2015-097-WG For Swimming Pool Equipment Replacement, Maintenance And Repair.  
(Procurement/Parks & Recreation)
- C2D Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2015-182-JR For City Hall Heating, Ventilation And Air Conditioning (HVAC) & Variable Frequency Drive (VFD) Replacement.  
(Procurement/Property Management)
- C2E Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2015-267-KB For Continuing Services (As Needed) For The Construction Of Seawalls Citywide.  
(Procurement/Public Works)
- C2F Request For Approval To Issue Request For Proposals (RFP) For Design Build Services For The Construction Of Two Stormwater Pump Stations; One At The Northeast Corner Of The Convention Center And The Other On 19<sup>th</sup> Street, Between Convention Center Drive And Meridian Avenue; Each Pump Station Will Have A Separate Proposal.  
(Public Works)

**C4 - Commission Committee Assignments**

- C4A Referral To The Land Use And Development Committee - Discussion Regarding A Proposed Zoning Ordinance Amendment To Allow A 'Hall For Hire' As A Conditional Use Within Existing Religious Institutions Located Within The Museum Local Historic District And In The RM-2 Zoning District.  
(Sponsored by Commissioner Joy Malakoff)

- C4B Referral To The Planning Board - Discussion Regarding Proposed Ordinance Amendment Pertaining To Historic Hotel Unit Sizes Within Designated Historic Districts.  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Planning)
- C4C Referral To The Land Use And Development Committee – Discussion Regarding Proposed Amendment To Section 118-5 Unity Of Title; Covenant In Lieu Thereof.  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)
- C4D Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding An Innovative Bicycle Parking System.  
(Transportation)
- C4E Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Renewal Of The Agreement Between The City Of Miami Beach, And Clear Channel Outdoor, Inc. (F.K.A. Clear Channel Adshel, Inc.) To Construct, Operate And Maintain Bus Shelter Structures And Other Street Furniture Throughout The City, Pursuant To City Of Miami Beach Request For Proposals No. 107-99/00.  
(Transportation)
- C4F Referral To Neighborhood/Community Affairs Committee - Discussion Regarding The Proposed South Beach Trolley Route And Service Plan.  
(Transportation)
- C4G Referral To Neighborhood/Community Affairs Committee - Discussion Regarding The Proposed Traffic Flow Modification For 42<sup>nd</sup> Street, Between Prairie Avenue And Pine Tree Drive.  
(Transportation)
- C4H Referral To Land Use And Development Committee And The Planning Board - Discussion Regarding Amending The Washington Avenue Zoning Incentive To Include 16-17<sup>th</sup> Streets: 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 6, "CD-3 Commercial, High Intensity District," To Create Section 142-340, "CD-3 District, Washington Avenue Between 16<sup>th</sup> Street And 17<sup>th</sup> Street Development Regulations And Area Requirements," To Modify The Development Regulations For Properties Fronting Washington Avenue To Include The CD-3, Commercial - High Intensity District Properties Fronting 16<sup>th</sup> And 17<sup>th</sup> Street And Authorizing For New Hotel Construction Or Conversion To Hotel Use, With The Minimum Hotel Room Unit Size Of 175 Square Feet, And Provide Some Additional Design Regulations Relating To The Hotel Use; Providing For Codification; Repealer; Severability; And An Effective Date.  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)

- C4I Referral To The Cultural Arts Council And The Finance And Citywide Projects Committee - Discussion Regarding Incentivizing Local Theater In Miami Beach.  
(Sponsored by Commissioner Micky Steinberg & Co-Sponsored by Commissioner Joy Malakoff)
- C4J Referral To Neighborhoods/Community Affairs Committee - Discussion Regarding Citywide Street Light And Coverage Audit.  
(Sponsored by Commissioner Michael C. Grieco)
- C4K Referral To The Sustainability & Resiliency Committee - Discussion Regarding Potential Drafting Of Plastic Bag Ban Ordinance In Anticipation Of The State Pilot Program.  
(Sponsored by Commissioner Michael C. Grieco)

### **C6 - Commission Committee Reports**

- C6A Report Of The October 7, 2015 Land Use And Development Committee Meeting: **1.** Sidewalk Café Ocean Drive Umbrellas. **2.** Discussion Regarding The Review Of All Planning Fees, Including Fees Associated With Plans Review, Board Applications And Other Ministerial Functions. **3.** Discussion Regarding Grade Elevations For New Construction. **4.** Discussion Regarding A Modification To The Notice Procedures For Quasi-Judicial Applications Before Historic Preservation Board, Board Of Adjustment, Planning Board, And Design Review Board. **5.** Discussion Regarding Traffic Studies. **6.** 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. **7.** 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. **8.** Proposed Alton Road Alcoholic Beverage Establishment Overlay. **9.** Discussion Regarding The Vacation Of A Portion Of The Alley Between Alton Road And West Avenue, Just South Of 17<sup>th</sup> Street - As Part Of A Proposed Mixed Use Project That Will Include Residential, Retail And Structured Parking, Including Public Parking. **10.** Proposed Amendment To Section 146-306 - Development Regulations In The CD-2 Commercial Medium Intensity District. **11.** 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.

- C6B Report Of The October 28, 2015 Neighborhood/Community Affairs Committee Meeting: **1)** Discussion Regarding The Possible Appointment Of A Dedicated Liaison To The 41<sup>st</sup> Street Corridor. **2)** Discussion Regarding Revisions To The Beachfront Concession Rules And Regulations. **3)** Report From Miami-Dade County Public Schools On The Status Of The Action Plan Related To Nautilus Middle School And Progress To Date. **4)** Discussion Regarding A Competition Swimming Pool. **5)** Discussion Regarding Naming The Accessible Beach And Playground At Allison Park, 65<sup>th</sup> Street And Collins Avenue, “Sabrina’s Beach And Playground At Allison Park.” **6)** Update On Muss Park Pavilion. **7)** A Discussion Regarding The Convention Center Park And Veteran’s Plaza. **8)** A Discussion Regarding The July 4<sup>th</sup> Celebration. **9)** Discussion Regarding Multi-Use Asphalt Skate/Bike Pump Track In North Beach. **10)** Monthly Crime Statistics Report.
- C6C Report Of The October 28, 2015 Sustainability And Resiliency Committee: 1) Mayor’s Blue Ribbon On Flooding And Sea Level Rise Update. 2) Sustainability Committee Update. 3) Discussion Regarding AECOM’s Progress On The Development Of The City’s Comprehensive Resiliency Program. 4) Discussion Regarding The Incorporation Of Green Alleys. 5) Discussion To Improve The Resiliency Of Government Buildings And Operations To Reduce And Mitigate The Impacts Of Greenhouse Gases. 6) Discussion Regarding Seawalls, Policy And Enforcement.

**C7 - Resolutions**

- C7A A Resolution Retroactively Approving And Authorizing The City Manager, Or His Designee, To Apply For, Accept, And Appropriate Funding (Including Matching Funds And Any Related City Expenses), And Execute Any And All Documents Or Agreements In Connection With Grants And Funding Requests From The Following Sources: 1) Knight Foundation For The Knight Cities Challenge; 2) Florida Department Of Environmental Protection, Coastal Partnership Initiative For The Florida Coastal Management Program, In The Approximate Amount Of \$30,000; 3) National Oceanic And Atmospheric Administration For The Community-Based Marine Debris Removal Program, In The Approximate Amount Of \$100,000; 4) Robert Wood Johnson Foundation, Culture Of Health Prize, In The Approximate Amount Of \$25,000; And 5) U.S. Environmental Protection Agency, In The Amount Of \$60,000.  
(Budget & Performance Improvement)
- C7B A Resolution Adopting The Local Mitigation Strategy (LMS) For Miami-Dade County.  
(Budget & Performance Improvement)
- C7C A Resolution Opposing SB 598, HB 181, And Any Similar Legislation That Would Preempt Local Governments From Imposing Certain Requirements On State-Funded Public Works Projects Such As A) Imposing Requirements On Contractors Pertaining To Wages, Benefits, Hiring, Staffing, And Training, And B) Restricting Qualified Bidders From Submitting Bids, Being Awarded Bids Or Contracts, Or Performing Work Based On Prior Poor Performance Or Misconduct; Directing The City’s State Lobbyists To Include This Issue As A 2016 State Legislative Priority; And Directing The City Clerk To Transmit A Copy Of This Resolution To Certain State And Local Officials.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Office of the City Attorney)

- C7D A Resolution Acknowledging Receipt Of The 2015 Triennial Incentives Review And Recommendation Report From The Affordable Housing Advisory Committee.  
(Housing & Community Services)
- C7E A Resolution Approving And Authorizing The City Manager To Execute A Grant Agreement Between The City And The Miami Beach Watersports Center, Inc., In The Total Amount Not To Exceed \$85,000.00, To Support The Para-Rowing Program For Rowers With A Disability At Ronald W. Shane Center.  
(Parks & Recreation)
- C7F A Resolution Approving A Five (5) Year Extension To The Use Agreement With The School Board Of Miami-Dade County, Florida, Dated October 18, 2000, Providing Parking Spaces For North Beach Elementary Faculty And Staff; Said Extension Commencing On July 23, 2016, And Expiring On July 22, 2021.  
(Parking)
- C7G A Resolution Authorizing The City Manager And City Clerk To Execute A Professional Services Agreement, And Any Amendments For Adjustments To Scope Of Work And Allocation Of Funds, With Cambridge University Technical Services Limited, For Services Regarding The Department Of Justice Grant Agreement For A Body-Worn Cameras Research And Evaluation Project, In An Amount Not To Exceed \$371,379.  
(Police)
- C7H A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 2015-160-YG For Constructability, Cost, And Value Engineering Review Services, Authorizing The Administration To Enter Into Negotiations With U.S. Cost, Inc. D/B/A Rib U.S. Cost, Keith & Schnars, P.A., And Haks Engineers, Architects And Land Surveyors, P.C.; Should The Administration Be Unable To Negotiate An Agreement With Any Of The Recommended Firms, The Administration Is Authorized To Negotiate With Other Ranked Firms In Order Of Rank; And Further Authorizing The Mayor And City Clerk To Execute An Agreement, Upon Conclusion Of Successful Negotiations By The Administration.  
(Procurement/Capital Improvement Projects)
- C7I A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Proposals (RFP) No. 2015-195-LR For Health Care Benefits Consulting Services.  
(Procurement/Human Resources)
- C7J A Resolution Ratifying An Agreement Between The City Of Miami Beach And Centurian Collins Property Owner, LLC (Developer), Attached Hereto As Exhibit 1, In Which The Developer Designed, Developed, Constructed And Partially Funded Improvements Along Liberty Avenue From The Northern Corner Of 23 Street To Collins Canal, Which Improvements Are Valued At \$265,430.29, And Authorizing The City To Reimburse Developer \$95,000, As The City's Full And Final Contribution Toward The Cost Of Constructing The Liberty Avenue Improvements.  
(Public Works)

- C7K A Resolution Retroactively Approving A Contribution From The Ocean Drive Association, In An Amount Not To Exceed \$60,000.00, In Support Of The Fireworks Show On The Beach And The Closure Of Ocean Drive, From 5<sup>th</sup> To 15<sup>th</sup> Streets, For The 2015-2016 New Year's Celebration.  
(Tourism, Culture & Economic Development)
- C7L A Resolution Authorizing The City Manager To Execute A Funding Agreement ("Agreement") With The State Of Florida Department Of Transportation ("FDOT") Attached Hereto As Exhibit 1, Which Agreement Provides That FDOT Shall Remove Nine (9) Parking Spaces Along Alton Road In Order To Install Certain Roadway Improvements And In Exchange FDOT Shall Provide \$139,995.00 As Payment To The City For The Loss Of Said Parking Spaces.  
(Public Works)
- C7M A Resolution Approving And Authorizing The City Manager To Execute A Sponsorship Agreement With Miami Beach Bowl LLC, In The Amount Of One Hundred Fifty Thousand Dollars (\$150,000), To Sponsor The 2015 Miami Beach Bowl, A Post-Season College Football Game At Marlins Park On December 21, 2015.  
(Tourism, Culture & Economic Development)
- C7N A Resolution Ratifying A Corrective Perpetual Easement Between The City Of Miami Beach ("City") And The State Of Florida Department Of Transportation ("FDOT"), Which Reflects The Actual Locations The City Installed Three Storm Water Pump Stations Along Alton Road, Between 5<sup>th</sup> And 10<sup>th</sup> Streets; And Further Approving And Authorizing The Mayor And City Clerk To Execute A First Amendment To The Associated October 5, 2012 Maintenance Memorandum Of Agreement.  
(Public Works)
- C7O A Resolution Urging The Florida Legislature To Oppose Florida House Bill 401, Which Would (1) Provide Immunity From Liability For Health Care Facilities Or Health Care Providers That Refuse To Administer, Recommend, Or Deliver Medical Treatments Or Procedures That Would Be Contrary To Religious Or Moral Convictions Or Policies; (2) Provide Immunity From Liability For Individual Persons, Closely Held Organizations, Religious Institutions, Or Businesses Owned Or Operated By A Religious Institution That Refuse To Produce, Create, Or Deliver Custom Products Or Services That Would Be Contrary To Religious Or Moral Convictions Or Policies; (3) Provide Immunity From Liability For A Private Child-Placing Agency That Refuses To Perform, Assist In, Recommend, Consent To, Or Participate In The Placement Of A Child That Would Be Contrary To Religious Or Moral Convictions Or Policies; And (4) Preempt Local Regulations To The Contrary.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Office of the City Attorney)
- C7P A Resolution Accepting The Recommendation Of The City's Committee For Quality Education And Urging Florida Governor Rick Scott And The Florida Legislature To Increase Per Pupil Education Funding In Florida Public Schools To Equal Or Exceed The National Average Of Approximately \$10,700 Per Pupil.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Office of the City Attorney)

- C7Q A Resolution Accepting The Recommendation Of The City Manager To Reject All Proposals Received Pursuant To Request For Qualifications (RFQ) No. 2015-206-KB, For Roofing Consulting Services, And Authorizing The City Administration To Issue A New RFQ For Roofing Consulting Services Following An Industry Review Meeting.  
(Procurement/Property Management)

**End of Consent Agenda**

**REGULAR AGENDA**

**R2 - Competitive Bid Reports**

- R2A Request For Approval To Issue A Request For Qualifications (RFQ) No. 2015-245-KB For Architectural And Engineering Design Services For The Lincoln Road District Improvements.  
(Procurement/Capital Improvement Projects)  
(Continued from October 21, 2015 - R2A)

**R5 - Ordinances**

- R5A Consolidation & Standardizing Of Notification Procedures, And Rehearing & Appeal Procedures
1. An Ordinance Creating Section 118-8 Entitled "Notice Procedures" At Chapter 118, "Administration And Review Procedures," In Order To Consolidate And Standardize The Notice Provisions From The Various Subsections Of The Land Development Code In One Section; Amending And/Or Striking The Various Notice Provisions From Article II "Boards," Division 5 "Board Of Adjustment" At Section 118-134; Article IV "Conditional Use Procedure" At Section 118-193; Article VI "Design Review Procedures" At Section 118-254; Article X "Historic Preservation" Division 3 "Issuance Of Certificate Of Appropriateness/Certificate To Dig/Certificate Of Appropriateness For Demolition" At Section 118-563; And Division 4 "Designation" At Section 118-591; Providing For Repealer; Severability; Codification; And An Effective Date. **10:00 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Planning)  
(First Reading on October 14, 2015 - R5L1)
  2. An Ordinance Consolidating And Standardizing The Rehearing And Appeal Procedures, Including Administrative Appeals And Quasi-Judicial Applications Before Historic Preservation Board, Board Of Adjustment, Planning Board, And Design Review Board, By Creating The Following Sections: Chapter 118, "Administration And Review Procedures," At Section 118-9, Entitled "Appeal And Rehearing Procedures"; And Amending Article II "Boards" Division 3 "Design Review Board" At Section 118-71; Division 5 "Board Of Adjustment" At Sections 118-134, 118-136, 118-137, 118-138; Article IV "Conditional Use Procedure" At Sections 118-193, And 118-197; Article VI "Design Review Procedures" At Sections 118-258, 118-260, 118-261, 118-262, 118-263; Article VIII "Procedures For Variances And Administrative Appeals" At Sections 118-352 And 118-358; Article IX "Nonconformances" At Sections 118-395 And 118-397; Article X "Historic Preservation"; Division 2 "Historic Preservation Board Review Of Projects" At Sections 118-532, 118-536, And 118-537; Division 3 "Issuance Of Certificate Of Appropriateness/Certificate To Dig/ Certificate Of Appropriateness For Demolition" At Sections 118-563, 118-564, 118-565; Division 5 "Single-Family Ad Valorem Tax Exemption" At Section 118-609; Chapter 142, "Zoning Districts And Regulations" At Article II "District Regulations," Division 2 "RS-1, RS-2, RS-3, RS-4 Single Family Residential Districts At Section 142-108 In Order To Remove Any Conflicts With Newly Created Section 118-9; Providing For Repealer; Severability; Codification; And An Effective Date. **10:00 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Planning)  
(First Reading on October 14, 2015 - R5L2)

R5B Land Development Regulations Fee Structure And Permitting Fees

1. An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida; By Amending Chapter 114 Entitled "General Provisions," At Section 114-7; Chapter 118 Entitled "Administration And Review Procedures," Article I Entitled "In General", At Sections 118-3 And 118-6, Article III Entitled "Amendment Procedure", At Section 118-162, Article IV Entitled "Conditional Use Procedure," At Section 118-193 And 118-196, Article VI Entitled "Design Review Procedures," At Sections 118-253 And 118-255, Article VII Entitled "Division Of Land/Lot Split," At Section 118-321, Article VIII Entitled "Procedure For Variances And Administrative Appeals," At Sections 118-353 And 118-357, Article IX Entitled "Nonconformances," At Section 118-399, Article X Entitled "Historic Preservation," At Sections 118-562, 118-563, 118-564, And 118-591; Chapter 138, Entitled "Signs," At Sections 138-135 And 138-136; Chapter 142, Entitled "Zoning Districts And Regulations," At Section 142-108; And Further Amending Chapter 118, Entitled "Administration And Review Procedures," To Create Section 118-7 And 118-8; Updating And Consolidating The Sections Of The Land Development Regulations Requiring The Assessment Of Fees In Order To Improve Predictability, Transparency And Efficiency Of The Code; Providing For Repealer, Severability, Codification, And An Effective Date. **10:05 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning/Building/Fire/Public Works)  
(First Reading on October 14, 2015 - R5N1)
2. An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Amending Appendix A, "Fee Schedule" To Revise Building, Fire, Planning, And Public Works Fees Charged For Services Related To Land Development And Permitting; Providing For Repealer, Severability, Codification, And An Effective Date. **10:05 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning/Building/Fire/Public Works)  
(First Reading on October 14, 2015 - R5N2)
3. An Ordinance Amending Chapter 14, "Building Regulations," Division 2, "Permit Fees," At Sections 14-61, 14-62, 14-66, 14-67, 14-68, 14-70, And 14-72; Chapter 15, "Zoning Review Fee Associated With The Building Permit Process," Article II, "Zoning Review Fees Associated With The Building Permit Process," At Sections 15-31, 15-32, 15-33, 15-34, 15-35, 15-36, And 15-37; Chapter 50, "Fire Prevention And Protection," At Sections 50-3, 50-4, 50-5, 50-6, 50-7, And 50-8; Chapter 66, "Marine Structures, Facilities And Vehicles," Article III, "Piers, Docks And Boat Ramps," At Section 66-114; Chapter 86, "Sales," Division 2, "Permit," At Section 86-56; Chapter 98, "Streets And Sidewalks," Article III, "Excavations," Division 2, "Permit," At Sections 98-93 And 98-94; Further Amending Chapter 50, "Fire Prevention And Protection," To Create Sections 50-9, 50-10, 50-11, 50-12, 50-13, 50-14, And 50-15; Chapter 98, "Streets And Sidewalks," Article III, "Excavations," Division 2, "Permit," To Create Sections 98-95, 98-96, 98-97, 98-98, 98-99, And 98-100; Updating And Consolidating The Sections Of The City Code Of Ordinances That Require The Assessment Of Fees For Permitting Services In Order To Improve Predictability, Transparency And Efficiency Of The Code; Providing For Repealer, Severability, Codification, And An Effective Date. **10:05 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning/Building/Fire/Public Works)  
(First Reading on October 14, 2015 - R5N3)

R5C 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. **10:10 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Grieco)

(Legislative Tracking: Environment & Sustainability)

(Continued from October 14, 2015 - R5D)

R5D An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, Entitled "Uses In Public Rights-Of-Way," By Amending Division 5, Entitled "Sidewalk Cafes," By Amending Subdivision II, Entitled "Permit," By Amending Section 82-381 Thereof, Entitled "Permitted Areas; Conditional Permit; City Manager's Right To Remove Sidewalk Cafes," By Requiring Display Of Prices For Food And Drink Menu Items Or Any Food And Drink Menu Specials, And Establishing A Notice Provision To Customers Regarding Any Automatic Gratuity Or Service Charge By The Operator Of The Sidewalk Café; By Amending Section 82-382 Thereof, Entitled "Application," Mandating That A Sidewalk Café Application Be Denied For Failure To Have Food And Drink Menus Which Includes Prices For Food And Drink Menu Items, Food And Drink Menu Specials, Or Notification Of Any Automatic Gratuity Or Service Charge Imposed By The Sidewalk Café Operator; By Amending Section 82-385 Thereof, Entitled "Minimum Standards, Criteria, And Conditions For Operation Of Sidewalk Cafes," By Prohibiting A Sidewalk Café To Operate Without Food And Drink Menus Which Show The Pricing For Any Food And Drink Menu Item Or Food And Drink Menu Special, And Fail To Notify Customers Of Any Automatic Gratuity Or Service Charge Imposed By The Sidewalk Café Operator; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:15 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Micky Steinberg)

(Legislative Tracking: Office of the City Attorney)

(First Reading on October 14, 2015 - R5K)

R5E 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 Subsection (b); Providing For Codification, Repealer, Severability, And An Effective Date. **10:20 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Michael Grieco)

(Legislative Tracking: Office of the City Attorney/Parking)

(Continued from October 14, 2015 - R5E)

- R5F 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. **10:25 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)  
(First Reading Public Hearing on October 21 - R5A)
- R5G An Ordinance Amending Miami Beach City Code Chapter 2 "Administration," Article VII "Standards Of Conduct," Division 5 "Campaign Finance Reform," Encompassing City Code Sections 2-487 "Prohibited Campaign Contributions By Vendors," City Code Section 2-488 "Prohibited Campaign Contributions By Lobbyists On Procurement Issues," City Code Section 2-489 "Prohibited Campaign Contributions By Real Estate Developers," And City Code Section 2-490 "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues," By Providing That Commencing Upon The Effective Date Of The Ordinance, Members Of The City Commission Or Candidates For Said Offices Shall Be Prohibited From Either Directly Or Indirectly Soliciting, Accepting Or Depositing Any Campaign Contribution Regarding City Elected Office From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer, Or Lobbyist On A Real Estate Development Issue; Providing For Repealer, Severability, Codification, And An Effective Date. **10:30 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioners Micky Steinberg & Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)  
(First Reading on October 14, 2015 - R5J)
- R5H An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 5 Entitled "Campaign Finance Reform," By Adding Thereto Section 2-491 Entitled "Disclosure Of Solicitation," Requiring Any Candidate Or Campaign Committee Of A Candidate For The Offices Of Mayor Or Commissioner Or Member Of The City Commission Who, On Behalf Of A Political Committee Which Supports Or Opposes Candidates For Elected City Office, Solicits Campaign Contributions For City Elected Office From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer And/Or Lobbyist On A Real Estate Development Issue, To Disclose The Date Of Solicitation As Well As Name And Contribution Amounts Of Any Individual Who Was Solicited, Disclosure To Be Filed In Office Of The City Clerk. **First Reading**  
(Sponsored By Commissioners Micky Steinberg & Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)  
(Continued from October 14, 2015 - R5O)
- R5I Art In Public Places Review Process  
An Ordinance Amending The City Code, By Amending Chapter 82, "Public Property," Article VII, "Art In Public Places," Division 4, "Procedures," At Section 82-612, "Selection Of Artists And Works Of Art," In Order To Amend The Procedures For Selecting Artists; Providing For Codification; Repealer; Severability, And An Effective Date. **First Reading**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Tourism, Culture & Economic Development)

R5J Traffic Study Requirements

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures," At Section 118-253, By Including Application Requirements For Design Review Board Applications, To Include Threshold Requirements For The Submission Of Traffic Studies, And By Amending Chapter 118, "Administration And Review Procedures," Article X, "Historic Preservation," Division 3, "Issuance Of Certificate Of Appropriateness To Dig/Certificate Of Appropriateness For Demolition," At Section 118-562, By Including Threshold Requirements For The Submission Of Traffic Studies For Historic Preservation Board Applications; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**

(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Planning)

R5K Single Family Regulations - Lot Coverage, Unit Size, Height, Setbacks, And Courtyards

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," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," At Sections 142-105, 142-106, And 142-108, By Modifying, Simplifying, And Clarifying How Lot Coverage, Unit Size, Roof Deck, Height, Setback, And Courtyard Requirements Are Applied In The Single Family Residential Districts; Eliminating Certain Design Review Waivers For Second Floor Volume And Side Elevation Requirements; Providing Codification; Repealer; Severability; And An Effective Date. **First Reading**

(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)

R5L Electric Vehicle Parking

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," By Creating Section 130-39, Entitled "Electric Vehicle Parking Requirements," To Provide Minimum Requirements For Electric Vehicle Parking Spaces And Charging Stations; Amending Article III, "Design Standards," By Creating Section 130-72, Entitled "Electric Vehicle Parking Space Standards," To Establish Design Standards For Electric Vehicle Parking Spaces; And Amending Article V, "Fee In Lieu Of Parking Program," Section 130-132, Entitled "Fee Calculation," To Establish An Additional Fee In Lieu Of Parking For Electric Vehicle Parking Spaces, And Section 130-134, Entitled "Deposit Of Funds; Account," To Provide That Funds Generated By The Additional Fee In Lieu Of Parking For Electric Vehicle Parking Spaces Shall Be Deposited In The City's Sustainability And Resiliency Fund; Providing For Codification, Repealer, Severability And An Effective Date. **First Reading**

(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Planning)

R5M Chapter 6 - Alcoholic Beverages

An Ordinance Amending Chapter 6, Entitled "Alcoholic Beverages," Of The Code Of The City Of Miami Beach, Florida, Article I, Entitled "In General," Section 6-3 Thereof, Entitled "Hours Of Sale," And Amending Chapter 82, Entitled "Public Property," By Amending Article IV, Entitled "Uses In Public Rights-Of-Way," Division 5, Entitled "Sidewalk Cafes," Subdivision II, Entitled "Permit," Section 82-388 Thereof, Entitled "Hours Of Sale Of Alcoholic Beverages; Enforcement," To Clarify That An Alcoholic Beverage Establishment Permitted To Serve Alcoholic Beverages For On-Premises Consumption Until 5:00 a.m. May Continue To Serve Alcoholic Beverages For On-Premises Consumption And For Consumption At The Establishment's Sidewalk Cafe Until 7:00 a.m. On New Year's Day And During Certain Major Event Days Or Weekends As May Be Designated Or Approved By The City Commission; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

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

R5N An Ordinance Granting To Peoples Gas System, A Division Of Tampa Electric Company, Its Successors And Assigns, A Non-Exclusive Natural Gas Franchise Agreement To Use The Public Rights-Of-Way Of The City Of Miami Beach, Florida, And Prescribing The Provisions And Conditions Under Which Said Franchise Shall Be Exercised; Providing For Monthly Payments To The City; Providing An Effective Date; And Repealing Prior Ordinance. **First Reading**  
(Public Works)

R5O An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article VI, Entitled "Procurement," By Amending Division 3, Entitled "Contract Procedures," By Amending Section 2-375, To Be Entitled "Non-Discrimination; Contract Requirements; Waiver," To Provide That The City Shall Not Procure Goods Or Services From, Or Otherwise Contract With, A Business Which Engages In The Boycott Of A Nation Or Country, Or A Business Which Blacklists Or Otherwise Refuses To Deal With A Person Or Entity Based On Race, Color, Religion, Gender, Or National Origin, And Providing Requirements For City Contracts And Waiver Provisions; Providing For Repealer; Codification; Severability; And An Effective Date. **First Reading**

(Sponsored by Mayor Philip Levine)  
(Legislative Tracking: Office of the City Attorney)

Clerk's Note:

Item R5P from October 14, 2015, was removed from this agenda due to lack of sponsorship (Amend Ch. 2, Prohibit Lobbying By Campaign Consultants).

**R7 - Resolutions**

R7A A Resolution Setting The Dates For The Year 2016 City Commission Meetings. **Joint City Commission & Redevelopment Agency**

(Office of the City Clerk)

- R7B A Resolution Approving, Upon Second And Final Reading Of This Resolution And Following A Duly Noticed Public Hearing, A Ground Lease Agreement In The Form Attached To This Resolution, Between The City (Owner Or Landlord) And Sabrina Cohen Wellness Center Project, Inc. (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, For The Purpose Of Constructing And Operating An Ada Accessible Wellness Center At The Tenant's Sole Expense. **10:35 a.m. Second Reading Public Hearing**  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Office of the City Attorney/Parks & Recreation/Public Works)  
(First Reading on October 21, 2015 - R7E)  
**(Item to be Submitted in Supplemental)**
- R7C A Resolution Adopting The First Amendment To The Capital Budget For Fiscal Year 2015/16. **10:40 a.m. Public Hearing**  
(Budget & Performance Improvement)
- R7D A Resolution Adopting The First Amendment To The General Fund, Enterprise Fund, Internal Service Fund, And Special Revenue Fund Budgets For Fiscal Year 2015/16. **10:45 a.m. Public Hearing**  
(Budget & Performance Improvement)
- R7E A Resolution Adopting An Amendment To The Budget For Fiscal Year 2015/16; Which Amended Budget Is Attached Hereto As Exhibit A. **10:50 a.m. Public Hearing**  
(Sponsored by Commissioner Michael Grieco)
- R7F Sunset Islands 3 & 4 Utility Improvement District: Final Assessment Roll And Agreements With Utilities For Undergrounding
1. A Resolution Approving, Following A Duly Noticed Public Hearing Pursuant To Sections 170.07 And 170.08, Florida Statutes, The Final Assessment Roll For The Special Assessment District Known As The Sunset Islands 3 & 4 Utility Improvement District, And Confirming Such Assessments As Legal, Valid, And Binding First Liens Upon The Property Against Which Such Assessments Are Made Until Paid. **11:00 a.m. Public Hearing**  
(Capital Improvement Projects/Office of the City Attorney)  
(Public Hearing Set on October 21, 2015 - R7H)
  2. A Resolution Approving And Authorizing The Mayor And City Clerk To Execute, In A Form Acceptable To The City Attorney, An Easement Agreement With Florida Power & Light, As Well As Agreements With Florida Power & Light In The Amount Of \$939,915, An Agreement With AT&T In The Amount Of \$169,056, And An Agreement With Atlantic Broadband In The Amount Of \$82,626, For The Placement Underground Of Overhead Utilities On Sunset Islands 3 & 4; Authorizing The City To Fund The Agreements With The Utilities, The Installation Of Conduits, And All Financing Costs, Which Shall Be Funded With Special Assessments.  
(Capital Improvement Projects/Office of the City Attorney)

- R7G A Resolution Amending The City's State Legislative Agenda To Include Support Of House Bill 45, "Florida Competitive Workforce Act," Which Would Ban Discrimination In Employment, Housing And Public Accommodations For All Floridians When It Comes To Sexual Orientation And Gender Identify Or Expression.  
(Sponsored by Commissioner Michael Grieco)  
(Legislative Tracking: Office of the City Attorney)
- R7H A Resolution Approving The Substantive Terms, As Set Forth In The Draft Agreement Attached As Exhibit "A" To This Resolution, Between The City And A National Salute To America's Heroes, LLC (Applicant), For The Production Of An Aircraft Flight Demonstration And Aquatic Show With Ancillary Activities Such As Entertainment, Exhibits, Concession Sales, Commencing On January 1, 2016, And Ending On December 31, 2021; Authorizing The City Manager To Negotiate And Finalize The Agreement Based On The Approved Terms Set Forth Herein, And, Further Authorizing The Mayor And City Clerk To Execute The Final Agreement Upon Conclusion Of Successful Negotiations, Provided That In The Event That The City And Applicant Deem It Necessary To Include Any New Substantive Terms (Which Are Not Contained In The Attached Draft Agreement) Then Such New Substantive Terms Shall Be Subject To Prior Approval By The Mayor And City Commission Before Final Execution Thereof.  
(Sponsored By Commissioner Michael Grieco)  
(Legislative Tracking: Tourism, Culture & Economic Development)
- R7I A Resolution Accepting The City Manager's Recommendation By 5/7<sup>th</sup> Vote And Waiving 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 An Agreement With ETC Institute For Community Satisfaction Survey Services, In The Amount Of \$85,572.  
(Budget & Performance Improvement)
- R7J A Resolution Calling For A March 15, 2016 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 17<sup>th</sup> Street And Convention Center Drive To Portman Miami Beach LLC For 99 Years, Requiring, Per Resolution 2015-29115, Construction/ Operation Of Privately-Funded 800 Room Hotel With 288 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)
- R7K A Resolution Calling For A March 15, 2016 Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether The City Should Lease 5,100 Square Feet Of Beachfront Property At Allison Park, 6475 Collins Avenue, To Sabrina Cohen Wellness Center Project, Inc., A Not-For-Profit Corporation, For 99 Years, With Rent Of \$18.00 Annually, Requiring, Per Resolution 2015\_\_\_\_\_, Construction/Operation Of Privately Funded Accessible Wellness Center With 50 Foot Height Limit (Including Physical Therapy, Adaptive Gym, And Pool) To Serve Persons With Disabilities; And Discounts To Disabled Residents And Disabled Military Service Members?  
(Office of the City Attorney)  
**(Item to be Submitted in Supplemental)**

- R7L A Resolution Authorizing The Miami-Dade County Canvassing Board For The March 15, 2016 Presidential Preference Primary Election To Serve As The Canvassing Board For The City Of Miami Beach's Special Election To Be Held On March 15, 2016.  
(Office of the City Clerk)
- R7M A Resolution Recognizing And Approving Early Voting For The March 15, 2016 City Of Miami Beach Special Election.  
(Office of the City Clerk)
- R7N A Resolution Approving Funding And An Expenditure In An Amount Not To Exceed \$25,000 For The Public Purpose Of Informing And Educating The Voters Of The City Of Miami Beach Regarding The Ballot Questions In The City's Special Election On March 15, 2016, Which Will Be Held In Conjunction With The Presidential Preference Primary Election, In Order To Achieve A More Informed Electorate Vote.  
(Office of the City Attorney/Office Of the City Clerk/Communications)
- R7O A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Baywalk Easement Between Mount Sinai Medical Center Of Florida, A Florida Not-For-Profit Corporation (Mount Sinai), As Grantor, And The City, As Grantee, As Contemplated In Resolution No. 2014-28609 (Which Resolution Authorized A \$15,000,000 Grant To Mount Sinai Medical) Granting The City The Right To Develop, Design, Construct, Operate, And Maintain A Public Baywalk Along The Northern And Western Boundaries Of The Mount Sinai Property For The Public's Use.  
(Office of the City Attorney)
- R7P A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 2015-211-KB For Architectural And Engineering Design Services For The North Shore Open Space Park, Authorizing The Administration To Enter Into Negotiations With: Calvin Giordano And Associates, Inc. As The Top Ranked Proposer; And Should The Administration Not Be Successful In Negotiating An Agreement With Calvin Giordano And Associates, Inc., Authorizing The Administration To Enter Into Negotiations With EDSA, Inc., As The Second Highest Ranked Proposer; And, Should The Administration Not Be Successful In Negotiating An Agreement With EDSA, Inc., Authorizing The Administration To Enter Into Negotiations With Bermello Ajamil & Partners, Inc., As The Third Highest Ranked Proposer; And Further Authorizing The Mayor And City Clerk To Execute An Agreement, Upon Conclusion Of Successful Negotiations By The Administration.  
(Procurement/Capital Improvement Projects)

R7Q A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 2015-240-KB For Architectural And Engineering Design Services For The Future Community Park (Former Par 3) Project, Authorizing The Administration To Enter Into Negotiations With Savino & Miller Design Studio As The Top Ranked Proposer; And Should The Administration Not Be Successful In Negotiating An Agreement With Savino & Miller Design Studio, Authorizing The Administration To Enter Into Negotiations With Bermello Ajamil And Partners, Inc., As The Second Highest Ranked Proposer; And Should The Administration Not Be Successful In Negotiating An Agreement With Bermello Ajamil And Partners, Inc., Authorizing The Administration To Enter Into Negotiations With TBG Partners, As The Third Highest Ranked Proposer; And, Further Authorizing The Mayor And City Clerk To Execute An Agreement, Upon Conclusion Of Successful Negotiations By The Administration.

(Procurement/Capital Improvement Projects)

R7R A Resolution Authorizing The Mayor And City Clerk To Execute An Agreement Between The City Of Miami Beach And Kimley-Horn And Associates, Inc., For The Preparation Of Environmental Analysis For Miami Beach Transit Projects Including The Beach Corridor Transit Connection Project And Related Services, Pursuant To Request For Qualifications (RFQ) No. 2015-213-KB,

(Procurement/Transportation)

R7S A Resolution Approving And Authorizing The City To Accept A Donation Of In-Kind Services From Terra Group, LLC, With An Estimated Value Of \$20,000.00, For Interim Improvements To North Shore Open Space Park.

(Parks & Recreation)

R7T A Resolution Authorizing The City Manager To Decline, In Writing, The Owner's Reciprocal Right Of First Refusal, As Required Pursuant To The Terms Of Section 36.2 Of The Agreement Of Lease ("Ground Lease") Between The City ("Owner") And 1691 Michigan Ave Investments LP ("Tenant"), Dated As Of September 1, 1999, Involving The Improvements To The Property ("Project") Located At 1691 Michigan Avenue, Miami Beach, Florida; And Further Approving Tenant's Sale Of The Project To CLPF - Lincoln, LLC GP, A Subsidiary Of Clarion Lion Properties Fund Holdings, LP ("Proposed Purchaser"), Subject To The Administration's Successful Completion Of Its Evaluation Of The Proposed Purchaser In Accordance With Article 10 Of The Lease ("City's Due Diligence"), And Payment To The City Of Its Reasonable Costs Incurred In Connection With The Proposed Sale Including, Without Limitation, Reimbursement Of The City's Due Diligence Costs; And Further Authorizing The City Manager And City Clerk To Execute Any And All Closing Documents On Behalf Of The City.

(Tourism, Culture & Economic Development)

R7U A Resolution Approving And Authorizing The Administration To Negotiate A Lease Agreement Consistent With The Essential Terms Set Forth In This Resolution Between The City Of Miami Beach, As Tenant, And 1680 Costa, LLC, As Landlord, For Use Of Approximately 3,792 Rentable Square Feet Of Property, Located At 1680 Meridian Avenue, Suites 401 & 402, Miami Beach, Florida, To Be Used As Administrative Offices For The City's Transportation Department; Said Lease Agreement Having An Initial Term Of Three (3) Years, Commencing On January 1, 2016, And Ending On December 31, 2018, With One (1) Renewal Option For Three (3) Years, At The City's Option; And Upon Successful Negotiations, Authorizing The Mayor And City Clerk To Execute Said Lease Agreement.

(Tourism, Culture & Economic Development)

- R7V A Resolution Approving And Authorizing The Mayor And City Clerk To Execute An Amendment No. 1 To Lease Agreement Between The City And Alpha 22 LLC (Tenant), Dated October 16, 2013 (Lease), Involving The Use Of Approximately 2,216 Square Feet Of City Owned Unimproved Land, Located At 22 Washington Avenue, Miami Beach, Florida (Property), Adjacent To An Existing Restaurant Space Located At 816 Commerce Street, Miami Beach, Florida (Restaurant), Currently Used As An Outdoor Seating Area, Concurrent With The Lease/Use Of The Restaurant; Said Amendment Approving The Sale Of The Restaurant, Consenting To The Assignment Of The Lease By Alpha 22 LLC (As Tenant And Assignor) To Florida Food District Inc. (As New Tenant And Assignee).  
(Tourism, Culture & Economic Development)
- R7W A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Change Order No. 4 To The Construction Contract Dated April 9, 2014, With Southern Underground Industries, Inc., For The Implementation Of The City's "Tidal Flooding Mitigation Project" (The Agreement); Said Change Order No. 4, In The Amount Of \$855,080 For Construction Services, Plus A Project Contingency, In The Amount Of \$85,508, For A Total Cost Of \$940,588, To Allow The Installation Of Additional Check Valves On Outfalls In Various Locations Requiring Protection From Tidal Flooding Issues On Sunset Islands 1 And 2, Palm And Hibiscus Islands, And North Bay Road; And To Repair Broken Stormwater Pipes At North Bay Road, Between 52<sup>nd</sup> And 59<sup>th</sup> Streets.  
(Public Works)
- R7X A Resolution Authorizing The Continuation Of The Current Standard Software Maintenance Contract With New World Systems Corporation, On A Month-By-Month Basis, Commencing January 1, 2016, On The Same Terms And Conditions, Subject To Termination For Convenience Without Cause By The City Manager, Until Completion Of Current Negotiations For A Subsequent Agreement Or The Identification Of An Alternative Service Provider.  
(Police)
- R7Y A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Termination And Release Agreement ("Termination Agreement") By And Between The City Of Miami Beach ("City") And Brian Tolle ("Artist").  
(Tourism, Culture & Economic Development)
- R7Z A Resolution Approving And Authorizing The City Manager To Execute Change Order No. 3 To The Construction Contract Between The City Of Miami Beach, Florida, And Lanzo Construction Co., Florida, For The Construction Of The City Of Miami Beach Right-Of-Way Infrastructure Improvement Program, Venetian Islands Bid Package 13C (Project), Dated March 13, 2013 (The Contract); The Change Order Includes: 1) Construction Work Associated With Six (6) New Stormwater Pump Stations That Meet The Enhanced Stormwater Criteria In The Not-To-Exceed Amount Of \$12,257,864 Plus Time Extension Of 365 Calendar Days Required To Complete This Work Within San Marino, Dilido And Rivo Alto Islands; And 2) Increasing The Owner's Contingency In The Amount Of \$1,225,787; The Resulting Amount Of \$13,483,651 Will Be Added To The Construction Contract.  
(Capital Improvement Projects Office)

R7AA A Resolution Accepting The Written Recommendation Of The City Manager Regarding The Existence Of A Public Emergency And, Accordingly, Waiving, By 5/7<sup>th</sup> Vote, The Competitive Bidding Requirement, Finding Further That The Best Interest Of The City Would Be Served By Such Waiver; Authorizing The City Manager Or His Designee To Negotiate Amendment No. 3, To The Design-Build Agreement Between The City And Lanzo Construction Co., Approved Pursuant To Resolution No. 2014-28765, For The Sunset Harbour Pump Station Retrofit And Drainage Improvements Project; Said Amendment, In The Not To Exceed Amount Of \$\_\_\_\_\_, To Bring Sunset Drive, And Parking Lot P46 To A 3.7 Feet NAVD Elevation; Further Authorizing The Mayor And City Clerk To Execute The Amendment, Upon Completion Of Successful Negotiations.

(Public Works)

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

R7BB A Resolution Accepting The Recommendation Of The City Manager To Enter Into Further Negotiations With Lanzo Construction Co., Florida, For Phase 2 Construction Services And Further Authorizing The Mayor And City Clerk To Execute A GMP Amendment No. 3, In The Not-To-Exceed Amount Of \$35 Million, To The Design-Build Agreement Between The City Of Miami Beach And Lanzo Construction Co., Florida, For Design-Build Services For Neighborhood No. 13: Palm And Hibiscus Islands Right-Of-Way Infrastructure Improvements (The Project), Dated September 18, 2014 (The Contract), Upon Conclusion Of Successful Negotiations, Plus A Ten Percent Owner's Project Contingency For A Grand Total Of \$38,500,000, With Previously Appropriated Funding And Additional Funding Request Subject To The 1st Amendment To The FY 15/16 Capital Budget.

(Capital Improvement Projects Office)

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

**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)

R9A2 Appointment Of David C. Greeff To The Housing Authority.

(Sponsored by Mayor Philip Levine)

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 And Approval Of The 2016 State Legislative Priorities.  
(Sponsored by Mayor Philip Levine)
- R9E Discussion Regarding Potential Acquisition Of The Property Located At 6961 Indian Creek Drive In North Beach For A Building Department Satellite Office.  
(Tourism, Culture & Economic Development)
- R9F Discussion Regarding Expediting A Playground Area Adjacent To The Scott Rakow Youth Center (Where Previously Approved) That Would Help Service The Younger Children In The Aftercare Program.  
(Sponsored by Commissioner Micky Steinberg)
- R9G Discussion Regarding City Policies For The Approval Of Temporary Parklets Along Washington Avenue, Between 5<sup>th</sup> Street And Lincoln Road, As Part Of A Pilot Project.  
(Transportation)
- R9H Discussion And Update Regarding Efforts Thus Far And The Proposal To Conduct A Traffic Calming Study In The Nautilus Area.  
(Sponsored by Commissioner Micky Steinberg)  
(Legislative Tracking: Transportation)
- R9I Discussion Regarding The Miami Beach Committee For Quality Education Request For Our Lobbyists In Tallahassee To Request Of The Governor And Florida Legislature To Increase Per Pupil Education Funding To Minimally Equal The National Average Of Approximately \$10,700.  
(Sponsored by Commissioner Joy Malakoff)
- R9J Report Pursuant To Article V, Budget, Finance And Pre-Collective Bargaining Analysis; Section 5.04. **11:05 a.m. Public Hearing**  
(Human Resources)
- R9K Referral To The Planning Board - Discussion Regarding Proposed Ordinance Amendment Pertaining To Alcoholic Beverage Establishments In The Alton Road Corridor, Adjacent To West Avenue And Along 17<sup>th</sup> Street Facing The Palm View Neighborhood.  
(Sponsored by Commissioner Joy Malakoff)  
(Legislative Tracking: Planning)

**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, December 9, 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 No. 462-2015)
2. List of Projects Covered by the Cone of Silence Ordinance – LTC No. 457-2015.  
(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**

**December 9, 2015**

Chairperson of the Board Philip Levine

Member of the Board John Elizabeth Alemán

Member of the Board Ricky Arriola

Member of the Board Kristen Rosen Gonzalez

Member of the Board Michael Grieco

Member of the Board Joy Malakoff

Member of the Board Micky Steinberg

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.

- 1A A Resolution Of The Chairperson And Members Of The Miami Beach Redevelopment Agency (RDA), Setting The Dates For The Year 2016 Redevelopment Agency Meetings. **Joint City Commission & Redevelopment Agency**  
(Office of the City Clerk)