

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**June 27, 2001**

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Mayor Neisen O. Kasdin  
Vice-Mayor Luis R. Garcia, Jr.  
Commissioner Matti Herrera Bower  
Commissioner Simon Cruz  
Commissioner David Dermer  
Commissioner Nancy Liebman  
Commissioner Jose Smith

City Manager Jorge M. Gonzalez  
City Attorney Murray H. Dubbin  
City Clerk Robert E. Parcher

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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 City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

**CONSENT AGENDA**

PA1 Cert. of Apprec./B. Winer, Excellent Work as Executive Director of PAL. (Smith) 1  
PA2 Cert. of Apprec./City Staff, Hard Work in the American Riviera Case. (Cruz)  
PA3 **W**-Proclamation/Equal Employment Opportunity Week. (Kasdin)

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### REPORTS AND INFORMATIONAL ITEMS

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- D Analysis of Performance Measurement Achievements in Various Departments. 817
- E **9:00 a.m.** Verbal Presentation of the Tropicool Festival Season. 837
- F Verbal Update on the Status of Sunset Island I & II. 839

### REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

- 2A Status Report on South Pointe Streetscape. 1
- 2B Monthly Report on Parking Operations, Anchor Shops & Parking for May 2001. 63
- 3A Approp. Tax Increment Funds, Rehabilitation Costs Along SSDI-South. 65
- 3B **Joint**, Execute Lease Agmt, 108 Parking Spaces in Garage at Murano at Portofino. 79
- 3C **Joint**, Approp. Tax Increm. Funds, Mgmt Services in Portofino Settlement Agmt. 125
- 3D **Joint**, Adopt Recomm., Expansion/Renovation of Colony Theater. 133

Call to Order - 9:39 a.m.

Inspirational Message given by Reverend Garth Thompson

Pledge of Allegiance led by Chief Richard Barreto

Requests for Additions, Withdrawals, and Deferrals

### PA - Presentations and Awards

#### **9:40:17 a.m.**

PA1 Certificate of Appreciation to be Presented to Bernie Winer for His Many Years of Excellent Work as the Executive Director of the Police Athletic League.

(Requested by Commissioner Jose Smith)

**ACTION:** Certificate of Appreciation presented.

#### **9:45:53 a.m.**

PA2 Certificate of Appreciation to be Presented to Murray Dubbin, Bob Dixon, Debora Turner, Larry Levy, Christina Cuervo and Patricia Walker for Their Hard Work in Negotiating a Settlement in the American Riviera Case.

(Requested by Commissioner Simon Cruz)

**ACTION:** Certificates of Appreciation presented.

PA3 Proclamation to be Presented for Equal Employment Opportunity Week.  
(Requested by Mayor Neisen Kasdin)

**ACTION:** Withdrawn.

### **CONSENT AGENDA**

#### **ADDENDUM**

**ACTION:** Motion made by Commissioner Bower to add item C7Y as an emergency item; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Dermer.

**ACTION:** Motion made by Commissioner Bower to approve the Consent Agenda; seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Commissioner Dermer.

### **C2 - Competitive Bid Reports**

C2A Commission Memorandum No. 383-01

~~Request for Approval to Award a Contract to R.L. Saum Construction Co., in the Amount of \$431,485.15, Pursuant to Bid No. 30-00/01, for the North Shore Open Space Park Phase I Improvements.~~

#### **CORRECTED TITLE:**

Request for Approval to Award a Contract to Vila & Sons Landscaping Corp., in the Amount of \$510,373.70, Pursuant to Bid No. 30-00/01, for the North Shore Open Space Park Phase I Improvements.

(Parks and Recreation)

**ACTION: Contract awarded.** Kevin Smith to handle.

### **C4 - Commission Committee Assignments**

C4A Commission Memorandum No. 384-01

Referral to the Land Use & Development Committee - RFQ for Development of Five Collins Avenue Parking Lots (80-86 Streets Excluding Log Cabin).

(Planning Department)

**ACTION: Referred.** Jorge Gomez to place on agenda.

**5:40:29 p.m.**

## C4B Commission Memorandum No. 385-01

Referral to the Planning Board - Proposed Ordinance Amending Chapter 142 of the Miami Beach City Code Entitled "Zoning Districts and Regulations" by Amending Section 142-1107 Entitled "Parking Lots or Regulations on Certain Lots" by Providing that Vacant Lots Fronting Ocean Drive that Existed as of January 1, 1999 May be Used for Provisional or Temporary Parking Lots as Provided for in Sections 130-70 and 130-71 of the Miami Beach City Code; Providing for Repealer, Codification, Severability, and Effective Date.

(Planning Department)

**ACTION:** Heard in conjunction with Item R5A. **Referred.** Motion made by Commissioner Cruz; Seconded by Vice-Mayor Garcia; Ballot Vote: 5-2; Opposed: Commissioners Bower and Liebman. Jorge Gomez to place on agenda.

## Handout:

1. Commission voting ballot

## C4C Referral to the Joint Land Use &amp; Development and the Community Affairs Committee - Discussion Regarding Monument Island.

(Requested by Commissioner Nancy Liebman)

**ACTION: Referred.** Jorge Gomez and Judy Hoanshelt to coordinate a joint meeting. Jorge Gomez to handle.

## C4D Commission Memorandum No. 386-01

Referral to the Finance and Citywide Projects Committee and the Miami Beach Redevelopment Agency Amended Capital Improvement Program for FY 2001-FY 2006.

(Finance Department)

**ACTION: Referred.** Patricia Walker to place on agenda.

## C4E Referral to the Finance and Citywide Projects Committee - Possible Financial Relief to the Property Owners/Tenants Affected by the Construction on Collins Avenue.

(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION: Referred.** Patricia Walker to place on agenda.

C4F Referral to the Finance and Citywide Projects Committee - An Ordinance Regarding Historic Property Tax Credit.

(Requested by Commissioner Nancy Liebman)

**ACTION: Referred.** Patricia Walker to place on agenda.

Handout:

1. Letter to Mayor and City Commissioners from Michael D. Kinerk, Chairman, Miami Design Preservation League, RE: Tax incentives for Homeowners

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

C6A Commission Memorandum No. 387-01

Report of the Finance and Citywide Projects Committee Meeting of May 30, 2001: **1)** Discussion Regarding the City's Financing Strategies; **2)** Discussion Regarding the Reduction of Parking Permit Rates for the Hotel Employees of the Mid-Beach Area; **3)** Discussion Regarding Funding for Traffic Calming in the Alton Road Area; **4)** Consider Appropriating \$1,415,000 in Available City Center Tax Increment Revenues to Fund the Estimated Shortfall in the Development Budget for the Expansion and Renovation of the Colony Theater; **5)** Consider an Amendment in the Amount of \$61,436 to the Professional Services Agreement Between the City of Miami Beach and the State of Florida, Department of Management Services, for Construction Management of the Expansion and Renovation of the Colony Theater, for a Total Amended Contract Amount of \$111,336, in Accordance with the Provisions set Forth in the Agreements; **6)** A Resolution Adopting the Recommendation of the Convention Center Capital Projects Oversight Committee (CCCPOC) to Authorize That the Interest from the Remaining Uncommitted and/or Unappropriated Monies (Said Funds Estimated at \$11,910,717) from the Interlocal Cooperation Agreement Between the City and Miami-Dade County, Regarding the Disposition of the Two-Thirds (2/3rds) Portion of the Convention Development Tax Be set Aside and Appropriated into a Separate Account, to be Established by the City and Maintained for Additional Capital Improvements Related to the Miami Beach Convention Center (MBCC) and the Jackie Gleason Theater of the Performing Arts (TOPA): Provided That the Convention Center Capital Projects Oversight Committee Shall Make a Recommendation as to Any Proposed Improvements, Said Recommendation to Be Advisory Only, Prior to Said Improvement Projects Being Brought to the City Commission; **7)** Living Wage Ordinance for Discussion Regarding the Inclusion of all Contract Renewals; **8)** Report on the Audit on The Friends of the Bass Pledges.

**ACTION:** Reports accepted.

**Item #1:** The Committee recommended that the Finance Director move forward with the proposed strategy and bring the Bond Resolution to the full Commission. See item R7I in this agenda.

**Item #2:** The Committee directed the Administration to look into alternatives for hotel employee parking in the Middle Beach area and bring them back to the committee. **Saul Frances** to handle.

**Item #3:** The Committee recommended that the Administration continue to pursue project funding for Alton Road traffic calming from the Florida Department of Transportation (FDOT). **Joseph Johnson** to

handle.

**Item #4:** The Committee recommends the City Center RDA fund an additional \$1.4M for the Colony Theater expansion. See items RDA-3D.

**Item #5:** Authorized an increase in the Professional Services Agreement with the State of Florida of \$61,436. See items R7C.

**Item #6:** Deferred.

**Item #7:** The Committee recommends that the Administration evaluate the financial impact of implementing The Living Wage Ordinance on all service contract renewals which are subject to the requirements of the Living Wage Ordinance. **Gus Lopez and Patricia Walker** to handle.

**Item #8:** The Committee recommends that the Administration pursue collection of the cash portion of the Friends of the Bass pledges, as well as all outstanding pledges. Additionally the Committee has requested to hold a joint meeting of the Capital Bass Trustees and the Finance and Citywide Projects Committee. Patricia Walker to coordinate a joint meeting. **Christina Cuervo, Patricia Walker and Mayra Diaz Buttacavoli** to handle.

C6B Commission Memorandum No. 388-01

Report of the Neighborhoods Committee Meeting of June 4, 2001: **1)** Discussion Regarding the Lower North Bay Road/Sunset Islands/Alton Road "No Left Turn" Sign and 20th Street Improvements; and **2)** Discussion Regarding Short and Long Term Recommendations to Improve Conditions on Harding Avenue.

**ACTION:** Written reports accepted. **Fred Beckmann** to handle.

C6C Commission Memorandum No. 389-01

Report of the G.O. Bond Oversight Committee Meeting of June 4, 2001: **1)** Projects Status Report; **2)** Report from Hazen and Sawyer; **3)** Recommendation to Allocate \$84,115 for the Pine Tree Park Beautification Project; **4)** Park(s) Project Status Update; **5)** Review of Upcoming City Commission G.O. Bond Project Items; and **6)** Reference Materials.

**ACTION:** Written reports accepted.

**C7 - Resolutions****C7A Commission Memorandum No. 390-01**

A Resolution Approving and Authorizing the Placement of Sixty (60) Banners for Art Miami 2002, to Be Held January 4, 2002, to January 8, 2002, as Requested by the Applicant at the Following Locations: MacArthur Causeway, Between the Coast Guard Station and Alton Road; 5th Street, Between Alton Road and Ocean Drive; Collins Avenue, Between 15th and 18th Street; Convention Center Drive, Between 17th Street and Dade Boulevard; Meridian Avenue, Between 17th Street and Dade Boulevard; Washington Avenue, Between Lincoln Road and Dade Boulevard; Dade Boulevard, Between Washington Avenue and Alton Road; Alton Road, Between 15th Street and 17th Street; Said Banners to Be Affixed to Light Poles in the Public Right-of-Way, Measuring 3 Feet X 7 Feet and Having Copy and Design as Shown on the Attached Drawings; to Be Installed and Removed in Accordance with All Other Applicable City Requirements; the Administration Further Recommends That These Banners Be Installed No Earlier than December 16, 2001, and Removed by January 11, 2002.

(Arts, Culture & Entertainment)

**ACTION: Resolution No. 2001-24470 adopted.** James Quinlan to handle.

**C7B Commission Memorandum No. 391-01**

A Resolution Electing Commissioner Matti Herrera Bower as Vice-Mayor for a Term Commencing on July 1, 2001 and Terminating on October 31, 2001, or on Such Date When a New Vice-Mayor Is Thereafter Elected.

(City Clerk's Office)

**ACTION: Resolution No. 2001-24471 adopted.** Robert Parcher to handle.

**C7C Commission Memorandum No. 392-01**

A Resolution Appropriating \$40,000 from the Undesignated General Fund Balance; Accepting the Recommendation of the City Manager Pertaining to the Ranking of the Proposals Received in Response to Request for Proposals (RFP) No. 18-00/01, to Provide a Pilot Project to Provide Professional Graffiti Removal and Painting Services on Private Property; Authorizing the Administration to Enter into Negotiations with the Top Ranked Firm of Florida Graffiti Control Inc.; and If Successful in Negotiating a Contract with Florida Graffiti Control, Inc., Further Authorizing the Mayor and the City Clerk to Execute a Professional Services Agreement in the Amount Not to Exceed \$40,000.

(City Manager's Office)

**ACTION: Resolution No. 2001-24472 adopted.** Patricia Walker and Al Childress to handle.

**C7D Commission Memorandum No. 393-01**

A Resolution Authorizing the Mayor and City Clerk to Execute a Joint Use Agreement, with TRG-SSDI, LTD., for a Portion of the Real Property Owned by TRG, Located in an Area at the West End of South Pointe Drive, and More Particularly Described in Exhibits ?A? and ?B? to Said Agreement, for the Purpose of Facilitating Access for Improvement, Maintenance and Repair of Two (2) Existing Storm Drainage Facilities and One (1) Water Main Line.

(Community/Economic Development)

**ACTION: Resolution No. 2001-24473 adopted.** Christina Cuervo to handle.

City Clerk's Note: See Supplemental Material

**11:31:37 a.m.****C7E Commission Memorandum No. 394-01**

A Resolution Approving and Authorizing the City Manager to Issue a Certification of Consistency with the City's Consolidated Plan to the Housing Authority of the City of Miami Beach for Their Five Year Plan for Fiscal Years 2001/02-2005/06 and Their Annual Plan for Fiscal Year 2001/02, to Be Submitted by the Housing Authority to the U.S. Department of Housing and Urban Development (U.S. HUD).

(Community/Economic Development)

**ACTION:** Heard in conjunction with item R9A2. Mr. Larry Schoeman, Executive Director of the Housing Authority, and Housing Authority Commissioner Steve Chaykin made a presentation.

**Authorization not given.** Motion made by Commissioner Bower to reject plan because of the ALF at the Rebecca Towers; seconded by Commissioner Liebman; Voice vote: 6-1; Opposed: Mayor Kasdin.

It was suggested that the Housing Authority amend the Five Year Plan to not include the ALF and to bring the item back to the Commission. Miguell Del Campillo to handle.

**C7F Commission Memorandum No. 395-01**

A Resolution of Setting a Public Hearing to Affirm the Development Regulations Pertaining to the Colony Theater, and to Waive Certain Development Regulations Pursuant to Section 142-425(D) of the Code of the City of Miami Beach, in Order to Preserve the Colony Theater's Architectural Integrity and to Upgrade its Use as a Fully Functional, ADA Compliant, Performance Arts Facility.

(Community/Economic Development)

**ACTION: Resolution No. 2001-24474 adopted.** Robert Parcher to notice. Lilia Cardillo to place on agenda. Christina Cuervo to handle.

City Clerk's Note: Advertised for 11:00 am

## C7G Commission Memorandum No. 396-01

A Resolution Authorizing the Mayor and City Commission to Declare Miami Beach a "Project Impact Partner."

(Fire Department)

**ACTION: Resolution No. 2001-24475 adopted.** Chief Jordan to handle.

## C7H Commission Memorandum No. 397-01

A Resolution Accepting the Recommendation of the City Manager Pertaining to the Ranking of the Proposals Received in Response to Request for Proposals (RFP) No. 9-00/01, to Provide Parking Meter Collection Services; Authorizing the Mayor and City Clerk to Execute an Agreement with Standard/ Apcoa Parking, in the Amount of \$230,000; Further Approving the Issuance of a Sixty (60) Day Notice of Termination to Central Parking Systems, Inc., Terminating the Existing Parking Meter Collection Services Agreement, Effective on August 27, 2001.

(Parking Department)

**ACTION: Resolution No. 2001-24476 adopted.** Saul Frances to handle.

## C7I Commission Memorandum No. 398-01

A Resolution Authorizing an Allocation in an Amount Not to Exceed \$75,000 from the Current Year Operating Contingency Budget for Use by the Miami Beach Garden Conservancy, Inc., for the Operations and Management of the City's Miami Beach Botanical Garden for the Period of July 16, 2001, to September 30, 2001, to Be Expended in Accordance with the Budget Attached, and in Compliance with the Terms and Conditions Set Forth in the Management Agreement Between the City of Miami Beach and the Miami Beach Garden Conservancy, Inc., as Approved by the Mayor and City Commission on April 18, 2001.

(Parks and Recreation)

**ACTION: Resolution No. 2001-24477 adopted.** Patricia Walker and Kevin Smith to handle.

**C7J Commission Memorandum No. 399-01**

A Resolution Setting a Public Hearing on July 18, 2001, Pursuant to Ordinance No. 92-2783, Governing the Sale/Lease of City-Owned Property, to Consider a Lease Agreement Between the City and the School Board of Miami-Dade County for the Use of the Flamingo Park Baseball Stadium by the Miami Beach Senior High School Baseball Team During its Baseball Season (A Maximum of 118 Days), Including Annual Renewal Increases and Additional Charges, as Stipulated in the Agreement, Said Lease Agreement Having a Term of Four (4) Years and 364 Days.

(Parks and Recreation)

**ACTION: Resolution No. 2001-24478 adopted.** Robert Parcher to notice. Lilia Cardillo to place on agenda. Kevin Smith to handle.

City Clerk's Note: Advertised for 10:30 am

**C7K Commission Memorandum No. 400-01**

A Resolution Approving the First Contract Renewal, as Stipulated in the Memorandum of Agreement (MOA), with the Florida Department of Transportation (FDOT), Entered into in June, 1998, for the Maintenance of the Landscaping for State Road A1A (MacArthur Causeway), from the East End of Watson Island to the West End of East Channel Bridge, for an Annual Compensation of \$150,000, Paid by FDOT to the City of Miami Beach, Commencing on July 1, 2001, for a One Year Period and Two Additional One Year Renewal Options, If Mutually Agreed upon by the City and FDOT.

(Parks and Recreation)

**ACTION: Resolution No. 2001-24479 adopted.** Kevin Smith to handle.

**C7L Commission Memorandum No. 401-01**

A Resolution Authorizing the City Manager, or His Designee, to Submit an Application in Cooperation with the Miami Beach Community Development Corporation to the NFL Community Football Fields Program, a Partnership of the National Football League (NFL) Charities and Local Initiatives Support Corporation (LISC), for Renovations to the Flamingo Football Field, in the Amount of \$100,000, to Be Matched with \$50,000 of City Funding, as Recommended in the Approved \$92 Million General Obligation Bond Program, Fund 374; Further Appropriating the Grant, If Approved and Accepted by the City, in the Work Order for the Flamingo Park General Obligation Bond Program Renovation Project; and Authorizing the Mayor and City Clerk to Execute All Necessary Documents Related to this Application.

(Parks and Recreation)

**ACTION: Resolution No. 2001-24480 adopted.** Kevin Smith and Patricia Walker to handle.

**C7M Commission Memorandum No. 402-01**

A Resolution Accepting a Donation from Michael Burnstine of an Areca Palm, for a Total Estimated Value of \$2,200, for Use by the City of Miami Beach Parks and Recreation Department, Landscape Division.  
(Parks and Recreation)

**ACTION: Resolution No. 2001-24481 adopted.** Kevin Smith to handle.

**C7N Commission Memorandum No. 403-01**

A Resolution Approving by 5/7th Vote, a Waiver of Competitive Bidding, Finding Such Waiver to be in the Best Interest of the City, and Herein Authorizing the Mayor and City Clerk to Execute a Management Agreement with the Miami Design Preservation League, Inc., a Not for Profit Entity, for the Operation and Management of a Portion of the City's Miami Beach Ocean Front Auditorium, Located at 1000 Ocean Drive; Said Agreement to Commence on October 1, 2001, for an Initial Term of Three (3) Years; and Further Authorizing the City, at its Sole Discretion, to Renew and Extend this Agreement for an Additional Two (2) Year Option Term Under All Terms and Conditions Contained in the Agreement.  
(Parks and Recreation)

**ACTION: Resolution No. 2001-24482 adopted.** Kevin Smith to handle.

**C7O Commission Memorandum No. 404-01**

A Resolution Accepting a Donation from the Dacra Corporation of Various Items of Gym Equipment, for a Total Estimated Value of \$7,500, for Use by the Miami Beach Police Department.  
(Police Department)

**ACTION: Resolution No. 2001-24483 adopted.** Chief Barreto to handle.

**C7P Commission Memorandum No. 405-01**

A Resolution Authorizing the Acceptance of \$600, \$300 Each from Tremont Towing and Beach Towing, for Use by the Miami Beach Police Department's Public Safety Communications Unit Outstanding Employee of the Month Recognition Program.  
(Police Department)

**ACTION: Resolution No. 2001-24484 adopted.** Chief Barreto to handle.

**C7Q Commission Memorandum No. 406-01**

A Resolution Accepting the Donation of a K-9 Dog, Valued at Approximately \$6,500, from Bernard Klepach, for Use by the Miami Beach Police Department.  
(Police Department)

**ACTION: Resolution No. 2001-24485 adopted.** Chief Barreto to handle.

**C7R Commission Memorandum No. 407-01**

A Resolution Approving the Award of a Grant to the City Under the Drug Control and System Improvement Program and Authorizing the Mayor and the City Clerk to Execute a Cooperative Agreement Between the City and Miami-Dade County Providing for a Lincoln Road Community Policing Enhancement Program; Appropriating \$32,236 in Grant Funds; and Authorizing the Expenditure of Said Grant Funds.

(Police Department)

**ACTION: Resolution No. 2001-24486 adopted.** Patricia Walker and Chief Barreto to handle.

**C7S Commission Memorandum No. 408-01**

A Resolution Authorizing the Mayor and the City Clerk to Execute, on Behalf of the City of Miami Beach, a Mutual Aid Agreement with the Village of Miami Shores, Florida, for the Purpose of Coordinating Law Enforcement Planning, Operations, and Mutual Aid Benefit Between the City of Miami Beach and Village of Miami Shores.

(Police Department)

**ACTION: Resolution No. 2001-24487 adopted.** Chief Barreto to handle.

**C7T Commission Memorandum No. 409-01**

A Resolution Authorizing the Acceptance of Grant Funds, in the Amount of \$426,147, from the United States Department of Justice, ?Local Law Enforcement Block Grant? Program, and Authorizing the Budgeting and Expenditure of the Grant Funds.

(Police Department)

**ACTION: Resolution No. 2001-24488 adopted.** Patricia Walker and Chief Barreto to handle.

**C7U Commission Memorandum No. 410-01**

A Resolution Calling a Public Hearing to Consider Public Comment, as Required by Ordinance No. 92-2783, Regarding the Sale of Approximately 17 Sq. Feet of the City-Owned Right-of-Way Adjacent to the Property Located at 825-845 Lincoln Road, Miami Beach, Miami-Dade County, Florida.

(Public Works)

**ACTION: Resolution No. 2001-24489 adopted.** Robert Parcher to notice. Lilia Cardillo to place on agenda. Fred Beckmann to handle.

City Clerk's note: 10:45 am.

**C7V Commission Memorandum No. 411-01**

A Resolution Accepting the Recommendation of the City Manager Pertaining to the Sole Proposal Received in Response to Request for Proposals (RFP) No. 25-00/01, to Provide Maintenance of Electrowave Shuttle Vehicles; and Authorizing the Administration to Enter into Negotiations with the Only Firm, Electric Transit Vehicle Institute (ETVI).

(Transportation/Concurrency Management)

**ACTION: Resolution No. 2001-24490 adopted.** Joseph Johnson and Drew Terpak to handle.

**C7W Commission Memorandum No. 412-01**

A Resolution Approving and Adopting the Alton Road Traffic Calming Study/Recommendations, as Developed by the Corradino Group and the City, with Input from the Alton Road Homeowners Association, and Endorsed by the City's Transportation and Parking Committee; and Subsequently Submitting the Study and its Recommendations to the Florida Department of Transportation and Miami-Dade County Public Works, for Their Respective Consideration and Approvals.

(Transportation/Concurrency Management)

**ACTION: Resolution No. 2001-24491 adopted.** Joseph Johnson to handle.

**C7X Commission Memorandum No. 413-01**

A Resolution Authorizing the Appropriation of \$24,000 in Concurrency Mitigation (Middle Beach) Funds for the Implementation of Intersection Improvements on 41st Street at Indian Creek Drive; Such Traffic Operation/Safety Improvements Being Recommended by the Municipal Mobility Plan (MMP), and Designed/Engineered by the Florida Department of Transportation.

(Transportation/Concurrency Management)

**ACTION: Resolution No. 2001-24492 adopted.** Patricia Walker and Joseph Johnson to handle.

**ADDENDUM:****C7Y Commission Memorandum No.**

**A Resolution Urging Governor Jeb Bush to Restore Funding for the Miami Beach Senior Center.  
(Requested by Mayor Neisen Kasdin)**

**ACTION: Resolution No. 2001-24493 adopted.** R. Parcher to transmit to Governor Bush.

**End of Consent Agenda**

**REGULAR AGENDA****R5 - Ordinances****4:38:48 p.m.**

R5A Commission Memorandum No. 414-01

An Ordinance Establishing a Temporary Moratorium on the Enforcement of Certain Regulations Pertaining to the Operation of Parking Lots on Ocean Drive to Allow Parking Lots to Operate as Provisional Parking Lots and Under the Same Conditions Provided Under a Conditional Use Permit if Said Lots Operated, at Any Time from 1999 to the Present, as a Permitted Provisional Lot with Conditional Use Approval; the Moratorium Shall Automatically Dissolve Upon the Earlier of October 17, 2001, or Upon the Adoption of Amendments to the Miami Beach City Code Relating to Parking Lots on Ocean Drive. **3:45 p.m. First Reading, Public Hearing**

(City Attorney's Office)

**ACTION:** Item was heard in conjunction with Item C4B. Public hearing held. **Ordinance approved on first reading.** Motion made by Commissioner Cruz; seconded by Vice-Mayor Garcia; Ballot vote: 5-2; Opposed Commissioners Bower and Liebman. Second Reading and second Public Hearing scheduled on July 18, 2001 at 5:15 p.m. R. Parcher to notice. Lilia Cardillo to place on agenda. Legal Department to handle.

Handouts:

1. Notice of Ad in Miami Herald
2. Letter to Mayor and City Commissioners from Michael D. Kinerk, Chairman, Miami Design Preservation League, dated June 25, 2001, RE: Parking Lots on Ocean Drive.
3. Report titled "Quick Park" submitted by Mr. Joseph, Valet Citations
4. Speakers List

**5:48:21 p.m.**

R5B Commission Memorandum No. 415-01

## Zoning Ordinance Amendment

An Ordinance Amending the Official Zoning District Map Referenced in Section 142-72 of the Code of the City of Miami Beach, Florida, by Changing the Zoning District Classification for Those Ten Areas Identified in the Chart below and the Maps Attached to this Ordinance; Amending the Affected Portions of the City's Official Zoning District Map to Correspond with these Changes as Adopted by the City Commission; Providing for Repealer, Severability and an Effective Date. **5:01 p.m. Second Reading, Public Hearing**

(Planning Department)

(First Reading, Public Hearing June 6, 2001)

**ACTION:** Public hearing held. **Ordinance Number 2001-3311 adopted.** Motion made by Commissioner Liebman; seconded by Commissioner Bower; Ballot vote: 6-0; Absent: Commissioner Smith. R. Parcher to transmit to Municipal Code Corporation. Jorge Gomez to handle.

## Handouts:

1. Notice of Ad in Miami Herald
2. Letter to the City Commission from Lloyd Mandell, General Partner, The Dorchester a Deco Beach Inns, Inc., dated June 18, 2001, RE: Corrected Notice of Zoning Map Changes

**10:44:16 a.m.**

R5C Commission Memorandum No. 416-01

An Ordinance Amending Chapter 82 of the Miami Beach City Code Entitled "Public Property" by Amending Section 82-412 Thereof Entitled "Posting of Signs on Utility Company Property or Public Property Prohibited; Enforcement; Fines; Appeal"; by Amending Subsection (A) Thereof to Clarify that the Owners and/or Benefactors of Prohibited Signs Shall be Subject to the Enforcement Procedures of Said Section; Providing for Codification, Repealer, Severability, and an Effective Date. **First Reading**

(City Attorney's Office)

**ACTION:** Discussion held. **Ordinance approved on first reading.** Motion made by Commissioner Bower; seconded by Commissioner Cruz; Ballot vote: 6-0; Absent: Commissioner Dermer. Second Reading and Public Hearing scheduled for July 18, 2001. R. Parcher to notice. Lilia Cardillo to place on agenda. City Attorney's Office and Al Childress to handle.

City Clerk's note: 11:15 am

**3:14:50 pm.**

R5D Commission Memorandum No. 417-01

An Ordinance Authorizing Street Performers and Art Vendors in Public Areas Following Receipt of a Permit, Subject to Certain Conditions and a Permit Fee; Providing Definitions, Setting Forth Terms, Conditions and Regulations for Permits Issued to Street Performers and Art Vendors; Providing for Enforcement, Suspension or Revocation; Providing for Inclusion in the Code of the City of Miami Beach, Florida; Repealer; Severability; and an Effective Date. **First Reading**  
(City Manager's Office)

**ACTION:** Discussion held. Testimony given by Gary Held, Assistant City Attorney, Police Sergeant Zeifman, and Al Childress, Director of Code Compliance.

**Ordinance approved on first reading.** Motion made by Commissioner Liebman; Seconded by Commissioner Bower; Ballot vote: 7-0. Second reading and Public Hearing scheduled on July 18, 2001. R. Parcher to notice. Lilia Cardillo to place on agenda. Gary Held to handle.

City Clerk's note: 11:30 a.m.

Mr. Jeff Bechdel, from the Lincoln Road Marketing Inc. urges the Commission to pass this ordinance.

Commissioner Bower stated that the business in front of the designated areas need to be notified. **Ronnie Singer and Al Childress to handle.**

Commissioner Bower stated that the accent tree lights hanging on the palm trees on Lincoln Road have been changed from pointing up to pointing down on the sidewalk. She requested this to be fixed. **Brad Judd to handle.**

Mayor Kasdin stated after this ordinance is adopted there should be no question about enforcement.

**R6 - Commission Committee Reports****10:46:43 a.m.**

R6A Verbal Report of the Finance and Citywide Projects Committee Meeting of June 20, 2001: **1)** Discussion Regarding the City's Financial Strategies; **2)** Preliminary Evaluation of Alternatives for Irrigation Water Supply for Bayshore Country Club and Golf Course; **3)** A Resolution Adopting the Recommendation of the Convention Center Capital Projects Oversight Committee (CCCPOC) to Authorize That the Interest from the Remaining Uncommitted and/or Unappropriated Monies (Said Funds Estimated at \$11,910,717) from the Interlocal Cooperation Agreement Between the City and Miami-Dade County, Regarding the Disposition of the Two-Thirds (2/3rds) Portion of the Convention Development Tax Be Set Aside and Appropriated into a Separate Account, to Be Established by the City and Maintained for Additional Capital Improvements Related to the Miami Beach Convention Center (MBCC) and the Jackie Gleason Theater of the Performing Arts (TOPA): Provided That the Convention Center Capital Projects Oversight Committee Shall Make a Recommendation as to Any Proposed Improvements, Said Recommendation to Be Advisory Only, Prior to Said Improvement Projects Being Brought to the City Commission.

**ACTION:** Verbal reports given by Commissioner Cruz. Motion made by Commissioner Bower to accept the report; Seconded by Commissioner Smith; Voice vote: 6-0; Absent: Commissioner Dermer.

**Item 1:** No action required.

**Item 2:** The Committee recommended that the City proceed with the project. Tim Hemstreet to handle.

**Item 3:** Patricia Walker and Christina Cuervo to come back to the Committee with a plan for the allocation of future CDT funds.

Handout:

1. Written Report of the Committee meeting.

**10:49 a.m.**

R6B Verbal Report of the Joint Land Use & Development Committee and Finance and Citywide Projects Committee Meeting of June 25, 2001: **1)** Discussion Concerning Advertising on Pay Telephones.

**ACTION:** Vice-Mayor Garcia and Commissioner Liebman stated that due to a lack of a quorum at the joint meeting of the Land Use and Development Committee, and the Finance and Citywide Projects Committee, the item was referred to the City Commission for discussion. Item to be placed on a future agenda. **Jorge Gomez and Patricia Walker to place on a joint meeting agenda.**

**10:49 a.m.**

R6C Verbal Report of the Land Use & Development Committee Meeting of June 25, 2001: **1)** Discussion amending the Art in Public Places Ordinance to Exempt All City Boards from Overriding Public Art Recommendations After the Selection Process Has Been Completed; and **2)** Discussion on the Moratorium on Water sport Related Beachfront Concessions.

**ACTION:** Verbal report given by Commissioner Liebman. Motion to accept report made by Commissioner Liebman; Seconded by Commissioner Bower; Voice-vote; 6-0; Absent: Commissioner Dermer.

**Item 1:** Refer matter to the Planning Board for further consideration of the Code Amendment. **Jorge Gomez to place on Planning Board agenda.**

**Item 2:** No action taken on existing moratorium and the matter is referred to the full Commission for further discussion. See item R9H

Handout:

1. Written Report of the Committee meeting.

**R7 - Resolutions****10:38:19 a.m.**

R7A Commission Memorandum No. 418-01

A Resolution Authorizing the Mayor and City Clerk to Execute a Lease Agreement Between the City of Miami Beach and the Boys and Girls Club of Miami, Inc., for the Lease of the One Story City-Owned Building in Flamingo Park, Located at 1245 Michigan Avenue, Miami Beach, Florida, for a Term of Four (4) Years and Three Hundred Sixty Four (364) Days, Commencing on July 1, 2001, and Ending on June 29, 2006; Further Waiving, by 5/7ths Vote, the Competitive Bidding and Appraisal Requirements, as Set Forth in Section 82-39 of the Miami Beach City Code, Finding Such Waiver to be in the Best Interest of the City. **10:30 a.m. Public Hearing**

(Asset Management)

**ACTION: Public hearing open and continued to July 18 at 2:00 pm.** Motion made by Commissioner Bower; seconded by Vice-Mayor Garcia; Voice vote: 6-0; Absent: Commissioner Dermer. Lilia Cardillo to place on agenda. Joe Damien to handle.

Handouts:

1. Notice of Ad in Miami Herald

**10:43:38 a.m.**

R7B Commission Memorandum No. 419-01

A Resolution Authorizing the Mayor and City Clerk to Execute a Lease Agreement Between the City of Miami Beach and the Concert Association of Florida, Inc., for the Management and Operation of the Colony Theatre, Located at 1040 Lincoln Road, Miami Beach, Florida, for a Three Year Term, Commencing on July 1, 2001, and Ending on June 30, 2004. **10:45 a.m. Public Hearing**  
(Community/Economic Development)

**ACTION: Public hearing open and continued to July 18 at 2:15 pm.** Motion made by Commissioner Bower; seconded by Commissioner Cruz; Voice vote: 5-0; Absent: Vice-Mayor Garcia and Commissioner Dermer. Lilia Cardillo to place on agenda. Joe Damien to handle.

Handouts:

1. Notice of Ad in Miami Herald

**10:37:27 a.m.**

R7C Commission Memorandum No. 420-01

A Resolution Adopting the Recommendation of the Finance and Citywide Project Committee, Authorizing an Amendment in the Amount of \$61,436 to the Professional Services Agreement Entered into by and Between the City of Miami Beach and the State of Florida Department of Management Services, Dated October 6, 1999, for Construction Management of the Colony Theater Renovation Project, for a Total Revised Contract Amount of \$111,336. **Joint City Commission and Redevelopment Agency**  
(Community/Economic Development)

**ACTION:** Item heard in conjunction with Item RDA-3D. **Resolution No. 2001-24494 adopted.** Motion made by Commissioner Bower; Seconded by Vice-Mayor Garcia Voice vote: 5-0; Absent: Commissioners Cruz and Dermer. Christina Cuervo to handle.

**10:36:19 a.m.**

R7D Commission Memorandum No. 421-01

A Resolution Authorizing the Mayor and City Clerk to Execute a Lease Agreement Between TRG-SSDI, LTD., the City of Miami Beach and the Miami Beach Redevelopment Agency to Lease, Not to Exceed, 108 Parking Spaces in the Garage at the Murano at Portofino, Providing for an Effective Date. **Joint City Commission and Redevelopment Agency**  
(City Manager's Office)

**ACTION:** Item held in conjunction with Item RDA-3B. **Resolution No. 2001-24495 adopted.** Motion made by Commissioner Bower; Seconded by Vice-Mayor Garcia; Voice vote: 6-1; Opposed: Commissioner Dermer. Christina Cuervo to handle.

**3:45:02 pm**

R7E Commission Memorandum No. 422-01

A Resolution Approving a Modification of a Settlement Agreement Between RPH Hotel Associates, LLC, Successor by Merger to Ritz Plaza Hotel Corporation, and the City of Miami Beach and Authorizing the Execution of All Necessary Documents. **3:30 p.m. Public Hearing**

(City Attorney's Office)

**ACTION:** Speakers sworn in. Public Hearing held.

Santiago Echemendia, Tew Cardenas Rebak Kellogg Lehman De Maria & Tague, proposed amending language. City Attorney's Office did not recommend the proposed language.

Mr. Richard spoke but was not sworn in.

**Resolution No. 2001-24496 adopted.** Motion made by Commissioner Bower; seconded by Commissioner Smith; Voice vote: 4-1; Opposed: Commissioner Liebman; Abstained: Mayor Kasdin and Commissioner Cruz. City Attorney's Office to handle.

## Handouts:

1. Notice of Ad in Miami Herald
2. Certification of ownership list of the real estate property and property owners within 375 feet of the subject property. Certification that the City Clerk's Office mailed the notice on June 11, 2001.
3. Form 8B filed by Mayor Kasdin
4. Form 8B filed by Commissioner Cruz
5. Document submitted by Santiago Echemendia concerning the Starwood

**3:42:15 pm**

R7F Commission Memorandum No. 423-01

A Resolution Approving the Settlement Agreement with Miami-Dade County for the Miami Beach Marina Sewage Spill and Authorizing the Mayor, City Clerk and Any Other Necessary City Personnel to Execute the Settlement Agreement and all Other Documents as May be Necessary to Carry out the Intent of this Resolution.

(City Attorney's Office)

**ACTION: Resolution No. 2001-24497 adopted.** Motion made by Commissioner Bower; Seconded by Vice-Mayor Garcia; Voice vote: 6-0; Absent: Commissioner Cruz. City Attorney's Office to handle.

**10:50:49 a.m.**

R7G Commission Memorandum No. 424-01

A Resolution Approving the Settlement of Code Enforcement Liens on the Property Owned by Nonnie Sue Condominium, Inc. Located at 543 Meridian Avenue, and Further Authorizing the Mayor and City Clerk to Execute Any and All Documents Necessary to Effectuate the Settlement.

(City Attorney's Office)

**ACTION: Resolution No. 2001-24498 adopted.** Motion made by Commissioner Bower; Seconded by Commissioner Smith; Voice vote: 6-0; Absent: Commissioner Dermer. City Attorney's Office and R. Parcher to handle.

**10:52:20 a.m.**

R7H Commission Memorandum No. 425-01

A Resolution Approving and Authorizing the Mayor and City Clerk to Execute a Professional Services Agreement Between the City and the Firm of URS Corporation-Southern, Pursuant to Request for Qualifications (RFQ) No. 111-99/00, to Provide Program Management Services to Manage Construction Projects for Facilities and Parks, for a Fee Not to Exceed \$4,974,525, over a Period of Fifty Nine Months; Funding to Be Provided from Various Capital Project Funds; and Further Appropriating Funds, in the Amount of \$506,902, from the \$92 Million General Obligation Bond, Series 2000, for Professional Services and Reimbursables, for the Current Fiscal Year, Through September 30, 2001.

(Public Works)

**ACTION: Resolution No. 2001-24499 adopted.** Motion made by Commissioner Smith; Seconded by Vice-Mayor Garcia; Voice vote: 7-0. Tim Hemstreet to handle.

**10:39:26 a.m.**

R7I Commission Memorandum No. 426-01

A Resolution Authorizing the Borrowing of Not to Exceed \$47,145,000 in Aggregate Principal Amount Through Loans from the Gulf Breeze, Florida Local Government Loan Program to Refinance Certain Outstanding Indebtedness and to Pay the Costs of Certain Projects, as Described Herein; Authorizing the Execution and Delivery Loan Agreements; Authorizing the Execution and Delivery of Fixed Rate Notes to Evidence the Obligation of the City to Repay Such Loans; Providing Security for the Repayment of the Loans and the Notes; Delegating Certain Matters to the Mayor; Authorizing the Execution and Delivery of Continuing Disclosure Certificates; Approving Certain Information Concerning the City to be Included in Certain Remarketing Circulars; Authorizing Other Matters Pertaining to the Loans and the Financing Program; and Providing for an Effective Date.

(Finance Department)

**ACTION: Resolution No. 2001-24500 adopted.** Motion made by Commissioner Smith ; Seconded by Commissioner Bower; Voice vote: 7-0. Patricia Walker to handle.

Commissioner Smith stated that the dates on page 669 of the Agenda are incorrect. Patricia Walker to handle.

**7:22:04 p.m.**

R7J Commission Memorandum No. 427-01

A Resolution Approving by 5/7ths Vote, and Authorizing the City Manager to Take All Emergency, Necessary and Appropriate Actions and to Execute Emergency Purchase Orders and Associated Agreements, If Any, in a Form Acceptable to the City Attorney, to Provide the Necessary Construction Services and Materials for the Rehabilitation of the Newly Constructed 20" Water Main in Collins Avenue, from Lincoln Road to 23rd Street, Providing the Necessary Access Points, and Providing the Remaining Water Service Extensions; Further Authorizing and Appropriating Funding for Said Services and Materials to Be Obtained from the Series 2000 Water and Sewer Bond Fund 424.

(Public Works)

**(Resolution to be Submitted)**

**ACTION: Wednesday, June 27, 2001** - Presentation made by Bob Middaugh. Commission Meeting open and continued to Thursday, June 28, 2001 at 2:00 p.m.

Commissioner Smith asked what is being done to accommodate Art Basel. Bob Middaugh stated that the construction is scheduled to be in the final stages and the environment will be neater and safer.

Mayor Kasdin suggested that in the event construction were to finish earlier than December 14, that demobilization be 6 days after the completion of construction versus December 20.

Jorge Gonzalez, City Manager, stated that if there is still construction, the site will be made accessible and Art Basel has been notified.

**ACTION: Commission Meeting continued to Thursday, June 28, 2001 at 2:00 p.m.** Motion made by Commissioner Bower; Seconded by Commissioner Cruz; Voice Vote 5-0; Absent: Vice-Mayor Garcia and Commissioner Dermer.

City Clerk's Note: See Supplemental Material.

Handout:

1. Draft Commission Memorandum and Resolution to be discussed at the Thursday's meeting.

**New item:**

Jorge Gonzalez, City Manager, introduced Mr. Fred Beckmann as the new Public Works Department Director.

**10:36:45 a.m.**

R7K Commission Memorandum No. 428-01

A Resolution ~~Rating~~ Ratifying the Redevelopment Board's Appropriation of \$44,267 from FY 2001 South Pointe Tax Increment Funds for Additional Services to Be Provided Pursuant to the Program Management Services Agreement Between the City of Miami Beach and Hazen and Sawyer, P.C., Approved Pursuant to Resolution No. 2001-24247/RDA Resolution No. 379-2001, and Awarded Pursuant to Request for Qualifications (RFQ) No. 102-99/00; Approving a First Amendment to the Agreement to Provide Professional Program Management Services for the Obligations Set Forth in the Portofino Settlement Agreement; Further Authorizing the Mayor and City Clerk to Execute the Necessary Amendments to the Agreement, in a Form to Be Approved by the Administration and the City Attorney. **Joint City Commission and Redevelopment Agency**

(City Manager's Office)

**ACTION:** Item heard in conjunction with Item RDA-3C. **Resolution No. 2001-24501 adopted.** Motion made by Commissioner Cruz; Seconded by Vice-Mayor Garcia; Voice vote: 7-0. Patricia Walker and Christina Cuervo to handle.

**R9 - New Business and Commission Requests**

R9A Commission Memorandum No. 429-01

Board and Committee Appointments.

(City Clerk's Office)

**Art in Public Places:**

Leonora Rodriguez-Chomat	term expires 12/31/2001	appointed by City Commission
James Clearwater	term expires 12/31/2002	appointed by City Commission

**Safety Committee:**

Silvia Rotbart	term expires 12/31/2002	appointed by Commissioner Smith
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**Planning Board:**

Victor Diaz	At Large	term expires 12/31/2001	appointed by City Commission
Joe Garcia	At-Large	term expires 12/31/2001	appointed by City Commission

**Design Review Board:**

Linda Polansky	At-Large	term expires 12/31/2002	appointed by City Commission
**Steven Ruggieri, Landscape Architect		term expires 12/31/2002	appointed by City Commission

Mr. Ruggieri is not a landscape architect; therefore is not eligible.

**Historic Preservation Board:**

Judith Berson	At-Large	term expires 12/31/2002	appointed by City Commission
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**Nuisance Abatement Board:**

## Middle Beach:

Jack Hartley                      term expires 12/31/2002                      appointed by City Commission

## South Beach:

Stewart Stewart                      term expires 12/31/2002                      appointed by City Commission

**Personnel Board:** Administration to prepare appointment recommendations for the July 18 Commission Agenda. **T. C. Adderly to handle.**

## Handout:

1. LTC 139-2001 Existing Vacancies on City Development Review Boards
2. Ballots for Design Review, Planning Board (1 & 2), Nuisance Abatement and Art in Public Places

R9A1 Discussion Regarding Appointment of James Clearwater to the Art in Public Places Committee.  
(Requested by Commissioner Nancy Liebman)  
(Deferred from June 6, 2001)

**ACTION:** See item R9A (appointment made).

**11:29:30 a.m.**

R9A2 Discussion Regarding Appointment of Barbara Fernandez as Tenant Commissioner of the Housing Authority of the City of Miami Beach.  
(Requested by Mayor Neisen Kasdin)

**ACTION:** Heard in conjunction with item C7E. **Barbara Fernandez appointed.** Motion made by Commissioner Liebman; Seconded by Commissioner Cruz; Voice vote: 7-0. R. Parcher to notify Housing Authority.

**11:25:36 am.**

R9B Discussion Regarding the Removal and/or Relocation of Full Canopy Trees Throughout the City.  
(Requested by Commissioner Matti Herrera Bower)  
(Deferred from June 6, 2001)

**ACTION:** Motion made by Commissioner Liebman to refer the item to the Land Use and Development Committee; Seconded by Commissioner Bower; Voice vote: 7-0. Jorge Gomez and Bob Middaugh to handle.

R9C Discussion Regarding Federal Legislative Priorities - The Wolfsonian-FIU.

(Requested by Commissioner Simon Cruz)

**ACTION:** Withdrawn.

R9D Discussion Regarding the Status of the Property Management Facility at Flamingo Park.

(Requested by Commissioner David Dermer)

**ACTION:** Not reached.

City Clerk's Note:

1. LTC No. 138-2001 submitted (Public Works Yard / Property Management Facility)
2. Per R. Parcher, Commissioner Dermer will accept an LTC versus placing item on the July 18 agenda.

R9E Discussion Regarding AIDS/HIV Statistics in Miami Beach.

(Requested by Commissioner David Dermer)

**ACTION:** Deferred by Commissioner Dermer to the July 18 Commission Meeting. Lilia Cardillo to place on agenda.

City Clerk's Note:

1. Written report submitted entitled: "A Report on the Incidents of HIV/AIDS in Miami Beach."
2. Attached to this item 6/15/2001 Surveillance Report.

**5:41:38 p.m.**

R9F Discussion Regarding an Update on the Alton Road/Julia Tuttle On-Ramp Project.

(Requested by Commissioner Matti Herrera Bower)

**ACTION: Resolution No. 2001-24502 adopted (resolution to be prepared).** Motion made by Commissioner Dermer to prepare a resolution respectfully requesting F.D.O.T. not do the on-ramp project; Seconded by Commissioner Bower; Voice vote: 6-0; Absent: Commissioner Smith. Joseph Johnson to handle.

Commissioner Bower requested a legal opinion on imposing a moratorium on the on-ramp. City Attorney's office to handle.

City Clerk's Note: LTC No. 141-2001 submitted (SR 907/Alton Road / Julia Tuttle Causeway on-Ramp project.

**4:24:37 p.m.**

R9G Discussion Regarding an Ordinance Amending Chapter 2 Entitled "Administration"; by Amending Article III Entitled "Agencies, Boards and Committees"; by Creating Division 31 Entitled "Nightlife Industry Advisory Council" and Providing for the Purpose, Powers and Duties, and Composition of the Council; Providing for Repealer; Providing for Severability; Providing for Codification; and Providing for an Effective Date.

(Requested by Commissioner David Dermer)  
(Deferred from June 6, 2001)

**ACTION:** Discussion held.

Jorge Gonzalez, City Manager, stated that after the Memorial Day weekend staff met with interested stakeholders to identify how to prepare for future major events. An LTC was sent which highlighted a number of activities that the staff has undertaken, including the creation of major events plan similar to the City's hurricane plan. One of the recommendations in the LTC is to create a Nightlife Advisory Board. One of the key component is to work with the Commission to determine exactly the scope and charge of the board, and secondly, the composition of the board.

Commissioner Dermer stated that the difficulty in forming this board is to structure it in a manner that everyone feels they have sufficient representation. It is strictly an advisory board.

**ACTION:** Motion made by Commission Dermer to refer the item to the City Manager's Office to work with the City Attorney's Office to prepare an ordinance for the next Commission Meeting to create a board structured in a fashion with the components of the different industries, with categories which include residents component, ex-officio representatives from the Police, Fire, Code Compliance, and Special Events Departments. Motion made by Commissioner Dermer; Seconded by Commissioner Liebman; Voice vote: 7-0. Christina Cuervo to handle.

R9G1 Discussion Regarding the Establishment of a Nightlife Advisory Board.

(Requested by Commissioner Nancy Liebman)  
(Deferred from June 6, 2001)

**ACTION:** Heard in conjunction with R9G. See action on R9G.

**6:15 p.m.**

R9H Discussion Regarding the Reactivation of Watersport License and Ocean Channel at the Roney Palace.  
(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION:** Discussion held.

Mayor Kasdin stated that the Administration needs to come up with a plan, within a month, to devise a plan which will eliminate the need for the moratorium.

Jorge Gonzalez, City Manager, stated that the problem is developing a plan which is equitable with the hoteliers and the water sport concessionaires.

**ACTION:** Motion made by Commissioner Liebman directing the Administration to prepare a plan to address the jet ski issue by the first Commission Meeting in September with or without the consensus of the concessionaires and hoteliers; and a solution for the non-motorized water toys to be looked at immediately; Seconded by Commissioner Bower; Voice vote: 7-0. **Joe Damien to handle.**

**ACTION:** Motion made by Commissioner Bower to adopt the recommendations of the Marine Authority and to open the channel behind the Roney Plaza; Seconded by Vice-Mayor Garcia; Ballot vote: 4-3; Opposed: Mayor Kasdin and Commissioners Cruz and Liebman.

**City Clerk's note: Above motions rescinded via a subsequent vote (see below).**

**ACTION:** Motion made by Commissioner Dermer to reconsider the previous vote to open the channel behind the Roney Plaza; Seconded by Commissioner Liebman; Voice vote: 6-0; Absent: Vice-Mayor Garcia.

**ACTION:** Motion made by Vice-Mayor Garcia to adopt the same motion as stated above: (adopt the recommendations of the Marine Authority and to open the channel behind the Roney Plaza); seconded by Commissioner Bower; Ballot vote: 3-4; Opposed: Mayor Kasdin and Commissioners Cruz, Dermer, and Liebman.

Handout:

1. Commission voting ballot #1
2. Commission voting ballot #2

**5:51:47 p.m.**

R9I Discussion Regarding Appropriating an Additional \$20,000 to Support the Sister Cities Program.  
(Requested by Vice-Mayor Luis R. Garcia, Jr.)

**ACTION:** Verbal request made by Mr. Bruce Singer. Discussion held.

Motion made by Commissioner Smith directing the Administration to **1)** Contact the VCA for \$8,000 for this year, and if the VCA will not fund, the Administration to fund if it determines that the request is a worthy program; **2)** The Administration will review placing the \$12,000 in the FY 02 budget; and **3)** Commissioner Bower feels it is incorrect for City Boards to be excluded from the VCA funding allocation process and requested the Administration to investigate; Seconded by Commissioner Liebman; Voice vote: 7-0. Christina Cuervo to handle.

## Handout:

1. Letter to the Mayor and City Commission from Bruce Singer, President, City of Miami Beach Sister Cities International Program, Dated June 21, 2001, RE: Sister Cities 2001-2002 Budget Request
- R9J Discussion Regarding the Crafting of Ballot Question for the November 2001 Election to Further Define the Save Miami Beach Charter Amendment.  
(Requested by Commissioner David Dermer)

**ACTION: Deferred by Commissioner Dermer to the July 18 Commission Meeting.** Lilia Cardillo to place on agenda.

**Reports and Informational Items**

- A **Commission Memorandum No. 430-01**  
Status Report on the Collins Park Cultural Center.  
(City Manager's Office)

**ACTION:** Written report submitted.

- B **Commission Memorandum No. 431-01**  
Informational Report to the Mayor and City Commission, on All Existing City Contracts for Renewal or Extensions in the Next 180 Days, Which By Their Terms or Pursuant to Change Orders Exceed \$25,000.  
(Procurement)

**ACTION:** Written report submitted.

**C Commission Memorandum No. 432-01**

An Analysis of Actual Revenues and Expenses for the Quarter Ended March 31, 2001, with Operating Budget Projections Through September 30, 2001, for General, Enterprise, and Internal Service Funds.

(Management & Budget)

**ACTION:** Written report submitted.

**D Commission Memorandum No. 433-01**

**An Analysis of Performance Measurement Achievements for the Quarter Ended March 31, 2001, Within the Departments of Code Compliance, Fire, Fleet Management, Parking, Parks & Recreation, Planning, and Risk Management.**

(Management & Budget)

**ACTION:** Written report submitted.

**E Verbal Presentation of the Tropicool Festival Season.**

(City Manager's Office)

**ACTION:** Verbal presentation made by William D, Talbert, III, President & CEO ( GMCVB). He stated that Tropicool Festival Season "Seen and be Seen" is a \$1 million cash investment by the Bureau and part of a \$5.2 million summer promotional program.

Elsie Howard, Visitors and Convention Authority, stated that the goal of the program is to create a brand identity for Miami Beach that will strengthen tourism, impacting tourist professionals to create a 52 week per year program of events.

Tameka Rolle, Director of Account Planning for Turkel, Schwartz and Partners, explained the creative reasons behind Tropicool Season, which is geared for affluent adult individuals looking for creative cultural events.

**Handouts:**

1. Three (3) brochures describing the Tropicool Festival Season

**F Verbal Update on the Status of Sunset Island I and II.**

(City Manager's Office)

**ACTION:** Not reached. Lilia Cardillo to place on July 18 agenda.

**End of Regular Agenda****Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
June 27, 2001 - 10:00 a.m.**

Chairman of the Board Neisen O. Kasdin  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board David Dermer  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Nancy Liebman  
Member of the Board Jose Smith

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL  
Chairman and all Board members were present.

2. OLD BUSINESS

**10:10:34 a.m.**

A Redevelopment Agency Memorandum No. 01-31  
Status Report on South Pointe Streetscape.

**ACTION:** Written report submitted. Christina Cuervo gave a verbal status report.

Vice-Mayor Garcia requested a status report on all pump stations throughout the City. Jorge Gonzalez, City Manager, stated that this request was already referred to the Land Use and Development Committee. See action June 6, 2001 -R9L.

B Redevelopment Agency Memorandum No. 01-32

Anchor Shops and Parking - Monthly Report on Parking Operations, Month of May, 2001.

**ACTION:** Written report submitted.

### 3. NEW BUSINESS

#### A Redevelopment Agency Memorandum No. 01-33

A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency Appropriating \$3,184,054 from South Pointe Tax Increment Funds, in Accordance with the Settlement Agreement Amongst the City of Miami Beach, the Miami Beach Redevelopment Agency, and West Side Partners Limited, with Respect to (A) One-third of the Construction Staging Costs; (B) Fifty Percent (50%) of the Temporary Curb Cut Costs; (C) Obligations Pursuant to the Parking License Agreement; (D) a Fifty Percent (50%) Share of the Environmental Remediation Costs for SSDI-North; (E) Utility Relocation Costs; and (F) Seawall Construction and Rehabilitation Costs along SSDI-South, Required Pursuant to the Amended and Restated Grant of Baywalk Easement.

**ACTION:** Discussion held. **Resolution No. 387-2001 adopted.** Motion made by Commissioner Bower; Seconded by Commissioner Cruz; Voice vote:6-1; Opposed Commissioner Dermer. Patricia Walker to handle.

Mayor Kasdin, for general public clarification, asked if this is a legal obligation according to the settlement agreement. This was affirmed by Christina Cuervo.

City Clerk's Note: Cross reference: The Related Companies (TRG), Murano Grande

**10:36:19 a.m.**

#### B Redevelopment Agency Memorandum No. 01-34

A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency Authorizing the Chairman and Secretary to Execute a Lease Agreement Between TRG-SSDI, LTD., the City of Miami Beach and the Miami Beach Redevelopment Agency, Appropriating \$1,149,336 from the South Pointe Redevelopment Trust Fund for the Payment of the Capital Cost of, Not to Exceed, 108 Parking Spaces in the Garage at the Murano at Portofino, Appropriating \$101, from the South Pointe Redevelopment Trust Fund, for the Single Installment of Base Rent for the Initial 101-Year Term of the Lease, and Appropriating \$6,000, from the South Pointe Redevelopment Trust Fund, for the Proportionate Share of Operating Expenses for the First Year as Provided in the Lease; and Providing for an Effective Date. **Joint City Commission and Redevelopment Agency**

**ACTION:** Item heard in conjunction with Item R7D. **Resolution No. 388-2001 adopted.** Motion made by Commissioner Bower; Seconded by Vice-Mayor Garcia; Voice vote: 6-1. Opposed: Commissioner Dermer. Christina Cuervo to handle.

Commissioner Liebman requested the Administration to look at the costs associated with the 1995 Settlement Agreement to see if the costs estimates have changed. Christina Cuervo to handle.

**10:36:30 a.m.**

**C Redevelopment Agency Memorandum No. 01-35**

A Resolution of the Chairman and the Members of the Miami Beach, Florida, Redevelopment Agency Appropriating \$44,267 from FY 2001 South Pointe Tax Increment Funds for Additional Services to Be Provided Pursuant to the Program Management Services Agreement Between the City of Miami Beach and Hazen and Sawyer, P.C., Approved Pursuant to Resolution No. 2001-24247/RDA Resolution No. 379-2001, and Awarded Pursuant to Request for Qualifications (RFQ) No. 102-99/00, Approving a First Amendment to the Agreement to Provide Professional Program Management Services for the Obligations Set Forth in the Portofino Settlement Agreement; Further Authorizing the Mayor and City Clerk to Execute the Necessary Amendments to the Agreement, in a Form to Be Approved by the Administration and the City Attorney. **Joint City Commission and Redevelopment Agency**

**ACTION:** Item heard in conjunction with Item R7K. **Resolution No. 389-2001 adopted.** Motion made by Commissioner Bower; Seconded by Commissioner Cruz; Voice vote: 6-1; Opposed: Commissioner Dermer. Christina Cuervo and Patricia Walker to handle.

**10:37:27 a.m.****D Redevelopment Agency Memorandum No. 01-36**

A Resolution of the Chairman and Members of the Miami Beach Redevelopment Agency, Adopting the Recommendation of the Finance and Citywide Project Committee, to Appropriate \$1,415,000 in Available 1998B City Center Tax Increment Revenues to Fund the Estimated Shortfall in Development Budget for the Expansion and Renovation of the Colony Theater. **Joint City Commission and Redevelopment Agency**

**ACTION:** Item heard in conjunction with Item R7C. **Resolution No. 390-2001 adopted.** Motion made by Commissioner Bower; Seconded by Commissioner Liebman; Voice vote: 5-0; Absent: Commissioners Cruz and Dermer. Patricia Walker and Christina Cuervo to handle.

Meeting adjourned at 7:45 p.m.

**End of Agenda**