



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: March 21, 2012

SUBJECT: **REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE HELD ON MONDAY, FEBRUARY 27, 2012.**

A meeting of the Neighborhood/Community Affairs Committee was scheduled for Monday, February 27, 2012 at 3:00 pm and was held in the City Manager's Large Conference Room, 4<sup>th</sup> Floor of City Hall. **Commissioners in attendance:** Commissioners Ed Tobin, Jerry Libbin, and Jorge Exposito (arrived at 3:24pm). Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet.

### THE MEETING OPENED AT (3:15 PM)

#### 1. SELECTION OF A CHAIR AND VICE-CHAIR (3:16 PM)

Commissioner Libbin made the motion to have Commissioner Tobin as Chairperson for this committee. Commissioner Tobin seconded.

Commissioner Tobin made the motion to select Commissioner Libbin as Vice-Chair for this committee. Commissioner Libbin seconded.

**ACTION:** The Committee moved to select Commissioner Ed Tobin as Chairperson and Commissioner Libbin as Vice-Chairperson of the Neighborhood/Community Affairs Committee.

#### 2. FOLLOW-UP REPORT CONCERNING QUALITY OF LIFE ISSUES FOR WEST AVENUE. (3:36PM)

Police Major Angel Vazquez introduced Captain Mark Causey. Captain Causey reported that he recently met with the new homeowners' association for West Avenue where they discussed some of the issues of concern. He also recently rode through the area with the City's Traffic Manager, Jose Gonzalez, who, together with Public Works Department Director, Fred Beckmann are reaching out to the County to try to fix some of the signage issues and, thereby, help with the Police Department's enforcement in the area. He explained that part of the problem with the speeding is the signage; some of the striping needs to be redone and is actually in process. He added that enforcement efforts are in the second month. Police are working 2-hour periods and averaging about twenty citations per period. The Department has started radar traffic enforcement in the 500-600 block of West Avenue for those heading southbound.

After some discussion regarding bike lanes on West Avenue, Commissioner Tobin advised Commissioner Exposito that if he would like to make a motion to have a dedicated and protected bike lane on West Avenue, he is certain to have a second motion. Commissioner Exposito stated that would be ideal. Mr. Beckmann added that may result in the loss of one parking lane. Commissioner Exposito made the motion to have the administration study the impact and cost of

a dedicated and protected bike lane. The motion was seconded by Commissioner Libbin. Commissioner Tobin concurred.

Christine Florez spoke.

Arthur Marcus spoke and made a suggestion to consider removing the parking spaces on the east side of West Avenue in the north-bound direction between Lincoln Road and 17<sup>th</sup> Street. This area backs up and the removal of these spaces would allow for dedicated right-turn lane. Commissioner Tobin asked the administration to look into this possibility and asked that Mr. Marcus be a part of this discussion.

Hal Phillips spoke.

Commissioner Tobin spoke of his desire for neighborhood mass transit that stops at parking lots thereby making getting around easier and quicker. People would then consider parking their car if they had an option to get to their destination within a few minutes.  
Gayle Durham spoke.

Commissioner Libbin suggested asking the Administration look into finding parking options for residents on West Avenue. Commissioner Tobin agreed.

Commissioner Libbin asked for some discussion regarding the West Avenue bridge project. Commissioner Tobin explained that the City has made commitments about land purchase and lease, but can change the allocation.

Christine Florez spoke.

Arthur Marcus spoke.

Commissioner Tobin stated that he believes the sentiment is to have a pedestrian and bicycle bridge on West Avenue. Commissioner Libbin responded that each time that it comes to Commission he is out-voted six to one.

Mr. Beckmann stated that there is one more public meeting where the public will be able to look at the final alternatives and make some recommendations. Based on that input, this will be brought to the April Commission meeting for the final determination.

Chief Deputy City Attorney Raul Aguila spoke for the record that the City has had more than a year to do its due diligence. The due diligence period expires on May 2, 2012. The item will be brought to the City Commission in April for a final decision after which the City is locked in.

Commissioner Tobin asked that the Administration bring to the next Commission meeting some concise background and data, as to why the City is doing the West Avenue Bridge project.

Charles Urstadt spoke.

Garry Brodhead spoke.

Commissioner Tobin reminded the Committee of the need for a mass transit system around the City and requested that a discussion of this possibility be added to the upcoming Commission retreat.

**ACTION:** The Committee unanimously moved to direct the Administration to study the impact and cost of a dedicated and protected bike lane on West Avenue. Additional action items included:

- Administration to look into considering the possibility of removing the parking spaces on the east side of West Avenue in the north-bound direction between Lincoln Road and 17<sup>th</sup> Street. and asked that Mr. Arthur Marcus be a part of this discussion (Requested by Commissioner Tobin)
- Administration to look into finding parking options for residents on West Avenue (Requested by Commissioners Libbin and Tobin)
- Administration to bring to the next Commission meeting some concise background and data, as to why the City is doing the West Avenue Bridge project (Requested by Commissioner Tobin)

**3. DISCUSSION REGARDING ONE OR MORE SATELLITE ART FAIRS FROM MID-TOWN TO NORTH BEACH DURING THE WEEK OF ART BASEL.  
(3:16PM)**

Commissioner Libbin detailed that during Art Basel Miami Beach, several Art Fairs may be losing their locations due to a soon-to-be-built, Wal-Mart in Miami. While he has been looking to build a presence in North Beach for the Art Fair that had previously closed, he has been reaching out to the owners of Scope, Art Asia and Red Dot to get a feeling of interest in relocating to North Beach as he believes they will add synergy to the NADA event and bring awareness to the North End. Scope and Art Asia felt the three potential locations they evaluated couldn't accommodate their needs but they were very interested in having the City consider the South end. Owners are interested in holding it during Art Basel Miami Beach in the area where the SoBe Food and Wine Festival is set up by Lummus Park. Commissioner Libbin contacted Art Basel Miami Beach to ensure that this area is outside of the boundaries of Art Basel Miami Beach and to confirm they would have no objection. The next step would be to check with the community, hotels, and the Ocean Drive Association to see if they would welcome this and, if so, there would be something to discuss that could bring a significant excitement for the week of Art Basel Miami Beach.

Commissioner Tobin stated that he would like to see this in the North end. Commissioner Libbin responded that there is simply not enough space to accommodate the size of the tents needed.

Marlo Courtney spoke  
Arthur Marcus spoke.  
Dr. Morris Sunshine spoke.  
Charles Urstadt spoke.  
Paul Janas spoke.  
Carla Probus spoke.

Commissioner Libbin made the motion to direct Administration to continue to reach out to the owners of these fairs and see if an acceptable location can be found, and simultaneously organize some community meetings. Commissioner Tobin stated that he wants to be sure that it is clear that he would have a difficult time voting for this if Art Basel Miami Beach is not in favor of this. There was no second. Commissioner Libbin reiterated that he had spoken to the people at Art Basel Miami Beach and they have no objection. Commissioner Tobin advised Commissioner Libbin that he has done a great job in taking the lead on looking for things that will make the community better.

**ACTION:** No action as no second was made to Commissioner Libbin's motion to direct Administration to continue to reach out to the owners of these fairs and see if an acceptable location can be found and simultaneously organize some community meetings.

**4. DISCUSSION REGARDING ENFORCEMENT OF LITTER LAWS TO INCLUDE THE DISTRIBUTION OF HANDBILLS ON OCEAN DRIVE, POSSIBLE HANDBILL-FREE ZONES, AND POSSIBLE AMENDMENTS OF SIDEWALK CAFE REGULATIONS TO ADDRESS THE SOLICITING OF RESTAURANT BUSINESS IN THE PUBLIC RIGHTS OF WAY, AND POSSIBLE REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS REGARDING OPEN CONTAINERS.**

*And*

**DISCUSSION REGARDING THE USE OF PLASTIC STRAWS ON THE BEACH.  
(4:06PM)**

Assistant City Manager Hilda M. Fernandez reviewed the issues to be discussed and the Administrations' recommendation to do one amendment to handle three issues including:

1. Ban Polystyrene products on the beach. This would prohibit Styrofoam on the beach. The City prohibits its approved beachfront concessionaires from using Styrofoam containers, so it would just be a matter of ensuring that there is a methodology of having people get rid of Styrofoam if they come to the beach with it in hand or stopping people before they get to the beach.
2. Ban plastic straws on the beach. The current beachfront concessionaire agreement does not allow for plastic straws. This can become complicated as many people may stop somewhere for a drink with a plastic straw prior to entering the beach. The question is what level of enforcement is needed. Would it be that no one may have a plastic straw on the beach or try to address where there is an issue now which appears to be potentially where you have hotels with pool deck bars/restaurants providing food and beverage service to beach goers. Since they are not a beachfront concession, they are not governed under the beachfront concession rules. The recommendation is to amend the litter ordinance to prohibit any business that delivers or provides service to a beachgoer onto the beach from delivering any beverage with a straw. In this instance, the business would be held responsible.
3. Ban commercial handbills in certain areas or under certain conditions as recommended below:
  - a. Prohibit the distribution of commercial handbills on the beaches, east of the dunes.
  - b. Prohibit the distribution of commercial handbills within twenty (20) feet of a sidewalk café.
  - c. Prohibit the distribution of commercial handbills in the Art Deco Historic District during High Impact Periods.

Commissioner Tobin asked how the City would plan on enforcing these regulations. Ms. Fernandez explained that the concessionaires will be handled through the beachfront concession program and make sure that the businesses that are providing service to people on the beach also cannot use Styrofoam. It would clearly be done by observation by Code Compliance Officers including the Quality of Life Code Officers that work a beach detail.

Ms. Fernandez also reviewed what the Administration is doing in terms of open containers including enforcement. She added that the City is currently working with the Greater Miami Convention and Visitors Bureau (GMCVB) on a messaging program that will include the open container warning. The City will provide the messaging on appropriate collaterals (e.g. signs, decals, table tents, etc.) at no cost to the businesses. Enforcement has been ongoing and will be enhanced for the Winter Music Conference/Spring Break MEP which has just started. The City is

also looking at providing this educational messaging in hotel rooms as we near the Memorial Day Weekend to include not just the open container regulations, but other things they should be aware of in our city.

In terms of open containers, at the January 19, 2012 joint meeting of the Finance and Citywide Projects and the Neighborhood/Community Affairs Committees, the issue of the banning of "to-go" cups was briefly discussed and was referred to the Neighborhood/Community Affairs Committee for further discussion. A brief discussion regarding the issue was had at the January 30, 2012 Neighborhood/Community Affairs Committee meeting where Marlo Courtney, a representative of the Ocean Drive Business Association requested that no further action be taken at this time regarding "to-go" cups, allowing the enhanced enforcement efforts to be implemented and assessed before taking further action on this matter. Currently, it appears that we are getting cooperation from businesses not allowing patrons to walk out with drinks.

Commissioner Libbin expressed that he believes the City should do what it can to get rid of Styrofoam. He stated that he would like to see plastic straws prohibited but would like the City to look at biodegradable straws as an option for businesses that serve drinks that require a straw. Commissioner Libbin stated that he wants to have a zero handbill distribution during certain peak periods.

Code Compliance Division Director Robert Santos-Alborná spoke. He said that during Memorial weekend more than 22,000 handbills were recovered by Code officers.

Ms. Fernandez added that within the last few months, the City has received a number of complaints from both Lincoln Road and Ocean Drive merchants regarding the aggressive solicitation of sidewalk café patrons by employees of various businesses. This solicitation is often perceived as intrusive and highly disruptive. In addition, the City has also received numerous complaints that some of the restaurants along both Lincoln Road and Ocean Drive may be overzealous in the manner in which solicit pedestrians, a practice that may well be aggressive solicitation. The Administration is seeking guidance from the Committee regarding additional provisions that may be desired to restrict the time, place and manner in which sidewalk café employees can solicit business from pedestrians. The restrictions would require an amendment to the Sidewalk Café ordinance and will be taking a separate path from litter, Styrofoam, and straws.

Marlo Courtney spoke.

Commissioner Tobin stated that he would entertain a motion to not renew anyone with a sidewalk café permit without a provision that says they cannot solicit customers. Ms. Fernandez stated that the ordinance would have to be amended to prohibit the solicitation and, if it is not prohibited, it may limit the number of hostesses. Commissioner Libbin agreed with Commissioner Tobin in that the ordinance should be amended.

Mr. Aguila suggested non-renewal for violations of any of the rules and regulations. Commissioner Libbin made the motion for the City Attorney to draft an amendment to the sidewalk café ordinance to include a prohibition of any type of solicitation by any sidewalk café employee. The motion was seconded by Commissioner Exposito and Commissioner Tobin agreed. Commissioner Tobin asked for a first reading on the amendment of the sidewalk café ordinance to come to Commission in April.

Carla Probus spoke.

Commissioner Libbin requested to look at two additional concerns. He expressed his concern

with "truth in advertising" such as advertisements of "specials" that are false. While he doesn't believe laws need to be amended, but enforcement may somehow need to be adjusted. He also is concerned with businesses "intentionally" providing "to-go" cups to patrons that are leaving their establishment with unfinished beverages.

Marlo Courtney spoke and asked Ms. Fernandez to clarify who will be handling enforcement of certain issues that have been discussed here. Ms. Fernandez explained the current effort being made to change or add who has authority to enforce certain laws. For example, illegal vending currently can only be enforced by Police; so the committee will be soon be seeing some revisions, as requested, to allow Code Compliance to enforce. She added that many violations tracked through the Special Master process and the Administration will be amending the City Code to allow certain types of violations be subject to a certain provision and fine schedule. This will be coming to Commission in March.

Commissioner Libbin made the motion to move the five (5) recommendations move forward to the March 21, 2012 meeting of the City Commission which include:

1. Prohibit Styrofoam products on our beaches;
2. Prohibit businesses that provide beverage services to persons on the beach from providing plastic straws;
3. Prohibit the distribution of commercial handbills on our beaches east of the dune;
4. Prohibit the distribution of handbills within twenty (20) feet of a sidewalk café; and
5. Prohibit the distribution of commercial handbills in the Art Deco Historic District during High Impact Periods.

Motion was seconded by Commissioner Exposito.

Paul Janas spoke.

Commissioner Tobin requested an LTC regarding citations issued and the results of prosecution for litter on the beach.

Commissioner Libbin clarified that when discussion should come up regarding banning "to-go" cups, his concern is utilizing the "to-go" cups for alcoholic beverages; not all beverages.

**ACTION:** The Committee moved that the Administration move forward with the five (5) recommendations to the March 21, 2012 meeting of the City Commission which includes:

1. Prohibit Styrofoam products on our beaches;
2. Prohibit businesses that provide beverage services to persons on the beach from providing plastic straws;
3. Prohibit the distribution of commercial handbills on our beaches east of the dune;
4. Prohibit the distribution of handbills within twenty (20) feet of a sidewalk café; and
5. Prohibit the distribution of commercial handbills in the Art Deco Historic District during High Impact Periods.

Additionally, the Committee directed the City Attorney to draft an amendment to the sidewalk café ordinance to include a prohibition of any type of solicitation by any sidewalk café employee.

Commissioner Tobin requested an LTC regarding citations issued and the results of prosecution for litter on the beach.

**5. DISCUSSION REGARDING THE MIAMI DESIGN PRESERVATION LEAGUE'S PLACEMENT OF A BARBARA CAPITMAN MEMORIAL BUST IN LUMMUS PARK.  
(3:25PM)**

Mr. Charles Urstadt, Chairman for the Miami Design Preservation League, stated that his board

has endorsed and embraces this item.

Michael Kinerk spoke.

Andrew Capitman, son of Barbara Capitman, spoke regarding his mother and the conceptual plans for the memorial. He added that the family will raise the funds and will comply with all regulations.

Marlo Courtney spoke.

Chief Deputy City Attorney Raul Aguila reminded the committee of the current moratorium on the establishments of monuments and memorials. The ordinance amendment establishing the additional limitations and guidelines for monuments and memorials is coming to the City Commission in March 2012. He stated that the Committee could certainly take action as to this request at the committee level, however, the new ordinance will go to Commission first and then afterwards the Barbara Capitman memorial could be brought back to the Commission.

Commissioner Tobin thanked Mr. Aguila for his input and stated that this will be voted on today and will go to Commission.

Commissioner Libbin made the motion to move forward with the memorial for Ms. Capitman. Commissioner Exposito seconded the motion.

Commissioner Tobin stated that Mr. Capitman, Mr. Urstadt, and Mr. Kinerk; those involved in the memorial project would like to meet with Assistant City Manager Hilda M. Fernandez, so he requested that she reach out to them to discuss any technical things they need to be aware of.

Commissioner Exposito stated that this is the type of memorial; for people that have impacted and are a part of this community that should be honored.

**ACTION:** The Committee unanimously recommended the project move forward to the full City Commission.

**6. DISCUSSION REGARDING MUSS PARK IMPROVEMENTS AND SEAWALL.  
(5:52PM)**

Commissioner Tobin asked that the committee recommend that the City pay to repair the seawall at Muss Park so the kayak launch that was approved can proceed.

Commissioner Libbin stated that the committee should recommend that this should be identified as a high priority during the Capital Budget process.

Mr. Beckmann stated that identifying this as a high priority will move it up on the list. Commissioner Tobin asked for a hard estimate directly from a seawall contractor; not from a general contractor. Mr. Beckmann will get an updated estimate from seawall contractor and Commissioner Libbin stated that they will deal with it in June during the Capital Projects budget process.

**ACTION:** The Committee, by consensus moved to identify the Muss Park improvements to the seawall as a high priority and Mr. Beckmann is to get an updated estimate for the repair from a seawall contractor for the Capital Projects budget process.

**7. DISCUSSION REGARDING SUNRISE PLAZA AND BEACHWALK.**

**(5:33PM)**

Public Works Director Fred Beckmann advised of the good news that the City now has the permit for the Sunrise Plaza from Florida Department of Environmental Protection (FDEP) and anticipates having the facility built by August 2012. He explained that initially the project was scaled down from its original plan by the FDEP but it is an approved plan.

Carla Probus spoke.

Concern was raised that the residents want to be sure that this project would not include structures that would allow someone to sit. Mr. Beckmann stated that it has no walls or benches and that the existing shower will remain. Commissioner Tobin asked Ms. Probus to meet with Mr. Beckmann to be sure resident concerns are addressed and if there is a problem to report back to the committee.

Frank Del Vecchio spoke.

Mr. Beckmann explained that the Beachwalk II project for the on-grade pathway from South Pointe Drive to 5<sup>th</sup> Street on the west of the dune system is broken into two phases. Phase I (South Pointe Drive to 3<sup>rd</sup> Street) is expected to be in construction in January 2013 and confirmed that it will not have any walls or benches. Phase II will begin after Phase I is completed or upon receipt of easements from adjacent property owners.

Frank Del Vecchio spoke.

Mr. Beckmann explained the upcoming steps involved in acquiring some necessary easements. Should some of those not be granted, the City would then propose alternatives to FDEP which may include requests to relocate portions of the dune. Commissioner Tobin asked Mr. Beckmann to consult with the City Attorney's Office.

Commissioner Tobin asked the Administration to provide an LTC on who has not agreed to the easement.

Dr. Morris Sunshine spoke.

Carla Probus spoke.

Commissioner Exposito asked how many feet are in question for the easement.

Discussion continued regarding the amount of setback needed as well as the amount of potential encroachment into the dune. Commissioner Tobin asked for a status update at the next Neighborhood/Community Affairs Committee.

**ACTION:** Action items include:

- A status report at the next meeting of the Neighborhood/Community Affairs Committee.
- Administration to provide an LTC on who has agreed and not agreed to the easement. (Requested by Commissioner Tobin)

## **8. DISCUSSION AND UPDATE ON THE CITYWIDE DUNES MAINTENANCE PLAN.**

**(5:00PM)**

Public Works Department Director Fred Beckmann explained that starting in October 2011 the

City began conducting monthly inspections of the dune system to prioritize maintenance activities. These monthly inspections include representatives from the Environmental Division, Greenspace Management Division, Property Management Division, Sanitation Division, Police Department, Code Compliance, Ocean Rescue, Homeless Outreach Team and Miami-Dade County Parks and Recreation. The purpose of these inspections is to identify problem or hotspot areas of overgrown vegetation, cleanliness issues, and homeless activity. This allows the City to program short-term clean-ups if necessary. Clean-ups are done with volunteers and some funding is allocated annually to do some of the removal of the invasive planting and some replanting. While there is not a lot of funding for that, he noted that Administration will be requesting funding for a long-term maintenance program during the FY 2012/13 capital budget process.

Commissioner Tobin reminded the committee that he previously asked for a regularly scheduled maintenance program and asked for a status on working towards a periodic maintenance of the dunes rather than a short term program. Mr. Beckmann responded that there are monthly multi-departmental inspections of the dunes to identify problem areas. If the problem areas are small in nature, they can be taken care of by our Parks Department staff. Mr. Beckmann stated that he feels the City is doing a fair job at maintaining the dunes however to do a good job the City needs to fund the capital piece of the program which has an upfront cost will save money long-term by eliminating the necessity of conducting future expensive, large-scale removals and will prevent invasive vegetation from re-establishing in restored locations.

Commissioner Exposito agreed that not only is the removal of the invasive plants important, but the replanting is necessary for the maintenance of the dunes.

Carla Probus spoke.

Commissioner Tobin requested a status update back to the Neighborhood/Community Affairs Committee in three months. He added to invite the people from the North end and Deborah Ruggiero.

Frank Del Vecchio asked who has jurisdiction for maintenance of the dunes south of Fifth Street and during the course of maintenance and clean-up; if belongings are found left in what appears to be an encampment without the campers present, what authority does anyone have. Commissioner Tobin asked that Police Captain Causey be the liaison with the City Attorney's Office to get that answer for Mr. Del Vecchio. While it is a Federal offense to be in the sea oats of the dune; Captain Causey stated that it is an arrestable offense, and in the past, he has had sanitation crews remove items left there by someone arrested.

**ACTION:** Commissioner Tobin requested a status report be presented back to the Neighborhood/Community Affairs Committee on the progress of the maintenance of the dunes in three months.

**9. DISCUSSION REGARDING THE STATUS OF THE MAJOR EVENT PLAN FOR THE WINTER MUSIC CONFERENCE AND SPRING BREAK.  
(4:40PM)**

Assistant City Manager Hilda M. Fernandez spoke regarding the City's enhanced staffing planned for the beaches intended to address beach cleanliness, underage drinking, and glass and bottles on the beach as was done previously. There will be enhanced enforcement for residential

parking and sanitation. She then referred the committee to the agenda memo for additional stats. She detailed the peak periods for staffing level enhancements and added that staffing needs are continually monitored throughout the Major Event Plan period.

Commissioner Tobin asked who should be held responsible in the event that something were to go wrong for any particular special event. Ms. Fernandez accepted responsibility.

Commissioner Libbin asked if the parking pay stations and meters are checked regularly.. Parking Department Director Saul Frances stated that they are checked regularly and during high volume, are checked and emptied more frequently.

Commissioner Libbin also asked for information on the training and utilization of Goodwill Ambassadors (GWA). Ms. Fernandez reviewed the history of their use and how they are utilized. Commissioner Tobin asked if they are paid. Customer Service Manager Barbara Hawayek explained the compensation these volunteers receive. They earn one (1) hour of comp time to be used at a later date for each hour volunteered for the first eight (8) hours and 1.5 hours for each hour after that. Additionally, in the event the time is not used by the employee within the year, the time is forfeited. Commissioner Libbin stated that he would like to look at outsourcing the GWA program. Ms. Fernandez added that the County also provides GWA to the City at the County's expense.

Commissioner Exposito asked for a report on the percentage of time that the GWA have actually taken, compared to time earned for the last three years as well as an estimate of the cost of outsourcing. Additionally he has some concern with the size of teams he has seen in the past. He has seen teams of six or seven at a time. Ms. Fernandez explained that the team size is being evaluated and is anticipated to be assigned as a maximum of three (3).

Carla Probus spoke.

There was some discussion regarding closing the public portion of the parking lot by Nikki Beach and charge for parking. Mr. Frances stated that it has approximately forty spaces and there is the issue of paying for an attendant for the lot. Ms. Fernandez suggested doing it on a temporary basis to see if it generates revenue. Commissioner Tobin stated that he didn't think the revenue should be the issue if it succeeds in keeping bad people away. Commissioners Libbin and Tobin stated to do it on a trial basis. Commissioner Tobin advised Ms. Fernandez that while he believes the consensus of the committee is they would like to see the parking lot attended, however, if she decides it is not the right thing to do, they will support her decision.

**ACTION:** The committee directed the Administration to consider the possibility of closing the public portion of the parking lot by Nikki Beach at Pier Park for attended parking on a trial basis for the MEP.

Additionally, Commissioner Exposito requested a report on the percentage of time that the GWA have actually taken, compared to time earned for the last three years as well as an estimate of the cost of outsourcing.

#### **10. DISCUSSION REGARDING PARKING AT THE SCOTT RAKOW YOUTH CENTER. (5:12PM)**

Alejandro Fernandez, Aide to Commissioner Weithorn, spoke on behalf of the commissioner and explained the issue of parking along Pinetree Drive and Sheridan Avenue in the vicinity of the Scott Rakow Youth Center (SRYC). He stated that the Parking Department has put together a

night and day parking pilot program that will be in effect to try to solve this problem. Together they have met with the neighboring Bayshore and Collins Park Homeowners Associations and the Hebrew Academy. They have reached out to the high school but have not yet been able to meet with them. He stated that Commissioner Weithorn asked that a status report be brought back to the Neighborhood/Community Affairs Committee after the 90-day pilot program.

Assistant City Manager Hilda M. Fernandez added that the Administration has been working on this issue with Commissioner Exposito and meeting with some of the neighborhood associations. Parking Department Director Saul Frances explained that the concept is to try to manage the parking that is there now as it is currently unregulated. The recommendation is to install parking meters. Commissioner Tobin asked what is happening to the additional parking spots that he recalls were to be built in the swale area near the Hebrew Academy and asked if a temporary lot has been considered.

Mr. Frances stated that, notwithstanding the potential solution of additional parking spaces at the Hebrew Academy, there are still some opportunities to manage the spaces on the street. The addition of parking meters on the street will create some turnover on Pinetree Drive between 23<sup>rd</sup> Street and where it meets Sheridan Avenue on the west side as well as on Sheridan Avenue between 28<sup>th</sup> Street and where it meets Pinetree Drive. This would be approximately 46 parking meters. Disabled spaces will be established there as well and some passenger loading for the school. It is anticipated that not only will this establish some turnover in the parking but those that park all day while they are working in the Collins Avenue area will go elsewhere as it would make no sense to park this far away when it is not free. A three hour time limit would be another disincentive to park here long term.

Ms. Fernandez explained that this is intended as a short-term option. Commissioner Exposito explained that one of the problems has been that the parking lot at SRYC has been utilized for staff parking. He had recommended removing employees from the SRYC parking lot, having them park at the meters on the street and providing them with decals that would allow them to park at these meters while working at the center. He added another consideration is how to manage the drop-off for children attending the youth center.

Commissioner Tobin asked Commissioner Exposito how his neighborhood would feel about a temporary gravel parking lot where the permanent lot is planned. Commissioner Exposito stated that he did not feel that would be a problem.

John Corey, Co-President of the Bayshore Home Owners Association spoke.

Commissioner Tobin asked what is needed to get a temporary gravel parking lot for the Hebrew Academy. Assistant City Manager Jorge Gomez stated that one of the triggers may be when they pull a building permit. Commissioner Tobin asked Mr. Gomez to look into this.

John Corey spoke.

Commissioner Exposito made the motion to proceed with the pilot program and to look into allowing a temporary gravel parking lot for the Hebrew Academy at their expense. The motion was seconded by Commissioner Libbin. Commissioner Tobin voted against the parking meters. Commissioner Tobin, voted against meter suggestion. Commissioner Libbin suggested the enforcement of the meters begin at 5:00pm. Mr. Frances said that would need to be done through an ordinance amendment. Mr. Frances and Parks and Recreation Department Director Kevin Smith stated that they had spoken with the Hebrew Academy and the high school and found that both had no problem with the meters. Commissioner Libbin reiterated that he is

supporting the motion and would like Administration to look into adjusting the times for enforcement of the meters. Commissioner Exposito asked the Administration to provide a recommendation as to the hours to be enforced.

John Corey asked if the motion could include returning the no parking signs throughout the Bayshore neighborhood along the Par 3 that were removed recently. Ms. Fernandez reminded that enforcement is blind and that anyone could be towed, including a resident. Mr. Corey stated that this has been discussed at his meetings with his neighborhood and that is fine. Mr. Frances asked for confirmation that the signs will be posted simultaneously to the meter installations to which both Commissioners Libbin and Exposito agreed.

Motion to adjourn Libbin

**ACTION:** The Committee moved to direct the Administration to proceed with the pilot program including returning the no parking signs throughout the Bayshore neighborhood along the Par 3 that were removed recently and to look into allowing a temporary gravel parking lot for the Hebrew Academy at their expense.

**NON-AGENDA ITEM.  
(5:52PM)**

Carla Probus asked to discuss the issue of cats at South Pointe Park and her request to establish cat-free zones near and around the playground and the cafes. Commissioner Tobin agreed to place a referral on the next City Commission Agenda to request a discussion at the Neighborhood/Community Affairs Committee.

**THE MEETING ADJOURNED AT (5:54PM)**

JMG/HMF/SS/KT/BH/rfm

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MIAMI BEACH

NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING

February 27, 2012

SIGN-IN SHEET

PLEASE PRINT LEGIBLY

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Gayle Durham	West Ave Neighborhood Ass.	201 315 5363	Dayle@cfsystems.com
MARK CAUSEY	MBPA	—	—

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NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING

February 27, 2012

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