

ORDINANCE REGISTRY LOG

MAY 13, 2020

R5 F PROHIBITED USES ALONG 71ST STREET AND NORMANDY DRIVE
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

9:30 a.m. Second Reading Public Hearing

Planning

Deferred from March 18, 2020 - R5 B

Vice-Mayor Micky Steinberg

ACTION: Ordinance [2020-4339](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian; Roll call: 7-0

MAY 13, 2020

R5 E SUNSET HARBOUR ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-310, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS"; AND (2) AT DIVISION 11, "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-488, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO ELIMINATE EXISTING EXCEPTIONS TO THE 2:00 A.M. CLOSING TIME FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD, WHICH IS GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

9:25 a.m. Second Reading Public Hearing

Planning

Deferred from March 18, 2020 - R5 I

Sponsored by Commissioner Mark Samuelian & Commissioner Ricky Arriola & Co-sponsored by Commissioner Góngora and Mayor Gelber

ACTION: Ordinance [2020-4338](#) adopted. Title of the Ordinance read into the record.

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Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll call: 7-0;

MAY 13, 2020

R5 D CERTIFICATES OF USE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE;" AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

9:20 a.m. Second Reading Public Hearing

Planning

Deferred from March 18, 2020 - R5 D

Commissioner Ricky Arriola and Co-sponsored by Commissioner Góngora

ACTION: Ordinance [2020-4337](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola; Roll call: 7-0

MAY 13, 2020

R5 C DEMOLITION BY NEGLECT - PRESUMPTION CLAUSE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 1, "GENERALLY," BY AMENDING SECTION 118-503 THEREOF, ENTITLED "SCOPE, POLICIES AND EXEMPTIONS," TO AMEND THE REGULATIONS APPLICABLE TO CONTRIBUTING BUILDINGS THAT ARE DEMOLISHED WITHOUT A CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

9:15 a.m. Second Reading Public Hearing

ORDINANCE REGISTRY LOG

Planning

Deferred from March 18, 2020 - R5 E

Sponsored by Commissioner Ricky Arriola and

Co-sponsored by Mayor Dan Gelber, Commissioner Góngora, and Commissioner Mark Samuelian

ACTION: Ordinance [2020-4336](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0

MAY 13, 2020

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 18, ENTITLED "SENIOR AFFAIRS COMMITTEE," BY AMENDING SECTION 2-190.13 THEREOF, ENTITLED "COMPOSITION," TO ALLOW SENIOR RESIDENTS RESIDING IN FEDERATION TOWERS TO ALSO BE ELIGIBLE TO SERVE ON THE SENIOR AFFAIRS COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

9:10 a.m. Second Reading Public Hearing

Office of the City Attorney

Deferred from March 18, 2020 - R5 G

Commissioner Michael Gongora

ACTION: Ordinance [2020-4335](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance as amended on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0

MAY 13, 2020

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-86 ENTITLED "DISCRIMINATION IN EMPLOYMENT," TO EXTEND EMPLOYMENT PROTECTIONS TO INDEPENDENT CONTRACTORS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

9:05 a.m. Second Reading Public Hearing

Office of the City Attorney/Office of the City Manager

Deferred from March 18, 2020 - R5 F

Sponsored by Commissioner Steven Meiner

ACTION: Ordinance [2020-4334](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0;

FEBRUARY 26, 2020

ORDINANCE REGISTRY LOG

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO PROHIBIT THE SALE AND/OR SERVING OF ANY ALCOHOLIC BEVERAGE(S) BEYOND 3 A.M., FOR A DEFINED PERIOD OF TIME IN THE MONTH OF MARCH, BY ANY ALCOHOLIC BEVERAGE ESTABLISHMENT LOCATED IN THE MXE MIXED USE ENTERTAINMENT DISTRICT (EXCLUDING THAT PORTION OF THE MXE DISTRICT LOCATED BETWEEN 73RD AND 75TH STREETS), OR THAT PORTION OF THE CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT LOCATED BETWEEN PENNSYLVANIA AVENUE AND COLLINS COURT, FROM 5TH STREET TO 16TH STREET; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:02 p.m. Second Reading Public Hearing

Office of the City Attorney

Mayor Dan Gelber

First Reading on February 12, 2020 - R5 O

ACTION: Ordinance [2020-4333](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading as amended made by Vice-Mayor Richardson; seconded by Mayor Gelber; Ballot vote: 5-2; Opposed: Commissioners Góngora and Steinberg. **Office of the City Attorney, Police Chief Clements, Hernan Cardeno, and Heather Shaw to handle.**

AMENDMENTS:

- Limit sale of alcohol for six days, from March 13 to March 19, 2020 - **Police Chief Clements and Hernan Cardeno to handle.**
- Rollback hours of alcohol sales to 3:00 a.m. during that period
- Sunsets on March 19, 2020

DIRECTION:

- Provide after-action report to the City Commission within 90 days of the conclusion of the March 2020 Spring Break. (No later than the July 29, 2020 Commission Meeting). **Police Chief Clements ad Heather Shaw to handle.**
- Bring forth the Spring Break plan for March 2021, at least six months prior to Mach 2021; i.e. the September 16, 2020 Commission Meeting. **Police Chief Clements and Heather Shaw to handle.**

FEBRUARY 12, 2020

R5 D DEFINITION OF FLOOR AREA

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B OF THE CITY CODE, ENTITLED "LAND DEVELOPMENT REGULATIONS," CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," TO MODIFY FOR CLARIFICATION PURPOSES THE DEFINITION OF "FLOOR AREA"; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE. **2:30 p.m. Second Reading Public Hearing**

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Planning/ Mayor Dan Gelber, Commissioners Michael Góngora and Mark Samuelian
First Reading on January 15, 2020 - R5 M

ACTION: Ordinance [2020-4332](#) adopted. Title of the Ordinance read into the record. Public Hearing held. See related Item R7 E and motions below. **Thomas Mooney to handle.**

DIRECTION:

Direct the Office of the City Attorney to conclude the settlement agreement. **Office of the City Attorney to handle.**

MOTION 1:

Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Ballot vote: 7-0. Ordinance adopted.

MOTION NO 2:

Motion made by Commissioner Góngora to direct the City Attorney to conclude the settlement agreement as requested by Outside Counsel Jeffrey Bass; seconded by Mayor Gelber. By acclamation.

FEBRUARY 12, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFÉS," ESTABLISHING THE REQUIREMENT THAT SIDEWALK CAFÉ OPERATORS STACK AND SECURE SIDEWALK CAFÉ FURNITURE AT THE CLOSE OF BUSINESS EACH DAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing Economic Development

Commissioner Mark Samuelian First Reading on January 15, 2020 - R5 J

ACTION: Ordinance [2020-4331](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on second reading as amended; seconded by Commissioner Meiner; Ballot vote: 7-0.

AMENDMENT:

Section 82-385(L) add "stack and/or secure sidewalk café furniture" to existing language

FEBRUARY 12, 2020

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 2-22 THEREOF, ENTITLED "GENERAL REQUIREMENTS," TO CLARIFY THE QUALIFICATION REQUIREMENTS FOR MEMBERS OF AGENCIES, BOARDS, AND COMMITTEES; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing Office of the City Attorney

ORDINANCE REGISTRY LOG

Vice-Mayor David Richardson First Reading on January 15, 2020 - R5 O

ACTION: Ordinance 2020-4330 adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Richardson to adopt the Ordinance on Second Reading as amended; seconded by Commissioner Góngora; Ballot vote: 7-0. **Rafael E. Granado to handle.**

New Section reads:

“Notwithstanding the requirements set forth herein, the qualified full-time employee of a business must be approved by a 4/7 vote of the Mayor and City Commission.”

FEBRUARY 12, 2020

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED “ALCOHOLIC BEVERAGES,” BY AMENDING ARTICLE I, ENTITLED “IN GENERAL,” BY AMENDING SECTION 6-3 THEREOF, ENTITLED “HOURS OF SALE/VIOLATIONS,” BY REQUIRING THOSE ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED ON OCEAN DRIVE, BETWEEN 5TH STREET AND 15TH STREET, POSSESSING A LICENSE TO SELL AND/OR SERVE ALCOHOLIC BEVERAGES IN THE CITY UNTIL 5 A.M. (“ALCOHOL LICENSE”), AND SELLING AND/OR SERVING ALCOHOLIC BEVERAGES LATER THAN 12 A.M., TO RETAIN THE SERVICES OF AN OFF-DUTY POLICE OFFICER, FROM 12 A.M. UNTIL THIRTY (30) MINUTES PAST THE CLOSING OF THE ALCOHOLIC BEVERAGE ESTABLISHMENT, ON SATURDAYS AND SUNDAYS AND, DURING HOLIDAY WEEKENDS OR CITY-SPONSORED EVENTS, ON SATURDAY, SUNDAY, AND MONDAY; ESTABLISHING EXCEPTIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing Office of the City Attorney

Mayor Dan Gelber and Co-sponsored by Commissioner Ricky Arriola

First Reading on January 15, 2020 - R5 A

ACTION: Ordinance [2020-4329](#) adopted. See related Item C6 A #12. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian; Ballot vote: 7-0.

JANUARY 15, 2020

R5 L HISTORIC PRESERVATION REVIEW OF GU HEIGHT WAIVERS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, “DISTRICT REGULATIONS,” DIVISION 9, ENTITLED “GU GOVERNMENT USE DISTRICT,” BY AMENDING SECTION 142-425, ENTITLED “DEVELOPMENT REGULATIONS,” TO MODIFY THE REVIEW PROCEDURES FOR WAIVERS OF HEIGHT REQUIREMENTS ON LOTS WITH A GU ZONING DESIGNATION; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

First Reading Planning Commissioner Michael Góngora

ORDINANCE REGISTRY LOG

Deferred from December 11, 2019 - R5 I

ACTION: Item not reached. Item deferred to the February 12, 2020 Commission Meeting.

JANUARY 15, 2020

R5 K PARKING REQUIREMENTS IN HISTORIC AND CONSERVATION DISTRICTS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING REQUIREMENTS," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1" AND SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO AMEND THE PARKING REQUIREMENTS FOR RESIDENTIAL, HOTEL, NON-RESIDENTIAL AND ACCESSORY USES LOCATED WITHIN HISTORIC DISTRICTS, HISTORIC SITES AND CONSERVATION DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **First Reading**

Planning Commissioner Ricky Arriola Deferred from December 11, 2019 - R5 H

ACTION: Item deferred to February 12, 2020.

JANUARY 15, 2020

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFÉS," ESTABLISHING THE REQUIREMENT THAT SIDEWALK CAFÉ OPERATORS STACK AND SECURE SIDEWALK CAFÉ FURNITURE AT THE CLOSE OF BUSINESS EACH DAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading Economic Development Commissioner Mark Samuelian

ACTION: Ordinance adopted on First Reading. Title of the Ordinance read into the record. Motion to adopt the Ordinance on First Reading made by Commissioner Samuelian; seconded by Vice-Mayor Richardson; Ballot vote: 4-3; Absent: Commissioners Arriola, Góngora, and Steinberg. Second Reading Public Hearing scheduled for the February 12, 2020 Commission Meeting.

JANUARY 15, 2020

R5 I PROHIBITED USES ALONG 71ST STREET AND NORMANDY DRIVE
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING

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CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:02 p.m. First Reading Public Hearing Planning

Commissioner Micky Steinberg

ACTION: Item not reached. Item deferred to the February 12, 2020 Commission Meeting.

JANUARY 15, 2020

R5 H ADAPTIVE RE-USE AND ACCESSORY USES IN THE NORTH SHORE AND TATUM WATERWAY AREAS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART 8, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, ENTITLED "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SECTION 142-152, ENTITLED "MAIN PERMITTED AND PROHIBITED USES," AND SECTION 142-153, ENTITLED "CONDITIONAL USES," TO MODIFY USE REGULATIONS AND AMEND THE LIST OF CONDITIONAL USES FOR RM-1 PROPERTIES WITHIN THE NORTH SHORE NATIONAL REGISTER HISTORIC DISTRICT, TO INCLUDE ACCESSORY ALCOHOLIC BEVERAGE ESTABLISHMENTS AND HOTEL USES; BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO MODIFY THE ACCESSORY USES FOR HOTELS IN THE NORTH SHORE LOCAL HISTORIC DISTRICT AND EXPAND THE ALLOWABLE ACCESSORY USES FOR EXISTING APARTMENT BUILDINGS IN THE NORTH SHORE NATIONAL REGISTER DISTRICT TO ALLOW FOR ACCESSORY CAFE, OFFICE, RETAIL, PERSONAL SERVICE, AND NON-MOTORIZED WATERCRAFT RENTAL USES; AND BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," TO PROVIDE FOR AN EXCEPTION TO OFF-STREET PARKING REQUIREMENTS FOR CERTAIN ACCESSORY AND CONDITIONAL USES ON RM-1 PROPERTIES IN THE NORTH SHORE NATIONAL REGISTER HISTORIC DISTRICT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing Planning Commissioner Ricky Arriola

Continued from December 11, 2019 - R5 G

ORDINANCE REGISTRY LOG

ACTION: Item not reached. Item to be deferred to the February 12, 2020 Commission Meeting.

JANUARY 15, 2020

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: PROVIDING FOR THE CLASSIFICATIONS IN GROUP I, REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 1554, IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT, EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL 2019, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN JULY 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN JULY 2021, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); IN THE EVENT THE CITY'S GENERAL FUND REVENUES INCREASE BY ELEVEN PERCENT (11%) OR MORE IN JUNE 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF TWO PERCENT (2%) INSTEAD OF THE ONE PERCENT (1%) FOR JULY 2021; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

10:35 a.m. Second Reading Public Hearing

Human Resources

Commissioner Ricky Arriola

First Reading on December 11, 2019 - R5 L

ACTION: Ordinance [2020-4328](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Góngora; seconded by Commissioner Meiner; Ballot vote: 7-0.

JANUARY 15, 2020

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY AMENDING ARTICLE II THEREOF, ENTITLED "CONSTRUCTION CONTRACTS - MINIMUM WAGES AND BENEFITS," BY AMENDING SECTION 31-27, ENTITLED "ESTABLISHMENT OF MINIMUM WAGES," TO INCREASE THE CONTRACT THRESHOLD FOR CITY PROJECTS SUBJECT TO MINIMUM WAGES AND BENEFITS; BY AMENDING SECTION 31-31, ENTITLED "EXCEPTIONS," TO EXEMPT EMERGENCY PURCHASES FROM THE MINIMUM WAGE REQUIREMENTS OF THE ORDINANCE;

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BY CREATING SECTION 31-32, ENTITLED "REPORTING REQUIREMENT," TO INCLUDE A REPORTING REQUIREMENT OF CERTIFIED PAYROLL INFORMATION FOR ALL CITY CONSTRUCTION CONTRACTS IN EXCESS OF \$1,500,000, INCLUDING CONTRACTS EXEMPTED PURSUANT TO SECTION 31-31 OF THE CITY CODE; AND BY AMENDING ARTICLE III, ENTITLED "LOCAL WORKFORCE PARTICIPATION GOALS AND REPORTING REQUIREMENTS FOR CITY CONSTRUCTION CONTRACTS," SECTION 31-40 THEREOF, ENTITLED "LOCAL WORKFORCE PARTICIPATION GOALS AND REPORTING REQUIREMENTS FOR CITY CONSTRUCTION CONTRACTS," TO STREAMLINE REPORTING REQUIREMENTS AND ELIMINATE UNNECESSARY INTERIM WORKFORCE PARTICIPATION REPORTING REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

10:30 a.m. Second Reading Public Hearing

Procurement/Office of the City Attorney

Sponsored by Commissioner Steinberg

First Reading on December 11, 2019 - R5 P

ACTION: Ordinance [2020-4327](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

JANUARY 15, 2020

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS," SECTION 38-6 THEREOF ENTITLED "EARLY VOTING," BY INCREASING THE NUMBER OF EARLY VOTING DAYS FOR CITY RUNOFF ELECTIONS FROM 2 TO 3 DAYS, WITH SAID EARLY VOTING PERIOD TO OCCUR ON THE FRIDAY, SATURDAY, AND SUNDAY IMMEDIATELY PRECEDING SUCH RUN-OFF ELECTION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

City Attorney/City Clerk

Sponsored by the entire City Commission

First Reading on December 11, 2019 - R5 M

ACTION: Ordinance [2020-4326](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

AMENDMENT:

Sec. 38-6 – Early voting

(3) Special election-standalone (not otherwise held in conjunction with general or runoff election); Early voting shall commence 15 days immediately preceding such special election for a total of 14 consecutive days. In the event of a special election to fill a vacancy on the City Commission, early voting for any resulting run-off Election shall occur on the Friday, Saturday and Sunday immediately preceding such run-off election.

ORDINANCE REGISTRY LOG

JANUARY 15, 2020

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED ADMINISTRATION, BY AMENDING ARTICLE VI THEREOF, ENTITLED PROCUREMENT, BY AMENDING DIVISION 3 THEREOF, ENTITLED CONTRACT PROCEDURES, BY CREATING SECTION 2-378, ENTITLED "INSPECTOR GENERAL CONTRACT ALLOCATION," TO PROVIDE FOR DEDICATED FUNDING FOR THE ACTIVITIES AND OPERATIONS OF THE CITY'S OFFICE OF INSPECTOR GENERAL, BASED ON A PERCENTAGE OF THE CONTRACT AMOUNTS EXPENDED BY THE CITY UNDER CERTAIN CITY CONTRACTS, AND TO ESTABLISH MANDATORY CONTRACT PROVISIONS RELATING TO THE INSPECTOR GENERAL'S REVIEWS, AUDITS, INSPECTIONS AND INVESTIGATIONS OF CITY CONTRACTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

Commissioner Mark Samuelian

First Reading on December 11, 2019 - R5 O

ACTION: Ordinance [2020-4325](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

JANUARY 15, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-501 THEREOF, ENTITLED "GENERALLY," TO PROVIDE FOR CERTAIN EXEMPTIONS FROM THE REQUIREMENTS OF THE ORDINANCE; AND BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTION (A) THEREOF, TO EXEMPT THE NAMING OR RE-NAMING OF CERTAIN SPECIFIED CITY-OWNED PUBLIC FACILITIES FROM THE VOTER REFERENDUM REQUIREMENT OF SECTION 82-503(6) OF THE CITY CODE, PROVIDED THAT SUCH NAMING OR RE-NAMING IS FOR A LIMITED TERM OF YEARS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

Commissioner Mark Samuelian

First Reading on December 11, 2019 - R5 N

ACTION: Ordinance [2020-4324](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Samuelian; seconded by Commissioner Arriola; Ballot vote: 5-2; Opposed: Commissioners Góngora and Steinberg.

ORDINANCE REGISTRY LOG

JANUARY 15, 2020

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION I, ENTITLED "GENERALLY", BY AMENDING SECTION 82-371 THEREOF, ENTITLED "CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS; ENHANCED PENALTIES," BY SPECIFYING THOSE ENHANCED PENALTIES TO BE IMPOSED FOR VIOLATIONS OF THE SIDEWALK CAFÉ CODE OF CONDUCT; AND BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-383 THEREOF, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," BY AUTHORIZING SIDEWALK CAFÉ PERMIT FEES TO BE PAID IN SEMIANNUAL INSTALLMENTS AND ASSESSING AN ADMINISTRATIVE FEE; AND BY AMENDING SECTION 82-389 THEREOF, ENTITLED "SIDEWALK CAFÉ CODE OF CONDUCT," BY CLARIFYING THOSE PROHIBITIONS PERTAINING TO FOOD AND BEVERAGE DISPLAYS, AND FOOD AND DRINK MENU SPECIALS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Office of the City Attorney

Mayor Dan Gelber

First Reading on December 11, 2019 - R5 K

ACTION: Ordinance [2020-4323](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

JANUARY 15, 2020

SUPPLEMENTAL MATERIAL 1: REVISED MEMORANDUM & ORDINANCE

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," BY REQUIRING THOSE ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED ON OCEAN DRIVE, BETWEEN 5TH STREET AND 15TH STREET, POSSESSING A LICENSE TO SELL AND/OR SERVE ALCOHOLIC BEVERAGES IN THE CITY UNTIL 5 A.M. ("ALCOHOL LICENSE"), AND SELLING AND/OR SERVING ALCOHOLIC BEVERAGES LATER THAN 12 A.M., TO RETAIN THE SERVICES OF AN OFF-DUTY POLICE OFFICER, FROM 12 A.M. UNTIL THIRTY (30) MINUTES PAST THE CLOSING OF THE ALCOHOLIC BEVERAGE ESTABLISHMENT, ON SATURDAYS AND SUNDAYS AND, DURING HOLIDAY WEEKENDS OR CITY-SPONSORED EVENTS, ON SATURDAY, SUNDAY, AND MONDAY; ESTABLISHING EXCEPTIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ORDINANCE REGISTRY LOG

10:05 a.m. First Reading

Office of the City Attorney

Mayor Dan Gelber and Co-sponsored by Commissioner Ricky Arriola

Supplemental updated on 1/13/2020

First Reading on December 11, 2019 - R5 J

ACTION: Ordinance adopted on First Reading as amended. Title of the Ordinance read into the record. Motion to adopt the Ordinance on First Reading made by Vice-Mayor Richardson; seconded by Commissioner Arriola; Ballot vote: 7-0. Second Reading Public Hearing scheduled for February 12, 2020.

AMENDMENT:

*A 90-day status report.