

MIAMI BEACH

City Commission Meeting

City Hall, Commission Chamber, 3rd Floor, 1700 Convention Center Drive
May 11, 2016

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

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granada

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the Office of the City Clerk. Questions regarding the provisions of the Code should be directed to the Office of the City Attorney.

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In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to an alternate meeting date. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

AGENDA KEY

Consent Agenda:

C2 - Competitive Bid Reports
C4 - Commission Committee Assignments
C6 - Commission Committee Reports
C7 - Resolutions

Regular Agenda:

R2 - Competitive Bid Reports
R5 - Ordinances
R7 - Resolutions
R9 - New Business & Commission Requests
R10 - City Attorney Reports

AGENDA

1. Call to Order - 8:30 a.m.
2. Inspirational Message and Pledge of Allegiance
3. Requests for Additions, Withdrawals, and Deferrals
4. Recess for lunch at approximately 12:00 p.m.

CONSENT AGENDA

C2 - Competitive Bid Reports

- C2A Request Approval To Issue A Request For Qualifications (RFQ) No. 2016-138-KB For Architectural And Engineering Design Services For Maurice Gibb Memorial Park.
(Procurement/Capital Improvement Projects/Parks & Recreation)
- C2B Request For Approval To Issue A Request For Qualifications (RFQ) No. 2016-097-KB For Consulting Services For Public-Private Partnerships (P3) For Workforce Housing Initiative.
(Procurement/Housing & Community Services)
- C2C Request For Approval To Issue Request For Qualifications (RFQ) 2016-139-WG For An Access Control And Security System Consultant.
(Procurement/Emergency Management)

C4 - Commission Committee Assignments

- C4A Referral To The Sustainability And Resiliency Committee - Discussion Regarding The Securing And Storage Of Commercial Dumpsters.
(Sponsored by Commissioner Michael Grieco)
- C4B Referral To The Finance And Citywide Projects Committee To Discuss Advertising Opportunities Within Municipal Parking Garages And Not Visible From The Right-Of-Way.
(Parking)
- C4C Referral To Land Use And Development Committee - An Ordinance Amendment Pertaining To Alcoholic Beverage Establishments In The CD-3 District On 41st Street, In Order To Address Compatibility Issue With Surrounding Residential Districts.
(Sponsored by Commissioner John Elizabeth Alemán)

- C4D Referral To The Finance And Citywide Projects Committee To Discuss 300 Alton Road.
(Sponsored by Commissioner Ricky Arriola)
- C4E Referral To The Planning Board. Proposed Ordinance Amendment Pertaining To Non-Conforming Hotel Uses In The RM-1 Zoning District West Of Alton Road.
(Sponsored by Commissioner Ricky Arriola)
- C4F Referral To The Planning Board, Design Review Board And Historic Preservation Board. Proposed Ordinance Amendment To Chapter 138 Of The Land Development Regulations Pertaining To Signage.
(Sponsored by Commissioner Ricky Arriola)
- C4G Referral To The Planning Board - Proposed Ordinance Amendment To Chapter 130 Of The Land Development Regulations Pertaining To Off-Street Parking.
(Sponsored by Commissioner Michael Grieco)
- C4H Referral To The Finance & Citywide Projects Committee To Consider Televising All City Special Master Hearings.
(Sponsored by Commissioner John Elizabeth Alemán)
- C4I Referral To The Land Use And Development Committee And The Planning Board - Discussion Regarding A Proposed Ordinance Change For North Beach Town Center Districts.
(Sponsored by Commissioner John Elizabeth Alemán)
- C4J Referral To The Sustainability And Resiliency Committee To Consider Establishing A City Sustainable Procurement Policy.
(Sponsored by Commissioner John Elizabeth Alemán)
- C4K Referral To The Finance And Citywide Projects Committee To Work With Miami-Dade County Public Schools (MDCPS) To Assess The Viability And Interest In A City Of Miami Beach School Bus Service Within The 2-Mile Boundary Of School Bus Service Provided By MDCPS.
(Sponsored By Commissioner John Elizabeth Alemán)
- C4L Referral To Land Use And Development Committee To Discuss Revising The Cultural Arts Neighborhood District Overlay (CANDO).
(Sponsored by Commissioner Ricky Arriola)
- C4M Referral To Neighborhood/Community Affairs Committee To Discuss Battle At The Beach.
(Sponsored by Commissioner Ricky Arriola)

- C4N Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Incorporating Low Floor Trolleys To Specifically Improve Accessibility For Seniors And The Disabled.

(Sponsored by Vice-Mayor Micky Steinberg)

- C4O Referral To The Finance And Citywide Projects Committee Meeting Of May 20, 2016 - Discussion Relating To City Clerk Rafael E. Granado's Annual Performance Evaluation.

(Sponsored by Mayor Philip Levine)

C6 - Commission Committee Reports

- C6A Report Of The April 20, 2016 Land Use And Development Committee Meeting: **1.** Discussion Regarding A Complete Review Of Sign Ordinances. **2.** Proposed Comprehensive Plan Amendment Related To Sea Level Rise And Compliance With 2015 Florida Senate Bill 1094, Entitled "Peril Of Flood." **3.** Annual Evaluation Of Parking Impact Fee Structure. **4.** Discussion Regarding Potential Fiscal And Review Process Impacts Of Having All New Single Family Home Construction Reviewed By The Design Review Board. **5.** Discussion Regarding Incentivizing Workforce Housing In The Private Sector. **6.** Discussion Pertaining To Development Regulations And Guidelines For New Construction In The Palm View Historic District To Address Resiliency, Sustainability And Adaptation. **7.** CMB Preparations For Likely Passage Of State Medical Marijuana Constitutional Amendment. **8.** Discussion Pertaining To An Electronic Agenda System For All City Land Use Boards. **9.** Discussion Regarding Future Rooftop And Deck Accessory Bar Uses In The Sunset Harbour Neighborhood. **10.** Discussion Regarding Operational Regulations For Alcoholic Beverage Establishments South Of Fifth Street. **11.** Discussion Regarding Incentivizing The Retention, Raising And/Or Relocation Of Historic/Architecturally Significant Single Family Homes (SFH). **12.** Discussion On The Transit Hub On The 500 Block Of Alton Road. **13.** Discussion Regarding Non-Conforming Use Amendments.

C6B Report Of The April 15, 2016 Neighborhood/Community Affairs Committee Meeting: **1.** Discussion Regarding Revisions To The Beachfront Concession Rules And Regulations. **2.** Discussion Regarding A Competition Swimming Pool. **3.** Discussion Regarding Naming The Accessible Beach And Playground At Allison Park, 65th Street And Collins Avenue, "Sabrina's Beach And Playground At Allison Park". **4.** Update On Muss Park Pavilion. **5.** Discussion Regarding Proposed Site Options For New Fire Station No.1. **6.** Discussion Regarding Implementing A Rainbow Crosswalk At The Intersection Of Ocean Drive And 12th Street On Miami Beach. **7.** Discussion Regarding The Possible Addition Of A Skate Park In North Shore Open Space Park. **8.** Discussion On Encroachments In The Public Right-Of-Way. **9.** Traffic Management Alternatives Discussed At The February 24, 2016 Commission Workshop On Traffic Management. **10.** Discussion On Traffic Calming Efforts On Prairie Avenue And In Bayshore Neighborhood. **11.** March 9, 2016, Action Of The City Commission To Accept The Recommendation Of The Neighborhood/Community Affairs Committee To Keep And Renovate The Robert C. Haas Handball Court Building, And To Remove The Previously Approved Recommendation To Include Four Additional Single Wall Handball Courts And Four New Padel Courts, As These Items Are Recommended Not To Be Incorporated Into The Flamingo Park Master Plan; And Recommending A Discussion Of Other Activities/Options For The Master Plan. **12.** Monthly Crime Update. **13.** Discussion And Action Plan Related To Combatting Illegal Short Term Rentals Citywide. **14.** Discussion On The City Of Miami Beach Conducting A Design Competition For An Iconic Crosswalk/Intersection On 12th And Ocean. **15.** Discuss Having ADA Accessible Playground Components In All City Parks. **16.** Discussion Regarding I-95 Express Lane Access To The Julia Tuttle Causeway.

C6C Report Of The April 22, 2016 Finance And Citywide Projects Committee Meeting: **1.** Discussion Regarding Referral To The Neighborhood/Community Affairs Committee To Discuss Proposed Site Options For New Fire Station No. 1. **2.** Discussion Regarding The Creation Of The Ocean Court Green Alley, Española Way (East) Green Alley. **3.** Discussion To Consider And Explore The Impact Of A Car Sharing Pilot Program. **4.** Discussion Regarding A Review Of The Fine Schedule For Littering On The Beach. **5.** Discussion Regarding Miami New Drama Becoming The Resident Theater And Venue Manager For The Colony Theater As A Pilot Program. **6.** Discussion Regarding The Creation Of The City Of Miami Beach Transportation Fund. **7.** Discussion To Consider Adopting The Disability Access Committee's Request For The City To Support Power Access Inc. For Disability Awareness Events. **8.** Discussion To Consider The Closed Captioning For The Hearing Impaired Of The City's Video-Recorded Meetings And Events. **9.** Discussion Regarding The Vacation Of A Portion Of The Alley Between Alton Road And West Avenue, Just South Of 17th Street – As Part Of A Proposed Mixed Use Project That Will Include Residential, Retail And Structured Parking, Including Public Parking.

(Item to be Submitted in Supplemental)

C7 - Resolutions

C7A A Resolution Approving And Authorizing The City Manager, Or His Designee, To Apply For, Accept, And Appropriate Funding (Including Matching Funds And Any Related City Expenses), And Execute Any And All Documents Or Agreements In Connection With The Following Grants And Funding Requests: 1) Florida Department Of State, Division Of Cultural Affairs, Cultural Facilities Program, In The Approximate Amount Of \$500,000 For The Miami City Ballet Project; 2) Florida Department Of State, Division Of Cultural Affairs, Cultural Facilities Program, In The Approximate Amount Of \$500,000 For The Carl Fisher Clubhouse; 3) Florida Department Of Transportation, Transit Service Development Program, In The Approximate Amount Of \$400,000 For The Middle Beach Trolley; 4) US Department Of Transportation, Federal Highway Administration In The Approximate Amount Of \$3,000,000 For The Intelligent Transportation System And Parking Management Systems; And Retroactively For: 5) Harvard's Innovations In American Government Program In The Approximate Amount Of \$100,000 For The Health Connect In Our Schools Initiative; 6) US Department Of Homeland Security Pre-Disaster Mitigation And Flood Mitigation Assistance Programs In The Combined Approximate Amount Of \$2,500,000 For Mitigation Activities; 7) Florida Department Of State, Division Of Historical Resources, In The Approximate Amount Of \$50,000 For The Carl Fisher Clubhouse; 8) The Miami Foundation's Public Space Challenge For Cultural And Arts Projects; 9) Miami-Dade County's Neat Streets Program In The Approximate Amount Of \$15,000 For A Reforestation Project; And Renewal Of The Following Two Grants: 10) Children's Trust, Out Of School Program In The Approximate Amount Of \$450,000; And, 11) Children's Trust Parenting And Home Visitation Program In The Approximate Amount Of \$250,000.

(Budget & Performance Improvement)

C7B A Resolution Authorizing The Mayor And The City Clerk To Execute A Revised And Expanded Utility Easement With Florida Power & Light (FPL), At The West Palm Midway Median, Within Lot B Of Hibiscus Island, As Recorded In Plat Book 8, Page 75, Of The Public Records Of Miami-Dade County; For The Installation And Maintenance Of Conduits, Switch Cabinets, And A Capacitor Bank In Order To Provide Underground Electrical Services To The Island; A Copy Of Which Revised Easement Is Attached Hereto As Exhibit A.

(Capital Improvement Projects)

C7C A Resolution Approving And Authorizing The City Manager To Recapture \$111,313.24 Of FY 2011/2012 Community Development Block Grant (CDBG) Funds And \$46,422.76 Of FY 2014/2015 CDBG Funds; And Approving A Substantial Amendment To The FY 2011/2012 And FY 2014/2015 Action Plans, And An Amendment To The FY 2013 Through 2017 Consolidated Plan, To Reallocate Said CDBG Funds, In The Total Sum Of \$157,736, To The Lottie Apartments - Rehabilitation And Relocation Project; Authorizing The City Manager To Submit The Requisite Revised Action Plans And Consolidated Plan To The U.S. Department Of Housing And Urban Development (HUD); And Further Authorizing The Mayor And City Clerk To Execute Agreement(s) For Sub-Recipient(s) And The City Manager To Execute City Interdepartmental Agreements.

(Housing & Community Services)

- C7D A Resolution Authorizing The City Manager And City Clerk To Execute A Voluntary Cooperation And Operational Assistance Mutual Aid Agreement With The City Of Aventura, Florida, For The Purpose Of Coordinating Law Enforcement Planning, Operations And Mutual Aid Benefit Between The City Of Miami Beach, Florida And The City Of Aventura, Florida.
(Police)
- C7E A Resolution Authorizing The City Manager And City Clerk To Execute A Renewed Regional Law Enforcement Exchange Memorandum Of Understanding Between The City Of Miami Beach, On Behalf Of The Miami Beach Police Department, And The Florida Department Of Law Enforcement, Which Shall Allow The Miami Beach Police Department To Access And Share Various Criminal Justice Information That Is Contained In Both The Law Enforcement Records Of Participating Florida Law Enforcement Agencies Throughout The State Of Florida And Within The Federal Bureau Of Investigation's National Data Exchange System.
(Police)
- C7F A Resolution, Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Authorizing The City Manager, Or His Designee, To Enter Into A One-Year Agreement Between The City Of Miami Beach And ParkMe, Inc., For The Miami Beach Parking Application, Based On The Same Terms As The City's Prior Agreement With ParkMe, Inc.
(Parking)
- C7G A Resolution Accepting The City Manager's Recommendation And Authorizing The City Manager And City Clerk To Execute An Additional Services Agreement With Tyler Technologies, Inc. (Previously New World Systems Corporation) To Provide Custom Effective Response Force Software Enhancements To The Computer Assisted Dispatch (CAD) System For The City's Fire Department, In An Amount Not To Exceed \$45,000.
(Procurement)
- C7H A Resolution Accepting The Recommendation Of The City Manager (As Set Forth In The City Commission Memorandum Accompanying This Resolution) And Waiving, By A 5/7th Vote, The Formal Competitive Bidding Requirement, Finding Such Waiver To Be In The City's Best Interest; And Approving The Vendors Listed In Exhibit A To This Resolution For The Purchase Of Food And Snacks, Rides And Inflatables, And Other Program Expenses To Be Used By The Participants Of The City's Parks And Recreation Department's After-School Programs, Summer Camps, Special Events And Other Programmed Activities; Said Waiver Shall Be Authorized For A Period Of Three (3) Years, On A Year-To-Year Basis, Contingent Upon City Commission Approval Of The Department's Related Budget Allocation(s) During The Adoption Of The City's Annual Budget, In An Annual Amount Not To Exceed \$270,000.
(Parks & Recreation)

- C7I A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 2016-057-WG For Investigation, Background, Adjusting And Surveillance Of Selected Tort Liability Claims, Workers' Compensation Claims And Other Employment Related Matters And Authorizing The Administration To Enter Into Negotiations With The Three Top-Ranked Proposer(s), Digistream South Florida, Inc., Proven Investigations, LLC And Crossroads SDI, Inc.; And Further Authorizing The Mayor And City Clerk To Execute Agreements Upon Conclusion Of Successful Negotiations By The Administration.
(Procurement/Human Resources)
- C7J A Resolution Authorizing, As A Sole Source Purchase, The Purchase Of Spirax Sarco Meter Systems Equipment, Parts, Software, Service And Related Items, Pursuant To Section 2-367 (d) Of The Miami Beach City Code, For The City's Satellite City Flow Metering Systems, From G-Tec Equipment Services, LLC, The Exclusive Agent For Spirax Sarco Meter Systems Equipment, Parts, Software, Service And Related Items In The City's Geographic Region In An Amount Not To Exceed The Availability Approved Annual Budget For These Items.
(Procurement/Public Works)
- C7K Alton Road - Michigan Avenue To 43rd Street - JPA Watermain
A Resolution Approving And Authorizing The City Manager To Execute An Agreement With The Florida Department Of Transportation (FDOT) To Design, Relocate And Upgrade City-Owned Utilities Located Along FDOT's State Road (S.R.) 907/Alton Road, From Michigan Avenue To 43rd Street (FM # 429193-1-56-01), A Copy Of Which Agreement Is Attached Hereto As Exhibit 1; And The Required Three Party Escrow Agreement, A Copy Of Which Agreement Is Attached Hereto As Exhibit 2.
(Public Works)
- C7L FDOT - Indian Creek Resurfacing - 63rd Street - Abbott (60% Plans) Bus Stop Easement
A Resolution Authorizing A Perpetual Non-Exclusive Easement Between The City Of Miami Beach ("City") And The State Of Florida Department Of Transportation ("FDOT"), Attached Hereto As Exhibit 1; For The Purpose Of FDOT Maintaining And Repairing A Sidewalk And A Portion Of A Bus Bay On City Property Known As The "Ronald W. Shane Watersports Center," Located At 6500 Indian Creek Drive, Along The West Side Of Collins Avenue, North Of 65th Street.
(Public Works)
- C7M Alton Road - 43rd Street - 63rd Street - JPA Watermain
A Resolution Approving And Authorizing The City Manager To Execute An Agreement With The Florida Department Of Transportation (FDOT) To Design, Relocate And Upgrade City-Owned Utilities Located Along FDOT's State Road (S.R.) 907/Alton Road From Ed Sullivan Street/43rd Street To 63rd Street (FM # ID 430444-1-56-01), A Copy Of Which Agreement Is Attached Hereto As Exhibit 1; And The Required Three Party Escrow Agreement, A Copy Of Which Agreement Is Attached Hereto As Exhibit 2.
(Public Works)
- C7N A Resolution Approving And Authorizing The Acceptance Of Donations Of Hotel Rooms Made To The City For Memorial Day Weekend.
(Tourism, Culture & Economic Development)

- C7O A Resolution Approving, In Substantial Form, The Interlocal Agreement Attached To This Resolution Between The City And Miami-Dade County For Surface Water Quality Sampling And Analysis, Subject To Legal Review And Form Approval Of The Final Negotiated Agreement By The City Attorney's Office; Said Agreement Having A Term Of Five (5) Years, Commencing On October 1, 2015 And Ending On September 30, 2020, In An Amount Not To Exceed \$85,000; And Further Authorizing The Mayor And City Clerk To Execute The Final Negotiated Agreement.
(Environment & Sustainability)
- C7P A Resolution Authorizing The City Manager To Award, Through A Competitive Selection Process, Up To 4 Grants Totaling \$60,000, For Scholarships And Contributions To Philanthropic Organizations With An Emphasis On The Environment And Sustainability, Which Grants Shall Be Funded Through The City's Public Beachfront Concession Agreement With Boucher Brothers Miami Beach LLC, And The City's Service Agreement With The City's Franchise Waste Haulers.
(Environment & Sustainability Department)
- C7Q A Resolution Consenting To The Settlement Of A Personal Injury Claim Filed By Rafael Cabrera Rosario Against The City Of Miami Beach, And Authorizing The Payment Of \$150,000 From The City's Risk Management Fund To Settle The Claim, Pursuant To Section §768.28 Of The Florida Statutes; And Further Authorizing The Office Of Risk Management To Execute Any And All Settlement Documents.
(Human Resources)
- C7R A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee to Waive, By 5/7th Vote, The Competitive Bidding Requirement; And Authorizing The Administration To Negotiate An Agreement With Zipcar Incorporated For Car Sharing Services; And Further Directing The Administration To Present The Final Negotiated Agreement To The Mayor And City Commission Prior To Execution.
(Parking)

End of Consent Agenda

REGULAR AGENDA

R2 - Competitive Bid Reports

R5 - Ordinances

R5A Freeboard And Development Regulations - Grade Elevations And Height

1. An Ordinance Amending Subpart A - General Ordinances, Of The City Code, By Amending Chapter 54 "Floods" At Section 54-35, "Definitions," By Amending The Definitions For Base Flood Elevation, Crown Of Road, And Freeboard, And By Creating Definitions For Centerline Of Roadway, Critical Facility, Future Crown Of Road, Minimum Freeboard, Maximum Freeboard, Green Infrastructure, Low Impact Development (LID), And Surface Stormwater Shallow Conveyance; By Amending Section 54-45, "Permit Procedures," To Require A Stormwater Management Plan; By Amending Section 54-47, "General Standards," To Prohibit Septic Sewage Systems, And Include Requirements For Storage Of Hazardous Materials; By Amending Section 54-48, "Specific Standards," To Clarify The Minimum Elevation Of The Lowest Finished Floor For Residential And Non-Residential Construction, And Requiring A Minimum Elevation For Garage Entrances; By Amending Section 54-51, "Standards For Coastal High Hazard Areas (V-Zones)," To Clarify The Minimum Elevation Of The Lowest Floor Of All New Construction And Substantial Improvements; Providing Codification; Repealer; Severability; And An Effective Date. **10:05 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Joy Malakoff)

(Legislative Tracking: Planning)

(First Reading on April 13, 2016 - R5D1)

2. An Ordinance Amending The City's Land Development Regulations, By Amending Chapter 114, "General Provisions," At Section 114-1, "Definitions," By Amending The Definitions For Grade, Future Adjusted Grade, And Building Height, And To Establish By Reference To Chapter 54-35 Definitions For Base Flood Elevation, Crown Of Road, Future Crown Of Road, Freeboard, Minimum Freeboard, Maximum Freeboard, Green Infrastructure, Future Adjusted Grade, And Surface Stormwater Shallow Conveyance; By Amending Chapter 142, "Zoning Districts And Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," By Amending And Clarifying The Maximum Elevation Within A Required Yard And Providing A Minimum Elevation Requirement For New Construction, And Amending How Maximum Building Height Is Calculated; Providing Codification; Repealer; Severability; And An Effective Date. **10:06 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Joy Malakoff)

(Legislative Tracking: Planning)

(First Reading on April 13, 2016 - R5D2)

- R5B Unified Development Sites And FAR Distribution
An Ordinance Amending Chapter 118, Entitled "Administration And Review Procedures," Article I Entitled "In General" At Section 118-5, Entitled "Unity Of Title; Covenant In Lieu Thereof;" Chapter 114, Entitled "General Provisions," At Section 114-4, Entitled "Compliance With Regulations Required;" And Chapter 142, Entitled "Zoning Districts And Regulations," Article II Entitled "District Regulations," Division 1, Entitled "Generally," At Section 142-73, Entitled "Interpretation Of District Boundaries;" In Order To Clarify Procedures For The Movement Of FAR Within Unified Development Sites With Differing Zoning Districts; Providing For Enforcement And Penalties; And Providing For Repealer, Codification, Severability, And An Effective Date. **10:10 a.m. Second Reading Public Hearing**
(Sponsored By Commissioner Michael Grieco)
(Legislative Tracking: Planning)
(First Reading on April 13, 2016 - R5E)
- R5C An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," Article VI, "Procurement," Division 3, "Contract Procedures," By Creating Section 2-376, Entitled "Fair Chance Requirement For City Contractors," And Amending Chapter 62, "Human Relations," By Creating Article V, To Be Entitled The "Fair Chance Ordinance," To Provide Regulations Regarding The Consideration By The City And By City Contractors Of The Criminal History Of Applicants For Employment, And To Provide Limiting Provisions; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:15 a.m. Second Reading Public Hearing**
(Sponsored By Commissioner Michael Grieco)
(Legislative Tracking: Office of the City Attorney/Human Resources/Procurement)
(First Reading on April 13, 2016 - R5G)
- R5D Ocean Terrace Overlay - LDR Amendments
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article III "Overlay Districts," Creating Division 10 "Ocean Terrace Overlay", To Modify The Applicable Setbacks And Allowable Encroachments, Increase The Allowable Height To 235 Feet For Residential Uses And 125 Feet For Hotel Uses, To Limit The Maximum Floorplate Of The Tower Portion Of New Buildings, To Provide A Minimum Building Separation For The Tower Portion Of New Buildings, To Modify The Allowable Main, Conditional, Accessory And Prohibited Uses; Providing For Repealer; Severability; Codification; And An Effective Date. **10:55 a.m. First Reading Public Hearing**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
(Item to be Submitted in Supplemental)

- R5E An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2 Entitled "Officers, Employees And Agency Members", Adding Thereto Section 2-461 Entitled "Disclosure By City Commission Members Of Solicitation On Behalf Of Nonprofit Organization," Requiring City Commission Members Who Solicit Gifts On Behalf Of A Nonprofit Organization From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer And/Or Lobbyist On A Real Estate Development Issue, To Disclose The Date Of Solicitation And Name Of Individual Solicited, Disclosure To Be Filed In City Clerk's Office; Providing For Repealer, Severability, Codification, And An Effective Date. **11:00 a.m. Second Reading Public Hearing**
(Sponsored by Commissioner Kristen Rosen Gonzalez)
(Legislative Tracking: Office of the City Attorney)
(First Reading April 27, 2016 - R5A)

- R5F Alton Road West And 17th Street South Alcoholic Beverage Establishment Regulations An Ordinance Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations," (1) At Division 4, "CD-1 Commercial Medium Intensity District," Section 142-272, "Main Permitted Uses;" (2) Section 142-273, "Conditional Uses;" (3) Section 142-274, "Accessory Uses;" (4) Section 142-279, "Additional Regulations For Alcoholic Beverage Establishments;" (5) At Division 5, "CD-2 Commercial Medium Intensity District," Section 142-302, "Main Permitted Uses;" (6) Section 142-303, "Conditional Uses;" (7) Section 142-304, "Accessory Uses;" (8) Section 142-310, "Additional Regulations For Alcoholic Beverage Establishments;" And (9) At Division 6, "CD-3 Commercial Medium Intensity District," Section 142-332, "Main Permitted Uses;" (10) Section 142-333, "Conditional Uses;" (11) Section 142-334, "Accessory Uses;" And (12) Section 142-340, "Additional Regulations For Alcoholic Beverage Establishments;" To Amend The Hours Of Operation, Location And Use Restrictions For (A) Properties On The West Side Of Alton Road And East Of Alton Court, From 6th Street To Collins Canal, (B) Properties On The East Side Of West Avenue From Lincoln Road To 17th Street, And (C) Properties Within 100 Feet To The South Of 17th Street, Between Lenox Avenue And Meridian Avenue; Providing For Codification; Repealer; Severability; And An Effective Date. **5:01 p.m. Second Reading Public Hearing**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
(First Reading on April 13, 2016 - R5F)

- R5G 1700 Alton Road - Historic Site Designation
An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code; By Amending Section 118-593(e), Entitled "Delineation On Zoning Map" By Designating One Or More Buildings At 1700 Alton Road As An Historic Site To Be Known As "1700 Alton Road Historic Site," As More Particularly Described In The Ordinance; Providing That The City's Zoning Map Shall Be Amended To Include 1700 Alton Road As An Historic Site; Adopting The Designation Report Attached To The Staff Report As Appendix "A"; Providing For Inclusion In The Land Development Regulations Of The City Code; For Repealer; Severability; And An Effective Date. **First Reading**
(Sponsored By AC 1700 Alton Owner LLC, As The Private Applicant)
(Legislative Tracking: Planning)

R5H Beach And Sand Quality

An Ordinance Amending Chapter 82, "Public Property," Article V, "Beaches," Creating Division 3, "Beach And Sand Quality," At Sections 82-472 Through 82-478, Ensuring The Preservation And Enhancement Of The Quality Of The City's Beaches By Requiring Testing Of Sand Or Fill Placed East Of The Coastal Construction Control Line (CCCL), Consistent With The Requirements Of Section 161.053, Florida Statutes And Rule 62B-33, Florida Administrative Code; Providing For Final Approval From The City Prior To The Placement Of Any Sand Or Fill East Of The Coastal Construction Control Line And Including Provision That The City's Approval Shall Be Contingent On The Applicant Obtaining A Letter Of No Objection From Miami-Dade County Division Of Environmental Resources Management (DERM), And Providing For Cost Recovery From The Applicant; Providing For Codification; Repealer; Severability, And An Effective Date. **First Reading**

(Sponsored By Commissioner Michael Grieco)
(Legislative Tracking: Environment & Sustainability)

R5I An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," Article II, "City Commission," By Creating Section 2-14, Entitled "Code Of Civility," To Establish Standards Of Civility And Decorum For Public Meetings Of The City Commission And Commission Committees; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

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

R5J An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards, And Committees," By Amending Division 16, Entitled "Reserved," To Create A Miami Beach Youth Committee, And Amending Sections 2-186 - 2-189 Thereof, Entitled "Reserved," To Establish And Set Forth The Purpose, Powers, Duties, Composition, And Supporting Department For The Committee; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Sponsored by Commissioner Kristen Rosen Gonzalez)
(Legislative Tracking: Office of the City Attorney)

R5K Single Family Home Demolition Procedures

An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," Section 142-108, "Provisions For The Demolition Of Single-Family Homes Located Outside Of Historic Districts;" By Amending The Requirements And Procedures For The Issuance Of A Demolition Permit For Single Family Homes; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**

(Sponsored by Commissioner Joy Malakoff)
(Planning)

R5L An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Entitled "Miscellaneous Offenses," By Creating Article VII, To Be Entitled "Sexual Orientation Or Gender Identity Change Efforts," To Prohibit Licensed Professionals From Engaging In Counseling Efforts, Practices, Or Treatments With The Goal To Change A Minor's Sexual Orientation Or Gender Identity; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Sponsored by Commissioner John Elizabeth Alemán)
(Office of the City Attorney)

R5M Chapter 126 Landscape And Chapter 46 Non-Specimen Trees Ordinances

1. An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 126, "Landscaping," By Expanding The Applicability, Submittal Requirements For Landscape Plans, Expanding Minimum Landscape Standards, Detailing Maintenance Requirements For Required Landscaping, And Establishing A Tree Trust Fund For The Deposit Of Funds Generated From Not Complying With Landscape Requirements; By Amending Chapter 130, Entitled "Off-Street Parking," Article III, Entitled "Design Standards," To Incorporate Landscape Standards For Temporary And Provisional Parking Lots Into The City Of Miami Beach Landscape Ordinance; Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading**

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

2. An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Amending Chapter 46, "Environment", Article II, "Care And Maintenance Of Trees And Plants", Division 2, "Tree Preservation And Protection," By Modifying The Diameter At Breast Height Of Non-Specimen Trees; Providing For Codification, Repealer, Severability And An Effective Date. **First Reading**

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

R5N An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article I, Entitled "In General"; By Amending Section 82-1, Entitled "Conducting Business On Streets, Parks Or Other Public Property; Enforcement; Penalties; Unpaid Fines To Constitute Liens," By Creating Subsection (b), Which Expressly Prohibits Commercial Transactions, Activities Or Operations At The Maurice Gibb Memorial Park Boat Ramp And Maurice Gibb Memorial Park; By Prohibiting Any Portion Of The Commercial Transaction, Activity Or Operation To Directly Or Indirectly Occur At The Maurice Gibb Memorial Park Boat Ramp And Maurice Gibb Memorial Park; By Creating Subsection (d), Which Is A New Enforcement And Penalty Provision For Violations, Limiting The Authority Of The Special Master, And Increasing The Monetary Fines; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Sponsored by Commissioner Michael Grieco)
(Legislative Tracking: Parks & Recreation)

R5O An Ordinance Amending The City Code Regarding High Impact Beach Events. **First Reading**

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

(Item to be Submitted in Supplemental)

- R5P An Ordinance Amending Chapter 18 Of The City Code, Entitled “Businesses,” By Adding Article XVII, Entitled “City Minimum Living Wage,” To Provide For Implementation Of A City-Wide Minimum Hourly Wage; And Amending Chapter 102 Of The City Code, Entitled “Taxation,” By Amending Section 102-371, Entitled “Application Procedures[,]” By Adding A Subsection Entitled “(J) Compliance With City Minimum Living Wage” And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Mayor Philip Levine)
(Legislative Tracking: Office of the City Attorney)

R7 - Resolutions

- R7A A Resolution Adopting The Fourth Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2015/16. **10:00 a.m. Public Hearing**
(Budget & Performance Improvement)
- R7B A Resolution Adopting The Fifth Amendment To The Capital Budget For Fiscal Year (FY) 2015/16. **10:01 a.m. Public Hearing**
(Budget & Performance Improvement)
- R7C A Resolution Authorizing Pursuant To Section 142-425 Of The City’s Code, Authorize The Waiver Of Certain Regulations Applicable To Muss Park, Located At 4400 Chase Avenue, Miami Beach, Florida; Waiving By A 5/7th Vote Of The City Commission, After Public Hearing, The Development Regulations In A GU (Government Use) District, Which Regulations Are Found At Section 130-32, Entitled “Off-Street Parking Requirements For Parking District No. 1,” In Order To Waive The Requirements Relating To Providing All Required Off-Street Parking In Conjunction With The Construction Of A Multi-Purpose Activity Building In Muss Park. **10:40 a.m. Public Hearing**
(Capital Improvement Projects)

R7D Waive Height Requirements In GU (Government Use) Districts: 4001 Prairie Avenue And 501 72 Street

1. A Resolution Authorizing By A 5/7th Vote Of The City Commission, After Public Hearing, Pursuant To Section 142-425, Of The City's Code, A Waiver Of Development Regulations In Order To Repave And Light A City Surface Lot, Lot No.: P59, Located At 4001 Prairie Avenue; As Lot No. P59 Is Located Within A GU (Government Use) District And May Obtain A Waiver Is In Order To Increase The Allowable Light Pole Height In The Lot From 10 Feet To 15 Feet, And Which Increase Requires A Waiver Of Section 142-1132(k), Of The City Code; And Which Waiver Would Ensure The City's Adopted "Crime Prevention Through Environmental Design" (CPTED) Safety Requirements Are Complied With In Designing And Constructing The Parking Lot. **10:45 a.m. Public Hearing**
(Capital Improvement Projects/Planning)
2. A Resolution Authorizing By A 5/7th Vote Of The City Commission, After Public Hearing, Pursuant To Section 142-425, Of The City's Code, A Waiver Of Development Regulations In Order To Repave And Light A City Surface Lot, Lot No.: P91, Located At 501 72 Street; As Lot No. P91 Is Located Within A GU (Government Use) District And May Obtain A Waiver Is In Order To Increase The Allowable Light Pole Height In The Lot From 10 Feet To 15 Feet, Which Increase Requires A Waiver Of Section 142-1132(k), Of The City Code; And Which Waiver Would Ensure The City's Adopted "Crime Prevention Through Environmental Design" (CPTED) Safety Requirements Are Complied With In Designing And Constructing The Parking Lot. **10:46 a.m. Public Hearing**
(Capital Improvement Projects/Planning)

R7E A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee And Approving The Third Amended And Restated Rules And Regulations For Beachfront Concession Operations, Substantially In The Form Attached To This Resolution.
(Tourism, Culture & Economic Development)

R7F USGS - Joint Funding Agreement - Geophysical and Groundwater Investigations - Flood Mitigation Program
A Resolution Approving And Authorizing The City Manager To Execute A Joint Funding Agreement (JFA) With The United States Geological Survey (USGS), For The Purpose Of Conducting Geophysical And Groundwater Investigations To Incorporate The Findings Into The City's Comprehensive Groundwater, Flood Mitigation And Sea Level Rise Program; Which JFA Is Attached Hereto As Exhibit 1.
(Public Works)

R7G A Resolution Urging The Florida Department Of Environmental Protection To Take Action To Protect The Residents Of Southeast Florida From The Hazards Of Saltwater Intrusion Into The Biscayne Aquifer And Biscayne National Park.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
(Requested on April 13, 2016 - R9N)
(Legislative Tracking: Office of the City Attorney)

- R7H A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee That The City Administration Conduct A Design Competition For An Iconic Crosswalk/Intersection Incorporating The Rainbow Theme At 12th Street And Ocean Drive.
(Sponsored by Commissioner Ricky Arriola)
(Transportation)
- R7I A Resolution Approving And Authorizing Amendment No. 3 To The Development Agreement Between The City And Jameck Development, Inc. (Jameck Or Developer), Dated July 23, 2014, For The Design, Development, And Construction Of Certain Streetscape Improvements In The City's Right Of Way, At The Portion Of Euclid Avenue Between Lincoln Road And Lincoln Lane South (The Project); Said Amendment Approving A City Requested Change Order, In The Amount Of \$23,466.25, Relating To Unforeseen Site Conditions, New FP&L Service Point, Handhole And Riser For The Project; And Increasing The Guaranteed Maximum Price (GMP) Of The Project From \$819,838.88 To \$843,305.13 In Connection With Said Change Order; And Increasing The City's Budgeted Costs For The Project, From \$466,500.86 To \$479,853.16, To Include The Cost Of The Change Order; And Further Authorizing The Mayor And City Clerk To Execute Amendment No. 3.
(Public Works)
- R7J A Resolution Creating An Ad Hoc Beachfront Management Plan Advisory Group In Accordance With Section 259.032(8)(b) Of The Florida Statutes To Review And Provide Input On The City's Updated Beachfront Management Plan And Prescribing The Duties, Appointment, And Terms Of The Advisory Group's Members.
(Environment & Sustainability)
- R7K A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee To Have The Communications Department Create A Communications Piece On The City's Position With Regard To Illegal Short-Term Rentals And Initiate Contact With Realtors And Post On Social Media.
(Sponsored by Commissioner Michael Grieco &
Co-Sponsored by Commissioner John Elizabeth Alemán)
(Code Compliance/Police)
(Item to be Submitted in Supplemental)
- R7L A Resolution Clarifying Resolution No. 2015-29244 And Approving The Attached Final Application, Program Details, And Design Guidelines For The Washington Avenue Pilot Parklet Program.
(Transportation)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.
(Office of the City Clerk)

- R9A1 Board And Committee Appointments - City Commission Appointments.
(Office of the City Clerk)
- R9A2 Three (3) Available City Appointments To The Miami Design Preservation League, Inc. (MDPL)
Executive Committee.
(Office of the City Manager)
(Deferred from April 13, 2016 - R9A2)
- R9B1 Dr. Stanley Sutnick Citizen's Forum. (8:30 a.m.)
R9B2 Dr. Stanley Sutnick Citizen's Forum. (1:00 p.m.)
- R9C Referral To The Planning Board - Proposed Ordinance Amendment Pertaining To CD-2 Height
And Setback Requirements In The Sunset Harbor Area.
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
(Deferred from March 9, 2016 - R9K)
- R9D Discuss Waiver Of Outstanding Parking Lieu Fees For Red Steakhouse, 119 Washington
Avenue.
(Sponsored by Commissioner Michael Grieco)
(Deferred from April 13, 2016 - R9O)
- R9E Discussion On Transportation System Branding.
(Transportation)
- R9F Presentation Of Miami Beach Light Rail/Modern Streetcar Preliminary Environmental
Considerations.
(Transportation)
- R9G Discussion On South Beach Circulator Options.
(Transportation)
- R9H Discussing Regarding Permanent, More Attractive Variable-Message Signs (VMS) Throughout
The City.
(Sponsored by Commissioner Michael Grieco)
- R9I Discussion To Consider The Acquisition Of Necessary Police, Fire And Emergency Management
(DEM) Radio System Equipment.
(Sponsored by Commissioner John Elizabeth Alemán)

- R9J Discussion and Referral To The Land Use And Development Committee And The Planning Board - Regarding Proposed Miami Beach Marina Redevelopment And Associated Legislative Changes.
(Sponsored by Commissioner John Elizabeth Alemán)
- R9K Discussion On LTC No. 159-2016 Regarding World Out Games Miami 2017.
(Sponsored by Commissioner John Elizabeth Alemán)
- R9L Discussion Regarding The Revaluation Of Ciclovía.
(Sponsored By Commissioner Kristen Rosen Gonzalez)
- R9M Discussion Regarding Continuing With The Planning And Design Of Altos Del Mar Park, But To Stop Any Further Action And Movement On The Associated Restroom Until Other Locations Are Vetted And Brought Back To City Commission For Further Discussion.
(Sponsored By Commissioner Joy Malakoff)
- R9N Discussion Regarding Costs For The August 30, 2016 Primary Election.
(Office of the City Clerk)
- R9O Discussion Regarding A Moratorium On Demolitions In North Beach, Until A Master Plan Is Complete.
(Sponsored by Commissioner Ricky Arriola)
- R9P Discussion Regarding Launching A Pilot For Protected Bike Lane Separators.
(Sponsored by Commissioner Ricky Arriola)
- R9Q Discussion Regarding A Resolution Directing City Staff To Collaborate With Miami-Dade County On AT&T's Smart City Initiative.
(Sponsored by Commissioner Ricky Arriola)
- R9R Discussion Regarding The Reevaluation Of The Fine Schedule For Littering On The Beach As Recommended By The Finance And Citywide Projects Committee.
(Code Compliance)
- R9S Discussion On Leaf Blower Ban.
(Sponsored by Mayor Philip Levine)

R10 - City Attorney Reports

R10A City Attorney's Status Report.

(Office of the City Attorney)

Reports and Informational Items

1. Reports and Informational Items (see LTC 194-2016):
2. List of Projects Covered by the Cone of Silence Ordinance - LTC.
(Procurement)
3. Report From Commission Committees Of Withdrawn Items Not Heard Within (6) Six Months From Their Referral Date.
(Office of the City Clerk)

End of Regular Agenda