

MIAMI BEACH

Presentations & Awards/Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

May 18, 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. Granado

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ATTENTION ALL LOBBYISTS

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

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

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

AGENDA

1. Call to Order - 5:00 p.m.
2. Pledge of Allegiance.
3. Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

- PA1 Employee Performance Recognition.
(Office of the City Manager)
- PA2 Proclamation To Be Presented To Law Enforcement Officers Participating In The Kindergarten Cops Program, For Their Commitment And Dedication To Engaging, Educating And Supporting Children Within The City Of Miami Beach.
(Police)
- PA3 Certificates Of Recognition To Be Presented To Miami Rowing Club Coach Stephanie Parrish, And Para-Rower Helman Roman & Rowing Partner Lorah Goodkind, For Their Accomplishment As The National Champions In The Mixed Trunk And Arms Event, And For Representing The United State At The Olympic Qualification Regatta In Italy Last Month.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
- PA4 Certificate Of Appreciation To Be Presented To Mr. Bernardo Collado For His Work And Dedication To The Senior Events At Rebecca Towers.
(Sponsored by Commissioner John Elizabeth Alemán)
- PA5 Proclamation Declaring May 2016 As ALS Awareness Month In The City Of Miami Beach.
(Sponsored by Mayor Philip Levine)
- PA6 Proclamation Declaring June 2016 As Alzheimer's Disease Awareness Month In The City Of Miami Beach.
(Sponsored by Mayor Philip Levine)
- PA7 Proclamation To Be Presented In Honor Of National Public Works Week.
(Public Works)
- PA8 Certificates Of Recognition To Lt. D. Morgalo, Sgt. J. Nolan, And Sgt. J. Motola, For Going Beyond The Call Of Duty In Stopping A Suicide And Saving A Life.
(Sponsored by Commissioner Michael Grieco)
- PA9 Certificate Of Recognition To Be Presented To Ms. Habsi Kaba For Her Loyalty, Commitment And Dedication To Coordinating Law Enforcement And Criminal Justice Services For Individuals Who Suffer From Mental Health And/Or Substance Misuse Issues.
(Police)
- PA10 Acknowledgement Of Achievement Of The Miami Beach Police Department's Crisis Intervention Team (CIT), Recently Awarded The "CIT Team Of The Year" At The 15th Annual Mental Health In Action Conference On May 11, 2016.
(Police)

PA11 Certificates Of Recognition To The Winning Students From The Miami Beach Bar Association Law Day.

(Sponsored by Vice-Mayor Micky Steinberg)

PA12 Proclamation To Be Presented To Maria Alvarez From Planning Department In Recognition For The Years Of Service And The Extraordinary Help To Office Of The Mayor And Commission.

(Sponsored by Mayor Philip Levine)

REGULAR AGENDA

R5 - Ordinances

R5A An Ordinance Pertaining To The Subject Of A Six (6) Month Moratorium For The Two National Historic Districts Contained Within The North Beach Master Plan Study Area With The Following General Boundaries: (1) The "North Shore National Register," Generally Bounded By 73rd Street To The South, Dickens Avenue, Hawthorne Avenue And Crespi Boulevard To The West, 87th Street To The North, And Collins Court To The East; And (2) "Normandy Isles National Register:" Generally Bounded By Biscayne Bay To The South, Ray Street, Rue Notre Dame And Rue Versailles To The West, Normandy Shores Golf Course To The North, And The Western Bulkhead Of Indian Creek To The East; Imposing A Temporary Moratorium Upon The Receipt Of Or Processing Of Applications, Permits Or Pending Approvals Pertaining To Demolition Of Contribution Structures Within The Two Historic Districts Within The North Beach Master Plan Study Area; Providing For An Effective Date Retroactive To May 18, 2016; For Zoning In Progress Purposes, This Ordinance Shall Be Effective Upon First Reading Of This Ordinance, And No Applications For Demolition Within The Designated Area Shall Be Accepted By The City; Providing For Exceptions; Providing For Severability; Repeal Of Conflicting Ordinance Provisions; And Providing For An Expiration Date. **First Reading**

(Sponsored by Commissioner Ricky Arriola &
Co-sponsored by Commissioner Joy Malakoff)
(Planning)

R7 - Resolutions

R7A A Resolution Approving And Authorizing Miami City Ballet And The City Manager (Or His Designee) To Apply For, Accept, And Execute Any And All Documents Or Agreements In Connection With A Grant Request To Florida Department Of State, Division Of Cultural Affairs, Cultural Facilities Program, In An Amount Not To Exceed \$500,000 For The Miami City Ballet Renovation Project; And Further Authorizing The City To Appropriate Funding (Including Matching Funds And Any Related Expenses) In Connection With This Grant.

(Budget & Performance Improvement)

- R7B A Resolution Authorizing The Acceptance Of A Donation Of Thirty (30) Refurbished Laptops Valued At \$25,470, From The On It Foundation, Inc., For Use By The City's Office Of Housing & Community Services All Stars Program As A Component Of Its Science, Technology, Engineering, And Mathematics (STEM) Program.
(Housing & Community Services)
- R7C A Resolution Endorsing And Approving A Sister City Affiliation With The City Of Salamanca, Spain.
(Sponsored by Mayor Philip Levine)
(Legislative Tracking: Office of the City Attorney)
- R7D A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2 To The Design-Build Services Agreement Between The City Of Miami Beach, Florida, And Ric-Man International, Inc., Attached Hereto As Exhibit A, For The Design-Build Services For Neighborhood No. 8: Sunset Islands 3 & 4 Right-Of-Way Infrastructure Improvements Project; The Amendment Includes 1) Additional Design, Permitting And Construction Services Associated With Homeowners' Association (HOA) Requests In The Not To Exceed Amount Of \$2,800,000; And 2) Time Extension Of 173 Calendar Days, With Funding Being Subject To The Approval Of The City Commission During The Next Proposed FY 15/16 Capital Budget Amendment Cycle.
(Capital Improvement Projects)
- R7E A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Received Pursuant To RFP 2016-042-KB For Design Build Services For Stormwater Pump Station At The NE Corner Of Convention Center Drive.
(Procurement/Public Works)
(Item to be Submitted in Supplemental)

End of Agenda

Presentations and Awards

- PA1 Employee Performance Recognition.
(Office of the City Manager)
- PA2 Proclamation To Be Presented To Law Enforcement Officers Participating In The Kindergarten Cops Program, For Their Commitment And Dedication To Engaging, Educating And Supporting Children Within The City Of Miami Beach.
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(Sponsored by Mayor Philip Levine)

MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager  JLM

DATE: May 18, 2016

FIRST READING

SUBJECT: **North Beach – Demolition Moratorium**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO THE SUBJECT OF A SIX (6) MONTH MORATORIUM FOR THE TWO NATIONAL HISTORIC DISTRICTS CONTAINED WITHIN THE NORTH BEACH MASTER PLAN STUDY AREA WITH THE FOLLOWING GENERAL BOUNDARIES: (1) THE "NORTH SHORE NATIONAL REGISTER," GENERALLY BOUNDED BY 73RD STREET TO THE SOUTH, DICKENS AVENUE, HAWTHORNE AVENUE AND CRESPI BOULEVARD TO THE WEST, 87TH STREET TO THE NORTH, AND COLLINS COURT TO THE EAST; AND (2) "NORMANDY ISLES NATIONAL REGISTER:" GENERALLY BOUNDED BY BISCAYNE BAY TO THE SOUTH, RAY STREET, RUE NOTRE DAME AND RUE VERSAILLES TO THE WEST, NORMANDY SHORES GOLF COURSE TO THE NORTH, AND THE WESTERN BULKHEAD OF INDIAN CREEK TO THE EAST; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF CONTRIBUTION STRUCTURES WITHIN THE TWO HISTORIC DISTRICTS WITHIN THE NORTH BEACH MASTER PLAN STUDY AREA; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO MAY 18, 2016; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the ordinance at First Reading and set a Second Reading Public Hearing for June 8, 2016.

BACKGROUND

On May 11, 2016, pursuant to item R90, the City Commission directed the City Attorney

to draft an ordinance establishing a temporary moratorium on the issuance of demolition permits in the North Beach area. The sponsor of the ordinance is Commissioner Arriola.

ANALYSIS

The proposed moratorium would apply to the demolition of any "Contributing" structure within the following areas:

- North Beach Master Plan study area;
- The "North Shore National Register:" generally bounded by 73rd Street to the south, Dickens Avenue, Hawthorne Avenue and Crespi Boulevard to the west, 87th Street to the north, and Collins Court to the east; and
- The "Normandy Isles National Register:" generally bounded by Biscayne Bay to the south, Ray Street, Rue Notre Dame and Rue Versailles to the west, Normandy Shores Golf Course to the north, and the western bulkhead of Indian Creek to the east

The moratorium would not apply to applications that have received a Land Use Board Order or a building permit for demolition prior to May 18, 2016. It would also not apply to an unsafe structure board order.

As proposed, the moratorium would remain in effect for one hundred eighty (180) days from effective date, unless earlier rescinded, repealed or extended by an Ordinance or Resolution of the City Commission. Within ninety (90) days from the effective date hereof, City staff shall provide an interim report to the City Commission as to the progress being made in the preparation of the Master Plan and any associated ordinances.

The ordinance is proposed to be effective, RETROACTIVE, to May 18, 2016.

CONCLUSION

The Administration recommends that the City Commission approve the ordinance at First Reading and set a Second Reading Public Hearing for June 8, 2016.

JLM/SMT/TRM

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO THE SUBJECT OF A SIX (6) MONTH MORATORIUM FOR THE TWO NATIONAL HISTORIC DISTRICTS CONTAINED WITHIN THE NORTH BEACH MASTER PLAN STUDY AREA WITH THE FOLLOWING GENERAL BOUNDARIES: (1) THE "NORTH SHORE NATIONAL REGISTER," GENERALLY BOUNDED BY 73RD STREET TO THE SOUTH, DICKENS AVENUE, HAWTHORNE AVENUE AND CRESPI BOULEVARD TO THE WEST, 87TH STREET TO THE NORTH, AND COLLINS COURT TO THE EAST; AND (2) "NORMANDY ISLES NATIONAL REGISTER:" GENERALLY BOUNDED BY BISCAYNE BAY TO THE SOUTH, RAY STREET, RUE NOTRE DAME AND RUE VERSAILLES TO THE WEST, NORMANDY SHORES GOLF COURSE TO THE NORTH, AND THE WESTERN BULKHEAD OF INDIAN CREEK TO THE EAST; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF CONTRIBUTION STRUCTURES WITHIN THE TWO HISTORIC DISTRICTS WITHIN THE NORTH BEACH MASTER PLAN STUDY AREA; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO MAY 18, 2016; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

WHEREAS, the Mayor and City Commission have recognized the need for a temporary moratorium on the receipt of and processing of demolition permits to ensure the completion of the City's North Beach Master Plan; and

WHEREAS, as seen in *WCI Communities, Inc. v. City of Coral Springs*, 885 So.2d 912(Fla. 4th DCA 2004), a court will not interfere with the legislative act of establishing a temporary moratorium in processing plan where there is a rational relationship to the City's legitimate general welfare concern; and

WHEREAS, moreover, a court should not set aside the determination of public officers in land use matters unless it is clear that their action has no foundation in reason, and is a mere arbitrary or irrational exercise of power having no substantial relation to the public health, the public morals, the public safety of the public welfare in its proper sense. *Id.*; and *Smithfield Concerned Citizens for Fair Zoning v. Town of Smithfield*, 907 F.2d 239, 243 (1st Cir. 1990); and

WHEREAS, the first step in ensuring a proper moratorium, is to ensure that the City's legislative has a rational basis and legitimate governmental purpose for the imposition of a moratorium; and

WHEREAS, the second step is for the Mayor and City Commission to establish a record that the moratorium would further the governmental purpose of creating, finalizing, and adopting the North Beach vision through the Master Plan process; and

WHEREAS, the City has engaged the services Dover, Kohl and Partners, a world-renowned planning group to develop a cohesive, long-term vision and Master Plan for North Beach; and

WHEREAS, while the planning process is being solidified, some key areas of emphasis have emerged as the essential foundations to ensure the Master Plan's success in advancing North Beach while garnering widespread support throughout the community, including but not limited to a balanced strategy to promote historic preservation while supporting incentives for greater development, density and activation; and

WHEREAS, the Mayor and City Commission desire to encourage innovative and compatible redevelopment that provides improved communities, enhances public benefits in the form of compatible architecture and uses;

WHEREAS, the creation of a master plan and analysis of the impacts due to such plan on parks, recreation, open space, infrastructure, accessibility of emergency and public service vehicular traffic and public safety and public facilities needs is important to the City to ensure the health, safety and welfare of the City's residents and visitors; and

WHEREAS, the City Commission has noted the rapid demolition of a multitude of structures within the study area, and is concerned that the character of the community, and possible increase of incompatible uses or structures is of concern; and

WHEREAS, there are two National Historic Districts: (1) North Shore National Register: generally bounded by 73rd Street to the south, Dickens Avenue, Hawthorne Avenue and Crespi Boulevard to the west, 87th Street to the north, and Collins Court to the east, and (2) the Normandy Isles National Register: generally bounded by Biscayne Bay to the south, Ray Street, Rue Notre Dame and Rue Versailles to the west, Normandy Shores Golf Course to the north, and the western bulkhead of Indian Creek to the east, a map of which exhibits are attached hereto as Composite Exhibit A, within the North Beach Master Plan study area; and

WHEREAS, the City may look to locally designated these two National Historic Districts, in order to protect and preserve this nationally recognized architecture; and

WHEREAS, the moratorium should be limited to the National Register Districts for the following reasons: as the study is of a very large area, that currently has zero protection from demolition, the two districts have been identified, by virtue of National Register Designation, as an area of significance and worthy of protection, and each building in the National Register District has been evaluated, catalogued and issued a status of 'Contributing' or 'Non-Contributing'; and

WHEREAS, the City Commission realizes that all these changes may have a consequence of increasing demand for City services and on how these structures are handling for land development reasons; and

WHEREAS, the City requires time to review, consider, modify, process for adoption, and implementation regulations pertaining to the referenced zoning districts, and to evaluate the

extent that the existing zoning/land development regulation are effectively implementing the plan; and

WHEREAS, the Courts have recognized that a temporary moratorium is an important land-use planning tool as a means of preserving the status quo during the planning process to ensure the Community's problems are not exacerbated during the time it takes to formulate a regulatory scheme; and

WHEREAS, it is well-settled that permissible bases for land use restrictions include concern about the effect of the proposed development on traffic, on congestion, on surrounding property values, on demand for City services, and on other aspects of the general welfare. *WCI Communities, Inc.*, 885 So.2d at 915 and *Corn v. City of Lauderdale Lakes*, 997 F.2d 1369, 1375 (11th Cir. 1993); and

WHEREAS, in applying an ordinance retroactively (1) there is clear evidence of legislative intent to apply the law retroactively, and (2) when allowed, the retroactive application is constitutionally permissible, in that the new law does not create new obligations, impose new penalties, or impair vested rights. *Jasinski v. City of Miami*, 269 F.Supp.2d 1341 (SD Fla. 2003); and

WHEREAS, for purposes of determining whether the retroactive application of a municipal ordinance impairs a vested right under Florida law, a vested right is defined as an immediate, fixed right of present enjoyment, *Id.*; and

WHEREAS, the moratorium is not the retroactive application of a tax; and

WHEREAS, the City is not interfering with a vested right obtained as a result of a final order from a City Land Use Board, or permit already obtained under the Florida Building Code; and

WHEREAS, the Mayor and City Commission desire to adopt a six (6) month moratorium on demolition permits within the two national historic districts in order to complete the above analysis to create and adopt the North Beach Master Plan.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. RECITALS. The foregoing recitals are incorporated by this reference as if fully set forth in the text of this Ordinance. The recitals evidence the concern, motivations and reasons for imposition of this Ordinance.

SECTION 2. MORATORIUM AREA. As of the effective date hereof, there is hereby imposed a Moratorium on the acceptance of applications for or the processing of applications for the demolition of any "Contributing" structure within the North Beach Master Plan study area, within the two National Historic Districts: (1) the "North Shore National Register:" generally bounded by 73rd Street to the south, Dickens Avenue, Hawthorne Avenue and Crespi Boulevard to the west, 87th Street to the north, and Collins Court to the east; and (2) the "Normandy Isles National Register:" generally bounded by Biscayne Bay to the south, Ray Street, Rue Notre Dame and Rue Versailles to the west, Normandy Shores Golf Course to the north, and the western bulkhead of Indian Creek to the east, as delineated in the attached composite Exhibit A.

The moratorium will not prevent or affect: (i) applications that have received a Land Use Board Order; (ii) a building permit for demolition issued prior to May 18, 2016, (iii) an unsafe structure board order, or (iv) a lawful order of the Building Official.

SECTION 3. CONSTRUCTION. This Ordinance is to be liberally construed to accomplish its objectives.

SECTION 4. DURATION OF MORATORIUM. This Ordinance shall remain in effect for one hundred eighty (180) days from effective date hereof, unless earlier rescinded, repealed or extended by an Ordinance or Resolution of the City Commission of the City of Miami Beach. Within ninety (90) days from the effective date hereof, the City staff shall provide an interim report to the City Commission as to the progress being made in the preparation of the Master Plan and any associated ordinances.

SECTION 7. SEVERABILITY. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 8. REPEALER. All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective, RETROACTIVE, to May 18, 2016.

PASSED and **ADOPTED** this _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

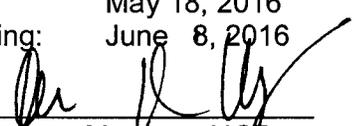
APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney

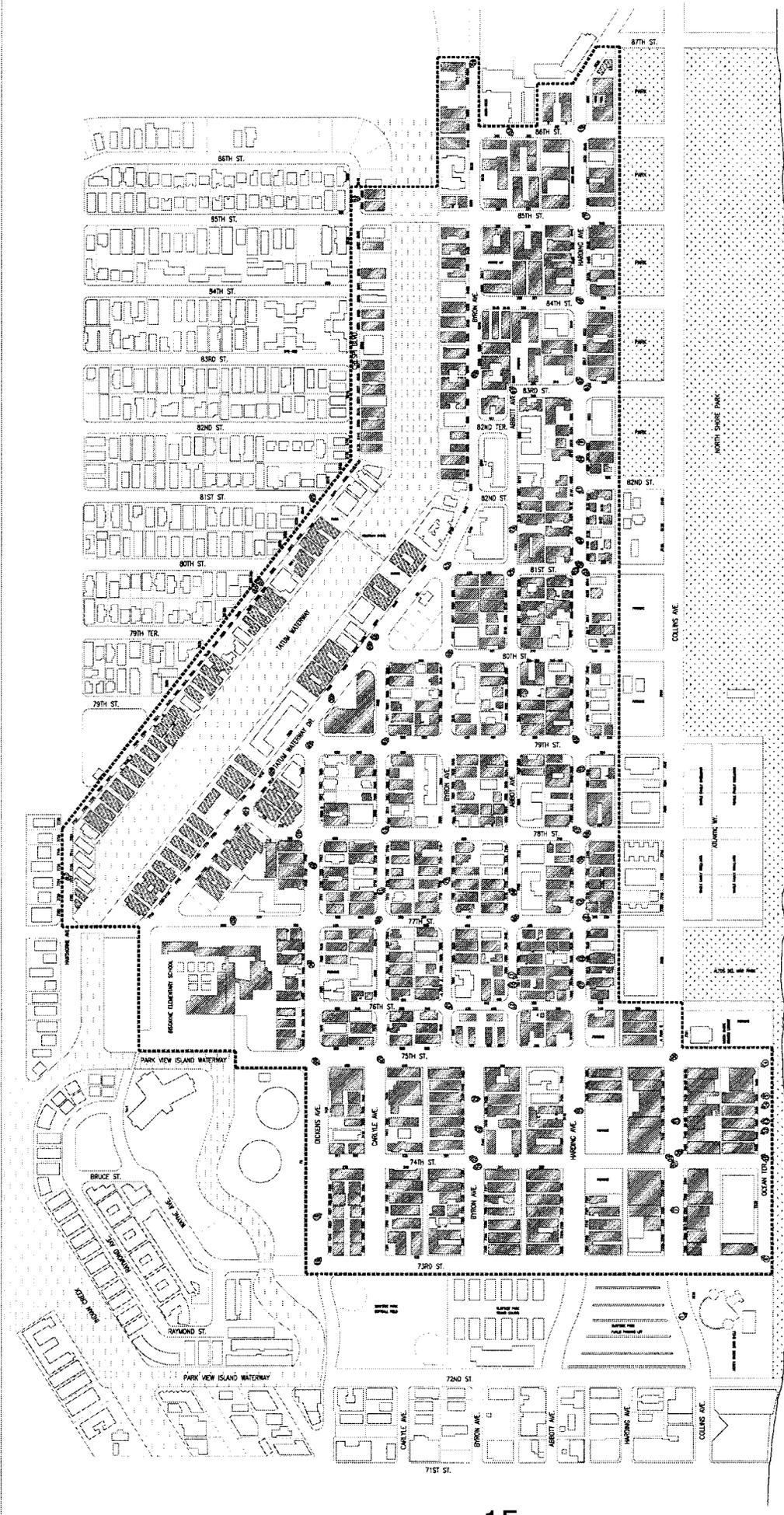
5/12/16
Date



First Reading: May 18, 2016
Second Reading: June 8, 2016
Verified by: 
Thomas Mooney, AICP
Planning Director

(Sponsored by: Commissioner Ricky Arriola)
Underscore denotes new language
~~Strikethru~~ denotes stricken language

COMPOSITE EXHIBIT A

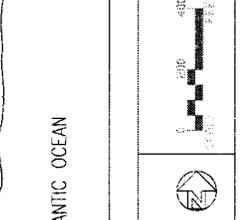
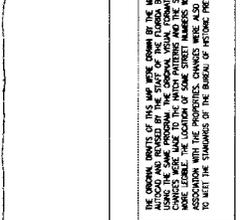


LEGEND

- CONTRIBUTING BUILDINGS
- NONCONTRIBUTING BUILDINGS
- PARKS
- WATERWAYS
- ADDRESS NUMBERS
- DISTRICT BOUNDARIES
- PHOTOGRAPH NUMBERS

DATE: 10/27/2011
 PROJECT: HISTORIC DISTRICT MAP
 DRAWN BY: J. J. JAMES
 CHECKED BY: J. J. JAMES
 APPROVED BY: J. J. JAMES
 SCALE: 1" = 100'

THE LOCAL GOVERNMENT HAS REVIEWED THIS MAP AND HAS DETERMINED THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF ITS KNOWLEDGE AND BELIEF. THE LOCAL GOVERNMENT DOES NOT WARRANT, GUARANTEE, OR MAKE ANY REPRESENTATIONS AS TO THE ACCURACY, COMPLETENESS, OR RELIABILITY OF THE INFORMATION CONTAINED HEREIN. THE LOCAL GOVERNMENT SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE USE OF THIS MAP.



NORTH SHORE HISTORIC DISTRICT
MIAMI BEACH (MIAMI-DADE COUNTY), FLORIDA
 HISTORIC AND ARCHITECTURAL RESOURCES OF THE NORTH BEACH COMMUNITY (MPS)

ATLANTIC OCEAN

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Condensed Title:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving and authorizing Miami City Ballet and the City Manager (or his designee) to apply for, accept, and execute documents in connection with a grant request.

Key Intended Outcome Supported:

Maximize the Miami Beach Brand as a World Class Destination.

Supporting Data: 2014 Community Satisfaction Survey/Other data: 26% of respondents stated that the City has too few cultural activities. (Cultural activities are defined as art shows, film festivals, musicals and live performances)

Item Summary/Recommendation:

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving and authorizing Miami City Ballet and the City Manager (or his designee) to apply for, accept, and execute any and all documents or agreements in connection a grant request to Florida Department of State, Division of Cultural Affairs, Cultural Facilities Program, in an amount not to exceed \$500,000 for the Miami City Ballet Renovation Project; and further authorizing the city to appropriate funding (including matching funds and any related expenses) in connection with this grant request.

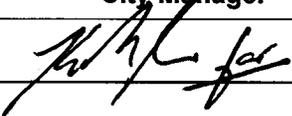
Financial Information:

Source of funds	Grant Name/Project	Grant Request Not to Exceed Amount	Approximate Match Amount/Source
	Florida Department of State, Division of Cultural Affairs/ Miami City Ballet Building	\$500,000	Matching Funds: \$190,229 – City Center RDA Capital Fund \$59,958 – Miami City Ballet Capital Sub-Account \$275,266 – Miami City Ballet Maintenance Sub-Account \$194,595 – Future pledged Capital and Maintenance Sub-Account funds Total Match: \$720,048

City Clerk’s Office Legislative Tracking:

Judy Hoanshelt, Grants Officer, Office of Budget and Performance Improvement

Sign-Offs:

Department Director	Assistant City Manager	City Manager
		

MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager



DATE: May 18, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING MIAMI CITY BALLET AND THE CITY MANAGER (OR HIS DESIGNEE) TO APPLY FOR, ACCEPT, AND EXECUTE ANY AND ALL DOCUMENTS OR AGREEMENTS IN CONNECTION A GRANT REQUEST TO FLORIDA DEPARTMENT OF STATE, DIVISION OF CULTURAL AFFAIRS, CULTURAL FACILITIES PROGRAM, IN AN AMOUNT NOT TO EXCEED \$500,000 FOR THE MIAMI CITY BALLET RENOVATION PROJECT; AND FURTHER AUTHORIZING THE CITY TO APPROPRIATE FUNDING (INCLUDING MATCHING FUNDS AND ANY RELATED EXPENSES) IN CONNECTION WITH THIS GRANT REQUEST**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Cultural Facilities Program coordinates and guides the State of Florida's support and funding of renovation, new construction, or acquisition of cultural facilities. The applicant's mission must be to directly conduct arts and cultural programming. By program definition, a cultural facility is a building, which shall be used for the programming, production, presentation, exhibition of any of the arts and cultural disciplines. These disciplines are music, dance, theatre, creative writing, literature, architecture, painting, sculpture, folk arts, photography, crafts, media arts, visual arts, and programs of museums and must comprise at least 85% of facility use. The Program is intended for bricks and mortar construction, renovation, or for acquisition. State funding is not to be used for landscaping, constructing or fabricating exhibits.

Miami Beach City Ballet intends to apply for funding for the renovation for the facility located at 2200 Liberty Avenue. Proposed improvements include new windows, roof renovations and restoration of the building exterior. The City owns the land and building and has a lease agreement with Miami City Ballet.

The Administration is requesting approval to submit a grant application to the Florida Department of State, Division of Cultural Affairs, Cultural Facilities Program, in an amount not to exceed \$500,000 for the Miami Beach City Ballet Project. This project was originally presented at the May 11, 2016, Commission meeting, with a match amount of \$500,000. Subsequent to the meeting, the team has now identified additional matching funds in the form of pledges of future year contributions from Miami City Ballet to the City of Miami Beach. The total amount of matching for this project is \$720,048, comprised of \$190,229 from City Center RDA Capital Fund; and \$59,958 from Miami City Ballet Capital Sub-Account; \$275,266 from Miami City Ballet Maintenance Sub-Account; and \$194,595 in future pledged funds from Miami City Ballet Capital and Maintenance Sub-Accounts. All future pledges will be available by June 2018 as required by the grant. This project supports the key intended outcome to maximize the Miami Beach Brand as a World Class destination.

CONCLUSION

A Resolution of the Mayor and City Commission of the City of Miami Beach, Florida, approving and authorizing Miami City Ballet and the City Manager (or his designee) to apply for, accept, and execute any and all documents or agreements in connection a grant request to Florida Department of State, Division of Cultural Affairs, Cultural Facilities Program, in an amount not to exceed \$500,000 for the Miami City Ballet Renovation Project; and further authorizing the city to appropriate funding (including matching funds and any related expenses) in connection with this grant request.

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RESOLUTION TO BE SUBMITTED

Condensed Title:

A Resolution approving the donation of thirty (30) refurbished laptops to benefit the City's All Stars Program for use during Science, Technology, Engineering and Mathematics (STEM) programming.

Key Intended Outcome Supported:

N/A

Supporting Data (Surveys, Environmental Scan, etc.): N/A

Item Summary/Recommendation:

The City received grant funding in the amount of \$312,550 from The Children's Trust (Trust) to serve youth in sixth, seventh and eighth grade living in high need neighborhoods within our City. In partnership with the Parks and Recreation Department, the City's All Stars Program incorporates life skills activities and academic support programming year-round. All Stars Life Skills Curriculum is an interactive, evidence-based program that focuses on decision making and critical thinking; goal setting; personal commitments; bonding with school and family; and increasing positive parental communication. Youth are also involved in Science, Technology, Engineering and Mathematics (STEM) programming; sports; and theatre/drama workshops and performances. Additionally, youth participate in service learning projects that focus on fostering positive social change by using creativity, knowledge, and life experiences to address issues affecting them.

The On It Foundation, Inc. (Foundation), an existing partner of the City's Office of Housing and Community Services, currently provides STEM programming for The Trust-funded All Stars Program. The Foundation approached the City with an offer to donate thirty (30) refurbished laptops to benefit All Stars Program for use during STEM programming. The refurbished laptops are valued at \$849 each, and include the Microsoft 7 Software update. These laptops will be used for All Stars Programming.

THE ADMINISTRATION RECOMMENDS ADOPTING THE RESOLUTION.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account
<div style="border: 1px solid black; padding: 5px; width: fit-content;">N/A</div> OBPI	1	
	2	
	3	
	4	
	Total	

Financial Impact Summary: N/A

City Clerk's Office Legislative Tracking:

Maria Ruiz, Office of Housing & Community Services Department Director

Sign-Offs:

Department Director	Assistant City Manager	City Manager
MR 	KGB 	JLM 



MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: May 18, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A DONATION OF THIRTY (30) REFURBISHED LAPTOPS VALUED AT \$25,470, FROM THE ON IT FOUNDATION, INC., FOR USE BY THE CITY'S OFFICE OF HOUSING & COMMUNITY SERVICES ALL STARS PROGRAM AS A COMPONENT OF ITS SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) PROGRAM.**

ADMINISTRATION RECOMMENDATION

Adopt the resolution.

BACKGROUND

The City received grant funding in the amount of \$312,550 from The Children's Trust (Trust) to serve youth in sixth, seventh and eighth grade living in high need neighborhoods within our City. In partnership with the Parks and Recreation Department, the City's All Stars Program incorporates life skills activities and academic support programming year-round. All Stars Life Skills Curriculum is an interactive, evidence-based program that focuses on decision making and critical thinking; goal setting; personal commitments; bonding with school and family; and increasing positive parental communication. Youth are also involved in Science, Technology, Engineering and Mathematics (STEM) programming; sports; and theatre/drama workshops and performances. Additionally, youth participate in service learning projects that focus on fostering positive social change by using creativity, knowledge, and life experiences to address issues affecting them.

ANALYSIS

The On It Foundation, Inc. (Foundation), an existing partner of the City's Office of Housing and Community Services, currently provides STEM programming for The Trust-funded All Stars Program. The Foundation approached the City with an offer to donate thirty (30) refurbished laptops to benefit All Stars Program for use during STEM programming. The refurbished laptops are valued at \$849 each, and include the Microsoft 7 Software update.

CONCLUSION

The Administration recommends the approval of this Resolution.

RESOLUTION TO BE SUBMITTED

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MIAMI BEACH

OFFICE OF THE CITY ATTORNEY
RAUL J. AGUILA, CITY ATTORNEY

COMMISSION MEMORANDUM

**TO: Members of the City Commission
Jimmy Morales, City Manager**

FROM: Raul J. Aguila, City Attorney *[Signature]*

DATE: May 18, 2016

**SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF
THE CITY OF MIAMI BEACH, FLORIDA, ENDORSING AND
APPROVING A SISTER CITY AFFILIATION WITH THE CITY OF
SALAMANCA, SPAIN.**

Pursuant to the request of Mayor Philip Levine, the above Resolution has been drafted following the Miami Beach Sister Cities Coordinating Counsel's recommendation for a Sister City affiliation with the City of Salamanca, Spain. Information regarding the City of Salamanca, and the proposed Agreement for a Sister City affiliation between the City of Salamanca and the City of Miami Beach (in English and Spanish), are attached for review and consideration by the City Commission.

RJA/DT/lr
F:\ATTO\TURN\COMMEMO\Affiliation of City of Salamanca Spain for Sister City.docx

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ENDORSING AND APPROVING A SISTER CITY AFFILIATION WITH THE CITY OF SALAMANCA, SPAIN.

WHEREAS, Salamanca is considered one of the most beautiful cities in Spain and is rich in culture, education, and historic preservation; and

WHEREAS, the City of Salamanca is home to one of the oldest universities in Europe, the University of Salamanca, which was founded in 1218, and its historic city center has important Romanesque, Gothic, Moorish, Renaissance, and Baroque monuments, as well as many art galleries; and

WHEREAS, like the City of Miami Beach, a major industry in the City of Salamanca is tourism; and

WHEREAS, in 1988, the United Nations Educational, Scientific and Cultural Organization ("UNESCO") designated the City of Salamanca as a World Heritage Site; and

WHEREAS, on September 24, 2015, the Miami Beach Sister Cities Coordinating Council unanimously endorsed and recommended a Sister Cities affiliation with the City of Salamanca, Spain; and

WHEREAS, the Mayor and City Commission of the City of Miami Beach support and wish to establish a Sister City affiliation with the City of Salamanca, Spain as set forth in the attached Agreement.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby endorse and approve a Sister City affiliation with the City of Salamanca, Spain, and further authorize the Mayor and City Clerk to execute the attached Agreement establishing Salamanca, Spain as a Sister City.

PASSED AND ADOPTED this ____ day of _____, 2016.

ATTEST:

Philip Levine
Mayor

Rafael E. Granado
City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

5-13-16

Date

Sister Cities Agreement

Establishing a Sister Cities Relationship Between the Cities of Salamanca, Spain and Miami Beach, Florida, USA

Whereas, we, the representatives of the City governments of Salamanca, Spain and Miami Beach, Florida, USA (collectively, the "Cities"), are unanimous in our desire to promote mutual understanding between our Cities and to live in peace and friendship and we are firmly achieving these goals; and

Whereas, with this Agreement, we solemnly proclaim Salamanca, Spain and Miami Beach, Florida, USA, as Sister Cities with the common goals of developing understanding and respect between our two communities, as well as between the people of the United States and Spain; and

Whereas, in keeping with this Agreement, the Cities will encourage the development of cultural and economic ties; mutual exchanges between commercial, educational, athletic, and other civic and youth groups; and the strengthening of links between the institutions and public organizations of the two Cities: and

Whereas, the people of both Cities will freely exchange ideas, opinions, and information; and all activities in connection with the development of friendly relations between our Cities will be carried out according to our mutual plans.

NOW, THEREFORE, it is hereby agreed and proclaimed that the City of Salamanca, Spain and the City of Miami Beach, Florida, USA, are Sister Cities and this Agreement shall become effective upon the signing by the Mayors of the Cities of Salamanca, Spain and Miami Beach, Florida, USA, this ____ day of _____, 2016.

Mayor Philip Levine
City of Miami Beach, Florida, USA

ATTEST:

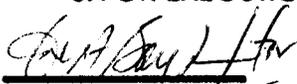
Mayor Alfonso Fernandez Mañueco
City of Salamanca, Spain

ATTEST:

Rafael E. Granado
City Clerk, City of Miami Beach

City Clerk, City of Salamanca

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5-13-16 27

Date

Acuerdo Entre Ciudades Hermanas

**Estableciendo Relaciones de Ciudades Hermanas
entre La Ciudad de
Salamanca, España y Miami Beach, Florida, USA**

CONSIDERANDO QUE, nosotros, los representantes del Gobierno de la Ciudad de Salamanca, España y Miami Beach, Florida, USA (colectivamente, las "Ciudades") estamos en acuerdo unánime para promover entendimiento mutuo entre las Ciudades y para vivir en paz y amistad y estamos firmemente alcanzando estas metas; y

CONSIDERANDO QUE, con este acuerdo, nosotros solemnemente proclamamos Salamanca, España y Miami Beach, Florida, USA, Ciudades Hermanas con el propósito común de desarrollar entendimiento y respeto entre ambas comunidades, como también entre las personas de los Estados Unidos de América y España; y

CONSIDERANDO QUE, en el marco de este Acuerdo, las Ciudades promoverán el desarrollo cultural y lazos económicos; intercambios mutuos comerciales, educacionales, atléticos entre grupos civiles y juveniles; y fortalecerán los lazos entre las instituciones y organizaciones públicas de ambas Ciudades; y

CONSIDERANDO QUE, las personas de ambas Ciudades intercambiarán ideas, opiniones e información libremente; y todas las actividades en conexión con el desarrollo de relaciones amigables entre ambas Ciudades se llevarán a cabo de acuerdo con nuestros planes mutuos.

POR TANTO, queda acordado y proclamado que la Ciudad de Salamanca, España y la Ciudad de Miami Beach, Florida, USA, son Ciudades Hermanas, y este acuerdo entrará en vigor después de la firma de los Alcaldes de la Ciudad de Salamanca, España y Miami Beach, Florida, USA, este _____ día de _____, 2016.

Alcalde Philip Levine
Ciudad de Miami Beach, Florida, USA

Testigo:

Alcalde Alfonso Fernandez Mañueco
Ciudad de Salamanca, España

Testigo:

Rafael E. Granado
Secretario de la Ciudad de Miami Beach

Secretario de la Ciudad de Salamanca

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney 5/13/16 28
Date

Request for a Sister City Affiliation

Name of Your Community: City of Salamanca

State/Province/Prefecture: Castilla y León

Country: Spain

Population: 146,438 (2015)

Desired City/Country/Region for Sister City: Miami Beach, FL, USA

Brief Geographical Description of Your Community:

Salamanca is part of the Spanish region known as “Castilla y León” (Castile and Leon). The city lies on several hills by the Tormes River. It is situated approximately 200 kilometers (120 miles) west of the Spanish capital Madrid and 80 kilometers (50 mi) east of the Portuguese border.

Population: 146,438 (2015)

Rank: 3rd most populated urban area in Castilla y León
Most ancient university in Spain and 4th ancient university in Europe
(University of Salamanca)

Principal Economic Activities (check one per category):

<u>Agriculture</u>	<u>Industries</u>	<u>Technology</u>	<u>Tourism</u>	<u>Services</u>
Not Important __	Not Important __	Not Important __	Not Important __	Not Important __
Less Important X	Less Important X	Less Important __	Less Important __	Less Important __
Important __	Important __	Important X	Important __	Important __
Very Important __	Very Important __	Very Important __	Very Important X	Very Important X

Provide Details:

The City of Salamanca’s economy is driven by the university and tourism although other sectors including other sectors like livestock, construction and manufacturing are also important.

Community Information:

Average Age: 47 years

Ethnic Base: Caucasian

Local Cultural and Educational Facilities:

The University of Salamanca was founded in 1218, and is the oldest university in Spain. Along with Paris, Oxford and Bologna, it is one of the most ancient universities in Europe. It is also home to numerous long-established and highly respected academies and learning centers of Spanish. Salamanca is well known as the main city for learning Spanish.

If Applicable, Special Historical Background:

Salamanca started life as a small village atop the San Vicente hills looking over the river Tormes. That was 2,700 years ago, during the first Iron Age, and since then the city has been witness to the arrival and departure of Vacceans, Vettones, Romans, Visigoths and Moors. The medieval repopulation was overseen by Raymond of Bourgogne, son-in-law of king Alfonso IV, and set the foundations of a city that following eight centuries amassing both art and wisdom, and thanks in large part to its university, became one of the capitals with the richest cultural heritage in the whole of Europe as well as boasting some spectacular monuments.

During the first Iron Age, a small group of farmers residing in a dozen houses protected by a simple wall controlled the ford across the river Tormes.

Four hundred years later, the number of dwellings grew to include the rocky platform better known as Teso de las Catedrales or Cathedral Knoll.

Humble beginnings

In the middle of the 4th Century B.C. the ancient Celtic-Iberian town of Salmantica came into its own. Protected by a stone wall, remains of which can still be found along several streets in the historic centre, the settlement had a definite urban structure that was heavily influenced by the two major pre-Roman tribes: the Vacceans and Vettones. In fact it was the Vettones who have been attributed with the creation of the Bull on the Bridge, a zoomorphic sculpture that has become symbolic of Salamanca.

Roman city

In 220 B.C., the pre-Roman city of Salmantica and its almost 5,000 inhabitants were laid siege to by Carthaginian general Hannibal, assisted by an unexpected troop of some 40 elephants. This episode, which put Salamanca on the map, was simply a precursor of things to come – namely a Roman conquest.

In the middle of the 1st Century B.C., the Romans turned Salmantica into a civitas (a political community) and a strategic enclave on the Vía de la Plata – Silver Way - trade route.

To make things run smoother on this particular stretch (that linked Merida with Astorga), Roman engineers built a large bridge that still spans the waters of the river Tormes. The town, that at that time belonged to the Roman province of Lusitania, was upgraded to a municipality.

The dark years

From the 5th Century, the crisis in Rome and a succession of invasions by the Germanic tribes of the north marked the onset of more than 700 years of decay for Salamanca. Although some documentary evidence shows the existence of several Visigoth bishops based in Salamanca, archaeological remains would indicate the abandoning of almost all the former town centre and a drastic decline in the population who now took refuge in the outskirts of the city next to the river. With the arrival of the Moors, the crisis worsened and the city found itself in a kind of no man's land: subject to constant attacks by both warring factions. While the Christians from the north failed in their attempts to repopulate the city (including those of Asturian Alfonso I and Ramiro II of Leon), Moorish leader from Cordoba, Almanzor contented himself with launching the occasional attack.

Medieval Revival

Towards the end of the 11th Century, French Count Raymond de Bourgogne, repopulated Salamanca with a large group of people, mostly French and Galicians. One of his first tasks was to restore the Episcopal See with Cluniac monk Jerónimo Visque in 1102. While the different population groups spread out into about 40 parishes, each with their corresponding churches, work started on the construction of the Roman Cathedral, and the ancient Celtic-Iberian and Roman city wall was rebuilt. The 13th Century brought with it many changes, some of them essential for the future of Salamanca. In addition to the charters granted by King Alfonso IX of Leon that attracted new immigrants - including a large Jewish community - the city had its outer walls extended, and in 1218, a turning point for Salamanca, the Estudios Generales (General School), precursor to the future University, was created.

Renaissance Splendour

After the crisis of the 14th Century, experienced to a large extent by the whole of the European continent, and a conflictive 15th Century, marked by feudal unrest and the Guerra de los Bandos (War of the Bands), Salamanca entered the 16th Century adamant that it was to become the largest renaissance city of the whole Iberian peninsula. Social and economic prosperity, thanks to trade and commerce, income from the latifundia (large estates) and the production of wool aided by the Mesta (powerful association of sheep holders), helped the population to grow to some 25,000 inhabitants.

The University also enjoyed a period of great splendour, in its role as a powerful and influential centre of cultural brilliance that captured the imagination of thousands of students from all over, as well as numerous religious orders, searching for intellectual and humanist refuge in Salamanca's prestigious teaching institution.

Salamanca underwent a large phase of construction, including the building of the "New" Cathedral that completely transformed the look of the city. A number of palaces, large town houses, convents, colleges and university colleges were also built using a very characteristic and autochthonous architectural style: the plateresque.

The Spanish Golden Age

The Spanish Golden Age, culturally speaking at least, lasted well into the 17th Century and coincided with what came to be called the Golden Age of Spanish literature. At that time and in any of the city's streets, it was not uncommon to come across such world-renowned writers, musicians, philosophers and humanists as Francisco de Vitoria, Friar Luis de León, Francisco de Salinas, Miguel de Cervantes, San Juan de La Cruz, Santa Teresa de Jesús, Luis de Cóngora, Mateo Alemán, Vicente Espinel, Francisco de Quevedo, Calderón de la Barca or Lope de Vega.

On the road to the third millennium

This remarkable social, economic and cultural upsurge slowly turned into another general crisis that caused a sharp drop in the population and a visible social transformation from which only the ecclesiastical oligarchy came out on top. Despite the prolonged decline, certain Baroque buildings such as the wonderful Clerecía and Plaza Mayor have left their mark on the urban landscape of Salamanca. The negative impact of the war of Independence was followed by economic upturn brought about by the arrival of the railways and the launching of key urban planning projects. This gradual resurgence was also noted in the crestfallen University that now had outspoken Miguel de Unamuno as its Rector. The Spanish Civil War brought with it a new lull that saw Salamanca briefly become the headquarters of the Franquist troops fighting against the Republic. After the conflict and after a long drawn-out postwar period, the University returned to its role as catalyst of city life.

The arrival of democracy brought Salamanca, as it did to the whole of Spain, a large period of social structuring and economic prosperity, transforming Salamanca into a highly respected destination for its university, its culture and its tourism. In 1988, this

city that stands on the banks of the river Tormes received international acclaim when it became a Unesco designated World Heritage Site

PLEASE:

- **ATTACH BROCHURES OR OTHER PERTINENT MATERIALS**
- **ADVISE IF WEBSITE IS AVAILABLE**

Municipal website: <http://www.aytosalamanca.es>

Tourist Office website: <http://www.salamanca.es>

Spanish Schools Office website: <http://www.espanolensalamanca.com>

- **ATTACH CONTACT INFORMATION FOR APPLICANT:**

NAME: Xavier Domínguez Gabiña

ORGANIZATION: Ayuntamiento de Salamanca

TITLE: Director del Gabinete de la Alcaldía

ADDRESS: Ayuntamiento de Salamanca, Plaza Mayor s/n, 37001, Salamanca

PHONE/CELL: 0034-923279105

EMAIL: xdominguez@aytosalamanca.es

FAX: 0034-923279190

Desired Characteristics of a Sister City:

Cities with initiative and interest on working together to favor progress and development of both cities in many different areas of common interest like culture, education, environment, athletic, commerce and democracy.

List of existing Sister Cities for your community:

Salamanca, México

Buenos Aires, Argentina

Coimbra, Portugal
Nimes, France
Wurzburg, Germany
Bruges, Belgium

Other cities community: Grupo Ciudades Patrimonio de la Humanidad de España (Spain's Group of UNESCO World Heritage Sites): Alcalá de Henares, Ávila, Baeza, Cáceres, Córdoba, Cuenca, Ibiza, Mérida, San Cristóbal de La Laguna, Santiago de Compostela, Segovia, Tarragona, Toledo y Úbeda.

What kind of Sister City activities do you envision?

We envision mutual exchanges between commercial, educational, athletic, and other civic and youth groups and the strengthening of links between the institutions and public organizations of Salamanca and Miami Beach.

Support for Sister City Affiliation:

- In your community, is there an official Sister City group that is recognized by your local government? Yes (X) No ()
- Is this request supported by your local sister city organization? Yes (X) No ()
- Does your local government support this request? Yes (X)* No ()

**The local government supports this Sister City request, but the final agreement must be approved by the Salamanca's City Hall plenary session.*

If your community is in the United States, are you a current member of Sister Cities International? Yes () No () Not applicable (X)

Condensed Title:

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 2 To The Design-Build Services Agreement Between The City Of Miami Beach, Florida, And Ric-Man International, Inc., For The Design-Build Services For Neighborhood No. 8: Sunset Islands 3 & 4 Right-Of-Way Infrastructure Improvements Project; The Amendment Includes 1) Additional Design, Permitting And Construction Services Associated With Homeowners' Association (HOA) Requests In The Not To Exceed Amount Of \$2,800,000; And 2) Time Extension Of 173 Calendar Days; Funding Is Subject To The Approval Of The Next Amendment To The FY 15/16 Capital Budget..

Key Intended Outcome Supported:

Build and maintain priority infrastructure with full accountability.
Supporting Data (Surveys, Environmental Scan, etc: The 2014 Customer Satisfaction Survey indicated that over 77% of residents rated recently completed capital improvement projects as "excellent" or "good".

Item Summary/Recommendation:

On September 10, 2014, the Mayor and City Commission adopted Resolution No. 2014-28749, pursuant to Request for Proposals No. 2014-051-SR, authorizing the Mayor and City Clerk to execute an agreement with Ric-Man International, Inc. (RMI), for design-build services for Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way (ROW) Infrastructure Improvements in the amount of \$7,774,967.51.

The scope of this Design-Build project consists of the design and construction, associated with the earthwork, pavement reconstruction, overhead utility undergrounding, sidewalk construction, water main improvements, water meter replacement, storm drainage infrastructure installation, sanitary sewer main and structure lining, new conduits, conductors and service point for the existing street lights and streetscape/planting improvements.

On January 5, 2015, Notice to Proceed (NTP) No. 1 was issued directing RMI to start the pre-construction work including engineering design and permitting. On June 8, 2015, the NTP No. 2 was issued directing RMI to commence construction. The water main installation is one hundred (100) percent complete, the storm water drainage system is approximately forty-five (45) percent complete, the roadway reconstruction is approximately five (5) percent complete, and the overall project is approximately forty (40) percent complete.

On January 13, 2016, the Mayor and Commission adopted Resolution No. 2016-29275, authorizing the Mayor and City Clerk to execute Amendment No. 1 to the Design Build Services Agreement between the City of Miami Beach and Ric-Man International for a total amount of \$339,625 with a time extension of forty three (43) calendar days.

For the past several months the Homeowner's Association (HOA) has been in discussion with the City with respect to potential modifications to the project's scope of work. In April 2016, the HOA formally requested changes to the project scope. City Administration has reviewed the HOA request and is of the opinion that it is in the best interest of the neighborhood and the City to incorporate the changes. The project design is complete and construction is in progress. In order to minimize the impact to the project cost and the construction timeline, the HOA requested changes are being presented at this time. The changes will result in revisions to the current design, re-permitting, additional construction activities and additional time necessary to complete the project. On May 12, 2016, RMI submitted a proposal in the amount of \$3,400,000 and a time extension request of 173 calendar days for the changes. The proposal includes additional design, permitting, construction services, general conditions and the cost associated with the disruption to the continuity of the construction activities and re-sequencing of the work. The requested changes are outlined below:

- **Raising of the roads 6-inches to accommodate future sea level rise.** The current design which is based on the approved Design Criteria Package did not require significant increase in elevation of the existing roadway. This work requires the redesign of the roadway and the drainage system, modifications of the structures already installed, adjustments of existing and newly installed utilities, grading of the swale, installation of additional drainage system in the driveways and harmonization of the driveways.
- **Modification of the roadway cross section designed for one way traffic circulation, to accommodate two-way traffic while keeping the road as narrow as possible.** The roadways (except Sunset Drive) were designed for one-way traffic circulation, as previously requested by the HOA and included in the approved DCP. The two-way traffic circulation will require redesign of the roadway, modifications of the already installed drainage system and roadway base, and construction of the remaining roads with the new cross section and modified drainage structures. This modification also includes elimination of the sidewalks.
- **General Conditions associated with the scope changes.** Extended general conditions include bonds, insurance, storage yard and office, general coordination with the subcontractors, the disruption of project continuity and re-sequencing of construction activities.

Staff and the Design Criteria Professional performed a preliminary review of the proposal submitted by the Design-Builder and are of the opinion that the cost should not exceed \$2,800,000. In order to minimize the impact to the schedule, staff is continuing to negotiate with the Design-Builder a cost for the requested changes to the scope in an amount that would not exceed \$2,800,000.

This Amendment includes a time extension of 173 calendar days associated with the HOA requested changes in the scope.

This Amendment No. 2 (attachment A) in a not to exceed amount of \$2,800,000 will increase the total contract amount to \$10,914,592.51 and will extend the contract duration by 173 calendar days. The revised project duration will be 786 calendar days with the project substantial completion date of March 3, 2017.

THE ADMINISTRATION RECOMMENDS ADOPTING THE RESOLUTION.

Source of Funds:	Amount	Account
	\$2,200,000	Stormwater Funds Subject to Capital Budget Amendment Approval
	\$600,000	Above Ground Subject to Capital Budget Amendment Approval
OBPI	Total	\$2,800,000

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Department Director	Assistant City Manager	City Manager
DM <i>[Signature]</i>	ETC <i>[Signature]</i>	JLM <i>[Signature]</i> for

T:\AGENDA\2016\May\CIP\Sunset Islands 3 & 4\Sunset Islands 3 & 4.Amendment No.2.Summary.doc

MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission
FROM: Jimmy L. Morales, City Manager *Eric Carpentier for*
DATE: May 18, 2016

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2 TO THE DESIGN-BUILD SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA, AND RIC-MAN INTERNATIONAL, INC., FOR THE DESIGN-BUILD SERVICES FOR NEIGHBORHOOD NO. 8: SUNSET ISLANDS 3 & 4 RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENTS PROJECT; THE AMENDMENT INCLUDES 1) ADDITIONAL DESIGN, PERMITTING AND CONSTRUCTION SERVICES ASSOCIATED WITH HOMEOWNERS' ASSOCIATION (HOA) REQUESTS IN THE NOT TO EXCEED AMOUNT OF \$2,800,000; AND 2) TIME EXTENSION OF 173 CALENDAR DAYS; FUNDING IS SUBJECT TO THE APPROVAL OF THE NEXT AMENDMENT TO THE FY 15/16 CAPITAL BUDGET.**

ADMINISTRATION RECOMMENDATION

The Administration recommends adopting the Resolution.

KEY INTENDED OUTCOME SUPPORTED

Build and maintain priority infrastructure with full accountability.

FUNDING

\$2,200,000	Stormwater Funds
<u>\$ 600,000</u>	Above Ground Subject to Capital Budget Amendment Approval
\$2,800,000	Total

BACKGROUND

On September 10, 2014, the Mayor and City Commission adopted Resolution No. 2014-28749, pursuant to Request for Proposals No. 2014-051-SR, authorizing the Mayor and City Clerk to execute an agreement with Ric-Man International, Inc. (RMI), for design-build services for Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way (ROW) Infrastructure Improvements in the amount of \$7,774,967.51.

The scope of this Design-Build project consists of the design and construction, associated with the earthwork, pavement reconstruction, overhead utility undergrounding, sidewalk construction, water main improvements, water meter replacement, storm drainage infrastructure installation,

sanitary sewer main and structure lining, new conduits, conductors and service point for the existing street lights and streetscape/planting improvements.

On January 13, 2016, the Mayor and Commission adopted Resolution No. 2016-29275, authorizing the Mayor and City Clerk to execute Amendment No. 1 to the Design Build Services Agreement between the City of Miami Beach and Ric-Man International for a total amount of \$339,625 with a time extension of forty three (43) calendar days.

ANALYSIS

On January 5, 2015, Notice to Proceed (NTP) No. 1 was issued directing RMI to start the pre-construction work including engineering design and permitting. On June 8, 2015, the NTP No. 2 was issued directing RMI to commence construction. The water main installation is one hundred (100) percent complete, the storm water drainage system is approximately forty-five (45) percent complete, the roadway reconstruction is approximately five (5) percent complete, and the overall project is approximately forty (40) percent complete.

For the past several months the Homeowner's Association (HOA) has been in discussion with the City with respect to potential modifications to the project's scope of work. In April 2016, the HOA formally requested changes to the project scope. City Administration has reviewed the HOA request and is of the opinion that it is in the best interest of the neighborhood and the City to incorporate the changes. The project design is complete and construction is in progress. In order to minimize the impact to the project cost and the construction timeline, the HOA requested changes are being presented at this time. The changes will result in revisions to the current design, re-permitting, additional construction activities and additional time necessary to complete the project. On May 12, 2016, RMI submitted a proposal (attached) in the amount of \$3,400,000 and a time extension request of 173 calendar days for the changes. The proposal includes additional design, permitting, construction services, general conditions and the cost associated with the disruption to the continuity of the construction activities and re-sequencing of the work. The requested changes are outlined below:

1. **Raising of the roads 6-inches to accommodate future sea level rise.** The current design which is based on the approved Design Criteria Package did not require significant increase in elevation of the existing roadway. This work requires the redesign of the roadway and the drainage system, modifications of the structures already installed, adjustments of existing and newly installed utilities, grading of the swale, installation of additional drainage system in the driveways and harmonization of the driveways.
2. **Modification of the roadway cross section designed for one way traffic circulation, to accommodate two-way traffic while keeping the road as narrow as possible.** The roadways (except Sunset Drive) were designed for one-way traffic circulation, as previously requested by the HOA and included in the approved DCP. The two-way traffic circulation will require redesign of the roadway, modifications of the already installed drainage system and roadway base, and construction of the remaining roads with the new cross section and modified drainage structures. This modification also includes elimination of the sidewalks.

- 3. General Conditions associated with the scope changes.** Extended general conditions include bonds, insurance, storage yard and office, general coordination with the subcontractors, the disruption of project continuity and re-sequencing of construction activities.

Staff and the Design Criteria Professional performed a preliminary review of the proposal submitted by the Design-Builder and are of the opinion that the cost should not exceed \$2,800,000. In order to minimize the impact to the schedule, staff is continuing to negotiate with the Design-Builder a cost for the requested changes to the scope in an amount that would not exceed \$2,800,000.

This Amendment includes a time extension of 173 calendar days associated with the HOA requested changes in the scope.

This Amendment No. 2 (attachment A) in a not to exceed amount of \$2,800,000 will increase the total contract amount to \$10,914,592.51 and will extend the contract duration by 173 calendar days. The revised project duration will be 786 calendar days with the project substantial completion date of March 3, 2017.

Conclusion

The Administration recommends that the Mayor and City Commission adopt the Resolution.

Attachments:

Attachment A- RMI proposal dated May 12, 2016


JLM/ET/CDM

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2 TO THE DESIGN-BUILD SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA, AND RIC-MAN INTERNATIONAL, INC., ATTACHED HERETO AS EXHIBIT A, FOR THE DESIGN-BUILD SERVICES FOR NEIGHBORHOOD NO. 8: SUNSET ISLANDS 3 & 4 RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENTS PROJECT; THE AMENDMENT INCLUDES 1) ADDITIONAL DESIGN, PERMITTING AND CONSTRUCTION SERVICES ASSOCIATED WITH HOMEOWNERS' ASSOCIATION (HOA) REQUESTS IN THE NOT TO EXCEED AMOUNT OF \$2,800,000; AND 2) TIME EXTENSION OF 173 CALENDAR DAYS, WITH FUNDING BEING SUBJECT TO THE APPROVAL OF THE CITY COMMISSION DURING THE NEXT PROPOSED FY 15/16 CAPITAL BUDGET AMENDMENT CYCLE.

WHEREAS, on September 10, 2014, the Mayor and City Commission adopted Resolution No. 2014-28749, pursuant to Request for Proposals No. 2014-051-SR, authorizing the Mayor and City Clerk to execute an agreement with Ric-Man International, Inc. (RMI), for design-build services for Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way (ROW) Infrastructure Improvements in the amount of \$7,774,967.51; and

WHEREAS, the scope of this Design-Build project consists of the design and construction, associated with the earthwork, pavement reconstruction, overhead utility undergrounding, sidewalk construction, water main improvements, water meter replacement, storm drainage infrastructure installation, sanitary sewer main and structure lining, new conduits, conductors and service point for the existing street lights and streetscape/planting improvements; and

WHEREAS, on January 5, 2015, Notice to Proceed (NTP) No. 1 was issued directing RMI to start the pre-construction work including engineering design and permitting and on June 8, 2015, the NTP No. 2 was issued directing RMI to commence construction; and

WHEREAS, on January 13, 2016, the Mayor and Commission adopted Resolution No. 2016-29275, authorizing the Mayor and City Clerk to execute Amendment No. 1 to the Design Build Services Agreement between the City of Miami Beach and Ric-Man International for a total amount of \$339,625 with a time extension of forty three (43) calendar days; and

WHEREAS, the water main installation is one hundred (100) percent complete, the storm water drainage system is approximately forty-five (45) percent complete, the roadway reconstruction is approximately five (5) percent complete, and the overall project is approximately forty (40) percent complete; and

WHEREAS, for the past several months the Homeowner's Association (HOA) has been in discussion with the City with respect to potential modifications to the project's scope of work and on April 2016, the HOA formally requested changes to the project scope; and

WHEREAS, the City Administration has reviewed the HOA request and is of the opinion that it is in the best interest of the neighborhood and the City to incorporate the changes in to the project; and

WHEREAS, the changes will result in revisions to the current design, re-permitting, additional construction activities and additional time necessary to complete the project in order to minimize the impact to the project cost and the construction timeline, the HOA requested changes are being presented at this time; and

WHEREAS, on May 12, 2016, RMI submitted a proposal in the amount of \$3,400,000 and a time extension request of 173 calendar days for the changes which includes additional design, permitting, construction services, general conditions and the cost associated with the disruption to the continuity of the construction activities and re-sequencing of the work; and

WHEREAS, the current design is based on the approved Design Criteria Package (DCP) did not require significant increase in elevation of the existing roadway; and

WHEREAS, raising of the roads 6-inches to accommodate future sea level rise will requires the redesign of the roadway and the drainage system, modifications of the structures already installed, adjustments of existing and newly installed utilities, grading of the swale, installation of additional drainage system in the driveways and harmonization of the driveways; and

WHEREAS, the roadways (except Sunset Drive) were designed for one-way traffic circulation, as previously requested by the HOA and included in the approved DCP; and

WHEREAS, the modification of the roadway cross section designed for one way traffic circulation, to accommodate two-way traffic while keeping the road as narrow as possible will require redesign of the roadway, modifications of the already installed drainage system and roadway base, and construction of the remaining roads with the new cross section and modified drainage structures and this modification also includes elimination of the sidewalks; and

WHEREAS, the general conditions associated with the scope changes include, but are not limited to: bonds, insurance, storage yard and office, general coordination with the subcontractors, the disruption of project continuity and re-sequencing of construction activities; and

WHEREAS, staff and the Design Criteria Professional performed a preliminary review of the proposal submitted by the Design-Builder and are of the opinion that the cost should not exceed \$2,800,000 and in order to minimize the impact to the schedule, staff is continuing to negotiate with the Design-Builder a cost for the requested changes to the scope in an amount that would not exceed \$2,800,000; and

WHEREAS, the proposed second amendment includes a time extension of 173 calendar days associated with the HOA requested changes in the scope; and

WHEREAS, this Amendment No. 2, in a not to exceed amount of \$2,800,000, will increase the total contract amount to \$10,914,593.51 and will extend the contract duration by 173 calendar days, and the revised project duration will be 786 calendar days, with a project "substantial completion date" of March 3, 2017.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA approving and authorizing the Mayor and City Clerk to execute Amendment No. 2 to the Design-Build Services Agreement between the City of Miami Beach, Florida, and Ric-Man International, Inc., attached hereto as Exhibit A, for the Design-Build Services for Neighborhood No. 8: Sunset Islands 3 & 4 Right-of-Way Infrastructure Improvements Project; the Amendment includes 1) additional design, permitting and construction services associated with Homeowners' Association (HOA) requests in the not to exceed amount of \$2,800,000; and 2) time extension of 173 calendar days, with funding being subject to the approval of the City Commission during the next proposed FY 15/16 Capital Budget amendment cycle.

PASSED and ADOPTED this ____ day of _____, 2016.

PHILIP LEVINE, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

5/13/16

Date

Attachment A

Ric-Man International, Inc.

SUNSET 3&4 WIDEN AND RAISE ROADS

05/11/16

ROAD WIDENING	QTY	PRICE
Design, Reviews, Permits	1	\$ 220,000.00
MOT	1	\$ 4,500.00
Additional Limerock for roadway construction from a 15' to 18' roadway	1	\$ 257,360.89
Additional Asphalt (2) 1" Lifts for roadway construction from a 15' to 18' roadway	1	\$ 173,157.44
RAISE ROADWAY 6"		
DESIGN AND PERMITS	1	\$ 83,000.00
ADD DRAINAGE	1	\$ 1,138,925.00
MODIFIED CURB	1	\$ 12,794.40
ADD FILL FOR ROADWAY AND SWALES	1	\$ 377,241.00
ADD LIMEROCK TO NEWLY BUILT ROADS	1	\$ 156,042.40
ADJUST DRIVEWAYS	1	\$ 803,263.62
ADJUSTMENTS TO INSTALLED INLETS	1	\$ 16,480.00
AJUSTMENTS TO CASTINGS	1	\$ 174,261.00
	TOTAL	\$ 3,417,025.75
ROAD WIDENING ONLY		\$ 655,018.33

- R7E A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Received Pursuant To RFP 2016-042-KB For Design Build Services For Stormwater Pump Station At The NE Corner Of Convention Center Drive.
(Procurement/Public Works)
(Item to be Submitted in Supplemental)

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