

MIAMI BEACH

City Commission Meeting
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
July 13, 2016

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

Presentations & Awards

PA - Presentations & Awards

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

Reports & Informational Items

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 For Approval To Issue A Request For Qualifications (RFQ) No. 2016-157-KB For Architectural And Engineering Design Services For Iconic Crosswalk.
(Sponsored by Commissioner Ricky Arriola)
(Legislative Tracking: Procurement/Transportation)
- C2B Request Approval To Issue Request For Proposal (RFP) No. 2016-148-ND For Standardization Of Variable Frequency Drives In The City's Pump Stations.
(Procurement/Public Works)
(Item to be Submitted in Supplemental)
- C2C Request For Approval To Issue A Request For Proposals (RFP) No. 2016-166-KB For Design/Build Services For Right Of Way Infrastructure Improvement Program For Neighborhood No. 5: La Gorce Neighborhood.
(Procurement/Public Works)
- C2D Request Approval To Exercise Term Renewal Options On Contracts For Routine Operational Requirements.
(Procurement)
- C2E Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2016-128-KB For Middle Beach Recreational Corridor (MBRC) Phase II - Section 1 (From 53rd Street To 64th Street).
(Procurement/Capital Improvement Projects)
- C2F Request Approval To Issue Request For Qualifications (RFQ) 2016-152-WG For Real Estate Brokerage Services.
(Procurement/Tourism, Culture & Economic Development)
- C2G Request For Approval To Issue A Request For Qualifications (RFQ) No. 2016-170-KB For Global Positioning System (GPS) Tree Inventory Services.
(Procurement/Environment & Sustainability)

- C2H Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2016-144-KB For Construction Services For Surface Lot (1A) P2- Penrods.
(Procurement/Capital Improvement Projects)

C4 - Commission Committee Assignments

- C4A Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Partnership With Miami-Dade College And Miami-Dade County Public Schools For The Expansion Of Dual Enrollment Options To Nautilus Middle School And Miami Beach Senior High School.
(Organization Development Performance Initiatives)
- C4B Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Potentially Renaming North Shore Open Space Park.
(Sponsored by Commissioner John Elizabeth Alemán)
- C4C Referral To The Neighborhood/Community Affairs Committee - Discussion Regarding Creating An "Adopt-A Bench Program," Similar To The Central Park Model, Where Across The City People Can Buy And Name Benches As A Way To Finance The Beautification Of Parks And Other Extras.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
- C4D Referral To The Planning Board To Analyze And Provide The City Commission A Recommendation Relating To An Additional Modification To The Sign Code.
(Sponsored by Commissioner Ricky Arriola)
- C4E Referral To The Planning Board - Proposed Ordinance Amendment Pertaining To Demolition Procedures For Single Family Homes.
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
- C4F Referral To The Planning Board - Proposed Ordinance Amendment Pertaining To Alcoholic Beverage Establishments In The CD-3 District On 41st Street.
(Sponsored by Commissioner John Elizabeth Alemán)
(Legislative Tracking: Planning)
- C4G Referral To The Planning Board - Proposed Ordinance Amendment Pertaining To Alcoholic Beverage Establishments In The Sunset Harbor Neighborhood.
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Planning)
- C4H Referral To The Planning Board - Proposed Ordinance Amendment Pertaining To Revisions To The CANDO District In Collins Park.
(Sponsored by Commissioner Ricky Arriola)
(Legislative Tracking: Planning)

- C4I Referral To Planning Board - An Ordinance Amending Chapter 114 Of The City Code, Entitled "General Provisions," Section 114-1, "Definitions," To Define Package Stores; And Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 13, "MXE Mixed Use Entertainment District," By Amending Section 142-544 Thereof, Entitled "Prohibited Uses," To Prohibit Package Stores In The MXE District; And Providing For Repealer, Severability, Codification, And An Effective Date.
(Sponsored by Commissioner Ricky Arriola)
- C4J Referral To The Finance And Citywide Projects Committee To Discuss Future Uses Or The Potential Sale Of Vacant City-Owned Land Located At 226 87th Terrace.
(Sponsored by Vice-Mayor Michael Grieco)
- C4K Referral To The Land Use And Development Committee - Discuss Potential Ordinance Amendment Addressing Further Restrictions On Illegal Short Term Rentals (STR) In Suite And Condo Hotels.
(Sponsored by Vice-Mayor Michael Grieco)
- C4L Referral To The Land Use And Development Committee A Discussion Regarding An Amendment To The West Avenue Overlay To Remove The Current Allowance For Bed And Breakfast And Suite Hotel Uses.
(Sponsored by Commissioner Joy Malakoff)
- C4M Referral To The Neighborhoods/Community Affairs Committee (NCAC) Regarding A Functional Art Park Incorporating A Non-Traditional Thematic Playground.
(Sponsored by Commissioner John Elizabeth Alemán)
- C4N Referral To The Neighborhoods And Community Affairs Committee To Discuss Changing The Name Of Banyan Park To Tolerance Park.
(Sponsored by Commissioner Ricky Arriola)

C6 - Commission Committee Reports

- C6A Report Of The June 3, 2016 Finance And Citywide Projects Committee Meeting: **1.** Discussion Regarding 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.
- C6B Report Of The June 6, 2016 Finance And Citywide Projects Committee Meeting: **1.** General Fund CSL Update And Proposed Millage Rate; **2.** Review Of Light Rail/Street Car Project. **3.** Review Of Proposed Capital Budget. **4.** Proposed Uses Of Law Enforcement Trust Funds.

- C6C Report Of The June 10, 2016 Neighborhood/Community Affairs Committee Meeting: **1.** Discussion Regarding Citywide Street Light And Coverage Audit. **2.** Discussion Regarding Proposed Site Options For New Fire Station No. 1. **3.** Discussion Regarding The Possible Addition Of A Skate Park In North Shore Open Space Park **4.** Traffic Management Alternatives Discussed At The February 24, 2016 Commission Workshop On Traffic Management - Corridor Optimization For Traffic Signals Along Harding Avenue/Abbott Avenue/Indian Creek Drive. **5.** Discussion Regarding I-95 Express Lane Access To The Julia Tuttle Causeway. **6.** Discussion On Battle At The Beach. **7.** Monthly Crime Update. **8.** Discussion Regarding Mitch Novick's "Minority" Report, And Recommendation Concerning The Deterioration Of The Quality Of Life In The MXE District, Ocean Drive, Collins Avenue And The Surrounding Neighborhood. **9.** Six Proposed Art In Public Places (AiPP) Projects For Placement At The Miami Beach Convention Center Renovation And Expansion Project (MBCC Project). **10.** Discussion On The Condition Of Miami Beach Sidewalks. **11.** Discussion On The Possibility Of Making Improvements/Enhancements To The Police North Beach Sub Station Also Known As The NESS. **12.** Discussion Regarding Healthier Snacks In Our Vending Machines. **13.** Discuss The Installation Of Sunscreen Dispensers In All Parks And Pools Where Children Programs Are Managed By The City. **14.** Presentation And Discussion On The City Of Miami Beach Intelligent Transportation System And Smart Parking System Project. **15.** Discussion Regarding The Use Of Auto Return's Tow Technology On Miami Beach. **16.** Discussion Regarding Miami Beach United (MBU) "Residents' Right To Know" Proposal. **17.** Discussion Regarding Renaming Convention Center Drive To "Muhammad Ali Drive" And Authorizing The Creation Of A Statue Of Muhammad Ali To Be Place Either In The New Miami Beach Convention Center (MBCC) Park Or Inside The Renovated MBCC.
- C6D Report Of The June 15, 2016 Land Use And Development Committee Meeting: **1.** Ordinance Amendments For Transit Intermodal Facilities: **A).** CDMP Amendment Implementing The Transit Intermodal Facilities Component Of The Transportation Master Plan; And **B).** Amendments To The Land Development Regulations Of The City Code Regarding Height And Accessory Use Requirements For Main Use Parking Structures And Transit Intermodal Facilities. **2.** Discussion Pertaining to Development Regulations And Guidelines for New Construction In the Palm View Historic District To Address Resiliency, Sustainability and Adaptation. **3.** Discussion Regarding Future Rooftop And Deck Accessory Bar Uses In The Sunset Harbour Neighborhood. **4.** Discussion Regarding Incentivizing The Retention, Raising And/Or Relocation Of Historic/ Architecturally Significant Single Family Homes (SFH). **5.** 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. **6.** Discussion Regarding A Proposed Ordinance Change For North Beach Town Center Districts. **7.** Discussion Regarding Revising The Cultural Arts Neighborhood District Overly (CANDO). **8.** An Ordinance Amending Chapter 142 Of The City Code As It Pertains To Alcoholic Beverage Establishments On The West Side Of Alton Road And The South Side Of 17th Street. **9.** Single Family Demolition Procedures. **10.** Proposed Miami Beach Marina Redevelopment and Associated Legislative Changes. **11.** Discussion Regarding The Recommendation Of The Neighborhood/Community Affairs Committee To Establish More Aggressive Requirements For Employee Transportation Plans. **12.** CMB Preparations for Likely Passage of State Medical Marijuana Constitutional Amendment. **13.** An Amendment To Sec 142-1111 Of The City Code, To Address The Eligibility Requirements For The Short-Term Rental Of Apartment Units Within The Collins Waterfront Local Historic District. **14.** Discussion Regarding Exploring Limiting Package Store Alcohol Sales To Earlier Than 10:00 a.m., As Recommended By The Miami Beach Homeless Committee.

- C6E Report Of The June 15, 2016 Sustainability And Resiliency Committee Meeting: **1)** Mayor's Blue Ribbon Panel On Flooding And Sea Level Rise - Update. **2)** Sustainability Committee - Update **3)** Resiliency Strategy - Update. **4)** Discussion On Prohibiting Contractors From Using Roundup And Other Chemicals Labeled As Carcinogens In Public Spaces. **5)** Discussion On The Elimination And/Or Phasing Out Of Gas-Powered Leaf Blowers. **6)** Discussion On The Seabin Project As An Option To Reduce Litter In The City's Waterways. **7)** Discussion Regarding How Green Infrastructure Including Living Or Hybrid Shorelines Can Complement Grey Infrastructure In Our Climate Adaptation On Going Work. **8)** Discussion To Consider Establishing A City Sustainable Procurement Policy. **9)** Discussion On Charging A 5¢ Fee On Plastic Bags Similar To That Approved By The New York City Council. **10)** Discussion On Stormwater Best Management Practices. **11)** Discussion On The City's Anti-Idling Policy. **12)** Discussion Regarding Exploring The Use Of Triodetic's Tube And Hub Technology To Raise A Municipal Building As A Prototype For Residents.

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) Miami-Dade County FY 16/17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program For Funding In The Approximate Amount Of \$15,000 For The City's Police Department Initiatives; 2) Miami-Dade County Homeless Trust, In The Approximate Amount Of \$64,000, For The City's Homeless Outreach Program; And Retroactively For: 3) Miami Beach Visitor And Convention Authority (VCA) For Funding In The Amount Of \$100,000 For The City's Licensing And Merchandising Strategic Plan.
(Budget & Performance Improvement)
- C7B A Resolution Accepting The Recommendation Of The City Manager And Waiving, By 5/7th Vote, The City's Competitive Bidding Requirement, Finding Such A Waiver To Be In The Best Interest Of The City, And Approving And Authorizing The City Manager To Finalize Negotiations And Execute (In A Form That Is Acceptable To The City Attorney) An Agreement With The Beanstalk Group In An Amount Not To Exceed \$145,000.
(Communications)
- C7C A Resolution Approving And Authorizing The City To Accept A Sponsorship, Valued At \$20,000, From The Swatch Group, Inc., For Volleyball Nets To Be Installed On The City's Volleyball Courts Located At Two Sites On Ocean Drive (At 8th Street And 12th Street).
(Communications)
- C7D A Resolution Granting And Authorizing The Mayor And City Clerk To Execute A Perpetual Non-Exclusive Easement Between The City And The State Of Florida Department Of Transportation ("FDOT"), Attached Hereto As Exhibits 1, For The Purpose Of FDOT Constructing, Maintaining And Repairing A Portion Of Alton Road On City Property Known As The "Miami Beach Golf Course," Located At 2301 Alton Road, Along The East Side Of Alton Road From Michigan Avenue To 581 Feet Towards The North.
(Public Works)

- C7E A Resolution Approving And Authorizing The City Manager And City Clerk To Execute Amendment No. 3 To The Professional Services Agreement Between The City And Advanced Data Processing, Inc. D/B/A Intermedix; Said Amendment Extending The Agreement, On A Month To Month Basis, Commencing On September 16, 2016, For A Term Not To Exceed One Year Or Until Such Time As A New Agreement Is Executed Pursuant To A New Procurement Process, Whichever Occurs First.

(Fire)

- C7F A Resolution Urging The Florida Department Of Transportation ("FDOT") To Paint Dedicated Bicycle Lanes On I-195 (The Julia Tuttle Causeway) As Soon As Possible To Protect The Safety Of Cyclists During The Next Phase Of Miami-Dade County's Venetian Causeway Project.

(Sponsored by Commissioner Ricky Arriola)

(Item to be Submitted in Supplemental)

- C7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute The Memorandum Of Understanding (MOU) Attached To This Resolution, Between The City Of Miami Beach And The Miami Beach Chamber Education Foundation Inc., For The Implementation Of A Miami Beach Nurse Enhancement Initiative For Behavioral Health Services (The "Initiative") For Miami Beach Senior High School, Nautilus Middle School, Feinberg-Fisher K-8 Center, Biscayne Elementary School, And South Pointe Elementary School; Said MOU Providing For Initiative Services For The 2016-2017 School Year, With Possible Renewal Options, Upon Mutual Agreement Of The Parties, For The 2017-2018 And 2018-2019 School Years, With The City's Contribution Being Subject To Consideration In The Budget Development Process For Each Respective Fiscal Year; And Further Authorizing The Consideration Of \$53,600 In Funding From The City's 2016-2017 Fiscal Year Annual Budget For The City's Contribution To The Initiative For The 2016-2017 School Year.

(Organization Development Performance Initiatives)

- C7H A Resolution Urging Miami-Dade County To Expeditiously And Timely Comply With The Stormwater And Sewer Infrastructure Repair Projects Mandated In The County's Consent Decree With The United States Environmental Protection Agency And The State Of Florida.

(Sponsored by Commissioner Kristen Rosen Gonzalez)

(Legislative Tracking: Office of the City Attorney)

- C7I A Resolution Authorizing The City Of Miami Beach To Accept An Award Of A Variable Message Sign, With An Approximate Value Of \$7,500, From The Florida Department Of Transportation, Based Upon The Police Department's Participation In The Florida Law Enforcement Liaison Program's 'Click It Or Ticket' Challenge.

(Police)

- C7J A Resolution Authorizing The City Of Miami Beach To Accept An Award Of Four (4) Prolaser 4 Speed Detection Devices And Ten (10) Rechargeable Nightsticks, Total Value \$7,957, From The Florida Department Of Transportation, Based Upon The Police Department's Participation And Performance In Various Traffic Safety Initiatives.

(Police)

- C7K A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its June 10, 2016 Meeting, To Explore The Options In Relation To Making Improvements And Enhancements To The Police North Beach Sub Station, Also Known As The North End Sub Station (NESS).
(Sponsored by Commissioner Micky Steinberg)
(Legislative Tracking: Police)
- C7L A Resolution Accepting The Recommendation Of The City Manager To Reject All Proposals Received, Pursuant To Request For Qualifications (RFQ) No. 2016-107-WG For Hosted Automatic Call Distribution Services; And Authorizing The Administration To Enter Into Negotiations With Both AT&T Corp., And Unify, Inc. And Select The Firm Deemed, By The City Manager, To Be In The Best Interest Of The City, Waiving, By A 5/7th Vote, The Competitive Bidding Requirements, Finding Such Waiver To Be In The Best Interest Of The City; And Further Authorizing The Mayor And City Clerk To Execute An Agreement.
(Procurement/Finance)
- C7M A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To The Invitation To Negotiate (ITN) No. 2016-084-WG For Administration Of The City's Ancillary Health Benefits For Employees, Retirees And Their Dependents; Authorizing The Administration To Negotiate With The Following Proposers In The Following Categories Of Ancillary Services: Cigna Health And Life Insurance Co., As Top-Ranked Proposer For Group Dental Coverage; UNUM Life Insurance Company Of America, As Top-Ranked Proposer For Family And Medical Leave Act Administration, Long-Term Disability Coverage For Defined Contribution Retirement Plan (401a) Participants, Voluntary Short-Term And Long-Term Disability Coverage, And Group Life And Accidental Death & Dismemberment Coverage; And Further Authorizing The Mayor And City Clerk To Execute Agreements Upon Conclusion Of Successful Negotiations With The Administration.
(Procurement/Human Resources)
- C7N A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Pursuant To Request For Proposals No. 2016-034-AK, For Fire And Police False Alarm Billing System; Authorizing The Administration To Enter Into Negotiations With PMAM Corporation, The Top-Ranked Proposer; And, Should The Administration Be Unsuccessful In Negotiating An Agreement With The Top-Ranked Proposer, Authorizing The Administration To Enter Into Negotiations With Public Safety Corporation, The Second-Ranked Proposer; And, Further, Authorizing The Mayor And City Clerk To Execute The Agreement Upon Successful Negotiations By The Administration.
(Procurement/Police/Fire)
- C7O A Resolution Accepting The Recommendation Of The City Manager To Approve The Award Of A Contract For Group 1 To Team Contracting, Inc., And To Reject All Bids Received For Groups 2-4, Pursuant To Invitation To Bid (ITB) No. 2016-111-ND For The Purchase Of Concrete Curbing/Sidewalk Construction, Asphaltic Concrete/Related Materials, And Striping Of City Streets And Parking Lots.
(Procurement/Public Works)

- C7P A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 2016-116-KB For Architectural And Engineering Design Services For New Bus Shelters; Authorizing The Administration To Enter Into Negotiations With ACAI Associates, Inc., As The Top Ranked Proposer; Further, Should The Administration Not Be Successful In Negotiating An Agreement With ACAI Associates, Inc., Authorizing The Administration To Enter Into Negotiations With Brooks + Scarpa, Inc., As The Second Highest Ranked Proposer; Further, Authorizing The Mayor And City Clerk To Execute An Agreement, Upon Conclusion Of Successful Negotiations By The Administration.
(Procurement/Transportation)
- C7Q A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee At Its June 17, 2016 Meeting To Maintain The Living Wage Rate And Health Care Benefit Rate At Current Levels For Covered City And Service Contractor Employees For Fiscal Year 2016/17.
(Procurement)
- C7R A Resolution Authorizing The Extension Of A Communications System Agreement, And All Exhibits Thereto, With Motorola In The Amount Of \$335,443 For A Term Of One Year To Maintain A Continuity Of Service Of The 800 Mhz Public Safety Radio System.
(Emergency Management)
(Item to be Submitted in Supplemental)
- C7S A Resolution Approving The Selection Of Six Public Art Commissions For Miami Beach Convention Center, As Recommended By The Art In Public Places Professional Advisory Committee, The Art In Public Places Committee, The Neighborhood/Community Affairs Committee, And As Approved By The Design Review Board And The Historic Preservation Board; And Authorizing The City Manager To Execute Professional Services Agreement In The Following Not-To-Exceed Amounts For The Design, Fabrication, And Installation Of Art: Franz Ackermann, \$750,000; Michael Elmgreen And Ingar Draget, \$1,100,000; Ellen Harvey, \$750,000; Joseph Kosuth, \$2,200,000; Joep Van Lieshout, \$500,000; And Sarah Morris, \$1,000,000.
(Tourism, Culture & Economic Development)
- C7T A Resolution Approving And Authorizing The City Manager To Execute A Landlord Waiver, Substantially In The Form Attached To This Resolution, In Favor Of Bank Of America, Involving The Lease Agreement Between The City (Landlord) And The Miami City Ballet, Inc. (Tenant) For The Building Located At 2200 Liberty Avenue, Miami Beach, Florida (Premises); Said Waiver Subordinating The City's Statutory Lien Rights Against The Personal Property In The Premises (In The Event Of A Default Under The Lease); And Which Waiver Is Being Required By Bank Of America, As Security For A Revolving Line Of Credit, Having A Limit Of \$1,500,000, Which Is Being Secured By The Tenant's Collateral, Which Includes The Personal Property In The Premises.
(Tourism, Culture & Economic Development)

- C7U A Resolution Calling Upon Federal And State-Elected Officials To Collaborate With Local Officials And First Responders To Prevent Mass Shootings And Large-Scale Human Loss Of Life And Suffering From Mass Shootings In America By Limiting The Availability And Use Of Military Grade, High Capacity Magazine Assault Weapons To Law Enforcement Agencies.
(Sponsored by Commissioner Micky Steinberg)
(Legislative Tracking: Office of the City Attorney)
- C7V A Resolution Urging The United States Food And Drug Administration (FDA) To Repeal Its Prohibition On Men Who Have Sex With Men Within 12 Months From Donating Blood.
(Sponsored by Commissioner Micky Steinberg)
(Legislative Tracking: Office of the City Attorney)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

- R5A 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 Any Park, Boat Ramp, Beach, Structure Building Or Other Property Or Place Owned, Maintained Or Operated By The City; By Prohibiting Any Portion Of The Commercial Transaction, Activity Or Operation To Directly Or Indirectly Occur At Any Park, Boat Ramp, Beach, Structure Building Or Other Property Or Place Owned, Maintained Or Operated By The City; By Modifying Subsection (c), Which Amends The Existing Exemption Authority Of The City Manager For The Rendering Of Service To The Public; And Creating An Additional Exemption To The Prohibitions Set Forth In Section 82-1(a) And (b), That Would Require The City Commission To Approve A Concession Agreement Authorizing Commercial Activities Or Operations; And 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. **10:00 a.m. Second Reading Public Hearing**
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Parks & Recreation)
(First Reading on May 11, 2016 - R5N)
- R5B Hall For Hire Use In Museum Historic District
An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity," To Amend Section 142-213, "Conditional Uses," To Include Requirements Pertaining To Hall For Hire Uses For Properties Located Within The Locally Designated Museum Historic Preservation District; Providing For Repealer; Severability; Codification; And An Effective Date. **10:05 a.m. Second Reading Public Hearing**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
(First Reading on June 8, 2016 - R5I)
- R5C An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 3 Entitled "Lobbyists," Section 2-482(a)(4) Thereof, By Requiring A Lobbyist Who Has Within The Past Election Cycle Provided Campaign Consulting Services To An Incumbent Member Of The City Commission To Disclose Such Particular Service On His/Her Lobbyist Registration Form And To Disclose Such Particular Service Orally Before Lobbying The City Commission At A Public Meeting, Providing Definitions, And Providing For Repealer, Severability, Codification, And An Effective Date. **10:10 a.m. Second Reading Public Hearing**
(Sponsored by Commissioner Kristen Rosen Gonzalez)
(Legislative Tracking: Office of the City Attorney)
(First Reading on June 8, 2016 - R5J1)

R5D Miami Beach Panel Of Architects

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Chapter 118, "Administration And Review Procedures," Article II, "Boards," By Creating Section 118-33 To Establish The Miami Beach Panel Of Architects ("MBPOA"); And By Amending The Criteria And Procedural Thresholds For The Review And Approval Of New Single-Family Residential Construction By Authorizing The MBPOA To Conduct Certain Reviews; Creating Division 6, Entitled "Miami Beach Panel Of Architects," At Sections 118-139 Through 118-156, Providing For Purpose, Composition Of Board, Membership, Qualifications, Quorum, Meeting Procedures, Powers And Duties, Fees And Applications; Amending Section 118-8, Entitled "Notice Procedures For Quasi-Judicial, Public Hearing Quasi-Judicial Land Use Board Actions" To Include Notice Procedures For Proceedings Before The MBPOA; And Amending Section 118-9, Entitled "Rehearing And Appeal Procedures," To Provide Procedures For Appeals From The MBPOA; Providing For Codification; Repealer; Severability; And An Effective Date.

10:15 a.m. Second Reading Public Hearing

(Sponsored by Commissioner Joy Malakoff)

(Legislative Tracking: Planning)

(First Reading on June 8, 2016 - R5M)

R5E An Ordinance Pertaining To The Subject Of A Six (6) Month Moratorium For The Two National Register Historic Districts Contained Within The North Beach Master Plan Study Area With The Following General Boundaries: (1) The "North Shore National Register District," 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 District:" 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 Contributing Structures Within The Two National Register Historic Districts Within The North Beach Master Plan Study Area; Providing For An Effective Date Retroactive To June 8, 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.

5:01 p.m. Second Reading Public Hearing

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

(Planning)

(First Reading Public Hearing June 8, 2016 - R5G)

- R5F LDR And Comprehensive Plan Amendments - 500 Alton Road C-PS2 Transit Hub
1. CPS-2 Transit Hubs - LDR Amendments
An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 18 "PS Performance Standard District" And Chapter 114, "General Provisions," By Amending Sections 142-698 And 142-699 Regarding Maximum Building Height And Setbacks Requirements For The CPS-2 District; Amending Section 114-1 Regarding Definitions; Providing For Codification; Repealer; Severability; An Effective Date; And A Sunset Date. **5:02 p.m. First Reading Public Hearing**
(Sponsor: Private Applicant: 500 Alton Road Ventures, LLC & 1220 Sixth, LLC)
(Legislative Tracking: Planning)
 2. Comprehensive Plan Text Amendment - Public Transit Facilities in C-PS2 And Transit Hubs Incorporated Into Private Development
An Ordinance Amending The Future Land Use Element Of The Comprehensive Plan Of The City Of Miami Beach, Florida, By Amending Policy 1.2 By Amending The Permitted Uses In The "General Mixed Use Commercial "Performance Standard" Category (C-PS2)" To Allow Public Transit Facilities As A Permitted Use; Amending The Transportation Element Of The Comprehensive Plan Of The City Of Miami Beach, Florida, By Creating Policy 4.6.1 Entitled "Enhanced Transit Infrastructure On Private Property" And By Amending The "Glossary Of Terms" To Include The Term "Transit Hub" And Related Definition. **5:03 p.m. First Reading Public Hearing**
(Sponsor: Private Applicant: 500 Alton Road Ventures, LLC & 1220 Sixth, LLC)
(Legislative Tracking: Planning)
- R5G Concurrency Exemption - GU And CCC Districts
An Ordinance Amending The City Code, By Amending Chapter 122, "Concurrency Management," By Amending Section 122-5, "Exemptions From Concurrency," To Exempt Uses At The Following City-Owned Facilities From The City's Concurrency Requirements: The North Shore Bandshell, The Ronald W. Shane Watersports Center, And The Miami Beach Botanical Garden; And Providing For Repealer, Codification, Severability, And An Effective Date. **5:04 p.m. First Reading Public Hearing**
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Planning)
- R5H Off-Street Parking Regulations
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 130, "Off-Street Parking," Article I, "In General," Article III, "Design Standards," Article V, "Fee In Lieu Of Parking Program," Article VI, "Parking Credit System," Article VII, "Surplus And Under-Utilized Parking Spaces," And Article IX, "Valet And Tandem Parking", By Amending And Clarifying Standards And Procedures For Off-Street Parking Requirements; Providing Codification; Repealer; Severability; And An Effective Date. **5:05 p.m. First Reading Public Hearing**
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Planning)

- R5I South Of Fifth Alcoholic Beverage Establishment Operational Regulations
An Ordinance Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations," Division 18, "PS Performance Standard District," Section 142-693, "Permitted Uses," To Amend The Hours Of Operation, Location And Use Restrictions For Properties South Of Fifth Street; Providing That Existing Alcoholic Beverage Establishments Shall Be Deemed Legal Conforming Uses; And Providing For Codification, Repealer, Severability, And An Effective Date. **5:06 p.m. First Reading Public Hearing**
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Planning)
- R5J Comprehensive Plan - Peril Of Flood
An Ordinance Amending The Comprehensive Plan Pursuant To The Procedures In Section 163.3184(3), Florida Statutes, By Modifying Chapter 1, Future Land Use Element, To Encourage The Use Of Landscaping Techniques That Enhance Stormwater Management And To Modify The Level Of Service For Storm Sewer Capacity; Chapter 5, Infrastructure Element, To Require That The Land Development Regulations Include A Freeboard Requirement For New Construction, To Modify The Level Of Service For Drainage Facilities Design Storm Standard, And To Incorporate The Use Of Stormwater Storage And Infiltration In Infrastructure Replacement Activities; Chapter 6, Conservation/Coastal Zone Management Element To Encourage The Use Of Highly Water-Absorbent Native Plants And To Designate The City Of Miami Beach As An Adaptation Action Area (AAA) Pursuant To Section 163.3177(6)(g)(10), Florida Statutes; Chapter 8, Intergovernmental Coordination Element, To Require Coordination Between Agencies Addressing Issues Related To Sea Level Rise And Climate Change; Providing For Inclusion In The Comprehensive Plan; Transmittal; Repealer; Severability; And An Effective Date. **5:07 p.m. First Reading Public Hearing**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Planning)
- R5K Short-Term Rentals On Harding Avenue North Beach
An Ordinance Amending The Code Of The City Of Miami Beach, Subpart B, Entitled "Land Development Regulations," Of Chapter 142, Entitled "Zoning Districts And Regulations," By Amending Division 2, Entitled "Accessory Uses"; By Amending Article IV, Entitled "Supplementary District Regulations," By Amending Division 3, Entitled "Supplementary Use Regulations," By Amending Section 142-1111, Entitled "Short-Term Rental Of Apartment Units Or Townhomes," By Creating A New Subsection (d), Which Establishes Eligibility Requirements For Short-Term Rental Of Apartment And Townhome Residential Units In North Beach; Limiting The Eligibility To Those Properties Fronting Harding Avenue From The South Side Of 73rd Street To The Northern Boundary Of The City; By Establishing Conditions Precedent Before A Property Owner Is Legally Authorized To Engage In Short-Term Rentals; And Require The Property To Be Fully Renovated And Restored In Accordance With Those Delineated Standards Set Forth In Subsection (d)(1), Which Must Be Accomplished Prior To The Issuance Of The Business Tax Receipt Permitting Short-Term Rentals; And Providing For Repealer, Severability, Codification, And An Effective Date. **5:08 p.m. First Reading Public Hearing**
(Sponsored by Vice-Mayor Michael Grieco)
(Legislative Tracking: Planning)

R5L TC North Beach Town Center Districts

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 II "District Regulations," Division 20 "TC North Beach Town Center Districts," To Increase The Allowable Height For Buildings In The TC-1 Town Center Core District To 125 Feet And To Modify Setback Requirements; Providing For Repealer; Severability; Codification; And An Effective Date. **First Reading**

(Sponsored by Commissioner John Elizabeth Alemán)
(Legislative Tracking: Planning)

R5M Below Grade Floor Area - Contributing Buildings

An Ordinance Amending The Code Of The City Of Miami Beach, Florida, By Amending Chapter 114, "General Provisions," By Amending The Definition Of Floor Area; Which Definition Is Consistent With The Definition Of Floor Area Ratio (FAR) As Existed On November 7, 2001, Thus Ensuring Compliance With Section 1.03(c) Of The Charter; Providing For Repealer, Severability, Codification And An Effective Date. **First Reading**

(Sponsored by Commissioner John Elizabeth Alemán)
(Legislative Tracking: Planning)

R5N 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)
(Continued from May 11, 2016 – R5M1)

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)
(Continued from May 11, 2016 - R5M2)

- R5O An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: In Accordance With The Negotiated Collective Bargaining Agreement, Providing For The Classifications In Group III, Represented By The International Association Of Fire Fighters, (IAFF), Local 1510; Effective The First Pay Period Ending In April Of 2016, There Shall Be An Across The Board Cost-Of-Living Adjustment (COLA) Of One Percent (1%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By One Percent (1%); Effective The First Pay Period Ending In July Of 2017, There Shall Be An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Three Percent (3%); Effective The First Pay Period Ending In July Of 2018, There Shall Be An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%), And The Minimum And Maximum Of Each Pay Range Will Also Be Increased By Three Percent (3%); Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **First Reading**
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Human Resources)
- R5P An Ordinance Amending Chapter 31 Of The Code Of The City Of Miami Beach, Entitled "Purchasing," By Creating Article III, To Be Entitled "Local Workforce Participation Requirement For Construction Contracts," To Establish Workforce Requirements For City Construction Contracts In Excess Of \$1,000,000 For The Construction, Demolition, Alteration And/Or Repair Of Public Buildings, Public Works, And Buildings Or Improvements Located On City-Owned Land; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner Micky Steinberg).
(Legislative Tracking: Procurement/City Attorney)
(Item to be Submitted in Supplemental)
- R5Q 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 15, Entitled "Miami Beach Sister Cities Program" And Division 16, Entitled "Miami Beach Youth Commission" To Remove "Miami Beach" From The Name Of The Sister Cities Program And The Youth Commission; And, Further Amending Chapter 62, Entitled "Human Relations," By Amending Article II, Entitled "Discrimination," By Amending Division I, Entitled "Generally," By Amending Section 62-34 Thereof, Entitled "City Of Miami Beach Human Rights Committee Established," To Remove "City Of Miami Beach" From The Name Of The Committee; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Sponsored by Commissioner John Elizabeth Alemán)
(Office of the City Attorney)

R5R An Ordinance Amending The Miami Beach Human Rights Ordinance (Ordinance No. 2010-3669), By Amending Chapter 62, Entitled "Human Relations," By Amending Article II, Entitled "Discrimination," By Amending Divisions 1-4, Entitled "Generally," "Administration," "Regulations," And "Exceptions," By Amending Sections 62-31, Entitled "Definitions;" 62-33, Entitled "Purpose; Declaration Of Policy;" 62-37, Entitled "Duties And Powers;" 62-59, Entitled "Information On Complaint;" 62-88.1, Entitled "Discrimination In Public Services;" 62-90, Entitled "Municipal Facilities;" 62-91, Entitled "Municipal Funds;" And 62-112, Entitled "Housing;" To Amend The Protected Classes Within The Ordinance To Include The Following Categories: Ancestry, Height, Weight, Domestic Partner Status, Labor Organization Membership, Familial Situation, And Political Affiliation; And By Amending Sections Those Same Additional Categories And To Provide That The Human Rights Ordinance Shall Apply To Actual And Perceived Membership In A Protected Class; And Providing For Repealer, Severability, Codification, And An Effective Date.

First Reading

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

(Item to be Submitted in Supplemental)

R5S An Ordinance Amending Chapter 142 Of The City Code, Entitled "Zoning Districts And Regulations," Article II, "District Regulations," Division 13, "MXE Mixed Use Entertainment District," By Creating Section 142-551 Thereof, Entitled "Additional Regulations For Alcoholic Beverage Establishments," To Terminate The Sale And Consumption Of Alcoholic Beverages At Alcoholic Beverage Establishments Located On Ocean Drive Between 5th And 15th Streets (Except For Indoor Portions Of Alcoholic Beverage Establishments That Are Completely Enclosed And Located Entirely Within Hotels) At 2:00 a.m.; And Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Sponsored by Mayor Philip Levine)
(Legislative Tracking: Office of the City Attorney)

R5T An Ordinance Amending Chapter 102 Of The Code Of The City Of Miami Beach, Entitled "Taxation," By Amending Article V, Entitled "Local Business Tax," By Creating Section 102-386 Thereof To Be Entitled "Property Owner's Responsibilities Regarding Legally Permissible Transient Rental And Occupancy (Short Term) Of Residential Property," By Prohibiting Property Owners From Advertising The Transient Rental Or Occupancy Of A Residential Property Without The Submission Of Affidavit To The City, By Requiring The Affidavit To Confirm That The Land Development Regulations Authorize Transient Rental And Occupancy; And Ensuring That The Property Owner Obtains Compliance With Those Provisions Set Forth Within Chapter 102, And Requiring Notification To Prospective Guests By Property Owners That Operate Independently Of The Primary Hotel Operator; And Establishing A Penalty Provision For Violations Of This Section; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**

(Sponsored by Commissioners Joy Malakoff and John Elizabeth Alemán)
(Legislative Tracking: Office of the City Attorney)

R7 - Resolutions

- R7A A Resolution Setting 1) The Proposed Operating Millage Rate; 2) The Required Debt Service Millage Rate; 3) The Calculated “Rolled-Back” Rate; And, 4) The Date, Time, And Place Of The First Public Hearing To Consider The Millage Rates And Budgets For Fiscal Year (FY) 2016/17; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes.
(Budget & Performance Improvement)
- R7B A Resolution Of The Board Of Directors Of The Normandy Shores Local Government Neighborhood Improvement District Setting 1) The Proposed General Operating Millage Rate For The Normandy Shores Neighborhood Improvement District; 2) The Calculated “Rolled-Back” Rate; And, 3) The Date, Time And Place Of The First Public Hearing To Consider The Operating Millage Rate And Budget For Fiscal Year (FY) 2016/17; Further Authorizing The City Manager To Transmit This Information To The Miami-Dade County Property Appraiser In The Form Required By Section 200.065, Florida Statutes.
(Budget & Performance Improvement)
- R7C A Resolution Approving And Authorizing The City Manager, Or His Designee, To Take The Following Actions: Submit To The State Of Florida, Department Of Environmental Protection, Requests For Inclusion In The Clean Water State Revolving Fund (CWSRF) And Drinking Water State Revolving Fund (DWSRF) Programs’ Priority Lists; Submit To The State Of Florida, Department Of Environmental Protection, Loan Applications For Construction Funds From The CWSRF And DWSRF Programs; And, Establish Pledged Revenues And Execute Loan Agreements For Construction Funds Through The CWSRF And DWSRF Programs To Finance Proposed Water And Wastewater Projects; Approving And Authorizing The Appropriation Of The Above Funds, Including Any City Expenses; And Further Authorizing The City Manager, Or His Designee, To Take All Necessary Steps And To Execute All Necessary Documents Related To The Above Actions And To Provide The Assurances And Commitments Required By The Loan Applications.
(Budget & Performance Improvement)
- R7D A Resolution Authorizing Two (2) Waivers Of Development Regulations, By A 5/7th Vote Of The City Commission, After Public Hearing, Pursuant To Section 142-425(d), Of The City’s Code, For The Altos Del Mar Park Project, And Adjacent Parking Lot, (Parking Lot No. P-106), Located At 75th Street And Collins Avenue, Within The Harding Townsite/South Altos Del Mar Historic District And Within The Altos Del Mar Neighborhood: (1) A Waiver Of Section 142-802(3), Of The City Code In Order To Reduce The Required Rear Setback From 10 Feet From The Bulkhead Line To Three Feet, Five Inches (3’5”) In Order To Construct The Proposed Restroom And Storage Building Within Parking Lot No. P-106; And (2) A Waiver Of Section 142-802(7), Of The City Code, As The Existing Parking Lot (P-106) And Proposed Restroom Exceed The Oceanfront Overlay Minimum Requirement That At Least 50 Percent Of The Required Rear Yard Setback Be Open To The Sky And Landscaped. **10:30 a.m. Public Hearing**
(Capital Improvement Projects/Planning)
(Deferred from April 13, 2016 - R7C)

- R7E A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving A Term Sheet, Attached Hereto As Exhibit 1, For The Vacation Of 2,000 Square Feet Within The Alley Known As Alton Court (Hereinafter The "Alley"); Said Vacation In Favor Of The Adjacent Property Owners, 1681 West Ventures, LLC And 1698 Alton Road Ventures, LLC (Collectively The "Developer"); And Authorizing The Administration And City Attorney To Negotiate A Development Agreement Based Upon The Approved Of The Term Sheet.
(Public Works)
- R7F A Resolution Approving, On Second And Final Reading Of This Resolution And Following A Duly Noticed Public Hearing, Pursuant To Section 82-37(a), Of The City Code, The Vacation Of 2,000 Square Feet Within The Alley Known As Alton Court (Hereinafter The "Alley"); Said Vacation In Favor Of The Adjacent Property Owners, 1681 West Ventures, LLC And 1698 Alton Road Ventures, LLC (Collectively The "Developer"); And Further Conditioning The Vacation Of The Alley On: (1) The Issuance By The City Of Two Quit Claim Deeds; (2) The Granting Of An Access And Use Easement By The Developer To The City; And (3) The Final Approval And Execution Of A Development Agreement Between The City And The Developer. **10:35 a.m. Second Reading Public Hearing**
(Public Works)
(First Reading on June 8, 2016 - R7D)
- R7G A Resolution Adopting The Fifth Amendment To The General Fund, Enterprise Fund, Internal Service Fund And Special Revenue Fund Budgets For Fiscal Year (FY) 2015/16. **10:40 a.m. Public Hearing**
(Budget & Performance Improvement)
- R7H A Resolution Accepting The Written Recommendation Of The City Manager (As Set Forth In The City Commission Memorandum Accompanying This Resolution) And Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City; And Approving And Authorizing The Mayor And City Clerk To Execute A Use Agreement, Substantially In The Form Attached To This Resolution, With Crown Castle Solutions LLC (Licensee), Having A Term Of Nine (9) Years And 364 Days (Without Any Renewal Options); Said Agreement Permitting Licensee To Install And Maintain, At Its Sole Cost And Expense, A Small Cell Network System At The Miami Beach Convention Center, Including A Distributed Antennae System (DAS), Equipment At A Radio Space, And All Associated Telecommunications Cables And Connections, Having A Value Of Approximately \$1 Million; Permitting Licensee To Grant Licenses To Third Party Telecommunications Carriers, At Licensee's Sole Option, For The Use Of The Radio Space And DAS System; And Further Providing The City With An Up Front Fee Of \$25,000, Plus Monthly Payments Equal To Twenty-Five Percent (25%) Of The Net Receipts Collected By Licensee, And A Lump Sum Of \$25,000 Each Time Licensee Executes A License Agreement With A Telecommunications Carrier.
(Tourism, Culture & Economic Development)
- R7I A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its May 13, 2016 Meeting To Name The Accessible Playground At Allison Park For Ms. Sabrina Cohen And, Pursuant To Section 82-503 Of The City Code, Setting A Public Hearing For September 14, 2016, To Consider The Naming And Directing The City Clerk To Publish The Appropriate Public Notice.
(Parks & Recreation)

R7J A Resolution Pursuant To Section 82-37(a), Of The City Code, Setting A Public Hearing To Approve The Vacation Of Atlantic Way Between 76th Street And 77th Street, Consisting Of A 30 Foot Wide Right-Of-Way, Containing Approximately 9,000 Square Feet In Total Area, Attached Hereto As Exhibit "A," As Shown On The Corrected Plat "Altos Del Mar No. 1," Recorded In Plat Book 31 At Page 40, Of The Public Records Of Miami-Dade County, And Lying In A Portion Of Government Lot 2, Section 2, Township 53 South, Range 42 East, City Of Miami Beach, In Favor Of The City Of Miami Beach And The Owners Of 7605 Collins Avenue; Waiving, By 5/7th Vote, The Competitive Bidding And Appraisal Requirements Pursuant To, Respectively, Sections 82-39(a) And (b) Of The City Code, Finding That The Public Interest Would Be Served By Waiving Such Conditions; And Referring This Item To The Finance And Citywide Projects Committee, As Required By Section 82-37(a)(1), Of The City Code.

(Office of the City Attorney/Capital Improvement Projects)

(Deferred from April 13, 2016 - R7D)

R7K A Resolution Authorizing A Change Order To The Purchase Order Issued To David Mancini And Sons, Inc. (DMSI), Under The 63rd Street Water Main Replacement Project Awarded Under The NJPA Agreement With Gordian Group, Pursuant To Contract FL-MDSAU06-052014-DMS, In The Amount Of \$101,287.58, In Order To Provide Expanded Traffic Control Services For Traffic Flow In The Area During The Execution Of The Work, Of Which \$40,107.58 Shall Be Payable From The Project Contingency, And The Balance Of \$61,180.00 Shall Be Payable From Account 424-2759-069357 Entitled "63rd Street 16" Water Main."

(Public Works)

(Item to be Submitted in Supplemental)

R7L A Resolution Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such A Waiver To Be In The Best Interest Of The City, And Authorizing The Office Of The Mayor And The City Attorney's Office To Negotiate An Agreement With Funkshion LLC, In An Amount Not-To-Exceed \$190,000, For The 2067 Rising Above Time Capsule Project; And Further Authorizing The Mayor And The City Clerk To Execute The Agreement.

(Sponsored by Mayor Philip Levine)

(Legislative Tracking: Procurement)

R7M A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its June 10, 2016 Meeting, To Consider Enhancing The Police Presence On The Beachwalk.

(Sponsored by Commissioner Rosen Gonzalez)

(Legislative Tracking: Police)

- R7N A Resolution Approving And Authorizing The Mayor And City Clerk To Execute 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: (1) Approving A City Requested Change Order, In The Amount Of \$41,203.75, Relating To Unforeseen Site Conditions, New FP&L Service Point, Handhole And Riser, And Construction Of Planter Ellipse To Protect Existing Copper Pod Trees; (2) Increasing The Guaranteed Maximum Price (GMP) Of The Project From \$819,838.88 To \$861,042.63 In Connection With Said Change Order; And (3) Increasing The City's Budgeted Costs For The Project, From \$466,500.86 To \$489,945.80 To Include The City's Proportionate Share Of The Change Order, In The Amount Of \$23,444.93.
(Deferred from May 11, 2016 - R7I)
(Public Works)
- R7O A Resolution Endorsing, As Required Pursuant To Section 18-2 Of The Miami-Dade County Code, The Creation By Miami-Dade County Of Special Taxing Districts For Di Lido Island And San Marino Island, Respectively, For The Undergrounding Of Overhead Utilities, Subject To And Contingent Upon Compliance With And Satisfaction Of The Requirements For The Creation Of Special Taxing Districts, As Set Forth In Chapter 18 Of The Miami-Dade County Code.
(Public Works)
- R7P A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Regarding The Implementation Of An Intelligent Transportation System And Smart Parking System Throughout The City.
(Transportation)
- R7Q A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Establishing A Requirement That No Less Than Twenty Percent (20%) Of All One-Time Unrestricted Capital Payments To The City Of \$500,000.00 Or More, Including, But Not Limited To, Payments Received Through Lease Re-Negotiations, Money Judgements From Lawsuits, Audit Findings, Or Any Other Lump Sum Payments Shall Be Deposited To A Trust Fund For Capital Or Acquisition Costs Associated With Mass Transit Excluding Reasonable Costs And Any Capital Replacement Costs Associated With The Transaction That Resulted In The Receipt Of The One-Time Cash Payment.
(Sponsored by Mayor Philip Levine)
(Transportation)
- R7R Endorse Key Elements And Funding Approaches For The Miami Beach Light Rail/Modern Streetcar Project.
1. A Resolution Endorsing The Key Elements Of The Preferred Alternative For The Miami Beach Light Rail/Modern Streetcar Project.
(Transportation)
 2. A Resolution Endorsing Preliminary Preferred Funding Approaches For The Miami Beach Light Rail/Modern Streetcar Project.
(Transportation)

R7S Resolutions Related To Proposal Requirements Document (PRD) No. 2016-071-KB Notice Of Unsolicited Proposal And Request For Alternative Proposals For Light Rail Modern Streetcar Project In Miami Beach.

1. A Resolution Accepting The Recommendation Of The City Manager With Respect To The Ranking Of Proposals, Pursuant To Proposal Requirements Document (PRD) No. 2016-071-KB, Notice Of Receipt Of Unsolicited Proposal For Light Rail/Modern Streetcar Project In Miami Beach; And Authorizing Negotiations For An Interim Agreement With The Top-Ranked Proposer, Greater Miami Tramlink Partners, And Should Negotiations With The Top-Ranked Proposer Not Be Successful, Authorizing Negotiations For An Interim Agreement With The Second Ranked Proposer, Connect Miami Beach.

(Procurement/Transportation)

2. A Resolution Approving The Interim Agreement Term Sheet And Key Concepts For A Comprehensive Agreement For A Light Rail/Modern Streetcar Project In Miami Beach Pursuant To Section 255.065 Of The Florida Statutes And Proposal Requirements Document (PRD) No. 2016-071-KB.

(Procurement/Transportation)

R7T A Resolution Approving A Memorandum Of Understanding Between City Of Miami Beach, Florida, City Of Miami, Florida, Miami-Dade County, Florida And Florida Department Of Transportation, District No. 6 For Beach Corridor Direct Connection Project (NEPA Environmental Studies, Project Development, Engineering And Construction Phases, Funding, Project Sponsorship; And Operating Agency), Including Authorizing The City Contribution Of \$417,000, Or 4.17% Of The Overall Study Cost.

(Transportation)

R7U A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its May 13, 2016 Meeting To Adopt A Policy Requiring That All Future Special Events Requiring Lane Closures Along Major Thoroughfares In The City Of Miami Beach Obtain Prior City Commission Approval.

(Transportation)

R7V A Resolution Accepting The Recommendation Of The City Manager, And Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City, And Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 4 To The Agreement, Dated May 8, 2014, Between The City And Limousines Of South Florida, Inc., For Turn-Key Operations And Maintenance Services Of A Municipal Trolley System For The City Of Miami Beach; Said Amendment Increasing The Scope Of The Agreement To Include The Following: (1) The Addition Of One (1) Bidirectional Route In South Beach; (2) The Addition Of Twelve (12) New Low-Floor Trolley Vehicles For Use In Connection With The Operation Of The South Beach Route, North Beach Route, And Middle Beach Routes (The Middle Beach Loop And The Collins Link); (3) A Negotiated New Hourly Rate Commensurate With The Cost Of The Low-Floor Trolley Vehicles And The Additional Services For The New South Beach Route; (4) Authorizing The City Manager To Approve The Purchase Of Additional Optional Equipment For The Low-Floor Trolley Vehicles In The City Fleet, As May Be Needed In The Administration's Discretion, Subject To Funding Availability; (5) Any Additional Modifications To The Agreement Deemed Necessary By The Administration With Respect To The Modification Of The Scope Contemplated By The Amendment; And (6) Increasing The Annual Cost Of The Agreement, From A Not To Exceed Cost Of \$6,700,000 To A Not To Exceed Cost Of \$12,000,000.

(Transportation)

(Item to be Submitted in Supplemental)

- R7W A Resolution Accepting The Written Recommendation Of The City Manager (As Set Forth In The City Commission Memorandum Accompanying This Resolution) And Waiving, By 5/7th Vote, The Competitive Bidding Requirement, Finding Such Waiver To Be In The Best Interest Of The City; And Approving And Authorizing The Mayor And City Clerk To Execute A Premises Use Agreement, Substantially In The Form Attached To This Resolution As Exhibit "A," With Design Miami II, LLC For Use Of Portions Of The Preferred Parking Lot, Located To The West Of The Miami Beach Convention Center, For A Period Of Approximately Four (4) Months, To Hold The Design Miami Show For Specific Dates During The 2016 Calendar Year.
(Tourism, Culture & Economic Development)
- R7X A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee Meeting Held On June 17, 2016, Authorizing A Pilot Program For Televising On MBTV Those Code Enforcement Hearings Involving Short-Term Rental Violations Of Section 142-905 And 142-1111 Of The Miami Beach Code Of Laws And Ordinances.
(Sponsored by Commissioner John Elizabeth Alemán)
(Legislative Tracking: Code Compliance/Office of the City Attorney)
- R7Y A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee At Its June 10, 2016 Meeting To Extend The Park Ranger Program To Lummus Park, Subject To Approval Of The FY 2016/17 Operating Budget Enhancement Request.
(Parks & Recreation)
- R7Z A Resolution Calling For A November 8, 2016 City Of Miami Beach Special Election, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach A Question Asking Whether City Code Section 2-485 Should Be Amended To Delete The Requirement That Lobbyists File An Annual Statement Disclosing Compensation And Expenditures Related To Lobbying Activities When They Have Not Received Compensation Or Incurred Expenditures During The Reporting Period.
(Office of the City Attorney)
- R7AA A Resolution Calling For A Special Election On November 8, 2016, For The Purpose Of Submitting To The Electorate Of The City Of Miami Beach, Florida A Question Asking Whether City Code Section 2-459 (Which Prohibits City Board Members And Their Associates From Lobbying City Personnel) Should Be Amended To Include An Exception Allowing Land Use Board (Board Of Adjustment, Design Review Board, Historic Preservation Board, Panel Of Architects, And Planning Board) Members Who Are Architects Or Landscape Architects To Lobby City Personnel And Agencies On Land Development Applications, Except For Applications Before The Board On Which They Serve.
(Sponsored by Commissioner Joy Malakoff)
(Legislative Tracking: Office of the City Attorney)
- R7BB A Resolution Approving And Accepting A Grant Of A Perpetual Sidewalk Easement Agreement Between The City And Palau Sunset Harbor, LLC, As The Owner Of The Residential Apartment Building Known As "Palau" Located At 1201-1237 20th Street, Miami Beach, Florida; Which Easements Shall: Allow The City To Use Palau Sunset Harbor, LLC's Sidewalk As A Public Sidewalk Pedestrian Access Easement Area.
(Public Works)

R7CC A Resolution Relating To The Annual Performance Evaluation Of The City Clerk; And, In Consideration Of The City Clerk's Exemplary Performance During Contract Year May 1, 2015 Through April 30, 2016, Amending The City Clerk's Employment Agreement Of April 22, 2015, By Granting A Salary Increase Of Three Percent (3%), Effective As Of And Retroactive To May 1, 2016; Increasing The City's Current Contribution To The City Clerk's 457(b) Deferred Compensation Plan By \$2,100 A Year; Increasing The City Clerk's Vehicle Allowance By \$1,200 A Year; Providing The City Clerk, For The Term Of The Employment Agreement, Cost-Of-Living Adjustment(s) (COLA) Equivalent To That Received By Unclassified Employees; And Extending The City Clerk's Employment Agreement For An Additional One (1) Year, With A New Expiration Date Of April 30, 2016.

(Sponsored by Commissioner Ricky Arriola)

R7DD A Resolution Relating To The Annual Performance Evaluation Of The City Attorney; And, In Consideration And Recognition Of The City Attorney's Performance During Contract Year May 16, 2015 Through May 15, 2016, Amending The City Attorney's Employment Agreement, By: 1.) Approving A Salary Merit Increase Of Three Percent (3%), Effective As Of And Retroactive To May 16, 2016; 2.) Increasing The City's Current Contribution To The City Attorney's 457(b) Deferred Compensation Plan To \$24,000 A Year; 3.) Providing The City Attorney, For The Term Of The Employment Agreement, Cost-Of-Living Adjustment(s) (COLA) Equivalent To That Received By Unclassified Employees; And 4.) Extending The Term Of The City Attorney's Employment Agreement For An Additional Three (3) Years, With Such Renewal Term Commencing On May 16, 2017, And Ending On May 15, 2020.

(Sponsored by Commissioner Ricky Arriola)

R7EE A Resolution Authorizing The City Manager To Approve The Indian Creek Storm Water Improvements From 26th To 41st Street Project Utilizing The Competitively Bid National Joint Powers Alliance (NJPA) Cooperative Contract For Construction Services With The Gordian Group.

(Public Works)

(Item to be Submitted in Supplemental)

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)

R9B1 Dr. Stanley Sutnick Citizen's Forum. (8:30 a.m.)

R9B2 Dr. Stanley Sutnick Citizen's Forum. (1:00 p.m.)

R9C Discussion Regarding North Beach Local Historic Districts And Recommendations Of The North Beach Master Planner.

(Sponsored by Commissioner John Elizabeth Alemán)

- R9D Discussion Regarding A New Paradigm For A Resident Alert System.
(Sponsored by Commissioner John Elizabeth Alemán)
(June 8, 2016 Item Requested to come back in July 13, 2016 - R9Q)
- R9E Discussion Regarding The Recommendation Of The Neighborhood/Community Affairs Committee At Its May 13, 2016 Meeting To Refer To Commission The "Issue" Of Encroachments In The Public Right Of Way.
(Capital Improvement Projects)
- R9F Discussion Regarding The Temporary Relocation Of Maurice Gibb Playground.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
- R9G Discussion To Reconsider Seawall In Lakeview Neighborhood, As It Is Overwhelming And Unnecessary At This Time.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
- R9H Discussion On High-Floor Trolley Vehicle Order Cancellation Impact And Options To Consider.
(Transportation)
- R9I Referral To The Planning Board - Ordinance Amendments For Transit Intermodal Facilities: A) Comprehensive Plan Amendment Implementing The Transit Intermodal Facilities Component Of The Transportation Master Plan; And B) Amendments To Land Development Regulations Of The City Code Regarding Height And Accessory Use Requirements For Main Use Parking Structures And Transit Intermodal Facilities.
(Sponsored by Commissioner Ricky Arriola)
(Legislative Tracking: Transportation)
- R9J Discussion Regarding The Closure Of The Stella Maris House Congregate Meal Site Operated By Little Havana Activities And Nutrition Center.
(Sponsored by Commissioner John Elizabeth Alemán)
(June 8, 2016 Item Requested to come back in July 13, 2016 - R9V)
- R9K Discussion Regarding Streamlining Permitting For Interiors Of Residential Units.
(Sponsored by Commissioner Joy Malakoff)
- R9L Discussion Regarding Taking Legal Action Against Airbnb, Before It Takes Legal Action Against The City For Trying To Regulate It.
(Sponsored by Commissioner Kristen Rosen Gonzalez)
- R9M Discussion Regarding Placing A Ballot Question On The November 8, 2016 Special Election, Regarding A Charter Amendment Requiring Voter Approval Before Allowing An Increase To The Maximum Building Heights.
(Sponsored by Commissioner Kristen Rosen Gonzalez)

- R9N Discussion Regarding Mobile Showers, And Other Recommendations, To Emerge From The City's Homeless Committee.
(Sponsored by Vice-Mayor Michael Grieco)
- R9O Discussion Regarding Setting A Special Commission Meeting On August 8, 2016.
(Sponsored by Vice-Mayor Michael Grieco)
- R9P Discussion Regarding What Can Be Done To Ensure Continued Access For Emergency Vehicles And Residential Access To/From The Venetian Causeway During Construction On The East Bridge.
(Sponsored by Commissioner Micky Steinberg)
- R9Q Discussion Regarding Iconic Playgrounds.
(Sponsored by Commissioner Ricky Arriola)
- R9R Discussion Regarding Legislative History Of Height Increases In Miami Beach.
(Sponsored by Commissioner John Elizabeth Alemán)
- R9S Discussion Regarding Disability Access Committees' Motion (LTC No. 162-2016) To Support Installation Of An ADA Path On The 1100 Block Of Lincoln Road Connecting Lenox Avenue And Alton Road.
(Sponsored by Vice-Mayor Michael Grieco)
- R9T Notification Of Receipt Of Save Miami Beach 2016's Petition For The City Commission To Submit To City Electors An Amendment To Section 1.03 Of The City Charter.
(Office of the City Clerk)
- R9U Discussion On Public Bike Repair Stations.
(Sponsored by Commissioner Ricky Arriola)

R10 - City Attorney Reports

- R10A City Attorney's Status Report.
(Office of the City Attorney)
- R10B Notice Of Closed Executive Session
Pursuant To Section 447.605, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, July 13, 2016, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Relative To Collective Bargaining.

R10C Closed Attorney-Client Session.

Pursuant to §286.011, Florida Statutes, the City Attorney hereby advises the Mayor and City Commission that he desires advice concerning the following pending litigation matter:

City of Miami Beach v. Hargreaves & Associates, et al. Case No. 10-61979 CA 03 Circuit Court, 11th Judicial Circuit

Therefore, a private closed Attorney-Client Session will be held during the lunch recess of the City Commission meeting on July 13, 2016, in the City Manager's Large Conference Room, Fourth Floor, City Hall to discuss settlement negotiations and/or strategy related to litigation expenditures with regard to the above-referenced litigation matter.

The following individuals will be in attendance: Mayor Philip Levine; Members of the City Commission; Micky Steinberg, Joy Malakoff, Michael Grieco, Ricky Arriola, Kristen Rosen Gonzalez, and John Elizabeth Alemán; City Manager Jimmy L. Morales, City Attorney Raul J. Aguila, First Assistant City Attorney Steven Rothstein, Meredyth Cooper, Esquire and Carlos de Zayas, Esquire.

R10D Notice Of Closed Executive Session

Pursuant To Section 255.065, Florida Statutes, A Closed Executive Session Will Be Held During Recess Of The City Commission Meeting On Wednesday, July 13, 2016, In The City Manager's Large Conference Room, Fourth Floor, City Hall, For A Discussion Regarding An Unsolicited Proposal From Collins Park Partners, LLC, For The Collins Park Arts Garage Project, And Requesting City Commission Authorization To Either Accept The Unsolicited Proposal And Proceed With The Solicitation Of Alternative Proposals In Accordance With Florida Statute 255.065; Or Reject The Unsolicited Proposal And Proceed With A Competitive Solicitation For The Collins Park Mixed-Use Garage Facility Project In Accordance With Any Direction That May Be Provided By The Mayor And City Commission.

Reports and Informational Items

1. Reports and Informational Items (see LTC 295-2016)
2. List of Projects Covered by the Cone of Silence Ordinance – LTC No. 287-2016.
(Procurement)
3. Report From Commission Committees Of Withdrawn Items Not Heard Within (6) Six Months From Their Referral Date.
(Office of the City Clerk)
4. Miami Beach Convention Center Project Update (LTC No. 277-2016).
(Office of the City Manager)

End of Regular Agenda