

# MIAMI BEACH

## City Commission Meeting

### ADDENDUM MATERIAL 1 (11/4/2016)

City Hall, Commission Chambers, 3<sup>rd</sup> Floor, 1700 Convention Center Drive  
November 9, 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. 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 City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

#### ADDENDUM AGENDA

##### C4 - Commission Committee Assignments

- C4 E REFERRAL TO LAND USE & DEVELOPMENT COMMITTEE OF A DISCUSSION TO REZONE THE WESTERN SIDE OF THE 600 BLOCK OF WASHINGTON AVENUE FROM RM-2 TO CD-2.  
Commissioner Michael Grieco  
Addendum added on 11/4/2016
- C4 F REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE - DISCUSSION ON THE POTENTIAL EXPANSION OF THE BIG BELLY TRASH CAN PROGRAM.  
Public Works  
Sustainability & Resiliency Committee (Original Sponsor: Commissioner Michael Grieco)  
Addendum added on 11/4/2016
- C4 G REFERRAL TO THE SUSTAINABILITY AND RESILIENCY COMMITTEE - DISCUSSION ON REQUIRING SUSTAINABILITY STANDARDS SIMILAR TO LEED FOR RETROFITS IN CITY-OWNED PROPERTIES.  
Environment and Sustainability  
Commissioner Kristen Rosen Gonzalez  
Addendum added on 11/4/2016

C4 H REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE - DISCUSSION REGARDING IMPLEMENTING CIGARETTE BUTT RECEPTACLES IN HIGH PEDESTRIAN TRAFFIC AREAS.

Environment and Sustainability  
Sustainability & Resiliency Committee (Original Sponsor: Commissioner Michael Grieco)  
Addendum added on 11/4/2016

C4 I REFERRAL TO THE NOVEMBER 18, 2016 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING REGARDING THE CITY'S TWO-YEAR PILOT TUITION ASSISTANCE PROGRAM.

Human Resources  
Addendum added on 11/4/2016

**C7 - Resolutions**

C7 O A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, TO AUTHORIZING THE PLANNING DEPARTMENT TO ACCEPT AN APPLICATION BY SOUTH BEACH HEIGHTS I, LLC, 500 ALTON ROAD VENTURES, LLC, AND 1220 SIXTH, LLC, TO FILE FOR DESIGN REVIEW APPROVAL AND OR PLANNING BOARD APPROVAL, WHILE THE PROPOSED ORDINANCE AMENDMENT RELATING TO THE MAXIMUM PERMITTED HEIGHT AND NUMBER OF STORIES FOR SITES WITH EXISTING NONCONFORMING BUILDINGS IN THE CD-2 DISTRICT IS PENDING.

Commissioner Ricky Arriola  
Addendum added on 11/4/2016

**R9 - New Business and Commission Requests**

R9 Y DISCUSSION REGARDING AN AUDIT OF CITY BOARDS AND COMMITTEES TO IDENTIFY MEMBERSHIP CATEGORIES THAT NO LONGER EXIST.

Office of the City Attorney / Office of the City Clerk  
Addendum added on 11/4/2016

R9 Z DISCUSS PUBLIC BEACH ACCESS AT 36TH STREET PARK.

Commissioner Kristen Rosen Gonzalez  
Addendum added on 11/4/2016

R9 AA DISCUSSION ITEM ON NORTH BEACH MASTER PLAN AND HISTORIC DESIGNATION – TO SCHEDULE SPECIAL CITY COMMISSION MEETING.

Planning  
Commissioner John Elizabeth Aleman  
Addendum added on 11/4/2016

R9 AB DISCUSSION REGARDING THE CITY'S POLICY AS IT RELATES TO CITY EMPLOYEES CONTRACTING COMMUNICABLE DISEASES WHILE WORKING; PAID LEAVE TIME, WORKERS COMPENSATION, ETC.

Commissioner Michael Grieco  
Addendum added on 11/4/2016

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Michael Grieco  
DATE: November 9, 2016

SUBJECT: REFERRAL TO LAND USE & DEVELOPMENT COMMITTEE OF A DISCUSSION  
TO REZONE THE WESTERN SIDE OF THE 600 BLOCK OF WASHINGTON  
AVENUE FROM RM-2 TO CD-2.

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### **ANALYSIS**

Please place a referral to Land Use & Development Committee of a discussion to rezone the western side of the 600 block of Washington Avenue from RM-2 to CD-2.

### **Legislative Tracking**

Commissioner Michael Grieco

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: November 9, 2016

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE -  
DISCUSSION ON THE POTENTIAL EXPANSION OF THE BIG BELLY TRASH  
CAN PROGRAM.

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### **RECOMMENDATION**

This item was referred to the Finance & Citywide Projects Committee by the Sustainability & Resiliency Committee on October 26, 2016.

### **Legislative Tracking**

Public Works

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: November 9, 2016

SUBJECT: REFERRAL TO THE SUSTAINABILITY AND RESILIENCY COMMITTEE -  
DISCUSSION ON REQUIRING SUSTAINABILITY STANDARDS SIMILAR  
TO LEED FOR RETROFITS IN CITY-OWNED PROPERTIES.

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### **Legislative Tracking**

Environment and Sustainability

### **Sponsor**

Commissioner Kristen Rosen Gonzalez

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: November 9, 2016

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE -  
DISCUSSION REGARDING IMPLEMENTING CIGARETTE BUTT  
RECEPTACLES IN HIGH PEDESTRIAN TRAFFIC AREAS.

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### **RECOMMENDATION**

This item was referred to the Finance & Citywide Projects Committee by the Sustainability & Resiliency Committee on October 26, 2016.

### **Legislative Tracking**

Environment & Sustainability

### **Sponsor**

Sustainability & Resiliency Committee

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: November 9, 2016

SUBJECT: REFERRAL TO THE NOVEMBER 18, 2016 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING REGARDING THE CITY'S TWO-YEAR PILOT TUITION ASSISTANCE PROGRAM.

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### RECOMMENDATION

On January 14, 2015, the Commission approved the recommendations of the Finance and Citywide Projects Committee ("FCWPC") to amend the City's Tuition Assistance Program for a two-year pilot, to upgrade the program in hopes of encouraging employees to further their education by taking accredited courses which will improve their performance in the services they provide in their position and potential advancement within the City.

It had been more than ten years since the Tuition Assistance program had been updated when the Commission approved the amended program in January 2015. The Commission agreed to tuition assistance based on, but not to exceed, the established credit hour tuition rate in the State of Florida's University System at the time of enrollment. Assistance is based on a sliding scale directly related to the employee's performance in approved coursework from accredited institutions of higher learning with a six (6) credit hour limit per semester. The assistance is based on the grades earned and limited to 80 percent for an "A", 60 percent for a "B", and 40 percent for a "C", except graduate courses for which assistance is based on grades "A" and "B" only.

### ANALYSIS

The amendments to the Tuition Assistance Program was for a two-year pilot in order to evaluate the participation level and gather statistical data on cost to determine whether the City will be able to afford such an employment benefit. It has been determined that some aspects of the Administrative Procedure that was drafted to incorporate the items discussed at FCWPC and approved by the Commission are vague and possibly confusing. The Administration will discuss and recommend a more streamlined and simplistic approach to the Tuition Assistance Program that achieves the same goals set forth in the pilot program.

### CONCLUSION

The Administration recommends referral to the November 18th Finance and Citywide Projects Committee for discussion and consideration.

**Legislative Tracking**  
Human Resources

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Ricky Arriola  
DATE: November 9, 2016

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, TO AUTHORIZING THE PLANNING DEPARTMENT TO ACCEPT AN APPLICATION BY SOUTH BEACH HEIGHTS I, LLC, 500 ALTON ROAD VENTURES, LLC, AND 1220 SIXTH, LLC, TO FILE FOR DESIGN REVIEW APPROVAL AND OR PLANNING BOARD APPROVAL, WHILE THE PROPOSED ORDINANCE AMENDMENT RELATING TO THE MAXIMUM PERMITTED HEIGHT AND NUMBER OF STORIES FOR SITES WITH EXISTING NONCONFORMING BUILDINGS IN THE CD-2 DISTRICT IS PENDING.

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### Legislative Tracking

Commissioner Ricky Arriola

### ATTACHMENTS:

#### **Description**

- Resolution

**RESOLUTION NO.**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, TO AUTHORIZING THE PLANNING DEPARTMENT TO ACCEPT AN APPLICATION BY SOUTH BEACH HEIGHTS I, LLC, 500 ALTON ROAD VENTURES, LLC, AND 1220 SIXTH, LLC, TO FILE FOR DESIGN REVIEW APPROVAL AND OR PLANNING BOARD APPROVAL, WHILE THE PROPOSED ORDINANCE AMENDMENT RELATING TO THE MAXIMUM PERMITTED HEIGHT AND NUMBER OF STORIES FOR SITES WITH EXISTING NONCONFORMING BUILDINGS IN THE CD-2 DISTRICT IS PENDING.**

**WHEREAS**, the applicants, South Beach Heights I, LLC, 500 Alton Road Ventures, LLC, And 1220 Sixth, LLC, would like to be able to submit an application for Design Review and/or Planning Board review while the Planning Board and City Commission review the proposed ordinance amending the maximum building height regulations that apply to the CD-2 zoning district; and

**WHEREAS**, as currently drafted, the ordinance would permit sites outside of historic districts developed with buildings existing as of January 1, 2017, and which buildings are nonconforming as to height and/or number of stories, to be redeveloped with new construction at the same height and/or number of stories as the non-conforming building; and

**WHEREAS**, the applicant desires to take advantage of the terms of the ordinance for the "600 Alton" project located on the 500 and 600 blocks of the west side of Alton Road; and

**WHEREAS**, the applicant would be required to provide a hold harmless and indemnification agreement to the City prior to any filing of an application for public hearing; and

**WHEREAS**, without the City's authorization, Planning Staff cannot accept the application or process the application for public hearing before the Planning Board or Design Review Board; and

**WHEREAS**, the hold harmless would ensure that should the ordinance not be adopted, or should the ordinance be revised, the Applicant will not be able to claim a vested right.

**NOW THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, the Mayor and City Commission to authorizing the Planning Department to accept an application by South Beach Heights I, LLC, 500 Alton Road Ventures, LLC, And 1220 Sixth, LLC, to file for Design Review approval and or Planning Board approval, while the proposed ordinance amendment relating to the maximum permitted height and number of stories for sites with existing nonconforming buildings in the CD-2 district is pending.

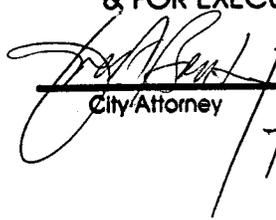
**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
Philip Levine, Mayor

\_\_\_\_\_  
Rafael Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

11/4/16  
\_\_\_\_\_  
Date

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Michael Grieco  
DATE: November 9, 2016

SUBJECT: DISCUSSION REGARDING AN AUDIT OF CITY BOARDS AND COMMITTEES  
TO IDENTIFY MEMBERSHIP CATEGORIES THAT NO LONGER EXIST.

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### **ANALYSIS**

A discussion item is requested to be placed on the November 9, 2016 Commission agenda with regard to performing an audit of City Boards and Committees. The purpose of an audit would be to identify membership categories that no longer exist or may be obsolete. Once such categories have been identified, an appropriate amendment to Chapter 2 of the City Code concerning Board and Committee memberships may be considered at a future City Commission meeting.

It is recommended that the Office of the City Clerk and the Office of the City Attorney conduct the audit.

### **Legislative Tracking**

Office of the City Attorney / Office of the City Clerk

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Kristen Rosen Gonzalez  
DATE: November 9, 2016

SUBJECT: DISCUSS PUBLIC BEACH ACCESS AT 36TH STREET PARK.

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### ANALYSIS

Please place on the November 9, 2016 Commission Meeting agenda a discussion item regarding public access to the 36th Street Beach Park.

I received the attached email from the Surfrider Foundation Miami Chapter wherein they notify me of their concerns regarding public beach access on 36th Street and the elimination of over 60 parking spaces in the blocks between 32nd and 36th Streets.

### Legislative Tracking

Commissioner Kristen Rosen Gonzalez

### ATTACHMENTS:

#### **Description**

- ▣ Surfrider Email
- ▣ Photographs

**Subject:** FW: 36 st beach park  
**Attachments:** IMG\_4232.JPG; IMG\_4233.JPG

**From:** Miami At-Large EC 1 <atlarge1@miami.surfrider.org>  
**Date:** November 2, 2016 at 4:25:12 PM EDT  
**To:** Robert Kahn <roklaw@bellsouth.net>, <marianofernandez@miamibeachfl.gov>, "Rosen Gonzalez, Kristen" <Kristen@miamibeachfl.gov>  
**Cc:** Miami Chair <chair@miami.surfrider.org>, Miami At-Large EC 1 <atlarge1@miami.surfrider.org>  
**Subject:** Re: 36 st beach park

Robert,

Surfrider Foundation greatly appreciates your efforts in helping right this egregious public beach access issue. We rely on eyes on-the-ground and feet-in-the-sand from members like you as part of our grassroots activist network.

**Dear Commisioner Rosen-Gonzalez and Mr. Fernandez,**

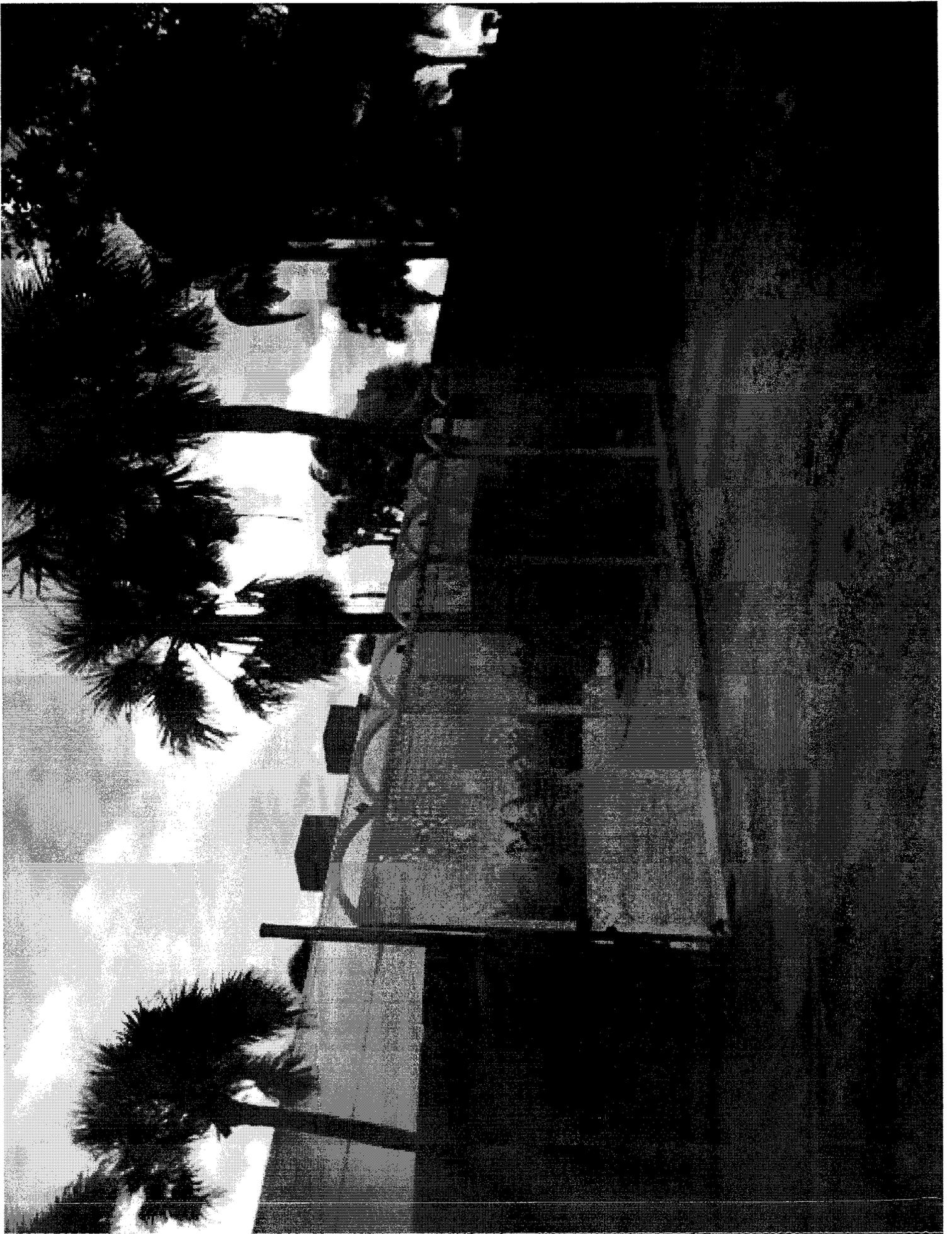
Working to protect public beach access is one of the pillars of Surfrider Foundation's mission. The Faena project has significantly limited public access from the blocking of one our few open ocean view spaces, to blocked walkover/deplorable shower area to - *most importantly* - eliminating public parking spaces.

This last issue is of greatest concern to Surfrider. Over 60 public parking spaces have been removed from public use by the Faena project in the blocks between 32-36 Streets for several years now. This is in direct policy conflict with any state, county or municipal beaches like Miami Beach that receive federal funding for beach renourishment. I would appreciate you directing me to the best CMB elected officials and staff where we can take this public parking access matter up in a formal manner.

Back to the commercial use and blocked open space, Surfrider looks forward to swift progress in correcting the public space matter that Robert has graciously called to the City's attention on behalf of Miami Beach residents.

Kind regards,

Mike Gibaldi, Board Member  
Surfrider Foundation Miami Chapter





9 of 930

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner John Elizabeth Alemán  
DATE: November 9, 2016

SUBJECT: DISCUSSION ITEM ON NORTH BEACH MASTER PLAN AND HISTORIC DESIGNATION – REQUEST TO SCHEDULE SPECIAL CITY COMMISSION MEETING.

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### **Legislative Tracking**

Office of the City Clerk / Planning

### **ATTACHMENTS:**

#### **Description**

- Memorandum

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and  
Members of the City Commission  
Jimmy L. Morales, City Manager

FROM: Commissioner John Elizabeth Alemán

DATE: November 9, 2016

SUBJECT: Discussion Item on North Beach Master Plan and Historic Designation –  
Request to Schedule Special Meeting

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I am seeking to schedule a special meeting of the City Commission, to be held prior to December 11, 2016, relating to a discussion of the North Beach Master Plan and the Designation of Historic Districts.

During the October 19, 2016 City Commission Meeting, Debbie Tackett, the City's Historic Preservation Officer/Planner provided a breakdown of the process and time tables for Historic Designation of certain areas of North Beach.

On October 11<sup>th</sup>, Planning Staff provided a report and recommendation to the Historic Preservation Board relating to the possible designation of two districts in North Beach. The Historic Preservation Board recommended the Planning Department prepare Historic Designation Reports for the boundaries identified in the North Beach Master Plan and to develop Design Guidelines for flexibility and resiliency.

The City Commission has an initial 60 day window from October 11<sup>th</sup> to modify or deny designation. Sec.118-591(b) of the City Code:

*Preliminary review. Upon receipt of a completed application and fees, if applicable, the planning department shall prepare an evaluation and recommendation for consideration by the board. After considering the department's recommendation, a majority vote of the board shall be necessary to direct the department to prepare a designation report. The city commission shall be notified of the board's decision and the initial boundaries proposed for designation. Within 60 days of the vote of the historic preservation board to direct the planning department to prepare a designation report, the city commission may, by a five-sevenths vote, deny or modify the proposed request for designation, as well as establish specific timeframes for the completion of the evaluation and recommendation and/or designation report.*

The Commission also has the authority to modify the boundaries, etc. during the final review, as delineated below.

This deadline for the City Commission to modify the boundaries, or modify the request for designation, and/or modify deadlines is December 10, 2016. I would recommend holding a special meeting of the City Commission prior to December 10, 2016, so that the issues can be fully vetted, including deadlines, boundaries, and details relating to the designation reports.

Thereafter, whether the original boundaries proceed forward or new boundaries are proposed by the City Commission, the Planning Department will then prepare and present the Historic Designation Reports to the Historic Preservation Board along with Design Guidelines specific to each of the proposed districts. The City Code requires the Historic Designation Reports to be presented to the Historic Preservation Board within one (1) year of the initial recommendation (Oct. 11, 2016). Per Ms. Tackett, it typically does not take more than a few months to finalize the reports. However, for the two proposed designations, the Planning Department has also been given direction to prepare Design Guidelines to be presented with the Historic Designation Reports. Per Ms. Tackett, the process of preparing Design Guidelines will take longer and will likely add another few months onto the process. Sec.118-591(d) of the City Code states:

*Timeframes for preparing designation reports. The applicant or the planning department shall have up to one year, from the date the historic preservation board votes to instruct staff to prepare either an evaluation and recommendation, or a designation report, to prepare such evaluation and recommendation, or designation report and present it to the board for consideration, unless a different timeframe is set pursuant to subsection (b) above. If either the evaluation and recommendation, or designation report is not completed within such time periods, the applicant or the planning department may request approval from the city commission for additional periods of six months or less within which to complete the evaluation and recommendation, or designation report.*

The Historic Preservation Board will then review the reports and make a recommendation on the Historic Designations to the City Commission. After the Historic Preservation Board issues a recommendation, the Designation Reports will be transmitted to the Planning Board. The Planning Board reviews the applications and makes a recommendation to the City Commission. The proposed Historic Districts are then reviewed by the City Commission at two (2) readings of an Ordinance, and may adopt, modify or deny the proposed local historic districts at this time.

Due to the upcoming Thanksgiving Holiday, and in an effort to ensure maximum participation and discussion, I recommend that a special meeting of the City Commission be scheduled for the first week in December.

For any further information, please contact my aide, Cilia Maria Ruiz-Paz, at extension 6437.

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# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Commissioner Michael Grieco  
DATE: November 9, 2016

SUBJECT: DISCUSSION REGARDING THE CITY'S POLICY AS IT RELATES TO CITY EMPLOYEES CONTRACTING COMMUNICABLE DISEASES WHILE WORKING; PAID LEAVE TIME, WORKERS COMPENSATION, ETC.

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### **ANALYSIS**

Please add a discussion item regarding the City's policy as it relates to City employees contracting communicable diseases while working; paid leave time, workers compensation, etc.

### **Legislative Tracking**

Commissioner Michael Grieco

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