MIAMIBEACH

Commission Meeting/Presentations & Awards
City Hall, Commission Chamber, 3rd Floor, 1700 Convention Center Drive
September 12, 2018 - 8:30 AM

Mayor Dan Gelber
Commissioner John Elizabeth Alemán
Commissioner Ricky Arriola
Commissioner Michael Góngora
Commissioner Kristen Rosen Gonzalez
Commissioner Mark Samuelian
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 Office of 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 Ordinance should be directed to the Office of the City Attorney.

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AFTER ACTION

Meeting called to order at 8:39:07 a.m.

9:05:03 a.m.
Inspirational Message given by Rev. Gary Johnson, from 93rd Street Community Baptist Church.

Pledge of Allegiance led by State Senator Elect Jason Pizzo.

ADDENDUM MATERIAL 1:
R9 Y Discuss Causes of Accidents at MacArthur Causeway & Fountain Street.

ADDENDUM MATERIAL 2:
C7 AW Month-to-Month Extension, Golf Course Management.

SUPPLEMENTAL MATERIAL 1:
C7 H1 Food & Beverage Reusable Wares/Beach Serv. **REVISED RESOLUTION**
C7 H2 Food & Beverage Reusable Wares/Beach Serv/Mobile Cooking. **REVISED RESOLUTION**
C7 I Utilize Marketing Resources, Promote Market Homebuyer Initiatives. **RESOLUTION**
C7 AN Urge County, Limit Ride-Hail Drivers in the County. **REVISED RESOLUTION**
C7 AU Execute Amendment 3, Future Community Park **MEMORANDUM & ATTACHMENT**
R5 B NB TC - Central Core LDRs. **MEMORANDUM & ATTACHMENT**
R7 G Adopt Tentative Ad Valorem Millage for General Operating Purposes. **RESOLUTION**
R7 H Issue RFP 2018-316-WG, Food Trailer Concession. **RESOLUTION**
R7 I Adopt Tent. Bud.-Gen/GO/RDA/Ent./Int./Spec. Rev. Funds. **RESOLUTION w/ EXHIBITS & MEMORANDUM ATTACHMENTS, A, B, C, D.**
R7 M Adopt Preliminary Non-Ad Valorem Assess. Roll for Biscayne Point. **RESOLUTION**
R9 V Discuss Campaign on Perception of Crime in CMB & TOPS. **ADDITIONAL INFORMATION**

SUPPLEMENTAL MATERIAL 2:
C4 N Ref: FCWPC - Discuss Camino Permitting Software. **ADDITIONAL INFORMATION**
C7 AB Approve Washington Avenue Road Closure for BET Hip Hop Awards. **RESOLUTION**
C7 AM Urge County, Require Min. Pay Rate/Cap # of Ride-Hail Vehicles. **RESOLUTION**
C7 AQ Urge County, Implement Plan to Protect Biscayne Aquifer. **REVISED RESOLUTION**
R7 V Extension/CenterPlate Agmt for Catering/Concession Services for MBCC. **MEMORANDUM, REVISED RESOLUTION & AMENDMENT NO. 2 TO THE AGREEMENT**
R7 X Exec. Amendment 4, National Salute/America's Heroes. **RESOLUTION & AGREEMENT NO. 4 TO THE AGREEMENT**

SUPPLEMENTAL MATERIAL 3:
C7 H2 Food & Beverage Reusable Wares for Beach Service - Mobile Cooking.
R9 U Discuss Lincoln Court, Enhanced w/ Better Lighting & Landscaping.

City Clerk's Note:
Pursuant to Ordinance 2015-3954, Sec. 2-12(3), addendum agenda items C7 AW and R9 Y have been approved by Mayor Gelber to be placed on the Commission Agenda. No additional vote is required.

Sec. 2-12(3) Reads:
Addendum agenda items – Any item not included in the agenda submitted to the Mayor and City Commission on the initial print day must be submitted by the City Clerk to the Mayor for a determination whether the item is to be placed on the Agenda as an addendum item. If the Mayor declines to place the item on the agenda as an addendum item, then the item shall be submitted to the City Commission for a vote and the item shall only be considered at the City Commission Meeting upon a finding by the City Commission, by a five-seventh ($5/7^{th}$) affirmative vote.

9:12:11 a.m.
Rafael E. Granado, City Clerk, announced and read into the record, corrections, notations, deferrals, withdrawals and separations to the Agenda:

SEPARATED ITEMS:
C7 AR (to be heard with R5 T) and C4 AF by Mayor Dan Gelber
C4 A, C4 D, C4 G, C4 I, C7 AM, C7 AN, and C7 S separated by Commissioner Alemán.
C4 A and C4 D separated by Commissioner Arriola.
C4 F, C7 S, C7 AV, and C7 AF separated by Commissioner Góngora.
C4 L, C7 M, and C7 Q separated by Commissioner Rosen Gonzalez.
C7 S, C4 F, C4 H, C7 AF, C7 AL , C7 AM, and C7 AN separated by Vice-Mayor Samuelian
C4 F and C7 H1 separated by Commissioner Steinberg.

Lunch recess at 12:00 p.m.

CONSENT AGENDA

9:14:13 a.m.
Motion made by Commissioner Góngora; seconded by Commissioner Alemán to approve the Consent Agenda, except for separated items. Voice-vote: 7-0.

C2 - Competitive Bid Reports

C2 A REQUEST FOR APPROVAL TO AWARD INVITATION TO BID (ITB) 2018-039-JC, FURNISH, DELIVERY, INSTALLATION, MAINTENANCE, AND REPAIR OF GENERATORS.

Property Management/Procurement

ACTION: Request approved. **Adrian Morales and Alex Denis to handle.**

C2 B REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2018-294-ZD, FOR MIAMI CITY BALLET EXTERIOR DOORS AND WINDOWS REPLACEMENT.

Property Management/Procurement

ACTION: Request approved. **Adrian Morales and Alex Denis to handle.**

C2 C REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2018-044-ND, FOR APPAREL AND ACCESSORIES CITYWIDE.

Citywide/Procurement

ACTION: Request approved. **Alex Denis to handle.**

C2 D REQUEST RATIFICATION OF ITEMS APPROVED BY CITY MANAGER PURSUANT TO RESOLUTION NO. 2018-30431.

Procurement

ACTION: Request approved. **Alex Denis to handle.**

C2 E REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2018-080-ND ROUTINE AND EMERGENCY SANITARY SEWER AND STORM WATER PIPES CLEANING, AND CLOSED-CIRCUIT TELEVISION (CCTV) INSPECTION SERVICES.

Public Works/Procurement

ACTION: Request approved. **Roy Coley and Alex Denis to handle.**

C2 F REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2018-299-ZD FOR FLAMINGO PARK MASTER PLAN IMPROVEMENTS - PHASE I.

Capital Improvement Projects/Procurement

ACTION: Request approved. **David Martinez and Alex Denis to handle.**

C2 G REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) NO. 2018-043-AK PURCHASE OF BICYCLES, PARTS, ACCESSORIES AND REPAIR SERVICES.

Police/Procurement

ACTION: Request approved. **Chief Oates and Alex Denis to handle.**

C4 - Commission Committee Assignments

9:19:09 a.m.

C4 A REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE OF AN AMENDMENT TO SECTION 142-425, OF THE LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR A RECOMMENDATION BY THE HISTORIC PRESERVATION BOARD, PRIOR TO ANY GU WAIVER OF DEVELOPMENT REGULATIONS WITHIN A LOCAL HISTORIC DISTRICT.

Office of the City Attorney
Commissioner Michael Góngora

ACTION: Item referred. Item separated by Commissioners Alemán and Arriola. Motion to refer the item to the Land Use and Development Committee by Commissioner Alemán; seconded by Commissioner Góngora. Voice vote: 7-0. **Thomas Mooney to place on the Committee Agenda and to handle.**

REFERRAL:
Land Use and Development Committee

TO DO:

- Have data regarding geographical scope and GU (Government Use Districts) properties within the Historic District to be distributed via LTC. **Thomas Mooney to handle.**

Commissioner Góngora stated that he worked with the Office of the City Attorney and the Planning Department to have the Historic Preservation Board come before the City Commission to provide an advisory opinion within a time certain. He does not want to have this issue dragged out and discussed ad nauseum. This would allow more input from Historic Preservation Board members who are experts in the Historic Districts.

Commissioner Alemán stated that she agrees with the referral to the Land Use and Development Committee, but would like data regarding the geographical scope and GU properties within the Historic Districts to be distributed via LTC. She believes this way she will be better informed as to what is being requested. **TO DO: Thomas Mooney to handle.**

Commissioner Góngora agreed to move the item with that addition.

Commissioner Alemán asked whether this item would affect her C7 S item.

Commissioner Góngora replied that it would not.

C4 B REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE - DISCUSSION PERTAINING TO PARKING REQUIREMENTS FOR THE ENCLOSURE OF EXISTING OUTDOOR SEATING AREAS IN LOCAL HISTORIC DISTRICTS.

Planning
Commissioner John Elizabeth Alemán

ACTION: Item referred. **Thomas Mooney to place on the Committee Agenda and to handle.**

C4 C REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE TO REVIEW THE OCEAN TERRACE NEIGHBORHOOD URBAN DESIGN PLAN REPORT BY THE CORRADINO GROUP.

Tourism, Culture & Economic Development

ACTION: Item referred. **Thomas Mooney to place on the Committee Agenda. Heather Shaw to handle.**

9:43:02 a.m.
C4 D REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE MEETING OF SEPTEMBER 28, 2018, REGARDING A PROPOSED CITY-WIDE SIX-MONTH MORATORIUM ON NEW HOTEL USES.

Office of the City Attorney
Commissioner Kristen Rosen Gonzalez

ACTION: Item referred. Item separated by Commissioners Alemán and Arriola. Motion made by Commissioner Góngora to refer the item to the Goals Conference and subsequently to the Land Use and Development Committee (October) to have a study conducted regarding the hotel industries impact on infrastructure, tourism, and quality of life; seconded by Vice-Mayor Samuelian. Voice vote: 7-0. **Thomas Mooney to place on the September 28, 2018 Land Use and Development Committee Agenda. Michele Burger to place on the upcoming Goals Conference. Susanne M. Torriente, Thomas Mooney, and Office of the City Attorney to handle.**

REFERRALS:
- Land Use and Development Committee
- The Goals Conference

AMENDMENTS:
- Remove the word moratorium;

- Focus on a study on infrastructure, tourism, and quality of life; and
- Invite the Greater Miami & the Beaches Hotel Association and the Miami Beach Visitor and Convention Authority to give a presentation on the state of the hotel industry in Miami Beach.

Commissioner Alemán stated that she does not believe Miami Beach has conducted a study or possesses data that would indicate a hotel moratorium is necessary. She would like to hear alternate perspectives from European cities that have implemented hotel and tourism moratoriums. She looks forward to hearing Mr. Goodman's opinion.

Commissioner Rosen Gonzalez stated that she could change the request from a moratorium to a study. She would like the study to determine what is happening with the proliferation of hotel rooms throughout the City. Miami Beach is known for its glamorous historic beachfront resorts, and association with famous stars such as Jackie Gleeson and Frank Sinatra. More is not necessarily better, because exclusivity is sacrificed if Miami Beach is flooded with three-star hotels. The City can develop a tourism plan specifically for 71st and 41st Streets, but Miami Beach needs to retain its upmarket experience, which is what makes it so special. When the City of Sedona was overrun by tourists, they decided to take a pause and create a study to evaluate its tourism impact. She believes Miami Beach should do the same.

Vice-Mayor Samuelian stated that he has travelled to places in the U.S. and abroad where tourism has severely affected quality of life. He is uncomfortable with the term moratorium being used, and believes the City should be more mindful of the language it uses.

Commissioner Góngora stated that Miami Beach needs to study the ever-growing number of hotels and short-term rentals, as well as the reduction of residential properties. He believes this is a worthwhile topic to discuss, but also agreed with Vice-Mayor Samuelian that the term moratorium may not be appropriate for this request.

Commissioner Rosen Gonzalez stated that she would like to remove the word moratorium from her request and refer the item to Land Use and Development Committee so a study can be crafted based on infrastructure and tourism development.

Mayor Gelber stated that as far as he understands it, the item is to be referred to the Land Use and Development Committee for discussion.

Discussion held.

Bobby Goodman believes that this item should be stopped in its tracks. He remembers when Ocean Drive and Lincoln Road were completely empty. Hotels will only be constructed in appropriate zones. There is very little, if any, waterfront properties left to build hotels. It is a foolish notion to believe the City will allow hotels to be constructed all over the City. When Art Basel first began in Miami Beach, the trouble was that there were too few hotel rooms to accommodate all the visitors. Miami Beach has only one industry, and that is tourism. He recently visited Basel, Switzerland to experience the Grand Basel event. While there, nearly everyone he spoke to expressed interest in visiting Miami Beach. He believes it is fundamentally wrong to have government limit the number of hotels in the City. He wants Miami Beach to thrive, and for its government to concentrate on making the City clean and safe.

Commissioner Rosen Gonzalez stated that Mr. Goodman does not live in Miami Beach; he lives in Bal Harbour, which has only two hotels. Bal Harbour would not allow the type of hotel expansion that Miami Beach is permitting. The Bal Harbour Shoppes recently tried to expand, but the local government did not allow it, because of the impact to quality of life.

Mr. Goodman objected to Commissioner Rosen Gonzalez's statement.

Commissioner Arriola believes these issues are important and warrant a discussion.

Mayor Gelber stated that this is a complex matter. A moratorium on hotels would be very popular for Airbnb supporters, which may lead to unforeseen consequences. He believes this deserves a deeper and broader review by the Goals Conference rather than the Land Use and Development Committee.

Commissioner Alemán agreed with the Mayor that this item is best discussed at the Goals Conference rather than the Land Use and Development Committee. She would also like to hear from the industry experts. One major issue that was brought to her attention is that hotel prices have been consistently going up during Art Basel, and it may become a threat to Miami Beach's future in hosting the event.

Commissioner Góngora stated that he believes this should be discussed at the October Land Use and Development Committee meeting.

Commissioner Rosen Gonzalez stated that if the City is unable to consider a study to look at the impact of overdevelopment, she cannot possibly support a thousand-room hotel in the City's center.

Mayor Gelber clarified that the motion is to refer the item to the Goals Conference and subsequently the Land Use and Development Committee (October 2018). It will not be a moratorium, but rather a study into infrastructure and tourism and quality of life.

Commissioner Alemán asked what is going to be presented to the Land Use and Development Committee. The City Commission needs to be clear on what it is voting on. She believes the motion is to look at the study conducted by the City of Sedona, Arizona, which seeks to establish a sustainable balance between residential and tourist uses, and report to the Land Use and Development Committee what the study will entail for the City of Miami Beach.

Commissioner Arriola asked to have the Goals Conference to determine the City's long-term goals and visions. The City needs to reach out and learn from other Cities around the world. He is completely against moratoriums. He does not believe there ever has been runaway hotel development in Miami Beach, and nor will there be in the future. The fact is that there is strong demand for more hotels to be built, and too few being built.

Discussion held.

Commissioner Alemán asked to invite the Hotel Association and the Visiting Convention Bureau to give a presentation of the state of the industry in Miami Beach.

City Manager Morales stated that there is a resiliency program taking place for the entire South Florida Region that does not just include sea level rise, but sewer and population capacity.

Handouts and Reference Materials:

1. Letter from the Greater Miami & The Beaches Association dated August 12, 2018 addressed to Mayor Dan Gelber, RE: Opposing moratorium on new hotel uses, from Wendy Kallergis, President & CEO.

C4 E REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE AND THE PLANNING BOARD - AN ORDINANCE AMENDMENT PERTAINING TO SINGLE FAMILY HOME FRONT AND STREET SIDE SETBACK REGULATIONS, IN ORDER TO ADDRESS RAISED STREET HARMONIZATION.

Planning
Commissioner John Elizabeth Alemán

ACTION: Item referred. **Thomas Mooney to place on the Committee Agenda. Michael Belush to place on the Board Agenda. Thomas Mooney to handle.**

9:15:23 a.m.

C4 F REFERRAL TO THE PLANNING BOARD - REZONING, COMPREHENSIVE PLAN AND LDR AMENDMENTS RELATED TO THE 500-700 ALTON ROAD DEVELOPMENT PROPOSAL.

Planning
Mayor Dan Gelber

ACTION: Item deferred by acclamation to the October 17, 2018 Commission Meeting. Item separated by Commissioners Góngora, Samuelian, and Steinberg. Lilia Cardillo to place on the Commission Agenda, if received. **Michael Belush to advertise for the October 23, 2018 Planning Board meeting. Thomas Mooney to handle.**

Mayor Gelber stated that this item is regarding the Alton Road development from 5th to 7th Streets that has been delayed for a very long time.

City Attorney Aguila stated that this item is a referral to the Planning Board; but he first has an announcement to make regarding which Planning Board meeting this item can be heard at. The Developer's Council had a glitch with the advertising, which prohibits the item being heard at the September 25 Planning Board meeting. If the item is referred, the soonest it can be heard by the Planning Board is October 23, 2018.

Discussion continued.

Mayor Gelber stated that there is a height component in this item that he would like the Planning Board and the Land Use Development Committee to decide on.

Commissioner Góngora stated that since the item cannot be heard at the Planning Board until October, and there is another City Commission meeting between now and the October Planning Board meeting, he would like to defer the item to the October 17, 2018 City Commission meeting, and allow the Land Use Development Committee to discuss the item at their September 28 meeting, bring it back to the City Commission, and then refer the item to the Planning Board.

Eve Boutsis, Chief Deputy City Attorney, recommended advertising the item right away if it is to go on the October 17 Commission Agenda for referral to the October 23, 2018 Planning Board meeting. **Michael Belush to handle.**

Handouts or Reference Materials:

1. Email from Saul Gross saul@stream-line.com dated September 4, 2018, RE: MBU Board Passes Resolution Regarding Items on 7/25/18 Agenda, with attached letter titled "Jose Smith Opinion letter analyzing the application of Miami Beach City Charter Section 1.03c.pdf.
2. Email from Nancy Liebman nanlieb@oal.com dated September 4, 2018, RE: MBU Board Passes Resolutions Regarding Items on 7/25/18 Agenda.

3. Email from Raul Aguila to Nancy Liebman and Saul Gross dated September 4, 2018 RE: MBU Board Passes Resolutions Regarding Items on 7/25/18 Agenda.
4. Email from Frank Del Vecchio fdelvecchio@atlanticbb.net dated September 8, 2018 RE: 500-Alton Rd. Block Tower & "Gateway" Regulations, C4-F, Sept. 12 Commission Meeting with attached document titled "Edited Sec. 142-311 Alton Rd. Gateway Regulations by Frank Del Vecchio, Sept. 8, 2018.docx.
5. MBU Resolution Ordinance Amendments for 500-700 Alton Road Projects dated 8.28.18 strongly opposing project as proposed.
6. Email from Daniel Ciraldo dgc223@gmail.com dated September 11, 2018 RE: Request to Pull Item C4 F: Alton Gateway tower.
7. Email from Daniel Ciraldo dgc223@gmail.com dated September 11, 2018 RE: ATTACHED: Petition to Save Alton Gateway / C4 F with attachments of 215 signed petitions in opposition.

9:26:28 a.m.

C4 G REFERRAL TO THE BUDGET ADVISORY COMMITTEE TO REVIEW THE CITY'S FORTHCOMING STORMWATER MANAGEMENT BUDGET.

Vice-Mayor Mark Samuelian

ACTION: Item referred. Item separated by Commissioner Alemán. Motion made by Commissioner Alemán, as amended, to refer the stormwater management budget as well as related utilities, above ground, and other associated costs to the Finance and Citywide Projects Committee and the Budget Advisory Committee; seconded by Vice-Mayor Samuelian. Voice vote: 7-0. **John Woodruff to place on the Committee Agendas. Roy Coley to handle.**

REFERRALS:

- Finance and Citywide Projects Committee - **John Woodruff to place on the Committee Agenda. Roy Coley to handle.**

- Budget Advisory Committee - **John Woodruff to place on the Committee Agenda. Roy Coley to handle.**

DIRECTION:

- Refer the stormwater management budget as well as related utilities, above ground, and other associated costs to the Finance and Citywide Projects Committee and the Budget Advisory Committee

Vice-Mayor Samuelian stated that the Urban Land Institute (ULI) report made it clear that fiscal responsibility is important. The current expenditure estimate is $659 million, and that number is trending upwards. Based on that, the Finance and Citywide Projects Committee discussed updating the management budget, and they are currently going through the process. When the update is done, the City Commission should have the opportunity to refer it to the Budget Advisory Committee.

Commissioner Alemán stated that she separated this item for clarification, because the stormwater management budget is not funded alone, but funded as neighborhood improvements. She asked whether Vice-Mayor Samuelian is asking to have the stormwater budget isolated. If stormwater is separated from water and sewage, there will be redundant expenditures regarding overhead.

Vice-Mayor Samuelian stated that he is requesting details and updates related to the City's stormwater program, specifically the $659 million request that staff agreed to update.

Commissioner Alemán asked to calculate the whole set of neighborhood improvement projects including water, sewer, and stormwater to get the whole picture.

City Manager Morales stated that the City could take a holistic approach to the neighborhood improvement projects. He added that stormwater utility work does get the largest budget.

Vice-Mayor Samuelian explained his recommendation is to refer the stormwater management budget as well as related utilities, above ground, and other associated costs; and direct the Administration when the update is ready to refer it to the Finance and Citywide Projects Committee and the Budget Advisory Committee.

9:31:25 a.m.

C4 H REFERRAL TO THE SUSTAINABILITY AND RESILIENCY COMMITTEE FOR A JOINT PRESENTATION BY STAFF AND AECOM ON ROADWAY ENGINEERING AND THE CURRENT CONDITION OF RAISED ROADS VERSUS THOSE NOT RAISED IN THE CITY.

Commissioner John Elizabeth Alemán

ACTION: Item referred. Item separated by Vice-Mayor Samuelian. Motion made by Vice-Mayor Samuelian, seconded by Commissioner Alemán. Voice vote: 7-0. **Elizabeth Wheaton to place on the Committee Agenda. Susanne M. Torriente and Roy Coley to handle.**

REFERRAL:
Sustainability and Resiliency Committee

RECOMMENDATIONS:
Incorporate examples of what they may look at for additional roads, such as the Venetian, Lower North Bay Road, as well as Alton Road, specifically between 5th and Michigan Avenue, to evaluate examples to use for additional projects.

Vice-Mayor Samuelian supports this item because it fits some of the items that have come up at the Sustainability and Resiliency Committee, especially when it comes to evaluating our road raising policy and alternatives. The Commission had given direction for the Administration to look at street materials, including blue streets that are more porous, and suggested incorporating examples of what they may look at for additional roads, such as the Venetian and Lower North Bay Road, as well as Alton Road, specifically between 5th and Michigan Avenue, which was such an important project. He suggested incorporating that recommendation if there is consensus. He moved to refer the item to the Sustainability and Resiliency Committee.

Commissioner Alemán agreed with Vice-Mayor Samuelian's suggestions, and commented that the Commission has been talking about road raising, and Vice-Mayor Samuelian has fairly posed the question of the road raising approach the City has taken. It must be done all at once, as the projects are very expensive. She added that they should always create space to ask questions and be committed to find the best answers. She announced that there would be a staff-lead trolley tour on September 20 where several neighborhood improvement projects will be visited and analyzed as to their success or failure. She is looking forward to some good discussion on the referral to be heard on September 26, after the tour. She thanked Vice-Mayor Samuelian for his recommendations.

9:34:40 a.m.

C4 I REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE REGARDING CAPITAL APPROPRIATIONS FOR RENOVATIONS AT FIRE STATION NO. 2 AND 42ND STREET PARKING GARAGE.

Property Management

ACTION: Item not referred. **Resolution 2018-30447 adopted.** Item separated by Commissioner Alemán. Item moved by Commissioner Alemán to approve the appropriations and not refer the item to the Finance and Citywide Projects Committee; seconded by Commissioner Góngora. Voice vote: 7-0. **Adrian Morales to handle.**

AFTER-THE-FACT RESOLUTION TITLE:
A RESOLUTION OF THE MAYOR AND CITY COMMISSION, APPROVING FUNDING IN THE AMOUNT OF $35,000 FOR RENOVATIONS AT FIRE STATION NO. 2 LOCATED AT 2300 PINE TREE DRIVE, AND FURTHER APPROVING FUNDING IN THE AMOUNT OF $160,000 FOR RENOVATIONS AT THE 42ND STREET PARKING GARAGE, LOCATED AT 400 42ND STREET; WITH THE APPROPRIATION OF FUNDS TO BE REFLECTED IN A CAPITAL BUDGET AMENDMENT FOR FY 2017/18.

Commissioner Alemán stated that she separated this item because the City has two critical maintenance projects: 1) replacing the kitchen in Fire Station No. 2, and 2) repairs to the 42nd Street parking garage. Both items refer to the fact that the money must be used before this December. She believes time is running out, and the City Commission must act quickly to provide the funds. She would like to approve the funds now and allow the repairs to take place.

David Martinez, CIP Director, stated that the process to obtain capital appropriations or transfers of money is to refer the item to the Finance and Citywide Projects Committee and have it come back to the City Commission. There is an urgent need to repair the kitchen in Fire Station No. 2, which is used by three shifts every day. Stucco issues and cracks have been identified at the 42nd Street parking garage and need to be addressed as soon as possible. He agreed with Commissioner Alemán's sense of urgency on the item.

Commissioner Alemán motioned to approve the appropriations; seconded by Commissioner Góngora.

City Clerk Granado requested Mr. Martinez to provide an After-the-Fact Resolution.

C4 J REFERRAL TO THE SEPTEMBER 26, 2018 MEETING OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO DISCUSS THE CO-NAMING OF 75TH STREET FROM DICKENS AVENUE TO HARDING AVENUE AS "RABBI ABRAMOWITZ WAY."

Office of the City Attorney
Commissioner Michael Góngora and Vice-Mayor Samuelian

ACTION: Item referred. **Kathie G. Brooks to place on the September 26, 2018 Committee Agenda. Jose Gonzalez to handle.**

C4 K REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO DISCUSS THE FITUR LATIN AMERICAN TOURISM FESTIVAL.

Commissioner Michael Góngora

ACTION: Item referred. **Kathie G. Brooks to place on the Committee Agenda. Heather Shaw to handle.**

9:38:49 a.m.

C4 L REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO DISCUSS SAFETY CONSIDERATIONS ALONGSIDE THE BOARDWALK AT 25TH STREET INCLUDING THE POTENTIAL REMOVAL OF THE HUTS AT THIS LOCATION AND THE FENCING IN OF THE BOARDWALK.

Commissioner John Elizabeth Alemán

ACTION: Item referred. Item separated by Commissioner Rosen Gonzalez. Referral moved by Commissioner Rosen Gonzalez, seconded by Commissioner Alemán. Voice vote: 7-0. **Kathie G. Brooks to place on the Committee Agenda. Chief Oates and Adrian Morales to handle.**

Commissioner Rosen Gonzalez stated that she would like the benches to be put back into the area, because it adds to the area’s charm. She asked whether the residents of the neighboring condominiums were aware that the City would be removing the benches and huts from the boardwalk.

Commissioner Alemán stated that she does not believe these areas are particularly charming as Commissioner Rosen Gonzalez stated. Residents of the neighboring condominiums reached out to her and expressed concern about the huts. These huts were intended to provide shade and seating for residents going on the boardwalk, but unfortunately, these areas have become hotspots for criminal activity. She would like the Neighborhood/Community Affairs Committee to evaluate what to do about the huts and benches.

City Manager Morales stated that a similar discussion was held regarding Miami Beach Lane, which goes behind the properties in the same area. The City had removed the benches, but the City Commission has recently directed the Administration to place them back. It will be good to have a hearing on the item, because there may be different opinions.

Commissioner Rosen Gonzalez stated that it is good that the City will be putting the benches back.

City Manager Morales explained that the benches were removed in the first place, because residents were complaining that too many people were loitering on the benches and residents felt unsafe.

Adrian Morales, Property Management Division Director, stated that the City is in the process of putting the benches back to the area.

Commissioner Rosen Gonzalez asked if the huts are areas of crime, why the City has not been targeting the area with Police Officers instead of resorting to remove the huts and benches.

City Manager Morales explained that the Miami Beach Police Department has been keeping an eye out on these areas, but the trouble is not necessarily that illicit activity is taking place; sometimes people sit at these locations and do not allow residents to use them.

Mayor Gelber stated that the City Commission could continue this discussion now, but given that it is a referral item, he suggested moving to refer the item so that it can be better discussed at the Neighborhood/Community Affairs Committee.

C4 M REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO INITIATE THE PROCESS OF NAMING THE MID-BEACH COMMUNITY PARK (PAR 3).

Commissioner John Elizabeth Alemán

ACTION: Item referred. **Kathie G. Brooks to place on the Committee Agenda. John Rebar and Office of the City Attorney to handle.**

SUPPLEMENTAL MATERIAL 2: ADDITIONAL INFORMATION

C4 N REFERRAL TO THE SEPTEMBER 14, 2018 FINANCE AND CITYWIDE PROJECTS COMMITTEE TO DISCUSS ENGAGING IN A PILOT WITH CAMINO PERMITTING SOFTWARE.

Commissioner Ricky Arriola

ACTION: Item referred. **John Woodruff to place on the September 14, 2018 Committee Agenda. Susanne M. Torriente to handle.**

C6 - Commission Committee Reports

C6 A REPORT OF THE JUNE 29, 2018 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING: 1. DISCUSSION REGARDING G.O. BOND. 2. DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING MITIGATION. 3. DISCUSSION REGARDING SIMPLIFYING THE SIDEWALK CAFÉ APPLICATION PROCESS FOR BUSINESSES IN NORTH BEACH AND WASHINGTON AVENUE. 4. DISCUSSION REGARDING FUTURE STORMS DEBRIS REMOVAL SITE. 5. DISCUSSION REGARDING THE CREATION OF A CITY OFFICE OF INSPECTOR GENERAL. 6. DISCUSSION REGARDING THE SMART CITY STREET LIGHTING SYSTEM. 7. DISCUSSION TO CONSIDER SPONSORING A COMMUNITY YOUTH CYBER BEHAVIOR AND SAFETY PROGRAM. 8. DISCUSSION TO CONSIDER CONTINUING THE DIGITAL CITIZEN CODING BOOTCAMP. 9. DISCUSSION REGARDING THE RENEWAL OPTIONS FOR THE GOLF CART LEASE AGREEMENT FOR THE MIAMI BEACH GOLF CLUB AND NORMANDY SHORES GOLF CLUB. 10. DISCUSSION REGARDING CONSIDERING THE PARKS AND RECREATIONAL FACILITIES ADVISORY BOARD MOTIONS REGARDING AN AQUATIC CENTER AND BASEBALL FIELD OPTIONS FOR NORTH SHORE PARK. 11. DISCUSSION REGARDING THE MANAGEMENT AGREEMENT WITH MIAMI NEW DRAMA AT THE COLONY THEATER. 12. DISCUSSION REGARDING THE REPURPOSING OF OUR GOLF COURSE FOR THE FUTURE. 13. DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT. 14. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE. 15. DISCUSSION REGARDING ADDING WEIGHT TRAINING EQUIPMENT AT MUSCLE BEACH. 16. DISCUSSION TO CONSIDER PERMANENTLY IMPLEMENTING THE CAT VOLUNTEER BADGING SYSTEM AND AN EXTENSION OF THE FEEDING STATION PILOT. 17. DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER. 18. DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE SUNSET ISLANDS 1 & 2 GUARDHOUSE. 19. DISCUSSION REGARDING THE SPONSORSHIP OF ART DECO WEEKEND 2019. 20. DISCUSSION REGARDING THE FINANCIAL IMPACT OF MAINTAINING

TREES LOCATED IN THE SWALE. 21. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA. 22. DISCUSSION REGARDING THE NEW FLORIDA LAW REQUIRING THE STATE BOARD OF ADMINISTRATION TO DIVEST SPECIFIED INVESTMENTS AND PROHIBITING INVESTMENTS WITH THE GOVERNMENT OF VENEZUELA, OR IN ANY COMPANY DOING BUSINESS WITH VENEZUELA IN VIOLATION OF FEDERAL LAW, AND POTENTIALLY AMENDING THE CITY'S INVESTMENT POLICIES AND PROCEDURES, AND THE MIAMI BEACH EMPLOYEE'S RETIREMENT PLAN, TO REQUIRE SIMILAR DIVESTMENT REQUIREMENTS AND INVESTMENT PROHIBITIONS. 23. DISCUSSION REGARDING AN EDUCATION COMPACT COORDINATOR POSITION. 24. DISCUSSION TO CONSIDER THE AUDIT COMMITTEE'S MOTION REGARDING ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION. 25. DISCUSSION TO CONSIDER THE CREATION OF A COMMUNICATIONS BUDGET FOR THE CITY'S RESILIENCY PROGRAM. 26. DISCUSSION REGARDING THE REVIEW OF THE CITY'S STORMWATER MANAGEMENT BUDGET. 27. UPDATE ON ENERGOV PERMITTING SYSTEM. 28. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY. 29. DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS. 30. DISCUSSION REGARDING THE TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS. 31. DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE. 32. DISCUSSION REGARDING THE FUTURE USE OF THE CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE. 33. DISCUSSION REGARDING THE REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY. 34. DISCUSSION REGARDING MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE. 35. DISCUSSION REGARDING LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY OF MIAMI BEACH AS A WAY TO ENCOURAGE LANDLORDS TO KEEP THEIR RETAIL OR COMMERCIAL SPACE RENTED AND ACTIVE. 36. DISCUSSION TO EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES. 37. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND. 38. DISCUSSION REGARDING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT. 39. DISCUSSION REGARDING LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES, SUCH AS GENERAL MANAGERS TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS. 40. DISCUSSION REGARDING THE COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY. 41. DISCUSSION TO CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES", BY AMENDING THE FOLLOWING SECTIONS: "MINIMUM REQUIREMENTS," "EXTERNAL REVIEW PROCEDURE," "BOOKING POLICY," "USE OF PUBLIC PROPERTY," "SPECIAL EVENT FEE SCHEDULE, AND "SPECIAL EVENT CLASS MATRIX", HEREBY PERMITTING AND RESTRICTING FURTHER USES ON PUBLIC PROPERTY AND RECONCILING SPECIAL EVENT FEES TO MATCH RECENT INCREASES ASSOCIATED WITH OTHER PUBLIC RENTAL USES. 42. DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT. 43. DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS.

Finance

ACTION:

1. DISCUSSION REGARDING G.O. BOND.
   DIRECTION: Come back to a future FCWPC meeting with an update.

2. STATUS, ISSUES/PLANS RE: INDIAN CREEK DR. FLOODING MITIGATION.

DIRECTION: Come back to the next FCWPC meeting with an update.

3. SIMPLIFYING SIDEWALK CAFÉ APP PROCESS/BUSINESSES IN NORTH BEACH AND WASHINGTON AVENUE.
DIRECTION: Continue trying to incentivize restaurants to expand outside on sidewalks in North Beach. Continue working on streamlining the permitting process.

4. DISCUSSION REGARDING FUTURE STORMS DEBRIS REMOVAL SITE.
MOTION: Vote of acclamation to accept the recommendation from City Staff.

5. THE CREATION OF A CITY OFFICE OF INSPECTOR GENERAL.
MOTION: Vice-Mayor Samuelian motioned for Raul Aguila and John Woodruff to go to the Audit Committee for comment and review of the Inspector General.

DIRECTION: City Attorney to move forward with the ballot question to the July Commission meeting. Come back to the FCWPC meeting after vetting at the Audit Committee.

6. DISCUSSION REGARDING THE SMART CITY STREET LIGHTING SYSTEM.
MOTION: Vice-Mayor Samuelian motioned to move forward with the bifurcated approach as outlined by the City Attorney, developing a master plan first, which already has the funding and will add value and then have a checkpoint after that phase of work to proceed. Commissioner Steinberg seconded. All in favor.

7. CONSIDER SPONSORING A COMMUNITY YOUTH CYBER BEHAVIOR AND SAFETY PROGRAM.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting per sponsor's request.

8. CONSIDER CONTINUING THE DIGITAL CITIZEN CODING BOOTCAMP.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting per sponsor's request.

9. RENEWAL OPTIONS FOR GOLF CART LEASE AGREEMENT FOR MIAMI BEACH GOLF CLUB AND NORMANDY SHORES GOLF CLUB.
VOTE OF ACCLAMATION TO MOVE FORWARD WITH THE AGREEMENT

City Clerk's Note: See Item C7 Q

10. CONSIDERING THE PARKS AND RECREATIONAL FACILITIES ADVISORY BOARD MOTIONS RE: AQUATIC CENTER & BASEBALL FIELD OPTIONS FOR NORTH SHORE PARK.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting per sponsor's request.

11. MANAGEMENT AGREEMENT WITH MIAMI NEW DRAMA AT THE COLONY THEATER.
MOTION: Vice-Mayor Samuelian motioned to have this item as part of the discussion at the July 13th Budget briefing as a potential enhancement. All in favor.

12. REPURPOSING OF OUR GOLF COURSE FOR THE FUTURE.
MOTION: Vice-Mayor Samuelian motioned to add an addendum to the RFP to add the option of the entity providing management as described and that we keep 2 options on the table and refer it to the Commission. All in favor.
DIRECTION: Extend the current contract on a month to month basis and extend the bid opening date.

13. REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT.
MOTION: Vice-Mayor Samuelian made a motion with his recommendations stated above. Commissioner Steinberg seconded.

14. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE.
DIRECTION: Defer to the July 13th or July 20th FCWPC Budget Briefing meeting and invite representatives from the Shane Center to attend.

15. ADDING WEIGHT TRAINING EQUIPMENT AT MUSCLE BEACH.
DIRECTION: Identify funding through the budget process.

16. CONSIDER PERMANENTLY IMPLEMENTING THE CAT VOLUNTEER BADGING SYSTEM AND AN EXTENSION OF THE FEEDING STATION PILOT.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting per sponsor's request.

17. DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER.
DIRECTION: Have Citygrader come to the next FCWPC meeting to further explain how this works and see how it is going with other municipalities.

18. PROJECT BUDGET & SCOPE OF THE SUNSET ISLANDS 1 & 2 GUARDHOUSE.
MOTION: Commissioner Steinberg moved the item as recommended. Commissioner Arriola seconded. All in favor.

19. DISCUSSION REGARDING THE SPONSORSHIP OF ART DECO WEEKEND 2019.
MOTION: Vice-Mayor Samuelian moved for someone from the Administration do a site inspection of the 10th Street auditorium and see if it is operating.
DIRECTION: Keep funding for Art Deco Weekend as a line item request in the budget, so the Committee has it visible when going through the budget and decide whether to keep it or not.

20. FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE.
DIRECTION: Identify pilot study sites and come back to the FCWPC.

21. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA.
DIRECTION: Come back to the July 27, 2018 FCWPC meeting with presentation from Matis Cohen.

22. NEW FLORIDA LAW REQUIRING STATE BOARD OF ADMINISTRATION TO DIVEST SPECIFIED INVESTMENTS & PROHIBITING INVESTMENTS WITH THE GOVERNMENT OF VENEZUELA.
MOTION: Vice-Mayor Samuelian motioned to move forward with the resolution. Commissioner Arriola seconded. All in favor.

23. EDUCATION COMPACT COORDINATOR POSITION.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting per sponsor's request.

24. AUDIT COMMITTEE'S MOTION RE ADD INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION.
DIRECTION: Item to be heard at the July 13, 2018 FCWPC meeting.

25. CREATION/COMMUNICATIONS BUDGET/CITY'S RESILIENCY PROGRAM.
DIRECTION: Item to be heard at the July 13, 2018 FCWPC meeting.

26. REVIEW OF THE CITY'S STORMWATER MANAGEMENT BUDGET.
DIRECTION: Defer to the FCWPC Operating Budget Briefing meeting on July 13, 2018.

27. UPDATE ON ENERGOV PERMITTING SYSTEM.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

28. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, per Commissioner Alemán's request in order for Cablerunner to participate in the discussion.

29. FEES CHARGED DEVELOPERS TO APPEAR BEFORE CITY'S LAND USE BOARDS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending analysis.

30. TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending report.

31. DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, per developer's request.

32. FUTURE USE OF THE CORAL ROCK HOUSE.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, due to building contact person being out of town.

33. REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending draft policy.

34. MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE.
DIRECTION: Defer to the July 13, 2018 FCWPC meeting, pending discussion at the Neighborhood/Community Affairs Committee.

35. LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY OF MIAMI BEACH AS A WAY TO ENCOURAGE LANDLORDS TO KEEP THEIR RETAIL OR COMMERCIAL SPACE RENTED AND ACTIVE.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending further research.

36. EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending further research.

37. ESTABLISHING A HISTORIC PRESERVATION FUND.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending Land Use Development Committee discussion.

38. ISSUANCE OF A RFP FOR FOOD TRAILERS LOCATED ON THE BEACHFRONT.
DIRECTION: Item to be heard at the July 27, 2018 FCWPC meeting.

39. LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES.
DIRECTION: Item to be heard at the July 27, 2018 FCWPC meeting.

40. COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending direction from the Sustainability and Resiliency Committee.

41. CONSIDER REVISING “SPECIAL EVENT REQUIREMENTS AND GUIDELINES”
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meeting with industry.

42. PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending community outreach.

43. DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS.
DIRECTION: Alex Denis to meet with Commissioners one-on-one and come back to a future FCWPC meeting.

C6 B REPORT OF THE JULY 13, 2018 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING: 1. FY 2019 PRELIMINARY GENERAL FUND BUDGET. 2. FY 2019 PROPOSED CAPITAL BUDGET. 3. POTENTIAL REVENUE STREAMS. 4. DISCUSSION ON WATER AND SEWER UTILITY RATES. 5. DISCUSSION ON STORMWATER UTILITY RATES. 6. SANITATION FEE ADJUSTMENT. 7. DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING. 8. DISCUSSION TO CONSIDER SPONSORING A COMMUNITY YOUTH CYBER BEHAVIOR AND SAFETY PROGRAM. 9. DISCUSSION TO CONSIDER CONTINUING THE DIGITAL CITIZEN CODING BOOTCAMP. 10. DISCUSSION REGARDING AN EDUCATION COMPACT COORDINATOR POSITION. 11. DISCUSSION REGARDING CONSIDERING THE PARKS AND RECREATIONAL FACILITIES ADVISORY BOARD MOTIONS REGARDING AN AQUATIC CENTER AND BASEBALL FIELD OPTIONS FOR NORTH SHORE PARK. 12. DISCUSSION TO CONSIDER PERMANENTLY IMPLEMENTING THE CAT VOLUNTEER BADGING SYSTEM AND AN EXTENSION OF THE FEEDING STATION PILOT. 13. DISCUSSION REGARDING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO FUND A ONE (1) YEAR PILOT PROJECT WITH CAMILLUS HOUSE, INC. TO CONDUCT SPECIALIZED OUTREACH TO MENTALLY ILL HOMELESS PERSONS, AS AN ENHANCEMENT IN THE FY 2018/2019 BUDGET. 14. DISCUSSION REGARDING AMENDING THE MANAGEMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND LIVING ARTS TRUST, INC. D/B/A/ O CINEMA. 15. DISCUSSION REGARDING SPONSORING MIAMI BEACH GAY PRIDE 2019. 16. DISCUSSION REGARDING FUNDING FOR AQUA FOUNDATION/AQUA GIRL LGBTQ EVENT IN SEPTEMBER 2018. 17. DISCUSSION TO CONSIDER THE AUDIT COMMITTEE'S MOTION REGARDING ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION. 18. DISCUSSION TO CONSIDER THE CREATION OF A COMMUNICATIONS BUDGET FOR THE CITY’S RESILIENCY PROGRAM. 19. DISCUSSION REGARDING THE REVIEW OF THE CITY’S STORMWATER MANAGEMENT BUDGET. 20. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE. 21. DISCUSSION REGARDING G.O. BOND. 22. DISCUSSION REGARDING THE CREATION OF A CITY OFFICE OF INSPECTOR GENERAL. 23. DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT. 24. DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER. 25. DISCUSSION REGARDING THE FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE. 26. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA. 27. UPDATE ON ENERGOV PERMITTING SYSTEM. 28. DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY’S

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ACTION:

1. FY 2019 PRELIMINARY GENERAL FUND BUDGET.
General Fund:
<u>Revenue Enhancements</u>
Parks and Recreation Fees Revenue Enhancement:

- This enhancement was not recommended. They are not comfortable with increasing fees for children's activities, specifically those impacting residents. The Committee recommended this be refined.
- Commissioner Alemán requested that these fees be focused towards non-residents and staff to review the proposal.
- Vice-Mayor Samuelian requested that staff review policies to avoid fees and make sure they are in-line with inflationary costs to avoid catch ups.

<u>Golf-Fees Revenue Enhancement</u>

- Commissioner Arriola was in favor of increasing golf course fees.

- All Commissioners, except Commissioner Rosen Gonzalez were in favor of a rate increase based on comparable course rates.

Police Off-Duty Administrative Fee Enhancement
- The Committee was in favor of this increase and even possibly increase further to offset parks fees increase.

Elevator Lockbox Fee enhancement
- The Committee was in favor of keeping this by increasing from $65 to $100.

Sidewalk Café Permit Fees
- The Committee was all in favor of increase from $20 to $25 per square foot.

Elevator Permits
- The Committee was in favor of increasing annual renewal fees.

Expenditure Reductions
1% COLA
- Commissioner Alemán was not in favor of removing the 1% COLA.
- Commissioner Arriola recommended identifying additional revenue sources.
- The Committee directed the City Manager to leave the COLA and merit 0-2% alone and not reducing them and identifying other reductions.
- On a separate note, Mayor Gelber was not in favor of the ballot question that is requesting an increase in the Mayor and Commission salaries. It is not the right time considering the budget is tight.

Revenue Refinements
- Mayor Gelber recommended a possible transfer of Parking money to the General Fund (up to $2 million; more like $1 million recommended). The City Manager said that staff would provide a recommended amount based on different scenarios.
- Commissioner Alemán was in favor of the possible transfer from the Parking Fund to the General Fund as long as it is lower than the prior year.

Reductions Package
- The Committee was in favor of all recommended reductions on the reduction list, except the MDPL grant of $23,000, which the Committee requested be earmarked.

Enhancements Requests
- The Committee was in favor of all recommended enhancements, including all one-time items recommended.
- Mayor Gelber mentioned that the Inspector General enhancement could potentially have some overlap with Internal Audit functions that may potentially be identified to reduce the cost. The Mayor's vision for this office is to ensure that tax payer dollars are utilized efficiently by eliminating waste and potential fraud (comparable to GAO). The City Attorney said the ballot question would be brought in front of the Commission on July 25th for approval.

For the Washington Avenue Master Plan, Commissioner Arriola would like to see more involvement from the City's Economic Development Division rather than continuing to rely on outside consultants to conduct important studies.
The Committee recommended:
- Earmark $250K UM-HIV to rollover.

- All Unfunded requests to remain pending revision of previously discussed items.
- Commissioner Alemán wants a complete inspection of the Byron Carlyle building and refer item to Finance and Citywide Projects Committee for further discussion.
- Moving muscle beach fitness equipment request to capital budget
- North Convention Center Park Ranger enhancements not be funded at all; defer to see outcome of operations once opened.
- Convention Center Park Ranger enhancements not be funded at all; defer to see outcome of operations once opened.

Resort Tax:
Enhancement Requests
- Explore if the Camillus House, Bass Museum, Colony Theatre, and Byron Carlyle enhancements increases in the General Fund can be funded from Resort Tax.
- Remove Orange Bowl one-time enhancement of $150,000 from recommended list.
- The Committee recommended all enhancement requests, including onetime enhancements except the Orange Bowl.

Parking Fund:
- All revenue enhancements and recommended re-allocations were approved.

Millage Rate:
- All recommendations were approved as presented.

2. FY 2019 PROPOSED CAPITAL BUDGET.
Capital Renewal and Replacement Fund
- Remove Historic City Hall Roof Access and Hatch Project from list since it is not urgent and the higher priority, Historic City Hall Roof Replacement Project was approved mid-year FY 2018.

Mid-Beach Quality of Life Fund
- There were no recommended changes.

PAYGO
- There were no recommended changes.

Enterprise
- There were no recommended changes.

3. POTENTIAL REVENUE STREAMS.
DIRECTION: Begin the procurement process to work a sponsorship company, start the procurement process to talk to someone about the sale of advertising in the trolleys and talk to the company that does parking garage exterior ads. Work with the City Attorney's Office and the Planning Department regarding any possible changes needed of the City Code.

4. DISCUSSION ON WATER AND SEWER UTILITY RATES.
DIRECTION: Defer to the July 20, 2018 FCWPC Budget Briefing meeting.

5. DISCUSSION ON STORMWATER UTILITY RATES.
DIRECTION: Defer to the July 20, 2018 FCWPC Budget Briefing meeting.

6. SANITATION FEE ADJUSTMENT.
DIRECTION: Defer to the July 20, 2018 FCWPC Budget Briefing meeting.

7. STATUS/ISSUES/PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING.
DIRECTION: Come back with an update to the next FCWPC meeting.

8. CONSIDER SPONSORING A COMMUNITY YOUTH CYBER BEHAVIOR AND SAFETY PROGRAM.
DIRECTION: Consider in the budget.

9. CONSIDER CONTINUING THE DIGITAL CITIZEN CODING BOOTCAMP.
DIRECTION: Consider in the budget.

10. DISCUSSION REGARDING AN EDUCATION COMPACT COORDINATOR POSITION.
DIRECTION: Consider in the budget.

11. CONSIDERING PARKS & REC FACILITIES ADVISORY BOARD MOTIONS REGARDING AN AQUATIC CENTER AND BASEBALL FIELD OPTIONS FOR NORTH SHORE PARK.
DIRECTION: Look at hiring a consultant to do analysis of the utilities, trees, etc. after the G.O. Bond. Incorporate all of the Parks and Recreational Facilities Advisory Board's feedback.

12. CONSIDER PERMANENTLY IMPLEMENTING THE CAT VOLUNTEER BADGING SYSTEM AND AN EXTENSION OF THE FEEDING STATION PILOT.
VOTE OF ACCLAMATION TO FUND THE $10,000 FOR THE PROGRAM CITYWIDE

13. RECOMMENDATION OF NCAC TO FUND A ONE YEAR PILOT PROJECT WITH CAMILLUS HOUSE, INC. TO CONDUCT SPECIALIZED OUTREACH TO MENTALLY ILL HOMELESS PERSONS, AS AN ENHANCEMENT IN THE FY 2018/2019 BUDGET.
DIRECTION: Find the funds in the budget to fund this pilot project. Also, consider funding the $10,000 for the transportation enhancement.

14. AMENDING THE MANAGEMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND LIVING ARTS TRUST, INC. D/B/A/ O CINEMA.
DIRECTION: Find the funding that was requested by O Cinema. Provide an update on the building. Help with advertising for O Cinema and then other cultural organizations on our trolleys.

15. DISCUSSION REGARDING SPONSORING MIAMI BEACH GAY PRIDE 2019.
DIRECTION: Look at the Resort Tax fund to allocate the funding that was requested in the amount of $73,000 and waive the City fees in the amount of $30,983.

16. FUNDING FOR AQUA FOUNDATION/AQUA GIRL LGBTQ EVENT IN SEPTEMBER 2018.
MOTION: Vice-Mayor Samuelian moved the item. Commissioner Steinberg seconded. All in favor.

17. CONSIDER AUDIT COMMITTEE'S MOTION RE ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION.
DIRECTION: Defer to the July 20, 2018 FCWPC meeting.

18. CONSIDER CREATION OF A COMMUNICATIONS BUDGET FOR THE CITY'S RESILIENCY PROGRAM.
DIRECTION: Focus on stormwater, water and sewer to educate residents locally and then nationally about the projects in each neighborhood.

19. DISCUSSION REGARDING THE REVIEW OF THE CITY'S STORMWATER MANAGEMENT BUDGET.
DIRECTION: Take a comprehensive approach, question some of the assumptions, and come with a figure that we can see if we can afford and how. Include these items explicitly in the scope of the RFQ.

20. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, per Miami Beach Rowing Club request.

21. DISCUSSION REGARDING G.O. BOND.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting.

22. CREATION OF A CITY OFFICE OF INSPECTOR GENERAL.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending Audit Committee meeting.

23. REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, pending quarterly report from Miami-Dade County on the progress of the new BERT service.

24. DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER.
DIRECTION: Defer to the July 20, 2018 FCWPC meeting.

25. FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE.
DIRECTION: Defer to the January 2019 FCWPC meeting, pending pilot study sites and potential funding.

26. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending Matis Cohen's proposal.

27. UPDATE ON ENERGOV PERMITTING SYSTEM.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

28. FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending analysis.

29. RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE.
DIRECTION: Defer to the July 20, 2018 FCWPC meeting, pending revised resort tax reserve policy.

30. TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending report.

31. DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, per developer's request.

32. FUTURE USE OF CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE.

DIRECTION: Defer to the July 27, 2018 FCWPC meeting, due to the building contact person being out of town.

33. REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending draft policy.

34. MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE.
DIRECTION: Defer to the July 20, 2018 FCWPC meeting, pending discussion at the Neighborhood/Community Affairs Committee.

35. LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending further research.

36. EXPLORE DISCOUNTS/SHARED WORK SPACES TO ATTRACT ENTREPRENEURS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending further research.

37. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending Land Use Development Committee discussion.

38. ISSUANCE OF RFP FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT.
DIRECTION: Item to be heard at the July 27, 2018 FCWPC meeting.

39. LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES, TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS.
DIRECTION: Item to be heard at the July 27, 2018 FCWPC meeting.

40. COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY.
DIRECTION: Defer to the July 27, 2018 meeting, pending direction from the Sustainability and Resiliency Committee.

41. CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meeting with industry.

42. PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending community outreach.

43. DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meetings with Commission recommended by the Committee.

44. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.
DIRECTION: Defer to the July 27, 2018 FCPWC meeting, per Commissioner Alemán's request in order for Cablerunner to participate in the discussion.

45. REPURPOSING OF OUR GOLF COURSE FOR THE FUTURE.
DIRECTION: Continue with the RFP and make a recommendation in the next couple of months.

46. REVIEW OF THE CONVENTION CENTER HOTEL DEVELOPMENT AND GROUND LEASE AGREEMENT IN ACCORDANCE WITH SECTION 82-37 OF THE CITY CODE.

MOTION: Commissioner Alemán motioned for the City Manager to continue forward and finalize negotiations with the feedback provided by the City Commission, for the City to maintain the November elections target, and finalize the ballot question to present in First Reading. Motion approved by acclamation.

C6 C REPORT OF THE JULY 20, 2018 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING: **1.** FY 2019 PROPOSED OPERATING BUDGET AND MILLAGE RATE. **2.** FY 2019 PROPOSED CAPITAL BUDGET. **3.** DISCUSSION ON WATER AND SEWER UTILITY RATES. **4.** DISCUSSION ON STORMWATER UTILITY RATES. **5.** SANITATION FEE ADJUSTMENT. **6.** DISCUSSION TO CONSIDER THE AUDIT COMMITTEE'S MOTION REGARDING ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION. **7.** DISCUSSION REGARDING INSTALLING A PERMANENT GENERATOR FOR PUMP STATIONS ON SUNSET ISLANDS 3 AND 4. **8.** DISCUSSION REGARDING RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE. **9.** DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING. **10.** DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE. **11.** DISCUSSION REGARDING G.O. BOND. **12.** DISCUSSION REGARDING MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE. **13.** DISCUSSION REGARDING THE CREATION OF AN OFFICE OF INSPECTOR GENERAL. **14.** DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT. **15.** DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER. **16.** DISCUSSION REGARDING THE FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE. **17.** DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA. **18.** UPDATE ON ENERGOV PERMITTING SYSTEM. **19.** DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS. **20.** DISCUSSION REGARDING THE TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS. **21.** DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE. **22.** DISCUSSION REGARDING THE FUTURE USE OF THE CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE. **23.** DISCUSSION REGARDING THE REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY. **24.** DISCUSSION REGARDING LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY OF MIAMI BEACH AS A WAY TO ENCOURAGE LANDLORDS TO KEEP THEIR RETAIL OR COMMERCIAL SPACE RENTED AND ACTIVE. **25.** DISCUSSION TO EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES. **26.** DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND. **27.** DISCUSSION REGARDING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT. **28.** DISCUSSION REGARDING LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES, SUCH AS GENERAL MANAGERS TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS. **29.** DISCUSSION REGARDING THE COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY. **30.** DISCUSSION TO CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES", BY AMENDING THE FOLLOWING SECTIONS: "MINIMUM REQUIREMENTS," "EXTERNAL REVIEW PROCEDURE," "BOOKING POLICY," "USE OF PUBLIC PROPERTY," "SPECIAL EVENT FEE SCHEDULE, AND "SPECIAL EVENT CLASS MATRIX", HEREBY PERMITTING AND RESTRICTING FURTHER USES ON PUBLIC

PROPERTY AND RECONCILING SPECIAL EVENT FEES TO MATCH RECENT INCREASES ASSOCIATED WITH OTHER PUBLIC RENTAL USES. **31.** DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT. **32.** DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS. **33.** DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.

ACTION:

1. FY 2019 PROPOSED OPERATING BUDGET AND MILLAGE RATE.
General Fund:
Changes from the July 13, 2018 FCWPC Budget Briefing meeting are as follows and discussion was held:

- Removed proposed Parks fees increases.
- Removed proposed elimination of Cost-of-Living-Adjustment (COLA).
- Removed proposed reduction of Merit Pay from 0-3% to 0-2%.

Revenue Enhancement Changes

- Explore proposed park fees increases for non-residents only. Parks and Recreation to follow up with the Parks and Recreation Advisory Board and come back outside of the budget process with their fee adjustments separately.

Enhancement Changes

- Recommendation was to fund additional Park Rangers to provide beachwalk coverage of $322,000 for year 1 and $290,000 for year 2.
- Recommendation was to fund additional Park Rangers to provide Barry Katun public boat ramp coverage of $100,000 for year 1 and $98,000 for year 2. For this specific enhancement, Parks and Recreation was directed to explore changing shifts from weekdays to possible cater specifically to high demand periods like weekends, holidays, etc., which may reduce the cost.
- Reduce COLA by amount needed to fund previous two items unless other costs can be reduced.

Resort Tax:
Enhancement Changes

- Recommendation was to fund the additional management agreement amounts for the Bass Museum ($234,000), Colony Theatre ($330,000), and Byron Carlyle Theatre ($162,000) through an additional transfer from Resort Tax to General Fund for the full amount of the request.

2. FY 2019 PROPOSED CAPITAL BUDGET.

- Recommendation was to add shade structure to Sabrina's Playground in Allison Park for $200,000 to be split 50/50 between Mid Beach and North Beach Quality of Life funds.

3. DISCUSSION ON WATER AND SEWER UTILITY RATES.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

4. DISCUSSION ON STORMWATER UTILITY RATES.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

5. SANITATION FEE ADJUSTMENT.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

6. CONSIDER AUDIT COMMITTEE'S MOTION RE ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting.

7. INSTALLING PERMANENT GENERATOR FOR PUMP STATIONS ON SUNSET ISLANDS 3 AND 4.
MOTION 1: Vice-Mayor Samuelian motioned to proceed with a positive recommendation for the Sunset Islands 3 and 4 generators. All in favor.
MOTION 2: Vice-Mayor Samuelian motioned that Administration look at the other pumps that are in place, see if there is a need or not for generators, and what the equitable criteria would be on the past ones that we have done. All in favor.

8. RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending revised resort tax reserve policy.

9. STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending update.

10. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, per Miami Beach Rowing Club request.

11. DISCUSSION REGARDING G.O. BOND.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting.

12. MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, pending discussion at the Neighborhood/Community Affairs Committee.

13. DISCUSSION REGARDING THE CREATION OF AN OFFICE OF INSPECTOR GENERAL.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending Audit Committee meeting.

14. REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, pending quarterly report from Miami-Dade County on the progress of the new BERT service.

15. DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting to provide update.

16. FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE.
DIRECTION: Defer to the January 2019 FCWPC meeting, pending pilot study sites and potential funding.

17. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending Matis Cohen’s proposal.

18. UPDATE ON ENERGOV PERMITTING SYSTEM.

DIRECTION: defer to the July 27, 2018 FCWPC meeting.

19. FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending analysis.

20. DISCUSSION REGARDING THE TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, pending report.

21. DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, per developer's request.

22. FUTURE USE OF THE CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meeting with owner's representation.

23. DISCUSSION REGARDING THE REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending draft policy.

24. LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT CITY TO ENCOURAGE LANDLORDS TO KEEP THEIR RETAIL RENTED AND ACTIVE.
DIRECTION: Deferred to the July 27, 2018 FCWPC meeting, pending further research.

25. EXPLORE DISCOUNTS FOR SHARED WORK SPACES TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES.
DIRECTION: Deferred to the July 27, 2018 FCWPC meeting, pending further research.

26. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND.
DIRECTION: Defer to a future FCWPC meeting, pending Land Use Development Committee discussion.

27. ISSUANCE OF RFP FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT.
DIRECTION: Item to be heard at the July 27, 2018 FCWPC meeting.

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29. COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY.
DIRECTION: Defer to a future FCWPC meeting, pending direction from the Sustainability and Resiliency Committee.

30. CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meeting with industry.

31. PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT.

DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending community outreach.

32. DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meetings with Commission recommended by the Committee.

33. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.
DIRECTION: Defer to the July 27, 2018 FCWPC meeting, per Commissioner Alemán's request in order for Cablerunner to participate in the discussion.

C6 D REPORT OF THE JULY 27, 2018 FINANCE AND CITYWIDE PROJECTS COMMITTEE MEETING: **1.** DISCUSSION ON WATER AND SEWER UTILITY RATES. **2.** DISCUSSION ON STORMWATER UTILITY RATES. **3.** SANITATION FEE ADJUSTMENT. **4.** DISCUSSION REGARDING RESTROOM FACILITIES FOR THE COLLINS PARK ROTUNDA. **5.** DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA. **6.** DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS. **7.** DISCUSSION REGARDING THE TRACKING OF TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS. **8.** DISCUSSION REGARDING LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY OF MIAMI BEACH AS A WAY TO ENCOURAGE LANDLORDS TO KEEP THEIR RETAIL OR COMMERCIAL SPACE RENTED AND ACTIVE. **9.** DISCUSSION TO EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES. **10.** DISCUSSION TO REVIEW STATUS, ISSUES, AND PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING. **11.** DISCUSSION TO CONSIDER THE AUDIT COMMITTEE'S MOTION REGARDING ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION. **12.** DISCUSSION REGARDING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT. **13.** DISCUSSION REGARDING THE NORTH BEACH TOWN CENTER GARAGE. DISCUSSION REGARDING LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES, SUCH AS GENERAL MANAGERS TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS. **14.** DISCUSSION REGARDING LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES, SUCH AS GENERAL MANAGERS TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS. **15.** DISCUSSION REGARDING THE REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY. **16.** UPDATE ON ENERGOV PERMITTING SYSTEM. **17.** DISCUSSION REGARDING RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE. **18.** DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE. **19.** DISCUSSION REGARDING G.O. BOND. **20.** DISCUSSION REGARDING MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE. **21.** DISCUSSION REGARDING THE CREATION OF AN OFFICE OF INSPECTOR GENERAL. **22.** DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT. **23.** DISCUSSION TO EXPLORE POTENTIAL PARTNERSHIP WITH CITYGRADER. **24.** DISCUSSION REGARDING THE FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE. **25.** DISCUSSION REGARDING THE FUTURE USE OF THE CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE. **26.** DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND. **27.** DISCUSSION REGARDING THE COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY. **28.** DISCUSSION TO CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND

GUIDELINES", BY AMENDING THE FOLLOWING SECTIONS: "MINIMUM REQUIREMENTS," "EXTERNAL REVIEW PROCEDURE," "BOOKING POLICY," "USE OF PUBLIC PROPERTY," "SPECIAL EVENT FEE SCHEDULE, AND "SPECIAL EVENT CLASS MATRIX", HEREBY PERMITTING AND RESTRICTING FURTHER USES ON PUBLIC PROPERTY AND RECONCILING SPECIAL EVENT FEES TO MATCH RECENT INCREASES ASSOCIATED WITH OTHER PUBLIC RENTAL USES. **29.** DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT. **30.** DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS. **31.** DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY. **32.** A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION AND THE CITY ATTORNEY TO INITIATE NEGOTIATIONS WITH SOUTH BEACH HEIGHTS I, LLC, 500 ALTON ROAD VENTURES, LLC, 1220 SIXTH, LLC, AND KGM EQUITIES, LLC (COLLECTIVELY, THE "DEVELOPER"); WHO IS THE OWNER OF THE PROPERTY LOCATED AT 500, 630 AND 650 ALTON ROAD, 1220 6TH STREET, AND 659, 701, 703, 711, 721, 723, 727 AND 737 WEST AVENUE; IN ORDER TO DRAFT A PROPOSED DEVELOPMENT AGREEMENT THAT WOULD (1) PROVIDE THE CITY WITH PARK LAND, (2) PROPOSE A SCHEDULE; AND (3) TO DELINEATE CERTAIN DEVELOPMENT RIGHTS ATTRIBUTABLE TO THE DEVELOPER AND THE CITY; FURTHER AUTHORIZING THE REFERRAL OF A FINAL NEGOTIATED TERM SHEET TO BE SENT TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE; AND AUTHORIZING A REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE OF APPLICABLE DRAFT ORDINANCES TO EFFECTUATE THE DEVELOPMENT. **33.** DISCUSS A CAPITAL BUDGET AMENDMENT TO REPLACE AND ELEVATE THE SEAWALLS ON JEFFERSON AVENUE AND LENNOX COURT. **34.** DISCUSS APPROVING AND AUTHORIZING CHANGE ORDER NO. 4 TO THE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CERES ENVIRONMENTAL SERVICES, INC. (CONTRACTOR) RELATING TO THE DISASTER RECOVERY SERVICES OF HURRICANE IRMA RELATED DEBRIS; AND FURTHER AUTHORIZING THE PAYMENT OF $64,569.58 TO THE CONTRACTOR AS FINAL PAYMENT RELATING TO FINAL DEBRIS REMOVAL OF HURRICANE IRMA RELATED DEBRIS. **35.** DISCUSS INSTALLING AN ARTISTIC SHADE STRUCTURE OVER RUE VENDOME. **36.** DISCUSS OUTFITTING ALL PUBLIC BATHROOMS WITH BABY CHANGING STATIONS.

ACTION:

1. DISCUSSION ON WATER AND SEWER UTILITY RATES.
NO ACTION TAKEN.

2. DISCUSSION ON STORMWATER UTILITY RATES.
MOTION: Vice-Mayor Samuelian moved to approve the CPI increase. Commissioner Alemán seconded. All in favor.

DIRECTION: Meet with the Commissioners to go over this in more detail and come back to the September 14, 2018 FCWPC meeting.

3. SANITATION FEE ADJUSTMENT.
MOTION 1: Vice-Mayor Samuelian moved that we incorporate the CPI increases and remove the cap on the commercial rates. Commissioner Alemán seconded. All in favor.

MOTION 2: Vote of acclamation to approve staff's proposal of $3.62 on the recycling fee on the pass through and the 2% on the commercial side and also removing the cap.

DIRECTION: Add a line item for the $3.62 on the utility bills. Come back to the September 14, 2018 FCWPC meeting with the Revenue Streams discussion. Come back to a future FCWPC meeting with the final negotiated price for the waste haulers.

4. RESTROOM FACILITIES FOR THE COLLINS PARK ROTUNDA.
MOTION: Commissioner Alemán moved the $175,000 restroom only version. Vice-Mayor Samuelian seconded. All in favor.

5. DISCUSSION REGARDING PROGRAMMING THE RUE VENDOME PLAZA.
MOTION: Vice-Mayor Samuelian motioned to direct the City Manager and staff to find an outside firm to help with activation with initial focus on Rue Vendome and potential movement from there and that it would come back to the FCWPC for feedback and also feedback from the community, the stakeholders so we can see what they want and then invite the local businesses to come to the next meeting. He would say the number should be up to $25,000. Commissioner Alemán seconded.

DIRECTION: Come back to the September 14, 2018 FCWPC meeting with options of a firm to engaged and also with some ideas of locations of where to put shade structures and estimated cost.

6. FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting.

7. TRACKING TOTAL SHORT TERM RENTAL VIOLATIONS IMPOSED AGAINST PROPERTY OWNERS.
MOTION: Commissioner Alemán moved that the biannual discussion regarding the short term rental violations and the associated fines and our collection of those could be a 6 month LTC. Vice-Mayor Samuelian seconded. All in favor.

8. LEVYING A VACANCY TAX ON EMPTY STOREFRONTS THROUGHOUT THE CITY TO ENCOURAGE LANDLORDS TO KEEP RETAIL OR COMMERCIAL SPACE RENTED AND ACTIVE.
DIRECTION: Review the different ideas that were listed in the memorandum. Staff to work with Vice-Mayor Samuelian offline and come back to the September 14, 2018 FCWPC meeting.

9. EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES.
DIRECTION: Staff to continue on the path they are currently on with promoting WeWork facilities on Miami Beach and offering discounts to small businesses.

10. REVIEW STATUS/ISSUES/PLANS RELATED TO THE INDIAN CREEK DRIVE FLOODING.
DIRECTION: Come back to the September 14, 2018 FCWPC meeting with an update.

11. CONSIDER AUDIT COMMITTEE'S MOTION REGARDING ADDING AN INSPECTOR GENERAL INTERNAL AUDIT FUNCTION POSITION.
NO ACTION TAKEN

12. ISSUANCE OF A RFP FOR FOOD TRAILERS TO BE LOCATED ON THE BEACHFRONT.

DIRECTION: Commissioner Alemán moved the recommendation of the Administration along with the issuance of a reduced RFQ for the locations where there isn't a potential conflict with a private entity being nearby. Vice-Mayor Samuelian seconded. All in favor.

13. NORTH BEACH TOWN CENTER GARAGE.
MOTION: Vice-Mayor Samuelian motioned that if a deal cannot be reached with the current develop for City Staff to explore other options. Commissioner Alemán seconded. All in favor.

DIRECTION: City staff and Mr. Pathman to work on developing best deal possible, and if a deal cannot be reached with the current developer, City staff to explore other options. Come back to the September 14, 2018 FCWPC meeting.

14. LOBBYIST REGISTRATION FEES REQUIRED FOR EMPLOYEES OF BUSINESSES TO APPEAR ON BEHALF OF BUSINESS OWNERS/PRINCIPALS.
NO ACTION TAKEN

15. REVIEW AND REVISION OF THE CITY'S INVESTMENT POLICY.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending draft policy.

16. UPDATE ON ENERGOV PERMITTING SYSTEM.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending update.

17. RECOMMENDATIONS OF THE BLUE RIBBON EMERGENCY RESPONSE COMMITTEE.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending revised resort tax reserve policy.

18. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, per Miami Beach Rowing Club request.

19. DISCUSSION REGARDING G.O. BOND.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting.

20. MOVING FORWARD WITH ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, pending discussion at the Neighborhood/Community Affairs Committee.

21. DISCUSSION REGARDING THE CREATION OF AN OFFICE OF INSPECTOR GENERAL.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending Audit Committee meeting discussion.

22. REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMO PROJECT.
DIRECTION: Defer to the October 26, 2018 FCWPC meeting, pending quarterly report from Miami-Dade County on the progress of the new BERT service.

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DIRECTION: Defer to the September 14, 2018 FCWPC meeting to provide update.

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DIRECTION: Defer to the January 2019 FCWPC meeting, pending pilot study on sites and potential funding.

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DIRECTION: Defer to a future FCWPC meeting, pending Land Use Development Committee discussion.

27. COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY.
DIRECTION: Defer to a future FCWPC meeting, pending Sustainability and Resiliency Committee direction.

28. CONSIDER REVISING THE "SPECIAL EVENT REQUIREMENTS AND GUIDELINES."
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meeting with industry.

29. PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending community outreach.

30. DISCUSSION REGARDING STREAMLINING THE PROCUREMENT PROCESS.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending meetings with Commission recommended by the Committee.

31. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.
DIRECTION: Defer to the September 14, 2018 FCWPC meeting, pending additional documentation from Cablerunner per discussion at the Neighborhood/Community Affairs Committee meeting.

32. RESOLUTION AUTHORIZING NEGOTIATIONS WITH SOUTH BEACH HEIGHTS I, LLC, 500 ALTON ROAD VENTURES, LLC, 1220 SIXTH, LLC, AND KGM EQUITIES, LLC & AUTHORIZING REFERRAL TO LUDC OF APPLICABLE DRAFT ORDINANCES TO EFFECTUATE THE DEVELOPMENT.
MOTION: Commissioner Alemán motioned to accept the terms of the agreement as redlined, also to direct the City Attorney and the Administration to draft the development agreement, the terms of the vacation, and the relevant Land Development Regulation Ordinance changes and move forward with a favorable recommendation from this Committee. Also, for the City Attorney and Administration to work with the developer to develop a preliminary design for a park that reflects a 3 plus acre fully functional world-class park. Vice-Mayor Samuelian seconded. All in favor.

33. CAPITAL BUDGET AMENDMENT TO REPLACE AND ELEVATE THE SEAWALLS ON JEFFERSON AVENUE AND LENNOX COURT.
MOTION: Commissioner Alemán moved the item, pending identification from the CFO that it is all legitimate and the funds are available. Vice-Mayor Samuelian seconded. All in favor.

34. APPROVING CHANGE ORDER 4 TO AGMT WITH CMB & CERES ENVIRONMENTAL SERVICES, INC. RE DISASTER RECOVERY SERVICES OF HURRICANE IRMA RELATED DEBRIS.

MOTION: Commissioner Alemán moved the item. Vice-Mayor Samuelian seconded. All in favor.

35. DISCUSS INSTALLING AN ARTISTIC SHADE STRUCTURE OVER RUE VENDOME.
DIRECTION: Come back to the September 14, 2018 FCWPC meeting with ideas of locations of where different structures should go and the estimated cost.

36. DISCUSS OUTFITTING ALL PUBLIC BATHROOMS WITH BABY CHANGING STATIONS.
MOTION: Commissioner Alemán moved that we pursue this. Vice-Mayor Samuelian seconded. All in favor.

C6 E REPORT OF THE JULY 31, 2018 LAND USE AND DEVELOPMENT COMMITTEE MEETING: 1. DISCUSSION REGARDING A COMPREHENSIVE PLAN FOR RIDE SHARE LOCATIONS CITYWIDE. 2. DISCUSSION ON EMPTY STOREFRONTS AND HOW THE CITY CAN INCENTIVIZE LANDLORDS TO FIND TENANTS TO ACTIVATE OUR STREETS. 3. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND. 4. DISCUSSION: A. NORTH BEACH MASTER PLAN RECOMMENDATIONS FOR THE TOWN CENTER (TC) ZONING DISTRICTS. B. PROPOSED FLOOR AREA RATIO (“FAR”) INCREASE FOR THE TOWN CENTER ZONING DISTRICTS. 5. DISCUSSION RELATING TO THE ADOPTION OF ORDINANCES TO INCREASE THE MAXIMUM HEIGHT FOR THE COMMERCIAL, MEDIUM INTENSITY DISTRICT (CD-2), AND THE COMMERCIAL, PERFORMANCE STANDARD, GENERAL MIXED-USE DISTRICT (CPS-2) FOR 5TH THROUGH 7TH STREETS, BETWEEN WEST AVENUE AND ALTON ROAD; AND FOR THE PROVISION OF A PUBLIC BENEFIT.

Planning

ACTION:

1. COMPREHENSIVE PLAN FOR RIDE SHARE LOCATIONS CITYWIDE.
   MOTION: Deferred to the September 2018 meeting.

2. EMPTY STOREFRONTS & HOW INCENTIVIZE LANDLORDS TO FIND TENANTS TO ACTIVATE OUR STREETS.
   MOTION: Deferred to the September 2018 meeting.

3. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND.
   MOTION: Deferred to the September 2018 meeting.

4. NORTH BEACH MASTER PLAN RECOMMENDATIONS FOR TC ZONING DISTRICTS. B. PROPOSED “FAR” INCREASE FOR THE TOWN CENTER ZONING DISTRICTS.
   MOTION (By Acclamation): Direct the Administration to request a report on current capacity and improvement plans for the Virginia Key Treatment Plant by Acclamation.

   MOTION (By Acclamation): Continue the item to the September 5, 2018 LUDC Committee meeting and request that the Administration provide recommendations regarding the following:

   1. Height: Provide a tiered approach to overall building height in accordance with the following parameters:
      - For Lots under 25,000 SF: Max Height of 125 feet
      - For Lots between 25,000 and 50,000 SF: Max Height of 165 feet
      - For Lots greater than 50,000 SF: Max Height of 200 feet

The Administration will further study and provide recommendations on the tier height limits based on lot aggregation, with specific recommendation as to the location of where the highest buildings should be located.

2. Co-Living and Micro-Units: Capping the number of co-living units to 10% of the total number of residential units in the TC-C district and maintaining the 20% minimum amenity space requirement.

3. Public Benefits: Finalize and define the public benefits program, including the proposed fees and allowing additional height by obtaining a full building permit within 15 months of adoption of the TC-C regulations. Providing a public benefit would be required for height above 125 feet if a permit is not obtained within 15 months.

5. ADOPTION OF ORDINANCES/INCREASE MAXIMUM HEIGHT FOR COMMERCIAL, MEDIUM INTENSITY DISTRICT (CD-2), & COMMERCIAL, PERFORMANCE STANDARD, GENERAL MIXED USE DISTRICT (CPS-2) FOR 5TH - 7TH ST, BETWEEN WEST AVE & ALTON RD; & FOR THE PROVISION OF A PUBLIC BENEFIT.
MOTION: No Action taken - Item Concluded.

C6 F REPORT OF THE JULY 18, 2018 NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE: 1. DISCUSSION REGARDING AN ORDINANCE AMENDING THE HOURS OF OPERATION FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD. 2. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY. 3. DISCUSSION REGARDING THE INCREASE IN CRIME IN MIAMI BEACH AND HAVING MORE COMMUNITY POLICING CITYWIDE. 4. DISCUSSION TO EXPLORE PURCHASING NEW STREET SIGNS IN MIAMI BEACH. 5. DISCUSSION REGARDING NAMING FOR THE NEW NORTHERN CONVENTION CENTER PARK AND THE MAIN CONVENTION CENTER PARK. 6. DISCUSSION REGARDING DOCKLESS BICYCLE SHARING PLATFORM REGULATIONS. 7. DISCUSSION TO EXPLORE OPPORTUNITIES TO EXPAND THE USE OF SERVICES LIKE FREEBEE AND THE COMMUNICATIONS TO POTENTIAL RIDERS. 8. DISCUSSION REGARDING MOVING FORWARD WITH AN ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE. 9. DISCUSSION REGARDING QUALITY EDUCATION IN MIAMI BEACH TO CONSIDER THE IMPLEMENTATION OF THE ACTIVE SHOOTER AWARENESS PROGRAM (ASAP) IN MIAMI BEACH SCHOOLS. 10. DISCUSSION REGARDING THE USE OF MOTORCYCLE PARAMEDICS IN MIAMI BEACH TO REDUCE MEDICAL RESPONSE TIMES DURING HEAVY TRAFFIC, WHICH CAN INCREASE SURVIVAL RATES FOR PATIENTS. 11. DISCUSSION REGARDING A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, RECOGNIZING UNITED NATIONS ANTI-BULLYING DAY ON MAY 4TH; DIRECTING THE CITY ADMINISTRATION TO REVIEW AND, IF APPLICABLE, PROPOSE AMENDMENTS TO ANY EXISTING ANTI-BULLYING POLICIES (OR TO PROPOSE NEW ANTI-BULLYING POLICIES) FOR CITY SERVICES, CITY-SUPPORTED SERVICES, AND CITY FACILITIES; ESTABLISHING GUIDELINES FOR SUCH POLICIES; REQUIRING THAT SUCH POLICIES PROTECT INDIVIDUALS ON THE BASIS OF THE PROTECTED CLASSES SET FORTH IN THE CITY'S HUMAN RIGHTS ORDINANCE, AS MAY BE APPLICABLE; AND PROVIDING THAT THE CITY ADMINISTRATION SHALL PRESENT SUCH POLICIES TO THE AD HOC ANTI-BULLYING TASK FORCE PRIOR TO CITY COMMISSION APPROVAL. 12. DISCUSSION REGARDING FUNDING FOR FEDERATION TOWERS PROGRAMMING. 13. DISCUSSION REGARDING HOW MIAMI BEACH CAN EXPEDITE HOMEOWNER PERMIT APPLICATIONS. 14. DISCUSSION REGARDING THE CONDITION OF WASHINGTON AVENUE, THE

INCREASING NUMBER OF VACANT STOREFRONTS THEREIN, AND THE STATUS OF THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT. 15. DISCUSSION ON THE CITY'S CURRENT LANE CLOSURE POLICY. 16. DISCUSSION REGARDING THE POSSIBILITY OF INSTALLING A TURNING LANE WHEN YOU ARE DRIVING EAST ON I-195 HEADING ONTO 41ST STREET AND TURNING SOUTH ON ALTON ROAD. 17. DISCUSSION REGARDING CONDUCTING A SECURITY ASSESSMENT OF CITY HALL AND OTHER CITY FACILITIES. 18. DISCUSSION REGARDING MOVING THE STAGING SITE LOCATED INSIDE THE MIAMI BEACH GOLF CLUB, AT THE CORNER OF MERIDIAN AVENUE AND 28TH STREET, TO A DIFFERENT LOCATION. 19. DISCUSSION REGARDING THE COMFORT OF CITY TROLLEYS AND REQUEST THE ADMINISTRATION TO REPORT ON THE STATUS OF THE RETROFITTED TROLLEYS. 20. DISCUSSION TO CONSIDER THE IMPLEMENTATION OF A PEDESTRIAN SCRAMBLE INTERSECTION IN MIAMI BEACH. 21. DISCUSSION TO EXPLORE ADDITIONAL AVENUES FOR PUBLIC ENGAGEMENT. 22. DISCUSSION TO CONSIDER UTILIZING EXISTING RESOURCES TO MARKET CITY INITIATIVES THAT CATER TO WORKFORCE HOUSING. 23. DISCUSSION REGARDING THE DEVELOPMENT OF A TRAINING PROGRAM FOR NON-PROFIT BOARD DIRECTORS TO BE REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS RECEIVING FUNDING FROM THE CITY. 24. DISCUSSION REGARDING SAND SIFTING, BEACH CLEANING, AND MAINTENANCE. 25. DISCUSSION REGARDING REGISTERING AND PROVIDING SPECIAL IDENTIFICATION TO ALL RESIDENTS AND EMPLOYEES OF THE CITY OF MIAMI BEACH SO THAT IN THE EVENT OF A HURRICANE, OR OTHER DISASTER, REQUIRING EVACUATION, THERE IS A WAY TO EASILY IDENTIFY RESIDENTS AND EMPLOYEES SO THEY CAN RETURN TO THEIR HOMES AND THEIR JOBS EXPEDITIOUSLY. 26. DISCUSSION REGARDING CITY SUPPORT FOR A HOMELESS WALK-A-THON TO REDUCE HOMELESSNESS AND ENGAGE THE COMMUNITY. 27. DISCUSSION REGARDING THE 23RD STREET AND 63RD STREET COMPLETE STREETS FEASIBILITY STUDIES. 28. DISCUSSION REGARDING THE RATIONAL RECOVERY PROJECT, SPONSORED BY THE FREEZONE YOUTH SELF RESPECT AND SOUTH BEACH SOBER COACH. 29. DISCUSSION REGARDING POTENTIALLY ADDING THE NAME "MIAMI BEACH BOULEVARD" TO 5TH STREET. 30. DISCUSSION REGARDING THE RENEWAL OF THE POLICE AND PARKING DEPARTMENT TOWING PERMITS TO BEACH TOWING SERVICES, INC. AND TREMONT TOWING, INC. FOR A TERM OF ONE (1) YEAR, COMMENCING ON MARCH 1, 2018 AND EXPIRING ON FEBRUARY 28, 2019. 31. DISCUSSION REGARDING AN AUTONOMOUS MASS TRANSIT SHUTTLE TEST PROGRAM IN MIAMI BEACH. 32. DISCUSSION TO CONSIDER THE INSTALLATION OF THE BEAUTIFUL BARRIERS CONCEPT AS SECURITY BARRIERS AROUND THE CITY. 33. DISCUSSION REGARDING THE POSITION OF CONDOMINIUM OMBUDSMAN WITHIN THE CITY OF MIAMI BEACH. 34. DISCUSSION REGARDING UNDERGROUNDING FOR NORTH BAY ROAD AND ALTON ROAD. 35. DISCUSSION REGARDING THE STATUS UPDATE OF THE BOARDWALK ALONG THE BEACH, FROM 23RD TO 46TH STREETS.

Office of the City Manager

ACTION:

1. ORDINANCE AMENDING HOURS OF OPERATION FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD.
   DIRECTION: Withdrawn by sponsor via email on 6/29/2018.

2. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY.
   MOTION: Vice-Mayor Samuelian made a motion for Cablerunner to respond to Hazen and Sawyer report in writing regarding their finds and Hazen and Sawyer is to respond back. Commissioner Góngora seconded the motion.

3. INCREASE IN CRIME IN MIAMI BEACH AND HAVING MORE COMMUNITY POLICING CITYWIDE.
   VOTE BY ACCLAMATION: Focus the study on the Entertainment District. Come back in September.

4. DISCUSSION TO EXPLORE PURCHASING NEW STREET SIGNS IN MIAMI BEACH.
   DIRECTION: Withdrawn by sponsor due to lack of funding.

5. DISCUSSION REGARDING NAMING FOR THE NEW NORTHERN CONVENTION CENTER PARK AND THE MAIN CONVENTION CENTER PARK.
   DIRECTION: Deferred pending review by Miami Beach Commission for Women.

6. DISCUSSION REGARDING DOCKLESS BICYCLE SHARING PLATFORM REGULATIONS.
   VOTE BY ACCLAMATION: Create a regulatory framework and confirm with legal that this can be done without issuing permits.

7. DISCUSSION TO EXPLORE OPPORTUNITIES TO EXPAND THE USE OF SERVICES LIKE FREEBEE AND THE COMMUNICATIONS TO POTENTIAL RIDERS.

8. MOVING FORWARD WITH ART INSTALLATION THAT CELEBRATES DIVERSITY IN OUR COMMUNITY, AS REQUESTED BY THE LGBTQ ADVISORY COMMITTEE.
   DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

9. QUALITY EDUCATION IN MIAMI BEACH TO CONSIDER IMPLEMENTATION OF ACTIVE SHOOTER AWARENESS PROGRAM (ASAP) IN MIAMI BEACH SCHOOLS.
   VOTE BY ACCLAMATION: Share offer from the VOLO Group with Miami Dade County Public Schools and try to make this happen.

10. USE OF MOTORCYCLE PARAMEDICS IN CITY TO REDUCE MEDICAL RESPONSE TIMES DURING HEAVY TRAFFIC.
    DIRECTION: Item withdrawn by the sponsor.

11. RESOLUTION RECOGNIZING UNITED NATIONS ANTI-BULLYING DAY ON MAY 4TH.
    DIRECTION: Commissioner Góngora directed administration and the Anti-Bullying Task Force Committee to download the intro for $100 to see if it is something that would be beneficial for the City of Miami Beach to incorporate.

12. DISCUSSION REGARDING FUNDING FOR FEDERATION TOWERS PROGRAMMING.
    MOTION: Commissioner Góngora made a motion to have administration reach out to Federation Towers between now and the next NCAC meeting to see what the funding was and report back if a source is available.

13. HOW CITY CAN EXPEDITE HOMEOWNER PERMIT APPLICATIONS.
    DIRECTION: Item withdrawn by the sponsor.

14. CONDITION OF WASHINGTON AVE, INCREASING NUMBER OF VACANT STOREFRONTS & STATUS OF THE WASHINGTON AVE BID.
    VOTE BY ACCLAMATION: Deferred for 90 days, come back with a status report.

15. DISCUSSION ON THE CITY'S CURRENT LANE CLOSURE POLICY.
    DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

16. POSSIBILITY OF INSTALLING A TURNING LANE WHEN DRIVING EAST ON I-195 HEADING ONTO 41ST STREET AND TURNING SOUTH ON ALTON ROAD.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

17. CONDUCTING SECURITY ASSESSMENT OF CITY HALL AND OTHER CITY FACILITIES.
DIRECTION: Item withdrawn by the sponsor.

18. MOVING STAGING SITE LOCATED INSIDE MIAMI BEACH GOLF CLUB, AT THE CORNER OF MERIDIAN AVE & 28TH ST, TO A DIFFERENT LOCATION.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

19. COMFORT OF CITY TROLLEYS & REQUEST ADMIN TO REPORT ON STATUS OF RETROFITTED TROLLEYS.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

20. CONSIDER IMPLEMENTATION OF PEDESTRIAN SCRAMBLE INTERSECTION IN CMB.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

21. DISCUSSION TO EXPLORE ADDITIONAL AVENUES FOR PUBLIC ENGAGEMENT.
MOTION: Vice-Mayor Samuelian made a motion for this item to come back in September for further discussion. Commissioner Góngora seconded the motion.

22. DISCUSSION TO CONSIDER UTILIZING EXISTING RESOURCES TO MARKET CITY INITIATIVES THAT CATER TO WORKFORCE HOUSING.
MOTION: Commissioner Góngora made a motion directing the Administration to help publicize the workforce housing and affordable housing through all the methods previously mentioned as well as placing a flyer promoting the program in every teacher's inbox.

23. DEVELOPMENT OF TRAINING PROGRAM FOR NON-PROFIT BOARD DIRECTORS TO BE REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS RECEIVING FUNDING FROM THE CITY.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting.

24. DISCUSSION REGARDING SAND SIFTING, BEACH CLEANING, AND MAINTENANCE.
Vote by acclamation: Staff is directed to flesh out the rules and regulations regarding concessions on the beach as it pertains to sand sifting. What does it entail, does staff recommend it, and the cost to implement it. Also staff to find out the money that was allocated for the additional sand sifting that was not awarded, if it would be going back out or how that money can be used to improve the beaches. Send a resolution to Miami Dade County telling them about the Miami Beach problem with seaweed and request funding for seaweed clean up. Come back next month.

25. REGISTERING & PROVIDING SPECIAL ID TO RESIDENTS & EMPLOYEES OF THE CMB IN THE EVENT OF HURRICANE, OR DISASTER, REQUIRING EVACUATION, THEY CAN RETURN TO THEIR HOMES AND THEIR JOBS EXPEDITIOUSLY.
MOTION: Commissioner Góngora made a motion directing staff to come up with the best and safest way to implement the sticker method and bring it back to NCAC. Vice-Mayor Samuelian seconded the motion.

26. CITY SUPPORT FOR HOMELESS WALK-A-THON.

MOTION: Commissioner Góngora made a motion to move this item forward to the full Commission and that the H.O.P.E organization work with the Administration directly to coordinate an appropriate weekend in August or September 2019 for this event. Miami Beach will help to sponsor this event and make it a city event. Vice-Mayor Samuelian seconded the motion.

27. 23RD ST & 63RD ST COMPLETE STREETS FEASIBILITY STUDIES.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting pending completion of community outreach.

28. RATIONAL RECOVERY PROJECT, SPONSORED BY FREEZONE YOUTH SELF RESPECT AND SOUTH BEACH SOBER COACH.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting pending more information regarding a program targeting college-aged individuals.

29. POTENTIALLY ADDING THE NAME "MIAMI BEACH BOULEVARD" TO 5TH STREET.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting per the sponsor's request.

30. RENEWAL OF POLICE & PARKING DEPT TOWING PERMITS TO BEACH TOWING SERVICES, INC. AND TREMONT TOWING, INC. FOR ONE YEAR.
DIRECTION: Deferred to the September 26, 2018, NCAC per City Attorney.

31. AUTONOMOUS MASS TRANSIT SHUTTLE TEST PROGRAM IN MIAMI BEACH.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting per NCAC direction.

32. CONSIDER INSTALLATION OF BEAUTIFUL BARRIERS CONCEPT AS SECURITY BARRIERS AROUND THE CITY.
DIRECTION: Deferred to the January 2019 NCAC meeting pending results of how the prototype withstood the seasonal elements.

33. POSITION OF CONDOMINIUM OMBUDSMAN WITHIN THE CITY OF MIAMI BEACH.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting pending meeting regarding ideas on what can be done under Florida Law, how to improve the position and the advertisement of services.

34. UNDERGROUNDING FOR NORTH BAY ROAD AND ALTON ROAD.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting pending acceptance of direction by the Mayor and Commission.

35. DISCUSSION REGARDING THE STATUS UPDATE OF THE BOARDWALK ALONG THE BEACH, FROM 23RD TO 46TH STREETS.
DIRECTION: Deferred to the September 26, 2018, NCAC meeting pending more information.

C6 G REPORT OF THE JULY 11, 2018 SUSTAINABILITY AND RESILIENCY COMMITTEE: 1. DISCUSSION ON STORMWATER BEST MANAGEMENT PRACTICES. 2. REQUESTING AN ORAL REPORT FROM THE ADMINISTRATION ON THE WATER QUALITY OF BISCAYNE BAY SURROUNDING THE CITY'S NEW PUMP SYSTEMS. 3. REVIEW THE CITY'S ABILITY TO ENABLE UNDERGROUND ELECTRICAL POWERLINES. 4. DISCUSSION ON THE MARINA TRASH SKIMMER AND ITS POTENTIAL USE IN MIAMI BEACH. 5. DISCUSSION ON THE STRONG METHANE ODOR EMANATING FROM STORM DRAINS WHEN THE PUMPS ARE OPERATING, AND THE IMPACT THIS IS HAVING TO SURROUNDING AREAS BOTH AESTHETICALLY AND TO THE UNDERGROUND STRUCTURAL FOUNDATION OF MIAMI BEACH. 6. DISCUSSION ON POTENTIAL POLICY REGARDING SUSTAINABILITY SOURCED WOOD. 7. DISCUSS A TEMPORARY HYDROPONIC FARM AS AN INCUBATION PILOT IN NORTH BEACH. 8. DISCUSSION ON INCREASING THE CITY'S WATER BOTTLE REFILL STATIONS. 9. DISCUSSION ON TRASH AND RECYCLING BINS EXPANSION CITYWIDE. 10. DISCUSSION PERTAINING TO LANDSCAPE AND SURFACE FINISH REQUIREMENTS, TREE MITIGATION, AND TIMEFRAMES FOR TEMPORARY PARKING LOTS. 11. SUSTAINABILITY COMMITTEE REPORT. 12. REVIEW OF RESILIENCE STRATEGY WORKPLAN - PLANNED AND IN PROGRESS RESILIENCY PROJECTS.

Environment and Sustainability

ACTION:

1. DISCUSSION ON STORMWATER BEST MANAGEMENT PRACTICES.
   ACTION: No further action taken.

2. REQUESTING ORAL REPORT FROM ADMIN ON WATER QUALITY OF BISCAYNE BAY SURROUNDING THE CITY'S NEW PUMP SYSTEMS.
   ACTION: Combined with Item #1

3. REVIEW THE CITY'S ABILITY TO ENABLE UNDERGROUND ELECTRICAL POWERLINES.
   MOTION: Referral to FWCP Committee to discuss having the city to play an active role in facilitating the undergrounding process including streamlining activities, covering some initial upfront expenses, and exploring other financial ways to support the process. Motion made by Vice-Mayor Samuelian, seconded by Commissioner Alemán.

4. MARINA TRASH SKIMMER AND ITS POTENTIAL USE IN MIAMI BEACH.
   ACTION: Continued to September 26, 2018 Sustainability and Resiliency Committee.

5. STRONG METHANE ODOR EMANATING FROM STORM DRAINS WHEN PUMPS ARE OPERATING, & IMPACT ON SURROUNDING AREAS.
   ACTION: No further action taken.

6. DISCUSSION ON POTENTIAL POLICY REGARDING SUSTAINABILITY SOURCED WOOD.
   ACTION: Continued to September 26, 2018 Sustainability and Resiliency Committee.

7. TEMPORARY HYDROPONIC FARM AS AN INCUBATION PILOT IN NORTH BEACH.
   ACTION: Continued to September 26, 2018 Sustainability and Resiliency Committee.

8. DISCUSSION ON INCREASING THE CITY'S WATER BOTTLE REFILL STATIONS.
   ACTION: No further action taken.

9. DISCUSSION ON TRASH AND RECYCLING BINS EXPANSION CITYWIDE.
   ACTION: Continued to September 26, 2018 Sustainability and Resiliency Committee.

10. LANDSCAPE & SURFACE FINISH REQUIREMENTS, TREE MITIGATION, AND TIMEFRAMES FOR TEMPORARY PARKING LOTS.
    ACTION: Continued to October 26, 2018 Sustainability and Resiliency Committee Meeting.

11. SUSTAINABILITY COMMITTEE REPORT. 12. REVIEW OF RESILIENCE STRATEGY WORKPLAN - PLANNED AND IN PROGRESS RESILIENCY PROJECTS.
    ACTION: No further action taken.

12. REVIEW- RESILIENCE STRATEGY WORKPLAN/PLANNED & IN PROGRESS RESILIENCY PROJECTS.
    ACTION: No further action taken.

C7 - Resolutions

C7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING FUNDING, AND APPROVING AND AUTHORIZING (AND, AS TO CERTAIN AGREEMENTS, RETROACTIVELY APPROVING AND AUTHORIZING) THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR AND ACCEPT FUNDING (INCLUDING MATCHING FUNDS AND ANY RELATED CITY EXPENSES), AND EXECUTE ANY AND ALL DOCUMENTS OR AGREEMENTS IN CONNECTION WITH THE FOLLOWING GRANTS AND AGREEMENTS: 1) FLORIDA DIVISION OF EMERGENCY MANAGEMENT, HAZARD MITIGATION GRANT PROGRAM, IN THE APPROXIMATE AMOUNT OF $7,321,591; 2) MIAMI-DADE COUNTY HOMELESS TRUST, HOMELESS OUTREACH PROGRAM, IN THE APPROXIMATE AMOUNT OF $65,212; 3) U.S. DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES, SCHOOL VIOLENCE PREVENTION PROGRAM, IN THE APPROXIMATE AMOUNT OF $458,000; 4) NATIONAL ENDOWMENT OF THE ARTS, OUR TOWN PROGRAM, IN THE APPROXIMATE AMOUNT OF $200,000; 5) PETSMART CHARITIES®, IN THE APPROXIMATE AMOUNT OF $45,000; 6) U.S. DEPARTMENT OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE (UASI), FISCAL YEAR 2019 PROGRAM, IN THE APPROXIMATE AMOUNT OF $100,000; 7) FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, FY 2018/19 FLORIDA RECREATION DEVELOPMENT AND ASSISTANCE PROGRAM (FRDAP), IN THE APPROXIMATE AMOUNT OF $250,000; 8) FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, FLORIDA COMMUNITIES TRUST, PARKS AND OPEN SPACE FLORIDA FOREVER PROGRAM, IN THE APPROXIMATE AMOUNT OF $5,000,000; 9) MIAMI-DADE CITY OF TOMORROW CHALLENGE, IN THE APPROXIMATE AMOUNT OF $75,000; AND, 10) FLORIDA DEPARTMENT OF TRANSPORTATION, LOCALLY FUNDED AGREEMENT, FOR A TRANSPORTATION MANAGEMENT INITIATIVE, IN THE APPROXIMATE AMOUNT OF $20,000.

Grants Management

ACTION: Resolution 2018-30448 adopted. Judy Hoanshelt to handle.

C7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING FUNDING, AND APPROVING AND AUTHORIZING (AND, AS TO CERTAIN AGREEMENTS, RETROACTIVELY APPROVING AND AUTHORIZING) THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR AND ACCEPT FUNDING (INCLUDING MATCHING FUNDS AND ANY RELATED CITY EXPENSES), AND TO EXECUTE ANY AND ALL DOCUMENTS OR AGREEMENTS IN CONNECTION WITH A GRANT TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FOR THE FISCAL YEAR 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, IN THE APPROXIMATE AMOUNT OF $69,324.

Grants Management

ACTION: Resolution 2018-30449 adopted. Judy Hoanshelt to handle.

C7 C REAPPOINTMENT OF CHIEF SPECIAL MASTER:

1. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO SECTION 30-36 OF THE CODE OF THE CITY OF MIAMI BEACH, CONCERNING THE REAPPOINTMENT OF ENRIQUE ZAMORA, ESQ., TO SERVE AS CHIEF SPECIAL MASTER, FOR A TERM COMMENCING ON OCTOBER 24, 2018 AND ENDING ON APRIL 23, 2019; PROVIDED FURTHER THAT CHIEF SPECIAL MASTER ZAMORA SHALL BE AUTHORIZED TO HOLD HEARINGS AND IMPOSE FINES, LIENS AND OTHER NON-CRIMINAL PENALTIES AGAINST VIOLATORS OF THE CITY AND COUNTY CODES AND ORDINANCES, AND SHALL ALSO BE AUTHORIZED TO APPOINT SUCH OTHER SPECIAL MASTERS AS MAY REASONABLY BE REQUIRED TO CONDUCT THE SUBJECT HEARINGS; AND FURTHER INCORPORATING ALL OTHER MATTERS SET FORTH WITHIN CHAPTER 30 OF THE CITY CODE, INCLUDING, WITHOUT LIMITATION, SECTIONS 30-37 AND 30-38 THEREOF, CONCERNING THE COMPENSATION AND DUTIES OF THE CHIEF SPECIAL MASTER.

ACTION: Resolution 2018-30450 adopted. Office of the City Clerk to handle.

2. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND REAPPOINTING, PURSUANT TO SECTION 102-356 OF THE CITY CODE, ENRIQUE ZAMORA, ESQ. (CHIEF SPECIAL MASTER REAPPOINTED PURSUANT TO RESOLUTION NO. **2018-30450** AS THE CITY MANAGER'S "DESIGNEE" UNDER SECTION 102-356 OF THE CITY CODE; SAID DESIGNATION COMMENCING WITH ZAMORA'S TERM AS CHIEF SPECIAL MASTER ON OCTOBER 24, 2018 AND ENDING ON APRIL 23, 2019.

Office of the City Clerk

ACTION: Resolution 2018-30451 adopted. Office of the City Clerk to handle.

C7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RECOGNIZING AND APPROVING EARLY VOTING FOR THE NOVEMBER 6, 2018 CITY OF MIAMI BEACH SPECIAL ELECTION.

Office of the City Clerk

ACTION: Resolution 2018-30452 adopted. Office of the City Clerk to handle.

C7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MIAMI-DADE COUNTY CANVASSING BOARD FOR THE NOVEMBER 6, 2018 GENERAL ELECTION TO SERVE AS THE CANVASSING BOARD FOR THE CITY OF MIAMI BEACH'S SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2018.

Office of the City Clerk

ACTION: Resolution 2018-30453 adopted. Office of the City Clerk to handle.

C7 F A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AFFIRMING THE PUBLIC PURPOSE OF INFORMING AND EDUCATING THE CITY'S VOTERS ON THE SIX (6) CITY SPECIAL ELECTION BALLOT QUESTIONS THAT WILL APPEAR ON THE BALLOT FOR THE NOVEMBER 6, 2018 SPECIAL ELECTION THROUGH VARIOUS METHODS, INCLUDING A PRINTED VOTER'S GUIDE AND A VOTER EDUCATION VIDEO; AND APPROVING THE EXPENDITURE OF AN ADDITIONAL $15,400 OF BUDGETED FUNDS, TO ADD UP TO TWENTY (20) EXTRA PAGES TO THE OCTOBER 2018 ISSUE OF MB MAGAZINE IN ORDER TO INCLUDE THE VOTER'S GUIDE IN SAID PUBLICATION.

Office of the City Clerk/Office of the City Attorney/Office of Marketing and Communications

ACTION: Resolution 2018-30454 adopted. Office of the City Clerk, Office of the City Attorney and Tonya Daniels to handle.

C7 G A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE CERTIFICATION OF THE MIAMI-DADE COUNTY CANVASSING BOARD FOR THE AUGUST 28, 2018 SPECIAL ELECTION FOR THE CITY OF MIAMI BEACH, AND DECLARING THE RESULTS THEREOF.

Office of the City Clerk

ACTION: Resolution 2018-30455 adopted. Office of the City Clerk to handle.

The Certification of the results of the August 28, 2018 City of Miami Beach Special Election have been received from the Miami-Dade County Supervisor of Elections, and is attached and incorporated to Resolution 2018-304545 as Composite Exhibit "A." Said Certification reflects that Question "A" as set forth below was approved by the electorate of the City of Miami Beach; and Question "B" as set forth below was not approved by the electorate of the City of Miami Beach.

The Miami-Dade County Canvassing Board having canvassed the returns of the August 28, 2018 Special Election of the City of Miami Beach, the Mayor, and City Commission hereby adopt the Certification of the Miami-Dade County Canvassing Board for said Special Election. As a result of the City of Miami Beach August 28, 2018 Special Election, the votes upon the questions presented reflect the following final results:

QUESTION "A":
Amending Composition of the Board of Adjustment
Section 2 of the City's Related Special Acts establishes the Board of Adjustment ("BOA") with seven members, each representing one of the following professions: Law, architecture, engineering, real estate development, certified public accounting, financial consultation, and general business. Shall Section 2 be amended to provided that two of the BOA members shall be "citizens at-large" (no specific profession), and the remaining five members shall each represent one of the above professions?

YES 6,733 64.67%
NO 3,679 35.33%

QUESTION “B”:
Amend City Charter to Increase the Annual Compensation of the Mayor and City Commissioners
Shall City Charter Section 2.02 be amended to change the annual compensation established in 1966, which has not been raised in 52 years, for the Mayor from $10,000 to $75,636, and for City Commissioners from $6,000 to $45,381; and also to authorize the City Commission, at a noticed public hearing, to allow an annual compensation increase based upon the Consumer Price Index, issued by U.S. Department of Labor, not to exceed three percent per year?

YES 5,018 47.47%
NO 5,554 52.53%

Question "A" was approved and Question "B" was not approved.

City Clerk’s Note: The two ballot questions have been lettered “A” and “B” for ease of reference herein only and were not so lettered on the ballot.

10:55:35 a.m.
SUPPLEMENTAL MATERIAL 1: REVISED RESOLUTIONS
C7 H
1 A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE SUSTAINABILITY AND RESILIENCY COMMITTEE, AND APPROVING AN AMENDMENT TO THE RULES AND REGULATIONS FOR BEACHFRONT CONCESSION OPERATIONS, TO REQUIRE ALL UPLAND OWNER CONCESSIONAIRES AND THEIR THIRD PARTY CONCESSION OPERATORS TO UTILIZE 100% REUSABLE WARES IN CONNECTION WITH THEIR BEACH FRONT CONCESSION OPERATIONS, INCLUDING THE DELIVERY, SERVICE, AND CONSUMPTION OF FOOD AND BEVERAGES; PROVIDED THAT SAID AMENDMENT BE REFERRED TO THE SUSTAINABILITY AND RESILIENCY COMMITTEE, FOR DISCUSSION AND COMMENT, PRIOR TO FINAL APPROVAL BY THE CITY COMMISSION.

Office of the City Manager
Commissioner Micky Steinberg

ACTION: Resolution 2018-30456 adopted. Item separated by Commissioner Steinberg. Motion made by Commissioner Steinberg to approve the Resolution; seconded by Commissioner Alemán. Voice vote: 7-0. **Elizabeth Wheaton and John Ripple to handle.**

City Clerk’s Note: Commissioner Steinberg is the sponsor of item C7 H1 (Reusable ware).

REFERRAL:
Sustainability and Resiliency Committee

MOTION 1:
Motion made by Commissioner Steinberg to approve the Resolution; seconded by Commissioner Alemán. Voice vote: 7-0.

MOTION 2:

Motion made by Commissioner Steinberg to refer the item to the Sustainability and Resiliency Committee to finalize phasing and implementation; seconded by Commissioner Alemán. Voice vote: 7-0. **Elizabeth Wheaton to place on the Committee Agenda. Elizabeth Wheaton and John Ripple to handle.**

Commissioner Steinberg stated that she is the sponsor of this item and would like to see it approved, but she separated the item, because she believes there are certain things the Sustainability and Resiliency Committee needs to discuss further, to finalize phasing and implementation.

SUPPLEMENTAL MATERIAL 1: REVISED RESOLUTION
SUPPLEMENT MATERIAL 2: REVISED RESOLUTION #2

2. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE RULES AND REGULATIONS FOR BEACHFRONT CONCESSION OPERATIONS (RULES AND REGULATIONS), TO PERMIT THE UTILIZATION OF MOBILE COOKING/HEATING CONCESSION FACILITIES, FOR A FEE OF $10,000 PER MONTH, AS PART OF THE BEACHFRONT CONCESSION AGREEMENTS ISSUED ANNUALLY TO THE UPLAND PROPERTY OWNERS; FURTHER APPROVING THE FOURTH AMENDED AND RESTATED RULES AND REGULATIONS FOR BEACHFRONT CONCESSION OPERATIONS, THAT WILL INCORPORATE THIS AMENDMENT; AND FURTHER AUTHORIZING THE ADMINISTRATION TO SUBMIT THE PROPOSED RULES AND REGULATIONS TO THE STATE OF FLORIDA FOR APPROVAL PRIOR TO IMPLEMENTATION OF THE AMENDMENT; PROVIDED, HOWEVER, THAT SHOULD THE STATE MAKE MATERIAL CHANGES TO THE PROPOSED FORM OF THE RULES AND REGULATIONS, THE ADMINISTRATION WILL RESUBMIT THE RULES AND REGULATIONS TO THE CITY COMMISSION FOR APPROVAL.

Office of the City Manager

ACTION: Resolution 2018-30457 adopted. Mark Milisits to handle.

SUPPLEMENTAL MATERIAL 1: RESOLUTION

C7 I A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO UTILIZE EXISTING CITY MARKETING RESOURCES TO PROMOTE AND MARKET HOMEBUYER INITIATIVES, WITH AN EMPHASIS TOWARD EDUCATORS IN THE MIAMI BEACH FEEDER PATTERN.

Housing and Community Services
Commissioner John Elizabeth Alemán

ACTION: Resolution 2018-30458 adopted. Maria Ruiz to handle.

C7 J A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE TO DIRECT THE CITY MANAGER TO PROVIDE SUPPORT FOR THE HOMELESS WALK-A-THON EVENT PROPOSED BY H.O.P.E. IN MIAMI-DADE, INC., TO BE HELD IN FALL 2019, BY INCLUDING THE PARTICIPATION OF THE CITY'S POLICE DEPARTMENT AND HOMELESS OUTREACH OFFICE AT THE EVENT, PROMOTING THE WALK-A-THON AS A CITY-SPONSORED EVENT, AND AUTHORIZING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO INCLUDE THE SPONSORSHIP OF THE EVENT IN THE CITY'S FY 2019/20 BUDGET.

Housing and Community Services
Commissioner Michael Góngora

ACTION: Resolution 2018-30459 adopted. Maria Ruiz to handle.

C7 K A RESOLUTION OF MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN 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 ENTER INTO AN AGREEMENT WITH MIAMI RESCUE MISSION, INC., FOR A PERIOD OF FIVE (5) YEARS, FOR FIFTEEN EMERGENCY SHELTER BEDS FOR HOMELESS MALES, IN THE ANNUAL NOT-TO-EXCEED AMOUNT OF $98,769, WITH THE NOT-TO-EXCEED AMOUNT INCREASED BY THREE PERCENT (3%) ANNUALLY.

Housing and Community Services

ACTION: Resolution 2018-30460 adopted. Maria Ruiz to handle.

C7 L A RESOLUTION OF MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN 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 ENTER INTO AN AGREEMENT WITH H.O.P.E. IN MIAMI-DADE, INC., FOR A PERIOD OF THREE (3) YEARS, FOR HOMELESS OUTREACH TRAINING PROGRAM SERVICES, IN THE ANNUAL NOT-TO-EXCEED AMOUNT OF $63,654, WITH THE NOT-TO-EXCEED AMOUNT INCREASED BY THREE PERCENT (3%) IN THE SECOND AND THIRD CONTRACT YEAR.

Housing and Community Services

ACTION: Resolution 2018-30461 adopted. Maria Ruiz to handle.

10:52:37 a.m.

C7 M A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 1 TO THE CONCESSION AGREEMENT BETWEEN THE CITY AND BLINK NETWORK, INC. FOR A SELF-SERVING ELECTRIC VEHICLE (EV) CHARGING STATION SERVICES PROGRAM FOR THE CITY'S PARKING FACILITIES; SAID AMENDMENT EXPANDING THE SCOPE OF THE AGREEMENT TO ADD THE CONVENTION CENTER GARAGE (G11) AND THE COLLINS PARK GARAGE (G12) TO THE PROGRAM; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL AMENDMENT.

Parking

ACTION: Resolution 2018-30462 adopted. Item separated by Commissioner Rosen Gonzalez. Motion made by Commissioner Alemán to approve the Resolution; seconded by Commissioner Steinberg; Voice vote: 7-0. **Saul Frances to handle.**

Commissioner Rosen Gonzalez stated that she believes this is a great Resolution, but she would like to require that all City parking garages moving forward be required to have electric charging stations, not just the two parking garages listed in this Resolution.

Kathie G. Brooks, Assistant City Manager, explained that all City parking garages in Miami Beach are required to have electric charging stations, but the G11 and G12 parking garages are new and needed to be included in the existing agreement.

TO DO:
Commissioner Alemán requested an LTC detailing use data for electric parking stations. **Saul Frances to handle.**

C7 N A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE MUTUAL AID AGREEMENTS WITH THE FOLLOWING GOVERNMENTAL AGENCIES: 1) VILLAGE OF EL PORTAL, FLORIDA; 2) FLORIDA CITY, FLORIDA; 3) CITY OF HIALEAH, FLORIDA; 4) CITY OF BAL HARBOR, FLORIDA; 5) INDIAN CREEK VILLAGE, FLORIDA; 6) VILLAGE OF KEY BISCAYNE, FLORIDA; 7) MIAMI SHORES VILLAGE, FLORIDA; 8) CITY OF BAY HARBOR ISLANDS, FLORIDA; 9) CITY OF NORTH MIAMI, FLORIDA; 10) CITY OF NORTH MIAMI BEACH, FLORIDA; 11) VILLAGE OF PINECREST, FLORIDA; 12) CITY OF BISCAYNE PARK, FLORIDA; 13) CITY OF CORAL GABLES, FLORIDA; 14) TOWN OF SURFSIDE, FLORIDA; 15) CITY OF SWEETWATER, FLORIDA; 16) CITY OF VIRGINIA GARDENS, FLORIDA; 17) CITY OF DORAL, FLORIDA; 18) CITY OF HIALEAH GARDENS, FLORIDA; 19) CITY OF MEDLEY, FLORIDA; 20) SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA; 21) CITY OF MIAMI SPRINGS, FLORIDA; 22) CITY OF OPA-LOCKA, FLORIDA; FOR THE PURPOSE OF COORDINATING LAW ENFORCEMENT PLANNING, OPERATIONS, AND MUTUAL AID BENEFIT BETWEEN THE CITY OF MIAMI BEACH AND THE VILLAGE OF EL PORTAL, FLORIDA CITY, FLORIDA, CITY OF HIALEAH, CITY OF BAL HARBOR, INDIAN CREEK VILLAGE, VILLAGE OF KEY BISCAYNE, MIAMI SHORES VILLAGE, CITY OF BAY HARBOR ISLANDS, CITY OF NORTH MIAMI, CITY OF NORTH MIAMI BEACH, VILLAGE OF PINECREST, CITY OF BISCAYNE PARK, CITY OF CORAL GABLES, TOWN OF SURFSIDE, CITY OF SWEETWATER, CITY OF VIRGINIA GARDENS, CITY OF DORAL, CITY OF HIALEAH GARDENS, CITY OF MEDLEY, SCHOOL BOARD OF MIAMI-DADE COUNTY, CITY OF MIAMI SPRINGS, AND THE CITY OF OPA-LOCKA

Police

ACTION: Resolution 2018-30463 adopted. Chief Oates to handle.

C7 O A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE STATE OF FLORIDA TO FUND RESEARCH TO UNDERSTAND THE CAUSES OF RED TIDE AND FRESHWATER ALGAE BLOOMS THAT THREATEN THE STATE'S TOURISM ECONOMY, AND TO DEVELOP PROGRAMS TO REDUCE NUTRIENT POLLUTION THAT CONTINUES TO IMPACT THE NATURAL ECOSYSTEMS SOUTH OF LAKE OKEECHOBEE.

Environment and Sustainability
Commissioner Michael Góngora

ACTION: Resolution 2018-30464 adopted. Elizabeth Wheaton to handle.

C7 P A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY OF MIAMI BEACH TO EXECUTE A NEW SOVEREIGNTY SUBMERGED LAND LEASE (BOT FILE NO. 130883466) BY THE CITY, AS LESSEE, AND THE BOARD OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, AS LESSOR FOR A WATERMAIN CROSSING BETWEEN DILIDO ISLAND AND RIVO ALTO ISLAND OWNED BY THE CITY OF MIAMI BEACH; SAID LEASE HAVING A TERM OF FIFTY (50) YEARS, COMMENCING (RETROACTIVELY) ON FEBRUARY 7, 2016, AND ENDING ON FEBRUARY 7, 2066.

Environment and Sustainability

ACTION: Resolution 2018-30465 adopted. Elizabeth Wheaton to handle.

10:54:17 a.m.

C7 Q A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE, AT ITS JUNE 29, 2018 MEETING, AND 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 AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AN AGREEMENT WITH TCF EQUIPMENT FINANCE, THE CITY'S CURRENT PROVIDER, FOR THE LEASE OF GOLF CARTS, UTILITY CARTS, AND GPS EQUIPMENT FOR THE MIAMI BEACH GOLF CLUB AND THE NORMANDY SHORES GOLF CLUB, FOR A PERIOD OF FOUR (4) YEARS, IN AN AMOUNT NOT TO EXCEED $240,000.00 ANNUALLY, SUBJECT TO THE ADOPTION OF THE FY 2018/2019 OPERATING BUDGET; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AGREEMENT.

Parks and Recreation

ACTION: Resolution 2018-30466 adopted. Item separated by Commissioner Rosen Gonzalez. Moved by Commissioner Alemán to adopt the item; seconded by Commissioner Góngora. Voice vote: 7-0. **John Rebar to handle.**

Commissioner Rosen Gonzalez stated that she separated the item because she saw the City was waiving the bid, which is $240,000 over four years adding up to $1 million. Even if the service is good, the City should go out to bid for that much money.

John Rebar, Parks and Recreation Director, explained that the City would like to stay with the TCF Equipment Finance. The company changed the batteries it uses in its golf carts to lithium, and now the company is charging more for the standard battery. The standard battery is not good for the environment, do not last long, and are worse for the environment. If the City would have stayed utilizing the normal batteries, and not preferred to change changed to lithium, it could have renewed the contract. However, since the City would like to change the type of batteries, it must do a bid waiver.

C7 R A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2018-186-WG, FOR GOLF COURSE OPERATION AND MANAGEMENT SERVICES, AUTHORIZING THE MONTH TO MONTH EXTENSION OF THE AGREEMENT WITH PROFESSIONAL COURSE MANAGEMENT, UNTIL SUCH TIME AS A NEW AGREEMENT IS EXECUTED; FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTRACT WITH PROFESSIONAL COURSE MANAGEMENT II, LTD; AND, SHOULD THE ADMINISTRATION BE UNABLE TO SUCCESSFULLY NEGOTIATE A CONTRACT WITH PROFESSIONAL COURSE MANAGEMENT II, LTD, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTRACT WITH HAMPTON GOLF, INC.; AND, FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

Parks and Recreation

ACTION: Item deferred to October 17, 2018. Lilia Cardillo to place on the Commission Agenda, if received**. John Rebar and Office of the City Attorney to handle.**

Handouts or Reference Materials:

1. Email from Neisen.kasdin@akerman.com dated September 11, 2018, RE: Professional Course Management Jeffery Papell, with attached letter titled "PCM Letter re Jeff Papell 9-11-18.PDF.

9:23:32 a.m.

C7 S A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING TO CONSIDER GRANTING A WAIVER OF CERTAIN LAND DEVELOPMENT REGULATIONS (LDR) PERTAINING TO WAIVING THE DEVELOPMENT REGULATIONS FOR GENERAL ADVERTISING SIGNAGE, BY A 5/7TH VOTE OF THE CITY COMMISSION, AFTER A PUBLIC HEARING, PURSUANT TO LDR SECTION 142-425(D), FOR THE FLAMINGO PARK FITNESS ZONE AT FLAMINGO PARK LOCATED AT 1200 MERIDIAN AVENUE, MIAMI BEACH, FLORIDA; SETTING THE PUBLIC HEARING FOR OCTOBER 17, 2018; DIRECTING THE CITY CLERK TO PUBLISH THE APPROPRIATE PUBLIC NOTICE; AND ACCEPTING THE RECOMMENDATION OF THE PLANNING BOARD AT ITS JULY 24, 2018 MEETING TO APPROVE THE WAIVER OF THE DEVELOPMENT REGULATIONS PERTAINING TO A GENERAL ADVERTISING SIGN.

Parks and Recreation
Commissioner Ricky Arriola

ACTION: Resolution 2018-30467 adopted. Item separated by Vice-Mayor Samuelian and Commissioner Góngora. Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Resolution. Voice vote: 7-0. Rafael E. Granado to notice. Lilia Cardillo to place on the October 17, 2018 Commission Agenda, if received. **John Rebar to handle.**

TO DO:
Provide Notice to the Flamingo Park Neighborhood Association. **John Rebar to handle.**

City Attorney Aguila stated that a Public Hearing could be set for October 17, 2018 regarding this item, and it will take place before the LDR amendment of item C4 A makes it through the pipeline.

Vice-Mayor Samuelian stated that he separated this item and is very excited that the City will be receiving new fitness equipment, but he requested that the Flamingo Park Neighborhood Association be informed of the public hearing given that they will most certainly want to discuss the TD Bank logo associated with the fitness equipment. **John Rebar to handle.**

Commissioner Góngora stated that he is generally not in favor of corporate sponsorship in public projects. He believes that the City in this instance is going beyond what was agreed to in the Resolution by allowing TD Bank logo on the actual equipment and other parts of the park, when the Resolution only asked for a sign with the TD Bank logo.

Mayor Gelber asked whether the use of the TD Bank logo is to be determined at this meeting or at the October Public Hearing.

City Attorney Aguila replied that it can be discussed at the October Public Hearing and will require a 5/7 vote.

C7 T A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 82-93(A), OF THE CITY CODE, SETTING A PUBLIC HEARING FOR OCTOBER 17, 2018, TO CONSIDER APPROVING A REVOCABLE PERMIT REQUEST BY MAC 1045 5TH ST, LLC, WHICH UNIFIED SITE IS LOCATED AT 1031 5TH STREET, 1045 5TH STREET, 527 LENOX AVENUE, AND 543 LENOX AVENUE, IN ORDER TO ALLOW THE PARTIAL ENCROACHMENT OF THE CITY'S RIGHT-OF-WAY BY: (1) BUILDING EYEBROWS, FINS, AND BUILDING SIGNAGE EXTENDING 1'-11", 2'-4 1/2", AND 1', RESPECTIVELY, AND WITH A MAXIMUM OF 2'-4 1/2", INTO THE LENOX AVENUE PUBLIC RIGHT-OF-WAY; AND (2) BUILDING EYEBROWS STRETCHING 11 1/2" INTO THE ADJACENT PUBLIC ALLEY WAY, MICHIGAN COURT, WHICH PERMIT SHALL BE REVIEWED FOR CONSISTENCY WITH THE CRITERIA OF SECTION 82-94, OF THE CITY CODE; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE REVOCABLE PERMIT.

Public Works

ACTION: Resolution 2018-30468 adopted. Rafael E. Granado to notice. Lilia Cardillo to place on the October 17, 2018 Commission Agenda, if received. **Roy Coley to handle.**

C7 U A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING, PURSUANT TO SECTION 82-93(A), OF THE CITY CODE, FOR OCTOBER 17, 2018, TO CONSIDER APPROVING A REVOCABLE PERMIT REQUEST BY 1681 WEST VENTURES, LLC & 1698 ALTON ROAD VENTURES, LLC, FOR THE PROPERTIES LOCATED AT 1681 - 1683 WEST AVENUE, AND 1698 ALTON ROAD, IN ORDER TO ALLOW THE INSTALLATION OF A 2ND LEVEL CANOPY ALONG 17TH STREET AND WEST AVENUE ON THE FACADE OF 1698 ALTON ROAD, WHICH CANOPY SHALL PROJECT APPROXIMATELY 3'-10" OVER THE PUBLIC RIGHT-OF-WAY (17TH STREET AND WEST AVENUE).

Public Works

ACTION: Resolution 2018-30469 adopted. Rafael E. Granado to notice. Lilia Cardillo to place on the October 17, 2018 Commission Agenda, if received. **Roy Coley to handle.**

C7 V A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING, PURSUANT TO SECTION 82-93(A), OF THE CITY CODE, FOR OCTOBER 17, 2018, TO CONSIDER APPROVING A REVOCABLE PERMIT REQUEST BY SABER 1800 ALTON, LLC., OWNER OF THE PROPERTY LOCATED AT 1824 ALTON ROAD, MIAMI BEACH, TO ALLOW THE INSTALLATION OF A CANOPY AWNING ALONG 18TH STREET THAT WILL ENCROACH APPROXIMATELY 8 1/2%" OVER THE PUBLIC RIGHT-OF-WAY.

Public Works

ACTION: Resolution 2018-30470 adopted. Rafael E. Granado to notice. Lilia Cardillo to place on the October 17, 2018 Commission Agenda, if received. **Roy Coley to handle.**

C7 W A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING, TO APPROVE AND AUTHORIZE CHANGE ORDER NO. 4, TO THE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CERES ENVIRONMENTAL SERVICES, INC. (CONTRACTOR) RELATING TO DISASTER RECOVERY SERVICES RESULTING FROM HURRICANE IRMA RELATED DEBRIS; AND FURTHER AUTHORIZING THE PAYMENT OF $64,569.58 TO THE CONTRACTOR AS FINAL PAYMENT RELATING TO DEBRIS REMOVAL OF HURRICANE IRMA RELATED DEBRIS.

Public Works

ACTION: Resolution 2018-30471 adopted. Roy Coley to handle.

C7 X A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN EMERGENCY ACCESS EASEMENT AGREEMENT BETWEEN THE CITY, AS GRANTOR, AND GREATER MIAMI HEBREW ACADEMY, AS GRANTEE, FOR AN EMERGENCY ACCESS EASEMENT THROUGH THE CITY'S PARKING LOT AT THE PAR 3 PROPERTY, A COPY OF WHICH EASEMENT IS ATTACHED HERE TO AS EXHIBIT A.

Public Works
Mayor Dan Gelber

ACTION: Resolution 2018-30472 adopted. Roy Coley to handle.

C7 Y A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER (AS FURTHER SET FORTH IN THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION) AND WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENTS, FINDING SUCH WAIVER TO BE IN THE CITY’S BEST INTEREST, AND AUTHORIZING THE PURCHASE OF TRIADA BOLLARDS, POLES, AND REPLACEMENT PARTS FROM FORMS AND SURFACES, INC., IN AN AMOUNT NOT TO EXCEED $150,000 ANNUALLY, FOR A PERIOD OF THREE YEARS.

Public Works

ACTION: Resolution 2018-30473 adopted. Roy Coley to handle.

C7 Z A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2018-234-JC FOR REVENUE ENHANCEMENT STUDY FOR UTILITIES; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH ISI WATER COMPANY, THE TOP RANKED PROPOSER; AND, FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

Public Works/Procurement

ACTION: Item withdrawn.

C7 AA A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING, TO PROCEED WITH THE RESTROOM FACILITIES FOR THE COLLINS PARK ROTUNDA IN THE AMOUNT OF $175,000, AS PROPOSED IN THE FY 18/19 CAPITAL BUDGET.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30474 adopted. Heather Shaw to handle.

SUPPLEMENTAL MATERIAL 2: RESOLUTION

C7 AB A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING BET PRODUCTIONS IV'S REQUEST FOR THE CLOSURE OF WASHINGTON AVENUE, A MAJOR ROADWAY, FROM DADE BOULEVARD TO 17TH STREET, ON SATURDAY, OCTOBER 6, 2018 FROM 2:00 PM THROUGH 12:00 AM (MIDNIGHT), TO ALLOW LIMOUSINE DROP OFF AND RED CARPET ARRIVALS FOR THE BET HIP HOP AWARDS, TAKING PLACE THAT EVENING AT THE FILLMORE MIAMI BEACH AT THE JACKIE GLEASON THEATER.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30475 adopted. Heather Shaw to handle.

C7 AC A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING AND DIRECTING THE CITY MANAGER TO SOLICIT INTEREST FROM POTENTIAL PROGRAMMING AGENCIES FOR THE ACTIVATION AND PROGRAMMING PLAN FOR RUE VENDOME, NORMANDY ISLE, AND NORTH BEACH AND TO PROVIDE ASSOCIATED BUDGET PROJECTIONS.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30476 adopted. Heather Shaw to handle.

C7 AD A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, GLOBAL SPECTRUM, L.P. D/B/A SPECTRA VENUE MANAGEMENT, AND ART BASEL U.S. CORP., FOR USE OF THE MIAMI BEACH CONVENTION CENTER FOR THE 2018 ART BASEL SHOW.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30477 adopted. Heather Shaw to handle.

C7 AE A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 9 TO THE PROFESSIONAL ARCHITECTURAL AND ENGINEERING (A/E) SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND WOLFBERG/ALVAREZ AND PARTNERS, INC., FOR ADDITIONAL ARCHITECTURAL PROFESSIONAL SERVICES FOR THE FLAMINGO PARK PROJECT; IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF $71,200; WITH PREVIOUSLY APPROPRIATED FUNDING.

Capital Improvement Projects

ACTION: Resolution 2018-30478 adopted. David Martinez to handle.

10:36:15 a.m.

C7 AF A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION FROM FINANCE AND CITYWIDE PROJECTS COMMITTEE (FCWPC) TO PROCEED WITH THE DEVELOPMENT, DESIGN, AND OTHER PLANNING WORK FOR MAURICE GIBB MEMORIAL PARK.

Capital Improvement Projects

ACTION: Resolution not adopted. Item separated by Mayor Gelber, Vice-Mayor Samuelian and Commissioner Góngora. Motion made by Commissioner Alemán to bring the item back to the October 17, 2018 Commission Meeting, and conduct outreach on design, operating conditions, Park Rangers support to alleviate safety concerns, and invite surrounding condominium boards and homeowner associations to said meetings; seconded by Commissioner Arriola; Voice vote: 7-0. Lilia Cardillo to place on the October 17, 2018 Commission Agenda, if received. **David Martinez to handle.**

RECOMMENDATIONS:

- Bring Resolution back to the next City Commission meeting on October 17, 2018.
- Prior to the October 17, 2018 Commission Meeting, direct the Administration to conduct another public outreach presentation, not just design, but to go over Park Ranger support, and alleviate safety concerns with the support of Sunset Harbour homeowners' associations and condominium boards.

Commissioner Góngora stated that he was prepared to vote on the item after reviewing it, but at the request of the President of the Lofts Condominium Association, he agreed to separate it from the Consent Agenda, so that she could speak on the item.

Raimy Walsh, President of the Lofts Condominium Association, requested that the City Commission refer this item back to the Finance and Citywide Projects Committee to have further input and consensus from the neighborhood. There are several concerns held by the neighbors of Sunset Harbour about the park. She believes the community should weigh in on the playground's proposed new location, which abuts the Venetian Causeway as well as the fishing pier. There are two pavilions being proposed. She believes the park will suffer the same problem the boardwalk huts are facing by being overrun by homeless and vagrants. In addition, the pavilion will only provide shade around noon. It will not be successful in providing shade. She would like to refer the item back to the Neighborhood/Community Affairs Committee.

Sara de los Reyes, Sunset Harbour Neighborhood Association, stated that she believes very few people got a say in the parks redesign, and too many people will be affected by it. Very few people were present for the vote that took place regarding the park, because most residents of

Sunset Harbour leave Miami Beach for the summer. She asked for the item to be referred once again to Neighborhood/Community Affairs Committee.

Commissioner Arriola stated that he is unhappy to have this item come back once again before the City Commission. It is another example of how projects are delayed in this City. The City Commission can hold several more meetings on this item until the topic is exhausted or a mediocre solution is agreed upon to appease everyone. He expressed his frustration of how a handful of residents can disagree on a project and cause massive delays by having matters discussed repeatedly.

Mayor Gelber asked what Commissioner Arriola suggests should be done.

Commissioner Arriola stated that discussions can continue, but does not know how many more are required before action is taken.

Discussion held.

Commissioner Alemán would like to move the item to next month's agenda to allow enough time for community outreach.

Commissioner Arriola stated that the new park design would create more greenspace than before. The playground being relocated to the south of the park will not be abutting Dade Boulevard at all. It is false to say it is a safety hazard. The pavilions were requested by parents to have a place to sit in the shade. These arguments are nothing new, and were all vetted previously.

Commissioner Góngora asked Commissioner Arriola to address the huts and pavilions, because they may become congregation areas for homeless people, and he wants to make sure that does not happen.

Commissioner Arriola explained that he does not want homeless or vagrants in the pavilions or the park for that matter. The pavilions will provide shelter from rain and shade from the sun. They are see-through, and will not offer cover to people wanting to hide. He believes the bigger concern is that residents of Miami Beach cannot have nice things, because their local government is too afraid of the crime problem it has unsuccessfully been able to control.

Commissioner Rosen Gonzalez agreed with Commissioner Arriola as it upsets her that Miami Beach is removing facilities.

Commissioner Alemán stated that her motion would be to bring this Resolution back to the next City Commission meeting and direct the Administration within that period to conduct another public outreach presentation, not just design, but to go over Park Ranger support, and alleviate safety concerns with the support of Sunset Harbour homeowners' associations and condominium boards.

Commissioner Arriola restated his point that the City can hold as many meetings as possible on an item, but at some point, there will always be these types of complaints. The City needs to move forward.

C7 AG A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 9, TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND SCHWEBKE-SHISKIN & ASSOCIATES, INC. FOR ADDITIONAL RESIDENT PROJECT REPRESENTATIVE AND CONSTRUCTION ADMINISTRATION SERVICES FOR ONE HUNDRED AND THIRTY SEVEN (137) ADDITIONAL DAYS FOR THE VENETIAN ISLANDS BID PACKAGE 13C RIGHT-OF-WAY NEIGHBORHOOD IMPROVEMENT PROJECT; IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF $99,239.29; WITH PREVIOUSLY APPROPRIATED FUNDING.

Capital Improvement Projects

ACTION: Resolution 2018-30479 adopted. David Martinez to handle.

C7 AH A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND WEST CONSTRUCTION, INC., FOR CONSTRUCTION SERVICES AT BEACHWALK II PHASE II, WITH SUCH CHANGE ORDER NO. 1 PROVIDING FOR: 1) ADDITIONAL CONSTRUCTION SERVICES ASSOCIATED WITH THE INSTALLATION OF CONDUITS, MANHOLES AND OTHER ELECTRICAL COMPONENTS TO SUPPLY POWER FOR SECURITY CAMERAS AND INSTALL EMPTY DATA CONDUITS AND CONCRETE POLES, AT A LUMP SUM COST OF $117,794, PLUS OWNER'S CONTINGENCY IN THE AMOUNT OF $11,780, RESULTING IN A TOTAL CHANGE ORDER AMOUNT OF $129,574; AND 2) A TIME EXTENSION OF 21 CALENDAR DAYS TO ACCOMMODATE THE ADDITIONAL SCOPE.

Capital Improvement Projects

ACTION: Resolution 2018-30480 adopted. David Martinez to handle.

C7 AI A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 2018-005-JC, FOR MERCHANT INDUSTRY CONSULTING SERVICES; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH PROTIVITI, INC., THE FIRST RANKED PROPOSER; FURTHER, SHOULD NEGOTIATIONS WITH PROTIVITI, INC. NOT BE SUCCESSFUL, AUTHORIZE THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH CARD ASSOCIATION PAYMENT EXPERTS, LLC, THE SECOND RANKED PROPOSER; AND FURTHER AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

Finance/Procurement

ACTION: Resolution 2018-30481 adopted. John Woodruff and Alex Denis to handle.

C7 AJ A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AND, AS SET FORTH IN THE ATTACHED EXHIBIT A, AMENDING THE CITY'S INVESTMENT POLICY AND PROCEDURE, AS ADOPTED BY RESOLUTION NO. 95-21726, AND AS AMENDED BY RESOLUTION NOS. 97-22315, 2007-26602, AND 2012-27816, BY PROHIBITING THE INVESTMENT OF THE PUBLIC FUNDS MANAGED BY THE CITY IN ANY SECURITIES, STOCKS, OR BONDS ISSUED BY THE GOVERNMENT OF VENEZUELA OR BY ANY COMPANY THAT IS MAJORITY-OWNED BY THE GOVERNMENT OF VENEZUELA; OR BY ANY INSTITUTIONS OR COMPANIES DOING BUSINESS IN OR WITH THE GOVERNMENT OF VENEZUELA, OR ANY OF ITS AGENCIES OR INSTRUMENTALITIES, IN VIOLATION OF FEDERAL LAW; AND, FURTHER, PROVIDING THAT THE CITY COMMISSION MAY WAIVE THE AFORESTATED PROHIBITIONS IF THE EXISTING REGIME IN VENEZUELA COLLAPSES AND THERE IS A NEED FOR IMMEDIATE AID TO VENEZUELA FOR HUMANITARIAN REASONS.

Finance
Commissioner Kristen Rosen Gonzalez

ACTION: Resolution 2018-30482 adopted. John Woodruff to handle.

C7 AK A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2017-002-JC, FOR EMERGENCY MEDICAL TRANSPORT BILLING AND COLLECTION SERVICES, APPROVING THE FINAL SELECTION AND TERMS OF AN AGREEMENT WITH ADVANCED DATA PROCESSING, INC., A SUBSIDIARY OF INTERMEDIX CORPORATION, AS SET FORTH IN EXHIBIT “A” TO THE COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE A FINAL AGREEMENT WITH ADVANCED DATA PROCESSING, INC., INCORPORATING THE TERMS APPROVED HEREIN; FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL AGREEMENT WITH ADVANCED DATA PROCESSING, INC., UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS; AND, FURTHER, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MONTH-TO-MONTH EXTENSION OF THE CITY’S CURRENT AGREEMENT WITH ADVANCED DATA PROCESSING, INC., FOR A TERM NOT TO EXCEED NINETY (90) DAYS, FOR THE CONTINUATION OF CURRENT SERVICES, OR UNTIL SUCH TIME AS A NEW AGREEMENT IS EXECUTED, WHICHEVER OCCURS FIRST.

Fire/Procurement

ACTION: Resolution 2018-30483 adopted. Fire Chief Fernandez and Alex Denis to handle.

10:48:03 a.m.

C7 AL A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO BAN THE USE OF HERBICIDES CONTAINING GLYPHOSATE BY ALL CITY EMPLOYEES AND CONTRACTORS IN THE PERFORMANCE OF LANDSCAPING AND MAINTENANCE WORK ON ALL CITY-OWNED PROPERTIES; AND, FURTHER, DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF AGRICULTURE, THE FLORIDA LEAGUE OF CITIES, THE FLORIDA LEAGUE OF COUNTIES, THE MIAMI-DADE COUNTY LEAGUE OF CITIES, THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, AND TO ALL MUNICIPALITIES IN MIAMI-DADE COUNTY.

Office of the City Attorney
Commissioner Ricky Arriola

ACTION: Resolution 2018-30484 adopted. Item separated by Vice-Mayor Samuelian. Motion made by Commissioner Arriola to adopt Resolution; seconded by Commissioner Alemán. Voice vote: 7-0. **Rodney Knowles to handle. Office of the City Clerk to transmit the Resolution.**

Vice-Mayor Samuelian stated that he researched Glyphosate, and found that the World Health Organization (WHO) listed the compound as carcinogenic in 2015. He also brought attention that the WHO subsequently approved the use of Monsanto's "Roundup" weed killer, which contains Glyphosate. He would like to know whether the City is using Roundup today, and whether there are any safety concerns on its use.

Jay Fink, Assistant Public Works Director, stated that there are several news articles and legal actions taken against the manufacturer of Roundup. He spoke to the City's Green Space Division Director who expressed concerns on the use of Roundup for public safety and environmental reasons. After the discussion, he agreed to stop using it within City limits. Staffers have collected the remaining Roundup products and are currently looking to dispose of it appropriately.

Commissioner Arriola stated that this was one of the first things he researched as a Commissioner, because he was curious as to the effects of Roundup. He recalled a Sustainability and Resiliency Committee meeting in which two University of Florida professors and a State Representative gave a presentation undermining the effects of Roundup. He knows that Monsanto and similar companies are very nefarious, and when he asked one of the University of Florida professors whether he had received grant money from Monsanto, the State Representative became defensive and was deeply offended by such a question. Two weeks ago, a $287 million lawsuit was filed against Monsanto. Glyphosate is a known carcinogen, and the City has been using it on its golf courses and parks where our neighbors, children, and pets play. If there is a known danger, we need to act on it and eliminate it.

10:57:26 a.m.
SUPPLEMENTAL MATERIAL 2: RESOLUTION

C7 AM A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO CONSIDER MINIMUM FARE STANDARDS FOR TRANSPORTATION NETWORK COMPANY DRIVERS AND CAPS ON THE NUMBER OF DRIVERS.

Office of the City Attorney
Commissioner Kristen Rosen Gonzalez

ACTION: Resolution withdrawn. See item C7 AN. Item separated by Vice-Mayor Samuelian and Commissioner Alemán. Item withdrawn by Commissioner Rosen Gonzalez.

See discussion with item C7 AN.

10:57:26 a.m.
SUPPLEMENTAL MATERIAL 1: REVISED RESOLUTION

C7 AN A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO STUDY AND ADOPT LEGISLATION TO ADDRESS AND REGULATE THE NUMBER OF TRANSPORTATION NETWORK COMPANY VEHICLES.

Office of the City Attorney
Commissioner Michael Góngora and Commissioner Rosen Gonzalez

ACTION: Resolution 2018-30485 adopted as amended. Item heard in conjunction with item C7 AM. Motion made by Commissioner Góngora to adopt the Resolution as amended; seconded by Commissioner Rosen Gonzalez. Voice vote: 7-0. **Judy Hoanshelt and Marcia Monserrat to handle.**

AMENDMENT:

- Change the wording from “limit the number of single riders” to “address and regulate the number of single riders.”

Commissioner Alemán stated that items C7 AM and C7 AN are very similar. She is unaware of any local study, but the New York Times published an article on what is taking place in Manhattan to control the number of for-hire drivers. She would like to vote for Commissioner Góngora’s item urging the County to conduct a study and consider its limitations. The City needs a study before moving forward.

Vice-Mayor Samuelian stated that he is aware of what is taking place in New York regarding the car-sharing programs, but he brought attention to the fact that several Miami Beach residents rely on Uber and Lyft for transportation. He hesitates using terms like “capping drivers.” He believes that policy will follow data. Princeton and Stanford Universities have found that on average, Uber drivers can make $20 an hour, because it is such a popular program. He applauds his colleagues for raising these issues, and he supports asking the State and/or County to look into it, but he asked his colleagues not to prejudge the policy.

Commissioner Rosen Gonzalez stated that she would withdraw her item, C7 AM, and cosponsor Commissioner Góngora’s item C7 AN. She was unaware of the extent of power the State has over Uber and Lyft regulations. She does not believe the County will conduct the study, even after being asked. She shared her experience from her 2015 campaign when she noticed one out of every ten cars was an Uber, whereas in her most recent campaign every three or four cars in ten was an Uber. This is a “sharing economy” and many Miami Beach residents are relying on these services. She would like to ask the State to reconsider and allow local governments to regulate Uber and Lyft.

Vice-Mayor Samuelian stated that he would like to offer a friendly amendment, and it is in regards to the word “limit.” He would like to change the phrasing from “limit the number of single riders” to “address the number of single riders.”

Commissioner Góngora agreed to the Vice-Mayor’s amendment, but asked that the phrasing be further changed to “address and regulate the number of single riders.”

Commissioner Góngora agreed.

C7 AO A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING IN SUBSTANTIAL FORM AND AUTHORIZING THE OFFICE OF THE CITY MANAGER AND OFFICE OF THE CITY ATTORNEY TO FINALIZE A MEMORANDUM OF UNDERSTANDING WITH WASHINGTON AVE BID INC., TO STABILIZE AND IMPROVE THE WASHINGTON AVENUE RETAIL BUSINESS DISTRICT, WHICH IS LOCATED WITHIN A NATIONALLY RECOGNIZED HISTORIC DISTRICT, THROUGH PROMOTION, MANAGEMENT, MARKETING, AND OTHER SIMILAR SERVICES; AND, IF SUCCESSFUL, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY.

Office of the City Attorney

ACTION: Resolution 2018-30486 adopted. Office of the City Attorney to handle.

C7 AP A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE OFFICES OF THE CITY MANAGER AND CITY ATTORNEY TO WORK WITH THE STEERING COMMITTEE OF OCEAN DRIVE AND COLLINS AVENUE PROPERTY OWNERS, FOR THE PURPOSE OF ESTABLISHING A SPECIAL ASSESSMENT DISTRICT, PURSUANT TO CHAPTER 170, FLORIDA STATUTES, TO STABILIZE AND IMPROVE THE OCEAN DRIVE AND COLLINS AVENUE RETAIL BUSINESS DISTRICT (INCLUDING PROPERTIES ALONG OCEAN DRIVE BETWEEN 5TH STREET AND 15TH STREET; COLLINS AVENUE BETWEEN 5TH STREET AND 21ST STREET; AND INTERSECTING SIDE STREETS), WHICH DISTRICT IS LOCATED WITHIN A NATIONALLY RECOGNIZED HISTORIC DISTRICT, THROUGH PROMOTION, MANAGEMENT, MARKETING, AND OTHER SIMILAR SERVICES.

Office of the City Attorney
Commissioner Ricky Arriola

ACTION: Resolution 2018-30487 adopted. Amy Mehu and Office of the City Attorney to handle.

SUPPLEMENTAL MATERIAL 2: REVISED RESOLUTION

C7 AQ A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING MIAMI-DADE COUNTY'S EFFORTS TO PROTECT THE BISCAYNE AQUIFER FROM SALT WATER INTRUSION; AND, URGING THE COUNTY TO TAKE STEPS TO EXPEDITE AND EXPAND THOSE EFFORTS AND, IN A CONCISE AND DETAILED MANNER, TO KEEP THE CITIZENRY APPRISED OF SUCH EFFORTS

Office of the City Attorney
Commissioner Kristen Rosen Gonzalez

ACTION: Resolution 2018-30488 adopted. Elizabeth Wheaton to handle.

2:18:45 p.m.

C7 AR A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE UNITED STATES FOOD & DRUG ADMINISTRATION (FDA) TO <u>CONTINUE TO PURSUE ACTIONS TO HOLD E-CIGARETTE MANUFACTURERS ACCOUNTABLE FOR THE ACCESSIBILITY OF THEIR PRODUCTS TO MINORS AND TO</u> EXPEDITIOUSLY PROCEED TO ENACT AND ENFORCE REGULATIONS PROHIBITING THE SALE AND MARKETING OF YOUTH-FRIENDLY AND YOUTH-ORIENTED E-CIGARETTES TO MINORS IN THE IMMEDIATE INTEREST OF THE HEALTH, SAFETY, AND WELFARE OF OUR NATION'S YOUTH.

Office of the City Attorney
Mayor Dan Gelber and Co-Sponsored by <u>Commissioners Alemán, Góngora and Steinberg</u>

ACTION: Resolution 2018-30489 adopted as amended. (Amended Resolution handed out on the dais.) Approved by acclamation. Item separated by Mayor Gelber to be heard with R5 T. See comments and action with R5 T. **Jose Gonzalez, Judy Hoanshelt and Marcia Monserrat to handle.**

Handouts or Reference Materials:

1. The New York Times article by Sheila Kaplan dated Sept. 12, 2018 titled: *F.D.A. Cracks Down on Juul and E-Cigarette Retailers.*

C7 AS A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING A PERMANENT PLAYGROUND TO BE LOCATED AT BELLE ISLE PARK, AND DIRECTING THE CITY MANAGER TO FIND FUNDING TO ENSURE THAT THE PLAYGROUND SURFACE IS PERMANENTLY INSTALLED, AND DIRECTING THE MANAGER TO INSTALL HIGHER QUALITY, MORE PERMANENT, SHADE STRUCTURES WITHIN THE PARK.

Office of the City Attorney
Commissioner Ricky Arriola

ACTION: Resolution 2018-30490 adopted. John Rebar and Tameka Otto Stewart to handle.

C7 AT A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING A STUDY BY THE UNIVERSITY OF FLORIDA TO INCREASE YOUTH'S DEFENDING BEHAVIORS THROUGH THE DEVELOPMENT OF AN AVATAR-BASED E-TRAINING FOR BYSTANDERS OF CYBERBULLYING, WHICH STUDY WOULD BE FUNDED BY THE NATIONAL INSTITUTE OF HUMAN HEALTH AND CHILD DEVELOPMENT (NICHD), AND DIRECTING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS, ACCEPTABLE TO THE CITY MANAGER AND THE CITY ATTORNEY, THAT ARE NECESSARY TO PARTICIPATE IN THE STUDY, SUBJECT TO FUNDING APPROVAL FOR THE STUDY BY NICHD.

Office of the City Attorney
Commissioner John Elizabeth Alemán

ACTION: Resolution 2018-30491 adopted. Dr. Leslie Rosenfeld to handle.

SUPPLEMENTAL MATERIAL 1: MEMORANDUM & ATTACHMENT

C7 AU A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND SAVINO & MILLER DESIGN STUDIO, P.A., FOR ADDITIONAL DESIGN SERVICES TO INCORPORATE ADDITIONAL RESILIENT AND SUSTAINABLE ELEMENTS INTO THE DESIGN FOR THE FUTURE COMMUNITY PARK (FORMER PAR 3) PROJECT, IN AN AMOUNT NOT-TO-EXCEED $126,781; WITH PREVIOUSLY APPROPRIATED FUNDING.

Capital Improvement Projects
Commissioner John Elizabeth Alemán

ACTION: Resolution 2018-30492 adopted. David Martinez to handle.

11:03:24 a.m.

C7 AV A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2018-30376, WHICH CREATED AN AD HOC MIAMI BEACH CONVENTION CENTER ("MBCC") HOST COMMITTEE AND ESTABLISHED THAT THE CITY'S HOSTING OF THE MBCC GRAND OPENING GALA AND COMMUNITY OPEN HOUSE ("OPENING EVENTS"), SERVES A PUBLIC PURPOSE, BY DELETING REFERENCES TO THE MBCC GRAND OPENING LLC AND PROVIDING THAT FUNDS RAISED FOR THE OPENING EVENTS WILL BE APPROPRIATED TO A CITY OF MIAMI BEACH ACCOUNT ESTABLISHED FOR SUCH PURPOSE.

Office of the City Attorney
Mayor Dan Gelber

ACTION: Resolution 2018-30493 adopted. Item moved from R7 S. Item separated by Commissioner Góngora. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 7-0. **Michele Burger to handle.**

Commissioner Góngora asked when the money is raised and placed into the City account, who will approve how the money is spent? Will it come back to the City Commission for approval?

Mayor Gelber stated that there has been a desire to have a Convention Center opening day party as a marketing tool. He could have created a separate not-for-profit entity without input from the City Commission, but he wanted to keep this process as transparent as possible and involve the

City Commission. The Convention Center is one of the City's major assets, and as such, the money will be spent by the Department that deals with issues such as production. He would like to promote the Convention Center's opening without using City funds.

Commissioner Góngora stated that his concern is the same one he had with the now closed One Miami Beach bank account; if the City is raising money into the account, the City Commission should be the one to approve its ratification. He wants the City Commission to retain a role in this process.

Commissioner Alemán asked whether donations would have to be accepted by the City Commission agenda.

City Manager Morales stated that previously donations of this type would have to be voted on by the City Commission, just like it was during the City's Centennial celebration. The City has not budgeted for this event, so it will have to return as a budget amendment showing what expenses will take place.

Commissioner Alemán asked whether this was covered by the Ordinance that requires Commissioners that solicit donations on behalf of non-profit organizations to file a report.

City Attorney Aguila replied that there is a Resolution that was passed because promoting the Convention Center is of great public purpose, it does not fall under the Ordinance referenced by Commissioner Alemán. The City Commission can solicit donations from anyone without having to disclose the donation.

Commissioner Steinberg stated that she is unsure about this item and asked Rolando Aedor, Jr from the Greater Miami Convention & Visitors Bureau (GMCVB), which is an entity hired to promote the Convention Center and asked for his opinion.

Rolando Aedor, Jr., GMCVB, stated that they are prepared to make a significant investment. This is something for the whole community to get excited about. He looks forward to making this event a success.

ADDENDUM MATERIAL 2

C7 AW A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MONTH-TO-MONTH EXTENSION OF THE CURRENT AGREEMENT WITH PROFESSIONAL COURSE MANAGEMENT (PCM) FOR A PERIOD NOT TO EXCEED 90 DAYS OR UNTIL SUCH TIME AS A NEW AGREEMENT IS EXECUTED, WHICHEVER OCCURS FIRST.

Parks and Recreation/Procurement

ACTION: Resolution 2018-30494 adopted. John Rebar and Alex Denis to handle.

REGULAR AGENDA

R5 - Ordinances

10:18:52 a.m.
2:22:33 p.m.

R5 A NORTH BEACH TOWN CENTER - CENTRAL CORE COMPREHENSIVE PLAN AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," POLICY 1.2, TO ESTABLISH THE TOWN CENTER - CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE CATEGORY (TC-1)," "TOWN CENTER COMMERCIAL CATEGORY (TC-2)," AND "TOWN CENTER RESIDENTIAL OFFICE (TC-3)" TO "TOWN CENTER - CENTRAL CORE CATEGORY (TC-C);" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.
10:00 a.m. First Reading Public Hearing

Planning
Commissioners John Elizabeth Alemán and Ricky Arriola

ACTION: Title of the Ordinance read into the record. Item opened and continued until 1:29 p.m. Public Hearing held. **Ordinance adopted on First Reading.** Motion made by Commissioner Góngora; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Opposed: Commissioner Rosen Gonzalez. Second Reading Public Hearing is scheduled on November 14, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Thomas Mooney to handle.**

10:18:52 a.m.
Rafael Granado, City Clerk, opened and continued items R5 A and R5 B to 1:29 p.m.

2:22:33 p.m.
Carmen Sanchez, Assistant Planning Department Director, stated that they have been working on this item for almost a year. She thanked everyone for their assistance and introduced Rogelio Madan, Chief of Community Planning and Sustainability.

Rogelio Madan, Chief of Community Planning and Sustainability, Planning Department, showed a PowerPoint presentation. Click here to view. He stated the proposal is to change the future Land Use Map, the Comprehensive Plan, and the Zoning Atlas from three districts, which are TC-1, TC-2, and TC-3 and consolidate them into one district, which will be TCC (Town Center Central Core District). Some goals for the Planning and Zoning for this Ordinance came from the voter's guide and the master plan, such as encourage and revitalize the North Beach Town Center, promote pedestrian friendly development, promote economic development, promote mixed used activities in the area, encourage neighborhood retail stores, and create unique live/work lifestyles, while promoting healthy lifestyles and encouraging waterfront access. They have streamlined the "use regulations," so an applicant can figure out what they can do and where. For viable commerce, the Ordinance allows for two neighborhood fulfillment centers due to the change in retail and ecommerce, it allows for artisanal retail. They have seen a higher demand for locally produced goods and it allows live/work units. They have taken several conditions that go into to Planning and Design Review Boards orders, and standardized the process by incorporating them into the Ordinance, so an applicant will know what is expected. There are several protections for the low intensity areas to the South, including not allowing the entrance for conditional uses, entertainment uses, and high impact uses to be within 200 feet of an RM-1 District to the South. It also provides for the creation of the 70th Street pedestrian paseo. The proposal provides a 10-foot setback for beach property fronting a line to create a 20-foot pedestrian paseo. This will provide connections from the bay to the ocean. One of the recommendations per the North Beach Master Plan is for co-living and micro-units that, and that co-living not be less than 375 square feet, and that they have a minimum floor area for amenities of at least 20%. The Planning Board recommended 10%, although Planning staff recommended 20%.

Raul J. Aguila, City Attorney, suggested that the City Clerk should read the Ordinance Title for item R5 B, the LDR amendment Ordinance.

Rafael Granado, City Clerk, read the title of item R5 B, the LDR Ordinance.

Mr. Madan continued the PowerPoint presentation and discussion. He stated regardless if the item is adopted or not, traffic will get worse in North Beach, due to development in surrounding municipalities. Studies concluded that traffic will be better in North Beach if the Town Center is built, because it will allow residents to live, work, and play without having to travel. He recommended utilizing the Transportation Master Plan that requires facilities to encourage bike usage, and regulate the increase of density in residential and hotel uses. One of the key concepts in the Ordinance is no street left behind. This was very important to the Planning Department; it provides regulations so the FAR is distributed equally throughout the site and all street fronts are activated. He continued to discuss the changes shown on the PowerPoint. At the next Land Use Development Committee meeting on September 28, they will provide additional recommendation regarding how they can improve the transition. One of the things they must look regarding tower height is the tower width. If it is an east or west-facing block, there cannot be a tower, this is to allow air and get light to the street level.

Mayor Gelber stated he wants people to speak on this. The Planning Board recommended a maximum height of 220 feet, the developer recommended 240 feet, and the Planning Department recommended 220 feet with public benefit. The dispute is the massing of the structure, and how it is distributed, not the height. If the height increases then the mass will decrease.

Mr. Madan stated that there is still a density cap of 150 dwelling units, whether the micro-units are in a tall tower or wide tower.

Commissioner Rosen Gonzalez asked if they were following the correct process, would it have to be approved by Land Use and Development Committee prior to the Commission meeting, or will the item at least go back to Land Use and Development Committee.

Eve Boutsis, Chief Deputy Attorney, stated that there is a requirement in the City Code that within 60 days of the Planning Board hearing the item, it must go in front of the Commission Meeting, which is the reason it is in front of the Commission now. It is also going to be heard by the Land Use and Development Committee on October 28, so they will hear it between first and Second Reading.

Mr. Madan stated that the Commission could consider any changes by the Land Use and Development Committee at Second Reading. He continued to the present the PowerPoint. The Planning Board recommended three years as the effective date to obtain a building permit, while the Planning Department recommended 15 months. They are confident with 15 months, since they have streamlined the permit process with ease of access to information. They are trying to avoid the wall effect by setbacks. If there is a height of 125 feet, without the tower limits, they will end up with an end-to-end wall. He continued to discuss the PowerPoint slides.

Mayor Gelber requested the Commission speak first, and then the public, at the end the Commission discussion, can add their final comments before they vote.

Commissioner Góngora stated that this item came before the Commission last time to refer to the Planning Board, because they did not want to slow down. He learned at Land Use and Development Committee meetings, that when the items go to Planning Board, they do not give the Planning Board members the benefit of the discussion that they had at Commission Meetings.

Commissioner Arriola stated that he wanted to take a moment to compliment staff on the work they did, it was thoughtful and a well-presented PowerPoint.

Vice-Mayor Samuelian stated that that at this point they are allowing people to opt out of the public benefits if they get the building permit. He is concerned that if they are trying to revitalize the area, economic movement and he would like them to consider tying benefits to having a Temporary Certificate of Occupancy (TCO). He asked if people could get the building permit and not build.

Carmen Sanchez, Planning Department Assistant Director, stated that every time they ask for an inspection, an extension occurs; it is not as if they will have a set deadline to build a large structure. What they want to see is a consistent progress.

Commissioner Rosen Gonzalez asked how many micro units there would be with 20% and 10% and what the average percentage is in a condominium.

Mr. Madan informed Commissioner Rosen Gonzalez' that for the small units not to become a rooming house, they would like more community space. The average percentage of unit size of amenities in a condominium is 10-15 %.

Carmen Sanchez stated the condominiums typically have general amenities inside their apartments and it is a trade-off. The idea of co-living is a smaller unit with shared amenities.

Discussion held.

Mr. Madan stated that the City has areas where short-term rentals are prohibited; the TC-1, TC-2, and TC-3 areas were not prohibited prior to the State preempting short-term rental laws, as a result, they cannot alter where it is legal or illegal.

Mayor Gelber agreed that they could not contract zone short-term rental regulations.

Commissioner Rosen Gonzalez stated that the vision they have is different from what she remembers in the Master Plan, which was low scale, family oriented, and residential buildings. She asked what happened between Planning getting the Master Plan, and what they are showing now.

Mr. Madan stated that the Master Plan explained the 3.5 FAR was approved and that the co-living condominiums were in the Master Plan. The intent was to create taller towers that do not affect the street. As this was studied further, that intent was not achieved with a 125 feet height and 3.5 FAR, since they do not mesh well. The 3.5 FAR has already been approved; they evaluated what products would be best for the economy, streets, and residents, and they determined a height increase would maximize benefits.

Commissioner Rosen Gonzales distributed the Residents Right to Know Ordinance and thinks they are in violation of it as the residents were not able to weigh in.

Raul J. Aguila, City Attorney, explained that to get a targeted notice one needs to register with the City; they sent notices to HOAs and residents registered with the City; it is not an absolute right though. The question is, are those residents registered? The Ordinance was adopted with the intention to be aspirational, not punitive.

Discussion held.

Commissioner Arriola asked Mr. Madan how they came up with ideas when this proposal was drafted.

Mr. Madan stated that they looked at best practices and they looked at components from the City of Miami, downtown Dadeland, other cities such as Denver, Pittsburgh, New York, San Francisco, and others.

Commissioner Arriola stated that the retail shopping experience is changing everyday due to online shopping and they must adapt. They want to bring an urban environment where people live, work, and play. Because the FAR approval and the proposal before them today, it puts pressure to go more vertical than they are accustomed to.

Mr. Madan stated that there are natural features in the area that would be good to take advantage of, such as views of the water.

Commissioner Arriola stated that if they do not add height, they would not have wide sidewalks and setback. They need to consider the impact it will have on everything else if they do not add more height.

Commissioner Góngora stated that he agrees staff put a great deal of work and energy into the plan. He knows that Land Use and Development Committee looked at other cities; however, they looked at large urban cities, which Miami Beach is not. It should be another discussion they should have at the Goals Conference, which is, what is the vision of future development. He asked about the Residents Right to Know and if the City emailed people in North Beach.

Ms. Boutsis explained that everyone signed up to receive notification was notified; it is set to where the whole City would receive information, even though North Beach Town Center does not pertain to their neighborhood; it was also advertised in the newspaper, as well as they had multiple public meetings.

Ms. Sanchez stated that they did in fact have meetings and they have had an open-door approach to consider residents' concerns. The FAR of 3.5 passed to say they will revitalize the North Beach Area; the residents did not pass specific guidelines. It is her best expert opinion that massing on the front may create a taller tower, but it fits best in that very small area that has not seen redevelopment for decades.

Commissioner Alemán asked what the optimal implementation of the FAR is, and stated that there is probably a base minimum height. She stated that she believes the Planning Department said it is 125 feet, but that is when they get into massing and she thinks it would be helpful to implant the work of the consultant Miami Associates, Inc. People are concerned with the wall effect. Massing studies prove that when you add height, it reduces the wall effect. That planning paradigm needs to be explained to residents.

Ms. Sanchez added that Mr. Mooney would explain further detail at the next Land Use and Development Committee meeting.

Vice-Mayor Samuelian stated that he believes the City went through the proper process regarding the Residents Right to Know Ordinance. What they are about to hear is from different parts of the planning process and that is where the rubber will meet the road.

Commissioner Rosen Gonzalez stated that what she finds the most upsetting is the resident appeal process; that is if something was going to be building right next to you, then you could appeal and nothing would be built. About three months ago, the process was changed and the residents were stripped of their rights because they can no longer appeal and stop something from being built. The City is committing basic “bait and switch,” and it is very offensive.

Mayor Gelber explained the process for residents to speak.

Neisen Kasdin has been a student of urban development and planning. This is the Town Center Ordinance to create a true town center. Coral Gables allowed 16 stories for residential buildings, hotels, and offices in downtown, and now they have people who live and work in that area. The height and density are needed for today’s needs from people. The reality is that development is almost finished in Miami Beach. Values in the City have peaked, and as they look towards their economic future, it lies in North Beach; it will not happen without implementing the recommendations for the Town Center.

Sylvia Coltrane requested to share testimony. For progress to happen in North Beach development must happen in the area. Without development, there is no progress and no new taxes generated, no new jobs and the business community will suffer. She encouraged the City Commission to approve the item. She stated that she lost her recent flagship because her investors did not see any movement in North Beach Town Center.

Nancy Liebman, on behalf of Miami Beach United (MBU), added that the community compromise brought them together, and the advocates in the preservation community are in favor of the project, but now, the compromise is out of control. She thought 125 feet was the number and that was for Sylvia’s project, and now from 125 feet, it is 200 to 220 feet The Planning Department is right on track, but the problem keeps growing. They support what the promise of the City Commission and that was what the Master Plan said, not to go up higher. She hopes they will support the Planning Department’s position, they are on target with the height of 125 feet and the give back to the public, where is that? Then maybe they can go a little higher, and a little higher, but until then they only support what the original plan was. She hoped the Commission saw the proposition from MBU.

Jack Johnson, on behalf of MBU, stated that the Planning Board and Planning Department have run amok, the proposal before the Commission is full of inconsistencies with the Dover Kohl study, which was used for the people to approve the Town Center. The variations in height as opposed to a consistent height of 125 feet, the variation on how a site can be developed in the Town

Center and how fast it could be done. He asked why a developer who finishes in faster time than others gets different benefits; he believes it will create inconsistencies. He does not understand the logic of more height to reduce traffic or micro-units needing less common space.

Brad Bonessi requested that the City Commission get something done today, he is not going to ask for a certain height, and he just wants to move forward.

Natalie Nichols thinks they should move this along and get this done. She is in support of Ms. Coltrane and suggested moving the item forward.

Marguerite Ramos stated that after many years she is still living in a rundown neighborhood. On behalf of Normandy Shores, Normandy South, and Normandy Middle, they all are in favor or the Town Center development.

Michael Larkin, Esq., representing Abbott Avenue Partners, KGTC LLC, and KGC 72nd LLC, the largest stakeholders in North Beach. He discussed proposals shown on a PowerPoint presentation. Click here to view. They agree with staff regarding height increase to move forward.

Mayor Gelber would like know it how it compares to the developer.

Mr. Larkin stated that when they are talking about the draft ordinance they are referring to is 220 feet and 240 feet if they have an entire block. He asked Ray Forte to come and speak on a slide show.

Ray Forte, Arquitectonica, showed a slide show. Click here to view. He stated that he has been looking at various regulations over the past 10 months. They have done several analyses as revisions go through. Described earlier was that the massing is distributed in a way that they do not create a wall effect on the streets. It was recommended to go into a consolidated version to avoid the wall effect. The tiered system would naturally occur at the development of the site. It is recommended that the North Beach Town Center become a mixed-used center. He agrees with the Planning Departments recommendation of 220 feet to allow for flexibility of use and architectural design.

Stephen Cohen suggested lowering retail value and not to just give away height. In addition, at the bottom they can have an indoor park with trees inside for residents. Co-living cannot be rented out or sold, it will have to stay with the owner; projects cannot be bought, hold, and sold; they cannot just give away height.

Joel Petrosky, attorney and co-owner of building on 71st Street stated that the only two businesses that have stayed in North Beach for decades are two law offices; all others have left They will need to increase the size of the building to make a success of the area. He would like to see 71st Street like Century Boulevard in Los Angeles, a vibrant community for people to thrive.

Daniel Ciraldo showed a slide show. Click here to view. He stated that he thinks there are good progressive zoning ideas in the Ordinance that are exciting for the future of the City, but they have gone astray from the original Master Plan. From 50 to 70 feet, now they are saying 200 feet, 220 feet, and 240 feet and this discourages development and revitalization. He is not in support of a height increase.

Ray Breslin stated that Airbnb should not be an issue.

Joy Malakoff, former Chair of the Land Use and Development Committee and Planning Board, stated that she was on the Planning Board when they first said that all public-parking garages had to have habitable space on the ground floor. She believes a wide fat building will take up space just like a wall and a set back with a taller building will work. Co-living unit's need a larger community space, allowing people to live, work, and play all within walking distance.

Chris Winters stated that developments do continue to raise the bar with height; the City Commission should encourage public benefits. Some of these projects would not even reach the City Commission because there is no public benefit. He explained how this is done in California and added that there is a way to tie setbacks to avoid wall effects. A vetting process should be set as precedence to make sure the public has a benefit and not fear that projects will not be built.

Paula Turk added that they wanted to keep the low scale of their neighborhood. Developers purchased the lots to make a profit. She requested that the Commission negotiate with the developers, on behalf of the residents, and ask for benefits.

Daniel Veitia thanked staff for the amazing work done in the Ordinance, which has the best planning principles in it. The Master Plan was clear with 3.5 FAR proposed to have a successful community. The Plan makes it clear that a Town Center needs to improve. Every time they think about improving North Beach they are restricted in height; height is over 20 stories all over South Beach, but in North Beach, they want to restrict it with different rules. Dover Kohl was not hired to do the research that the Planning Department did. He suggested the City Commission reach out to Dover Kohl. He is holding the Commission accountable for the improvement in North Beach; the Planning Department has given them the tools to do so.

Tom Richardson stated that they need to do better and grow the pie so everyone gets a piece and taste. If they do not build the Town Center, then they will not grow. The money generated from the Town Center can go back into the community. There are people and developers who are willing to invest and develop to make North Beach Town Center. He asked the Commission to develop the Town Center to move the City forward.

Willy Quintana is in the trenches; he walks the streets every day in North Beach and in the last four years, there are three responses he gets 1) North Beach is not ready for operations, 2) Miami Beach is too difficult to deal with, and 3) It is all talk, nothing is going to happen in Miami Beach. He has gone to seminars and events to put North Beach on the map all over the State; the public benefit is what these developers are bringing to the area. Most of these buildings are falling apart; they need help, he asked the Commission to move North Beach forward and vote yes.

Betsy Perez added that the neighborhood has become very close, and she pleads to Commissioner Rosen Gonzalez to consider their investment and the developer's investment, and implored the Commission to vote YES today.

Jeff Feldman stated that comparing North Beach buildings to those Barcelona and Paris is unfair. He added that this is about what is best for the City, and about what makes business sense as well for the City and the developer. Construction costs are high; tariffs are coming, no thanks to Honorable President Trump, it is challenging to build in the City; he agrees with the Planning Board recommendation and pleaded that they vote to move the item forward and get it done finally.

Matis Cohen showed a slide show. Click here to view. He urged to take the Planning Board's opinion and continue with the Master Plan. The North Beach area has the highest restrictions in Miami Beach.

Public Hearing closed.

Mayor Gelber stated that there are three options; 1) the Planning Board version; 2) the Planning Staff version and 3) the 120 feet version.

Ms. Sanchez stated that the Commission can make slight changes to what the Planning Board has recommended and what the City staff has recommended.

Mayor Gelber stated that there is a fourth option because some people want to build higher than 220 feet

Ms. Sanchez stated that it is a percentage of space in the micro-units, not the size of the micro-units but the common space. There is the public benefit and the time to obtain a building permit.

Mayor Gelber stated that they could only approve one item and it may be that some people do not want anything over 120 feet, something higher than 120 feet, or nothing at all; he needs to know the option to determine what will be best to vote on.

Ms. Sanchez stated that this must go back to Land Use and Development Committee, and then they will have a Second Reading.

Mr. Madan stated that they went to the Planning Board with a recommendation of 200 feet, and the Planning Board recommended 220 feet, and that is the number in front of the Commission today.

Mayor Gelber stated that he has received emails requesting the height remain at 125 feet. He wants staff to lay out options.

Discussion held.

Mr. Madan stated that above 125 feet, it would require the developer to provide public benefits. Staff recommended 20% of the co-living condominium floor space be used for amenities, while the Planning Board recommended 10%.

Mayor Gelber asked Mr. Madan to explain why the Planning Department said 200 feet rather than 220 feet

Mr. Madan stated that the Planning Department recommends 200 feet because it is consistent with the heights across the street. At 220 feet, the buildings will start to become out of scale with the surroundings buildings. In addition, 200 feet is appropriate to distribute the floor area.

Mayor Gelber asked Mr. Madan to explain the co-living.

Commissioner Alemán added that the 200 feet is still adequate height. One of their goals was to eliminate the parking pedestal. If you think about condominium canyon effect on Collins, it is because the buildings are sitting on top of the parking garage. At 200 feet, you can separate the parking and it does not have to go under the tower.

Mr. Madan stated that co-living are smaller units were typical amenities that people have are shared; such as a shared kitchen or living room. The Planning Board recommended that area be 10%, while the Planning Department recommended 20%. The reason is that each property has density limit of 150 dwelling units per acre. If you have 375 square feet units at 150 units per acre that consumes about 45% of the available floor area leaving 55% to be other things, which the amenities will play a major part of that.

Mayor Gelber stated that they could not require a developer to include a prohibition on Airbnb, because that would be Conditional Zoning, but the developer could voluntary do it on their behalf.

Mr. Madan stated that a condominium board could vote to restrict short-term rentals in their building if they choose. The Planning Board recommended additional options for public benefits that were to encourage rapid development of the North Beach area. That was if any developer obtained a building permit within three years they would get extra height without providing any other options. The public benefit is that they would build quickly and help encourage development of the Town Center.

Ms. Sanchez stated that between first and Second Reading they will propose additional language that will toll in case of an appeal or if the Design Review Board Design tables or continues the item. They strongly feel that 15 months is doable, and it will get development started

Mr. Madan stated that was not an original recommendation, the timeline was added by the Planning Board.

Ms. Sanchez explained that 15 months is doable because it is only for a building permit; it shows commitment from the developer and the projects are moving forward.

Jimmy L. Morales, City Manager, stated that they are desperate to have something happen in North Beach. These developers get entitlements but they must develop now.

Mayor Gelber stated they would have to vote on something. There are only a few options to choose; the Planning Board, Planning Department, reject all and go with the 125 feet, or a combination. He does not know what the sense where everyone is.

Raul J. Aguila, City Attorney, stated that the motion being discussed or requested to be made concerns the second the Ordinance (R5 B), which is the amendment to the Land Development Regulations. The first item the Clerk called was the Comprehensive Plan (R5 A), and he does not believe there was a problem with that. When they are ready to vote, they can take a vote on the Comprehensive Amendment, and then discuss what they want to do with the LDR amendment.

Discussion held.

Commissioner Rosen Gonzalez stated that there are low-income senior citizens that are not here now; two to three years ago, they made a deal with the Preservation Community because Miami Beach has history of not increasing density. The community came out fighting against over development. Speaking on behalf of those people who are not present, she believes they were cat fished, just as people on Match.com. There is gross injustice happening today. She feels sorry for people that are going to be displaced, the preservation Community that was deceived, and the people that were lied to. She will vote NO on both items, but asked for at least a reasonable public benefit. Micro-units are a gross sellout that cannot be financed. She wishes it would at least go back to the Land Use and Development Committee. Being a politician and a witness to all of this is almost a punishment, she knows too much, and this is why people have no faith in the government.

Mayor Gelber asked to vote on the Comp Amendment now.

Commissioner Góngora stated that the Comp Amendment would pass automatically after the other one. He would rather keep the two items together.

Eve Boutsis stated that the Comp Plan is the future Land Use.

Discussion held.

Motion made by Commissioner Góngora to approve the Comprehensive Amendment; seconded by Commissioner Alemán, Voice vote: 6-1; Commissioner Rosen Gonzalez Absent and Opposed.

Commissioner Góngora asked that to the extent that R5 B does not pass today, he asked that the two items stay together on the same timeline and not be separated.

Eve Boutsis stated that they would have to stay together.

Discussion ended.

City Clerk's Note – Correction:
Item R5 A, first page of the Memorandum, paragraph 3, line two, should be "with" not "wit."

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-04 published in The Miami Herald.
3. MBU Resolution Urging Commission to Adhere to the North Beach Master Plan as Presented to Residents, Agenda Item R5 A and R5-B dated September 10, 2018.
4. LTC 490-2018 dated September 10, 2018 RE: Proposed Public Benefits Fee – North Beach Town Center Central Core (TC-C).

10:18:55 a.m.
2:28:57 p.m.
4:49:15 p.m.
SUPPLEMENTAL MATERIAL 1: MEMORANDUM & ORDINANCE

R5 B NORTH BEACH TOWN CENTER - CENTRAL CORE LAND DEVELOPMENT REGULATIONS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B - LAND DEVELOPMENT REGULATIONS OF THE CITY CODE BY AMENDING CHAPTER 114, "DEFINITIONS," TO DEFINE ARTISANAL RETAIL, CO-LIVING, NEIGHBORHOOD FULFILLMENT CENTER, LIVE-WORK, AND OTHER RELATED USES; CHAPTER 130, "OFF-STREET PARKING" TO ESTABLISH PARKING DISTRICT NO. 8, ESTABLISH PARKING REQUIREMENTS FOR APARTMENT AND TOWNHOME UNITS, CO-LIVING AND LIVE-WORK UNITS, OFFICE, AND OTHER USES WITHIN PARKING DISTRICT NO. 8, AND TO REMOVE PARCELS INCORPORATED INTO PARKING DISTRICT NO. 8 FROM PARKING DISTRICT NO. 4; AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," TO ESTABLISH DIVISION 21, "TOWN CENTER - CENTRAL CORE (TC-C) DISTRICT," PROVIDING FOR REGULATIONS ON PERMITTED, ACCESSORY, CONDITIONAL, AND PROHIBITED USES, ESTABLISHING SUPPLEMENTAL USE REGULATIONS, MODIFYING THRESHOLDS FOR NEIGHBORHOOD IMPACT ESTABLISHMENTS, PROVIDING LIMITS FOR FLOOR AREA RATIO, MAXIMUM HEIGHT LIMITS, MINIMUM UNIT SIZES, MINIMUM SETBACKS AND ENCROACHMENTS, TOWER REGULATIONS, REQUIREMENTS FOR CLEAR PEDESTRIAN PATHS AND EASEMENTS, MINIMUM STANDARDS FOR STREET TREES, BUILDING FRONTAGE REQUIREMENTS, REQUIREMENTS FOR THE DESIGN OF OFF-STREET PARKING FACILITIES, UTILITIES, AND LOADING, ESTABLISHING A 70TH STREET FRONTAGE, DESIGNATING STREET CLASSES, ESTABLISHING REQUIREMENTS FOR FRONTAGES ON STREET CLASS FRONTAGE TYPES, ESTABLISHING REQUIREMENTS FOR NONCONFORMING STRUCTURES; ESTABLISHING A PUBLIC BENEFITS PROGRAM, AND ESTABLISHING THE NORTH BEACH PUBLIC BENEFITS FUND; AMENDING APPENDIX A, "FEE SCHEDULE," TO ESTABLISH FEES FOR PUBLIC BENEFITS; AND MODIFYING THE ZONING DISTRICT CLASSIFICATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE (TC-1) DISTRICT," "TOWN CENTER MIXED-USE (TC-2) DISTRICT," "TOWN CENTER RESIDENTIAL OFFICE (TC-3) DISTRICT," AND "TOWN CENTER RESIDENTIAL OFFICE (C) (TC-3(C)) DISTRICT" TO "TOWN CENTER - CENTRAL CORE (TC-C) DISTRICT;" PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.
10:05 a.m. First Reading Public Hearing

Planning
Commissioners John Elizabeth Alemán and Ricky Arriola

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance adopted on First Reading as amended.** Motion made by Commissioner Alemán, seconded by Commissioner Arriola on First Reading. Voice vote: 6-1; Opposed: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled for November 14, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Thomas Mooney to handle.**

See discussion with item R5 A.

Jimmy L. Morales, City Manager, stated that North Beach looks similar to what it did in the 1960s. He believes that 90% of the compromise has been achieved and is what people have fought for; they now have four Historic Districts, and a Conservation Overlay District. Regardless of the height, the density is the same. The one disagreement is the height, either 125 feet or 200 feet. What is the right way to look at this issue? What is going to make the best place making? It is their professional recommendation that they want height with air and site vision.

Mayor Gelber asked Mr. Madan to reshow the presentation on the height comparison between the Planning Board and the Planning Department. He would like to support the proposal with the staff recommendations. It would then go to the Land Use and Development Committee and then go back to the Commission, so the Commission will have another chance to discuss and vote on the final details.

Commissioner Arriola thanked Jimmy Morales, City Manager, for explaining how they got to where they are today and for the global compromise achieved. The bait and switch comments are false and misleading to the public. The issues most people are sensitive to is the height; but to achieve the social goals for the area that everyone wants - such as wider sidewalks, storefront retail, etc., height must be discussed. The public did vote on an FAR increase, the question is how high they will go. There are numerous buildings that are much higher than the 240 feet that has been proposed as the maximum. Motion made by Commissioner Arriola for the maximum height of 240 feet

Discussion held.

Vice-Mayor Samuelian stated that there has been great deal of community outreach. What Commissioner Arriola said is correct; the FAR decision was the catalyst, and the voters made it. During the communication around the Master Plan, there was a certain height proposed. That height was a step on a journey, not the final answer, and many people believed that was the final answer. They are trying to revitalize North Beach. He is not comfortable with the milestone being the permit and suggested incorporating the TCO as a milestone. In his view, all projects commit to the public benefit. On the height, people heard 125 feet and now above 200 feet from Planning Board and staff. The Schulman report at 3.5 FAR refers to the height between the 140 to 145-foot range. He is open to consideration for going above 125 feet but is not supportive for over 200 feet

Discussion held.

Mayor Gelber will move to approve the Ordinance as amended with the staff recommendations.

Raul J. Aguila, City Attorney, stated that so far, the motion is to approve as amended with the Planning Departments recommendation. There was an addition by Vice-Mayor Samuelian. The Planning Department tied the public benefit to 15 months to obtain a full building permit. In regards to the 15 months, Vice-Mayor Samuelian wanted to tie the date with the TCO. Commissioner Arriola proposed 240 feet for the maximum height.

Commissioner Góngora stated that he does not like that it went to the Planning Board prior going to the Land Use and Development Committee. There is a third version that was discussed at the Land Use and Development Committee that is not before the Commission. It is more restrictive. He will not vote for either plan presented. It is an easy matter. The neighbors wanted 125 feet and nothing more, they voted the FAR increase and the development community said they would build something big and boxy if they were not given more height to work with. His maximum height would be 200 feet although he not tied to it. First, tie the height to lot size, so that only the largest parcels above 50,000 square foot could buy into the maximum height of 200 feet. From the letters he has seen, there are only three parcels that could do that in the Town Center. The medium size lots should have maximum height of 165 feet. If your parcel is 20,000 square feet or less, the smaller lots, will stay at 125 feet, with no way of getting out. They tried to mask the neighborhood by the pushing the height of the taller buildings to the center of the Town Center, which is on 71st and 72nd Streets, and not allowing additional height on 69th Street, which puts the neighborhood. None of those recommendations is present today. People are concerned that everything will become extremely high. He would like to tie all of this to a strict timeline, because he is concerned that people will assemble lots and flip them, as a result they will not see any development. If you are going to get above 125 feet, then they should pay for it. In addition, there should be a short timeline to move the project forward. It is a more complex issue than asking the Commission what height they want. He believes they are too many small units that can be used as short-term rentals or a hotel. At least 20% of the building should be saved for the amenity spaces. He is looking for a more restrictive version, he will not vote for the two versions that were presented. They can wait for Land Use and Development Committee to craft it, or they can craft the Ordinance on the dais.

City Attorney Aguila stated that the Land Use and Development Committee updated recommendation is located on Page 49 and 50, in the Supplemental 1 Agenda. The height is aggregated by lots; for lots 25,000, you will have a maximum of 125 feet, for lots between 25,000 and 50,000 square feet will have a maximum height of 165 feet, and over 50,000 square feet will have a maximum height of 200 feet. The co-living and micro-units, the amenities are constant with Planning and Zoning recommendation. In addition, he is recommending a cap on co-living units of 10%, the public benefits will be consistent with what Planning and Zoning is saying, that an outside date for TCO or ECO.

Mayor Gelber stated that they should adopt the height provision from 125 feet to 200 feet range. He asked if that would accommodate Commissioner Góngora on First Reading.

Commissioner Góngora added that before moving the item he would like to hear from his colleagues.

Mayor Gelber supports staff's recommendation assuming the height falls within the range of 125 feet to 200 feet.

City Attorney Aguila stated that regarding public benefit is there an objection to tying the full building permit to an outside date for TCO, they can incorporate as an amendment on Second Reading.

Commissioner Alemán agrees.

City Attorney Aguila asked is there an objection capping the micro-units to 10%.

Commissioner Steinberg thanked everyone for attending today and believes that everyone is emotionally connected to this project. They all want to transform the area in a positive manner. She asked if they have safeguards in the Ordinance; are they addressing public benefits if they go above 125 feet; what keeps someone from pulling a permit and moving dirt from time to time to avoid that public benefit requirement. They do need address that issue. She asked if the owners could add rental restrictions later concerning the micro-units after turnover.

Carmen Sanchez stated that if there is a deed restriction on a property it would travel with the land.

City Attorney Aguila stated that such restrictions could be voluntarily proffered; as far as incorporating in the Ordinance, he recommended the cap that Commissioner Góngora referenced.

Commissioner Steinberg stated that she would like something moving forward for the First Reading. She encouraged her colleagues to attend Land Use and Development Committee meeting, and stated that she is in favor of the staggered tier system.

Ms. Sanchez stated that they need to explore the staggered tier system more. They cannot implement a deed restriction; it would have to be proffered at the Design Review Board meeting.

Commissioner Rosen Gonzalez stated that they could vote NO for micro-units. Initially there were 3,500 hotel rooms, and then they reduced the amount to 2,500-hotel rooms.

Mr. Madan stated that the Ordinance had no cap. What they did is a flat cap of 2,000 hotel rooms.

Commissioner Rosen Gonzalez asked how many buildings are there' if there is a cap of 2,000 hotel rooms out of 14 buildings, it is just creating a huge tourist trap.

Mr. Madan stated that they could have up to 8,000 hotel rooms if they did not implement a cap.

Commissioner Rosen Gonzalez asked what they are doing to ensure that these micro-units are affordable since people cannot finance micro-units and must pay in cash.

Discussion continued.

Commissioner Rosen Gonzalez stated that it is their responsibility to make affordable workforce housing in North Beach, not all tourist traps. She asked do other cities create those scenarios.

Ms. Boutsis stated that Commissioner Alemán spent a great deal of time drafting a work force and affordable housing Ordinance Citywide and there was not appetite to make it mandatory.

Mayor Gelber will entertain a motion. He asked City Attorney Aguila to recite the motion.

Vice-Mayor Samuelian added in addition to the TCO, he wants all projects to contribute to the public benefit fund.

Commissioner Góngora would like to tie it to the height.

MOTION:
Raul J. Aguila, City Attorney, stated the motion on First Reading would be adopting the Ordinance incorporating the Planning and Zoning Departments staff recommendations and Land Use and Development Committee recommendations as follows: 1) Height - the City Commission is open to a height increase between 125 feet, but not above 200 feet, and consider including the tier approach as recommended by the Land Use and Development Committee referenced on Page 49 in Supplement 1. 2) Public Benefits: Finalize benefits by obtaining a full building permit within 15 months of adoption of the TCC regulations and obtaining TCO or CO, whichever comes earlier within X months from obtaining the full building permit 3) Cap the percentage of co-living units to 10% of the total number of residential units. 4) maintain the 20% minimum amenities requirement.

Motion made by Commissioner Alemán, seconded by Commissioner Arriola on First Reading. Voice vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

Commissioner Alemán stated that the item would go back to the Land Use and Development Committee. Commissioner Alemán encouraged everyone to attend Land Use and Development Committee meeting. The City has worked to revitalized North Beach for 25 years and has failed;

this is this Commission swing of the bat to create the Town Center. They cannot be like past Commission that tried and failed.

Commissioner Góngora will support the motion today and invited everyone to attend the committee meeting on the 28th.

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-05 published in The Miami Herald.
3. MBU Resolution Urging Commission to adhere to the North Beach Master Plan as Presented to Residents, Agenda Item R5 A and R5 B dated September 10, 2018.
4. LTC 490-2018 dated September 10, 2018 RE: Proposed Public Benefits Fee – North Beach Town Center Central Core (TC-C).

10:18:56 a.m.

R5 C CD-3 ARCHITECTURAL DISTRICT PARKING GARAGE HEIGHTS:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, "DISTRICT REGULATIONS,” DIVISION 6, “CD-3 COMMERCIAL HIGH INTENSITY DISTRICT,” BY AMENDING SECTION 142-337, “DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS,” TO AMEND THE MAXIMUM HEIGHT REQUIREMENTS FOR PARKING GARAGES WITHIN THE CD-3 ARCHITECTURAL DISTRICT FOR LOTS FRONTING ON JAMES AVENUE, BOUNDED BY 17TH STREET TO THE NORTH AND LINCOLN ROAD TO THE SOUTH; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.
10:10 a.m. Second Reading Public Hearing

Planning
Commissioner John Elizabeth Alemán

ACTION: Title of the Ordinance read into the record. Item opened and continued to October 17, 2018 by acclamation; all present. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Thomas Mooney to handle.**

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.
3. MBU Resolution Agenda R5-C (formerly R5-F and R5-D) Architectural District Parking Height Restrictions dated September 10, 2018 opposing proposed Ordinance.

10:25:40 a.m.

R5 D AMENDING STORMWATER TIE-IN FEE SCHEDULE
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "BUILDING REGULATIONS," ARTICLE II, "CONSTRUCTION FEES," DIVISION, "PERMIT FEES," AT SECTION 14-61, "PERMIT FEES, GENERALLY," AUTHORIZING THE WAIVER OF BUILDING PERMIT FEES (BUILDING DEPARTMENT PERMIT FEE, SANITATION SURCHARGE, AND THE TRAINING/TECHNOLOGY FEE) WHEN AN AUTHORIZED RESIDENTIAL PROPERTY TIES IN TO THE CITY'S STORMWATER SYSTEM; DEFINING AUTHORIZED RESIDENTIAL PROPERTY TO INCLUDE ONLY THOSE PROPERTIES WHERE THE FINISHED FLOOR OF THE RESIDENTIAL STRUCTURE IS BELOW THE CROWN OF THE ROAD; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.
10:15 a.m. Second Reading Public Hearing

Public Works
Commissioner John Elizabeth Alemán

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4210 adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 7-0. **Roy Coley to handle.**

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.

6:37:33 p.m.

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-356 THEREOF, ENTITLED "CONSTRUCTION OF ARTICLE; DEFINITIONS," TO CREATE DEFINITIONS FOR "GEOFENCING," "HOSTING PLATFORM," AND "PLATFORM"; BY AMENDING SECTION 102-386 THEREOF ENTITLED "PROPERTY OWNERS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY REQUIRING PROPERTY OWNERS TO DISPLAY THEIR BUSINESS TAX RECEIPT AND RESORT TAX CERTIFICATE NUMBERS ON ANY LISTINGS ADVERTISING THEIR PROPERTY; BY CREATING SECTION 102-387 THEREOF, TO BE ENTITLED "HOSTING PLATFORMS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY REQUIRING HOSTING PLATFORMS TO ONLY PUBLISH LISTINGS THAT CONTAIN BUSINESS TAX RECEIPT AND RESORT TAX CERTIFICATE NUMBERS AND ESTABLISHING A PENALTY PROVISION FOR VIOLATIONS OF THIS SECTION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
1:30 p.m. Second Reading Public Hearing

Office of the City Attorney
Mayor Dan Gelber

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4211 adopted as amended.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0. **Hernan Cardeno to handle.**

AMENDMENT:

Sec. 102-356. - Construction of articles; definitions

Geofencing or geocoding or any type of computational process of transforming a physical address description to a location on the Earth's surface means converting addresses into geographic coordinates and using them to virtually define a real-world geographical boundary. As used m this Article, an established geofence will trigger an automatic response prohibiting the property from being listed on the hosting platform when a person enters an address that is within a zoning district that prohibits short-term rentals

Hosting platform, advertisement platform. or short-term residential rental advertising platform *means* ~~*any person who uses a platform*~~ *an internet-enabled application, mobile application. or any other digital platform that is used to connect guests with a short-term residential rental provider for the purpose of renting a short-term residential rental*

~~*Platform means an internet-enabled application, mobile application, or any other digital platform used by a short-term residential intermediary to connect guests with a property owner for the purpose of transient-rental and short-term occupancy*~~

Short-term residential rental means a dwelling unit located within the City that is rented as, or held out as being used as, a shared housing unit, bed-and-breakfast establishment, or vacation rental.

Mayor Gelber explained the ongoing struggles the City has had with short-term rentals in residential areas where they are not permitted. A few months ago, the City passed this legislation on First Reading. He asked Chief Deputy City Attorney Boksner to explain the original legislation and the amendment.

Aleksandr Boksner, Chief Deputy City Attorney, explained the item. On First Reading, the Ordinance created an obligation for any hosting platform, defined as an advertising platform or any short-term residential rental advertising platform, identifying what they are legally obligated to do. First, this prohibits advertising from excluding either Business Tax Receipt "BTR" or Resort Tax account. The legislation originally passed on First Reading mandated and required that before anything can be listed or advertised as on a transient basis, that they must disclose a BTR and a Resort Tax account. In conjunction with that, it also establishes penalties and the enforcements identifying what the process would be for a violation if there was in fact a listing. After First Reading, they identified what are geofencing and/or geocoding for any other type of computational process of transforming the physical address or description, more specifically to a map. The concept is to ensure that the technology that exists as it stands now, where any of these platforms can incorporate the City's Land Development Regulations (LDR) and its map identifying those jurisdictions of those areas, where transient rentals are permissible, provided a BTR and Resort Tax account are provided, and those portions of the LDRs have prohibited any type of short-term transient rentals. They have confirmed that this is a viable technical accomplishment that can be done by these entities, and thereby they have created a new Subsection within this Ordinance, which is an exemption to being liable if these companies do implement geofencing and geocoding. It does require these companies to submit to the City on a monthly basis confirmation that they have in fact properly implemented a geofencing/geocoding, and also creates affirmative responsibilities on them to notify the City in the event that someone fraudulently enter information onto their system in order to try to get around the requirements necessary for either the BTR or a fictitious one along with identifying an address in the attempt to prevent them from being blocked essentially from listing their properties in any of these platforms. This applies to any website platform and any other advertiser, without any specificity to any entity that may exist or operate currently.

Mayor Gelber explained that if any of these platforms want to be good corporate citizens and comply by not renting in prohibited areas, this gives them an avenue to show good faith, they can geocode those addresses and areas, and even if someone finds a way to get around that, it is to hold harmless, a safe harbor provision, that he thinks makes the legislation more defensible, as well as encouraging, if they choose, for some of these platforms to do the right thing and not send their customers into neighborhoods where people have an expectation that it is not a commercial neighborhood. That is the purpose of the amendment.

In answering Commissioner Arriola's question, Chief Deputy City Attorney Boksner stated that there is a criminal component attached to the legislation. Commissioner Arriola stated that he cannot support the criminal component as is.

Chief Deputy City Attorney Boksner explained that the criminal penalty has to do with the false certification that they are in fact geocoded or geofenced. If the companies are submitting a false certification to the City, they are exposing themselves to criminal penalties. This is based on a false representation or false assertion. If there is a failure to do it, it is a civil penalty identified within Subsection b, which is anywhere from a $1,000 fine up to a $5,000 fine. A false submission of information by either the platform or if an individual submits false information, they are exposing themselves to criminal liability.

Discussion held regarding penalties.

Commissioner Rosen Gonzalez received a letter from Aribnb yesterday saying that they will legally challenge this law, and she thinks they should work with them rather than pushing against. When they created this law, they must come in and have papers notarized, fill out eight different paper forms, for a shared economy technology based 21st Century application, there is a need to come to City Hall, and there is a combined cost of $875 to fill out the paperwork. She thinks that instead of making this criminal, they need to sit with the companies and notify them that the forms will be accessible online for those people who are renting these rooms legally. She thinks that what this legislation is doing is slamming the door in their faces.

Discussion continued.

Commissioner Alemán commented that beyond obtaining a valid legal short-term rental BTR, she is supportive of automating the process of obtaining any valid BTR, to make it easier for individuals to comply. She suggested directing the Administration to prepare an estimate of what it would take to automate as much as possible the BTR process.

Jimmy L. Morales, City Manager, added that they are in the process of trying to streamline and rationalize the BTR process; and once it is streamlined, they will work on automation.

Commissioner Steinberg added that they want to encourage people when they do work to their homes or businesses to get a permit, to know that the work is done faithfully and properly, but if the City makes the process so onerous that they decide it is not worth the headache to get the permit, they will not do it because it is too exasperating of a process to get that permit. As far as streamlining, she agrees that they should look at it through every department, BTR, and permitting separately, but it should be looked at holistically as well at some point.

Commissioner Góngora asked Chief Deputy City Attorney Boksner on the issue of enforceability and lawsuits and things that have happened in other jurisdictions. He was supportive of the legislation on First Reading, but wants to ensure that now at Second Reading that they are not setting themselves up to be in another legal battle. Rather than impose a fine right away on the

Aribnb or platform share, he suggested giving them first a brief opportunity to cure, by saying to them to remove that as soon as possible or a fine will incur at that point, to work forward together instead of against each other.

Mayor Gelber believes it is within the power of these platforms to simply not send renters into their community where they have outlawed that behavior. They must abide by the City's laws. He likes the idea of looking at the BTR process, but urged not to make this so that it is not a hard thing for illegal renters to do, as he thinks residents are hoping they can address this problem, and the current process has not achieved that properly. He is doing this because it is very hard to enforce. This really says to the platforms to stop sending renters into neighborhoods where it is forbidden, and if they do it, it will be a problem for them, as they did not put the BTR on the website. If they do what the City is asking to do, there is a safe harbor from these things. He thinks it is a thoughtful process, as it gives them the outlet they should have if they chose to.

Commissioner Alemán added that she met with them and their lobbyists most recently, and as she did two years ago, she repeated that for the most part these are technology companies, and she found somewhat insincere the responses received years ago and even a few weeks ago, that it was overly technologically challenging from a software development standpoint to do the geofencing, that is just not true. These companies are premier excellent technology leaders.
Discussion held.

Commissioner Arriola thanked Mayor Gelber for his explanation and agrees with Commissioner Alemán that technologically this is not hard to do, and feels comfortable now supporting the item. He explained similarity between this and when the Federal government passed the "*Do Not Call Legislation*" years ago where consumers could just upload their telephone numbers to add them to the list and they had to comply. It is the same thing. They want to create a database where they can upload addresses that are permissible and then anything that is not on that address list is prohibited. This is easy for them to do and some may not want to do it. He is in support.

Jessica Fernandez, on behalf of the Greater Miami and the Beaches Hotel Association, thanked Mayor Gelber and the Commissioners for putting this legislation together, and they look forward to working with the City Attorney to make any further updates.

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.
3. Email from Daniel Diaz Leyva (DLG Legal) ddl@dlgpllc.com dated September 11, 2018 RE: HomeAway – Letter in Opposition to Proposed Ordinance Sec. 102.387, City of Miami Beach Code, with attached document entitled Expedia Group Miami Beach 9-11-18[2].pdf.
4. Email from Tom Martinelli tom.martinelli@Aribnb.com dated September 11, 2018 RE: Aribnb Letter to Mayor and Commission re Item R5 E 8.11.2018, with attached letter titled "Aribnb Letter to Mayor and Commission re Item R5 E 8.11.2018.pdf.

1:46:26 p.m.

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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 22, AND SECTIONS 2-190.56 THROUGH 2-190.60 THEREOF, ENTITLED "RESERVED," TO ESTABLISH THE "MIAMI BEACH ANIMAL WELFARE COMMITTEE," AND TO SET FORTH THE PURPOSE, POWERS AND DUTIES, COMPOSITION, AND SUPPORTING DEPARTMENT FOR THE COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
1:35 p.m. Second Reading Public Hearing

Office of the City Attorney
Vice-Mayor Samuelian & Co-sponsored by
Mayor Gelber and all the City Commissioners

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4212 adopted.** Motion made by Vice-Mayor Samuelian; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0. **Office of the City Clerk and Elias Gonzalez to handle.**

Commissioner Rosen Gonzalez explained that normally lobbyists cannot serve on committees, but she had a request from a City lobbyist, who is also an animal lover, if an exemption could be made on this Committee for the lobbyist to serve.

Raul J. Aguila, City Attorney, explained that the City Code does not provide for exemptions; they could appear before the Committee as advocate for animals or member of the public, but if they serve on a City board or committee, the individual cannot lobby the City.

Vice-Mayor Samuelian stated that he is thrilled that all his colleagues are in support of the item. There are very important issues and people in the community want to work. There are no changes, and this moment of unity is striking. He thanked all his colleagues.

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.

1:49:26 p.m.

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, 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 14, ENTITLED "RESERVED," TO CREATE A NEXT GENERATION COUNCIL AND AMENDING SECTIONS 2-176 – 2-179 THEREOF, ENTITLED "RESERVED," TO ESTABLISH AND SET FORTH THE PURPOSE, POWERS, DUTIES, COMPOSITION, AND SUPPORTING DEPARTMENT FOR THE NEXT GENERATION COUNCIL; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:40 p.m. Second Reading Public Hearing

Office of the City Attorney
Commissioner Ricky Arriola

ACTION: Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4213 adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0. **Office of the City Clerk and Erick Chiroles to handle.**

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.

11:10:19 a.m.

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," WHICH MODIFIES THOSE IDENTIFIED EXEMPTIONS THAT WOULD CONSTITUTE UNNECESSARY AND EXCESSIVE NOISE THAT IS PROHIBITED WITHIN SECTION 46-152; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Office of the City Attorney
Mayor Dan Gelber

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading as amended.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney to handle.**

AMENDMENT:
Sec. 46-157. Exemptions
(11) from 9th Street up to 11th Street

Aleksandr Boksner, Chief Deputy City Attorney, introduced the item. A further modification of an original amendment to this Ordinance was on for a few months, they removed the exemption in its entirety for Ocean Drive, and there was an automatic sunset provision. This was about a year ago. Subsequently, this removes the exemption, except that it limits the exemption for those properties located from 9th to 11th Streets and they will still be allowed to emit noise if the noise is eastward. This is for properties located within this specific area, which was identified because they know that there are residential properties to the south and the north, and after analysis and considering all the issues that occurred regarding noise on Ocean Drive, they believe it is appropriate step to limit those two blocks area to commence the improvement needed from the noise emitted and the negative impact it has on residents to the north and the south. This Ordinance removes that exemption from 1st to 9th and from 11th through 15th, which means that anyone who commits a noise violation within those areas will be subject to the monetary fine scheduled within Chapter 46.

Raul J. Aguila, City Attorney, explained that as noted in the Time Certain, this is intended to be up to 11th Street, not through 11th Street as original noted in the Agenda Package, so they are making that correction on the record, and that correction will be included for Second Reading.

City Clerk's Note:
Item R5 H, 2nd page of the Ordinance, Sec. 46-157(11), third line, change the "through 11th Street" to "to 11th Street."

Handouts or Reference Materials:
1. Email from Joshua J. Heller JHeller@shutts.com dated September 4, 2018 RE: Proposed Amendment to the Miami Beach Noise Ordinance with attached document titled "Noise Ordinance Redline.pdf; ODA Proposed Ordinance Language.pdf."

11:13:59 a.m.
R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 2, ENTITLED "RESTRICTED AREAS," BY AMENDING THE PROVISIONS IN SECTIONS 82-466 THROUGH 82-470 REGARDING DEFINITIONS, PROHIBITING WATERCRAFT IN RESTRICTED SWIM AREAS, PROHIBITING WATERCRAFT IN CERTAIN NON-RESTRICTED SWIM AREAS, PROVIDING EXCEPTIONS FOR THE LAUNCH AND USE OF CERTAIN WATERCRAFT IN PERMITTED AREAS, PROVIDING REQUIREMENTS REGARDING CERTIFICATIONS, SAFETY EQUIPMENT, AND DISTANCE, PROVIDING EXCEPTIONS REGARDING RESTRICTED AND NON- RESTRICTED SWIM AREAS, AND AMENDING THE PROVISIONS FOR ENFORCEMENT AND PENAL TIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.
First Reading

Tourism, Culture, and Economic Development
Vice-Mayor Mark Samuelian

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Vice-Mayor Samuelian; seconded by Commissioner Góngora to adopt the Ordinance on first reading. Ballot vote: 7-0. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Heather Shaw to handle.**

MOTION ACCEPTING THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE'S RECOMMENDATION:
Pursuant to Section 2-13 of the City Code, a motion was made by Commissioner Alemán to accept the Neighborhood/Community Affairs Committee's recommendation; adopted by acclamation. All members present.

Vice-Mayor Samuelian stated that he is sponsoring this item. They spent some time discussing kiteboarding and ways to address it; this item is entirely consistent with that direction with two updates: one is when there are no longer lifeguards there, the distance allowed is 200’ instead of 300’; also, second there are updates to penalties. Most importantly, there have been no incidents at the time when he asked the question on the record.

Mark Milisits, Asset Manager, agreed with what Vice-Mayor Samuelian stated.

There being no questions, the item was moved and seconded.

City Clerk’s Note:
At 11:21:35 a.m., Rafael E. Granado announced that Commissioner Rosen Gonzalez voted “Yes” on R5 I.

11:16:30 a.m.

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ARTS, CULTURE AND ENTERTAINMENT," BY AMENDING ARTICLE III, ENTITLED "CITY SPONSORSHIP OF EVENTS," BY AMENDING SECTION 12-6, ENTITLED "DEFINITIONS," TO AMEND THE DEFINITION OF "SPONSORSHIP" AND "SPONSORSHIP CONTRACT"; AND BY AMENDING SECTION 12-9, ENTITLED "SPONSORSHIP TERMS AND CONDITIONS," TO AMEND CERTAIN PROVISIONS APPLICABLE TO CITY SPONSORSHIP OF SPECIAL EVENTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Tourism, Culture, and Economic Development
Commissioner Ricky Arriola and Commissioner John Elizabeth Alemán

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 6-0; Opposed: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Heather Shaw to handle.**

Raul J. Aguila, City Attorney, introduced the item, which is a clean-up language to the Ordinance formerly adopted. They wanted to clarify that a request for City fees of $25,000 or less are not subject to the Ordinance.

City Clerk’s Note:
At 11:21:35 a.m., Rafael E. Granado announced that Commissioner Rosen Gonzalez voted “No” on R5 J.

11:18:05 a.m.

R5 K SEAWALL REVOCABLE PERMIT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, OF THE CITY CODE, ENTITLED "PUBLIC PROPERTY;" AMENDING DIVISION 2, ENTITLED "REVOCABLE PERMIT;" CREATING A NEW SECTION 82-97, ENTITLED "APPLICATION REQUIREMENTS FOR SEAWALLS ENCROACHING ON CITY SUBMERGED LANDS;" AND FURTHER AMENDING DIVISION 2 TO ENSURE CONSISTENCY AND CLEAN UP OF THE LANGUAGE OF THE CODE; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

First Reading

Public Works
Commissioner Alemán

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Commissioner Góngora to adopt the Ordinance on First Reading. Ballot vote: 7-0. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Roy Coley to handle.**

Raul J. Aguila, City Attorney, introduced the item. This Ordinance is Commissioner Alemán's brainchild, and it came at the request of some of the property owners fronting City owned canals. This creates a cost-efficient method for assisting these property owners in repairing or replacing their seawalls, by creating a revocable permit procedure where they can install a new seawall in front of their seawall. However, that seawall would encroach into the submerged land of the City owned canal; therefore, the property owners would need a permit to maintain it. Permits are subject to City Commission approval for all seawalls of 4' or more; they would also be required to maintain the seawall. The seawall cannot interfere with navigability, and they would have to provide insurance, naming the City as an additional insurer as well as indemnification. This is an amendment to the revocable permit procedures. They also have cleanup language to the general revocable permit process. The main thing is to streamline the process and not have to come to the City Commission to set up a public hearing for revocable permit; that can be done that administratively, and he will try to clean that up in the Code wherever is mentioned in the future.

Roy Coley, Public Works Director, stated that staff recommends the approval of this legislation, as they think it furthers their strategy of encouraging people to improve their seawalls.

Mayor Gelber stated that this is a great idea, but asked if this would apply only to City seawalls, and not any other entities. If it is State waters, this will not apply.

Item moved and seconded. Vote taken.

11:21:45 a.m.

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING; AND AMENDING APPENDIX "A," ENTITLED "FEE SCHEDULE," TO THE CITY CODE, IN ORDER TO MODIFY THE FEE CHARGED PURSUANT TO SECTION 82-383(A), ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," IN ORDER TO MODIFY THE ANNUAL SQUARE FOOT FEE FOR SIDEWALK CAFES, INCREASING THE PER SQUARE FOOT FEE FROM $20 TO $25, PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading

Public Works
Commissioner Ricky Arriola

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán to approve on First Reading with the directions listed below, seconded by Vice-Mayor Samuelian. Ballot vote: 5-0; Opposed: Commissioners Góngora and Rosen Gonzalez. Second Reading Public Hearing scheduled on September 26, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Roy Coley to handle.**

DIRECTION:

- Request Administration to come back with a possible scenario of staggering in, so they do not realize the full CPI increase all at once; and
- Request a data sent to a company, which would be the net increase in permit fee by operator in a spreadsheet that they can look at, to understand what the net impact by businesses is going to be of a full implementation of change.

Raul J. Aguila, City Attorney, stated, for the record, that with respect to items R5 L, R5 M, R5 N, and R5 O, the Chairman of the Finance Committee, Commissioner Arriola is listed as the sponsor of this Ordinance by being the Chair of the Finance and Citywide Projects Committee. However, these are recommendations that came out of the Finance and Citywide Projects Committee and are not his personal recommendations, but by unanimous vote of the Committee.

Commissioner Arriola thanked City Attorney Aguila for clarifying that, and agreed that the recommendations were unanimously voted on at Committee.

Jay Fink, Public Works Assistant Director, stated these items were discussed at the Finance and Citywide Projects Committee when reviewing the annual budget due to the deficit the Department is facing. It is not something anyone wants to do, but some of these items are looking at how they can generate additional revenue to offset what they lost in facing the debt of millions of dollars that they need to make up. The first is the Sidewalk Café Ordinance, which was last raised back in 2010 when it went from $15 to $20, and it has not been raised since then. This takes the CPI rounded to a dollar and came up to $25 per square foot. There are areas within the City that are exempt from this fee. This is only the square foot fee and that is the reason is in front of the City Commission. They recommend passing the item on First Reading.

Commissioner Rosen Gonzalez has heard the complaint that it is difficult and expensive to do business in the City; therefore, she will vote No on the increase.

Commissioner Góngora remembers back in 2010 when they unfortunately raised the rates the last time after the bad financial situation. He would not be supportive of the item as listed on the

Agenda. He thinks it is too much too soon. These fees are due in October, and if they are going to raise rates, which he thinks it would be appropriate, they should do it in a more considerate manner of the business community. He suggested that they do not do anything for this payment due, and perhaps stagger it over the next two years, so it is not an economic hit all at once, so the payment due October 2019 they would do half, and go up $250, and in the following year another $250, which is what they did ten years ago to allow the business community to absorb the costs.

Commissioner Alemán asked if they had adjusted the CPI to the sidewalk permit fee from the last increase, what the increase would be. She is not against Commissioner Góngora's suggestion to ease into it.

Mr. Fink explained that the estimate would be approximately under $5 per square foot.

Commissioner Steinberg suggested some sort of phase in, as she feels it is unfair to do an increase that begins in three weeks, when people plan for the following year; it is just not appropriate.

Mayor Gelber suggested making an amendment on First Reading.

Commissioner Arriola asked what would the economic effect of the phase in. The City has some shortfalls, and this is one of the ways identified to correct that. If the Commission delays the implementation, that will have a financial impact and the Commission will have to figure out another way to resolve the shortfall.

Mr. Fink explained that increasing the fees would raise the revenue at $358,000 if they start October 1st.

Discussion held.

Commissioner Alemán explained that they are supportive of local businesses, and they recognize that as Commissioners they have a dual role: to represent the City residents and ensure their decisions are not harmful to the residents and their quality of life, and to a robust economy in the City. It is their job to find the balance between those two. She pointed out that when it comes to businesses, this is one of the components that go into the operating cost of a restaurant on a right-of-way, as well as the rent. The rent on the properties of these businesses operating is another pocket the tenant can go to for relief.

Mayor Gelber explained that the money generated and used to cover some of the deficiencies in the budget as well as projects, many of which were priorities. He suggested passing the Ordinance on First Reading and at Second Reading they can have the Budget Department staff give the Commission options to see if there are other ways to negate the debt.

Commissioner Arriola agreed. This item was vetted at length at the Finance and Citywide Projects Committee. He sent an email to the City Manager some months ago with questions about the budget, and he would challenge the City Manager again to go deep through the departments to see where there are funds that can be trimmed. He thinks that there is consensus on the dais that there must be other places where they can find "fat" to trim. No one likes to raise fees on businesses or residents, and he does not recall seeing any real proposal on where they can cut in departments and payroll.

Discussion continued.

Jimmy L. Morales, City Manager, explained they would have a presentation on cuts as part of the budget discussion tonight.

Vice-Mayor Samuelian is supportive of passing the item on First Reading, be open minded about it, and then see what options there are to fill if they change course and make a different decision on Second Reading. Secondly, they keep running into the CPI issue, and they need to address that. Costs increase every year and he fears that this problem of not acknowledging cost increases after years, whether is in utilities or fees, is an issue that they need to resolve. He suggested finding ways to better institutionalize normal CPI increases, so they do not have to come to the businesses with the tough message of increasing their fees.

Commissioner Rosen Gonzalez added that the City's budget has increased dramatically over the past 10 to 15 years, from $150 million to $350 million, and the number of residents has decreased. All these costs should be subsidized. She does not understand how they have such a swell and spent so much money and are going to nick pick residents, sidewalk café fees, and increase fees at the Golf Course. She thinks this is the wrong movement and will vote "no" in all the increases.

Mayor Gelber explained that public testimony would be heard on Second Reading. He thinks they are susceptible and amenable to consideration of how and when they would do it, and how much it would be, or whether there is a budget solution other than increasing the fees.

Motion made by Commissioner Alemán to approve the Ordinance on First Reading, request Administration to come back with a possible scenario of staggering in so they do not realize the full CPI increase all at once, and request a data sent to a company which would be the net increase in permit fee by operator in a spreadsheet that they can look at to understand what the net impact by businesses is going to be of a full implementation of change. Seconded by Vice-Mayor Samuelian. Vote taken.

11:35:44 a.m.
10:02:27 p.m.

R5 M AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING; AND AMENDING THE CITY CODE, AT APPENDIX "A" ENTITLED "FEE SCHEDULE," TO MAKE THE CITY'S RESIDENTIAL RECYCLING FEE REFLECT THE ACTUAL COST OF THE RESIDENTIAL RECYCLING PROGRAM, THE COST PAID TO THE CONTRACTOR TO COLLECT THE WASTE, AND THE CITY SERVICE FEE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading

Public Works
Commissioner Ricky Arriola

ACTION: Title of the Ordinance read into the record. Commissioner Alemán moved to defer the item to the afternoon budget discussion. **Item withdrawn by City Manager Morales during the budget discussion. See below direction.**

DIRECTION:

- Discuss the $300,000 item at the Finance and Citywide Projects Committee. **John Woodruff to place on the Committee Agenda. Roy Coley to handle.**

- Provide detailed costs of backyard services and research to see if residents are paying for services that they are not aware of or taking advantage of. **Roy Coley to handle.**

Jay Fink, Public Works Assistant Director, introduced the item. On First Reading, they are looking for the agreement to move forward and set a public hearing; this is driven by cost. The Sanitation Department is an enterprise fund, and presently that fund has been running at a deficit, which must therefore be subsidized. The purpose is to try to identify what components of the cost go into that monthly residential bill, and identify what is attributable to that, how they can pass through any increases and set up some component of a CPI so they do not continue to stay in this deficit. The first component is recycling costs. When recycling was introduced in the County they City signed an agreement with the County, which started at $3.32 per household and the City absorbed that cost. The County is now proposing a 2.7% CPI increase on that cost, and again with the budget issues facing the City, it has prompted them to look to take that fee, separate it on the bill as a County fee for recycling, and put it as a direct pass through, so residents understand that this fee is paid to the County. By putting that cost on the bill, it represents an 8.7% and 9.7% increase to the resident for those costs. The second component of the bill is what they pay the contractor to go out and collect the trash. That has been $25.12 for the last few years. They are negotiating to come up with a new contract at a new cost, but that cost is $25.12, and they are looking to put that straight through as a cost to the end use of the resident. The final component is payment for the rest of City services provided by the Sanitation Department as shown on the Agenda packet. Another table shows what the City fees are, what the proposed fees are on an annual basis, which is $542.16 per resident, and when comparing to Bay Harbor Island, which is on the low side, they realized they need to look at the services provided to residents, known as backyard services. This consist in going to the property, retrieve the trash container stored on that property, bring it out into the street, empty it and return it. The other two municipalities that have the same backyard service, Coral Gables and the Village of Key Biscayne, the City's proposed annual rate for that service is much lower than those other two communities. In answering Mayor Gelber, he summarized that the costs are 1) recycling absorbed by the department, 2) costs paid to the contractor to do the job and 3) what the cost is for the Sanitation Department to do everything they do. The third piece because is not a pass through is what they are looking at adding a CPI on.

Discussion held.

Commissioner Rosen Gonzalez stated that this would increase people's waters bill (as the sanitation bill is included on the water bill). She has received complaints about these bills already, and suggested subsidizing and cutting in other areas. City water and sewer costs are exorbitant when compared to other municipalities. She understands that these are pass-throughs, but she still will vote against this tax increases.

Commissioner Arriola stated this was discussed at the Finance and Citywide Projects Committee during budget meetings and it may be easy to object to raising fees without having done the numbers, but unfortunately this is something they must do.

Commissioner Steinberg believes this has a direct impact on residents and she is willing and prepared to go through the budget and look at some of the nice-to-have things and cut those spending to help subsidize some of these, as it is not fair to put this all on the burden of residents now. They are talking about single-family homes and units of eight units or less, which are of low socioeconomic class, and she is concerned that the increase is going to be an issue and have a negative impact added with the stormwater rate increase. She does not know that she is ready for a full increase.

Mayor Gelber explained that there are three buckets, two are pass-through from the County and one is the recycling fee the City is being paying.

Mr. Fink explained that one is a pass-through by the County, the second is the City's cost for the contractor, and the recycling is $3.52. In Fiscal Year-18, they utilized a fund balance more than $3 million to balance the Sanitation Enterprise Fund.

Mayor Gelber added that the total amount they are freeing up for the budget for these increases is $300,000. If they want to subsidize they have to come up with that figure from somewhere else in the budget.

Discussion held.

Commissioner Alemán stated that she understands Commissioner Arriola's frustration, because by the time they ratified the budget, they should have already had this discussion, and they did have the opportunities to do that, so it is frustrating going through something that the budget sessions were for. She restated what Vice-Mayor Samuelian said earlier, which is that the CPI increases should be automatically added across the board to avoid this "catch up mode." In addition, they need to fix that. If they do not pass on the recycling fees of $3.62 per month or $44 per year per unit, then if they add them up and do not pass this, they will have a $300,000 debt in the budget that needs to be filled today.

Jimmy L. Morales, City Manager, added that Sanitation should operate as an enterprise fund and cover its costs. The City has not done that, it has subsidized it with Resort Tax money or money from the South of Fifth CRA, which is now allocated to stormwater projects, and it has subsidized even covering the recycling costs. That is why historically there was a large fund for Sanitation. However, over the years the fund has been declining. So not only does this recover the recycling and the backyard pick-up, but also everything else Sanitation is asked to do. For example, pre-hurricane debris collection, litter control, pick up litter during major events, and beach cleanup. All of that comes out of Sanitation, and there has been an increased demand there, and backing up with the County should be doing. All that comes out of this fund, so unless the City subsidizes it more or have that utility covers costs there will be a deficit; that is the challenge.

Commissioner Alemán asked what the annual savings would be if they switch their services from backyard to curve side trash pickup.

Discussion continued.

Mr. Fink explained that it would be a labor savings to the contractor; they are in negotiations with them now so they can discuss this option if that is the direction given.

Commissioner Rosen Gonzalez stated that they could not tell residents who pay $100,000 a year in taxes that the City is going to cut their level of services. They already pay exorbitant high taxes. They cannot cut the level of service. In terms of backyard service, she understands that they have subsidized it because they pay a great deal in taxes. She explained the amount of bills she pays and the increases add up. She requested an analysis of a 2,000 square foot, three bedrooms, two-bathroom home, to see what their water and sewer bills looks like compared to other municipalities and then they need to figure out why Miami Beach residents are paying so much more. The reason they pay more in water is that they bonded the infrastructure work in the water bill. To her, that is concerning. She will vote against it and suggested finding the money somewhere. Garbage is at the base of the pyramid.

Vice-Mayor Samuelian takes anytime they ask the community for more money very seriously. Not only do they have a $300,000 issue, but also, they are fighting a $3 million debt. One thing they should be clear about in this process, as discussed at the Finance and Citywide Projects Committee, is that they rejected several increases and pushed back on others. This is the compromise view of what they thought they could do. This is what they wrestled back and forth with. Where is the $300,000 coming from at this late moment? He will vote for this today, difficult as it may be, but it is the fiscally responsible thing to do in the budget process.

Commissioner Alemán asked if they could defer this discussion to the budget discussion this afternoon. They have great sanitation services and are in negotiations with the contractor as they do a great job, so it is good to ask the question and know the answer of what it would cost if they were to curbside pickup. Although she knows residents enjoy the existing level of service. She moved to defer to the item to afternoon and make it part of the budget discussion.

Mr. Fink clarified that he was corrected by Chief Financial Officer Woodruff that it is a $2.5 million budget gap, and reminded the Commission that they are moving forward to a public hearing to September 26.

Mayor Gelber stated that the item would be deferred to later in the day. There was consensus.

10:02:27 p.m.
Commissioner Góngora stated that he does not think the Administration has done a good enough job at reducing Administrative costs. In the presentation they are not showing what the salaries and the budget are, and what the impact of pension are, so they are caught up with details of residential recycling fees, and now they are forced to raise fees that he does not want to do.

Mayor Gelber stated that he accepts the Finance and Citywide Projects Committee's recommendation and respects the process. He explained that the City Commission has given a great deal of leadership and direction to the Administration on what to do. He addressed the issue of the proposed rate increases. He asked if these were the Finance and Citywide Projects Committee's recommendation.

Chief Financial Officer Woodruff answered in the affirmative and added that Neighborhood/Community Affairs Committee recommended the increase of level of service of Sanitation, but they cannot afford to do the current level of services, and if they cut expenses in the Sanitation bucket, they are referring to the same services that they want to ramp up, so they are trying to meet expectations.

Commissioner Steinberg stated she would never vote for political expediency. Throughout her tenure, she has had to make tough decisions and deny enhancements and adopt some increases, such as stormwater increase at some point, as well as other pass through increases from the County. She is trying to be rational about this, but they must cut the spending. There is such waste in this budget and she supports her colleagues. She will sit down with Chief Financial Officer Woodruff to find other options. She does not know if she is comfortable going from $0 to almost $4, which is an increase that will be impact residents.

Jimmy L. Morales, City Manager, recommended that R5 M be withdrawn for now. They will come back at the Finance and Citywide Projects Committee and at Second Reading, this $300,000 item they will bring back with other options.

Commissioner Alemán requested the backyard service cost be made available and if they are paying for services that residents are not aware of or taking advantage of, then that is wasteful. **Roy Coley to handle.**

Item withdrawn.

11:54:58 a.m.

R5 N AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING; AND AMENDING CHAPTER 90, OF THE CITY CODE, "SOLID WASTE," DIVISION 4, "SPECIALTY CONTRACTORS," AT SECTION 90-278, "FEES AND REQUIREMENTS; PENALTIES FOR NON-PAYMENT," TO INCREASE THE ROLLOFF FEE FROM 18 TO 20 PERCENT; AND PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading

Public Works
Commissioner Ricky Arriola

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Arriola; seconded by Vice-Mayor Samuelian to adopt the Ordinance on First Reading. Ballot vote: 6-0; Opposed: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on September 26, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Roy Coley to handle.**

Jay Fink, Public Works Assistant Director, explained this is the fee for having a dumpster in any of the constructions in properties. There is a fee the City receives for the rental of the dumpsters, presently it is at 18%, and has been at that amount for quite some time. In trying to come up with the budget shortfall, they request to raise it to 20%, which will amount to $20,000 in increased revenue.

Commissioner Rosen Gonzalez explained that anywhere else in the County and in most municipalities, there is no need for a permit to renovate a garage for example. Yet the City requires permits, so the person goes out, pays for a permitting fee, pay someone to draw a rendering, just to get a dumpster to come on site. It is not only more expensive than other cities, but it is an arduous process, and companies dislike doing business here because of this. In addition, to increase punishes single-family homeowners who want to renovate their kitchens for example. If they are going to increase the fee, then she suggested removing the building permit requirement for the dumpsters.

Mayor Gelber asked for a deferral or a vote.

Commissioner Arriola is ready to vote and reiterated that to come at the 11th hour when there was an abundance of opportunities to sit in countless meetings and opined on this, it is easy to do that.

Commissioner Góngora agreed to move this forward as it is a minor increase of $20,000 impact on dumpsters.

Discussion held.

Commissioner Rosen Gonzalez explained that the City requires a permit for a dumpster and in all other municipalities they do not need a permit. The process in Miami Beach is burdensome and she thinks it is arduous enough without increasing the fees.

Item moved and seconded. Roll call taken.

11:59:36 a.m.

R5 O AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 27, 2018 MEETING; AND AMENDING APPENDIX "A," ENTITLED "FEE SCHEDULE," TO THE CITY CODE, IN ORDER TO MODIFY THE FEES CHARGED PURSUANT TO SECTION 14-65, ENTITLED "MECHANICAL PERMIT FEES," IN ORDER TO MODIFY THE FEES ASSOCIATED WITH ELEVATOR INSPECTIONS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.
First Reading

Public Works
Commissioner Ricky Arriola

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 7-0. Second Reading Public Hearing scheduled for September 26, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Roy Coley to handle.**

Jay Fink, Public Works Assistant Director, introduced the item. Fees are proposed to go up approximately 20%. The last time these fees were raised was back in 2012. The anticipated revenue increase from these fees is estimated at $240,000.

Item moved and seconded. Roll call began.

Commissioner Góngora voted “no” because he did not ask his questions. Mayor Gelber apologized for not recognizing him.

Commissioner Góngora added that his question was to the extent that this applies to new elevator installation, he is in support. However, he did not understand how much existing condominium and cooperative buildings are going to be increased each year when they do their elevator renewals, because he does not want to overly tax them just like the Commission does not want to increase fees for single-family homes on the recycling issue.

Mr. Fink explained that the Certificate for Operation itself runs from $75 to $90 per elevator shaft, so if the building has three shafts there will be three certificates. He will have additional information on Second Reading.

Commissioner Góngora added that if it is $15 for elevator shaft he is in support.

Roll call continued.

1:11:09 p.m.

R5 P AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY PROVIDING FOR AN ENTERTAINMENT DISTRICT PARKING ZONE AND PROVIDING PARKING METER RATES AND TIME LIMITS THEREFOR; BY AMENDING MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES, BY CREATING SUBSECTION 106-55 (B)(11), TO BE ENTITLED "P71 - 46TH STREET AND COLLINS AVENUE MUNICIPAL PARKING LOT," AND PROVIDING RATES THEREFOR; BY AMENDING THE PROVISIONS REGARDING CONSTRUCTION SPACE RENTAL FEES FOR METERED PARKING SPACES; AND, BY CREATING SUBSECTION 106-55(R), TO BE ENTITLED "HOSTEL/BED & BREAKFAST (B&B) IN RESTRICTED RESIDENTIAL ZONES," TO PROVIDE FOR DAILY PARKING PERMITS AND FEES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading

Parking
Vice-Mayor Mark Samuelian

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 6-0; Opposed: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on September 26, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Saul Frances to handle.**

MOTION ACCEPTING THE FINANCE AND CITYWIDE PROJECTS COMMITTEE'S RECOMMENDATION:
Pursuant to Section 2-13 of the City Code, a motion was made by Vice-Mayor Samuelian; seconded by Commissioner Alemán to accept the Finance and Citywide Projects Committee recommendation. Voice vote: 7-0.

Vice-Mayor Samuelian introduced the item, which has been discussed at length, and it is 100% consistent with what is in the budget. He added that the City of Miami today decided to raise their parking fees by $1.50 coincidentally, but this item is unchanged from the approval at budget.

Commissioner Steinberg is in support of the item; however, she reiterated that the parking fund is depreciating at a great pace, due mostly to ride sharing and everything else. However, as a philosophical balance, when there is too much of an increase, are they encouraging for even less parking and more rideshares? She suggested having that discussion at some point before Second Reading.

Motion made and seconded. Roll call taken.

1:14:20 p.m.

R5 Q AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-377 THEREOF, ENTITLED "PENALTIES, ENFORCEMENT; COLLECTION OF DELINQUENT FEES AND TAXES, AND CRIMINAL PENALTIES," BY PROVIDING FOR A MISDEMEANOR OFFENSE IN LIEU OF A CIVIL FINE IF THE NUMBER OF VIOLATIONS EXCEEDS TWO AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Office of the City Attorney
Mayor Dan Gelber

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading as amended.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 4-0; Opposed: Commissioners Arriola, Góngora, and Rosen Gonzalez. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney to handle.**

AMENDMENT:

Sec. 102-377. Penalties, enforcement; collection of delinquent fees and taxes, and criminal penalties.

(a)(1) If the violation is the first offense, a person or business shall receive a civil fine of ~~$1,000~~ $250

Mayor Gelber introduced the item and stated that this legislation was amended after the Agenda was printed and asked Chief Deputy City Attorney Boksner to explain.

Aleksandr Boksner, Chief Deputy City Attorney, explained that about a year ago there was an amendment to this provision as part of the enactment of the registration requirement for the legal compliance short-term transient rentals, and as part of that they also amended this provision where it required $1,000 fine if the individual did not have the appropriate Business Tax Receipt "BTR"; and after 30 continuous days it became a criminal violation. At times, they have used Miami-Dade County's Ordinance, which states that if BTR is not obtained, as required by the local municipality, a criminal violation may be charged.

Mayor Gelber clarified that currently they can enforce the County Ordinance that if they do not have a BTR is a criminal misdemeanor.

Chief Deputy City Attorney Boksner added that they have used that in circumstances where appropriate, regarding the unlawful conduct of certain unscrupulous operators. Mayor Gelber removed the civil violation penalty of $1,000, thereby making it a second-degree misdemeanor if an individual starts business operation without obtaining the appropriate BTR. He distributed a more specified hybrid of the two versions; it leaves the first violation at $1,000 and provides the civil violation for the second offense of $3,000. Subsequently if there is a continuous violation and the person continues to conduct operations without a BTR it becomes a misdemeanor that will ultimately be prosecuted by the City's prosecutor. They have done the same in certain sections throughout the Code. This is important because they no longer must worry nor contend with the concept or notion of continuous violation for a 30-day period. As written today, the first day the fine will be $1,000, the second day it will be $3,000 fine, and the third day the individually can be criminally charged and arrested for not having a BTR. They feel this is an appropriate mechanism to deal with the issue and this has to do with different entities. They have in fact utilized the County's provision to take law enforcement action for some business operations; specifically, one that happened recently is the Jet Ski operator who was taken into custody for illegally operating within the boundaries of the City without the appropriate BTR.

Mayor Gelber explained his amendment. He felt that City's enforcement should have different tools available, and at any moment, they could avail themselves from the County's Ordinance and this gives the City the ability to do a gradual enforcement if preferred, or an immediate enforcement, but that was the purpose of it. He amended the legislation for that purpose and asked his colleagues to discuss.

Commissioner Alemán asked if this could also be used as a tool for repeat illegal short-term rental violators that do not have a BTR. Chief Deputy City Attorney Boksner answered in the affirmative. She appreciates the revision, as she was concerned with the unintended consequences. However, she requested considering on Section 102-377 (a) that the first offense be lower than $1,000, perhaps $250. She thinks this covers every type of business possible and someone innocently could find themselves on the wrong side of this through a lack of knowledge. She appreciates having another tool available, but for the first offense, the fine could be highly damaging.

Mayor Gelber stated that the short-term rental platform fines are in a different section.

Chief Deputy City Attorney Boksner added that if they are within a zoning district that authorizes short-term rental and they are required to obtain a BTR to engage in that conduct, they would not be receiving a $1,000 fine if they were to amend it; it would be $500 or $250; so that will impact them. However, in areas where short-term rentals are not allowed, it will still be illegal and those will still receive the established monetary fines.

Commissioner Steinberg thinks this is a good hybrid version and is supportive with minor modifications to the fine schedule between First and Second Reading.

Mayor Gelber has no problem to lower the fine to $250. Their decision not to enforce is ongoing, and this does not change the decision-making, it only gives the ability to either fine rather than arrest.

Commissioner Alemán feels more comfortable with the first offense being more nominal in nature. Mayor Gelber accepted the amendment.

Commissioner Góngora added that he also appreciates the amended version, as the first version was severe. He asked how big of a problem this is in the City. There are many people that operate businesses out of their homes or on the streets, and if this is adopted, each day the person operates is a new violation, so by the third day, that person can be arrested, and he cannot support that.

Mayor Gelber explained that they could be arrested on the first day, as they can enforce the County Ordinance if a business does not have a BTR when operating a business.

Chief Deputy City Attorney Boksner clarified that in a municipality where a BTR is required it is a second-degree misdemeanor not having a BTR under County law.

Discussion held regarding lack of enforcement.

Mayor Gelber appreciates and fully recognizes that the City's departments have been showing a great deal of discretion in what they are not enforcing now, as all those violations are arrestable technically under County Ordinance, or a second-degree misdemeanor, which are severe. He thought about given a lower tier to allow at least enforcing the law, and giving them better tools to improve enforcement. This is to address that situation and not to exacerbate it.

Commissioner Góngora explained that operating without a BTR is $1,000 civil fine, and other language is being amended for additional fines, but this is clarifying that under the City that criminal sanctions are going apply, and he does not want Code to have carte blanche to start notifying the Police for minor violations. He thinks there is a good intent behind this Ordinance, but it is scary when criminalizing people that are trying to make an honest living.

Commissioner Rosen Gonzalez is not in support of the item.

Mayor Gelber explained that one of the complaints about Ocean Drive and other places is where there are folks conducting business without going through the permitting process and Police Officers will not arrest them because it seems to be an extreme measure; so, they exploit and victimize tourists and visitors and nothing is being done. Something needs to be done, and this is a possibility. He is open to other ideas, but it is a real issue in the City.

Commissioner Alemán will vote in favor of this legislation as it is a great tool. They have had recent problem with multiple Jet Ski operators causing safety issues brought to their attention by resident in North Beach, and repeatedly they were told to stop operating and they refuse to do so. She thinks this gives them another tool and will vote for it, but requested the first offense to be more nominal as not everyone is aware that they need a BTR. Mayor Gelber accepted the amendment.

Motion made and seconded as amended. Roll call taken.

Commissioner Steinberg voted in favor on First Reading but is concerned about the unintended consequences, and if language is not cleaned up between First and Second Reading, she will vote in opposition.

Raul J. Aguila, City Attorney, added that Mayor Gelber's intent was to have an additional remedy and they will try to bring something on Second Reading that is acceptable to the sponsor and more palatable to the Commissioners that voted against it, to take care of the unintended consequences.

City Clerk's Note: Corrections
Item R5 Q, the word "Penalties" is misspelled in title of Ordinance.

1:30:45 p.m.

R5 R AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED “PUBLIC PROPERTY,” BY AMENDING ARTICLE I, ENTITLED “IN GENERAL,” BY AMENDING SECTION 82-1 THEREOF, ENTITLED “CONDUCTING BUSINESS ON STREETS, PARKS, OR OTHER PUBLIC PROPERTY; ENFORCEMENT; PENALTIES; UNPAID FINES TO CONSTITUTE LIENS,” BY PROVIDING FOR CRIMINAL PENALTIES IN LIEU OF CIVIL FINES FOR VIOLATIONS OF SUBSECTIONS (A) AND (B) THIS SECTION AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Office of the City Attorney
Mayor Dan Gelber

ACTION: Title of the Ordinance read into the record. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance on First Reading Ballot vote: 4-0; Opposed: Commissioners Arriola, Góngora, and Rosen Gonzalez. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney and Chief Oates to handle.**

Aleksandr Boksner, Chief Deputy City Attorney, introduced the item. In regards to Section 82-1 as background, there was never a subsection (b), there was always a subsection (a) and in a subsection approximately eight years ago there was a criminal violation from the start; some were decriminalized by the former Administration and ultimately the enforcement of this provision was provided and obligated by the Code Compliance Department. Subsequently, under subsection (b) there was an amendment specifically regarding commercial business operations that was expanded 18 month ago, and it identified exemptions within subsection (c). This Ordinance brings it back to what existed on previous Code of Ordinance of the City, where violations of (a) and (b) would be in fact be deemed criminal, and that is for any type of business conducted anywhere on City’s property by criminalizing anyone who is engaged in that conduct.

Commissioner Steinberg is uncomfortable criminalizing everything to this extent. Two years ago, they had the issue with beach littering with the option to make it a criminal offense, and she supported that at that time, but from the dais, it was a very contentious conversation. There are areas were this is guaranteed and very much needed, and other areas where she feels is like using “a sledgehammer to kill an ant.”

Discussion held.

Chief Oates informed that the behavior of doing business without a license is a major issue in the Entertainment District, and if they follow the commentary of the Ocean Drive Association advocates and those of the Facebook pages, this is an ongoing recurring problem. The advantage he sees to this is that it is an enforcement tool and is an option. The enforcement and prosecution of these cases would be done by their Municipal Prosecutors. They have had higher percentage of success on these cases when they are prosecuted by their Municipal Prosecutors than when they are prosecuted by the State. This would be an additional, helpful enforcement tool for them in controlling behavior and quality of life in the Entertainment District. His team recommends adopting on First Reading.

Mayor Gelber stated that residents have reached out to tame the Entertainment District in some way, and this is one of the measures and this is something that was indicated to him that it would be helpful. He asked for his colleagues’ comments.

Vice-Mayor Samuelian agreed with Chief Oates' remarks, as they receive many complaints around businesses in the Entertainment District from residents and businesses. He thinks this is a step forward in trying to address that and give the Police another tool. The local Municipal Prosecutor gives it much more attention and it has a much higher rate of success. He will support the item because they need to do everything possible to arm the Administration team to bring better discipline where needed.

Motion made by Commissioner Alemán to the item.

Commissioner Rosen Gonzalez understands the reason for this legislation, but added that it is too much of an element of the big brother embedded in this for her to embrace. She thinks they are not treating the cause, but only slapping a "Band-Aid" on their problem. She is not sure how they are going to solve the problem of whatever is attracting certain homeless people and individuals with mentally illness that are on the beach, but arresting them is not the solution. They are investing moneys in programs and suggested instead of criminalizing this, they should do some outreach, offer services, medication, and assistance instead of arresting them. If they embrace this they embrace the criminalization of the mentally disabled or ill.

Commissioner Steinberg is inclined to support the item, but asked if this item is covered with the BTR related item.

Chief Deputy City Attorney Boksner gave an example of an individual selling tourists excursions walking along governmental property from table to table; they have a BTR, which is at a fixed location, and what they are doing is selling outside what they are legally allowed to do. While that is not a violation of a BTR Ordinance, it is a violation of 82-1, because they are engaging in a business that is in the City's property and are exchanging monetary funds. That is what this item is addressing.

Chief Oates added that when they arrest under the County Ordinance the practical matter is not to prosecute. They have a problem with beach thieves and one of the methods of operation of beach thieves is to walk around with coolers selling bottles of water for $1, but what they are doing is scoping out possibly with their team how people pay for that water and where they keep their wallets. They are currently engaged in an initiative where they go out to the beach intercepting those people, locking them up under the County Ordinance, but they are not being prosecuted. Beach theft is a major problem in Miami Beach and this would be a great tool. They exercise discretion in the Police Department whether to enforce or not, but this would be a tool to address that condition and it is not only for coconut salespeople. One of the major complaints about huts on the boardwalk is the coconut salespeople. If they do a couple of weeks of enforcement coconut salespeople are arrested for this behavior, perhaps that behavior will end on the boardwalk. As with other laws, they think this tool would be particularly valuable.

Chief Deputy City Attorney Boksner added that the coconut salespeople add an unknown substance on the coconuts and that poses a concern.

Discussion held.

Commissioner Rosen Gonzalez added that in the North Beach area they got rid of the coconut salespeople phenomenon without arresting them. She asked how that was accomplished that they could not do in this end without criminalizing them. According to the County Ordinance Miami Beach Police Department officers can arrest, and asked why they need this legislation.

Chief Oates stated that it is probably because there is more of a demand in South Beach. In answering Commissioner Rosen Gonzalez, he explained that the special attention that the local Municipal Prosecutors that would give to these cases involving repeat offenders would get the kind of successful attention needed.

Chief Deputy City Attorney Boksner added that oftentimes in those situations they need to monitor continuously the violation to make sure it is prosecuted.

Commissioner Alemán explained that on a Citywide basis and to control the criminal element, Chief Oates has clearly stated his case for this Ordinance and why it is needed. She moved the item. Item seconded by Vice-Mayor Samuelian. Roll call taken.

City Clerk's Note: Corrections
Item R5 R, in the first Whereas of the Ordinance, insert "business" in the following:
Whereas, currently, penalty provisions of Chapter 82, Article I, Section 82-1 impose civil penalties for conducting any business on streets, parks, or other public property for which a <u>business</u> tax receipt is required without first obtaining such <u>business</u> tax receipt; and…

1:43:09 p.m.
SUPPLEMENTAL MATERIAL 1: ORDINANCE

R5 S AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES, AND VESSELS," BY AMENDING ARTICLE II ENTITLED "RESTRICTED WAKE ZONES", BY AMENDING SECTION 66-43 ENTITLED "RESTRICTED AREAS" TO PROVIDE FOR REGULATION OF MOTOR OPERATED MARINE VESSELS NEAR ELEVATED STRUCTURES SUCH AS BRIDGES TO PROTECT THEM FROM SALT WATER EROSION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN AFFECTIVE DATE.
<u>First Reading</u>

Office of the City Attorney
Mayor Dan Gelber

ACTION: Item deferred to October 17, 2018 Commission Meeting. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney to handle.**

1:50:39 p.m.
SUPPLEMENTAL MATERIAL X: ORDINANCE

R5 T AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING SECTION 70-2, ENTITLED "SALE OF NICOTINE VAPORIZERS (E-CIGARETTES) AND LIQUID NICOTINE TO MINORS AND POSSESSION BY MINORS PROHIBITED; PENALTIES" BY AMENDING THE DEFINITIONS THEREIN; THE PROHIBITIONS REGARDING THE PHYSICAL ACCESSIBILITY OF NICOTINE VAPORIZERS AND LIQUID NICOTINE; PROVIDING SIGNAGE REQUIREMENTS FOR RETAILERS; INCLUDING PROHIBITIONS AND REQUIREMENTS REGARDING MAIL ORDERS, INTERNET, AND REMOTE SALES OF NICOTINE VAPORIZERS OR LIQUID NICOTINE; AMENDING THE PENALTIES FOR VIOLATIONS OF SECTION 70-2; AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.
First Reading

Office of the City Attorney
Mayor Dan Gelber and Co-Sponsored by
Commissioner John Elizabeth Alemán and Commissioner Micky Steinberg

ACTION: Title of the Ordinance read into the record. Item referred to committees. Item heard in conjunction with C7 AR. **Ordinance adopted on First Reading.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance on First Reading. Ballot vote: 7-0. Second Reading Public Hearing scheduled on October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney and Dr. Leslie Rosenfeld to handle.**

REFERRALS:

- Committee for Quality Education Committee in Miami Beach to educate members about what this Ordinance says and does, to encourage Miami-Dade County Public Schools and the PTA members develop education pieces back at the school, so that students who have been earning money on the side selling these devices to their friends realize that there will be penalty. **Dr. Leslie Rosenfeld to place on the Committee Agenda and to handle.**

- Youth Commission Committee - **Dr. Leslie Rosenfeld to place on the Committee Agenda and to handle.**

- Health Advisory Committee – **Sonia Bridges to place on the Committee Agenda. Dr. Leslie Rosenfeld to handle.**

TO DO ONCE ORDINANCE IS REVISED:

- Add to Legislative package for the State. **Marcia Monserrat and Judy Hoanshelt to handle.**
- Urge Miami-Dade County and neighboring Counties to adopt a similar Ordinance via a Resolution to be placed on the October 17, 2018 Commission Agenda. **Office of the City Attorney to handle.**
- Tweaking language prior to Second Reading regarding targeting minors and penalties. **Office of the City Attorney to handle.**

City Clerk's Note:
At 2:18:45 p.m., Resolution (C7 AR) was approved by acclamation as amended. Commissioner Góngora requested to be co-sponsored of the Resolution. See item C7 AR.

Mayor Gelber asked that this Ordinance be discussed along with the companion Resolution (C7 AR) as he did not know that children in school were inhaling possibly multiple packs of cigarettes per day through these E-cigarettes that seem to be marketed to children. He thinks this is an incredibly dangerous and emergency health crisis for children. He was amazed to learn from his daughter and some of her friends that this is happening in schools and it seems that many parents do not know about it. Teachers and the School Board members know about it, but it is hard to enforce. Dr. Karp is aware of this matter; however, battling it has not been easy, greatly in part due to the lack of awareness and the inability to enforce. He suggested that they do something, as they are a City Commission that deals with these issues. This is an Ordinance that he asked Chief Deputy City Attorney Boksner to explain, and Dr. Audrey Ofir is here from the Pediatric Clinic to explain from her perspective. There is also a Resolution (C7 AR) that they modified, since it was calling for the FDA to act, and this morning the FDA acted, so therefore this has been modified to support that.

Aleksandr Boksner, Chief Deputy City Attorney, stated that the City had an existing provision when E-cigarettes first came out about four or five years ago, prior to the State enacting any type of legislation or regulation. The City enacted provisions under Section 70-2, by creating a definition for delivery of sales and identifying the meaning for the specific violation. They have also identified one additional prohibition, set forth within subsection (b)(3) in regards to placement and location of these nicotine vaporizers or liquid nicotine inhalers. They have also added a signage requirement under subsection (c) mandating that there must be signage requirement in the sign language that must be identified within that section and posted in regards to their attempts to regulate this. The last provision identified is the prohibition and requirements regarding mail order, internet, and remote sales of nicotine vaporizers and liquid nicotine, they have identified a mechanism under which the City of Miami Beach will ultimate legislate on this topic. This is in line with State law, and if the question is posed whether the City has the legal authority to enforce it, they must certainly do. Case law states that the City has the legal authority to enforce State law if they adopt State law, and this is an adoption of that, so it grants the City the legal authority under Florida law to continue enforcement. It also identifies criminal penalties if someone does not comply with the delivery requirements by obtaining the appropriate age requirement verification, and whether the retailer or store, if they sell to a minor or to a third party, who is a vehicle by a way to get that to a minor. They believe this legislation will address what is a most prevalent matter by which minors acquire this. It has criminal penalties that were increased for a minor in possession, which will require them to do more community service hours, and there is an increase in the monetary fine set forth in the penalty provisions. Another component is that they included an enhanced provision where the City Manager and/or designee will have the legal authority to suspend the BTR and ultimately this means that the business will no longer be able to operate if they are in fact selling to minors.

Mayor Gelber introduced Dr. Audrey Ofir.

Dr. Audrey Ofir, Director of Pediatric Clinic, Jackson Memorial Hospital, University of Miami Physician Pediatric Department, explained that in 2011, 1.5% of high school students were using E-cigarettes; in 2014 the figures went up to 13.4% of high schoolers, and now they have 11% of high schoolers and 4% of middle schoolers have admitted to use it. Nicotine is a very addictive substance. A large study done looked at young adults, and when they started using E-cigarettes they ended up using the regular tobacco cigarettes. So, essentially, the nicotine primed the brains to become addicted to other substances. Other studies show that the nicotine started with the E-cigarette, and they ended up using alcohol as well. From animal studies, they know that nicotine affects the developing brain; it may cause lack attention span, memory loss, and behavioral issues. The fact that the product is inhaled can trigger respiratory issues, asthma, and respiratory infection as well, and the fact that the product has sweet flavor is a cause for cavities. Recent CDC reports, the number of calls to our National Poison Center involving these E-cigarettes increased from 271 calls in 2011 to over 3,000 in 2014; and more than half of those calls involve children less than five (5) years old. After the manufacturers had been required to make their packaging child resistant, the calls had diminished to a lesser number, but are still over 2,000 call per year, and as they all know, if it is their own child, it is one child too many. Regarding other chemicals contained in the liquid substance mixed with the nicotine, they do not know enough of the effect yet, but studies done in animals show than more than likely those will cause cancer at some points. The battery component also seems to explode randomly, usually when in the pocket of the user or in the face causing second and third-degree burns, necessitating emergency room service, hospitalization, and even extensive surgery. Young people do not use E-cigarettes to quit smoking; they do it because it is the new and cool product, easily accessible to them; it has a sleek inconspicuous design with cool flavors and without any lingering smell. They are the most commonly used tobacco products in the nation. E-cigarettes renormalized smoking behavior among that age group. Contrary to marketing announcement, they are not without risks and/or consequences, and it is a matter of children's health and safety.

Raul J. Aguila, City Attorney, stated for the record that an article had been distributed at the dais, and added that the FDA Commissioner today issued an statement declaring youth Vaping an epidemic, and added that the agency will halt sales of flavored electronic cigarettes, including Juul, Vuse, MarkTen XL, Extra Large Vu and other manufacturers, if the major manufacturers cannot prove that they are not doing enough to keep them out of the hands of children and teens. The latest statistic today shows than more than two million middle school, high school, and college students use battery powered devices to heat liquid base nicotine into an inhalable vapor. E-cigarettes are by far the most popular tobacco product among teens. Nearly 12% of high school and 3% of middle school students used the device in the past 30 days according to the 2017 Youth Tobacco Survey. The Resolution (C7 AR), which is attached to this Ordinance, urges the FDA to continue its efforts to impress upon these companies to develop regulations that will keep these out of the hands of minors.

Commissioner Alemán thanked Dr. Ofir for her presentation. Any student she knows will tell her that kids are vaping E-cigarettes in class on campus at Nautilus Middle School and Miami Beach Senior High School. She challenges them to find a child that has not seen another child do it, as it is so pervasive. For them to make every effort to get in front of it there is no reason to wait decades as it happened with traditional cigarettes and take this seriously. Dr. Ofir did a great job describing that vaping, while people think it is harmless, it carves a path for addiction and addictive behaviors that destroy lives, and is common and one of the biggest problems in our society along with all the addictive substances and behavior that can hunt individuals and ruin lives. She is supportive of this legislation. She added that it is an honor for her to co-sponsor the Ordinance. She asked Chief Deputy City Attorney Boksner that one of the ways their kids are getting their devices is that they look innocuous; they are not recognizable, as they can look like flash drives, and they are being smoked in class, without visible smoke at times. She is not sure if adults in the classroom are looking the other way, and suggested to appeal to all the adult leaders in the School System and School Member Dr. Karp to impress on the teacher and other adults on campus what the damaging effects are. They need to protect the children. She asked Chief Deputy City Attorney Boksner what are the penalties if they find a Beach High student selling them to middle school students.

Chief Deputy City Attorney Boksner explained that if the student is under 18 years of age, they would have community service hour's requirements; if they have a driver's license in their possession it will be subject to suspension by the Courts once they investigate and determination is made. This is what they added as part of the additional penalty provisions dealing with people of age. There is also a monetary fine involved.

Discussion held.

Commissioner Alemán suggested adding a referral to the Committee for Quality Education in Miami Beach (QEC) to educate them about what this Ordinance says an does, to encourage Miami-Dade County Public Schools and the PTA members present to develop education pieces back at the school, so that students who have been earning money on the side selling these devices to their friends realize that there will be penalty for that now.

Mayor Gelber stated that there being no objections, the item was referred to the QEC.

Commissioner Góngora fully supports the Resolution (C7 AR) and the Ordinance, although he does not think this will stop the problem. The problem is happening in the schools daily and they are not doing the educational outreach campaign that they used to do before, and he knows teachers look the other way. The School Board needs to improve their job on cracking down on what is going on in the classrooms with the teacher. He agrees with the Resolution. He added that in the Ordinance the notice provision regarding signage and keeping the products prohibited from people under 18 years of age, he is in agreement, but he asked than between First and Second Reading they come back to them and tell them what City businesses are engaging in delivery sales, as this Ordinance prohibits delivery sales, but he does not know what business are engaging in delivery sales, but if they are, he would like to know, and if they are out of State, he would like to know how they can regulate them. **(Chief Deputy City Attorney Boksner to handle.)** Regarding enforcement against minors under 18 in possession of nicotine vaporizers or liquid nicotine, they will be punished as noncriminal violations where they will impose 20 hours of community service or fines. He is not sure if they can issue Code violation to minors, and who will administer this, how are they going to oversee that these community service hours will be monitored. He thinks the notice portion of the Ordinance is good, but the deliver sales and monitoring minors who violate this must be worked out between First and Second Reading.

Chief Deputy City Attorney Boksner explained that the violation presented in front of the County Court Judge, and that is uniform throughout. There is a provision that authorizes these types of violation issued to those that are in possession of tobacco under the age of 18, there is a process within the 11th Judicial Court as it exists already.

Mayor Gelber added that he reached out to the Superintendent of Schools and he knows that Dr. Karp and the School Board are very aware of this. This is an aggressive Ordinance, it may not solve the problem, as he believes that public awareness is essential, and part of the purpose of the discussion is to let the community and parents know that this is happening probably for many of them without even knowing it.

Discussion held.

Commissioner Steinberg suggested adding this to their Legislative package for the State and encouraged the County to adopt a similar Ordinance. **(Said Resolution to be brought back at the October 17, 2018 Commission Meeting. Office of the City Attorney to handle.)** If they control this within the City's borders and the County does not take it seriously, it will not have the same impact.

Commissioner Kristen Rosen Gonzalez is not sure how enforceable it is from child to child, and thinks the educational component is a better method than criminalizing it. She is not going to vote against it. She does not understand the definition of delivery sales, which she read into the record. Commissioner Rosen Gonzalez asked if the order is phoned in or is ordered via the internet is it criminal. This is only going to raise awareness but she does not think they can enforce it, and the criminal component gives too much power on the hands of one child over another.

Discussion continued.

Mayor Gelber added that the delivery services are delivering without checking the ages of children.

Chief Deputy City Attorney Boksner stated that the Police Department would conduct investigations.

Commissioner Alemán also suggested referring the Ordinance to the Health Advisory Committee and the Youth Committee if agreeable, and secondly per Commissioner Steinberg's comment, she suggested also sending to neighboring municipalities.

Discussion continued regarding selling and possession.

Commissioner Arriola will vote in favor of the item today, but requested tweaking the issue of targeting minors to see what the penalty is going to be as it is not a controlled substance.

Commissioner Góngora suggested passing it on First Reading and referring to Neighborhood/Community Affairs Committee.

Mayor Gelber thinks the City Attorneys will be able to come back in 30 days, look at the issues raised, and modify language between First and Second Reading.

Item moved and seconded. Roll call taken.

2:18:45 p.m. C7 AR
Mayor Gelber added that regarding Item C7 AR, the Resolution has been updated to include today's events and was approved by acclamation as amended. Commissioner Góngora requested to be co-sponsored of the Resolution and Mayor Gelber accepted that.

Discussion held regarding prohibition and violations of the law.

Chief Deputy City Attorney Boksner explained that any nicotine product including the traditional smoking or chewing tobacco is prohibited; this legislation addresses all that is illegal for possession under the age of 18 years of age.

Mark Zern, Director for School Operations, added that they are trying to look at this issue Countywide, on the prevention and intervention site, to start to address a students' Code of Conduct. They will soon roll out a Countywide and educational campaign for middle and high school senior students, to reach out to many campuses as possible. He is glad to see that the City is taking this on as an initiative so that they can work together and tap them for resources and marketing some of their education campaign. Secondly, they have an adjustment to their Codes of Conduct to strengthen some of the language or adding to it, to make it clear to the students what the violations are and that will go on First Reading probably in October.

6:29:45 p.m.

R5 U DEMOLITION NOTICE ORDINANCE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," OF THE CITY CODE BY AMENDING DIVISION 2, CREATING A NEW SECTION 14-421, ENTITLED "NOTICE OF DEMOLITION TO AFFECTED PERSONS;" IN ORDER TO PROVIDE FOR NOTICE TO AFFECTED PERSONS WHEN THE CITY ISSUES A DEMOLITION PERMIT FOR STRUCTURES THAT ARE THREE (3) OR MORE STORIES; PROVIDING FOR PENAL TIES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

First Reading

Office of the City Attorney
Commissioner Michael Góngora

ACTION: Title of the Ordinance read into the record. Item heard in conjunction with R9 N, per Commissioner Góngora's request. **Ordinance adopted on First Reading.** Motion made by Commissioner Góngora; seconded by Commissioner Alemán to adopt the Ordinance on First Reading. Ballot vote: 7-0. Second Reading Public Hearing scheduled for October 17, 2018. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney to handle.**

Commissioner Góngora explained that both R5 U and R9 N were placed on the Agenda because of the tragedy that happened during the demolition of the Marlborough House recently. The City Commission was upset and looking at ways to try to avoid future tragedies. R5 U is a notice Ordinance, because he did not have any knowledge of procedures, but now they are trying to improve this. This item on First Reading is to provide better notice by people when doing demolitions of buildings three (3) stories or more, to make sure that at least neighborhoods are alerted, people are notified to avoid situations like that in the future.

Commissioner Góngora moved the item on First Reading; seconded by Commissioner Alemán.

Vote taken. All in favor.

6:31:46 p.m.

Discussion held regarding R9 N.

Commissioner Góngora explained that Commissioner Alemán co-sponsored R9 N and has worked closely with the Building Director who should introduce the item, as she has come up with ideas to implement administratively to ensure safer demolitions in the future.

Commissioner Alemán explained the reason she sponsored the item, and she recognized the advance work of notifying the neighbors made by Commissioner Góngora. They are reaching further into the neighbors that the County requires, but she also wanted the Administration, in particular the Building Official, to review all aspects of demolition procedures and requirements to look for other opportunities for improvement. Clearly, they are not where they want to be, and asked Building Department Director Ana Salgueiro to give a thorough analysis of what is involved and how they can have this as error-free as possible.

Ana Salgueiro, Building Department Director, stated that at the City Commission's direction, she reached out to other departments, cities, and leaders, as well as other Building Officials in the communities to discuss this issue and look at different methods at hand. They also researched the internet to seek methods on how other communities are dealing with demolitions of higher density spaces. After discussing with Public Works and speaking to Commissioner Góngora, she reached out to the Fire Department, and the following is being done: 1) that for any demolition of any building greater than three (3) stories it is required that a special inspector/ engineer be on site to provide signed and sealed demolition plans and ensure the safety of the constructions and ensure the general construction practices from the Code are complied with; 2) that they follow OSHA's requirements on site as well. 3) For additional pedestrian protection anything larger than three stories, they must ensure that the proper safety of the pedestrians is kept per Code, as far as distances. They are implementing and maintaining the safety and spaces procedures; she has discussed this with the structural reviewers who are reviewing, not only the demolitions, but any new construction that is taller than four (4) stories. At Commissioner Góngora's direction, they looked at on-site safety information that shall be hazard safety plan. She spoke to the Fire Department about that, as it would most benefit them to have a list on site of who was there at the construction site that date. Some of the time during the tragedy was spent figuring out if everyone on site was safe. These are all procedures that will be implemented without requiring City Commission approval, as they can use the City Code and the safety to implement changes; however, she brought the item back for an update.

Commissioner Alemán asked about reviewing the policy for closing roads and/or vacating neighboring building to make sure everyone is kept safe.

Ms. Salgueiro answered that the road closures would be included with the safety and distances, and that is the reason it is important for them to work hand in hand with Public Works, as they would need a permit to close the roads.

Commissioner Góngora thanked Ms. Salgueiro for her work on this item.

R7 - Resolutions

10:26:49 a.m.

R7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A PUBLIC HEARING, AUTHORIZING THE RE-PLAT OF A PORTION OF THE "LINDISFARNE ON FISHER ISLAND SECTION 9" PLAT; AS FURTHER IDENTIFIED IN ATTACHED EXHIBIT "A," WITH THE RE-PLAT TO BE CALLED "BISCAYNE APARTMENTS NORTH;" AND TRANSMITTING THIS RESOLUTION TO MIAMI-DADE COUNTY, FLORIDA, SO THAT MIAMI-DADE COUNTY CAN COMPLETE THE RE-PLATTING PROCESS.
10:20 a.m. Public Hearing

Public Works

ACTION: Resolution 2018-30495 adopted. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 7-0. **Roy Coley to handle.**

City Clerk's Note: Corrections
Item R7 A, in the Resolution title, line 3, should read, "following a public hearing," not "a public hearing."

Handouts and Reference Materials:
1. Ad 091218-01 published in The Miami Herald.
2. Ad 091218-02 published in The Miami Herald.

R7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE FOURTH AMENDMENT TO THE GENERAL FUND, ENTERPRISE FUND, INTERNAL SERVICE FUND, AND SPECIAL REVENUE FUND BUDGETS FOR FISCAL YEAR (FY) 2017/18.
2:00 p.m. Public Hearing

Budget and Performance Improvement

ACTION: Item withdrawn.

Handouts and Reference Materials:
1. Ad 091218-02 published in The Miami Herald.

R7 C A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE EIGHTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2017/18, AS SET FORTH IN ATTACHMENTS "A," SOURCE OF FUNDS; "B," PROGRAMS; AND "C," PROJECTS.
2:05 p.m. Public Hearing

Budget and Performance Improvement

ACTION: Item withdrawn.

Handouts and Reference Materials:
1. Ad 091218-02 published in The Miami Herald.

R7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING, THE WAIVER OF CERTAIN LAND DEVELOPMENT REGULATIONS (LDR) PERTAINING TO LOADING SPACE REQUIREMENTS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO SECTION 142-425(D) OF THE CITY CODE, FOR THE COLLINS PARK PARKING GARAGE PROJECT, LOCATED AT 340 23RD STREET, WITHIN THE MUSEUM HISTORIC DISTRICT AND WITHIN THE MIAMI BEACH ARCHITECTURAL DISTRICT, TO WAIVE SECTION 130-101(B) OF THE CITY CODE, WHICH REQUIRES LOADING SPACES TO BE LOCATED INTERNALLY, IN ORDER TO CONSTRUCT THE NEW COLLINS PARK PARKING GARAGE STRUCTURE.
2:10 p.m. Public Hearing

Capital Improvement Projects

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **David Martinez to handle.**

Handouts and Reference Materials:
1. Ad 091218-02 published in The Miami Herald.

9:06:32 p.m.

R7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, APPROVING THE GRANT OF THE WAIVERS OF CERTAIN DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO SECTION 142-425(D), OF THE CITY CODE, FOR THE NEW SURFACE PARKING LOT TO BE CONSTRUCTED AT 8100 HAWTHORNE AVENUE, IN THE BISCAYNE BEACH NEIGHBORHOOD; BY WAIVING: 1) SECTIONS 126-11(A) AND 126-11(B), OF THE CITY CODE RELATING TO TREE ISLANDS, IN ORDER TO REDUCE THE LANDSCAPING AREAS ALONG THE SOUTHEASTERN AND WESTERN PARKING ROWS; 2) SECTION 142-106, OF THE CODE, IN ORDER TO REDUCE THE REAR AND FRONT SETBACKS ALONG THE EASTERN AND WESTERN PROPERTY LINES IN ORDER TO ACCOMMODATE 28 PARKING SPACES WITHIN THE PROPOSED SURFACE LOT.

2:15 p.m. Public Hearing

Capital Improvement Projects
Commissioner John Elizabeth Alemán

ACTION: Resolution not adopted. Public Hearing held. Motion made by Commissioner Alemán to defer the item to October 17, 2018 Commission meeting, and requested to meet with individuals present in her office. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **David Martinez to handle.**

Commissioner Alemán explained that the City has a very unattractive maintenance and pumping yard on Hawthorne Avenue, and they were asked by neighbors to create additional parking. This is one component of three areas of Biscayne Beach, where they are looking to create public parking spaces. In this case, by taking a City pump station and maintenance lot, leaving some equipment there, but cleaning it up and creating parking and landscaping.

Raul J. Aguila, City Attorney, added that the Waiver of Development Regulations would allow the City to build approximately 28 parking spaces within this surface lot.

Rafael Padilla strongly opposes the waiver and explained the reasons regarding reductions of setbacks and additional parking spaces. When he bought his property, he was told by the City that the neighbors next to him must buffer some setbacks from his property, and now he finds himself with a parking lot all around his property line 24/7, being bothered and stripped of his rights of enjoyment of his property and stripped of his future of retirement, due to the property damage that this is causing economically.

Commissioner Alemán stated that his property is directly to the north and added that the setback between his home and the property line is shallow. They were concerned about him and she discussed with David Martinez heavily landscaping between the parking and the property line on the City's property, to protect him visually from that. She asked Mr. Martinez what has happened to that, since the City's site as it is now is unsightly. Commissioner Alemán asked Mr. Martinez to make sure that residents understand the plans.

David Martinez, Capital Improvements Director, explained that the idea was to plant hedges between the properties, although the property to the south is a street end. They held public meetings recently and noticed this public hearing. This is a conversation that they have been having for over a year, in terms of finding parking and maximizing everything possible.

Discussion held.

Commissioner Alemán, as sponsor of the item, suggested deferring the item for a month and requested that David Martinez and Mr. Padilla meet directly to make sure there is a complete understanding. The photographs provided by staff show the condition of the lot and she believes they can accomplish multiple objectives. They obviously want the homeowners that live next to Mr. Padilla to be comfortable with what the City is doing.

Rafael Padilla added that the City owns two green spaces in the same neighborhood, one in Hawthorne Avenue and one across from Crespi Boulevard and 79th Street, which could be used for landscaping and parking. He asked why they must give waivers. He has assigned parking lots, and they have made him go 20' in the front, 20' in the back and provide landscaping on the strips of the area. Why does he have to suffer with cramped parking while the City has two properties that do not abut anyone?

Commissioner Alemán added that she has never heard from him before and they have been working on this for a year. She suggested deferring the item and having David and Mr. Padilla meet with her in her office and work through everything.

Nima Sheikholeslami spoke in opposition.

Commissioner Alemán reiterated that this is not the forum to discuss the issues.

City Clerk's Note:
The property owners' names were taken into the record for **Cilia Maria Ruiz Paz**, Aide to Commissioner Alemán, to coordinate a meeting between the residents and David Martinez in Commissioner Alemán's office. **Cilia Maria Ruiz Paz and David Martinez to handle.**

Item deferred.

City Clerk's Note: Corrections
R7 E - Update title to the following:
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, APPROVING THE GRANT OF THE WAIVERS OF CERTAIN DEVELOPMENT REGULATIONS, BY A 5/7TH VOTE OF THE CITY COMMISSION, PURSUANT TO SECTION 142-425(D), OF THE CITY CODE, FOR THE NEW SURFACE PARKING LOT TO BE CONSTRUCTED AT 8100 HAWTHORNE AVENUE, IN THE BISCAYNE BEACH NEIGHBORHOOD; BY WAIVING: 1) SECTIONS 126-11(A) AND 126-11(B), OF THE CITY CODE RELATING TO TREE ISLANDS, IN ORDER TO REDUCE THE LANDSCAPING AREAS ALONG THE SOUTHEASTERN AND WESTERN PARKING ROWS; 2) SECTION 142-106, OF THE CODE, IN ORDER TO REDUCE THE REAR AND FRONT SETBACKS ALONG THE EASTERN AND WESTERN PROPERTY LINES IN ORDER TO ACCOMMODATE 28 PARKING SPACES WITHIN THE PROPOSED SURFACE LOT.

Handouts and Reference Materials:
1. Ad 091218-03 published in The Miami Herald.
2. Speakers List for item R7 E. (Original provided to Cilia Maria Ruiz Paz)

6:16:42 p.m.
6:25:03 p.m.
R7 F A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 82-504 OF THE CITY CODE, APPROVING, BY 5/7TH VOTE, AND FOLLOWING A DULY NOTICED PUBLIC HEARING, THE PLACEMENT OF A PLAQUE, AT THE CITY'S COST TO INCLUDE PRODUCTION, INSTALLATION AND ONGOING MAINTENANCE, ON THE FACADE OF THE BUILDING LOCATED AT 1058 COLLINS AVENUE, THE LOCATION OF THE ORIGINAL DAVID'S CAFÉ, COMMEMORATING THE CONTRIBUTIONS OF THE LATE ALFREDO GONZALEZ, SR.; AND, SHOULD THE PROPERTY OWNER NO LONGER BE ABLE TO HOUSE THE PLAQUE ON THE BUILDING, APPROVING THE PLACEMENT OF THE PLAQUE ON THE CITY-OWNED RIGHT OF WAY WITHIN PROXIMITY TO THE BUILDING LOCATED AT 1058 COLLINS AVENUE.
2:20 p.m. Public Hearing

Transportation

ACTION: Resolution 2018-30496 adopted. Item heard with companion item PA 4. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Góngora; Voice vote: 7-0. **Jose Gonzalez to handle.**

Jose Gonzalez, Transportation Director, explained the item seeks approval to place a plaque on the façade of the building at 1058 Collins Avenue, the location of the original David's Café, commemorating the contributions of the late Alfredo Gonzalez, Sr., and to place the plaque on City owned right-of-way within proximity to the building, should the property owner no longer be able to house the plaque on the building. The family is here in attendance.

Alfredo Gonzalez, Jr., on behalf of the memory of his father and on behalf of his family, thanked the Hispanic Affairs Committee for bringing this item forward to the City Commission. They are very humbled that the City his father loved is bestowing such an honor to his father's memory. He discovered Miami Beach in 1961; travelled to New Jersey where the jobs were, but as soon as he was able, he packed his wife and three boys and moved to Miami Beach where he lived for the rest of his life. He thanked everyone.

Adrian Gonzalez thanked the City Commission from the bottom of their hearts on behalf of his family, as this means the world to them, as this was his dad's gem in the rough; he built a legacy here, raised a family, and the next generation continues keeping that legacy going, and it is fitting that today in 1977 was officially 41 years of them being on the City as David's Café. Thank you,

Alex Fernandez, Hispanic Affairs Committee Chair, added that this is part of their work as a City; they are a global destination island and playground to the world. In addition, while at the national stage there is conversation about building walls to divide, in Miami Beach, they are using a wall to unite and highlight a story of our Hispanic community. This is the story of a family that left their homeland to come to Miami Beach where they found the American dream. They contributed, assimilated, and continue growing and contributing to the City. What a more beautiful thing for those people from around the world when they visit to see a plaque telling the story of what the true values of the Hispanic community are, what we truly represent in the American culture, and how much we appreciate that in the City. Thank you all in advance for your support.

Mayor Gelber added that this community is much more diverse and better than when he was born 58 years ago, and it is a mosaic of wonderful, beautiful stories, and their father, Alfredo Gonzalez Sr., was certainly one of them.

Item moved and seconded. Voice vote taken.

Handouts and Reference Materials:
1. Ad 091218-03 published in The Miami Herald.

9:26:59 p.m.
SUPPLEMENTAL MATERIAL 1: RESOLUTION

R7 G A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING: 1) THE TENTATIVE AD VALOREM MILLAGE OF 5.7288 MILLS FOR FISCAL YEAR (FY) 2018/19 FOR GENERAL OPERATING PURPOSES, WHICH IS FOUR AND SEVEN TENTHS PERCENT (4.7%) MORE THAN THE "ROLLED-BACK" RATE OF 5.4727 MILLS; AND 2) THE DEBT SERVICE MILLAGE RATE OF 0.1600 MILLS, SUBJECT TO A SECOND PUBLIC HEARING TO CONSIDER THE MILLAGE RATE FOR FISCAL YEAR 2018/19 ON WEDNESDAY, SEPTEMBER 26, 2018, AT 5:01 P.M.
5:01 p.m. First Reading Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30497 adopted on First Reading. Public Hearing held. Motion made by Commissioner Arriola; seconded by Commissioner Alemán; Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on September 26, 2018 at 5:01 p.m. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Tameka Otto Stewart to handle.**

John Woodruff, Chief Financial Officer, showed a slide presentation on the millage, which has remained the same as proposed, and it is the lowest millage rate in at least 55 years. Click here to view.

Handouts and Reference Materials:
1. Ad 091218-03 published in The Miami Herald.

10:20:33 p.m.
SUPPLEMENTAL MATERIAL 1: RESOLUTION

R7 H A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE, AND APPROVING THE EARLY TERMINATION OF THE FOOD TRAILER PILOT PROGRAM WITH THE PRIVATE UPLAND PROPERTY OWNERS, CONTINGENT UPON THE CITY COMMISSION AND THE STATE OF FLORIDA APPROVING AN AMENDMENT TO THE RULES AND REGULATIONS FOR BEACHFRONT CONCESSION OPERATIONS (RULES AND REGULATIONS), TO ALLOW THE OPERATION OF FOOD TRAILERS BY UPLAND OWNER CONCESSIONAIRES AS PART OF THE CONCESSION FACILITIES; AND, UPON APPROVAL OF SAID AMENDMENT TO THE RULES AND REGULATIONS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TERMINATE OR EXECUTE AGREEMENTS, AS APPLICABLE, WITH INTERESTED PRIVATE UPLAND PROPERTY OWNERS LOCATED IMMEDIATELY WESTWARD OF THE BEACHFRONT FOR A FEE OF $10,000 PER MONTH; AND FURTHER AUTHORIZING THE ISSUANCE OF REQUEST FOR PROPOSALS (RFP) NO. 2018-316-WG FOR BEACHWIDE FOOD TRAILER PROGRAM.

Tourism, Culture and Economic Development/Procurement

ACTION: Resolution 2018-30498 adopted. Motion made by Vice-Mayor Samuelian; seconded by Commissioner Alemán; Voice vote: 5-0; Absent: Commissioners Rosen Gonzalez and Steinberg. **Heather Shaw and Alex Denis to handle.**

Mark Milisits, Assets Manager, explained the item, which is regarding the six-month Food Trailer Pilot Program on the beachfront approved by the City Commission on June 27, 2018 located behind condominiums and hotels.

Mayor Gelber asked if they want the program expanded to make sense of the startup cost.

Jimmy L. Morales, City Manager, explained that there are two public locations where this program could generate revenue, and then there is a location of expanded hotels that they know it can generate significant revenue, along with other opportunities as far as locations.

Mayor Gelber thinks it is a great idea. Hotels and visitors like it and it does not seem to have any environmental impact, it provides revenue source funds and creates culinary elements that visitors are looking for.

Item moved and seconded. Voice vote taken.

9:33:49 p.m.
SUPPLEMENTAL MATERIAL 1: RESOLUTION W/ EXHIBITS & MEMO ATTACHMENTS A, B, C, D

R7 I A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING TENTATIVE BUDGETS FOR THE GENERAL, G.O. DEBT SERVICE, RDA AD VALOREM TAXES, ENTERPRISE, INTERNAL SERVICE, AND SPECIAL REVENUE FUNDS FOR FISCAL YEAR 2018/19 SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON WEDNESDAY, SEPTEMBER 26, 2018, AT 5:01 P.M.
5:01 p.m. First Reading Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30499 adopted as amended on First Reading. Public Hearing held. Motion made by Vice-Mayor Samuelian to approve the item as amended; seconded by Commissioner Alemán; Voice vote: 5-1; Opposed: Commissioner Góngora; Absent: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on Wednesday, September 26, 2018 at 5:01 p.m. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Tameka Otto Stewart to handle.**

RECOMMENDATIONS:

- Provide list of permit holders and amount of permit fees by businesses on Second Reading.
- Show detailed diagram with cut and added positions Citywide, including Police Officers added in the MXE (Mixed Use Entertainment) District and Park Rangers
- Add funds in reserves for the Art Deco Festival Weekend
- Provide cost of backyard services from Sanitation
- Between First and Second Reading compile a three-year breakdown by departments on headcount staffing

TO DO:
Discuss organizational efficiency at the Goals Conference. **Michele Burger to handle.**

John Woodruff, Chief Financial Officer, introduced the remaining of the budget items.

Presentation shown. Click here to view.

Commissioner Arriola stated he agrees with the numbers from 2007 to the preset, but they have increased headcounts by 311 since 2011, the following year it would have been increased by 209, so they have been growing headcounts since the recession, and certainly over the last six years headcounts have significantly increased. He challenged the Administrating to trim one percent (1%) of headcount on a 1,535-person payroll, excluding Police and Fire, and assuming an average minimum annual salary of $50,000 not including benefits and not including the pension, that is $767,500 that they could find. In any organization, they can trim 1% of headcounts as they try to find money. However, they are trying to solve money by increasing fees on residents and businesses, rather than trying to look harder at operational efficiencies.

Chief Financial Officer Woodruff explained that they have identified a few more potential reductions and would like to quantify how many positions were cut last year and those that were cut this year, although there is a net effect as they are adding Police Officers in school, etc. He continued with the presentation.

Slide No. 10 shows transient or tourist population, and when dividing the budget by the number of the population, it almost never includes transients or visitors, but if they did count them, the Average Daily Population (ADP) would show that after the recession the economy recovered quickly but the budget itself was not increasing much. Commissioner Arriola mentioned that positions have been added at a faster rate since then, and what was happening is that the current level of service was being degraded as they had 35% more visitors in a period of five years.

Presentation continued regarding the addition of Park Rangers and cultural organizations funding.

PROPOSED EXPENDITURE REDUCTIONS	$ Year 1	$ Year 2
Eliminate 5 FT and 4 PT vacant General Fund positions	469,000	476,000
Eliminate Rapid Response Team (2 filled positions)	147,000	149,000
Reduce General Fund Contingency	332,000	332,000
Eliminate 1 Asst. City Manager position (*when vacated*)	75,000	300,000
Eliminate annual grant to MDPL *per FCWPC recommendation*	23,000	23,000
Other departmental operating reductions/efficiencies	660,000	611,000
Transfer MB Gay Parade to Resort Tax Fund	10,000	10,000
Elimination of security posts at City Hall	159,000	159,000
Total	**1,875,000**	**2,060,000**

ATTACHMENT A

Chief Financial Officer presented the proposed expenditure reductions including the elimination of security posts at City Hall to fund the Park Rangers.

Commissioner Arriola added that they are not filling vacant positions, and they are not firing anyone. He does not agree. There is a lack of accountability in government and no one likes to make hard decisions, but there are positions that do not belong and they need to take a hard look at those.

Discussion held.

Jimmy L. Morales, City Manager, stated that people should be fired as issues come up. From a personnel perspective, they proposed no COLA this year recognizing that this was over $600,000 that would have been saved from the budget. The City Commission directed the Administration to keep that in the budget for now. They proposed reducing the merit, to impact people by not giving those increases rather than cutting them. They try to eliminate headcounts of vacant positions because they are funded dollars. If the desire is to let go of people, then they will do that.

Mayor Gelber is not necessarily in agreement with his colleague's approach. His assumption is that when people are not doing what they are supposed to be doing, there is a review and sometimes they are let go, but he does not agree looking for people to fire.

Commissioner Arriola explained that as they streamline and save money and payroll is the biggest cost, they need to look at payroll thoroughly. If they are not adding value, then they are just taking space and money, so you add by deleting. He added that Emergency Management is an example of a bloated organization that no one wanted to touch. After a switch, they touched it. In addition, this is something that he wants to talk about in the Goals Conference with some departments that he wants to look at; it is the Commission's job to be fiscally responsible. He just does not see cuts here because no one has the guts to touch it.

Mayor Gelber stated that no one has indicated whether employees are confident in doing their job, or that they are leaving dead weight in the organization.

Vice-Mayor Samuelian suggested discussing this topic about organizational efficiency at the Goals Conference. He asked for clarification on the percentage of the COLA that was cut. Mr. Woodruff stated it was 1% and the $600,000 is still in the budget at this point.

Commissioner Arriola stated that his point is that they can free up millions of dollars because it is frustrating to see the hard work of people that do great job getting small raises, and he would rather see them getting better raises by finding those dollars in people that are just not doing their job.

Chief Financial Officer Woodruff pointed out that last year they cut 14 full-time positions, but they also added some through the enhancement process. This year they recommended nine (9) full-time positions, totaling 27 positions in two years.

Commissioner Alemán requested a waterfall diagram because they are not seeing the story with the net numbers slide they are seeing, because not only did they add a Police Officer in every school and a leader for that group, they added the entire entertainment district Police force, which was new, in addition to Park Rangers.

Chief Financial Officer Woodruff continued with the presentation on proposed revenue enhancements.

Discussion held regarding the proposed phasing every six months of the sidewalk café permit fees

Commissioner Alemán explained that this is the reason she requested a list of permit holders and amount of permit fees by businesses. She does not want to modify what the Finance and Citywide Projects Committee recommended until she has that information. **John Woodruff to provide a list of permit fees entities on Second Reading**

Raul J. Aguila, City Attorney, clarified that his notes show that the proposal was brought up by Commissioner Góngora, but he believes the vote taken was passed as presented, which was a one-time fee. (Item R5 L.) This can be amended if that is the direction.

Chief Financial Officer Woodruff added that if all else stays the same, they would not have a gap to fill, so the default as of now would be to leave it as is, similar to the earlier vote.

Commissioner Alemán explained that they have the matter of Miami Design Preservation League, a longstanding and historic organization that is in battle, and while she thinks it is a failure of the current leadership to allow it to get to this situation; it is a long standing and honorable organization in the community. They have been conducting the Art Deco Festival for more than 40 years, which is a resident focused, locals-oriented festival that celebrates our heritage. If amenable, after speaking with Lori Bakkum, she suggested earmarking $60,000, pending that the organization must stabilize to execute it; she would feel better about setting the $60,000 aside for this traditional Art Deco Festival in the community.

Resort Tax Budget Enhancements

ATTACHMENT C

Enhancements	$ Year 1	$ Year 2
Police Overtime & Equipment for High Impact Periods	700,000	700,000
Miami Beach Air & Sea Show	350,000	0
Memorial Day Programming/Cultural Activation	100,000	0
International Tennis Federation Sponsorship	100,000	0
Additional Enhanced Holiday Lighting	140,000	365,000
Miami Beach Gay Pride Parade	73,000	73,000
Ocean Drive Off-Duty Program	151,000	0
Total	**1,614,000**	**1,138,000**

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Chief Financial Officer Woodruff stated there is a contingency in the Resort Tax of about $720,000, so they could do $60,000 or $100,000.

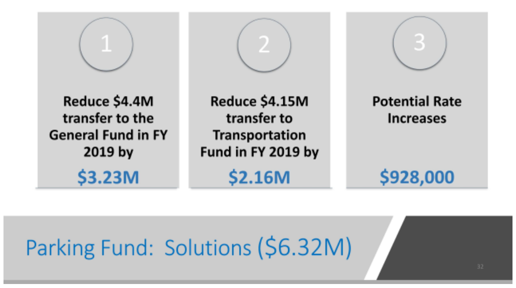
Commissioner Arriola would not support that until the Miami Design Preservation League resolves their issues and gets their act together. They made a policy statement on this.

Mayor Gelber agrees with both Commissioners Alemán and Arriola. He does not know what will happen with Miami Design Preservation League, and is more concerned with the asset itself, because it seems odd that the City does not control this asset and he would like to address at another time. However, he agrees to set aside the funds, reserve the money, and create a committee to discuss, as long as they know it is there and not assigned to any single group.

Discussion continued.

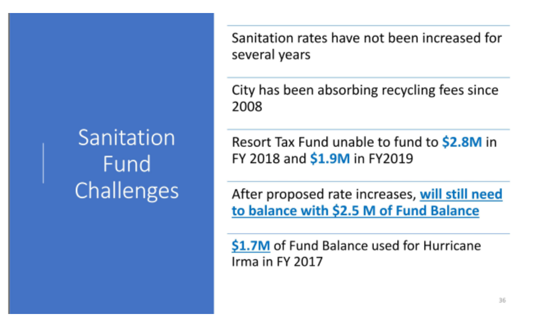
Chief Financial Officer Woodruff added that the money is in contingency, and if and when the City Commission wants to give that direction, it will be made available. There was consensus.

Commissioner Alemán added that Miami Design Preservation League is embedded in so many ways; they have a gap in a Transportation Committee in a seat that is supposed to be filled by an Miami Design Preservation League member, and she is not sure of the correlation between the committees, but they cannot fill that position because Miami Design Preservation League is in limbo and they need to come to an agreement on that.



Presentation continued including a list of enhancements with additional Park Rangers, the additional money for management agreement for cultural facilities, which is being funded by a transfer from Resort Tax.

Presentation continued regarding Enterprise Funds and proposed Sanitation increases.



Vice-Mayor Samuelian added that this item has been discussed at the Finance and Citywide Projects Committee during budget hearings, and without a compelling reason he would like to leave the budget as is.

Commissioner Arriola agreed with his colleague to leave it the same.

Commissioner Steinberg explained that she sat through all the budget meetings and this was not described as illustrated. She was unable to attend the last Finance and Citywide Projects Committee meeting unfortunately; however, she is not committed 100% to this outlay yet.

Commissioner Arriola is tempted to flip his vote and put pressure on the City Commission to come up with a better suggestion, since they have until October 1, 2018 to do that. He urged his colleagues to come up with a better idea.

Commissioner Alemán agrees with Commissioner Arriola, as it is easy to vote against raising fees; however, they do want to enhance services and include every project, but that is not how budget works. They have made touch decisions and her recommendation is to refer the item to the Finance and Citywide Projects Committee.

Commissioner Góngora is not convinced that the Administration has done a good enough job at reducing Administrative costs, and it is not among the slides being presented. The presentation does not show what the salaries are, what is the budget and what the impact of the pensions are, and instead they get caught up with details about a one-time reoccurring residential recycling fees. Knowing that the City Commission were looking at reducing the Administration costs, instead they imposed it upon them to feel forced to raise fees, which they do not want to do.

Mayor Gelber agrees with the recommendation of the Finance and Citywide Projects Committee, as he respects the process. He has observed the discussion, and he does not feel comfortable saying that this is the fault of the Administration as they give them leadership and direction on what to do. Regarding the proposed rate increases, he asked if the Committee recommended raising the fees.

Chief Financial Officer Woodruff answered in the affirmative and added that at the Neighborhood/Community Affairs Committee, they recommended increasing the level of Sanitation services, but they cannot afford to do the level of service they currently have; if they went back and cut expenses in the Sanitation bucket, they would not balance the expectations that are needed.

Commissioner Steinberg will never vote just for political expediency. In the past she has made tough decisions, she has denied enhancement, and has approved some increases, as that is part of what they do and she is the only one at the dais that had to do a stormwater increase at some point and other pass through from the County. She is trying to be rational about this, but there is such waste in this budget and they must cut the spending. She supports her colleagues as they are passionate about certain things, and at the end of the day, she will accept her colleague’s challenge, and will sit with John Woodruff to see if they can find other options. She does not know if she is comfortable with going from $0 to almost $4. That is a real increase that will be felt by people.

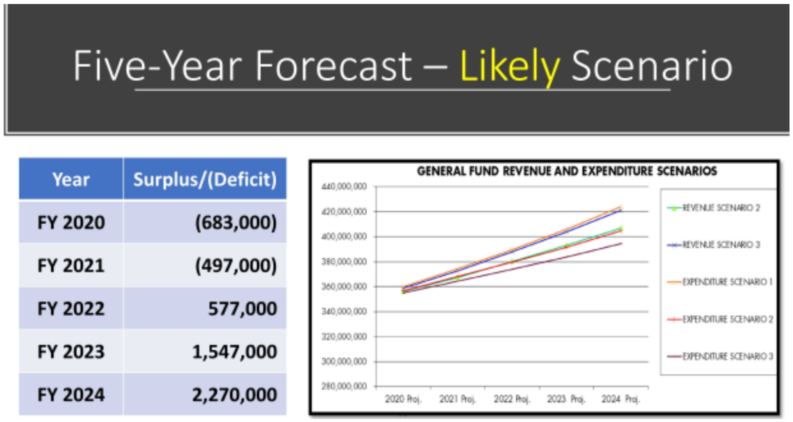
10:05:19 p.m.
Jimmy L. Morales, City Manager, recommended withdrawing item R5 M regarding $300,000 item regarding rate increases, and they will go back to Finance and Citywide Projects Committee and bring back other options to waive raising the fees. **Roy Coley and John Woodruff to handle.**

Commissioner Alemán requested to know what the backyard service cost. As a resident, she has not had a detail briefing on how this service is done, but in her single-family home neighborhood, everyone places their cans on the curb anyway, so if they are paying for services that the residents may not even be aware of or taking advantage of, then that is wasteful. **Roy Coley to handle.**

City Clerk Granado clarified for the record that item R5 M is withdrawn.

Discussion continued.

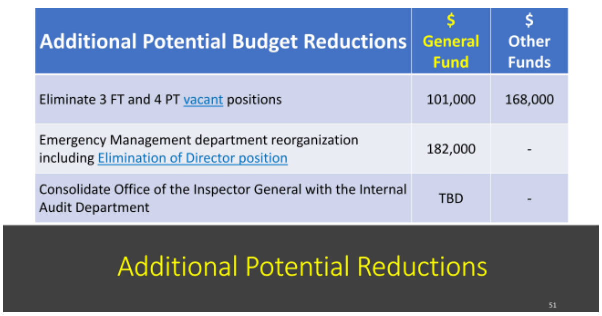
Presentation continued regarding water, sewer storm, future budget outlook, and expectations for the next two years as part of best practices, future challenges, and the G.O. Bond.



Year	Surplus/(Deficit)
FY 2020	(683,000)
FY 2021	(497,000)
FY 2022	577,000
FY 2023	1,547,000
FY 2024	2,270,000

Discussion held

Chief Financial Officer Woodruff added that on a positive side, they have the reopening of the Convention Center, and they hope that would be an economic engine for the City and help drive higher resort taxes, along with the Hotel on the referendum. He was just informed that they might get $140,000 reimbursed for Police Officers in school, so the net cost is close to $700,000. They continue to look at organizational efficiencies and streamlining. He continued discussing potential budget reductions and amendments identified by City Manager Morales.



Additional Potential Budget Reductions	$ General Fund	$ Other Funds
Eliminate 3 FT and 4 PT vacant positions	101,000	168,000
Emergency Management department reorganization including Elimination of Director position	182,000	-
Consolidate Office of the Inspector General with the Internal Audit Department	TBD	-

Jimmy L. Morales, City Manager, explained that per recent discussions, the OIG is more like an Audit function than an investigative one, and he believes that since Audit is well staffed, rather than adding positions to the OIG Office, the Internal Audit function can merge with the OIG and thereby saving significant dollars in that enhancement. With respect to Emergency Management, he spoke to Chief Mestas, who has suggestions in terms of reorganization, and he will probably continue as Director by eliminating two positions and save additional dollars to go towards reserves or to go towards the fees. They are looking at departments, such as Parking; due to the impact in reduced uses of parking, so they are looking at the overheads and opportunities to bring the costs down commensurate with revenue decline. He is also looking at other departments as well, which will be added to the Goals Conference discussion.

Chief Financial Officer Woodruff added that 27 positions have been cut, which equals to about 1.3% of headcounts, considering the net effect.

City Manager Morales recommended adopting the item as amended and keeping the money in reserves, depending on how they need it.

Public hearing opened and closed.

Motion made by Vice-Mayor Samuelian to approve the item as amended; seconded by Commissioner Alemán; Voice vote: 5-1; Opposed: Commissioner Góngora; Absent: Commissioner Rosen Gonzalez.

Commissioner Steinberg explained that she is in favor on First Reading but will meet with John Woodruff before Second Reading.

Discussion continued regarding Sanitation and levels of services.

Commissioner Alemán requested a three-year headcount trend broken down by department within the next two weeks. **John Woodruff to handle.**

Commissioner Steinberg asked why Commissioner Góngora voted against the budget item.

Commissioner Góngora requested a list of City employees with salaries of $100,000 or above, as he would like to review those positions and salaries as well as the pension obligations that go along with current and past employees, which is the heart of the budget. That has not been presented today and that is the reason he voted no. **John Woodruff to handle.**

Commissioner Arriola agreed and he is not a firm “yes,” and is willing to vote no, as he is not satisfied with the efforts of the Administration to address his concerns, because they must do a better job.

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.

9:28:57 p.m.

R7 J A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE AD VALOREM MILLAGE RATE OF 0.8161 MILLS FOR FISCAL YEAR 2018/19 FOR THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT, WHICH IS EIGHT AND THREE TENTHS PERCENT (8.3%) LESS THAN THE "ROLLED-BACK" RATE OF 0.8895 MILLS, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON WEDNESDAY, SEPTEMBER 26, 2018, AT 5:02 P.M.
5:02 p.m. First Reading Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30500 adopted on First Reading. Public Hearing held. Item heard in conjunction with R7 K. Motion made by Commissioner Alemán; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on Wednesday, September 26, 2018 at 5:02 p.m. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Tameka Otto Stewart to handle.**

Clerk Granado announced that the meeting of the Normandy Shores Local Government Improvement District is convening. The City Commission meeting is recessing for the moment. All members are present.

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.

9:28:57 p.m.

R7 K A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORMANDY SHORES LOCAL GOVERNMENT NEIGHBORHOOD IMPROVEMENT DISTRICT ADOPTING THE TENTATIVE OPERATING BUDGET FOR FISCAL YEAR 2018/19, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON WEDNESDAY, SEPTEMBER 26, 2018, AT 5:02 P.M.
5:02 p.m. First Reading Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30501 adopted on First Reading. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Alemán; Voice vote: 7-0. Second Reading Public Hearing scheduled on Wednesday, September 26, 2018 at 5:02 p.m. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Tameka Otto Stewart to handle.**

Rafael E. Granado, City Clerk, announced that the meeting of the Normandy Shores Local Government Improvement District has concluded. The Miami Beach City Commission meeting is reconvening. All members are present.

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.

9:30:28 p.m.

R7 L A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE TENTATIVE CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS (FY) 2018/19 - 2022/23 AND ADOPTING THE CITY OF MIAMI BEACH TENTATIVE CAPITAL BUDGET FOR FY 2018/19, SUBJECT TO A SECOND PUBLIC HEARING SCHEDULED ON WEDNESDAY, SEPTEMBER 26, 2018 AT 5:03 P.M.
5:03 p.m. First Reading Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30502 adopted on First Reading as amended. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian; Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez. Second Reading Public Hearing scheduled on Wednesday, September 26, 2018 at 5:03 p.m. Rafael E. Granado to notice. Lilia Cardillo to place on the Commission Agenda, if received. **Tameka Otto Stewart to handle.**

John Woodruff, Chief Financial Officer, explained that the capital budgets are the same discussed throughout the process. Presentation shown. Click here to view and advance to slide No. 45.

Slide No. 45

Project Name	$	Funding Source
Lenox Court and Jefferson Avenue Seawall	300,000	Holocaust Memorial Seawall Project
Purdy Avenue Boat Ramp Repairs	200,000	Mid-Beach QOL Funds ($873K available)

New Capital Budget Requests

The two amendments recommended at Finance and Citywide Projects Committee are as follows: 1) Approve Lenox Court corridor and Jefferson Avenue seawall project for $300,000; however, the Holocaust Memorial seawall project's work is already being incorporated into the Botanical Garden seawall project; therefore, they have $300,000 that can move from that project to this needy project; 2) On the Purdy Avenue Boat Ramp repairs there is an emergency repair that needs to take place. They have appropriation for the Maurice Gibb Memorial Park project readily available and they recommend paying for that project from those funds and make the project whole to Mid Beach Quality of Life Funds. The estimated cost is approximately $200,000, and that figure be updated on Second Reading.

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.

6:53:55 p.m.
SUPPLEMENTAL MATERIAL 1: RESOLUTION

R7 M A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT ROLL FOR ANNUAL ASSESSMENTS AGAINST REAL PROPERTY LOCATED WITHIN THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT COMMENCING FISCAL YEAR 2018/19.
5:04 p.m. Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30503 adopted. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Alemán; Voice vote: 7-0. **Tameka Otto Stewart to handle.**

John Woodruff, Chief Financial Officer, introduced the item. This is the first of several security guard special districts to be incorporated into the City. He thanked First Assistant City Attorney Debora Turner and Tameka Otto Stewart who worked very hard on this item. The non-ad valorem assessment is $0.85 cents less than last year when this district was with the County, yet the budget will include $35,000 of new security improvements.

Brian Gilderman thanked the City Commission for allowing them to join the City. He recognized John Woodruff and Adrian Morales for their efforts.

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.
2. Affidavit of Service of Mailing dated 8.22.2018 with copies of mailing labels
3. Copy of Ad 8/21-8/28 9/4 18-01/00003309772M published in The Daily Business Review on Tuesday, August 21, 2018.

6:55:55 p.m.

R7 N A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT, ADOPTING THE PRELIMINARY OPERATING BUDGET FOR THE BISCAYNE POINT SECURITY GUARD SPECIAL TAXING DISTRICT FOR FISCAL YEAR 2018/19.
5:04 p.m. Public Hearing

Budget and Performance Improvement

ACTION: Resolution 2018-30504 adopted. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Alemán; Voice vote: 7-0. **Tameka Otto Stewart to handle.**

Handouts or Reference Materials:
1. Ad 0911218-03 published in The Miami Herald.

R7 O A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATIONS OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE REGARDING THE BEACH EXPRESS NORTH BUS EXPRESS RAPID TRANSIT (BERT) DEMONSTRATION PROJECT; APPROVING THE RECOMMENDED ROUTE ALIGNMENT ALONG 41ST STREET AND COLLINS AVENUE; APPROVING THE DRAFT BUSINESS PLAN OUTLINE; AND RECOMMENDING ADDITIONAL TERMS IN THE BERT BUSINESS PLAN TO BE NEGOTIATED WITH MIAMI-DADE COUNTY.

Transportation
Vice-Mayor Mark Samuelian and Commissioner John Elizabeth Alemán

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

10:20:15 p.m.

R7 P A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE TERMINATION FOR CONVENIENCE OF THE ENERGY SAVINGS AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND AMERESCO, INC., DATED MAY 25, 2010, WITH RESPECT TO CERTAIN ENERGY CONSERVATION MEASURES IN BUILDINGS OWNED AND OPERATED BY THE CITY; AND AUTHORIZING THE CITY MANAGER TO EXERCISE THE CITY'S RIGHT TO TERMINATION FOR CONVENIENCE, IN ACCORDANCE WITH SECTION 10.10 OF THE AGREEMENT.

Property Management/Environment and Sustainability

ACTION: Resolution 2018-30505 adopted. Motion made by Commissioner Steinberg; seconded by Vice-Mayor Samuelian. Voice vote: 6-0; Absent: Commissioner Rosen Gonzalez. **Adrian Morales and Elizabeth Wheaton to handle.**

10:19:59 a.m.

R7 Q A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JUNE 29, 2018 MEETING, TO CONTINUE DISCUSSIONS WITH FDOT TO ALLOW THE CONTINUED UTILIZATION OF THE JULIA TUTTLE INTERCHANGE SITE AS THE CITY'S PRIMARY SITE FOR FUTURE STORM DEBRIS, AS WELL AS DIRECTING THE CITY MANAGER TO FURTHER EXPLORE UTILIZING MIAMI BEACH GOLF COURSE DRIVING RANGE FOR FUTURE STORM DEBRIS STAGING.

Public Works

ACTION: Resolution 2018-30506 adopted. Motion made by Commissioner Góngora; seconded by Commissioner Alemán; Voice vote: 7-0. **Roy Coley to handle.**

Mayor Gelber invited State Senator Elect Pizzo to hear the discussion on this item.

Jimmy L. Morales, City Manager, explained that after Hurricane Irma the City utilized a portion of the former Par 3 site for debris storage and processing. After multiple conversations with FDOT before, during, and after the storm about the City's desire to use the site on Alton Road, and to date FDOT has not indicated the willingness to let the City use it. After the storm, the Administration offered to clean up the State streets and Roads for them if the City could use that site to place material. Ironically, FDOT did not even use the site, and today, even with change in leadership at FDOT, both at the State and local levels, FDOT has not been open to that. The item is to direct the Administration to continue to have conversations with FDOT, as the alternatives are either a park or empty lot.

Jay Fink, Assistant Director Public Works, added that an evaluation was obtained and the County database showed all parcels greater than 10 acres, and there are only parks and golf courses in the City. At the Finance and Citywide Projects Committee, the recommendation was to use the driving range area of the Miami Beach Golf Course if needed. He explained that what was used on Par 3 was a Category 1 of the amount of debris, and with a higher category of a hurricane, there would be a larger area required. The Julia Tuttle area is ideal as it is not surrounded by residential units and allows for almost a 24/7 processing of the materials, and after clearing the streets and placing materials on that site, there is a reduction by grinding and further hauling them out, which takes about a month; so, it is a process and they are desperate for a site.

Mayor Gelber added that it is important to clean-up the City quickly, since the faster cleanup is accomplished, tourism can return, which also helps the State economically. Once the City is up and running again, it is not just critical to residents and employees in Miami Beach, but also to the tourism economy. He has reached out to FDOT and they have not answered either way. He suggested State Senator Elect Jason Pizzo to assist them in this matter.

Commissioner Góngora added that this issue is something that could be approved at State level if they had the right people behind them. When Vice-Mayor Samuelian and Commissioner Rosen Gonzalez and he went to Tallahassee, they met with FDOT in January and urged them to allow the City the staging site again, and no one responded to their emails. This is important. They do not want to use the golf course as staging site; the residents do not want it. This is an arbitrary FDOT decision that makes no sense, and he hopes State Senator Elect Pizzo can intervene on behalf of Miami Beach.

Commissioner Steinberg added that this is an area that has been historically used.

Moved and seconded. Voice vote taken.

SUPPLEMENTAL MATERIAL 1: RESOLUTION

R7 R A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO SCOPE AND ESTIMATE ABOVE GROUND IMPROVEMENTS, IDENTIFY FUNDING SOURCES FOR THE ABOVE GROUND IMPROVEMENTS, AND MAKE BEST EFFORTS TO IDENTIFY FUNDING FOR ABOVE GROUND IMPROVEMENTS AT THE SAME TIME AS FUNDING IS IDENTIFIED FOR BELOW GROUND RIGHT-OF-WAY INFRASTRUCTURE (STORMWATER, WATER, AND SEWER) PROJECTS.

Office of the City Attorney
Commissioner John Elizabeth Alemán

ACTION: Item deferred to November 14, 2018. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney to handle.**

R7 S ~~A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2018-30376, WHICH CREATED AN AD HOC MIAMI BEACH CONVENTION CENTER ("MBCC") HOST COMMITTEE AND ESTABLISHED THAT THE CITY'S HOSTING OF THE MBCC GRAND OPENING GALA AND COMMUNITY OPEN HOUSE ("OPENING EVENTS"), SERVES A PUBLIC PURPOSE, BY DELETING REFERENCES TO THE MBCC GRAND OPENING LLC AND PROVIDING THAT FUNDS RAISED FOR THE OPENING EVENTS WILL BE APPROPRIATED TO A CITY OF MIAMI BEACH ACCOUNT ESTABLISHED FOR SUCH PURPOSE.~~

Office of the City Attorney
Mayor Dan Gelber

ACTION: Item moved to C7 AV.

City Clerk's Note: Item R7 S (Amend Resolution 2018-3076, Create Ad Hoc MBCC Host Comm.), was moved to item C7 AV.

R7 T A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER, THROUGH THE CITY'S OFFICE OF COMMUNICATIONS, TO CREATE A COMPREHENSIVE DATABASE AND REGISTRY OF HOMEOWNERS AND NEIGHBORHOOD ASSOCIATIONS, WHICH WILL BE UPDATED ON AN ON-GOING BASIS, AS WELL AS ANNUALLY, TO FACILITATE THE GREATER EXCHANGE OF INFORMATION BETWEEN THE CITY AND ITS DIVERSE NEIGHBORHOODS, AND URGING ALL HOMEOWNERS AND NEIGHBORHOOD ASSOCIATIONS TO PARTICIPATE IN THE REGISTRY.

Office of the City Attorney
Commissioner Ricky Arriola

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Office of the City Attorney and Tonya Daniel to handle.**

R7 U A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE URBAN LAND INSTITUTE (ULI) FINAL EVALUATION REPORT OF THE CITY'S STORMWATER MANAGEMENT STRATEGY, WHICH REPORT WAS FUNDED BY 100 RESILIENT CITIES, AND IS ATTACHED HERETO AS EXHIBIT A.

Office of the City Manager

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Susanne M. Torriente to handle.**

10:28:10 a.m.

SUPPLEMENTAL MATERIAL 2: MEMORANDUM, REVISED RESOLUTION & AMENDMENT NO. 2 TO THE AGREEMENT

R7 V A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER AND WAIVING, BY 5/7TH VOTE, THE COMPETITIVE BIDDING REQUIREMENT PURSUANT TO SECTION 2·367 OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 2 TO THE CITY'S AGREEMENT WITH SERVICE AMERICA CORPORATION D/B/A CENTERPLATE("CENTERPLATE") FOR CATERING CONCESSIONS AT THE CITY OF MIAMI BEACH CONVENTION CENTER, WITH SAID AMENDMENT NO. 2 RESTRUCTURING THE FINANCIAL TERMS OF THE AGREEMENT TO PROVIDE FOR CITY TO RECEIVE 95% OF THE NET OPERATING PROFIT OF THE CATERING AND CONCESSION OPERATIONS AT THE CONVENTION CENTER, AND EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL TWO (2) YEAR PERIOD, COMMENCING ON OCTOBER 1, 2020 AND EXPIRING ON SEPTEMBER 30, 2022; AND FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL AMENDMENT NO. 2 UPON FORM APPROVAL BY THE CITY ATTORNEY.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30507 adopted. Item heard in conjunction with R7 W. See action and vote with R7 W. **Heather Shaw to handle.**

10:27:46 a.m.
10:28:10 a.m.

R7 W A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER AND WAIVING, BY 5/7TH VOTE, THE COMPETITIVE BIDDING REQUIREMENT PURSUANT TO SECTION 2-367 OF THE CITY CODE, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING AMENDMENT NO. 2 TO THE CITY’S AGREEMENT WITH GLOBAL SPECTRUM, L.P. D/B/A SPECTRA VENUE MANAGEMENT (“GLOBAL”), FOR THE OPERATION, MANAGEMENT, MAINTENANCE, PROMOTION AND MARKETING OF THE MIAMI BEACH CONVENTION CENTER, WITH SAID AMENDMENT NO. 2 EXTENDING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL TWO YEAR PERIOD, COMMENCING ON OCTOBER 1, 2020 AND EXPIRING ON SEPTEMBER 30, 2022; FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30508 adopted. Item heard in conjunction with R7 V. Motion made by Commissioner Alemán; seconded by Commissioner Góngora; Voice vote: 7-0. **Heather Shaw to handle.**

Kathie G. Brooks, Assistant City Manager, introduced items R7 V and R7 W. This is an amendment to the Spectra contract extending it by two years. The Temporary Certificate of Occupancy (TCO) for the Convention Center is expected to be obtained by October, and to ensure the continuity of operations during the first few years following the reopening of the Convention Center, they recommend extension of the contract expiring on September 30, 2022. Spectra has put in place an entire new leadership for the Convention Center by bringing on board Freddie Peterson as General Manager to assume oversight of the daily operations and strategic leadership of the Convention Center. Mr. Peterson brings decades of management experience with two Convention Centers in Boston, Massachusetts. In addition, present from Spectra are Todd Glickman, Dave Anderson, Freddie Peterson, and Michael Hertz, Assistant General Manager. On Item R7 V, the Administration is recommending a two-year extension for Centerplate as well, but additionally, they are requesting the restructure of the agreement. Under the amendment with the two-year extension, Centerplate will make an additional capital investment of $150,000 towards food service capital projects, in addition to the $300,000 capital investment required under the existing agreement. Under the new management structure, the City would become much more involved in the decision making for revenues and expenditures of the Convention Center, including annual review and approval of Centerplate proposed line item budget, similar structure of what the City does with golf courses. In addition, it would change from a concession fee ranging between 20% and 25% to a management fee of 7% of gross receipts; and as an incentive an additional 5% of net profit, which provides much more potential for the City in terms of revenues. Our consultant estimates that this is a potential of an additional 30% in revenues to the City of approximately $1.4 million. The combination of having more control in decision-making, as they move into the social catering arena with the new ballroom, and the additional revenues makes that structure more beneficial. Present in the audience from Centerplate are Douglas Conner, Danny Medina, new General Manager, and Steve Haas who was brought in specifically for the social catering aspect.

Mayor Gelber clarified that this is to waive the bidding requirements and introduced the individuals in the audience from Spectra and Centerplate.

Commissioner Rosen Gonzalez stated that as part of the contract they host meals for seniors and asked if they would be willing to host a yearly luncheon for the public-school teachers and the City of Miami Beach Appreciation luncheon. Both centers agreed to the request.

Commissioner Góngora added that he has been a fan of Centerplate when he served in the City Commission previously, and asked if they also provide food for senior events and senior’s galas. Both companies committed to do that. He stated that it is a great commitment for the community and as an advocate for seniors; it is his favorite thing to have them come and enjoy some food.

Motion made by Commissioner Alemán; seconded by Commissioner Góngora to approve both items R7 V and R7 W. Voice vote taken.

Todd Glickman has been with the company for 28 years, and on behalf of Spectra and their entire corporate team, who have been part of the City for a decade, he added that this is deeply personal to their organization and they are proud to be part of it. He publicly thanked Dave Anderson for assisting during the transition period, Freddie Peterson, and Michael Hertz. Their executive team is strong and the City will be proud to work with them. He thanked City Manager Morales and the City Commission.

4:43:09 p.m.
SUPPLEMENTAL MATERIAL 2: RESOLUTION & AMENDMENT NO. 4 TO THE AGREEMENT

R7 X A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND A NATIONAL SALUTE TO AMERICA'S HEROES, LLC, WITH RESPECT TO THE 2019 AIR AND SEA SHOW EVENT SCHEDULED TO TAKE PLACE ON MAY 24, 2019 THROUGH MAY 26, 2019 ("2019 ANNUAL SHOW"); WHICH AMENDMENT NO. 4 SPECIFIES THE TERMS AND CONDITIONS FOR THE ACTIVATION AND CITY'S SPONSORSHIP OF THE 2019 ANNUAL SHOW (AND EACH ANNUAL SHOW FOR THE REMAINDER OF THE TERM), INCLUDING CITY'S PAYMENT OF A MAXIMUM CONTRIBUTION OF $350,000 FOR EVENT-RELATED PUBLIC SERVICES, AND CITY'S WAIVER OF SPECIAL EVENT PERMIT FEES, USER FEES, VEHICLE ACCESS PASSES AND SQUARE FOOTAGE FEES IN THE TOTAL AMOUNT OF $154,062.

Tourism, Culture, and Economic Development

ACTION: Resolution 2018-30509 adopted. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 7-0. **Heather Shaw to handle.**

Jimmy L. Morales, City Manager, explained that every year after a show the Administration evaluates whether they want to move forward with next year’s show. This year direction was given to move forward and renegotiate the contract with the following provisions: 1) eliminate City funding for any concert, 2) get 5^{th} to 7^{th} Streets in the footprint removed from the site plan to program with Unity in the Community, and 3) try to increase the City’s amount of presence in terms of advertising and sponsorship. He believes those three items are in the agreement in front of the City Commission, and he recommends its approval.

Moved and seconded. Voice vote taken.

R7 Y A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE AND ADOPTING THE 41ST STREET DESIGN AND VISION PLAN DEVELOPED BY ALTA PLANNING + DESIGN AND GEHL STUDIOS DETAILING A CRITICAL PATH FOR REVITALIZING THE 41ST STREET CORRIDOR.

Tourism, Culture, and Economic Development

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Heather Shaw to handle.**

9:15:27 p.m.

R7 Z A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO FURTHER EVALUATE OPTIONS FOR AUXILIARY POWER GENERATORS FOR THE TWO (2) STORMWATER PUMP STATIONS FOR THE SUNSET ISLANDS 3 & 4 RIGHT-OF-WAY NEIGHBORHOOD IMPROVEMENTS PROJECT, PRIOR TO PROCEEDING WITH PERMANENT INSTALLATION OF GENERATORS.

Capital Improvement Projects

ACTION: Resolution not adopted. Motion made by Vice-Mayor Samuelian; seconded by Commissioner Alemán to refer the item to Sustainability & Resiliency Committee. Voice Vote: 6-0. Absent: Commissioner Rosen Gonzalez. **David Martinez to handle.**

REFERRAL:
Sustainability and Resiliency Committee - **Elizabeth Wheaton and Roy Coley place on the Committee Agenda. David Martinez to handle.**

David Martinez, Capital Improvements Director, introduced the item. They were directed to bring back a change order for permanent generators in Sunset Islands III and IV. However, when they informed the Homeowners Association’s board, they had a meeting and after discussing, they provided a motion from the Board requesting that they would prefer looking at other ideas and having dedicated portable generators, in lieu of permanent generators. The action to be taken is to accept the Board’s motion. In answering Commissioner Arriola’s question, he explained that the City purchased portable generators that if needed they will receive, as opposed to permanent ones.

Commissioner Arriola stated that permanent generators are fixed, but dedicated temporary means that the City must have them on reserve only for them.

Jimmy L. Morales, City Manager, added that the Administration is asking to let them evaluate the Homeowner Association’s request and motion, and put on hold the permanent generator option in the meantime while they evaluate.

Commissioner Arriola stated that they are in hurricane season now and they could not even install a permanent generator between now and the end of November.

Peter Luria explained that this is a bigger issue in their islands; they have pumps that need to work. None of the Homeowners Association Board members has the technical or professional experience to recommend the correct solution. The ULI experts know that the best solution is permanent generators. He asked the City Commission not to let politics jeopardize public safety and put their private properties at risk. He understands the concern regarding the size of generators and that residents are concerned about the effect on their property values if generators are placed in front of their homes, but what effect will a Category 4 hurricane will have on property values if the City has a direct hit and pumps do not have power. Relying on portable back-up generators as a storm is approaching is risky. Is the City going to purchase, store, and move generators for crews to position and connect them, or will this be done by an outside contractor to make this happen while the region is under the threat of hurricane force winds. Portable generators are “just kicking the can down the road.” Dwight Kraii, the engineer in the Mayor’s Blue Ribbon Flooding Task Force, advised that permanent back-up generators are needed to keep pumps operating when power goes out during a storm or hurricane. Given up a small part of their parks seems to be a sensible sacrifice if it means protecting their properties from flooding. The small park in Sunset Island IV has already been irreparably harmed and destroyed. He suggested putting two permanent generators partly to run the pumps in the two islands by placing a wire to go from Sunset IV Park, not affecting anyone's property, to the park. It has been established that portable generators will not be hooked in a rain event. The other problem is that they have storm pads for the transformers installed. The standard pads are 16 inches, and the storm pads are 24 inches; they will keep the transformers above water in the event of a power outage and flooding. They put two pads, one for each pump, but not in the rest of them, so once the transformer is submerged, they stopped working, they lose power, they may affect the transformer at the pump, and then they must be decontaminated, re-energized an at times replaced. They can be without power for weeks and at the same time they should replace those standard pads on the two islands, before the transformers are installed, which cost an extra $10,000 for all the pads, and that would make them more resilient. He urged the City Commission rather than passing the Resolution, to looking at putting the two permanent generators into the park.

Jimmy L. Morales, City Manager, recommended evaluating all options, in light of this information, and bringing the item back to the City Commission.

Mayor Gelber agrees with the City Manager's recommendation.

Discussion held.

Vice-Mayor Samuelian suggested referring the item to the Sustainability and Resiliency Committee, to have a more involved discussion, and invite the members of the Homeowners Associations.

Discussion continued.

Commissioner Alemán agreed with her colleague. Homeowners Associations do not agree and the best way to hash this out is at committee before it comes to the City Commission.

Motion made by Vice-Mayor Samuelian to refer the item to the Sustainability and Resiliency Committee; seconded by Commissioner Alemán. Voice Vote: 6-0. Absent: Commissioner Rosen Gonzalez.

Discussion continued.

Peter Luria suggested having real experts come in and give testimony at the Sustainability and Resiliency Committee meeting.

R9 - New Business and Commission Requests

R9 A: BOARD AND COMMITTEE APPOINTMENTS.

Office of the City Clerk

ACTION: The following appointments, reappointments, and changes were made:

AD HOC SMALL BUSINESS TASK FORCE:

Michelle Huttenhoff			Removed as Liaison
Mildred Majoros			Liaison

COMMITTEE ON THE HOMELESS:

Darren Cefalu	TE: 12/31/19	TL: 12/31/25	Appointed by Mayor Gelber

COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH:

Jordan Leonard	TE:06/30/19	TL: 06/30/19	Appointed by Ruth K. Broad Bay Harbor K-8 Center
Rachel Weissman	TE:06/30/19	TL: 06/30/19	Appointed by North Beach Elementary School
Susan Stern	TE:06/30/19	TL: 06/30/19	Appointed by Treasure Island Elementary School

DISABILITY ACCESS COMMITTEE:

Oliver Stern	TE: 12/31/18	TL: 12/31/25	Appointed by Mayor Gelber

MARINE AND WATERFRONT PROTECTION AUTHORITY:

Barbara Herskowitz	TE: 12/31/20	TL: 12/31/21	Reappointed by Commissioner Steinberg

MAYOR'S 41ST STREET COMMITTEE:

Michelle Huttenhoff			Removed as Liaison
Mildred Majoros			Liaison

POLICE/CITIZENS RELATIONS COMMITTEE:

Anthony Garcia	TE: 12/31/19	TL: 12/31/25	Appointed by Commissioner Rosen Gonzalez

YOUTH COMMISSION:

Leonie Smit	TE: 06/08/19	TL: 06/08/19	Appointed by Commissioner Alemán
Samuel Hadar	TE: 06/08/19	TL: 06/08/19	Appointed by Commissioner Rosen Gonzalez

TE: Term Ending
TL: Term Limit

R9 B BOARD AND COMMITTEE APPOINTMENTS - CITY COMMISSION APPOINTMENTS.

Office of the City Clerk

ACTION: Item not reached.

8:39:36 a.m.
R9 C DR. STANLEY SUTNICK CITIZEN'S FORUM.

ACTION: The following individuals spoke:

1. Mitch Novick urged the City Commission to address the open-air entertainment zoning along Ocean Drive. Retailers have fled the area, international tourists are rare and crime has risen. He is opposed to the proposed Ocean Drive Business Improvement District (BID), he asked that the item it be separated from the Consent Agenda. (See Item C7 AO) The City Manager sent out a Letter to Commission (LTC) in July that shows that this neighborhood has a $28 million loss based on revenue versus expenses. Mr. Novick stated that he is opposed to the spot zoning on the 9th and 10th blocks of Ocean Drive. Mr. Novick applauds Planning Director Tom Mooney who has done a great job; there was a condition in Pitbull's final order for his restaurant, which will open at the corner of 11th Street and Ocean Drive, requiring the restaurant to retain and contain their noise. If the restaurant does not comply, it would be issued a violation if the noise goes beyond the eastern sidewalk. Mr. Novick believes that this should be the benchmark throughout Ocean Drive. The City Manager wrote an email referencing the "party till you drop image" that has destroyed and seriously blighted the whole area of Ocean Drive. Instead of allotting millions to Police, the City needs to address zoning. As far as the G.O. Bond, when he sat on the Committee that oversaw the last approved G.O. Bond, the amount of waste and incompetence that he saw amongst the project managers, City staff, consultants, and contractors was an eye-opening experience. At the time of the last G.O. Bond program, there was prosperity in the City, so much so that former Mayor Dermer sent taxpayers refund checks. He believes this is not the time to embark on costly projects.

2. Elsie Sterling Howard, on behalf of Professional Course Management II LTD (PCM), the Miami Beach Golf Club management company (See Item C7 R), addressed three factors to her commitment to the wonderful management that exist there today. As a golfer, when she visits the Miami Beach Golf Club she has an extraordinary experience; she is assisted by well-trained and competent staff, while playing in a beautiful golf course. During her tenure as Chair of the MBVCA (Miami Beach Visitors and Convention Authority), Ms. Sterling Howard had the privilege of recognizing the amenities that the golf course provides to the City in terms of tourism. Many touristic opportunities arise from having a golf course of this quality right in the middle of our historic community. She also had the privilege of attending tournaments and raising thousands of dollars for the young golfers and millions of dollars for charities alongside the golf course management leadership of PCM. The opportunity to have PCM in a time where there is so much distrust is a remarkable experience. She can attest to PCM's honor and commitment; they do exactly what is asked of them. Ms. Sterling Howard upholds PCM continued leadership, and she asked the City to respect PCM the same way they respect this community.

3. Thomas Danluck spoke in favor of the Miami Beach Golf Club. (See Item C7 R). He thanked the City for wisely using tax dollars. Mr. Danluck has played golf for over 60 years, a great deal of those experiences playing were not so great. The City had a course called Bayshore, which is now the Miami Beach Golf Club, and in his circle of golfing friends it was referred to as the "weed farm;" the reason being that there was no grass on the golf course, it was all weeds. He also remembers attempting to play 18 holes at Normandy Shores Golf Club; but he could never finish as the last two or three holes were always underwater. Mr. Danluck has played a great deal of golf at a private club, the La Gorce Country Club, and the public golf facilities were an embarrassment in comparison. Today, Miami Beach has a public facility that rivals the best in the country. It all changed seventeen years ago, when a former Mayor and Commission decided to elevate the City's public facilities and give residents of this

community a world class facility. The City hired a great architect and engaged the best management team in the country, which is Professional Course Management II LTD, (PCM). PCM was put in charge of the management and operations of the City's golf course, and they have met the City's expectations, and have certainly exceeded the public's expectations. He is proud that PCM brought a world-class amateur golf tournament to the City. The Miami Beach Golf Club is amazing and a great advertising for the City. He thanked PCM and encouraged the City to continue the path with PCM. PCM has done so much to enhance the golf experiences.

4. Gerald K. Schwartz spoke regarding the Miami Beach Golf Club (See Item C7 R). Mr. Schwartz believes Professional Course Management II LTD (PCM) has done and continues to do a fantastic job maintaining the course, operating the golf course, and taking care of its customers. When you walk anywhere on the golf course, everyone knows you by name, everyone is friendly and says hello, and this is something that never happened before. PCM does whatever they have to do to help its customers. Mr. Schwartz opines that it is best to consider a company that only manages four golf courses, rather than a large company that manages thirty golf courses and makes changes on a regular basis. PCM has been here for Miami Beach, the restaurant is fabulous, the prices are reasonable; the access is great and they treat customers well. He cannot conceive having to deal with a large company, located elsewhere, running multiple golf courses when the City of Miami Beach currently has someone who runs courses here for residents, tourists and tournaments. Mr. Schwartz cannot comprehend the incident that occurred that caused this delay. He has witnessed the kids' golf program and they treat the kids beautifully. He believes it cannot be anything that PCM is responsible for. He is asking for the City to support PCM.

5. Nancy Liebman, spoke regarding the Miami Beach Golf Club. (See Item C7 R). She was on the Commission when the City's public golf courses were in deplorable condition. The City public golf courses were so damaged that it was disgraceful. There was a problem, and the City reserved $6 million to restore the golf courses. Neither the residents nor the tourists would go to the golf courses. Within one year after Professional Course Management II LTD (PCM) began improvements and management at the courses, they were able to repay the $6 million. One of the things PCM did was to advertise the golf course to all the hotels who would never use that nasty old ones. Today, the Miami Beach Golf Club is immaculate. Miami Beach United (MBU) adds its support for the current management company, PCM. In addition, the Miami Beach Golf Club is the best meeting place in town for everyone. Ms. Liebman hopes the City supports PCM. The City has a treasure in PCM; she does not want the Commission to change it.

6. Harry Hurtz, III spoke on the Miami Beach Golf Club. (See Item C7 R). This is a classic case of "*if it ain't broke don't fix it.*" Professional Course Management II LTD (PCM) has been running this golf course for over 14 years and running it as previous speakers have testified, with the greatest of expertise and with the greatest friendliness and warmth. It has been his duty in his career as Executive Editor of Travel and Leisure Golf in American Express publication and the author of three golf books to travel the world, write about, and review the finest golf courses. Mr. Hurtz stated that in his view, Miami Beach Golf Club is the finest municipally owned facility in the country That is due to PCM's management and to the City's wise judgment. He stated that the Miami Beach Golf Club "*ain't broke ladies and gentlemen, please don't try to fix it*."

7. Tony Karpawich spoke regarding the Miami Beach Golf Club (See Item C7 R). He remembers the old Bayshore Golf Course, and he thanked the Commission for making the Miami Beach Golf Club into a world-class course. They do great things for children and

tournaments. Every year the Miami Beach Golf Club hosts the Miami Beach Open, which is a huge event. It is great to have such a jewel in Miami Beach. He is not speaking against the other company, but he is speaking in favor of Professional Course Management II LTD (PCM), a company that has done a magnificent job, which is great for tourism and Miami Beach.

8. Ceci Velasquez spoke on the cost/benefit analysis that was done on the MXE (Mixed Use Entertainment) District that shows a deficit. The cost includes all the special events, Lummus Park and the beach areas. The cost also includes everything that goes into the Air and Sea Show, the SCOPE Art Show, the South Beach Wine and Food Festival, and the upcoming Seafood Festival. However, the benefits received from these activities are Citywide, and that was not considered by the cost/benefit analysis. There are other layers that need to be explored, which was not done by this cost/benefit analysis. One cannot just talk about what is happening within the MXE District, there is a broader impact that needs to be taken into consideration.

9. Ray Breslin spoke about the boardwalk. The City must concern itself with the dilapidation of the boardwalk, which is causing people to fall and get hurt. The City is liable for such injuries and will be sued. All that must be done is block off the boardwalk and close it until the State of Florida or whomever, comes and fixes the boardwalk.

10. Rick Ueno spoke regarding the Miami Beach Golf Club. (See Item C7 R). Mr. Ueno is a golfer, he golfs all over the world, and he knows good golf courses. Professional Course Management II LTD (PCM) does an outstanding job managing the Miami Beach Golf Club and the Normandy Beach Golf Club. Mr. Ueno sells Miami Beach to Russia, Brazil, and Europe. He does six trips a year and the golf experience is part of what he sells. He endorses PCM because they do an outstanding job and he can sell confidently the golf experience.

11. Ms. Walsh sent an email earlier to the members of the City Commission, asking that the Resolution related to the Maurice Gibb Park redesign be separated from the Consent Agenda. (See Item C7 AF). She would like the opportunity to speak about the concerns she has with the park design that is currently moving through committee. She wants to vocalize her safety and other impact concerns that the loss has. She asked for the Resolution to be given one more opportunity to reflect the consensus of the neighborhood. At the last meeting the City held on this issue, less than 17 neighbors attended, which does not accurately reflect how the neighborhood feels about the Maurice Gibb Park redesign. At an earlier meeting in May, there were over 80 people there to vote.

    Commissioner Góngora advised Ms. Walsh that he separated Item C7 AF from the Consent Agenda and she will be able to speak.

12. Richard Dowe spoke in support of Professional Golf Club Management II LTD (PCM). (See Item C7 R). He is upset because he is missing his golf time. He normally starts his day at Normandy Shores Golf Club playing nine holes. His daughter has been in the junior golf program for several years, she is six-years old and absolutely loves the sport and now wants to play golf. This is all due to Normandy Shores Golf Club's Miami Beach Junior Golf Program. He urged the Commission to keep PCM, and as they said before "*if it's not broke don't fix it.*"

13. Mickey Minagorri spoke about the Miami Beach Golf Club. (See Item C7 R). He purchased his home simply because he wanted to live across a golf course thinking he would be a good golfer. This is not only a golf course, it also fits a need. When he goes to the Miami Beach

Golf Club, everybody knows his name and he knows everyone there. His wife, whom he calls "Yoli's Touch," as anything she touches turns into gold, has worked with Jim very closely. She has had many events at the Miami Beach Golf Club, including weddings and baby showers that have been fantastic. The Miami Beach Golf Club caters to more than golfers. If the City of Miami Mel Reese Golf Course is out of the picture, Miami Beach will have the only public golf course outside of Doral and the Biltmore. Tourists come to Miami Beach to play in our golf courses. He agrees with the City Manager's recommendation. The overall approach is for residents to use the Miami Beach Golf Club and for the course to be part of the tourist experience. He supports Professional Golf Club Management II LTD (PCM) and thanked all those that work at the Miami Beach Golf Club who have done such a terrific job. He hopes the City supports it too.

City Manager Morales wanted to point out that he is glad to hear that the speakers agree with his recommendation to stick with the incumbent PCM. Because of the timing, he did not have the opportunity to investigate and explore the allegations that were made. He deferred the item to the October Commission Meeting to investigate the matter, allow the incumbent to respond to the allegations, and ensure that the City Commission is comfortable with his decision. He concurs with the public sentiment about the operation of *"if it ain't broke don't fix it,"* but he owes it to the community the duty to investigate and properly address the allegations.

Mayor Gelber appreciates the City Manager's response. He felt comfortable about receiving the testimony involving the golf enthusiasts because they will all be there next month.

City Manager Morales advised there was an item added last second extending the contract on a month-to-month basis with PCM while the investigation is concluded. (See Item C7 AW)

1:08:05 p.m.
R9 C DR. STANLEY SUTNICK CITIZEN'S FORUM.

ACTION: The following individuals spoke:

1. Betsy Perez, spoke in support of the height increase in the Town Center. (Items R5 A and R5 B). She has spoken to many stakeholders in North Beach. She recently accompanied her son as he looked for an apartment in North Beach. During this process, she learned about the buildings in North Beach and the dilapidated state that they are in. She went to the back of the buildings and saw seawalls and other structures falling apart. Ms. Perez is afraid that if something is not done to promote revitalization and allow the developers to develop beautiful projects that will earn them money, they community will lose many of the buildings in North Beach. She is afraid that if nothing is done, the community will be set back 20 years. Anyone who has an interest in developing North Beach will just walk away if the City Commission does not act. She is asking the City to please consider the staff's recommendations and push things forward.

1:43:31 p.m.

R9 D UPDATE AND DISCUSSION ON OUR TRAFFIC TEXT ALERTS.

Commissioner Micky Steinberg

ACTION: Update given and discussion held. **Tonya Daniels to handle.**

Tonya Daniels, Marketing and Communications Director, stated that the purpose of this item is to explain and update to the City Commission and the public the traffic text software and methods used to communicate traffic and other issues going throughout the City that drivers and residents need to know about. The City has recently switched to a new platform, which is through the State of Florida, and it is free. The City has achieved an increase in users from approximately 4,000 to 5,000 users. The City also added another platform, aside from MBTraffic; the City now has MBAlert, which provides information during hurricanes or other emergencies.

Commissioner Steinberg stated that everyone using the former system was carried over to the new system, and anyone can sign up for these services by texting “MBTraffic” to 888-777 or “MBAlert” to 888-777.

Commissioner Rosen Gonzalez mentioned that she has a similar discussion item R9 Y, which could be tied in with this item. Every day she gets two texts regarding accidents on the MacArthur either westbound or on Fountain Street. She thinks that the City can utilize the data gathered to monitor the accidents and possible put a Police Officer there or the lights are timed wrong. Commissioner Rosen Gonzalez asked if R9 Y could be combined with this discussion.

Commissioner Steinberg responded that they are very different items.

Commissioner Rosen Gonzalez thinks this is a tool for us to use to mitigate the accidents.

Mayor Gelber mentioned that they have a 1:30 p.m. time certain and they will discuss R9 Y in order later.

7:47:07 p.m.

R9 E DISCUSS THE ANNEXATION OF NORTH BAY VILLAGE.

Commissioner Ricky Arriola

ACTION: Discussion held. Commissioner Arriola moved to refer the item to the Finance and Citywide Projects Committee to determine the economic values to both the City and North Bay Village, and thereafter, the City can start the economic impact study; seconded by Commissioner Góngora. Approved by acclamation; Absent: Commissioners Rosen Gonzalez and Steinberg. **Office of the City Attorney to handle.**

REFERRAL:
Finance and Citywide Projects Committee to review property taxes, economic impact, and value.

Commissioner Arriola stated that this would take a long time to do, but it has been floating around for some time. They might as well try to decide if they want to entertain it or not. He brought this forward because he believes there are real merits at looking at this. He took time to go to North Bay Village; he spoke to City Officials, community advocates, and people running for office. The feedback he received was generally positive. Commissioner Arriola stated that North Bay Village is a charming community with charming people. They have hit some bumps in the road, not with just the politics, but due to their real estate values. There is something going on beside politics that is bringing down the value of homes. Miami Beach could help with several issues. They are the adjacent neighbor to North Beach, as they are looking to redevelop North Beach. He is happy to go through the list.

Mayor Gelber asked if there is appetite to discuss the item.

Commissioner Arriola asked the City Attorney to give a synopsis on the process.

City Attorney Aguila stated that annexation is governed by the County Charter and County Code; the City of Miami Beach prepares an Annexation Resolution, it is noticed, and if approved, it is transmitted to the County and then County takes over the process. This would ultimately require the approval of both this body, the North Bay Village Council, and the County Commission would have to hold an election approving the annexation. The Office of the City Attorney can start working on the Resolution and transmit to the County, but North Bay Village must approve, and hold an election in North Bay Village.

Julianna Strout, advocate for North Bay Village, stated that she is please to come to Miami Beach and see things being accomplished. There are concerns regarding infrastructure, although she thinks the consolidation could benefit both parties. North Bay Village has beautiful properties available; they pay almost 9% more in taxes than what other municipalities, yet they are offered less. There are many opportunities if they express to residents that they would benefit from the annexation. She would hate to see residents pay tax dollars and not get the resources they deserve. There are big items coming up; North Bay Village needs repair such as stormwater infrastructure and she does not believe North Bay Village is ready for it.

Kevin Barker started a North Bay Village social media group and this question has been brought up many times. Some people are against the idea, but everyone wants to have the conversation. They have seen how the City of Miami Beach has taken steps on dealing with issues that North Bay Village has not. They are also part of North Beach and this renaissance plan for North Beach is part of their fabric. Personally, he believes the idea of having them as part of the renaissance is amazing. If the City of Miami Beach wants to bring the conversation to North Bay Village, he will help, and they will get educated interest from residents. It is an idea to consider.

Commissioner Arriola asked what is in it for Miami Beach. He stated the North Bay Village spends a fortune on the Fire services, as they must contract with the County at an expense of $2.6 million. Due to the infrastructure, stuff has leaked into the Bay and that affects everyone. Also, 50% of the Treasure Bay Elementary School are Miami Beach residents, so there are many benefits to the annexation, but he is sensitive to residents of North Bay Village and their attachment to their identify.

Discussion held.

Raul J. Aguila, City Attorney, added that this would be setting a precedent to the extent another City would by annexing an adjacent City. Annexation does not happen overnight, there are multiple layers involved such as details on services, taxes, map, etc. The Resolution itself takes board and committee approval. The closet annexation to compare is Little Gables into Coral Gables is ongoing and just recently passed approval at County Council.

City Manager Morales is familiar with annexation issues. The community needs to do an analysis of revenue and cost impact; they would want to do an analysis of what would be the cost of annexing North Bay Village and the revenue impact, to have a more informed decision.

City Attorney Aguila stated that they can initiate conversations with the County and he thinks it would benefit them to do an analysis of what is involved. He spoke with the County Attorney and City Attorney Aguila has been given the legal requirements, but a timetable of the analysis is needed.

Mayor Gelber explained that there will be informal discussions but it is premature at this time.

City Attorney Aguila is happy to continue working with Commissioner Arriola on the project.

Commissioner Arriola suggested referring the item to the Finance and Citywide Projects Committee to start working up numbers.

Commissioner Alemán is not opposed to a mutual understanding, but there has not been any official extension of willingness from the North Bay Village. She would never want to force anything on the residents; she would want to see through local election or some process of interest. Miami Beach has extended the hand, now North Bay Village needs to show interest. Informal discussion would be acceptable, but a more official reach out from North Bay Village is needed.

Mayor Gelber stated the purpose of this discussion was to see if there was interest.

Commissioner Góngora stated that the many parties need to show interest and an election would have to take place.

Commissioner Arriola stated that he is willing to work on an Annexation Resolution. At the end of the day, the residents of North Bay Village will have to vote on this, there will not be a hostile takeover.

Discussion held.

Commissioner Arriola made a motion to refer the matter to the Finance and Citywide Projects Committee to vet numbers and values.

Seconded by Commissioner Góngora, who stated that this is a legal item and an attorney should be present at the meeting.

City Attorney Aguila thanked the Commission for making it clear there is not going to be a hostile takeover, though the media said the City is attempting a hostile takeover.

Discussion held.

Approved by acclamation referred to the Finance and Citywide Projects Committee.

8:07:34 p.m.

R9 F DISCUSS THE ANNEXATION OF THE WESTERN MOST ISLANDS OF THE VENETIAN ISLANDS AND MAKING THEM PART OF MIAMI BEACH.

Commissioner Michael Góngora

ACTION: Discussion held. Commissioner Góngora moved to refer the item to the Finance and Citywide Projects Committee for the economic values to both the City of Miami Beach and Miami, and they can start the economic impact; Approved by acclamation; Absent: Commissioner Steinberg. **Office of the City Attorney to handle.**

REFERRAL:
Finance and Citywide Projects Committee to review property taxes, economic impact and value. **John Woodruff to place on the Committee Agenda.**

Commissioner Góngora stated that many people believe the Venetian Islands belong to the City of Miami Beach; this annexation started with a petition of 100 signatures from people on the islands wanting to be part of the City of Miami Beach. Since this is a smaller area, it would not require an election; however, it would require approval by Miami Beach, City of Miami, and the County. He attended the Venetian Causeway Neighborhood Alliance meeting; Diana Fontani, President of the Venetian Causeway Neighborhood Alliance and he believe there is support from the residents. He asked for comments from residents from the Venetian Islands.

Diana Fontani stated that she is submitting the petition of signatures in favor of the annexation and asked for support of the annexation of San Marco and the Biscayne Island. She has gone door to door and most of the comments received are that they heard about it and nothing happened in the past. It would be nice to have a united voice on behalf of the Venetian Islands. San Marcos Island and the Biscayne have an excess of $2.3 in property taxes. She asked for support from the City Commission.

Commissioner Góngora stated that this proposition is supported by multiple islands.

Kent Gordon, resident of Biscayne Island for 20 years, believes they need to bring the causeway under one set of governmental regulations and one governmental insight. She thanked Miami Beach for their fight in regards to short-term rentals as it has fallen to deaf ears in Miami.

Commissioner Góngora stated that prime waterfront property would be a win for Miami Beach. He moved to refer the item to the Finance and Citywide Projects Committee to see what the property taxes are and what the value will be and discuss possible annexation solution.

Mayor Gelber believes it makes sense.

City Attorney Aguila will take steps to draft the Annexation Resolution.

Commissioner Rosen Gonzalez stated that in both cases, the other Commissions should pass Resolutions asking to be a part of Miami Beach. She believes they should start to lobby the other Commission.

Commissioner Arriola stated that the voters would be the one to decide, not the Elected Officials.

Mayor Gelber stated that they would not make decisions lightly. If there is a motion, they can refer it to the Finance and Citywide Projects Committee.

Seconded by Commissioner Arriola.

Approved by acclamation to refer item to the Finance and Citywide Projects Committee. All present except for Commissioner Steinberg.

Handouts or Reference Materials:
1. Petition to Move San Marco Island from the City of Miami to the City of Miami Beach.
2. Petition to Move Biscayne Island from the City of Miami to the City of Miami Beach.
3. Letter to Commissioner Michael Góngora dated August 12, 2018 from the Venetian Islands HOA in support to annexation.

4:36:18 p.m.

R9 G UPDATE ON THE EVALUATION OF THE PHOTO RED LIGHT CAMERA ENFORCEMENT PROGRAM BEING CONDUCTED BY THE FLORIDA INTERNATIONAL UNIVERSITY LEHMAN CENTER FOR TRANSPORTATION RESEARCH, AS DIRECTED BY THE CITY COMMISSION ON APRIL 11, 2018.

Commissioner Kristen Rosen Gonzalez

ACTION: Discussion held. **Dr. Leslie Rosenfeld and Chief Dan Oates to handle.**

Dr. Leslie Rosenfeld, Chief Learning and Development Officer, explained that at the direction of the City Commission in April 2018, the City engaged Florida International University (FIU) to conduct a red-light camera study. That study is currently underway, and the results are expected in November.

City Clerk Rafael E. Granado pointed out that this is an item requested by Commissioner Rosen Gonzalez, and she is not currently present.

Marc Buoniconti, President of The Miami Project and The Buoniconti Fund, thanked Mayor Gelber and City Commissioners for allowing him the opportunity to speak. About 10 years ago, he met a very lovely young woman; her name is Melissa Wandall. She told him her story about how one night she was at home waiting for her husband to come home from work, her belly bulging as she was 8 months pregnant. Unfortunately, her husband never came home. On his way home, someone ran a red light, t-boned him, and he lost his life. Melissa from that moment was on a one-woman crusade to change the law and create a red-light camera program in the State of Florida. He heard about her story about a year into her adventure, and he was very fortunate to collaborate with her. Melisa, The Miami Project, The Buoniconti Fund, and himself teamed up and went to Tallahassee, and after several years, they were able to pass the Mark Wandall Red Light Camera Traffic Safety Act. Mr. Buoniconti has dedicated his life to helping people, and he has never seen a program that is more designed specially to save people's lives that this one. Red light cameras work. He knows that the City Commission has issued a study with FIU, but he has seen numerous studies and they continually say that red light cameras save lives. Not only that, but they prevent incredibly horrific and catastrophic injuries. In addition, we are not talking about a parking ticket. We are talking about people running red lights, which is one of the most egregious acts one can do behind the wheel. It is the simplest ticket not to get; just do not run the red light. One other benefit that has kept him going all these years, besides saving the lives, is that The Miami Project benefits by receiving $3.00 from every citation from the red-light camera program. It is a $158.00 citation, of which $3.00 goes to The Miami Beach Project for spinal cord research. Since the inception of the program, they have raised over $20 million from the red-light cameras. They are now working on humans, transplanting cells into people so they may be able to walk again. This miracle research is funded by red light cameras. On top of that, $10.00 from each citation is set aside for trauma centers through Florida; including the one at Jackson Memorial Hospital. It is a great program. He urges the City Commission to continue the program. There was a consideration to expand the program by the Chief of Police. He asked the Commission to continue the program and continue to save lives. This program keeps the citizens of Miami Beach safe.

Mayor Gelber explained to Commissioner Rosen Gonzalez that he called the item up because he did not want to make Mr. Buoniconti wait. Mayor Gelber also pointed out that Chief of Police Dan Oates was also present.

Commissioner Rosen Gonzalez stated that the City commissioned a study because they wanted to find out if the red-light cameras in the City are preventing the type of accidents that Mr. Buoniconti spoke about. She is sorry that Mr. Buoniconti had such an experience, and she cannot even imagine. She is so impressed with Mr. Buoniconti and Dr. Green. She knows Mr. Richard Grey, one of the major funders of Mr. Buoniconti's program, as well as Mr. Buoniconti's father, Nick Buoniconti. The work that Mr. Buoniconti has done is wonderful. The reason the study was commissioned is that they wanted to know if behavior was changing due to the red-light cameras. Philosophically, she thinks that very few people run a red light on purpose, most of the time people run red lights by accident. What happens to the poor and working class is that they are severely hurt by the $158 fine, and when they cannot pay the $158 fee, it multiplies within 60 days. As a result, these people cannot pay for their medicines, rent, or food. It becomes a tax. What she was hoping to do is look at the research to determine if red light cameras are in fact changing behavior. If it is changing behaviors then the City will leave the red-light cameras in place. However, if it is not changing behavior, and that is what the initial data shows, the City should remove the red-light cameras. However, she does not know the answer, because the research has not been received from FIU.

Dr. Rosenfeld stated that the research is underway. The City expects the report from FIU in November.

Commissioner Rosen Gonzalez thanked Mr. Buoniconti for coming.

R9 H DISCUSS CITY OF MIAMI'S PROPOSED CROSSBAY EXPRESS ROUTE CONNECTING BAYSIDE MARKETPLACE AND SOUTH BEACH.

Transportation

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

R9 I DISCUSS BELLE ISLE EXTENSION OF SOUTH BEACH TROLLEY SERVICE.

Transportation

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

8:16:25 p.m.

R9 J DISCUSSION ON THE PROPOSED FLORIDA DEPARTMENT OF TRANSPORTATION COLLINS AVENUE SAFETY PROJECT FROM 4700 BLOCK TO 5800 BLOCK AND THE SAFETY OF THE BEACHWALK REGARDING THE PLACEMENT OF THE PALM TREES THAT AFFECTS THE MIDDLE BEACH AREA.

Transportation
Sponsored by the entire City Commission

ACTION: Discussion held. **After-the-fact Resolution 2018-30510 adopted.** Motion made by Commissioner Góngora, seconded by Commissioner Steinberg to do an After-the-Fact Resolution sending the City's position on this matter to FDOT. Voice vote; 7-0. By acclamation, it was agreed that the entire City Commission would sponsor the item. **Jose Gonzalez to handle Resolution. David Martinez to handle Palm Trees on the Beachwalk portion.**

AFTER-THE-FACT RESOLUTION TITLE:
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO SUSPEND THE CURRENT DESIGN PHASE OF THE PROPOSED COLLINS AVENUE SAFETY PROJECT FROM THE 4700 BLOCK TO THE 5800 BLOCK, AND REQUESTING THE REALLOCATION OF THE PROJECT FUNDS TO CONDUCT A MULTIMODAL CORRIDOR ANALYSIS, WHICH CONSIDERS THE POTENTIAL REMOVAL OF THE EXISTING FRONTAGE ROAD AND THE INCLUSION OF DEDICATED TRANSIT AND BICYCLE LANES, IN ORDER TO COMPREHENSIVELY ADDRESS THE MULTIMODAL NEEDS OF THE COLLINS AVENUE CORRIDOR IN MIDDLE BEACH PURSUANT TO THE CITY'S ADOPTED TRANSPORTATION MASTER PLAN.

Sponsored by the entire City Commission

Jose Gonzalez, Transportation Director, stated that FDOT is currently in the design phase of a safety project on Collins Avenue, from the 4700 block to the 5800 block. The project is intended to reduce crashes as cars try to get in and out of the service road as well as making U-turns from the service road onto Collins Avenue. To do that, FDOT is proposing eliminating a few crosswalks that exist today. There are other components of the projects that are not being addressed in terms of bicycle connectivity, reducing travel lane width, including a transit lane. This project does not do anything for transit; considering these concerns they met with FDOT recently to see if they could expand the scope of the current project to address some of the concerns just mentioned. At one of the meetings, FDOT stated they would not be able to expand the current safety project because of the constraint scope and the type of funding they are using. Miami Beach is requesting more of a comprehensive study; they would have to put the current project on hold, go back, and reevaluate Collins Avenue. The safety project includes some drainage improvements by installing backflow preventers that are being installed by FDOT. They are moving forward with that project, there are more no so significant improvements such as raising the road. They are seeking direction from the Commission.

Ana Marie Ferreira, President, Mid-Beach Association, stated that staff is the true liaison between them and FDOT. It is not acceptable to take away five crosswalks. The City has adopted a Master Plan, there are top engineers here, and safety is what the City should support. The community is very vocal and they do not want any crosswalks taken away. Their recommendation is to direct FDOT to bring something reflective of the City.

Commissioner Góngora asked Jose Gonzalez if they are asking FDOT to engage in the project development and environmental study to get those signalized intersections back.

Mr. Gonzalez replied in the affirmative.

Alicia Casanova stated that for about 12 years she has been trying to get FDOT to make a legal U-turn in that area of 41st Street. From 41st Street going north, there is not a U-turn for almost a mile and one-half. Therefore, people are making illegal U-turns all the time. Traffic has changed over the years with Uber, Lyft, trolleys, delivery vehicles, and more.

Vice-Mayor Samuelian stated that he has seen firsthand the issues residents have. He supports the recommendation. This is the voice of Mid-Beach and the Collins area. He would like to make sure residents have a voice in the process.

Commissioner Alemán is concerned with the elimination of sidewalks, and she found that with FDOT once there is no crosswalk, to get them to realize that a crosswalk is needed is near impossible. She is in support.

Discussion continued.

Mr. Gonzalez suggested putting the project on hold and see if funding associated with this project can be allocated. This can take one to two years to complete the project.

Commissioner Rosen Gonzalez stated they should get at least one or two U-turns without a study. They do not see a study to remove the signs.

Ms. Ferreira agreed 100%, and said the FDOT has told them they can just add a U-turn sign in that area without doing a study.

Commissioner Rosen Gonzalez thanked them for taking this on.

Commissioner Alemán stated she would support them; she is concerned about eliminating cross walks. Since she has been elected, she has requested FDOT to install more crosswalks along Alton Road, where there are no crosswalks but there are bus stops on both sides of the road.

Ms. Ferreira understands that drainage is an issue, and she understands they were just trying to make improvements to the draining since it is a not a critical necessity. The marinas across the property in Mid-Beach belong to their property; residents must cross illegally the streets to get to their boats.

Commissioner Góngora asked what the motion is.

Commissioner Steinberg asked what they should do.

Mr. Gonzalez stated the best option is to put the project on hold while they look for further funding. They have not had that conversation with FDOT, but it is something they could work for.

Mr. Ferreira asked for community input and engagement.

City Manager Morales recommended an After-the-Fact Resolution.

Motion made by Commissioner Góngora, seconded by Commissioner Steinberg to do an After-the-Fact Resolution sending the City's position on this matter to FDOT. Voice vote; 7-0. By acclamation, it was agreed that the entire City Commission would sponsor the item.

DISCUSSION RELATING TO SAFETY OF THE BEACHWALK DUE TO THE PLACEMENT OF PALM TREES **David Martinez to handle.**

Ms. Ferreira stated that the beach is their best asset; they have met with the Capital Improvement Projects Department and the Environmental and Sustainability Department to try to improve the area. They want folks to have some type of order. In the request, the City was kind to meet them halfway. They say designs showed circles that would include tress, but they assumed that the large circles that had the trees were toward the edge of the path. Currently the trees are installed 7-feet from the edge, and there is also a large white line in the middle of a path. If one is texting while on the path, one could hit their head on these trees. The trees are out of place, and their locations do not make sense.

Ms. Casanova suggested moving forward to put the trees in the middle.

Commissioner Rosen Gonzalez made a motion to put the trees in the center.

David Martinez, CIP Director, stated the design of the beachwalk had multiple wave patterns and it did not intend to have any visual separation; this is an example of unintended consequences. The direction was to create a separated section. The trees are located only in the 20 to 25-foot section. What ended up happening is that they put in a centerline in place, which creates an awkward condition. He suggested removing the centerline.

Discussion held.

Mr. Martinez stated that there are two sections that have palm trees.

Commissioner Alemán asked if there is a centerline where the boardwalk is not as wide. She recommended having the centerline uniform throughout, such as 7.5 feet from the edge.

David Martinez, CIP Director, stated this it is the City's call, it does not require State approval.

City Manager Morales stated that they would fix it.

Discussion held.

Mayor Gelber stated that they are not blaming anyone, and the City Manager has promised to fix it.

Discussion ended.

City Clerk's Note: Add to R9 J (Discuss FDOT Collins Safety Project from 4700 to 5800 Block) the safety of the Beachwalk regarding the placement of the palm trees that affects the Middle Beach area.

R9 K DISCUSSION ON THE STATUS OF THE USE OF THE JULIA TUTTLE CAUSEWAY SHOULDERS FOR THE BEACH EXPRESS NORTH BUS EXPRESS RAPID TRANSIT (BERT) DEMONSTRATION PROJECT.

Transportation

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

R9 L DISCUSSION REGARDING THE CITY OF MIAMI BEACH HALL OF FAME DISPLAY METHOD.

Tourism, Culture, and Economic Development

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Heather Shaw to handle.**

6:56:57 p.m.

R9 M UPDATE ON THE PROPOSED MIAMI BEACH POP FESTIVAL.

Tourism, Culture, and Economic Development

ACTION: Discussion held. Direction given. Motion made by Commissioner Arriola to move forward to allow the producers the opportunity to put on a world-class concert that they will be proud of, by authorizing the producers to go through the permitting process; seconded by Commissioner Alemán; Voice vote: 4-3; Opposed: Mayor Gelber, Vice-Mayor Samuelian, and Commissioner Steinberg. **Heather Shaw to handle.**

DIRECTION:
Allow producers the opportunity to put on a world-class concert by authorizing them to go through the permitting process

Heather Shaw, Tourism, Culture, and Economic Development Interim Director, stated that the producers of the proposed Miami Beach Pop Festival brought this item to the Administration for consideration last summer. Because of the large-scale impact, the City Manager placed the item on the Neighborhood/Community Affairs Committee Agenda for review and consideration. Since then, Pop Fest producers have appeared and presented twice at Neighborhood/Community Affairs Committee and they were directed to conduct community outreach to solicit feedback from residents. This event would span three days and host approximately 100,000 people. The producers appeared before the full City Commission in April of this year, and were given direction to work with staff to find potential dates and further develop the concert plan including safety issues. Staffers have since met several times with the producers and they are here today to discuss the proposed plan for the concert to be held in the second week of November 2019. The Commission Memorandum includes a calendar showing the Turtle Season as well as existing events blackout dates.

Donald Lockerbie thanked the City Commission for allowing him to speak today. He explained how he and Bruce Orosz were executive co-producers of the 2015 Miami Beach Centennial Celebration and Beach Concert, which was a success. He and Mr. Orosz worked very closely with City Manager Morales for that event and he is proud to have been involved in it. He introduced Steve Sybesma, and Paul Peck and apologized that Mr. Orosz could not make it to the meeting as he is with the Conventions Visitor Bureau in China and Art Basel meetings. He emphasized that they have teamed up with the finest music producers in the business, and because they are local, they are committed to comply with the City Commission's direction as residents of the City.

On April 11, per their direction, they met with staff further and after many meetings up to now; they were directed to look at November 8, 9 and 10 of 2019; that is 14 months away and they are 85% of the planning completed pre-final approval. He gave some background on his experience. For them this is a world-class event and they have listened to what the City is looking for; for example, looking for music legends and family shows. The benefits to the City are first economic, cultural, educational, environmental and great for citizens and visitors alike; economically they have identified the fact that November is the least revenue generating month of the winter season in the City, and their statistics they found out that where hotel revenue taxation for the City is the lowest, from November to April, where some months will do $10 million; November does usually $6 million. By doing the event around Veterans' Day Weekend, they can create a spark to the revenue. They look at the opportunity to take the economic impact and in their first year, their experts predict that they can be in the $20 to $30 million range; which is Wine & Food numbers economic impact. The major concerts around the country show economic impact of $80 to $300 million for some of the great annual concerns. They are committed to the program of sustainability and will clean up the beach better than they found it; they will have environmental awareness with festival echo zones, they will be pro-solar and anti-plastic.

Mayor Gelber addressed Mr. Lockerbie and stated that this is a discussion item and he is unsure whether the City Commission is ready to decide. He asked what is the deadline or timeframe for him to know whether this event will be a good thing for the City.

Mr. Lockerbie replied that he and his team were before the City Commission on April 11, and the direction was to meet with City staff and come up with the answers that would make the City Commission comfortable, so they are here today to get the approval to move forward.

Discussion held.

Mayor Gelber would like the Administration to review and give their recommendations from a policing point of view and other concerns. He is not enthusiastic having another huge event, although the last time they had the time frame it was near other large events.

Jimmy L. Morales, City Manager, explained that they met with the producers a few times. Because of the turtle season prohibition, they cannot do it during the ideal slow summer months, and since they are trying to avoid having the festival close to major events such as Art Basel or New Year's Eve Weekend, they considered the second week of November as a limited window of opportunity where it is slow enough and there are no major events around it. They have settled on this date for lack of any other choices. They met again and the producers understand that they will have to put the kind of show that is promising or they will not get a second act, and the Administration made it clear that if this goes forward, there would be language in the agreement to clarify that. They met with Police and the coordination of that are costs that they will incur. He thinks that they can put out a phenomenal show. They are affiliated with a group of folks who do major festivals across the country. He asked for direction from the City Commission; do they want what could be a major three-day event, with thousands of people daily, high ticket and controlled, but it still will create traffic and impact. That is the policy question, as it is a high impact event on a holiday weekend. He asked for direction.

Discussion held.

Vice-Mayor Samuelian thanked the producers for their efforts. He has had the opportunity to meet with them and added that none of this is about whether they think they cannot get the job done. However, he asked what confidence, evidence or commitment could they give them as far as beds and heads particularly in the first year, since they are all about tourism.

Steve Sybesma has given statistics from other city festivals, such as Chicago, Las Vegas, and even Alabama beach festival, and when compared to the Wine and Food Festival, they should generate approximately 10,000 room nights at a minimum for the festival.

Discussion held regarding right of refusal.

Paul Peck added that they have a programming vision for the event, consistent with what the City wants, and it is going to attract the right kind of audience, bring affluent, non-transient visitors to the City to stay for multiple nights; they look to sell at least three-day passes only and bring people in for three to five nights. At the last major event they sold tickets to 39 different countries around the world, so this would be an international event, family friendly with a strong programming aesthetic, and they do understand the sensitivities and concerns.

Discussion continued.

Commissioner Rosen Gonzalez stated that some municipalities want to do away with their musical festivals such as Ultra Fest, due to the negative impact on the City with crime and congestion, but since they are bringing a different venue targeted to other people, she is willing to embrace it for the following reasons: they need healthy family based programming for people to attend and frequent the City, especially in the South Beach area, and secondly, not only did the producers arrived this morning and have stayed in the audience all day, but they have been discussing this concert for a year and a half. She suggested giving them a chance for one year.

Commissioner Steinberg commended the group for sitting through the entire day and apologized, as she did not know they were waiting for this item. She did not realize that this was an action item, as that was not made clear to her and she was not prepared for a decision. She was expecting an update. She validated that as producers of these festivals they are the real deal. Because they are the real deal, the concert will be a success, but this is during a holiday weekend, which tends to be highly populated. She has reservations and is not ready to move forward today.

Mr. Lockerbie felt that a three-day concert with a Monday would be extra special. Last year the City did well with 82% occupancy, but that was because Notre Dame played UM and 40,000 fans came from all over the United States. This year there is no home game, and there will not be one for another ten years. They believe that even with Notre Dame, the City was the sixth as far as taxable revenue on hotel sector. If they get in early and do it right and sell their packages, they will fill up the hotels and they know it will be an event that is going to bring people from far and wide, and it is the one event that is being offered to the City by them that can help on the revenue side. They will also offer citizens discounts as part of the benefits including planning traffic and transportation by putting people in hotels across from the street. He reminded them that in 2015 traffic was not an issue.

Mayor Gelber stated that he likes the idea but in the short time, he was elected they have had serious capacity and security issues as they did during St. Patrick's Day. He apologized because he thought this was an update, and asked if the decision could be made next month. He wants to ensure that he does his due diligence and if he supports the item next month, that there will be no problem for the City. He also wants to reach out to Police and Fire as well to the Transportation Department to understand how this is going to be handled.

Mr. Lockerbie understands his concern, and added that the Centennial Concert was in the middle of Spring Break, it was on the beach on March 26, and they did not close any causeways, because they do things different. They have been waiting 18 months. He explained that the next major step would be for the City to grant them all the permits. Until then, they cannot announce the event, block hotel rooms or book the artists, and it is a competition for all those things, but the major thing is to get all the permits, and they are so far along in their own pre-approved planning that they think they can get permits quickly to give the City time to look at whether or not they are going to give them the permits.

Discussion held.

Commissioner Alemán jokingly said that on St. Patrick's Day what tipped the scale was the fact that the City of Miami Beach Youth Festival took place during the same weekend. This is not to say that they do not like events and she is amenable to try this, if they are not happy with the outcome, they are not signing a multi-year commitment that they cannot get out of. Even if they vote today, the City Manager and the Tourism, Culture, and Economic Development Department will facilitate with Police and Fire to work out the details that they must do for other major events and high impact weekends. The City Manager is not going to sign the deal until he is fully confident in that regard. She asked if they are willing to try it and see if these world-class producers can bring an event that they hold in the same regard as Art Basel or the Wine and Food Festival. Having worked closely with the producers of the Air & Sea Show she knows that many of the things they must do on their side have significant lead times, and they need definitive answers from the City Commission at a certain point as that causes problems in obtaining sponsorship and so forth. She is willing to try it.

Commissioner Arriola agreed with his colleague.

Commissioner Góngora is interested in the festival for several reasons. He explained that the producers originally came and selected a week in January, which the Miami Design Preservation League (MDPL) Weekend had reserved, and they did not want to share the weekend. They went to various charades and pushed their dates back for a year, so he would like to give them the benefit of the doubt. He assumes that there is a great deal of money that goes into the startup, which is spent in marketing the event, branding, convincing people that it is a good event to attend, etc., and any agreement the City gives can be cancelled at any time, and if they do a bad event in year one, they will lose money. He thinks that they are a responsible group of experienced promoters who probably understand the unusual aspects of the residents to try to make this work, by considering the City's environmental issues, transportation, and traffic management. He would have preferred if there were some financial projections, as they are desperate for ways to raise revenues, and this event will probably bring in revenue and have a good budgetary impact on the City, so he is inclined to try it.

Mayor Gelber explained that part of his apprehension is that the item is on the Agenda as an update, and he is concerned that people have not had the proper notification for the approval of the item, and frankly that is his concern.

Commissioner Arriola agreed to bring it back in October for a formal hearing, but his vote is a firm yes.

Discussion held.

Mr. Lockerbie stated that the fact is that on April 11 they made a presentation at public hearing, they held two Town Halls, five or six meetings with City staff individually and with committees; they feel that for 18 months the word has been out on the street, and they are still here because they believe the climate is right for them to get the approval. With 14 months to go, another month may not sound like much, but 13 months makes it harder for them. As a professional in his industry, the planning that has been done today never usually is done until things have already been approved, but this process required them to do their panning in advance. They are ready to go and asked for approval today, to make this event even better.

Vice-Mayor Samuelian added that Mayor Gelber raised a fair point in regards to the community perspective and suggested hearing from the community, whether it is the businesses or residents, that this is something they really want, and although they have provided some numbers, he wants to know what the full economic impact will be.

Discussion continued.

Jimmy L. Morales, City Manager, explained that this started about a year ago when they came in wanting to do a festival and began a process with the Tourism, Culture, and Economic Development Department to pull permits for the events. Since this is a major event affecting the City, he brought the item to the City Commission looking for direction as far as granting permit applications for this kind of large event. That started the discussion to go back and hold meetings. He is still looking either for direction to go forward or not with the event permitting.

Mayor Gelber added that there are four in favor and three against now.

Commissioner Góngora asked if they are on a strict timeline.

Mr. Lockerbie stated that they are in a strict timeline to provide a world-class event they are promising.

Commissioner Alemán asked City staff present at outreach meetings to describe for them to see if public was engaged and aware.

Kathie G. Brooks, Assistant City Manager, added that they did not attach the summary with the Agenda item, but there is a summary available.

Mayor Gelber requested to know what it means to have a three-day holiday weekend with 82% occupancy, since one of the issues is that people will come to the City from inland since they are not staying here. He also wants to hear from Fire and Police. However, his main concern is that this is an update item and they are going to be deciding on a weekend in November a year from now that is going to become a major weekend.

Jimmy L. Morales, City Manager, recognized that the Commission Memorandum seeks direction, and suggested bringing the item back as a Resolution in October, with proper notification and a full a presentation by Police, Fire, Sanitation, and the Hotel Industry on occupancy issues.

Discussion continued.

Mr. Lockerbie explained that when they came on April 11 they presented the first two weeks of November, and they talked about Martin Luther King holiday; they met with the Miami Marathon people about their weekend, and they looked at January dates, but before the April meeting, they came knowing the Veterans' Day, they met with staff and talked about it, and looked at the first two weeks in November, only knowing that the Turtle Season was still an issue, and so they looked at both. At that time the direction from the committee was to go back and get a date from staff, so they are here to confirm that the concert along with the Veterans' Day Weekend would make the weekend prior to it a major event for the City.

Discussion continued.

Mayor Gelber again apologized, as this was not a decision item, and asked his colleagues if they wanted to take a vote and give the City direction.

Discussion held.

Raul J. Aguila, City Attorney, explained that according to the Special Events Guidelines and Procedures, even if they conceptually authorize them to go through the permitting process. They still need to obtain approval and input from the affected stakeholders, so that would be part of the actual permitting process, but it would not happen before this dais. If the City Commission wants to give them a conceptual green light, he thinks the authorization would be to have them start going through the permitting process, which is not a guarantee of approval but it is standard procedure. That requires among other things community input.

Discussion continued.

Commissioner Góngora asked if they conceptually approve this today, would the item come back to the City Commission.

City Attorney Aguila explained that the item does not need to come back unless there are requests for waivers, in which case it would come back to Finance and Citywide Projects Committee and the City Commission.

Commissioner Alemán explained that in the permitting process described, which included the fact that there are public outreach steps, what are the conditions under which the public outreach resulted in an overwhelmingly negative response. For those at the dais concerned that the item is not an action item, how can the public be reassured that they will have their chance to speak?

Kathie G. Brooks, Assistant City Manager, clarified that the community outreach requires the signing off adjacent properties and holding a series of meetings where the community is notified of what is being proposed, the same as other Special Event permits.

Mr. Lockerbie reminded the City Commission that they met with Neighborhood/Community Affairs Committee, held two Town Halls meetings, met with other neighborhood groups, and met individually with various City departments. Almost every time they try to meet with a neighborhood group, the group refuses to meet with them until they get the approval. The Commission's approval is needed so they can get to the planning, but they will abide by the Commission's decision.

Vice-Mayor Samuelian made a motion to direct City staff to come back with a feasibility analysis, including the economic impact on the City at the October 17, 2018 Commission Meeting for a policy direction from this body and allow them time to hear from the community. No second was offered.

Commissioner Góngora is supportive of the item, but a 4/3 vote of this City Commission does not send a good message to the community about the future of this event. He suggested bringing the item back in October and moving it forward at that time. He does not want a feasibility study, perhaps a financial projection and a memorandum from staff as to the estimated timeline.

Vice-Mayor Samuelian rephrased his motion to defer the item to the October Commission Meeting, with a financial projection and an estimated timeframe.

Discussion held regarding votes.

Commissioner Arriola stated that Art Basel was a 4-3 vote and made his motion. Motion made by Commissioner Arriola to move forward to allow the producers the opportunity to put on a world-class concert that they will be proud of by authorizing the producers to go through the permitting process; seconded by Commissioner Alemán; Voice vote: 4-3; Opposed: Mayor Gelber, Vice-Mayor Samuelian, and Commissioner Steinberg.

6:31:46 p.m.

R9 N DISCUSSION REGARDING BUILDING DEPARTMENT DEMOLITION PERMITS.

Building
Commissioners Michael Góngora and John Elizabeth Alemán

ACTION: Discussion held. See item R5 U. **Ana Salgueiro to handle.**

4:44:40 p.m.

R9 O DISCUSSION ON THE NATIONAL SMALL BUSINESS ASSOCIATION'S SMALL BUSINESS CONGRESS SOUTHERN REGIONAL SESSION BEING HELD IN MIAMI BEACH ON SEPTEMBER 27, 2018.

Vice-Mayor Mark Samuelian

ACTION: Discussion held. **Heather Shaw to handle.**

Vice-Mayor Samuelian introduced the item, stating that helping small businesses is a priority and they have a small business conference coming to Miami Beach for the first time on September 27th. They should get the word out to our small businesses.

Sheila Duffy Lehrman, National Co-Chair for the National Small Business Congress from the NSBA, Executive Board Member for Miami Beach Chamber of Commerce, and the Ad Hoc Small Business Committee Member and Vice-Chair, thanked the Commission for leading the charge to help support small businesses. The NSBA is a non-partisan organization looking to evangelize the public policies issues that affect small businesses (500 people or less). Most small business owners do not have nearly as much employees but they are the lifeblood of every community. She was able to go to Washington, D.C. and request a regional listening conference so they can solicit local input, so when they lobby at the Federal level, they can seek support for the small business community. They are the groundbreakers, and the Conference is scheduled at the Eden Roc on Thursday, September 27th, from 8:00 a.m. to 11:00 a.m. She urges all small business owners to participate and learn about important issues that they should care about or perhaps not even know about. Before the November election season, come and inform yourselves and be heard.

Vice-Mayor Samuelian thanked Sheila for her great leadership, mentioning the link is in the agenda or at https://nsba.biz/ and is only $10 to register.

4:29:14 p.m.

R9 P DISCUSSION ON MIAMI-DADE COUNTY PUBLIC SCHOOL'S 2018 FLU SEASON PREVENTION EFFORTS.

Vice-Mayor Mark Samuelian

ACTION: Discussion held. **Dr. Leslie Rosenfeld to handle.**

Vice-Mayor Samuelian introduced the item and thanked Dr. Audrey Ofir for coming in. Flu prevention is an important public health priority. Miami-Dade County Public Schools has a wonderful program this year called "Teach Flu a Lesson," and will provide at no cost to families flu immunization. He credited Mayor Gelber for his leadership and he is happy to sponsor this important public outreach. He introduced Brenda Wilder and Dr. Ofir from the University of Miami

Brenda Wilder, Director of Comprehensive Health Services on behalf of Miami-Dade County Public Schools, explained that they have the "Teach Flu a Lesson" campaign that is in full swing as of yesterday. They are targeting all the schools and parents can have the students vaccinated at the schools' site free of charge. Last year was a very active flu season, and according to the CDC, the number one way to prevent the flu is to receive the flu vaccine. Parents can complete a consent form and turn it in to the school. Each school has a designated date for their flu clinic, and they appreciate that the City is in support of this campaign, as they want to ensure that students remain healthy during the flu season.

Dr. Audrey Ofir thanked Brenda Wilder for the explanation of the influenza vaccine program, which is extremely important as the influenza illness can become extremely serious, even leading to hospitalization and death at times. That is the reason the CDC in 2010 implemented a universal vaccination policy, which is that anyone six months old and older should be vaccinated on a yearly basis. This is an attempt to enhance the "herd immunity effect." Herd immunity means that the larger the percentage of the population that is vaccinated, the more protected and more limited the effect of the disease is in the population and that holds true for any vaccination. There are some people who cannot be vaccinated; for example, people with cancer or transplants cannot receive some of the live vaccines. By having all our children in schools vaccinated, it helps the herd immunity protection. We also need to understand that vaccines are never 100% guaranteed. They must prevent diseases rather than deal with a possible unknown complication. They have children at Jackson Emergency Room who come in with meningitis that may end up with very poor quality of life from a preventable disease because their parents decide not to vaccinate them. Childhood vaccinations are extremely important. It is important to educate parents and families about vaccinations. Programs such as the influenza vaccination in schools are important. The benefits of this program far outweigh the risks.

Mayor Gelber thanked Vice-Mayor Samuelian for bringing this item to their attention. He disbursed moneys to the PTAs and has been asking them to maximize the flu shots that come into the school system, which is the best way to vaccinate children. He stated that there are hundreds of thousands of kids in the school district and they would like to change the vaccination model dramatically. He suggested for Dr. Ofir to give them a date when they want to do flu shots for the PTA and school administrators work into pushing students into that timeframe. They provided checks to the PTAs for promoting, perhaps an ice cream party, but it would help them to have a definite date to try to get the highest percentage of compliance or participation.

Dr. Ofir added that they would provide those dates.

Vice-Mayor Samuelian thanked Brenda Wilder and Dr. Ofir for coming in and are looking forward to work with them on this important program.

9:09:26 a.m.

R9 Q INTRODUCTION OF SENATOR ELECT JASON PIZZO.

Commissioner Michael Góngora

ACTION: Introduction made.

Jason Pizzo introduced himself. He is the State Senator Elect; he will be sworn in November 20, 2018. He will be representing 15 cities, extending as far south as South Beach all the way to Golden Beach, West Aventura, and down to parts of Liberty City. He thanked Commissioner Steinberg in particular, who was brave enough to endorse him, as well as Mayor Gelber, the second most important Gelber in his campaign, behind the hard work of the Mayor's daughter Hanna Gelber. Commissioner Góngora who at one time was a rival in this race, but they both saw eye to eye on what is important to the District and he appreciates that. He intends to get to work and will need a great deal of input. He will have an open door to Miami Beach. Miami Beach's critical issues are those that are vital to the entire District. He looks forward to working with the entire City of Miami Beach Commission and to be accessible. To Chaplin Reverend **Gary Johnson, who lead today's invocation,** he expressed his empathy for the passing of the Reverend's mother, Patty Mae Johnson, as he knows the family well and she was the matriarch for the family. He may be asking for small satellite space, as he intends to dedicate at least one day each week to Miami Beach, as part of his open-door policy. Aventura has agreed to do the same, and he is trying to locate centrally the Miami Beach office so it is accessible to the members of the District via public transportation.

Commissioner Góngora added that he is happy Senator Elect. Pizzo won. Having run against Jason Pizzo, he knows that he will represent Miami Beach well in Tallahassee and do a good job for the City. Miami Beach needs a great deal of help in Tallahassee. There are many items on the Agenda that the City relies on FDOT on. Senator Elect Pizzo may have noticed that they have a MacArthur Causeway bridge construction project; there is a huge project beginning in Collins Avenue in Mid Beach, and there is an item on the Agenda where they will be asking for his help to urge FDOT to give the City the staging space back that the City used to use by the Julia Tuttle Causeway. He is happy that Senator Elect Pizzo is in Tallahassee, as he feels the City did not have adequate representation to look out for the Miami Beach's interest. Commissioner Góngora is thrilled to hear that Senator Elect Pizzo wants to have a Satellite Office in Miami Beach. They will be calling him, and they look forward to his contributions to the City.

10:09:21 a.m.

R9 R DISCUSSION REGARDING THE DESIGN AND CONSTRUCTION OF A NON-TRADITIONAL THEMATIC PLAYGROUND AT ALTOS DEL MAR PARK, IN LIEU OF A STANDARD PLAYGROUND.

Capital Improvement Projects
Commissioner Ricky Arriola

ACTION: Discussion held. Motion made by Commissioner Arriola to direct Administration to come back to the City Commission with a proposed iconic playground for Altos Del Mark Park and provide the Commission with a proposed budget; seconded by Commissioner Góngora to approve the item. Voice vote: 7-0. **David Martinez and John Rebar to handle. Tameka Otto Stewart to allocate funding.**

David Martinez, Capital Improvement Projects Director, has discussed this item with Commissioner Arriola regarding the construction of Altos del Mar Park, which is underway and will be delivered by October or November of this year. Part of the plan includes a future playground of about 4,000 square feet near the beach and the beachwalk that would be funded as a standard playground for $350,000, if the current budget were adopted. There has been a great deal of interest in the community and among neighborhoods in the vicinity to bring forth a thematic, iconic, non-traditional type of playground equipment. After some research, they came up with the possibilities of how this can happen; if that is the direction the City Commission decides. The quickest way to achieve this type of playground would be to negotiate a change order with the current contractor working on site. There are some cost implications as it is more expensive but it will be a great location for such a playground.

Commissioner Arriola added that Altos del Mar Park has been dormant for a long time, and finally the park will be open, but the design is for a standard looking park, which is inconsistent with the direction they have been discussing for the past few years. Some of the neighbors approached him for consideration to try to do something special, since this is going to be the first park to be open with this initiative. They now have a great opportunity to do something substantial in a short amount of time. He wanted to see if his colleagues agreed. There is also the potential opportunity to piggyback off the County.

David Martinez, Capital Improvement Projects Director, explained that the County procurement piggyback is more of a standard type playground.

Discussion held.

Commissioner Góngora likes the idea of improving the park and creating something better. His thought is if this is something timely that needs to happen right away, or whether this is something they can wait and see when the GO Bond passes, because then they will know if they have more money in parks and other capital projects and perhaps it can be fully funded.

Mr. Martinez explained that when the park is completed by November, the area would be set aside to install a playground including shade. The current capital budget to be approved includes $350,000 total budget to develop a playground on that site, so they would immediately begin that process once funded. However, $350,000 is what is needed to fund standard type equipment.

Commissioner Alemán is supportive in doing something unique, but the Administration just completed neighborhood urban design concept for Ocean Terrace, which is next to Altos del Mar Park. She is supportive of the item and thinks they should go forward. As they design this playground, it should take into consideration the Ocean Terrace design concept that was just completed. The positioning of Altos del Mar Park in this playground is right in the context of Ocean Terrace, which has a great deal of potential to be a beautiful place for the North Beach residents.

Commissioner Góngora clarified that the motion would be to direct Administration to come back to the City Commission, create something iconic and provide them with a budget. No second and discussion continued.

Betsy Perez is in support of a new playground that would be special and that the City would be proud of. She added that at one time the park was going to be a Sculpture Garden, as approved by the City Commission, unfortunately the timing and funding was wrong, but now they could make something similar.

Mark Keller, President of the Altos del Mar Association, is in support of the item. This will be a great asset for the children in the community and neighbors. A great playground makes a difference.

Ms. Perez added that the quicker this is done the better, as once activated it deters vagrants and crime.

Mayor Gelber thanked everyone. The one unifying feature of this City Commission is that they believe that beautiful active parks are the future of the City.

Motion made by Commissioner Arriola, seconded by Commissioner Góngora. (**Clerk's Note**: Motion to direct Administration to come back to the City Commission with a proposed iconic playground for Altos Del Mark Park and provide the Commission with a proposed budget) Vote taken.

R9 S DISCUSSION REGARDING AN UPDATE ON FDOT'S SRA1A/MACARTHUR CAUSEWAY EAST BRIDGE REHABILITATION PROJECT.

Commissioner Michael Góngora

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

R9 T UPDATE ON THE FDOT SR A1A/MACARTHUR CAUSEWAY EAST BRIDGE REHABILITATION PROJECT.

Commissioner Micky Steinberg

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

8:46:23 p.m.
SUPPLEMENT MATERIAL 3: REVISED MEMORANDUM
R9 U DISCUSSION REGARDING WEST AVENUE PEDESTRIAN BRIDGE AND THE STATUS OF THE PROJECT.

Commissioner Michael Góngora

ACTION: Item withdrawn by the sponsor of the item.

8:46:25 p.m.
SUPPLEMENTAL MATERIAL 1: ADDITIONAL INFORMATION
R9 V DISCUSSION REGARDING A CAMPAIGN ON THE PERCEPTION OF CRIME IN MIAMI BEACH AND THE CONTINUATION OF THE TOURIST ORIENTED POLICING SERVICES (TOPS).

Commissioner Michael Góngora

ACTION: Item referred to the Neighborhood/Community Affairs Committee, by acclamation. All present except Commissioner Rosen Gonzalez. **Chief Oates and Tonya Daniels to handle.**

8:41:24 p.m.

R9 W STATUS UPDATE ON CITY PROJECTS: 1) RUE VENDOME; 2) BANDSHELL CANOPY; AND 3) LINCOLN COURT PEDESTRIAN BRIDGE.

Commissioner Ricky Arriola

ACTION: Discussion held. **Michele Burger to schedule Goals Conference. David Martinez to handle.**

Commissioner Arriola stated that he pulled these three projects just because he had his eye on them. To view the PowerPoint presentation, click here. There are handouts going out on these items. He wanted to use these three as an example on how long things take. He would like to talk at the Goals Conference how to streamline things. Several of these items had strong support, funding, approval, and yet they are nowhere near completion. The Lincoln Court Pedestrian Bridge was approved then scrapped. The Rue Vendome project started in October 2016; it should be complete sometime in October 2019, so three years. The Bandshell Canopy started in 2014; it might not be completed until summer 2019. The Pedestrian Bridge started in December 2015, and he does not know when it will be finished. The Empire State Building, without today's technology, took only 13 months to complete.

Commissioner Alemán agrees with Commissioner Arriola. The Ocean Terrace, a $25,000 project took 12 months to procure, that is insane. Rue Vendome was closed and activities were not programmed. What is the point of closing streets and eliminate parking to paint and put planters.

Commissioner Arriola stated that they would talk about this at the Goals Conference. He added that this is cultural in the City, but he thinks they can do better and have a better "can do attitude," support each other a little more, and have a little less politics.

Commissioner Góngora stated that Administration works slowly and at times, they wait for the Elected Officials to make decisions.

Handouts or Reference Materials:

1. Rue Vendome, Bandshell Canopy, & Pedestrian Bridge Project Status Update PowerPoint project dated 09.12.18.

8:46:45 p.m.

R9 X DISCUSSION REGARDING AN UPDATE ON INDIAN CREEK DRIVE SEAWALL REPLACEMENT AND INDIAN CREEK DRIVE FLOODING MITIGATION PROJECT.

Commissioner Michael Góngora

ACTION: Discussion held. **Roy Coley to handle.**

Eric Carpenter, Assistant City Manager, stated that there are two projects that are separate and apart from the roadway project. The good news is that he feels they are getting close to a consensus on the seawall; they got the go ahead from FDOT to advertise Phase 2 of the roadway work by the end of the week. They have a meeting with the Office of the City Attorney to finalize the DFA (Department Funded Agreement) that finally came back from FDOT; they finally approved the final design so they can get a contractor on the roadway for Phase 2.

Commissioner Góngora asked when they could pull the permit.

Assistant City Manager Carpenter stated that they are putting together permit modifications for the existing work. They do not know how long it will take with the agencies. In most cases, they can get a permit in six months. There are outside situations where it could take more than a year to get a permit.

Commissioner Góngora was under the impression that it was for a two-and-a-half-year window for the Indian Creek timeline.

Ms. Alicia Casanova stated that it is an embarrassment to the City that it takes this long to complete the project. She understands there are other agencies and bureaucracy. There are people coming to the City from Art Basel, they have major hotels, they have Faena on the board; they are frustrated with bus lanes and trolleys having to share one lane with cars. Now they are being told it will take two years, and a year just for studies. Something needs to be done, because this is a serious concern for the entire Mid-beach neighborhood.

Commissioner Góngora suggested continuing to monitor the project, and stated that Administration is doing everything they can to move forward. FDOT will not allow them to open a lane. It makes no sense to the City that no work is being done and they cannot open a lane.

Steve Patterson stated that they discussed the losses on the east side of Indian Creek. They were told one height for the seawall, but the City and he spoke on different terms, which meant different heights. They now have a concrete dam that is well above the finished floor elevation in the Flamingo Neighborhood. This is a major issue if there is a storm. Staff told him that is not the case, but he does not believe it has been studied; also, they took out all of the trees. They want the buffer that they were told when this was first proposed, it is critical for the neighborhood.

Assistant City Manager Carpenter stated that he has exchanged emails with Mr. Patterson regarding FDOT providing funds for the project and how they are descriptive on what is and what is not allowed. If they want the screen placed, they can do that, but he does not know how it will affect the situation on Indian Creek Drive.

Mayor Gelber asked if they can do something, or do they need to reach out to FDOT.

Assistant City Manager Carpenter stated that FDOT will not pay for landscaping, the City has funded $432,000 in the FY19 budget, and they are holding out on landscaping until the seawall is completed. They want to make sure the work is done so they do not have to do landscaping twice.

Commissioner Rosen Gonzalez asked everyone to imagine their backyards stripped away and you lose all privacy. They need to put screens up.

City Manager Morales stated that they would do that.

Mr. Peterson stated that it seems the issue is that they are running out of money. The buffer must come as soon as possible. He had a fenced contractor saw a limb off his mangrove and he was cited, he paid for the fine too. He did not think it was a big issue, until he saw what happened across the street and miles of mangroves were removed. Now it is two years until they get a buffer.

Mayor Gelber asked when the screen would happen.

Assistant City Manager Carpenter stated that they are trying to figure what is going to happen with the seawall and what FDOT will do, although the screen should take about 30 days.

Mr. Peterson wanted clarification, at first residents were told the seawall would happen in phases and buffers would be implemented as they go; now they are told it will be done in one phase, meaning they would have to wait over two years for any buffer.

Assistant City Manager Carpenter stated that the Army Corp, State, and County are involved in the process, and they plan to add greenery/landscape as they work, if it will not be removed again.

Leonard Wein stated that he was born, raised, and has lived on Miami Beach for over 70 years. He believes there are other problems that need to be addressed such as the budget for landscaping, it is simply not enough, and they want support to rebuild that. Assistant City Manager Carpenter stated he has been working hard but there are some loose ends, such as chain-link, fences to block off rebar sticking out of the ground and it is an abomination. He has spent hundreds of hours in the Commission Chamber when he worked on previous GO Bond Committees, and this project is one of the worst headaches the City has gotten into. There are also issues with pumps draining water directly into the bay.

Discussion held.

City Manager Morales stated they do not pump stormwater through the sanitary sewer system.

Mr. Wein stated that if his statement is correct, then when the pumps that take water off streets pump it in the bay, and it goes back to the streets, it is a closed system.

Assistant City Manager Carpenter stated that back flow preventers slow the water going back into the streets during high-tide events; there are some old pipes that are in the process of being replaced.

Discussion ended.

ADDENDUM MATERIAL 1

R9 Y DISCUSS THE CAUSES OF THE DAILY AUTOMOBILE ACCIDENTS AT THE INTERSECTION OF THE MACARTHUR CAUSEWAY AND FOUNTAIN STREET.

Commissioner Kristen Rosen Gonzalez

ACTION: Item not reached. Item deferred to the October 17, 2018 Commission Meeting. **Jose Gonzalez to handle.**

R10 - City Attorney Reports

R10 A CITY ATTORNEY'S STATUS REPORT.

Office of the City Attorney

ACTION: Report given.

Reports and Informational Items

1. REPORT FROM COMMISSION COMMITTEES OF WITHDRAWN ITEMS NOT HEARD WITHIN (6) SIX MONTHS FROM REFERRAL DATE.

Office of the City Clerk

PRESENTATIONS AND AWARDS

5:53:07 p.m.

PA 1 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO THE CITY OF MIAMI BEACH FIRE DEPARTMENT FOR RECEIVING THE AMERICAN HEART ASSOCIATION'S 2018 MISSION: LIFELINE EMS GOLD PLUS LEVEL RECOGNITION AWARD.

Fire
Commissioner Ricky Arriola

ACTION: Certificate presented.

Commissioner Arriola introduced the item and read the Certificate into the record.

MIAMI BEACH FIRE RESCUE
On behalf of the Mayor and Commission of the City of Miami Beach, we are proud to recognize Miami Beach Fire Rescue for receiving the American Heart Association's 2018 Mission: Lifeline EMS Gold Plus Recognition Award.

Mission: Lifeline is the American Heart Association's national initiative to advance the SYSTEM OF CARE for patients with acute, high-risk time sensitive life and/or quality of life threatening disease states, such as ST Elevation Myocardial Infarction (STEMI Heart Attack), Non-ST Elevated Myocardial Infarction (STEMI Heart Attack), Stroke and Out of Hospital Cardiac Arrest. The overarching goals of Mission: Lifeline are to bring stakeholders together in a collaborative manner and to reduce mortality and morbidity for these patients while improving overall quality of care and patient outcomes. To achieve the Mission goals: Lifeline connects EMS providers, referring hospitals, and receiving centers under a coordinated system of care.

This is the third year in a row that Miami Beach Fire Rescue receives this prestigious award. The Gold Plus standard is awarded to early field recognition of either a Stroke or STEMI when early identification, intervention, and treatment by Miami Beach Fire Rescue personnel is paramount for patient survival. Once a Stoke/STEMI is identified, Miami Beach Fire Rescue sends Mt. Sinai Medical Center an alert, so that it can assemble a team of specialists to immediately intervene and correct this life threatening condition at the catheterization laboratory once the patient arrives at the emergency room. Miami Beach Fire Rescue and Mt. Sinai Medical Center have saved countless lives through their participation in Mission: Lifeline.

5:45:32 p.m.

PA 2 PLAQUE OF RECOGNITION TO BE PRESENTED TO RETIRED CITY EMPLOYEE ARNOLD GAINES FOR HIS YEARS OF SERVICE TO THE MIAMI BEACH POLICE DEPARTMENT PROPERTY AND EVIDENCE UNIT.

Mayor Dan Gelber

ACTION: Plaque presented.

Chief Oates stated that Arnold Gaines was an extraordinary civilian member of the Police Department for 29 years. They are honored that the Mayor and Commission recognize him for his 29 years of service. He is beloved by the Department and they miss him.

Jimmy L. Morales, City Manager, added that Arnold has been the recipient of multiple awards.

6:09:19 p.m.

PA 3 CERTIFICATES OF APPRECIATION TO BE PRESENTED TO KITE BOARDERS CARLOS RICOTTI AND JUANMA ROWLAND FOR HEROIC BEACH RESCUES.

Commissioner John Elizabeth Alemán

ACTION: Certificates of Appreciation presented.

Commissioner Alemán introduced the item and read the Certificates into the record:

Juanma Rowland
On Sunday May 27, the weather created dangerous swimming conditions on our beaches and several tourists found themselves caught in a dangerous rip current. Due to Juanma Rowland's awareness of the water conditions, he courageously rescued the group of four swimmers who were in distress. The City of Miami Beach hereby recognizes your heroic efforts.

Carlos Ricotti
On Monday May 28, 2018 the weather created dangerous swimming conditions on our beaches. Due to Carlos Ricotti's situational awareness, he courageously rescued a swimmer who was in distress by lending him his board as a floatation device. The City of Miami Beach hereby recognizes your heroic efforts.

Carlos Ricotti and Juanma Rowland spoke and thanked the City Commission.

Commissioner Alemán invited Vice-Mayor Samuelian to join her since he sponsored Kiteboarding Legislation.

6:16:42 p.m.

PA 4 PROCLAMATION TO BE PRESENTED IN HONOR OF HISPANIC HERITAGE MONTH, SEPTEMBER 15 TO OCTOBER 15, 2018.

Commissioner Micky Steinberg
Co-Sponsored by Commissioner Michael Góngora & Mayor Dan Gelber

ACTION: Proclamation presented. Item heard in conjunction with R7 F.

Commissioner Steinberg introduced the item, read the Proclamation (in English) into the record and Commissioner Góngora read the Proclamation (in Spanish) into the record:

WHEREAS During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions Hispanic individuals have made to shape and strengthen our nation and community; and,

WHEREAS Hispanics represent a wide range of nationalities and background, and have overcome great obstacles to persevere and flourish in every sector of our society; and,

WHEREAS With enduring values of faith, family, hard work and sacrifice, Hispanics have preserved the rich heritage of generations past while contributing to the promise of our future; and,

WHEREAS Hispanics are leaders in all aspects of our community, ranging from elected appointed public officers, to leaders in business, education, cultural arts, non-profit organizations and neighborhood organizations; and,

WHEREAS This month we honor Hispanics for enriching our community's fabric and reflecting on our city's rich Hispanic heritage. Let us take pride in our unique and vibrant history and recommit to a shared future of freedom, prosperity and opportunity for all.

NOW THEREFORE, DO WE, as Mayor and Commissioners of the City of Miami Beach, hereby proclaim September 15 - October 15, 2018, as **HISPANIC HERITAGE MONTH** in the City of Miami Beach.

Commissioner Steinberg asked the members of the Hispanic Affairs Committee to come up and accept the Proclamation. Commissioner Góngora asked Alex Fernandez, Chair of Hispanic Affairs Committee, to come up and speak.

Alex Fernandez, Chair of the Hispanic Affairs Committee, thanked the City Commission for their contribution in making the City better and more inclusive, based on the values given by our parents. He gave thanks for the work in helping advance the UNIDAD meal program in North Beach, which has over 300 registrants, and over 120 meals served daily. The Hispanic Affairs Committee worked on ethics and making sure that all of the City's vendors are aware of the City's ethics laws and campaign contribution laws. The Committee has worked hard in diversity sensitivity trainings and we continue fighting for affordability in housing. The Hispanic Affairs Committee strives for a stronger Miami Beach.

5:30:55 p.m.

PA 5 CERTIFICATES OF APPRECIATION TO BE PRESENTED TO BORINQUEN HEALTH CENTER, THE CHILDREN'S TRUST, AND OUR AREA SCHOOL PRINCIPALS AND COUNSELORS FOR PROVIDING OUTSTANDING BEHAVIORAL HEALTH SERVICES TO OUR CITY'S YOUTH.

Commissioner John Elizabeth Alemán
Co-Sponsored by Commissioner Micky Steinberg

ACTION: Certificates presented.

Commissioner Alemán introduced the item and read the Certificates into the record:

BORINQUEN MEDICAL CENTERS OF MIAMI-DADE
The City of Miami Beach would like to recognize *Borinquen Medical Centers of Miami-Dade* for the important role they have carried out in positively impacting the behavioral health of youth in our community. *Borinquen Medical Centers of Miami-Dade* have grown to provide an extensive range of health and social services to families in Miami Beach, which have improved access to behavioral health services available to youth attending public schools in the City of Miami Beach. Through the provision of enhanced high quality behavioral services in conjunction with *The Children's Trust* over the past couple of years, *Borinquen Medical Centers of Miami-Dade* have not only helped to ensure that children in our community have equal learning opportunities to achieve their full potential, but have also improved the young clients' quality of life and that of their families. The City of Miami Beach, therefore, recognizes *Borinquen Medical Centers of Miami-Dade* for your efforts and dedication to providing quality behavioral health services to our youth in the City of Miami Beach.

THE CHILDREN'S TRUST
The City of Miami Beach would like to recognize The Children's Trust for the important role they have carried out in positively impacting the behavioral health of youth in our community. The Children's Trust has grown to provide an extensive range of health and social services to families in Miami Beach, which have improved access to behavioral health services available to youth attending public schools in the City of Miami Beach. Through the provision of enhanced high quality behavioral services in conjunction with Borinquen Medical Centers of Miami-Dade over the past couple of years, The Children's Trust has not only helped to ensure that children in our community have equal learning opportunities to achieve their full potential, but have also improved the young clients' quality of life and that of their families. The City of Miami Beach, therefore, recognizes The Children's Trust for your efforts and dedication to providing quality behavioral health services to our youth in the City of Miami Beach.

James R. Haj, President/CEO, and Kenneth Hoffman, from the Children's Trust, spoke and thanked the City Commission.

5:58:45 p.m.

PA 6 PROCLAMATION TO BE PRESENTED TO CAPTAIN ADONIS GARCIA FOR BEING PRESENTED WITH THE 2018 IAFF LOCAL LEADERSHIP AWARD.

Commissioner Ricky Arriola
Co-sponsored by the Mayor and all the City Commissioners

ACTION: Proclamation presented.

Commissioner Arriola introduced the item and read the Proclamation into the record:

WHEREAS Captain Adonis Garcia has faithfully served the City of Miami Beach, its residents, and its visitors for 25 years and has honorably represented the fine men and women of the Miami Beach Fire Department as the President of Local 1510, a chapter of the International Association of Fire Fighters (IAFF), for 13 years; and,

WHEREAS In 2010, Captain Adonis Garcia organized a team of Miami Beach firefighters who volunteered to travel into Haiti after a catastrophic magnitude seven earthquake devastated the island nation. Under dangerous conditions, he led the team that provided aid to severely injured victims of the natural disaster, comforted children and families, and distributed desperately needed medical supplies to local emergency services personnel; and,

WHEREAS The Miami Beach Police Department presented Captain Adonis Garcia with the Heroism Valor Award in 2015 for defending a Police Officer who was engaged in a physical altercation with an assailant, marking the first time in Miami Beach's history that a firefighter was presented with the award. Although Captain Adonis Garcia was off-duty at the time, he instinctively reacted to the situation and helped subdue the assailant until other officers arrived to place the subject under arrest; and,

WHEREAS Captain Adonis Garcia helped in leading Miami Beach's recovery efforts after Hurricane Irma in 2017 and immediately thereafter organized a group of tireless firefighters and City personnel to travel to his hometown of Key West to deliver supplies and offer assistance to the residents of the Florida Keys where Hurricane Irma made landfall; and,

WHEREAS Captain Adonis Garcia was recently awarded the prestigious Local Leadership Award by the International Association of Fire Fighters for his selfless service and leadership – an honor bestowed upon only 15 firefighters out of 322,000 professional firefighters across US, Canada, Puerto Rico, and the Caribbean every four years.

NOW THEREFORE, DO WE, as Mayor and Commissioners of the City of Miami Beach, hereby proclaim September 12, 2018 as **CAPTAIN ADONIS GARCIA DAY**, in the City of Miami Beach.

Captain Adonis Garcia spoke, thanking everyone.

5:27:15 p.m.

PA 7 PROCLAMATION TO BE PRESENTED TO THE FOSPE CHILDREN AND EDUCATION FOUNDATION RECOGNIZING THEIR SUCCESSFUL WORK IN ORGANIZING THE FIRST FOSPE CHESS TOURNAMENT.

Vice-Mayor Mark Samuelian

ACTION: Proclamation presented.

Vice-Mayor Samuelian introduced the item and read the Proclamation into the record:

WHEREAS The Friends of South Pointe Elementary (FOSPE) Children and Education Foundation works closely with Miami-Dade County Public Schools, faculty, Administration, teachers and the City of Miami Beach to give every child the opportunity to excel in a safe, professional, caring and compassionate environment while empowering them with positive learning and interpersonal experiences that will help them succeed in life; and,

WHEREAS FOSPE funds the salaries of a team of interventionists, paraprofessionals and contributes to the funding of security systems, computers (more than $45,000 in 2017), sports equipment, school supplies and programs; and,

WHEREAS FOSPE offers 35 enrichment programs attended by 225 children from South Pointe Elementary and organized its 1st Chess Tournament on June 2nd of 2018, with 50 children from 9 different schools including South Pointe Elementary, St. Stephens Episcopal, Christopher's by the Sea, Temple Beth AM, Kingdom Academy, Key Biscayne Elementary, Fienberg Fisher, Bridge Prep of NMB and Fisher Island Day School with a 2nd Fospe Chess Tournament planned for December 8th 2018 at South Pointe Elementary School.

NOW THEREFORE, DO WE, as Mayor and Commissioners of the City of Miami Beach, hereby proclaim September 12, 2018 as FOSPE Children and Education Foundation Day in the City of Miami Beach.

Pierre de Agostini spoke and thanked the Mayor and Commissioners.

6:05:23 p.m.

PA 8 PROCLAMATION TO BE PRESENTED TO LOURDES NUNEZ FOR SERVING OVER 25 YEARS AS A GUIDANCE COUNSELOR AT MIAMI BEACH SENIOR HIGH SCHOOL.

Commissioner Michael Góngora

ACTION: Proclamation presented.

Commissioner Góngora read the Proclamation into the record:

WHEREAS Lourdes Nunez has a Masters in Counseling from Florida International University. She also has a Bachelors in Psychology and an Associates in Music from Miami Dade Community College. Ms. Nunez has been working for twenty four years at Miami Beach Senior High; and

WHEREAS Ms. Nunez has been an honorary member of Miami Beach High School Rock Ensemble for the past 20 years. The Miami Beach Senior High Rock Ensemble is a high school rock band that was established by Clark Douglas Burris in 1972, the Rock Ensemble has played rock music in South Florida and across the country for over 40 years. Notable alumni of the Rock

Ensemble include Fernando Perdomo, Chris Price, Ann Curless and David Chesky. She is the only faculty member allowed to play in the forty year covert for the rock ensemble; and

WHEREAS Ms. Nunez was an ESOL counselor during her first year at Miami Beach High and was able to achieve 100 percent graduation rate. She has been the fine arts creative arts counselor for all grades except scholars; and

WHEREAS Ms. Nunez has been an outstanding guidance counselor as she is completely dedicated to her students. She has truly established a bond with each of her students as she received a standing ovation from the graduating class of 2011. Thank you for your commitment and dedication to the students of Miami Beach.

NOW, THEREFORE, DO I, Dan Gelber, as Mayor of the City of Miami Beach, hereby proclaim September 12, 2018 as **Lourdes Nunez Day**.

Lourdes Nunez spoke on how she does not have any children of her own, but for the past 24 years, she has been taking care of our children. She thanked everyone the honor and the privilege of taking care of their kids.

5:40:46 p.m.

PA 9 CERTIFICATES OF RECOGNITION TO BE PRESENTED TO SEBASTIAN LAM AND ARTURO PAZ FOR PLACING 1ST PLACE IN THE ELEMENTARY KIDS NATIONAL CONTEST ON INCLUSION AND ANTI-ISOLATION.

Commissioners Michael Góngora and Kristen Rosen Gonzalez

ACTION: Certificates presented to Sebastian Tam and Arturo Paz.

Commissioner Góngora introduced the item and read the Certificate into the record:

Social isolation is the overwhelming feeling of being left out, lonely or treated like you are invisible. It is a growing epidemic in the United States and within our schools. Excessive feelings of isolation can be associated with violent and suicidal behavior. During the week of February 5-9, hundreds of schools and youth organizations from across the United States with participate in Sandy Hook Promise's third annual Start With Hello Week. Start with Hello Week brings attention to the growing epidemic of social isolation in our schools and communities and empowers young people to create a culture of inclusion and connectedness with in their school or youth organization. Congratulations on placing first place in the Spoken Category at the Elementary Level. Thank you for embracing this program and for your efforts to reduce social isolation, build community inclusion and present violence before it happens. Thank you for your commitment and dedication to the children of Miami Beach.

Video shown. Click here to view.

Commissioner Rosen Gonzalez commented on how she loved the video and encouraged everyone to look people in the eye, say hello, and be kind.

5:37:00 p.m.
PA 10 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO MIAMI BEACH POLICE MARINE PATROL OFFICER THOMAS FLEISCHAUER, FOR LOCATING AND RESCUING THREE BOATERS FROM A CAPSIZED VESSEL.

Mayor Dan Gelber

ACTION: Certificate presented.

Mayor Gelber introduced the item recognizing Officer Fleischauer for rescuing boaters.

Chief Oates explained this event occurred Sunday morning, August 26, 2018 when Officer Fleischauer was just arriving at his Marine Patrol assignment, when he received a notice of a capsized boat five miles out, with no immediate response from any other jurisdiction. Office Fleischauer is an extraordinary member of the Marine Patrol, with very special skills, has been recognized for this kind of rescue several times during his career, and was recognized as the Miami-Dade Officer of the Year. He alone went on his boat and rescued three people who were clinging to a capsized boat. He is very humble and represents the wonderful five members of the Marine Patrol that do this kind of thing every day.

6:14:31 p.m.
PA 11 EMPLOYEE PERFORMANCE RECOGNITION.

Organizational Development Performance Initiatives

ACTION: Recognition made.

Jimmy L. Morales, City Manager, explained the item and read the names of employees who received Significantly Exceeding Expectations or Exceeding Expectations during their Performance Evaluation from October 2017 and from March through May 2018. Each employee also receives a Certificate and an award. Congratulations to all!

BUDGET

Milagros Robayna	Exceeding Expectations	July 2018
Richard Ajami	Exceeding Expectations	October 2017

BUILDING

Ibrahim Alvarez	Exceeding Expectations	January 2018
Victor Armendariz	Exceeding Expectations	January 2018
Lancelot Bacchus	Exceeding Expectations	April 2018
Juan Bistolfi	Exceeding Expectations	March 2018
Carlos Fernandez	Exceeding Expectations	December 2017
Michael Gandia	Exceeding Expectations	November 2017
Antonio Gonzalez	Exceeding Expectations	March 2018
Judith Gonzalez Pantigoso	Exceeding Expectations	March 2018
Carlos Guerrero	Significantly Exceeding Expectations	December 2017
Odalys Guevara	Significantly Exceeding Expectations	January 2018
Leonor Hernandez	Exceeding Expectations	January 2018
Elier Marquez	Exceeding Expectations	January 2018
Alberto Martinez Jr.	Significantly Exceeding Expectations	December 2017
Eric Merced	Exceeding Expectations	November 2017
Michael Schad	Exceeding Expectations	February 2018

CIP

Maria Caurin	Exceeding Expectations	October 2017

CITY CLERK

Regis Barbou	Significantly Exceeding Expectations	July 2018
Carmen Hernandez	Significantly Exceeding Expectations	June 2018
Nathaniel Frazier	Exceeding Expectation	February 2018
Deowan Mahadeo	Exceeding Expectation	October 2017
Patrick Camm	Significantly Exceeding Expectation	October 2017
Charles D'Agostin	Significantly Exceeding Expectation	April 2018
Cynthia Neves	Significantly Exceeding Expectation	May 2018
Fernanda Silva	Significantly Exceeding Expectation	April 2018

CITY MANAGER

Walter Conrad	Exceeding Expectations	January 2018
Naima De Pinedo	Significantly Exceeding Expectations	February 2018
Tanya Nelson	Exceeding Expectations	January 2018
Althea Peacock	Significantly Exceeding Expectations	October 2017

CODE COMPLIANCE

Antita Baquero	Exceeding Expectations	October 2017
Miguel Romero	Exceeding Expectations	November 2017
Armando Vega	Exceeding Expectations	January 2018

EMERGENCY MANAGEMENT

Autier Singleton Taylor	Exceeding Expectations	June 2018
Kimberly Dames	Exceeding Expectations	June 2018
Edward Diaz	Exceeding Expectation	November 2017
Lazaro Guerra	Exceeding Expectation	October 2017
Ashley Michel	Exceeding Expectation	March 2018
Amy Rosen	Exceeding Expectation	March 2018
Georgette Daniels	Significantly Exceeding Expectations	February 2018
Shari Holbert Lipner	Exceeding Expectations	October 2017

ENVIRONMENT AND SUSTAINABILITY

Alyssia Berthoumieux	Significantly Exceeding Expectation	May 2018
Saobiya Khan	Significantly Exceeding Expectation	April 2018
Yanira Pineda	Significantly Exceeding Expectation	February 2018

FINANCE

Stephanie Benedict	Exceeding Expectations	October 2017
Maria Bonora	Exceeding Expectations	October 2017
Diana Castellanos	Exceeding Expectations	October 2017
Sailyn Christiansen	Exceeding Expectations	January 2018
Krystal Dobbins	Exceeding Expectations	February 2018
Gabriel Donoso	Exceeding Expectations	February 2018
Cheryl Gomez	Exceeding Expectations	February 2018
Esther Guerrero	Exceeding Expectations	March 2018
Elvira Ramirez	Exceeding Expectations	March 2018

FIRE

Osvaldo Iglesias	Significantly Exceeding Expectations	June 2018

Jorge Diaz	Exceeding Expectations	June 2018
Jesse Chanying	Exceeding Expectations	June 2018
Martin Quintanilla	Exceeding Expectations	June 2018
Cynthia Aguilar	Exceeding Expectations	December 2017
Evelio Alemán	Exceeding Expectations	March 2018
Oscar Alfonso	Exceeding Expectations	November 2017
Gustavo Almeyda	Exceeding Expectations	April 2018
Marco Almodovar	Exceeding Expectations	December 2017
Brian Bencie	Exceeding Expectations	March 2018
Pedro Bermejo	Exceeding Expectations	March 2018
Trevor Bowman	Exceeding Expectations	April 2018
Marcio Bueno	Exceeding Expectations	March 2018
Jason Bugay	Exceeding Expectations	February 2018
Raul Cardoso	Significantly Exceeding Expectations	March 2018
Cristopher Crato	Exceeding Expectations	March 2018
Danny Diaz	Exceeding Expectations	March 2018
Robert Erbs Ii	Exceeding Expectations	October 2017
W Falconer	Exceeding Expectations	February 2018
Al Fandino	Significantly Exceeding Expectations	January 2018
Daniel Fiorito	Exceeding Expectations	February 2018
Lissette Franco	Significantly Exceeding Expectations	January 2018
Osvaldo Garcia Jr	Exceeding Expectations	October 2017
Oliver Hanna	Exceeding Expectations	October 2017
Juan Hernandez	Exceeding Expectations	December 2017
Zvi Hirsch	Exceeding Expectations	March 2018
Megan Horta	Exceeding Expectations	January 2018
Paul Johnson	Exceeding Expectations	October 2017
Bryan Layton	Exceeding Expectations	March 2018
Jose Lazcano	Significantly Exceeding Expectations	October 2017
Basso Ludovico	Significantly Exceeding Expectations	January 2018
Adam Madore	Significantly Exceeding Expectations	March 2018
Charles Martin	Exceeding Expectations	February 2018
Juan Martinez	Exceeding Expectations	November 2017
Ricardo Obregon	Exceeding Expectations	March 2018
Charles Pereny	Exceeding Expectations	February 2018
Charlton Price	Significantly Exceeding Expectations	February 2018
Anthony Prol	Exceeding Expectations	February 2018
Robert Rapado	Exceeding Expectations	April 2018
Hayden Rock	Exceeding Expectations	October 2017
Christopher Rojas	Exceeding Expectations	April 2018
Yarily Sam Gamil	Significantly Exceeding Expectations	March 2018
Raul Sanchez	Exceeding Expectations	December 2017
Mazon Sanford	Exceeding Expectations	October 2017
Michael Sica	Exceeding Expectations	March 2018
Steven Sorger	Exceeding Expectations	February 2018
Mauricio Suarez	Exceeding Expectations	March 2018
Steven Vasquez	Exceeding Expectations	March 2018
Cameron Wells	Significantly Exceeding Expectations	March 2018

HUMAN RESOURCES

Ramon Suarez	Significantly Exceeding Expectations	July 2018
Angela Menendez	Significantly Exceeding Expectations	June 2018

Stephanie Bernal	Exceeding Expectations	June 2018
Robert Aragon	Exceeding Expectation	October 2017
Brenda Garrison	Exceeding Expectations	November 2017
Lana Hernandez	Significantly Exceeding Expectations	November 2017
Diane Mcrea	Significantly Exceeding Expectations	October 2017
Ana Ramos	Significantly Exceeding Expectations	October 2017

INTERNAL AUDIT

Elisa Alonso	Significantly Exceeding Expectations	March 2018
Norman Blaiotta	Significantly Exceeding Expectations	May 2018
Alfredo Orzaiz	Exceeding Expectations	March 2018

IT

Jean Dolmuz	Significantly Exceeding Expectations	March 2018
Marlene Gomez	Exceeding Expectations	November 2017
Antonio Montes De Oca	Exceeding Expectations	January 2018
Vanessa Sauveur	Exceeding Expectations	December 2017

PARKING

Miguel Beingolea	Exceeding Expectations	November 2017
Shanmatie Marajh	Exceeding Expectations	January 2018
Daniel Rozenblit	Exceeding Expectations	February 2018
Claudia Wong	Exceeding Expectations	December 2017

PARKS AND RECREATION

Carlos Munoz	Exceeding Expectations	June 2018
Elizabeth Rodriguez	Exceeding Expectations	June 2018
Cristian Shmith	Exceeding Expectations	June 2018
Stephen Everett	Exceeding Expectations	June 2018
Lucinda Alonso	Exceeding Expectations	November 2017
Devon Barrett	Exceeding Expectations	January 2018
Charles Brown	Exceeding Expectations	November 2017
Derick Brown	Exceeding Expectations	March 2018
Vermear Burke	Exceeding Expectations	October 2017
Jacqueline Comptis	Exceeding Expectations	November 2017
Carlos Da Cruz	Significantly Exceeding Expectations	April 2018
Warren Davis	Exceeding Expectations	January 2018
Paul Di Muont	Exceeding Expectations	January 2018
Elizabeth Estevez	Exceeding Expectations	November 2017
Javier Fulgueira	Significantly Exceeding Expectations	April 2018
Raymond Gage	Exceeding Expectations	December 2017
Jorge Gomez	Significantly Exceeding Expectations	November 2017
Layda Hernandez	Exceeding Expectations	November 2017
Jeremy Hinkle	Exceeding Expectations	November 2017
Derrick Jenkins	Exceeding Expectations	March 2018
Eduardo Lara	Significantly Exceeding Expectations	November 2017
Igor Lopez	Exceeding Expectations	January 2018
Robert Mcminn	Exceeding Expectations	March 2018
Paulo Meneses	Significantly Exceeding Expectations	October 2017
Tommy Milz	Significantly Exceeding Expectations	March 2018
Bobby Mosley Jr.	Exceeding Expectations	March 2018
Hartley Pinder Seide	Exceeding Expectations	May 2018

William Priegues	Exceeding Expectations	January 2018
Victor Sanchez	Exceeding Expectations	May 2018
Anthony Scallo	Exceeding Expectations	April 2018
Raul Toledo	Exceeding Expectations	May 2018
Daniel Vega	Exceeding Expectations	November 2017
Christian Vinas	Exceeding Expectations	May 2018

PLANNING

Michael Belush	Significantly Exceeding Expectations	April 2018
William Blachar	Significantly Exceeding Expectations	October 2017
Victor Nunez	Significantly Exceeding Expectations	October 2017
Deborah Tackett	Significantly Exceeding Expectations	April 2018

POLICE

Frantz Nazaire	Exceeding Expectations	June 2018
Andy Lozano	Exceeding Expectations	June 2018
Yoe Merida	Exceeding Expectations	June 2018
Stanley Wojcik	Exceeding Expectations	June 2018
Erick Pagan	Exceeding Expectations	June 2018
Staci Wright	Exceeding Expectations	June 2018
Nancy Alba	Significantly Exceeding Expectations	March 2018
Michael Angulo	Exceeding Expectations	November 2017
Ashley Arce	Exceeding Expectations	November 2017
Alkareem Azim	Exceeding Expectations	February 2018
Limura Barreto	Exceeding Expectations	January 2018
Leticia Barreto	Exceeding Expectations	December 2017
Gustavo Blacio	Exceeding Expectations	November 2017
Denise Brown	Exceeding Expectations	October 2017
Avis Brown Tucker	Exceeding Expectations	October 2017
Jovan Campbell	Significantly Exceeding Expectations	January 2018
Fernando Carvajal	Exceeding Expectations	January 2018
Reinaldo Casas	Exceeding Expectations	February 2018
Jenny Cerna	Significantly Exceeding Expectations	January 2018
Joann Cesar	Exceeding Expectations	February 2018
William Collado	Exceeding Expectations	January 2018
Richard Corton	Exceeding Expectations	January 2018
Eduardo Docampo	Exceeding Expectations	December 2017
Ivette Dominguez	Exceeding Expectations	February 2018
Jossue Dominguez	Exceeding Expectations	January 2018
Adrian Dominguez	Exceeding Expectations	January 2018
Daniel Erben	Exceeding Expectations	January 2018
Steven Feldman	Significantly Exceeding Expectations	October 2017
Javier Fernandez	Exceeding Expectations	April 2018
Emilio Garcia	Exceeding Expectations	February 2018
Eric Garcia	Exceeding Expectations	February 2018
Paul Guasto	Exceeding Expectations	April 2018
Arielle Guerrier	Significantly Exceeding Expectations	November 2017
Brittany Guinovart	Exceeding Expectations	February 2018
Daniel Han	Exceeding Expectations	October 2017
Philip Henson	Exceeding Expectations	January 2018
Brooke Jackson	Exceeding Expectations	April 2018
Leslie Lanier	Significantly Exceeding Expectations	December 2017

Ysidro Llamoca	Exceeding Expectations	January 2018
Alejandro Llaneras	Exceeding Expectations	November 2017
Arthur Martineau	Exceeding Expectations	October 2017
Robert Montesinos	Significantly Exceeding Expectations	May 2018
James Nolan	Exceeding Expectations	October 2017
Michelle Nord	Exceeding Expectations	December 2017
Philip Patrone	Significantly Exceeding Expectations	March 2018
Ernesto Rodriguez	Significantly Exceeding Expectations	January 2018
Yarden Rosenthal	Exceeding Expectations	January 2018
Juan Sampedro	Exceeding Expectations	March 2018
Rouselind Smith	Exceeding Expectations	January 2018
Milton Sweet	Exceeding Expectations	March 2018
Sweet Milton	Exceeding Expectations	March 2018
Deborah Travis	Exceeding Expectations	March 2018
PROCUREMENT		
Monica Garcia	Exceeding Expectations	January 2018
PROPERTY MANAGEMENT		
Lily Alvarez	Significantly Exceeding Expectations	November 2017
PUBLIC WORKS		
George Ruiz	Exceeding Expectations	June 2018
Carlos Cuervo	Exceeding Expectations	June 2018
Jerry Elyzee	Exceeding Expectations	November 2017
Derrick Brailsford	Exceeding Expectations	April 2018
Christopher Karleskey	Exceeding Expectations	December 2017
Osmay Lara Herrera	Exceeding Expectations	November 2017
Jorge Maldonado	Exceeding Expectation	November 2017
TOURISM & CULTURAL DEVELOPMENT		
Gabriela Alfonsin	Exceeding Expectation	January 2018
Geraldine Toussaint	Significantly Exceeding Expectations	December 2017

5:48:45 p.m.

PA 12 PROCLAMATION TO BE PRESENTED TO THE MIAMI BEACH FIRE DEPARTMENT FOR THE "FILL THE BOOT" CAMPAIGN FOR THE MUSCULAR DYSTROPHY ASSOCIATION.

Mayor Dan Gelber

ACTION: Proclamation presented.

Commissioner Arriola introduced the item and read the Proclamation into the record:

WHEREAS The Fire Fighters of Miami Beach are the prime example of public service and sacrifice, displaying the nobility to protect the citizens of our community every day. The Fire Fighters of Miami Beach members are highly dedicated and trained individuals who demonstrate American ideals, the ultimate standard of character and courage in the face of danger and,

WHEREAS The Fire Fighters of Miami Beach members selflessly contribute their time and energy fighting for kids and adults with muscular dystrophy, ALS and related life-threatening diseases that severely limit muscle strength and mobility by Filling the Boot each year for the Muscular Dystrophy Association (MDA); and,

WHEREAS In 2017, the Fire Fighters of Miami Beach raised $10,265.00 for MDA through the annual Fill the Boot campaign; and, WHEREAS The Fire Fighters of Miami Beach endless service to MDA has given so much hope for families fighting life-threatening muscle diseases.

NOW THEREFORE, DO WE, as Mayor and Commissioners of the City of Miami Beach, hereby proclaim September 2018 as **FIREFIGHTERS OF MIAMI BEACH APPRECIATION MONTH** in the City of Miami Beach.

Ms. Washington, Fund Raiser Coordinator for Muscular Dystrophy Association, thanked the Miami Beach Firefighters for all they do.

Notices

1. CITY COMMISSION AT-LARGE NOMINATIONS - RELEASE(S).
2. MIAMI BEACH REDEVELOPMENT AGENCY (RDA) MEMBERS.
3. HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.
4. USE OF AUDIO VISUAL EQUIPMENT IN THE COMMISSION CHAMBERS FOR PRESENTATIONS DURING PUBLIC MEETINGS.
5. 2018 COMMISSION MEETING DATES.
6. ADVERTISEMENTS.
7. TIME CERTAIN.

Meeting adjourned at 10:24:08 p.m.