

MIAMI BEACH

Commission Meeting (Presentations & Awards)

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
March 22, 2017 - 4:00 PM

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

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

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the 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.

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

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

AGENDA KEY

Presentations and Awards:

PA - Presentations and Awards

Consent Agenda:

C2 - Competitive Bid Reports

C4 - Commission Committee Assignments

C6 - Commission Committee Reports

C7 - Resolutions

Regular Agenda:

R2 - Competitive Bid Reports

R5 - Ordinances

R7 - Resolutions

R9 - New Businesses & Commission Requests

R10 - City Attorney Reports

Reports and Informational Items

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. REQUEST FOR ADDITIONS, WITHDRAWALS, AND DEFERRALS

Presentations and Awards

- PA 1 RECOGNITION OF ALBERTO M. CARVALHO, MIAMI-DADE SUPERINTENDENT OF SCHOOLS, FOR HIS EFFORT AND DECISION ON TRANSGENDER BATHROOM(S).
Vice-Mayor Kristen Rosen Gonzalez
- PA 2 PROCLAMATION DECLARING APRIL 2017 AS AUTISM AWARENESS MONTH.
Commissioner Michael Grieco
- PA 3 CERTIFICATE OF RECOGNITION TO BE AWARDED TO DANIEL FINGERHUT FOR HIS DEDICATION AND CONTRIBUTIONS TO MIAMI BEACH.
Commissioner John Elizabeth Aleman
- PA 4 PROCLAMATION TO BE AWARDED TO THE PALACE FOR THEIR LEGACY AND CONTRIBUTIONS TO THE LGBTQ COMMUNITY IN MIAMI BEACH.
Commissioner John Elizabeth Aleman
- PA 5 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO DARA SCHOENWALD, FOR HER ACT OF KINDNESS IN RAISING MONEY FROM 26 FRIENDS TO SUPPORT A VALENTINE'S DAY GIFT BAG FOR EACH OF THE 130 WOMEN IN RESIDENCE AT LOTUS HOUSE.
Commissioner Micky Steinberg
- PA 6 PROCLAMATION TO BE PRESENTED TO PAUL TOLIUSZIS, MIAMI BEACH YOGA GURU, FOR HIS DEDICATION AND CONTRIBUTION IN OUR COMMUNITY.
Vice-Mayor Kristen Rosen Gonzalez
- PA 7 EMPLOYEE PERFORMANCE RECOGNITION.
Office of the City Manager
- PA 8 PROCLAMATION RECOGNIZING APRIL 2017 AS FAIR HOUSING MONTH.
Mayor Philip Levine
- PA 9 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO ROBERT ASHENOFF, OF BEACH TOWING, FOR SPONSORSHIP OF OUR CITY'S YOUTH.
Vice-Mayor Kristen Rosen Gonzalez
- PA 10 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO THE EDWARDS FAMILY FOR BEING RECOGNIZED AS A MIAMI-DADE COUNTY PUBLIC SCHOOLS 2016-2017 SCHOOL FAMILY OF THE YEAR.
Commissioner Micky Steinberg
- PA 11 PROCLAMATION TO BE PRESENTED TO MICHAEL S. GOLDBERG, MIAMI BEACH CHAMBER OF COMMERCE CHAIR 2013-2016.
Commissioner Joy Malakoff

PA 12 PROCLAMATION TO BE PRESENTED TO LEIGH EMERSON-SMITH, FOR HER 33 YEARS OF DEDICATION AND PASSION AS AN OCEAN RESCUE EMPLOYEE AND SUPER CITIZEN.

Mayor Philip Levine

PA 13 CERTIFICATES OF COMPLETION TO BE PRESENTED TO CITY OF MIAMI BEACH NEIGHBORHOOD LEADERSHIP ACADEMY GRADUATES FOR FALL 2016.

Office of the City Manager

CONSENT AGENDA

C2 - Competitive Bid Reports

C2 A REQUEST FOR APPROVAL TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) NO. 2017-129-KB FOR ENGINEERING SERVICES FOR WATER & WASTEWATER SYSTEMS PROJECTS.

Procurement/Public Works

C4 - Commission Committee Assignments

C4 A REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO CONSIDER THE MOTION FROM THE PARKS & RECREATIONAL FACILITIES ADVISORY BOARD REGARDING THE INCLUSION OF A ROOFTOP SEATING AREA IN THE SCOPE OF THE NORTH SHORE PARK PROSHOP/OFFICE AREA EXPANSION PROJECT.

Commissioner John Elizabeth Aleman

C4 B REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AN ARRANGEMENT WITH SABRINA COHEN FOUNDATION FOR THE CONSTRUCTION AND OPERATION OF AN ADAPTIVE FITNESS CENTER AT A PORTION OF THE 53RD STREET PARKING LOT WITH DIRECTION TO STAFF TO DO OUTREACH TO THE BUILDINGS IMMEDIATELY ADJACENT.

Commissioner Joy Malakoff

C4 C REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE OF A TEMPORARY ART INSTALLATION, "ART IN MOTION" COMMUNITY PROJECT, TO PROMOTE THE ARTWORK OF MIAMI BEACH SENIOR HIGH SCHOOL STUDENTS.

Commissioner Joy Malakoff

C4 D REFERRAL TO THE SUSTAINABILITY AND RESILIENCY COMMITTEE TO MAKE WATERLESS URINALS THE STANDARD IN MIAMI BEACH BUILDINGS - BOTH IN CITY OF MIAMI BEACH PROJECTS AND ALL NEW CONSTRUCTION.

Vice-Mayor Kristen Rosen Gonzalez

Addendum added on 3/20/2017

C7 - Resolutions

C7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING A DONATION IN THE AMOUNT OF \$10,000.00 FROM THE MIAMI BEACH EDUCATION FOUNDATION, INC., FROM PROCEEDS OF THE 2017 MIAMI BEACH CHAMBER OF COMMERCE'S ANNUAL GOLF CLASSIC, TO BE UTILIZED BY THE CITY OF MIAMI BEACH'S INTERNATIONAL BACCALAUREATE (IB) EDUCATIONAL PROGRAM, AND APPROPRIATING THE \$10,000.00 DONATION TO THE CITY'S IB PROGRAM.

Organization Development Performance
Initiatives

C7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING SENATE BILL 1000 (SB 1000) AND HOUSE BILL 1105 (HB 1105), WHICH AMEND FLORIDA'S FIRESAFETY STANDARDS TO PRESERVE ARCHITECTURALLY SIGNIFICANT BUILDING FEATURES.

Office of the City Attorney
Commissioner John Elizabeth Aleman

C7 C A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING FLORIDA SENATE BILL 964 (SB 964) AND HOUSE BILL 1249 (HB 1249) CONCERNING EDUCATION ACCOUNTABILITY BY AMENDING PROVISIONS IN THE FLORIDA STATUTES TO ELIMINATE CERTAIN END-OF-COURSE EXAMS AND PROVIDING OTHER EDUCATION REFORMS RELATED TO CHARTER SCHOOLS, PROMOTION AND GRADUATION REQUIREMENTS, STANDARD HIGH SCHOOL DIPLOMA DESIGNATIONS, THE STATEWIDE STANDARDIZED ASSESSMENT PROGRAM, REPORTS RELATING TO STUDENT PROGRESSION AND SCHOOL IMPROVEMENT, THE SCHOOL GRADING SYSTEM, AND PERSONNEL EVALUATIONS.

Office of the City Attorney
Commissioner John Elizabeth Aleman

C7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING FLORIDA SENATE BILL 1682 (SB 1682) AND HOUSE BILL 1237 (HB 1237) AMENDING FLORIDA'S CONDOMINIUM ACT BY PROVIDING REFORMS TO PROTECT CONDOMINIUM OWNERS AND RESIDENTS.

Office of the City Attorney
Commissioner John Elizabeth Aleman

C7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SUPPORTING EFFORTS TO SEEK A COMMITMENT FROM FLORIDA POWER & LIGHT TO DISCONTINUE THE USE OF THE COOLING CANAL SYSTEM AT THE TURKEY POINT NUCLEAR POWER PLANT AS SOON AS POSSIBLE.

Office of the City Attorney
Commissioner Michael Grieco

C7 F A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REQUESTING MIAMI-DADE COUNTY AND THE UNITED STATES COAST GUARD TO TAKE IMMEDIATE STEPS, IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE, TO PREVENT FUTURE MALFUNCTIONS OF THE EAST BASCULE BRIDGE ON THE VENETIAN CAUSEWAY OR, IN THE ALTERNATIVE, TO PERMANENTLY CLOSE THE BRIDGE.

Office of the City Attorney
Commissioner Micky Steinberg

C7 G A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2016-29375 TO AUTHORIZE THE MAYOR AND CITY COMMISSION, UPON WRITTEN RECOMMENDATION OF THE CITY MANAGER, TO WAIVE, BY 5/7TH VOTE, THE CITY'S MORATORIUM ON THE PURCHASE BY THE CITY OF GOODS OR SERVICES SOURCED IN NORTH CAROLINA AND MISSISSIPPI, WHENEVER ANY SUCH WAIVER MAY BE REQUIRED FOR FEDERAL, STATE, OR MIAMI-DADE COUNTY FUNDING ELIGIBILITY PURPOSES; AND ACCORDINGLY, WAIVING, BY 5/7TH VOTE, THE REQUIREMENTS OF RESOLUTION NO. 2016-29375 WITH RESPECT TO ANY PROJECTS FUNDED BY OR THROUGH THE FLORIDA DEPARTMENT OF TRANSPORTATION.

Procurement
Commissioner John Elizabeth Aleman

REGULAR AGENDA

R5 - Ordinances

R5 A ART DECO / MIMO COMMERCIAL CHARACTER AND FORMULA COMMERCIAL OVERLAY DISTRICT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," TO PROVIDE FOR DEFINITIONS FOR "CHECK CASHING STORE," "CONVENIENCE STORE," "FORMULA RESTAURANT," "FORMULA COMMERCIAL ESTABLISHMENTS," "MARIJUANA DISPENSARY," "CANNABIS DISPENSARY," "OCCULT SCIENCE ESTABLISHMENT," "PHARMACY," "SOUVENIR AND T-SHIRT SHOP," "TATTOO STUDIO," "MASSAGE THERAPY CENTER," AND RELATED DEFINITIONS; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE III, ENTITLED "OVERLAY DISTRICTS," TO ESTABLISH DIVISION 12, ENTITLED "ART DECO / MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT," TO PROVIDE ADDITIONAL REGULATIONS FOR THE AFOREMENTIONED USES, INCLUDING DISTANCE SEPARATION REQUIREMENTS, LIMITATIONS ON NUMBER OF ESTABLISHMENTS, AND PROHIBITIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

5:01 p.m. First Reading Public Hearing

Planning

Continued from March 1, 2017 - R5 M

Commissioner Ricky Arriola

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE," TO PROHIBIT PACKAGE LIQUOR SALES BEFORE 8:00 A.M. EACH DAY AT RETAIL STORES (INCLUDING PACKAGE, GROCERY, CONVENIENCE, AND ANY OTHER RETAIL STORES, AS WELL AS GASOLINE STATIONS/SERVICE STATIONS) AND ALCOHOLIC BEVERAGE ESTABLISHMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

Office of the City Attorney

Continued from March 1, 2017 - R5 W

Commissioner Joy Malakoff and Co-sponsored
by Commissioner Ricky Arriola

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH RELATING TO THE PROCEDURES TO PROVIDE A VENDOR PREFERENCE IN THE AWARD OF CONTRACTS FOR GOODS AND CONTRACTUAL SERVICES, TO SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS OR STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES, BY AMENDING CHAPTER 2, ENTITLED, "ADMINISTRATION," BY AMENDING ARTICLE VI, ENTITLED, "PROCUREMENT," BY AMENDING DIVISION 3, ENTITLED, "CONTRACT PROCEDURES," BY AMENDING SECTION 2-374, ENTITLED, "PROCEDURE TO PROVIDE PREFERENCE TO VETERANS IN CONTRACTS FOR GOODS AND CONTRACTUAL SERVICES," BY CREATING A SUBSECTION 4 THEREOF, TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO WAIVE THE REQUIREMENTS OF SECTION 2-374 IF THE CITY MANAGER FINDS SUCH A WAIVER TO BE REQUIRED FOR FEDERAL, STATE OR MIAMI-DADE COUNTY FUNDING ELIGIBILITY PURPOSES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

First Reading

Procurement

Commissioner John Elizabeth Aleman

R7 - Resolutions

R7 A 1. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO AWARD AN AGREEMENT, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2016-090-KB, FOR DESIGN/BUILD SERVICES FOR WEST AVENUE IMPROVEMENTS PHASE II SOUTH OF 14 STREET (PHASE II), TO RIC-MAN CONSTRUCTION FLORIDA, INC., WITH THE GUARANTEED MAXIMUM PRICE (GMP) IN THE AMOUNT OF \$13,113,590.00; AUTHORIZING A TEN PERCENT (10%) OWNER'S CONTINGENCY FOR THE PROJECT IN THE AMOUNT OF \$1,311,359.00; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DESIGN BUILD AGREEMENT WITH RIC-MAN CONSTRUCTION FLORIDA, INC.

2. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO AWARD AN AGREEMENT, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2016-091-KB, FOR DESIGN/BUILD SERVICES FOR WEST AVENUE IMPROVEMENTS PHASE II NORTH OF 14 STREET (PHASE II), TO RIC-MAN CONSTRUCTION FLORIDA, INC., WITH THE GUARANTEED MAXIMUM PRICE (GMP) IN THE AMOUNT OF \$30,243,063.00; AUTHORIZING A TEN PERCENT (10%) OWNER'S CONTINGENCY FOR THE PROJECT IN THE AMOUNT OF \$3,024,306.30; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DESIGN BUILD AGREEMENT WITH RIC-MAN CONSTRUCTION FLORIDA, INC.

Public Works/Procurement

Supplemental updated on 3/20/2017

R9 - New Business and Commission Requests

R9 A DISCUSSION AND UPDATE REGARDING THE PLANNED PUBLIC WORKS AND CAPITAL IMPROVEMENT PROJECTS IN THE CITY OVER THE NEXT FIVE YEARS INCLUDING COUNTY AND STATE PROJECTS.

Commissioner Micky Steinberg

Deferred from March 1, 2017 - R9 T

R9 B DISCUSSION ITEM TO RECEIVE AN UPDATE FROM THE COUNTY REGARDING MOSQUITO CONTROL EFFORTS AND STRATEGIES.

Commissioner John Elizabeth Aleman

Deferred from March 1, 2017 - R9 E

R9 C DISCUSSION REGARDING THE CITY'S POLICY ON FIRST RESPONDERS CONTRACTING DISEASE ON DUTY, AND THE PASSAGE OF A RESOLUTION SUPPORTING STATE EFFORTS TO PROTECT POLICE OFFICERS AND FIREFIGHTERS IN THIS REGARD.

Commissioner Michael Grieco

Continued from March 1, 2017 - R9 O

R9 D UPDATE ON BUS SHELTER DESIGN NEGOTIATIONS PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 2016-116-KB FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR NEW BUS SHELTERS.

Transportation

R9 E DISCUSSION REGARDING EXPENSES ASSOCIATED WITH THE HOLOCAUST MEMORIAL'S YOM HASHOAH (HOLOCAUST REMEMBRANCE DAY), TAKING PLACE SUNDAY APRIL 23, 2017, AT 5:00 PM AT THE HOLOCAUST MEMORIAL AND ON MERIDIAN AVENUE FROM 18 STREET TO DADE BOULEVARD.

Tourism, Culture and Economic Development

R9 F A DISCUSSION REGARDING POSSIBLE USE OF FLAMINGO PARK TENNIS COURTS DURING THE INTERNATIONAL TENNIS FEDERATION TOURNAMENTS

Notices

1. USE OF AUDIO VISUAL EQUIPMENT IN THE COMMISSION CHAMBERS FOR PRESENTATIONS DURING PUBLIC MEETINGS.
2. TIME CERTAIN.