

# MIAMI BEACH

## Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive; or <https://miamibeachfl.gov.zoom.us/j/81392857671>; or Dial: 1-301-715-8592 or 888-475-4499 (Toll Free) Webinar ID: 81392857671#  
December 14, 2022 - 8:30 AM

Mayor Dan Gelber  
Commissioner Ricky Arriola  
Commissioner Alex Fernandez  
Commissioner Steven Meiner  
Commissioner David Richardson  
Commissioner Kristen Rosen Gonzalez

City Manager Alina T. Hudak  
City Attorney Rafael A. Paz  
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 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

#### 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

PA - Presentations and Awards

## **AGENDA**

1. CALL TO ORDER
2. INSPIRATIONAL MESSAGE
3. PLEDGE OF ALLEGIANCE
4. REQUEST FOR ADDITIONS, WITHDRAWALS, AND DEFERRALS
5. RECESS FOR LUNCH AT APPROXIMATELY 12:00 P.M.

## **CONSENT AGENDA**

### **C2 - Competitive Bid Reports**

- C2 A 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. 2022-040-KB FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF INTERACTIVE DIGITAL MEDIA KIOSKS, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH IKE SMART CITY, LLC, THE TOP-RANKED PROPOSER, AND, IF UNSUCCESSFUL, NEGOTIATE WITH SMART CITY MEDIA, THE SECOND-RANKED BIDDER; FURTHER, REQUIRING THAT THE FINAL AGREEMENT BE SUBJECT TO CITY COMMISSION APPROVAL.

Marketing and  
Communications/Transportation/Facilities and  
Fleet/Public Works/Procurement

Supplemental updated on 12/8/2022  
(Memorandum and Attachments)

- C2 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER AND AUTHORIZING THE ADMINISTRATION TO ISSUE A COMPETITIVE SOLICITATION FOR A REPLACEMENT CONTRACT FOR MOBILE PARKING PAYMENT SOLUTIONS.

Parking/Procurement

Co-sponsored by Commissioner Alex  
Fernandez

- C2 C REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) 2022-310-AY FOR BAYSHORE PARK, CONTINGENT UPON CITY'S CONFIRMATION OF GRANT FUNDING IN THE AMOUNT OF \$3,029,472 FOR THE PROJECT.

Capital Improvement Projects/Procurement

Commissioner Alex Fernandez

- C2 D REQUEST FOR APPROVAL TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) 2023-121-ND FOR ARCHITECTURAL DESIGN SERVICES FOR THE 72ND STREET COMMUNITY COMPLEX.

Capital Improvement Projects/Procurement

- C2 E REQUEST FOR APPROVAL TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) NO. 2023-016-WG BEACHWALK PROTECTIVE BOLLARDS CONSULTING SERVICES

Facilities and Fleet Management/Procurement

- C2 F REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO

C2 G REQUEST FOR APPROVAL TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) NO. 2023-010-WG PERSONNEL TESTING AND RELATED SERVICES FOR POLICE AND FIRE POSITIONS.

Human Resources/Procurement

C2 H REQUEST FOR APPROVAL TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) NO. 2023-006-WG, COST ALLOCATION CONSULTANT.

Office of Management and Budget/Procurement

C2 I REQUEST FOR APPROVAL TO AWARD A CONTRACT PURSUANT TO INVITATION TO BID (ITB) 2022-441-DF FOR INDIAN CREEK DRIVE LANDSCAPE AND HARDSCAPE IMPROVEMENTS.

Public Works/Procurement

C2 J REQUEST FOR APPROVAL OF ROUTINE RENEWALS, TASK ORDERS, CHANGE ORDERS OR CONTRACT AMENDMENTS FOR CITY-AWARDED CONTRACTS.

Procurement

**C4 - Committee Assignments**

C4 A REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE NORTH BEACH CRA COMMERCIAL FACADE IMPROVEMENT PROGRAM AND RESIDENTIAL PROPERTY IMPROVEMENT PROGRAM.

Economic Development

C4 B REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS A PROPOSED AMENDMENT TO THE LEASE AGREEMENT DATED DECEMBER 28, 2015 BY AND BETWEEN THE MIAMI BEACH REDEVELOPMENT AGENCY, A PUBLIC BODY CORPORATE POLITIC (RDA), (LANDLORD) AND CUBICHE 105, LLC (TENANT), FOR THE USE OF SUITES NOS. 1-3 OF THE ANCHOR SHOPS, LOCATED AT 1555 WASHINGTON AVENUE, MIAMI BEACH, FLORIDA; SAID AMENDMENT MODIFYING THE FINANCIAL TERMS OF THE LEASE.

Facilities and Fleet Management

C4 C REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND THE MIAMI-DADE COUNTY HOMELESS TRUST IN THE AMOUNT OF \$1,000,000.

Housing and Community Services

Co-sponsored by Commissioner Alex Fernandez

C4 D REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND JOSEPH M. CENTORINO AS THE CITY'S INSPECTOR GENERAL, IN ANTICIPATION OF THE EXPIRATION OF MR. CENTORINO'S TERM ON OCTOBER 31, 2023.

Commissioner David Richardson

C4 E REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS HIRING AN INDEPENDENT LAW FIRM TO INVESTIGATE THE

ALLEGATIONS OF EMPLOYEE HARASSMENT AND INTIMIDATION BY THE OFFICE OF INSPECTOR GENERAL.

Commissioner Ricky Arriola

C4 F REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE USE OF TECHNOLOGICAL CAPABILITIES TO COMPLIMENT AND ENHANCE THE OPERATIONS OF THE PARKING DEPARTMENT, INCLUDING THE ISSUANCE OF CITATIONS AND PREVENTING THE ABUSE OF DISABLED PARKING PERMITS.

Commissioner David Richardson

C4 G REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS CREATION OF A CITY OMBUDSMAN OR "PERMIT ADVOCATE" TEAM TO POTENTIALLY RESIDE WITHIN THE OFFICE OF THE CITY MANAGER, AND ASSIST BUSINESSES AND RESIDENTS WITH PERMITTING ISSUES AND IMPROVE COORDINATION BETWEEN REGULATORY DEPARTMENTS, INCLUDING THE BUILDING, FIRE, ENVIRONMENTAL AND SUSTAINABILITY, PLANNING AND PUBLIC WORKS DEPARTMENTS, WITH THE GOAL OF IMPROVING THE CUSTOMER SERVICE EXPERIENCE WITH RESPECT TO PERMITTING MATTERS.

Commissioner David Richardson

Co-sponsored by Vice-Mayor Steven Meiner

C4 H REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS A \$10,000 GRANT FOR MIAMI BEACH FIENBERG FISHER K-8 AFTER-SCHOOL ENRICHMENT.

Commissioner Kristen Rosen Gonzalez

C4 I REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS ANCHOR LIMITATION AREAS BEYOND THE AREA OF THE PROPOSED MOORING FIELD.

Commissioner Ricky Arriola

C4 J REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE AND THE DISABILITY ACCESS COMMITTEE TO CONSIDER ADOPTION OF AN OPTIONAL CITY REGISTRATION REQUIREMENT FOR PERSONS WITH DISABLED PARKING PERMITS, PLACARDS OR LICENSE PLATES IN ORDER TO PROVIDE SUCH REGISTERED PERSONS WITH EXTENDED FREE PARKING AT ON-STREET PARKING METERS, BEYOND THE MAXIMUM FREE PARKING PERIOD SET FORTH IN STATE LAW - TO HELP CURB THE ABUSE AND MISUSE OF DISABLED PARKING PERMITS.

Commissioner Alex Fernandez

C4 K REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS THE CITY'S MAINTENANCE OF TRAFFIC PLAN DURING ART BASEL 2022, AND RECOMMENDATIONS FOR HOW TO IMPROVE THE GRIDLOCK DURING ART BASEL, SUCH AS EXPANSION OF THE ART BASEL ZONE TO LIMIT COMPETING EVENTS, A LIMITATION ON THE TOTAL NUMBER OF SPECIAL EVENTS THAT COULD TAKE PLACE WITHIN THE CITY, MINIMUM DISTANCE SEPARATION BETWEEN EVENTS, AND COORDINATION WITH OTHER JURISDICTIONS AND THEIR RESPECTIVE EVENTS.

Commissioner Alex Fernandez

C4 L REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS THE CITY'S CONTINUED EFFORTS TO IMPROVE AND MITIGATE TRAFFIC CONGESTION DURING ART WEEK, AND ANY ADDITIONAL

STEPS WHICH COULD BE TAKEN TO IMPROVE THE ART WEEK EXPERIENCE AND ENSURE THE CONTINUED SUCCESS OF THE EVENT.

Vice-Mayor Steven Meiner

C4 M REFERRAL TO PUBLIC SAFETY NEIGHBORHOOD AND QUALITY OF LIFE COMMITTEE TO PLACE A CHRISTMAS TREE AND MENORAH IN THE MIDDLE OF FLAMINGO PARK FOR THE HOLIDAYS IN 2023.

Commissioner Kristen Rosen Gonzalez

Co-sponsored by Commissioner Alex Fernandez

C4 N REFERRAL TO THE PUBLIC SAFETY NEIGHBORHOOD AND QUALITY OF LIFE COMMITTEE FOR A TREE PLANTING FOR TERMINALLY ILL CHILD WHO RESIDES IN BELLE ISLE.

Commissioner Kristen Rosen Gonzalez

C4 O REFERRAL TO PUBLIC SAFETY NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS ADDING SHADE TREES AND RE-PAVING PARKING LOT P-63.

Commissioner Kristen Rosen Gonzalez

C4 P REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS RESIDENTS' CONCERNS RELATING TO THE NEW FLORIDA POWER AND LIGHT (FPL) ELECTRIC SUBSTATION AT 1031 FOURTH STREET.

Vice-Mayor Steven Meiner

C4 Q REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS OPTIONS IN ORDER TO ADDRESS THE POLICE DEPARTMENT'S CONCERNS REGARDING THE CASE DISPOSITION DATA PROVIDED BY THE MIAMI-DADE COUNTY CLERK OF THE COURTS.

Vice-Mayor Steven Meiner

C4 R REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS MBPD OFFICERS BEING DELAYED WHILE TRANSPORTING PRISONERS TO THE TURNER GUILFORD KNIGHT CORRECTIONAL CENTER.

Vice-Mayor Steven Meiner

C4 S REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS THE VIABILITY, AND UTILITY, OF ENACTING ADDITIONAL SENTENCING ALTERNATIVES, FOR USE BY THE CITY'S MUNICIPAL PROSECUTION TEAM, AS TO CRIMINAL MUNICIPAL ORDINANCE VIOLATION OFFENDERS.

Vice-Mayor Steven Meiner

C4 T REFERRAL TO THE PUBLIC SAFETY NEIGHBORHOOD AND QUALITY OF LIFE COMMITTEE TO DISCUSS THE EDUCATIONAL REQUIREMENTS TO BECOME A MIAMI BEACH POLICE OFFICER.

Commissioner Kristen Rosen Gonzalez

C4 U REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS ONGOING CONCERNS WITH THE 63RD STREET BRIDGE SCHEDULE, AND POTENTIAL MODIFICATIONS IN ORDER TO ADDRESS AND REMEDIATE ITS TRAFFIC IMPACT UPON MAJOR THOROUGHFARES IN THE VICINITY.

Vice-Mayor Steven Meiner

C4 V REFERRAL TO THE PLANNING BOARD - SUNSET HARBOR PERIMETER RESTAURANTS AMENDMENT.

Planning  
Commissioner Ricky Arriola

C4 W REFERRAL TO THE PLANNING BOARD - IMPLEMENTING ORDINANCE FOR BALLOT QUESTION APPROVED BY THE CITY'S VOTERS ON NOVEMBER 8, 2022, TO INCREASE FAR FROM 1.0 TO 2.0 IN THE 1ST STREET OVERLAY, LOCATED ON THE EAST SIDE OF WASHINGTON AVENUE BETWEEN 1ST AND 2ND STREETS, WITH FAR INCENTIVE FROM 2.0 TO 2.7 FOR REDEVELOPMENTS THAT INCLUDE RESIDENTIAL OR OFFICE USES, AND THAT PROHIBIT HOTELS AND SHORT-TERM RENTALS.

Commissioner Alex Fernandez

C4 X REFERRAL TO THE CHARTER REVIEW TASK FORCE TO CONSIDER WHETHER THE CITY CHARTER SHOULD BE AMENDED TO INCLUDE A "NON-INTERFERENCE" CLAUSE THAT WOULD PROHIBIT INDIVIDUAL ELECTED OFFICIALS FROM GIVING ORDERS TO ADMINISTRATIVE STAFF, AS RECOMMENDED BY THE OFFICE OF INSPECTOR GENERAL IN ITS NOVEMBER 15, 2022 REPORT RELATING TO THE INDIAN CREEK STORMWATER DRAINAGE PROJECT (OIG NO. 21-15).

Commissioner Alex Fernandez

C4 Y REFERRAL TO THE PLANNING BOARD - IMPLEMENTING ORDINANCE FOR BALLOT QUESTION APPROVED BY THE CITY'S VOTERS ON NOVEMBER 8, 2022, TO INCREASE FAR FROM 2.0 TO 2.75 IN THE RPS4 DISTRICT IN THE SOUTH OF FIFTH NEIGHBORHOOD AS AN INCENTIVE FOR THE CONVERSION OF EXISTING HOTEL PROPERTIES INTO RESIDENTIAL USE, IF THE PROPERTY OWNER RECORDS A COVENANT PROHIBITING SHORT-TERM RENTALS ON THE PROPERTY.

Commissioner Alex Fernandez

Addendum added on 12/8/2022

### **C6 - Commission Committee Reports**

C6 A REPORT OF THE NOVEMBER 18, 2022 LAND USE AND SUSTAINABILITY COMMITTEE MEETING.

Planning

### **C7 - Resolutions**

C7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, SETTING A PUBLIC HEARING PURSUANT TO SECTION 142-425(D) OF THE CITY CODE TO CONSIDER WHETHER TO GRANT A WAIVER OF CERTAIN REQUIREMENTS IN SECTION 142-870.15(E) OF THE CITY OF MIAMI BEACH LAND DEVELOPMENT REGULATIONS (LDR), PERTAINING TO SETBACK REQUIREMENTS FOR THE FUTURE LOCATION OF THE NORTH BEACH ENTRANCE SIGN AT THE INTERSECTION OF HARDING AVENUE AND 87TH STREET.

Capital Improvement Projects

C7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH APPROVING THE CITY'S 2023 STATE LEGISLATIVE PACKAGE, AS SET FORTH IN THE ATTACHED EXHIBIT.

Office of the City Manager

C7 C A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO AWARD GRANTS AND EXECUTE GRANT AGREEMENTS FOR THE PRIVATE PROPERTY ADAPTATION (PPA) PROGRAM.

Environment and Sustainability

C7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO A PUBLIC HEARING, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE OF THE CITY, AND APPROVING, IN SUBSTANTIAL FORM, (1) A LEASE AGREEMENT BETWEEN THE CITY (LANDLORD) AND TASTE BAKERY CAFÉ, LLC (TENANT) FOR USE OF APPROXIMATELY 734 SQUARE FEET OF GROUND FLOOR RETAIL SPACE LOCATED IN UNIT 4 OF 1701 MERIDIAN BUILDING CONDOMINIUM A/K/A 773 17TH STREET (DEMISED PREMISES), FOR AN INITIAL TERM OF FIVE (5) YEARS, WITH ONE (1) ADDITIONAL RENEWAL TERM OF FOUR (4) YEARS AND THREE HUNDRED SIXTY-FOUR (364) DAYS, AT THE CITY'S OPTION, FOR THE OPERATION OF AN EMPLOYEE CAFÉ THAT ALSO SERVES THE GENERAL PUBLIC; AND 2) A CONCESSION AGREEMENT BETWEEN THE CITY AND TASTE BAKERY CAFÉ, LLC (CONCESSIONAIRE), FOR USE OF AN OUTDOOR SEATING AREA, HAVING APPROXIMATELY 507 SQUARE FEET, LOCATED ADJACENT TO THE DEMISED PREMISES, AS AN ANCILLARY USE FOR THE DEMISED PREMISES DURING THE TERM OF THE LEASE; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE AGREEMENTS.

Facilities and Fleet Management

C7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING (AND, AS TO CERTAIN AGREEMENTS, RETROACTIVELY APPROVING AND AUTHORIZING) THE CITY MANAGER, OR HER DESIGNEE, TO APPLY FOR, AND ACCEPT FUNDING, EXECUTE ANY AND ALL DOCUMENTS OR AGREEMENTS, AND APPROPRIATE FUNDING RECEIVED BY THE CITY OF MIAMI BEACH IN CONNECTION WITH THE FOLLOWING GRANTS, PROGRAMS, AND AGREEMENTS: 1) U.S. DEPARTMENT OF HOMELAND SECURITY, THROUGH FLORIDA DIVISION OF EMERGENCY MANAGEMENT, FLOOD MITIGATION ASSISTANCE PROGRAM, IN THE APPROXIMATE AMOUNT OF \$840,000; 2) U.S. DEPARTMENT OF HOMELAND SECURITY, THROUGH FLORIDA DIVISION OF EMERGENCY MANAGEMENT, FISCAL YEAR 2022 BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES PROGRAM; IN THE APPROXIMATE AMOUNT OF \$46.1 MILLION; 3) SEA TURTLE CONSERVANCY, SEA TURTLE GRANTS PROGRAM, IN THE APPROXIMATE AMOUNT OF \$25,600; AND 4) U.S. DEPARTMENT OF TRANSPORTATION, STRENGTHENING MOBILITY; REVOLUTIONIZING TRANSPORTATION GRANTS PROGRAM, IN THE APPROXIMATE AMOUNT OF \$764,000; AND 5) U.S. DEPARTMENT OF HOMELAND SECURITY, THROUGH FLORIDA DIVISION OF EMERGENCY MANAGEMENT, HAZARD MITIGATION GRANT PROGRAM, IN THE APPROXIMATE AMOUNT OF \$1,520,000; AND 6) FLORIDA DEPARTMENT OF TRANSPORTATION, COUNTY INCENTIVE GRANT PROGRAM, IN THE APPROXIMATE AMOUNT OF \$1,650,000.

Finance

C7 F A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND THE SUNDARI FOUNDATION, INC. (LOTUS HOUSE) FOR EMERGENCY SHELTER BED SERVICES; SAID AMENDMENT APPROVING A RENEWAL TERM FOR A PERIOD OF NINE (9) MONTHS, FROM JANUARY 1, 2023 TO SEPTEMBER 30, 2023, AND INCREASING THE TOTAL AMOUNT OF DAILY SHELTER BEDS FROM FOUR (4) TO SIX (6), THEREBY INCREASING THE CONTRACT AMOUNT FROM \$49,410.00 TO AN

AMOUNT NOT TO EXCEED \$119,025.00; AND FURTHER AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE THE AMENDMENT.

Housing and Community Services

C7 G A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SUBMISSION OF THE ANNUAL INCENTIVES REVIEW AND RECOMMENDATIONS REPORT TO THE FLORIDA HOUSING FINANCE CORPORATION.

Housing and Community Services

C7 H A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE MADE AT ITS OCTOBER 19, 2022 MEETING, AND APPROVING THE EXPANSION OF THE SENIOR SOCCER CHAMPIONSHIP PROGRAM (THE "PROGRAM") TO NORTH BEACH, PROVIDED THAT NO POLITICAL ACTIVITY WILL TAKE PLACE DURING THE PROGRAM, AND DIRECTING THE CITY ADMINISTRATION TO PROMOTE THE PROGRAM TO THE SENIOR POPULATION ACROSS ALL CITY OF MIAMI BEACH PLATFORMS.

Parks and Recreation

Commissioner Alex Fernandez

C7 I A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE LAND USE AND SUSTAINABILITY COMMITTEE, AND APPROVING AND ENDORSING CERTAIN ENHANCEMENTS TO THE PROCUREMENT AND DESIGN PROCESS FOR THE CONSTRUCTION OF NEW CITY FACILITIES, IN RECOGNITION OF THE CITY'S COMMITMENT TO EXCELLENCE IN URBAN DESIGN AND HISTORIC PRESERVATION, AS SET FORTH IN THIS RESOLUTION.

Planning

Commissioner Alex Fernandez

C7 J A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE ASSIGNMENT, FROM TAMPA ELECTRIC COMPANY (ASSIGNOR) TO PEOPLES GAS SYSTEM, INC. (ASSIGNEE), AN INDIRECT, WHOLLY OWNED SUBSIDIARY OF TECO ENERGY, INC (THE PARENT COMPANY OF TAMPA ELECTRIC), OF THE NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT FOR THE USE OF THE CITY'S PUBLIC RIGHTS-OF-WAY; SAID AGREEMENT EVIDENCED BY ASSIGNOR'S ACCEPTANCE OF THE TERMS AND CONDITIONS OF THE AGREEMENT, AS SET FORTH IN ORDINANCE NO. 2016-3989; PROVIDED THAT THE APPROVAL SHALL BE CONTINGENT UPON ASSIGNEE EXECUTING AN ACCEPTANCE OF THE AGREEMENT IN THE FORM APPROVED BY THE CITY ATTORNEY; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENT OR AGREEMENT RELATED TO THE ASSIGNMENT.

Public Works

C7 K A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE, REGARDING THE GOODWOOD INTERNATIONAL FESTIVAL OF SPEED IN MIAMI BEACH DURING MARCH 2024.

Tourism and Culture

Commissioner Alex Fernandez

C7 L A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC



RESILIENCY COMMITTEE, REGARDING THE MIAMI BEACH INTERNATIONAL PIANO FESTIVAL WINTER ACADEMY FEE WAIVER FOR THE MIAMI BEACH BOTANICAL GARDENS.

Tourism and Culture  
Commissioner Kristen Rosen Gonzalez

- C7 M A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) IN CONNECTION WITH THE CITY'S INSTALLATION OF SPECIAL TWO-WAY CYCLE TRACK PAVEMENT MARKINGS ALONG THE FDOT RIGHT-OF-WAY OF COLLINS AVENUE (SR-A1A) AT 22 STREET; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT.

Transportation and Mobility

- C7 N A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE "AD HOC NIGHTLIFE INDUSTRY TASKFORCE ADVISORY COMMITTEE," FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY CITY COMMISSION) TO ADVISE THE ADMINISTRATION AND CITY COMMISSION ON NIGHTLIFE ISSUES, AND TO PROVIDE A FORUM TO ADDRESS QUALITY OF LIFE ISSUES AFFECTING OUR RESIDENTS AND NIGHTLIFE BUSINESS OWNERS; AND PRESCRIBING THE PURPOSE, COMPOSITION, POWERS, AND DUTIES OF THE COMMITTEE.

Office of the City Attorney  
Deferred 9/28/2022 - C7 D / Exp: 1/26/2023  
Commissioner Kristen Rosen Gonzalez

- C7 O A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DESIGNATING COMMISSIONER RICKY ARRIOLA AS THE CITY COMMISSION REPRESENTATIVE TO ASSIST WITH THE MEDIATION AND SETTLEMENT DISCUSSIONS RELATED TO CONGREGATION 3401 PRAIRIE BAIS YESHAYA D'KERESTIR, INC. AND RABBI ARIE WOHL V. CITY OF MIAMI BEACH, CASE NO. 22-CV-21213-CMA AND CONGREGATION 3401 PRAIRIE BAIS YESHAYA D'KERESTIR, INC. V. CITY OF MIAMI BEACH, ET AL., CASE NO. 22-16099 CA 25.

Office of the City Attorney  
Commissioner Ricky Arriola

- C7 P A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE YOUTH COMMISSION ADVISORY BOARD'S RECOMMENDATION AND DECLARING SUPPORT FOR THE "NO ONE EATS ALONE DAY" ON FEBRUARY 17, 2023, IN THE CITY OF MIAMI BEACH.

Mayor Dan Gelber

Supplemental updated on 12/8/2022  
(Resolution)

- C7 Q A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 212.0306 OF THE FLORIDA STATUTES TO ESTABLISH A TWO PERCENT (2%) TAX ON THE SALE AND SERVICE OF HOOKAHS AND SIMILAR VAPOR GENERATING DEVICES WHEN OFFERED TO ACCOMPANY FOOD AND BEVERAGES, WITH THE PROCEEDS OF THE TAX ALLOCATED TO ENHANCING PUBLIC SAFETY.

Office of the City Attorney  
Commissioner Alex Fernandez

- C7 R A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND THE FLORIDA RESIDENTIAL AND TENANT ACT TO ESTABLISH A REQUIRED NOTICE PERIOD OF SIXTY (60) DAYS, WITH WHICH ALL RESIDENTIAL LANDLORDS MUST COMPLY, PRIOR TO IMPOSING A RENTAL RATE INCREASE GREATER THAN FIVE PERCENT (5%).

Office of the City Attorney  
Commissioner Alex Fernandez

C7 S A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND SECTION 553.79, FLORIDA STATUTES (2022 HOUSE BILL 423), TO EXEMPT FROM THE REQUIREMENTS OF THE NEW LAW ALL SINGLE-FAMILY HOMES THAT HAVE BEEN DESIGNATED AS HISTORIC, REGARDLESS OF WHETHER THE OWNER CONSENTS TO THE DESIGNATION, AND URGING GOVERNOR RON DESANTIS TO SIGN SUCH LEGISLATION, IN ORDER TO PROMOTE THE PRESERVATION OF HISTORIC HOMES IN MIAMI BEACH.

Office of the City Attorney  
Commissioner Kristen Rosen Gonzalez

C7 T A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION EXPRESSLY AUTHORIZING COUNTIES AND MUNICIPALITIES TO UTILIZE NOISE CAMERA TECHNOLOGY IN ORDER TO ISSUE TRAFFIC CITATIONS FOR EXCESSIVE VEHICULAR MUFFLER AND EXHAUST NOISE; AND FURTHER, DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE FLORIDA SENATE.

Office of the City Attorney  
Commissioner Alex Fernandez

C7 U A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, URGING THE U.S. HOUSE OF REPRESENTATIVES TO PASS THE BIPARTISAN "RESPECT FOR MARRIAGE ACT," AND DIRECTING THE CITY CLERK TO SEND A COPY OF THIS RESOLUTION TO THE U.S. HOUSE OF REPRESENTATIVES MAJORITY LEADER, AND FLORIDA U.S. HOUSE REPRESENTATIVE MARIA ELVIRA SALAZAR.

Office of the City Attorney  
Commissioner Alex Fernandez

C7 V A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, STRONGLY OPPOSING THE PROPOSED CIRCUIT COURT ADMINISTRATIVE ORDER RELATING TO BAIL AND BOND REFORM, TO THE EXTENT THAT THE ORDER WOULD RESULT IN GRANTING MANY CRIMINAL OFFENDERS A RELEASE ON THEIR OWN RECOGNIZANCE, WITHOUT ATTENDING A FIRST APPEARANCE HEARING BEFORE A JUDGE AND WITHOUT ANY MONETARY BOND POSTED, INCLUDING OFFENDERS COMMITTING A WIDE RANGE OF CRIMES IN MIAMI BEACH, SUCH AS CITY AND COUNTY ORDINANCE OFFENSES, FIRST AND SECOND DEGREE MISDEMEANOR OFFENSES, AND CERTAIN FELONY OFFENSES; AND FURTHER, DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO ALL MUNICIPALITIES IN MIAMI-DADE COUNTY, THE FRATERNAL ORDER OF POLICE, THE POLICE BENEVOLENT ASSOCIATION, AND THE MIAMI-DADE LEAGUE OF CITIES, AND URGING ALL SUCH ENTITIES TO JOIN THE CITY'S OPPOSITION TO THIS MEASURE.

Office of the City Attorney

**REGULAR AGENDA**

**R5 - Ordinances**

- R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED SALARY ORDINANCE; CORRECTING THE MAXIMUM OF EACH SALARY RANGE TO REFLECT A TWO PERCENT INCREASE (2%) (INSTEAD OF 5% DUE TO A CLERICAL ERROR IN ORDINANCE NO. 2022-4516) TO ACCOUNT FOR COST-OF-LIVING ADJUSTMENTS NOT AWARDED TO UNCLASSIFIED EMPLOYEES IN 2019 AND 2020; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:30 a.m. Second Reading Public Hearing**

First Reading 11/16/2022 - R5 K

Human Resources

Mayor Dan Gelber

Supplemental updated on 12/8/2022 (Revised Ordinance)

- R5 B DEMOLITION BY NEGLECT - REPLICATION REQUIREMENTS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 1, "GENERALLY," BY AMENDING SECTION 118-503 THEREOF, ENTITLED "SCOPE, POLICIES AND EXEMPTIONS," TO AMEND THE REGULATIONS APPLICABLE TO CONTRIBUTING BUILDINGS THAT ARE DEMOLISHED WITHOUT A CERTIFICATE OF APPROPRIATENESS; AND BY AMENDING SECTION 118-564 THEREOF, ENTITLED "DECISIONS ON CERTIFICATE OF APPROPRIATENESS" TO AMEND THE CERTIFICATE OF APPROPRIATENESS REVIEW CRITERIA TO INCLUDE THE SECRETARY OF INTERIOR'S STANDARDS FOR RECONSTRUCTION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing**

Deferred 9/14/2022 - R5 D / Exp: 1/12/2023

Planning

Commissioner Alex Fernandez and Co-sponsored by Commissioner Kristen Rosen Gonzalez

- 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, FLORIDA, BY AMENDING THE PARKING FEE SECTION OF APPENDIX A, "FEE SCHEDULE," TO CORRECT THE COLLINS PARK GARAGE MONTHLY PARKING PERMIT FEE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

First Reading 11/16/2022 - R5 J

Parking

Commissioner David Richardson

- R5 D ALTON ROAD GATEWAY REGULATIONS - COMPREHENSIVE PLAN AMENDMENT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN POLICY RLU 1.1.6, ENTITLED "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL (RM-2)," AND POLICY RLU 1.1.9, ENTITLED "MEDIUM INTENSITY COMMERCIAL (CD-2)," TO MODIFY THE FLOOR AREA RATIO (FAR) LIMITS FOR PROPERTIES WITHIN THE "ALTON ROAD GATEWAY AREA"; AND DESIGNATING THE "ALTON ROAD GATEWAY AREA" ON THE FUTURE LAND USE MAP FOR THE PARCELS LOCATED BETWEEN ALTON ROAD ON THE EAST, FIFTH STREET ON THE SOUTH, WEST AVENUE ON THE WEST, AND 8TH STREET ON THE NORTH; PURSUANT TO THE PROCEDURES IN SECTION 163.3184, FLORIDA STATUTES; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER,

SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Planning

Continued from 10/26/2022 - R5 E

Commissioner Ricky Arriola

R5 E ALTON GATEWAY DEVELOPMENT REGULATIONS - FAR, PARKING, AND HEIGHT AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO AMEND PROVISIONS RELATING TO FLOOR AREA CALCULATIONS FOR PARTIAL BASEMENTS; BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, "IN GENERAL," SECTION 118-5, "UNITY OF TITLE; COVENANT IN LIEU THEREOF," TO MODIFY THE REQUIREMENTS FOR A UNIFIED DEVELOPMENT SITE IN THE ALTON ROAD GATEWAY AREA; BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8, AND 9," TO AMEND PARKING REQUIREMENTS FOR CERTAIN GOVERNMENTAL USES IN PARKING DISTRICT NO. 6; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUB-DIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO CREATE ADDITIONAL REGULATIONS FOR PROPERTIES FRONTING THE EAST SIDE OF WEST AVENUE AND LOCATED WITHIN THE ALTON ROAD GATEWAY AREA; AND BY AMENDING DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-311, ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," TO EXPAND THE ALTON GATEWAY AREA BOUNDARIES TO INCLUDE ADDITIONAL PROPERTIES SOUTH OF 8TH STREET, AND MODIFY THE MAXIMUM FLOOR AREA RATIO (FAR) AND BUILDING HEIGHT, AND AMEND GREEN SPACE REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

Planning

Continued from 10/26/2022 - R5 F

Commissioner Ricky Arriola

R5 F VITAMIN SHOP REGULATIONS - LDR AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISION," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO ESTABLISH A DEFINITION FOR "VITAMIN SHOP" AND RELATED DEFINITIONS; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO PROHIBIT VITAMIN SHOPS IN THE CD-3 DISTRICT LOCATED ALONG LINCOLN ROAD; AND AMENDING ARTICLE V ENTITLED "SPECIALIZED USE REGULATIONS", TO ESTABLISH DIVISION 12 ENTITLED "VITAMIN SHOPS," TO ESTABLISH REGULATIONS TO LIMIT THE PROLIFERATION OF VITAMIN SHOPS AS A PRIMARY USE AND MINIMIZE THE IMPACT OF VITAMIN SHOPS AS AN ACCESSORY USE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning

First Reading PH 11/16/2022 - R5 G

Commissioner Alex Fernandez

R5 G RESILIENCY CODE AND LDR UPDATE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, ESTABLISHING A COMPREHENSIVE ZONING ORDINANCE, HEREAFTER KNOWN AS THE "RESILIENCY CODE," FOR THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO THE REQUIREMENTS OF SECTION 163.3202, FLORIDA STATUTES AND CONSISTENT WITH THE MIAMI BEACH 2040 COMPREHENSIVE PLAN; TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION, PRESERVATION, SUBDIVISION, RESILIENCY, DESIGN, AND USE OF BUILDINGS, STRUCTURES, LAND, AND WATER, FOR COMMERCE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES; TO REGULATE AND RESTRICT THE SIZE OF BUILDINGS AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED; TO REGULATE THE SIZE AND DIMENSIONS OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS; TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED, UNIT SIZES, AND THE DENSITY OF POPULATION; TO REGULATE SIGNAGE; TO ESTABLISH MINIMUM STANDARDS FOR LANDSCAPING; TO PROVIDE FOR THE PROTECTION OF ENVIRONMENTALLY SENSITIVE LANDS AND WATERBODIES; TO ESTABLISH REQUIREMENTS FOR PARKING, TRANSPORTATION AND MOBILITY FEES, CONCURRENCY, AND INFRASTRUCTURE; AND FOR SAID PURPOSES TO ESTABLISH A ZONING ATLAS THAT DIVIDES THE CITY OF MIAMI BEACH INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS, AND FOR EACH SUCH DISTRICT TO IMPOSE REGULATIONS AND RESTRICTIONS DESIGNATING THE KINDS OR CLASSES OF COMMERCE, INDUSTRIES, RESIDENCES, OR OTHER PURPOSES AS DESCRIBED ABOVE; TO PROVIDE A METHOD FOR AMENDMENT, SUPPLEMENT, CHANGE, MODIFICATION AND REPEAL OF REGULATIONS, RESTRICTIONS AND BOUNDARIES; TO PROVIDE FOR A DESIGN REVIEW BOARD, A PLANNING BOARD, A BOARD OF ADJUSTMENT, AND A HISTORIC PRESERVATION BOARD, AND TO PRESCRIBE THEIR POWERS AND DUTIES; TO PROVIDE PROVISIONS FOR APPEAL; AND TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE AND ALSO TO PROVIDE FOR ITS ENFORCEMENT; REPEALING ZONING ORDINANCE 89-2665, AS AMENDED, IN ITS ENTIRETY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

Deferred 10/26/2022 - R5 H / Exp: 2/23/2023;  
Continued from 11/16/2022 - R5 I

Commissioner Ricky Arriola

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR THE CLASSIFICATIONS IN GROUP III, REPRESENTED BY THE FRATERNAL ORDER OF POLICE ("FOP"), WILLIAM NICHOLS LODGE NO. 8; RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE WILL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS-THE-BOARD COLA OF THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS-THE-BOARD COLA OF THREE PERCENT (3%); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

**(ITEM TO BE SUBMITTED IN SUPPLEMENTAL)**

**First Reading**

Human Resources  
Mayor Dan Gelber

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING PART I, SUBPART B, ARTICLE IX, RELATED SPECIAL

ACTS, OF THE MIAMI BEACH CITY CODE ENTITLED "PENSION SYSTEM FOR DISABILITY AND RETIREMENT OF MEMBERS OF POLICE AND FIRE DEPARTMENTS"; AMENDING SECTION 62, "DEFINITIONS", RELATED TO ACTUARIAL ASSUMPTIONS; AMENDING SECTION 65, ENTITLED "COMPUTATION OF CREDITABLE SERVICE; SERVICE RECORD"; AMENDING SECTION 76, "BOARD OF TRUSTEES", TO PROVIDE FOR STAGGERED THREE (3) YEAR TERMS; AMENDING SECTION 90, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER MAY 8, 2019 FOR INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1510 ( IAFF) AND ON OR AFTER JULY 31, 2019 FOR FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP)"; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**First Reading**

Human Resources  
Mayor Dan Gelber

- R5 J REFORM OF REHEARING AND APPEAL PROVISIONS  
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 118 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 118-9, ENTITLED "REHEARING AND APPEAL PROCEDURES," TO AMEND AND CLARIFY THE CITY'S RULES OF PROCEDURE RELATING TO REHEARINGS AND APPEALS OF DECISIONS OF THE CITY'S LAND USE BOARDS, INCLUDING TIMEFRAMES FOR CONSIDERING REHEARINGS AND NOTICE REQUIREMENTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**First Reading**

Planning  
Mayor Dan Gelber

- R5 K VITAMIN SHOP BUSINESS TAX RECEIPT CATEGORY  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102, ENTITLED "TAXATION," ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," AT SECTION 102-379, ENTITLED "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016," TO ESTABLISH A BUSINESS TAX CATEGORY FOR VITAMIN SHOPS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**First Reading**

Planning  
Commissioner Alex Fernandez

- R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE MIAMI BEACH CITY CODE, ENTITLED "TAXATION," BY AMENDING ARTICLE IV, ENTITLED "RESORT TAX," BY AMENDING DIVISION 4, ENTITLED "TAX," BY AMENDING SECTION 102-308 THEREOF, ENTITLED "EXEMPTIONS FROM TAX" TO PROVIDE FOR A RESORT TAX EXEMPTIONS FOR EARLY TERMINATION OF TENANCIES INTENDED FOR A PERIOD OF LONGER THAN SIX MONTHS BUT TERMINATED DURING THE FIRST SIX MONTHS OF OCCUPANCY DUE TO DOMESTIC VIOLENCE.

**First Reading**

Office of the City Attorney  
Commissioner Alex Fernandez

**R7 - Resolutions**

- R7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING PURSUANT TO SECTION 5.04 OF THE CITY CHARTER AND PRESENTATION OF A PRE-COLLECTIVE BARGAINING ANALYSIS OF FRINGE BENEFITS, RATIFYING A THREE (3) YEAR

LABOR AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE FRATERNAL ORDER OF POLICE ("FOP"), WILLIAM NICHOLS LODGE NO. 8, FOR THE PERIOD FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2024; AUTHORIZING THE MAYOR, CITY MANAGER, AND POLICE CHIEF TO EXECUTE THE LABOR AGREEMENT, SUBJECT TO THE CITY COMMISSION'S APPROVAL OF THE CORRESPONDING CLASSIFIED SALARY ORDINANCE.

**(ITEM TO BE SUBMITTED IN SUPPLEMENTAL)**

**9:35 a.m. Public Hearing**

Human Resources

- R7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE THIRD AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."

**2:00 p.m. Public Hearing**

Office of Management and Budget

Supplemental updated on 12/8/2022  
(Resolution)

- R7 C A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RE-ESTABLISHING THE "AD HOC NEIGHBORHOOD RESILIENCY PROJECTS ADVISORY COMMITTEE," FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY CITY COMMISSION) TO ADVISE THE ADMINISTRATION AND CITY COMMISSION IN CONNECTION WITH THE CITY'S RESILIENCY PROJECTS IN ORDER TO IMPROVE PLANNING AND DELIVERY OF THESE CRITICAL PROJECTS; PRESCRIBING THE PURPOSE, POWERS AND DUTIES, COMPOSITION, TERMS OF OFFICE, KNOWLEDGE, AND EXPERIENCE OF THE COMMITTEE MEMBERS; AND, PROVIDING FOR AN ADMINISTRATIVE LIAISON TO THE COMMITTEE.

Office of the City Attorney  
Commissioner Laura Dominguez

- R7 D A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE "AD HOC PERMIT PROCESS IMPROVEMENT ADVISORY COMMITTEE," FOR A PERIOD OF ONE YEAR (SUBJECT TO EARLIER OR LATER SUNSET BY THE CITY COMMISSION), TO MAKE RECOMMENDATIONS ON IMPROVING PERMIT PROCESSES AND CUSTOMER EXPERIENCES; AND PRESCRIBING THE PURPOSE, COMPOSITION, POWERS AND DUTIES OF THE COMMITTEE.

Office of the City Attorney  
Commissioner Alex Fernandez

- R7 E A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO PRIORITIZE G.O. BOND FUNDING FOR THE RENOVATION OF THE BYRON CARLYLE THEATER AS SOON AS POSSIBLE, WITH THE SCOPE FOR THE CITY PROJECT TO PROVIDE FOR THE DESIGN AND CONSTRUCTION OF A STAND-ALONE, CITY-OWNED PERFORMING ARTS THEATER, WITHOUT ANY PRIVATE DEVELOPMENT THEREON.

Office of the City Attorney  
Commissioner Kristen Rosen Gonzalez

Supplemental updated on 12/8/2022  
(Resolution)

**R9 - New Business and Commission Requests**

- R9 A BOARD AND COMMITTEE APPOINTMENTS.

Office of the City Clerk

- R9 B BOARD AND COMMITTEE APPOINTMENTS - CITY COMMISSION APPOINTMENTS.  
Office of the City Clerk
- R9 C DR. STANLEY SUTNICK CITIZEN'S FORUM. (8:30 A.M./1:00 P.M.)  
Office of the City Clerk
- R9 D INTRODUCTION BY THE HONORABLE MICKY STEINBERG AS THE DISTRICT 4  
MIAMI-DADE COUNTY COMMISSIONER.  
Commissioner Alex Fernandez  
Deferred 11/16/2022 - R9 D / Exp: 3/16/2023
- R9 E INTRODUCTION OF CHAD PERWIN AND MERRITT PERWIN, REPRESENTING OUR  
CITY AT OUR SISTER CITY FUJISAWA TO RUN IN THEIR 10-MILE MARATHON IN  
JANUARY.  
Mayor Dan Gelber
- R9 F UPDATED PRESENTATION FROM MIAMI-DADE COUNTY PUBLIC SCHOOLS  
REGARDING THE CONDITION OF NORTH BEACH ELEMENTARY SCHOOL.  
Vice-Mayor Steven Meiner  
Deferred 11/16/2022 - R9 H / Exp: 3/16/2023 Co-sponsored by Commissioners Kristen  
Rosen Gonzalez and Alex Fernandez
- R9 G REFERRAL TO THE PLANNING BOARD - ALTERNATE MEMBER CATEGORY FOR  
LAND USE BOARDS.  
Planning  
Mayor Dan Gelber
- R9 H UPDATE AND DISCUSSION REGARDING THE MIAMI BEACH MUSIC FESTIVAL FOR  
SPRING 2024.  
Tourism and Culture  
Commissioners Kristen Rosen Gonzalez and  
Alex Fernandez
- R9 I DISCUSSION ABOUT ADDING PARKING SPACES TO PRIDE PARK FOR PATRONS OF  
THE BOTANICAL GARDEN AND PRIDE PARK.  
Commissioner Kristen Rosen Gonzalez
- ITEM WITHDRAWN**
- R9 J DISCUSSION, WITH POSSIBLE ACTION, ON THE STATUS OF THE WOOSH WATER  
REFILL STATIONS CONTRACT AND AVAILABILITY OF WATER IN PUBLIC PLACES  
GOING FORWARD.  
Commissioner David Richardson
- R9 K DISCUSSION, WITH POSSIBLE ACTION, ON SUPPORTING STUDENTS HELPING  
HANDS TO CREATE STEAM SUMMER ENRICHMENT PROGRAMMING AS PART OF  
THE CITY'S PARKS AND RECREATION DEPARTMENT 12-WEEK SUMMER DAY  
CAMPS TO TAKE PLACE DURING THE SUMMER OF 2023.  
Commissioner David Richardson
- R9 L DISCUSSION REGARDING MOTION FROM HISPANIC AFFAIRS COMMITTEE  
REGARDING DONATION OF SCULPTURES AND BENCHES TO THE CITY OF MIAMI  
BEACH.  
Commissioner Alex Fernandez



- R9 M UPDATE ON RELOCATION OF RAINBOW CHILD CARE CENTER.  
Commissioner Alex Fernandez
- R9 N DISCUSS/TAKE ACTION, OFF-DUTY POLICE REQUIREMENTS AT ALCOHOLIC BEVERAGE ESTABLISHMENTS.  
Commissioner Kristen Rosen Gonzalez
- R9 O DISCUSS/TAKE ACTION: UPDATE ON VENETIAN CAUSEWAY WATER AND SEWER LINE REPLACEMENT PROJECT.  
Commissioner Laura Dominguez  
Addendum added on 12/8/2022
- R9 P DISCUSSION, WITH POSSIBLE ACTION, ON ALMODOVAR MUSICA, LLC'S REQUEST FOR A SPONSORSHIP OF ITS PRODUCTION OF A THREE KINGS DAY SALSA CONCERT FOR SENIORS TO BE HELD ON FRIDAY, JANUARY 6, 2023, WITH THE CITY SPONSORSHIP TO CONSIST OF THE WAIVER OF SPECIAL EVENT PERMIT FEES AND USER FEES FOR THE USE OF A CITY FACILITY OR PARK (COLLINS PARK, IF AVAILABLE) FOR THE EVENT, A STAGE, AND SANITATION SERVICES.  
Commissioner David Richardson  
Addendum added on 12/8/2022
- R9 Q DISCUSS/TAKE ACTION ON THE TRAFFIC BACK-UP BETWEEN 29TH AND LOWER NORTH BAY ROAD DURING RUSH HOUR FROM 7:30 A.M. - 9:00 A.M. AND 3:30 P.M. - 7:00 P.M.  
Commissioner Kristen Rosen Gonzalez  
Addendum added on 12/8/2022
- R9 R DISCUSS/TAKE ACTION: AMEND RESOLUTION NO. 2022-32234, AD HOC CHARTER REVIEW.  
Commissioner Alex Fernandez  
Addendum added on 12/8/2022

**R10 - City Attorney Reports**

- R10 A CITY ATTORNEY'S STATUS REPORT.  
Office of the City Attorney

**Reports and Informational Items**

- REPORT FROM COMMISSION COMMITTEES OF WITHDRAWN ITEMS NOT HEARD WITHIN (6) SIX MONTHS FROM REFERRAL DATE.  
Office of the City Clerk

**REDEVELOPMENT AGENCY (RDA)**

- A RESOLUTION OF THE CHAIRPERSON AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), ACCEPTING THE RECOMMENDATION OF THE CITY'S FINANCE AND ECONOMIC RESILIENCY COMMITTEE, AND APPROVING, IN SUBSTANTIAL FORM, A LEASE AGREEMENT BETWEEN THE RDA (LANDLORD) AND COLLINS 1560, LLC D/B/A LIME TREE CAFÉ (TENANT), FOR USE OF APPROXIMATELY 2,697 SQUARE FEET OF GROUND FLOOR RETAIL SPACE AT THE ANCHOR SHOPS AND GARAGE, AS AN UPSCALE FRENCH-ITALIAN FUSION CAFÉ, LOCATED AT 1560 COLLINS AVE, SUITE NOS. 1-2 (PREMISES), FOR A PERIOD OF NINE (9) YEARS AND TWO-HUNDRED AND SEVENTY-TWO (272) DAYS; AND FURTHER AUTHORIZING THE EXECUTIVE DIRECTOR TO FINALIZE AND EXECUTE THE LEASE AGREEMENT.

**PRESENTATIONS AND AWARDS**

- PA 1 PRESENTATION BY THE ORANGE BOWL COMMITTEE.  
Mayor Dan Gelber
- PA 2 PROCLAMATION PRESENTED TO SILVERLAKE BISTRO.  
Commissioner David Richardson  
Deferred 11/16/2022 - PA 6 / Exp: 3/16/2023
- PA 3 PROCLAMATION PRESENTED TO A FISH CALLED AVALON.  
Commissioner David Richardson  
Deferred 11/16/2022 - PA 7 / Exp: 3/16/2023
- PA 4 CERTIFICATE OF RECOGNITION PRESENTED TO LUC FONDAIRE.  
Commissioner David Richardson  
Deferred 11/16/2022 - PA 9 / Exp: 3/16/2023
- PA 5 CERTIFICATE OF RECOGNITION PRESENTED TO FRANZISKA MEDINA.  
Commissioner David Richardson  
Deferred 11/16/2022 - PA 12 / Exp: 3/16/2023
- PA 6 CERTIFICATE OF RECOGNITION PRESENTED TO VIARDA BESU.  
Commissioner David Richardson
- PA 7 CERTIFICATE OF RECOGNITION PRESENTED TO MAY BARAZARTE.  
Commissioner David Richardson
- PA 8 CERTIFICATE OF RECOGNITION PRESENTED TO JOHN BOWES.  
Commissioner David Richardson
- PA 9 PROCLAMATION RECOGNIZING PAUL FRISHMAN, CHIEF EXECUTIVE OFFICER OF THE MIAMI BEACH JCC.  
Commissioner David Richardson
- PA 10 CERTIFICATE OF RECOGNITION PRESENTED TO OSCAR LLORENTE, MOUNT SINAI MEDICAL CENTER.  
Commissioner David Richardson  
Deferred 11/16/2022 - PA 14 / Exp: 3/16/2023
- PA 11 CERTIFICATE OF RECOGNITION PRESENTED TO RITA IVY, MIAMI-DADE COUNTY COMMUNITY AND HUMAN SERVICES DEPARTMENT.  
Commissioner David Richardson
- PA 12 PROCLAMATION TO THE NOTKIN FAMILY IN MEMORY OF ARNOLD AND MYRIAM NOTKIN.  
Mayor Dan Gelber
- PA 13 PRESENTATION OF GIFT TO THE CITY BY GABRIEL J. PAEZ, CHAIR OF THE CITY OF MIAMI BEACH HISPANIC AFFAIRS COMMITTEE.  
Mayor Dan Gelber
- PA 14 PROCLAMATION FOR YAMIL DIB FOR HIS CONTRIBUTIONS TO MIAMI BEACH

SENIOR HIGH AND THE COMMUNITY.

Commissioner Alex Fernandez

PA 15 CERTIFICATE OF RECOGNITION TO TEMPLE EMANU-EL HIGHLIGHTING THE 'MIAMI WORKS' EXHIBIT ON DISPLAY THROUGH JANUARY 28, 2023.

Commissioner Alex Fernandez

PA 16 CERTIFICATE OF RECOGNITION TO BORINQUEN "BO" HALL.

Commissioner Alex Fernandez

**ITEM DEFERRED**

PA 17 PROCLAMATION TO GABRIEL PAEZ FOR HIS CONTRIBUTIONS AND LEADERSHIP AS CHAIR OF THE HISPANIC AFFAIRS COMMITTEE.

Commissioner Alex Fernandez

**Notices**

1. MIAMI BEACH REDEVELOPMENT AGENCY (RDA) AND NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) MEMBERS.
2. HOW A PERSON MAY PARTICIPATE DURING THE HYBRID CITY COMMISSION MEETING / COMMISSION MEETING PROCEDURES.
3. USE OF AUDIO-VISUAL EQUIPMENT FOR PRESENTATIONS DURING PUBLIC MEETINGS.
4. 2023 COMMISSION MEETING DATES.
5. ADVERTISEMENTS.
6. CITY COMMISSION AT-LARGE NOMINATIONS - RELEASE(S).
7. TIME CERTAIN.