

MIAMI BEACH

Finance and Citywide Projects Committee Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

April 19, 2019 - 8:00 AM

Commissioner Ricky Arriola, Chair
Commissioner Michael Góngora, Vice-Chair
Commissioner Mark Samuelian, Member
Commissioner Micky Steinberg Alternate

John Woodruff, Liaison
Morgan Goldberg, Support Staff

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A meeting of the Finance and Citywide Projects Committee was held on Friday, April 19, 2019 at 8:00 a.m. in the Commission Chambers, 3rd floor of City Hall. Attendance: Commissioners Ricky Arriola, Michael Góngora, Mark Samuelian, Micky Steinberg, John Alemán and Joy Malakoff. Members from the Administration and the public were also attendance.

Meeting began at 8:10 a.m.

OLD BUSINESS

1. DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMONSTRATION PROJECT

May 16, 2018 – C4 R

Sponsored by Commissioner Samuelian
Transportation

ACTION

Lynda Westin, Transportation Manager, presented the item. She said there are 3 components of this item, one is transit pass program, and it has been going very well. In February we had 58 participants, 14 residents, 44 nonresidents. In March there were 76 participants, 15 residents, 61 nonresidents. In April there were 75 participants, 15 residents, 60 nonresidents. In May it is going to decrease a little bit, there were some participants that it didn't work for, it is going to go down to 57 participants and 11 of those will be Miami Beach residents. The second part of this is a report back on the route 150 program, she said they had a great meeting on February 14th with DTTW service planning, they were very receptive to the idea, they suggested that they do more analysis and report back to them, they checked in last week and they said they should have an analysis within 2 weeks. Another good piece of information is Commissioner Higgins has taken this project to heart and has been advocating for it on her track. In terms of the bus express rapid transit program, it is pretty much status quo, FDOT has funded the money for 2022 and they are working it through their process.

Commissioner Samuelian thanked Ms. Westin for the update. He said while he would love to hear that we made more progress and accelerated the 2022, we will continue trying for that. He knows that

Commissioner Higgins in her trip to Tallahassee has brought this up. It is still good to know that we have a funded project connecting the main land to Miami Beach, 2022 seems like a long way to go. He is pleased with the progress, particularly in our transportation program that we are providing an option for our employees to use public transportation. He hopes that this is a positive message that other private sector employers will see.

DIRECTION: Come back to the July 31, 2019 FCWPC meeting with an update.

2. DISCUSSION REGARDING THE ANNEXATION OF NORTH BAY VILLAGE, AND TO REVIEW PROPERTY TAXES, ECONOMIC IMPACT, AND VALUE

September 12, 2018 – R9 E

Sponsored by Commissioner Arriola

Office of the City Attorney

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

3. DISCUSSION REGARDING THE ANNEXATION OF THE WESTERNMOST ISLANDS OF THE VENETIAN ISLANDS AND MAKING THEM A PART OF MIAMI BEACH, AND TO REVIEW PROPERTY TAXES, ECONOMIC IMPACT, AND VALUE

September 12, 2018 – R9 F

Sponsored by Commissioner Góngora

Office of the City Attorney

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

4. DISCUSSION REGARDING ANNUAL ADJUSTMENTS (EG. CPI) FOR CITY FEES AND CHARGES

December 12, 2018 – C4 D

Sponsored by Commissioner Samuelian and Co-Sponsored by Commissioner Malakoff

Office of Budget and Performance Improvement

ACTION

Commissioner Samuelian opened the item. He said what we've experienced is there are a number of various fees and charges that have, for whatever reason, not always been updated over time. That we run into some situations, for example, in sanitation that when we looked back to the fees that haven't been updated in 10 years. This is a very simple concept that he set out to make sure we have an annual process where fees get adjusted using the CPI. He said he thinks the Administration has done some great work.

John Woodruff, Chief Financial Officer, said we discussed this at length during last year's budget process and we started working on this project a few months ago and developed a spreadsheet. It had every single revenue account in the city and it turned out to be about 85 pages long and is a huge effort, and we realized also that these fees and amounts are all over the place, a handful of them were not consistent. For example, so we took this also as an opportunity to try to streamline and increase transparency. We engaged Bryan Mantz and he is present, he is the president of Gov Rates and is already familiar with our enterprise revenue adjusters as he actually helped us develop a couple years ago. He was the right man for this job.

Bryan Mantz said certainly this was a team effort, we developed some initial recommendations and then also got feedback from departments, so when we're talking about indexing, we wanted to look at the operational considerations, for example, parking fees. They developed specific indexing fees for certain

charges, they found the fees are all over the place in the City Code and in resolutions. One aspect of what we tried to do is to move all the fees into a centralized location in the City Code and in that centralized location; we're also proposing to put the specific indexing provision in the Code. The idea is to have a central repository for fees and also that the City would maintain on the City's website a list of the current fees, so that was one of the big changes. We are also trying to promote consistency among the different indexing provisions, so we are leaning toward the local CPI, which is the Miami, Fort Lauderdale, West Palm Beach index, which is appropriate for Miami Beach. We are not proposing to index city fines since they are not cost based. He said we are also proposing to enable increases to the city fees above the indexing adjustments that allowed in this centralized location to be adopted by resolution instead of ordinance. We looked at every department's fees and asked if they agreed with the recommendations and if the fees are appropriate to be indexed. He spoke about the solid waste rates and that we didn't proposed to change that. He also spoke about the BTR's; they were already scheduled for 5% increase, so we didn't touch those. For parking fees, we are proposing to index those every five years based on the cumulative five year change in the CPI. He spoke about the water and sewer rates and said they have a specific indexing provision based on a pass through. We left that one intact, but we are suggesting the indexing period from April-April to December-December to allow the City to be able to know earlier what the index measurement would be for the following year. He spoke about a few other fees in the Code. We would just propose that there be a system in place to just keep up with inflation in accordance with best management practice.

Commissioner Samuelian thanked everyone for the hard work. He is very pleased with this.

Vice-Mayor Malakoff said she had also sponsored this previously and thinks it's really great, it is organized in a very easy way and it makes sense having the fees all in one section. She asked about two items that didn't have a fee. One is medical cannabis marijuana; there is no fee listed, nor any adjustment.

Mr. Mantz said we will check on that.

Vice-Mayor Malakoff said the second one is nightclub, dance hall, entertainment establishment, she asked if the entertainment establishment the same for a nightclub.

Mr. Mantz said we will have to confirm those fees, because right now the business tax receipts are not in this Appendix A so we are trying to put together all the fees in one place.

Vice-Mayor Malakoff said it's a great idea and more organized.

John Woodruff said we will double check Vice-Mayor Malakoff's questions before this comes back for Commission action.

MOTION: Commissioner Samuelian moved to accept the recommendations. Commissioner Góngora seconded.

5. DISCUSSION REGARDING A POTENTIAL RFQ FOR A CITYWIDE CYBER SECURITY RISK ASSESSMENT

January 16, 2019 – C4 L

Sponsored by Commissioner Alemán
Information Technology

ACTION

Frank Quintana, IT Division Director, presented the item. He said his intention was to come back and discuss the item that was heard on February 22 regarding the recommendation to go out for an RFP/RFQ some sort for additional cybersecurity services in addition to what the City does already. As a result of that recommendation we came back internally reviewed what we're doing to try to frame a proper scope for the

RFP and as part of that in our involvement with the several regional agencies, federal government, local agencies, we were able to broach the subject of how can we leverage a lot of the services that may be available to us, especially at a federal level to be able to do these types of engagements that we have discussed here. That then became compounded by the reality that we are hosting as an area of the Super Bowl next year, from previous experience and a number conversations we've come to the conclusion that we can leverage the Department of Homeland Security to do a number of the cybersecurity type engagements for the City and what is essentially no cost to us. A lot of the services that they provide to state, local, and regional entities are the types of services that we either pay for today or have priced out through some kind of scope or engagement in the past. Those different services, if we were to combine the cost of them are roughly \$300,000 a year. So if the recommendation is to proceed with the Department of Homeland Security we would be basically netting a \$300,000 worth of savings on behalf of the City to either offset some of the things we've been doing through private entities or display some of the solutions we have today. The list of available services is fairly deep and concise.

John Woodruff, Chief Financial Officer, said he wanted to add that as part of the credit rating process in addition to resiliency, this was the other item that credit rating agencies were really interested in.

Frank Quinta said the cybersecurity is really focused on the reality that it is a real threat to companies, governments of all sizes. There was a specific section in the credit rating discussing what the City does from a cybersecurity perspectives, if we ever had a significant breach, how we've addressed it, etc. We went in depth about how we handle the infrastructure piece of that, staff training piece of that, etc. They were all pleased with the response and responsiveness on behalf of the City.

Commissioner Arriola confirmed we should move this to do an RFQ.

Frank Quintana said it is actually not an RFQ, we would essentially engage the Department of Homeland Security to do this and there is no cost, there is no solicitation. It's a government to government agreement, so there would be no cost to the City which was projected. The intention would be that whatever dollars may already be in the budget for some of these initiatives, we would then hold, Commissioner Samuelian brought this up last time is how we address future findings and we spoke a little bit about that, the intention would be to leverage their services, keep the dollars that were already earmarked for cybersecurity and use that through mediation instead of having to go in budget for additional dollars to do the same thing.

Commissioner Samuelian said that makes a lot of sense, so he moved accepting this recommendation and getting the services from the federal government at no cost. Commissioner Góngora seconded.

MOTION: Commissioner Samuelian moved to accept the recommendation for getting services from the federal government at no cost. Commissioner Góngora seconded.

6. **DISCUSSION REGARDING A NEW LEASE BETWEEN THE CITY AND LIVING ARTS TRUST, INC. D/B/A O CINEMA, FOR THE SPACE CURRENTLY OCCUPIED BY MIAMI FILM SOCIETY, INC. D/B/A MIAMI BEACH CINEMATHEQUE, CONSISTING OF APPROXIMATELY 2,523 SQUARE FEET, LOCATED AT 1130 WASHINGTON AVENUE, 1ST FLOOR SOUTH, FOR A PERIOD OF THREE (3) YEARS, WITH TWO (2) ADDITIONAL RENEWAL OPTIONS, FOR THREE (3) YEARS EACH, AT THE CITY MANAGER'S SOLE DISCRETION**

February 13, 2019 – C4 A
Economic Development

ACTION

Mark Milisits, Asset Management Division Director, presented the item. He said this item was discussed at the Committee at the February meeting. Cinematheque has operated on the ground floor of historic City Hall for the last 10 years and their lease expired in February of this year. In December they had notified the City that they did not wish to extend their lease beyond its expiration date. Since that time, the Commission

has approved a month-to-month extension for Cinematheque to continue to operate. In January of this year O Cinema approached the City and said they would like to take over Cinematheque's lease and continue to operate out of that location. In February, O Cinema presented their proposal to take over the space, as part of the proposal they are requesting free rent in exchange for certain public benefits. The Committee was receptive to their proposal of them taking over the space, however, suggested that they come back with some sort of rental rate offer and increased public benefits. The original proposal included certain public benefits, 20% discount offered once per month Miami Beach residents one free screening event per year open to the whole community, 100 free or discounted tickets per year for seniors, and 100 free or discounted tickets per year for youth. Since the Committee meeting O Cinema has come back with a revised proposal with additional benefits, he introduced Kareem to go through those.

Kareem Tabsch said the additional public benefits is participation in the monthly culture crawl, which they would provide free indoor film from 6-7 p.m., he would also like to do free outdoor films from 7 -10 p.m. in the courtyard. He said they are working with the Tourism and Culture Department to curate short films in all of the trolleys, so that actually will be while residents are riding in the trolley from spot to spot. They can engage in art. They are also going to collaborate with the department for a summer film screening. This is the early discussion that has been a really fruitful one and they are going to try and help identify some and curate it and organize it. One of the directives that this Committee made was increasing benefits to seniors and students, in particular, so one of the things they were looking to do is make a commitment to go into all of the public schools in the City of Miami Beach, bring films and bring either filmmakers or curators or somebody to speak to the films and engage all the students throughout the City of Miami Beach. They would be working directly with the schools on that and would need some direction from the Administration to assist with that as well as a quarterly series for seniors at the space. They would bring them in for free with popcorn and snacks and allowing them to engage and experience independent foreign art films that they show so that is an increase in public benefits. He said another of the Committee's directives was a finding a figure that works for us from a cost perspective. Their proposal was \$1,000 a month for the first three years and then from years four and five and for any subsequent terms \$2,500 a month rate. A little insight as to how they came to that number is one of the things that they are doing when they take over the space is that they are assuming a small loan that Cinematheque had which was for a buildout for tech, and that's going to be around \$1,200 or \$1,250, so giving them the three years at \$1,000 rate allows them to offset that. There are some challenges with the space, particularly because of the proximity of the regal South Beach. It's a little challenging with the types of films they can get and even from an equipment perspective, what's in there. It's not true DCP industry standard stuff, which is something they would like to investigate which will come with some costs down the road, so that's how they got to this proposal.

Commissioner Gongora thanked O Cinema for their considerate offer. He was one of the ones that made some comments last time to go back and take another look. As he stated then and he still feels very excited about O Cinema coming into the space. He thinks it's a big community asset. He thinks they are going to do a great job and that our residents are going to love it and he thinks that this is more in line with what he thought would be appropriate. On behalf of himself, he will accept the offer and move it.

Commissioner Samuelian said he also too appreciates it. He likes that we're doing right by our seniors and children. Those are two groups that are always good to keep in mind so he is supportive. He thinks this is better. He asked Mark Milisits about the few terms that the Administration laid out in the conclusion and asked if we are all on the same page.

Mark Milisits said the Administration's recommendation is little bit different than what they've offered. One of the items is that they offered the \$1,000 a month for rent for the first three years and in \$2,500 thereafter. He said the Administration would like to see that end after two years and then go to \$2,500, the Administration feels that 2 years is enough to get settled into the space. The other item is they've asked for a reduced rate on the parking, we don't support that; we typically don't offset or discount parking rates. We can't really do that per the bonds, so we don't support that. If they were to operate the outdoor Café we would want to see 15% of that revenue just like we had from Cinematheque when they were operating the outdoor Café. The exterior advertising is going to have to be subject to design review and is not really an

economic issue. The rental rates for the renewal periods would be negotiated upon renewal and that's essentially it.

Mr. Tabsch said to add to the outdoor concession which they are certainly happy to go along with it, he just wanted to clarify that it would be 15% of net revenue generated.

Mark Milisits said we typically always do gross revenue for us to get into analyzing their expenses and their books; it becomes that much more challenging. Our concession fees are typically always done on gross revenue.

Commissioner Gongora asked O Cinema why they don't want to do the revenue share.

Mr. Tabsch said they are fine doing the revenue share, but they are just asking it is on net revenue. It will not be a full on café like what usually occurs, they have basic concessions, the prices are low and that's because they believe in making it accessible for everybody to attend, so they are happy to go along with that they were just asking for that point of clarification.

Mark Milisits said regarding the outdoor concession just a couple other points, as we had with Cinematheque we would want a 30 day termination of convenience at the City's option because of the outdoor nature of that activity, prohibition of alcohol in the outdoor concession area, and the that they would only operate the outdoor concessionary during regular hours.

Vice-Mayor Malakoff asked why there is a prohibition on alcohol in the courtyard.

Mark Milisits said the Administration didn't think it was a good idea to have alcohol in the courtyard.

Mr. Tabsch said clientele that they serve at O Cinema is quite different than the average person that is going to have a drink outside and they would be going for beer and wine, so he thinks that's a distinction. They think it would be an important part and it is also a great way of activating the space on Washington Avenue.

Vice-Mayor Malakoff thinks beer and wine would be a wonderful idea, but she does think it should be 15% gross, giving them the alcohol.

Commissioner Góngora agreed with Vice-Mayor Malakoff and also thinks we should give them one reduced space for that they are looking for. He moved the item as modified by the Finance Committee through the discussion and including the Administration's recommendations plus beer and wine and plus 15% of the gross revenue, but he would throw in the one reduced parking space.

Vice-Mayor Malakoff said it is difficult to do because of the parking bonds.

Commissioner Góngora said he strikes the part of the parking space from his motion.

Commissioner Samuelian seconded.

Commissioner Alemán said she likes all of that and is really glad they included the culture shock piece, it is terrific. She is a little worried because culture shock is bringing people from outside of Miami Beach from the County and already the logistics of getting over into Miami Beach and finding parking and all of that is difficult and doesn't mind if they try discounted, but ultimately she thinks it will need to be free too really get the culture shock community to participate. There are already other things that are costly barriers to them participating if it is offered at a discount and would encourage them to lean towards free.

Mr. Tabsch said they lean towards free whenever they can, but it is the cost of the licensing of the films that is always one of the big costs, not even just the staffing operating costs. That's also why they took the

feedback of more access to students with that culture shock piece. He thinks we need to bring folks back here. He said he wanted to mention something that is not in the proposal, but they think it is a really important component is that they are going to continue a relationship with the Miami Beach Film Society, which is the organization that currently runs the Cinematheque, their approach to art film and more kind of a tour based cinema something that they will continue in the space and they will operate more as a company and residents. So the valuable programming that they offer is actually not going away, it is just a change in the dynamic of the relationship.

MOTION: Commissioner Góngora moved the item as proposed by O Cinema with the Administration's revisions. Commissioner Samuelian seconded.

7. DISCUSSION REGARDING FEE WAIVERS AND SPONSORSHIP OF THE SOUTH BEACH SEAFOOD FESTIVAL

February 13, 2019 – C4 D

Sponsored by Commissioner Góngora
Tourism and Culture

ACTION

Commissioner Góngora said the festival used to get these waivers by going through Coca-Cola, this is to him is a more transparent way of the City just granting the waivers out right, he doesn't want to see more waivers from Coca-Cola, he would like to see us remove the ability from future Coca-Cola contracts for them to be the ones doing waivers for events because that's what we were doing in the past. He would rather Tourism and Culture is the one recommending to us which are the events that are good for these waivers, not a third party outside company.

Matt Kenny said we have Valerie and Todd from the Seafood Festival. They were here in March and the Committee asked Administration to go back and meet with the festival, so on April 2nd, they met and they had a very successful meeting with them. He does highly recommend this; he thinks it is a really comprehensive package that we put together here. Basically, fee waivers are not to exceed \$58,970 that is the dollar amount that waived last year as well. As to what Commissioner Góngora said regarding fee waivers under the Coca-Cola contract, Administration is recommending that. As for the resident benefits there is a real robust resident benefit here. We are getting 500 free tickets, then in July, 4 for 1, 50% off, free tickets veterans, just a great ticket benefit. Then we get down to their ask for the \$25,000 sponsorship. He said Administration is recommending a \$25,000 sponsorship.

Commissioner Góngora said this is a much less sponsorship for a much bigger festival with the methodology to decrease the sponsorship year-by-year. This incorporates all of the things which they were just talking about.

Matt Kenny said the festival agrees to all of the City requests. The \$25,000 that we agreed to will decrease by \$5,000 every year. Going along the lines of what the Committee was saying is we're not here to produce everyone's event; we are here to help them and then back off and let them do it themselves. He spoke about where that money goes. He said we are doing kind of the new business incubator program so the \$25,000 will help support new restaurants to be a part of this festival, provided they have valid BTR's or annual gross income of \$2 million or less. The idea is going after small businesses in Miami Beach, bringing them into the Seafood Festival, helping them grow up and get exposure. Another really great thing is the educational culinary program. The Seafood Festival will go into Miami Beach Senior High School into their culinary program, bringing chefs from the festival into the classroom, working with the students. We are going to hold a competition, and the winners of the competition are going to be the sous chefs on-site at the Seafood Festival.

Commissioner Góngora said this has really grown into one of the best festivals in our city and one of his favorite weeks of the year. It's a really important part of our community as you see by all of the press in

USA Today naming this one of the top five specialty food festivals. He thinks this is a very reasonable request and will move it. Commissioner Samuelian seconded.

Commissioner Samuelian said congratulations to the festival and what they've done to keep going. He said to make a point because this includes robust community public benefits and wants to make sure that we communicate that, everyone should know that those 500 options are out there, we should get that word out and will hopefully drive foot traffic to the event. He also said kudos to Matt Kenny and his team. This is the template of the benefits and the ask together that we can look and say, yes. Every proposal including the Mango Festival, this format is exactly what he thinks we need.

Vice-Mayor Malakoff said she especially likes what they are doing to help the small businesses with less than \$2 million; our small business restaurants always can use help.

MOTION: Commissioner Góngora moved the item as presented. Commissioner Samuelian seconded.

8. **DISCUSSION ON ACTIVATING VACANT STOREFRONTS INCLUDING THE PURCHASE OF NEW COVERS AND EXPLORING NEW DESIGNS THAT REFLECT NORTH BEACH, MID-BEACH, AND SOUTH BEACH AND IDENTIFYING FUNDS FOR THE PURCHASE**

April 11, 2018 – C4 J

Sponsored by Commissioner Arriola and Co-sponsored by Commissioner Samuelian
Economic Development

ACTION

Bo Martinez, Economic Development Director, presented the item. He said they are going to continue to work on the other initiatives outlined in the memorandum. He specifically mentioned the pink zone and small scale manufacturing which is something they will continue working on with the Planning Department. In addition to that we will also look for a budget enhancement for \$35,000 in the fiscal year 19/20, budget, for the store front covers for the South Beach area. He said we have made a lot progress in all the other items within the memo, from developing the vacant storefront ordinance, having the five final designs, which were preferred by the NCAC and 41st Street Committee. This is more of an update and also to let the Committee know that we will continue to work on the other items in the memo.

Vice-Mayor Malakoff said the activation of vacant storefronts sounds so interesting.

Bo Martinez said part of the activation is also going out and talking with our business and property owners which we have now since done, we went out to the North Beach area this past week and met one-on-one with a lot of our businesses. They were very happy to see us. They said the City has never come out and asked how business is going. We want to continue this process throughout the City and hopefully get a couple of the property owners to actually use the vacant storefront program and hopefully get some quick wins, but at the end of the day with the goal is making sure that we fill these vacancies with permanent uses.

Commissioner Arriola said he is hosting, but hope all of his colleagues can make it, on May 6th a town hall meeting particularly focused on how we can help small businesses so we want to hear from the business community on ways that we can streamline processes, cut red tape, all of that. He encouraged everyone to invite business operators in town so we can figure out ways to be more efficient.

Commissioner Samuelian said we also have a We Work panel on Monday, April 22nd at 4 p.m., talking about small businesses as well. We also have plans to do something in North Beach as well, similar to what Commissioner Arriola has envisioned. He asked Bo Martinez where we are on compliance with existing storefronts and how quickly we can see these lovely designs out there.

Bo Martinez said what we need to do is really be proactive and go out there and talk with the properties to let them know that this program is available, in certain areas of the city there's funding available and then agree to make sure that we work with them to teach them to use the program. It is a matter of outreach right now, just going out there and making it happen, getting some quick wins.

Commissioner Arriola wanted to clarify it is not his town hall, he is just convening it, he wants it to be everyone's town hall. He wants it to be a Commission town hall.

The Committee discussed the covers and asked if they are the same covers that were presented at the NCAC.

Bo Martinez said the Committee liked number 2 and 3.

MOTION: Commissioner Góngora moved the item. Commissioner Samuelian seconded.

9. **DISCUSSION TO CONSIDER THE VACATION OF PORTIONS OF OCEAN TERRACE, 74TH AND 75TH STREETS IN FAVOR OF OCEAN TERRACE HOLDINGS, LLC AND TO NEGOTIATE A DEVELOPMENT AGREEMENT THAT PROVIDES FOR A PUBLIC BENEFIT TO CONSTRUCT THE OCEAN TERRACE PARK PROJECT**

December 12, 2018 – C7 AE/March 13, 2019 – C4 F

Sponsored by Commissioner Arriola

Economic Development/Office of the City Manager

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

NEW BUSINESS

10. **DISCUSSION REGARDING UPDATING MINIMUM WAGES ON CITY FUNDED CONSTRUCTION CONTRACTS**

January 16, 2019 – C4 M

Sponsored by Commissioner Steinberg

Procurement/Office of Capital Improvement Projects

ACTION

Commissioner Steinberg said that this ordinance hasn't been updated since the early or mid 90's. A draft ordinance was passed around for the Committee to look at.

Alex Denis, Procurement Director, presented the item. He said Matthew is present to talk about the proposal and then they can discuss changes to the ordinance.

Matthew Land, Political Director for the Southeast Labor District Council was representing construction labor on contracts including the Miami Beach Convention Center renovation. This hasn't been updated since 1994 and all that was done was updating the threshold as well as some exemptions. Miami-Dade County has an ordinance for rates that are a little more in line with what the market dictates. When the Commission went to Miami-Dade County in 2014 or 2015 to extend the life of the RDA, the City agreed in principle was to Miami-Dade County's wage ordinance and its projects. He thanked everyone for allowing him to speak with everyone.

Alex Denis said this ordinance does 3 things, on City construction contracts it moves the rates from Davis Bacon to the Miami-Dade County rates. It is impossible to do an accurate cost analysis because every project has different labor needs. On average if you compare the two rates, Miami-Dade County rates are

about 6.5% higher than the federal rates. On a \$1.5 million project, that equates to about a \$50,000 impact. The other thing the ordinance does is amend the threshold, currently this applies to any project above \$1 million, which is being moved to \$1.5 million. The ordinance requires us to adjust the rates every 3 years; the threshold has not been adjusted since 1997. The third thing that it does is eliminate some of the exceptions, it removes some of the Public Works projects and he would like the opportunity to discuss with Eric Carpenter before we actually move forward with those. He said they can do that between now and next Commission meeting.

Commissioner Steinberg mentioned that currently we don't have language for emergency purchases pursuant to section 2-396 of the City Code; this would add another exemption if there is emergency work that needs to be done, this wouldn't be something that would count towards that.

Vice-Mayor Malakoff asked how this will affect our budgets that are budgeted already.

John Woodruff, Chief Financial Officer said that this delta is not budgeted at this time, but we do have contingency that is budgeted in each project, as long as that delta is pretty small we should be able to manage. Every project that we budget for has some contingency in it.

Commissioner Samuelian said he is supportive of this, but he would like to get a sense for the projects that we know are coming, so we know the number we are looking at and how much of our contingency it takes up. He would like us to do that math, so when we make this policy decision, we are aware of the budget impact.

Alex Denis said what we can do between now and Commission is run the 6.5% against the budgets of the current projects.

Vice-Mayor Malakoff asked if it is possible to exempt the G.O. Bond projects from this because \$439 million of our tax payers' money at 6.5% is a lot of money.

Commissioner Steinberg said she wouldn't recommend doing that, she thinks we should see the analysis first, she thinks we are going to see it is not that big of a delta over all. The contracts when they go out to bid include a 10% cushion and based on the analysis it would more than cover a lot of the change. If you look at our existing rates Miami Beach is not that far off from the Davis Bacon rates, she thinks the chart should be provided to everyone for the next meeting.

Commissioner Góngora agreed with the comments, he met with Matthew as many of the other Commissioners did, he thinks they are all supportive of increasing this number and matching what the County is doing. This is a budgetary item and doesn't think they can pass the policy without having some idea of what the fiscal impact will be, he also thinks we should have some financial projection as to what it would be if we carve out the G.O. Bond or not carve it out. He thinks there is policy direction that we want to do it and maybe bring it back when we have the financial numbers.

Commissioner Samuelian said as we do that 6.5% analysis, he suggested breaking out with the G.O. Bond and without the G.O. Bond and come back to this Committee to look at. He moved that as a motion. Commissioner Steinberg seconded.

MOTION: Commissioner Samuelian motioned for staff to do the 6.5% analysis with and without the G.O. Bond and come back to the FCWPC to look at the analysis. Commissioner Steinberg seconded. All in favor.

11. DISCUSSION REGARDING SOUTH FLORIDA SENIORS IN ACTION RENT REDUCTIONS

February 13, 2019 – C4 E

Sponsored by Commissioner Góngora

Economic Development

ACTION

Commissioner Góngora opened the item. He said this entire body is committed to our South Florida Seniors and we do a lot of outreach to them. He thinks all of them have hosted food giveaways to seniors and knows the good work that they do. He is personally very committed to the seniors community as well. He said it was brought to him that the South Florida Seniors in Action because of being a nonprofit and giving so much away to the seniors are really having a hard time with their nominal rental agreement and license agreement with the City. It is his understanding that after looking at the numbers, the City believes that there is a past due balance of approximately \$1,400 that they have had a hard time paying. They currently pay \$130 and change a month for a small office at the South Shore Community Center, but they also pay \$430.33 a month for a license agreement to essentially do community services for our seniors to put on feeding programs and food giveaways. He would like this body to consider waiving their balance and starting them at line \$0 and leaving the lease agreement because he thinks they should pay for that little office, but doing something with regard to the license agreement that they're having a hard time meeting those fees. He doesn't know what they'd like to do, he doesn't like giving away everything for free, but he was going to suggest and wanted to hear from both Administration and South Florida Seniors in Action what the impact would be if we just cut that rent in half.

Mark Milisits, Asset Management Division Director, said that is a good summation of where we are at today, just to touch on the past due balance. They did make another payment, according to Eddie yesterday evening, so their past due balance as of now is right about \$1,000, that's if we write off some of the amounts that they are disputing, in the amount of about \$1,300 and an additional \$400 in late fees plus or minus. They intend to pay the rest, they just had difficulty accessing invoices through Munis, and so they intend to pay the remaining \$1,000. The other tenants, their rates are based on a portion of the operating expenses out there, they really don't pay a base rent amount, and they just pay a portion of the operating expenses. That's based on \$11.06 per square foot. That's the rate they're paying for the office space. They are also paying that rate for the auditorium, but is further reduced by the amount of time by the time they use it, they don't have it 24/7, they have it 4 hours a day, 20 hours a week, so they are really paying 16.7% of the \$11.06, which works out to \$1.85 per square foot. They have asked for a reduction, not sure exactly what the ask is right now, the Administration from our perspective are not in favor of a reduction because we have other tenants out there providing viable community services as well and are all paying their share of the operating expenses.

Commissioner Góngora asked South Florida Seniors in Action, if the Commission were to vote to reduce the license agreement in half from \$430 to roughly \$215, he asked if they would be able to hit that mark, because what he doesn't want is having them come back next year with them, owing money.

Eddie Sierra, Director for the South Florida Seniors in Action, located at the South Shore Community Center spoke. One of the things he wanted to make the Commissioners aware of this morning is that they have basically quadrupled the services that they provide to the seniors for the City of Miami Beach free of charge. They have more services they provide and are basically not asking for a free ride; they want to see if they are currently working with the County and the State to provide further funding that they need. For them to continue to operate as they are, they respectfully request the appropriation funding so that they can continue to provide the services that they are providing right now.

Commissioner Góngora said he loves the services and they all know the good work they do because the seniors are lined up every time there's a food giveaway. He goes by there at least once or twice a month and see the activities that they are doing in the South Shore Community Center and this is something that if they weren't doing, he would be putting on the agenda for the City to be paying for any way, which is why he feels comfortable with it. He said he will make a motion to start them at line \$0, keep the lease agreement intact, but to modify the license agreement to cut that monthly fee in half.

Commissioner Alemán said she doesn't vote on this Committee, but this will come back to Commission so

she wanted to say she is very supportive of the motion that has been made and the work of South Florida Seniors in Action. They run an end hunger campaign in the city and on practically a monthly basis are providing really healthy and large quantities of food for seniors that need it. They conduct health fairs and are helping with the medical advice contacts, care and consulting that seniors need in multiple languages, so that if there are language barriers they help with even seniors understanding legal things that come their way and navigating through legal concerns. She agreed with Commissioner Góngora that they really fill a gap that's necessary, and they are a great partner to the City, so she is very supportive of us finding a way to help them successfully do what they do, which is very meaningful for thousands of people in our community.

Vice-Mayor Malakoff agreed and said they are doing a wonderful job with Seniors in Action. She cannot believe the number of people who are hungry in our community who will line up to get food through farm share through Seniors in Action it's very needed and she was very pleasantly surprised by some of the foods that were being given out, including fresh blueberries, big packages of fresh vegetables, fresh fruits, meat, it wasn't just cans of soup which are very high in sodium. These are all healthy foods that she thinks they are doing a wonderful job for the community.

Commissioner Samuelian added his thanks for their service. He said they appreciate what they are doing. He seconded the motion.

Mark Milisits asked to clarify the motion. He asked when Commissioner Góngora said start from zero that's paying the past due amount of the approximately \$1,000 and then writing off the disputed amounts and late fees.

Commissioner Góngora said as of the date of this motion and moving forward, the license agreement would be reduced in half.

Mark Milisits confirmed that the \$430 that they pay for operating expenses would be reduced to \$215, under the license agreement, and the office agreement would remain the same.

Commissioner Góngora said to leave the lease agreement intact.

MOTION: Commissioner Góngora motioned to keep the lease agreement the same and start them at line \$0 for the disputed amounts and late fees and cut the licensing agreement in half, which comes to \$215 a month. Commissioner Samuelian seconded.

12. DISCUSSION REGARDING WAIVING FEES AND SPONSORING THE 2ND ANNUAL SOUTH BEACH MANGO FESTIVAL

March 13, 2019 – C4 I

Sponsored by Commissioner Samuelian and Co-Sponsored by Commissioner Góngora
Tourism and Culture

ACTION

Matt Kenny, Tourism and Culture Director, presented the item. He said we have Robert Lansburgh from the Mango Festival present. He explained that the Mango Festival has requested permit and fee waivers for their festival as well as a \$75,000 sponsorship. After conversations with Robert, the Administration will recommend the fee waiver as per last year's, the exact amount now is \$29,323, in terms of the \$75,000 sponsorship, we weren't quite able to get the information required to make that recommendation. Robert Lansburgh is going to put some ideas forth today. The idea of the fee waivers is that it is unrecognized revenue versus giving out some of our money and we want to make sure that we're not producing festivals, but we're enhancing and helping festivals to grow and using the money to do that.

Robert Lansburgh, Founder and Creative Director of South Beach Mango Festival, thanked the Committee for hearing him today. He explained that the business of festivals is a difficult one. Last year, he personally funded over \$150,000 to produce the South Beach Mango festival netting him a loss of over \$125,000, he would be happy to supply those financials to the City. One of the more prominent comments that he has seen online was the City of Miami Beach residents wanting free access, so his approach to the City in return for sponsorship dollars they would make it free to our residents as well he sees the trend in eating and health today emerging. A lot of the restaurants in his neighborhood that were once meat and seafood and other types of restaurants now are vegan concepts. He believes that the Mango Festival encompasses lots of those concepts there is also a broad cultural appeal to mangoes. Also, the produce industry, having a top Mango Festival in a major market, which they are the first, will draw maybe not this year, but subsequent years the produce industry in South Florida. We can capitalize off of a popular mango festival. He doesn't have any major acts booked as of yet he was thinking of the \$75,000, taking about 1/3 of that and putting it into the entertainment portion of it, the rest needs to go towards production, to produce a festivals takes real hard costs.

Commissioner Góngora asked when the festival will take place.

Robert Lansburgh said July 27th and 28th.

Commissioner Góngora said so it is happening during a traditionally slower time of year and it's free to all residents, correct?

Matt Kenny said it would be free with this funding. Last year the festival charged tickets, but with the fee waivers and the \$75,000 sponsorship, Robert wanted the festival to go from one day to two days and make it free to all residents with a valid I.D. and sell tickets to nonresidents.

Commissioner Góngora confirmed that tickets are in line with last year, they said yes. He said he'll move the waiving of the fees.

Vice-Mayor Malakoff said she is fine with waiving the fees, but \$75,000 for a sponsorship is a lot of money.

The Committee said \$75,000 for sponsorship is too much.

Commissioner Samuelian said he loves the event, it is a beautiful event. He strongly supports the fee waiver. What he really likes and we are going to see with the item of the South Beach Seafood Festival an opportunity with our Tourism and Culture Department to meet with them and talk about sponsorship and benefits and then Matt would bring a recommendation to the Committee, which they can probably then make quick decisions. He would like to see them approve the fee waivers today and ask the Administration to meet with the Mango Festival and talk about the level of sponsorship. \$75,000 seems like a big ask, but maybe there is a number with the benefits of residents promotion that they could get on board. Commissioner Góngora seconded that motion.

Matt Kenny said the Administration as well needs to know what's happening with the Mango Festival, they have met, so we just need a little more concrete knowledge before we feel comfortable knowing how we're going to enhance or produce this festival with a few more concrete details.

Commissioner Alemán she loves mangoes and loves Robert, but putting the Mango Festival aside, we have to get out of this business. She said, Commissioner Arriola remember that we sponsored a structured process leaning on the Administration to fill these requests and leaning on the other institutions that are in the business of tourism and grant processing based on actual data not just how much we like the guy standing at the podium, which in this case is tremendous. Anyone in town can dream up a festival that they want to have and can ask for money from the City and we feel bad because we really like them, that shouldn't be the process. Matt Kenny is on board and has taken the process that we did before and refined, scrubbed and shored up. The City has to get out of the business of having people come to us and

ask for funding for these different special events. They all look good at face value to us. We have to rely on a robust process that's based on data and on performance and she hopes that the structure is that that between us and the VCA and other groups that we help new events incubate, but they have to have a plan to become self-sufficient against a defined timeline with toll gates and if they start to fail to meet those obligations of becoming self-sufficient that they lose funding. In the past events came to ask for money to become self-sufficient and as they were not able to do that, they would ask the City for more and more money.

Commissioner Góngora agreed with Commissioner Alemán. The difficulty we have with these types of events is that they don't qualify for VCA funding.

Commissioner Alemán said it did used to be the way that Commissioner Góngora mentioned, but we worked with them and created a new category of funding. It's like development funding targeted at incubation. There is actually incubation funding available through them now.

Kathie Brooks, Assistant City Manager said they set aside a new grant that is available quarterly.

The old process was annual.

Commissioner Góngora said he does agree these events should go through whatever other funding categories there are, first, so maybe in the future when we get these, he does usually refer them to meet with Matt's office, but maybe that should be the first course of business. He will be doing that and it is something to be conscious of.

Commissioner Samuelian and Commissioner Góngora said the Mango Festival needs to go back and meet with Tourism and Culture and they will then make the recommendation for the sponsorship and come back to the FCWPC.

Commissioner Arriola said he supports those comments, he said the \$75,000 is a very high number so just so there are some parameters, he agrees with Commissioner Alemán's comments. One way we can look at these kinds of things are we were trying as a city to activate some of our public spaces, put people in our hotels, eating in our restaurants, and festivals like Pride and Art Deco weekend do that successfully. When we have these kinds of festivals coming before us thinking about how we help our business community, so waiving fees is easy to do, but actually putting money into a program he for one likes to see things that have really gotten a demonstrated track record. Comparing to what we give to other festivals that attract many, many people, the \$75,000 is just too high a number.

Commissioner Alemán said for anybody coming and asking us for money, she wants to see that we're not the first stop. The model here is to go get sponsors; Matt Kenny feels that way too. There are many things the event producer can do to get funding with sponsors outside of the City. She said for the Youth Music Festival, they have 3 sponsors that are donating \$15,000 each, so it's available.

Matt Kenny said one of the things we have run into the past, not the Mango Festival, but some of the festivals talk to Tourism and Culture and they don't like the answer, sometimes they come back to the Commission and ask for money.

Commissioner Samuelian said he loves the comments on fiscal responsibility. He congratulated Robert on the first good year with the mangoes and he loves the event. He said they are happy to waive the fees and he thinks if Robert and Matt's office can have a productive discussion around public benefits and other sponsorships, they will look forward to hearing it back here with the Administration's request and they appreciate what Robert is trying to do for the community.

MOTION 1: Commissioner Gongora motioned to waive the fees for the event. Commissioner Samuelian seconded.

MOTION 2: Commissioner Samuelian motioned for the South Beach Mango Festival to meet with the Administration further to discuss the sponsorship and for the Administration to come back to the FCWPC with a recommendation. Commissioner Góngora seconded.

13. DISCUSSION OF THE DISABILITY ACCESS COMMITTEE MOTION MADE AT THEIR JANUARY MEETING REGARDING FUNDING FOR THE SOUTH BEACH JAZZ FESTIVAL

March 13, 2019 – C4 J

Sponsored by Commissioner Góngora
Tourism and Culture

ACTION

Lori Bocum, spoke on behalf of the South Beach Jazz Festival, she apologized that David New, their CEO, was not able to attend today. She is a board member and she is here to ask the City to go forth with a sponsorship. She said the event will be going into its fourth year. She thinks it's very exciting and very obvious to the community how the first three years really ramped up so well and she would like to say for previous discussions that on the event is already in the process for grant and sponsorship of development, and already have commitments on those ends as well. They have signed David Sanborn to be the opening-night act, which will be at the Cameo Theater. The event is different than a regular festival. This really is through ADA and the purpose is disability to serendipity through power access.

Valeria Mejia, ADA Coordinator and Liaison to the Disability Access Committee, spoke. She said the Committee put together a motion to the Commission of \$60,000. She typically prepares the budget for the ADA funds, which is the Miami-Dade, parking fines reimbursement funds that we receive from the County. Every year the funds are in different amounts and they don't necessarily come at the same time of the year. She explained how the funds are used. She said this year, we just received \$39,000, at least \$18,000 a year are used for the closed captioning of the Commission meetings and that assists the community members that are hearing-impaired or maybe have difficulty with language. Sometimes we use the funds to purchase beach equipment, we have purchased in the past the beach mats that we need to replace maybe about every three years depending on the wear and tear. We also have purchased the beach wheelchairs that we provide for free to residents. We just recently got 4 manual beach wheelchairs because our highly liked motorized beach wheelchairs need a lot of maintenance. We figured the manual ones are available while the others are down being maintained. We buy the beach wheelchairs around every 5 years; they range in price from \$6,000 to \$10,000 for the motorized. The manual ones are about \$2,500. The maintenance for the motorized wheelchairs are around \$6,000 a year. We have also purchased headphones for the Commission meetings. In addition, we have also set aside sign language interpreting services, we don't get a lot of requests, but the homeless outreach team uses them quite a bit, especially our remote service, interpreting, which is when we don't have advanced notice for the live interpreter, we have a remote service via web cam. Right now, from the \$39,000, \$19,000 has been set aside for the closed captioning. Since we have extra money from prior years, she told Tourism and Culture we could use \$20,000 from this year's funds for disability awareness. In the past we have assisted with disability awareness

Commissioner Góngora said to be clear, this comes from a special fund, this is not an event that would go through the VCA or any of these other funding sources, so this goes to the Disability Access Committee to make a recommendation then to Commission and then to the Finance Committee. Last year we funded them \$25,000, correct?

That is correct.

Matt Kenny, Tourism and Culture Director said they could technically go to the VCA for additional funding. They haven't, the only funding sked for in the past was for disability awareness, so it has come from these funds.

Commissioner Góngora said \$60,000 is just too much money and it sounds like if we only have \$39,000 in the fund this year, no matter what we give them, it cannot cover all of these extra expenses, whether it's the hearing in the Commission meetings, the beach access chairs, so we are going to have to look to the general fund to supplement all of these items because clearly this Commission is not to cut funding for disability purposes.

Vice-Mayor asked about the Cultural Arts Council since it is a Jazz Festival.

Ms. Locum said they do go through County grant funding, the event is both a free and ticketed. There was some free programming on Lincoln Road and the Lincoln Road BID is supporting them again this year. The budget for the event last year was \$187,000, and that was for programming and tech support, it's staging and so forth, there was no throw away money.

Valeria Mejia said we don't need to worry about the other expenses that Commissioner Góngora mentioned, every year from the budget we set aside money for those expenses, the money doesn't always get used, so they can roll over this grant money, so we have funds available. That's why she said she thinks we can use \$20,000 for this event without sacrificing.

Commissioner Góngora said from his perspective he doesn't want to give the event more and not less, he wants to give them the same \$25,000 they got last year.

Matt Kenny said then we would just need to identify the additional \$5,000 and where it would come from. He said we were considering in the \$25,000 to \$20,000 as part of our step down sponsorship program as well that we are trying to implement moving forward with all major events. The idea is to get people up and running and then but he also agrees this might be different than the rest.

Commissioner Góngora agrees, but he doesn't know how the rest of the Committee feels. He said to give them the \$25,000 and let them know we are stepping this festival down like we are the other festivals for the following year.

Ms. Locum provided further information about the festival. It is about highlighting the abilities of the performers that have a disability. They feel this will grow into a national event. They hope the City will have a continued commitment. They have private sponsorships coming in, but to take this to where it should go, there needs to be community commitment going forward. She suggested having a meeting with Matt Kenny because there are so many places for this event to go. It is very exciting to see the abilities of the performers.

Commissioner Góngora said he loves the festival and he goes every year and is a huge supporter; he thinks it's wonderful because of so many different factors. The fact that it's a disability awareness raising event is fabulous as somebody suffering from his own disability and it's getting progressively worse, he thinks it raises awareness of so many good causes and then on top of that you have a great lineup for people that like music, it activates Lincoln Road from the Colony Theater down to the Euclid Circle. There are things happening all over the street that are bringing people. He doesn't want to reduce the funding for these reasons. He would at least like to bump it back up to last year's level.

Matt Kenny said the recommendation from Administration would be seeing the revenues in Valeria's account have actually dropped this year from previous years, that's why we dropped it down to \$20,000 Administration could recommend a \$20,000 from us and maybe a \$5,000 application to the VCA to get them to the \$25,000 with the drop from the City moving forward, we would have to identify another funding source for the additional \$5,000.

Commissioner Góngora said he doesn't have a problem where the money comes from, but he wants to make sure they get at least the same funding that they got last year.

Matt Kenny said we can recommend the \$20,000 from this fund now if we want to go to the \$25,000 we would have to find the additional \$5,000, because it is not in Valeria's fund.

Commissioner Samuelian said this is a wonderful event, David Sanborn is actually a real top name, he agrees with Commissioner Góngora that we want to get this group to that \$25,000 level. He also thinks the idea that Lori mentioned the meeting with Matt and his team, just like you said he did with the South Beach Seafood Festival, where they talk about sponsorships, benefits, and talk about expectations going forward. He would second the intent here that we are going to get to the \$25,000 number.

MOTION: Commissioner Góngora motioned to provide \$25,000 in funding for the festival to keep it the same as last year. Commissioner Samuelian seconded.

DIRECTION: Tourism and Culture to meet with the South Beach Jazz Festival to talk about sponsorships, benefits and expectations going forward to be consistent with conversations with other festivals.

14. DISCUSSION REGARDING THE LIVING WAGE RATES FOR FISCAL YEAR 2019/20, IN ACCORDANCE WITH CHAPTER 2, ARTICLE VI, DIVISION 6, SECTION 2-4, OF THE CITY CODE

March 13, 2019 – C4 H
Procurement

ACTION

Alex Denis, Procurement Director, presented the item. He said this item is for the living wage rates on service contracts as opposed to construction contracts that were just discussed. He said the Committee approved in 2017 the rate that is to become effective October 1, 2020 and that is the rate to get us to \$15 an hour, but every year during this time the Administration comes back to the Committee to reaffirm the approval. This is also a budget item; the Budget Department has been provided with the numbers of impact. Overall, it is a \$550,000 impact to next year's budget to increase the rate from the current rate of \$14.44 to \$15 an hour.

John Woodruff, Chief Financial Officer, said this has come up in the last few years and we treat it as an enhancement to the budget, when we present our financial position and what we can afford to do, this is one of our first options that are considered.

Commissioner Góngora said he agrees with it, they are all supportive of increasing the minimum wage; he thinks we need to look at it as part of the budget process holistically.

Commissioner Samuelian said he would agree with that, policy-wise and conceptually they want to proceed, but we want to do it in a fiscally responsible manner, consistent with past precedent and it sounds like the recommendation of the Administration would be that we would like to see this and try and make it happen and it will be presented as part of a budget enhancement.

MOTION: Commissioner Samuelian motioned for this to be presented as part of the budget process as an enhancement. Commissioner Góngora seconded.

15. DISCUSSION REGARDING ADDING A "SENIORS GOT TALENT" EVENT/FESTIVAL TO BE PRODUCED THROUGH OUR PARKS AND RECREATION DEPARTMENT

March 13, 2019 – C4 N
Sponsored by Commissioner Góngora
Parks and Recreation

ACTION

Commissioner Góngora said that this came out of the Senior Affairs Committee that we started last year and really is modeled a lot after the Youth Music Festival that we do that Commissioner Alemán has been such an advocate for and so supportive of as a way to just keep our seniors engaged and active and add another activity for them to do. This is kind of a creative idea that would take place in the Convention Center. They are anticipating it would get a big turnout as all of our senior events do, especially when we provide busing, etc. The one concern that he had about this item even though he's sponsoring it is that the amount is high. When he spoke to the Administration he said that this is a lot of money, it's the first time we are doing it, and he asked if we can do something less. He asked for the Administration to bring back a lesser proposal, the food cost is kind of high, the media cost is kind of high. He thought \$48,000 was too much, so he asked to bring it down by at least \$10,000.

Cindy Casanova, Parks and Recreation Assistant Director, said that we are really excited about putting this event together. We think it will be a fantastic event for the senior community, we want to keep it upscale, we want to keep it high-class and that is our recommendation to have it at the Convention Center. A lot of the cost for the budget is having it at the Convention Center and having it catered, which is what our seniors are used to, having a nice sit down dinner. A lot of the budget was the catering costs, but we can absolutely bring the media budget down by \$10,000 we can get it under \$48,000 for sure and can make a fantastic event.

Commissioner Alemán said we are in the third year of the youth music festival so it's great because the budget numbers are probably well understood. One big difference she sees is the food, they don't do food for the youth music festival, it is not necessary, but it is nice. She thinks for the event that is being put on, she thinks that food component is a good add and that is \$20,000 so if you look at \$48,000 minus \$20,000, it is \$28,000 really for the event and that's not out of line, she would say compared to the budgets that we have evolved to over the three years of the youth music festival because she thinks it's pretty close. Maybe take a little bit out of the media, because we are pretty good at getting the message out to the seniors. So if we could trim that line, but loves the inclusion of the food item and she would support it. She thinks that's a good add for this event with the seniors.

Cindy Casanova said that this is also contingent upon us being able to get the space fee waived at the Convention Center because we didn't include those costs in our budget estimates.

Vice-Mayor Malakoff said she thinks it's a good idea and she likes seniors got talent, but there needs to be an age qualification. We don't want people who are 45 years old saying that they are seniors and wanting to compete. She said she assumes there will be prizes and so forth. There needs to be a limit whether it is 60, 65, or 70, whatever we think is reasonable to put in for seniors.

Cindy Casanova said we will have those parameters outlined when we do the outreach.

Commissioner Alemán said in regards to the age threshold, with the youth music festival she has had some of our residents over 50 come to her and say that we need an old guys rock concert like this. She said to think about whether we want to include the 50-60 category.

Commissioner Góngora said he is open to it, this is intended to be fun and inclusive and provide something for everybody, but he is just still stunned thinking about 50 being an age threshold. He said he will move this forward, bring the cost down and consider creating an age category maybe 55 and over. Commissioner Samuelian seconded.

MOTION: Commissioner Góngora moved the item forward and said to bring the cost down and consider creating an age category, maybe 55 and over. Commissioner Samuelian seconded.

16. DISCUSSION REGARDING FUNDING FOR HOMELESS AND DOMESTIC VIOLENCE SERVICES

March 13, 2019 – R7 E

Sponsored by Commissioner Arriola

ACTION

Maria Ruiz, Director of Housing and Community Services, presented the item. She said at the March 13th Commission meeting, the Commission referred four items for discussion regarding homeless and domestic violence services and their funding. One item will be heard separately, which is tied to the issue of a resident referendum on the question of a 1% tax. The other three items that were referred to this Committee are the need to monitor the state legislative session for possible preemption issues and approving a resolution urging the state to include additional funds in the state budget to address homelessness and finally looking for other funding sources within the City to support homeless and domestic violence efforts such as the short term rental fines collected by the City. With regards to each of these items, City staff is already monitoring the state legislative session for possible preemption issues and we have in fact notified our lobbyists of the priority with regards to finding additional funds in the state budget to be able to support this issue. The final item which is associated with the use of the short term rental fines as a potential source to fund domestic violence in homeless issues is the item that remains for discussion. The City has collected about \$500,000 in short term rental fines. When originally collected, the initiative had been set through resolution 2016-29684, that there would be a set-aside of those funds with the monies being split between homeless services and affordable housing. As it stands right now with the \$512,750 that has been collected thus far, under this resolution there is \$262,550 that is earmarked for homeless services and \$250,200 for workforce housing items. The discussion before the Committee today is about the rerouting of those funds to utilize them for domestic violence and homeless issues directly.

Commissioner Arriola confirmed that the Administration's recommendation is that we earmark \$250,000 in funding for the homeless trust dedicated to domestic violence.

Maria Ruiz said in addition to utilizing those funds to be able to provide in essence two years of funding at \$250,000 the goal really is to look at the increased resort tax collections that will come once the Convention Center as well as a new Convention Center Hotel are online and that those dollars can then be captured and utilized for this purpose as a means to be able to fund the services.

Commissioner Samuelian asked if we are receiving some benefits as it relates to the services being provided, part of this \$250,000 are services that we receive from the Homeless Trust and the Administration is recommending in this as a material or fair contribution for what we are getting, he asked if that is that the gist of it.

Maria Ruiz said yes, especially in regards to domestic violence services because the City really doesn't fund domestic violence services at the level that should.

Commissioner Samuelian said he thinks the Homeless Trust is obviously doing important work, it appears like in this specific area, domestic violence, and we have been benefiting from some services. His sense is that this recommendation is for us to pay our fair share, so he will be supportive of this today.

Commissioner Góngora said he will take that as a motion and second it. He said he feels similarly and as he understands it, there was not enough money from the short term rental fines, so we are just supplementing the remainder from resort tax funds.

Maria Ruiz said what is being proposed is in essence is eventually to pay our per capita share of what would fund these services, so that eventually we get to \$1.976 million through the resort tax collections to cover the services.

Commissioner Góngora said he thinks this is a worthwhile cause. And having started his legal career in the domestic violence arena, he knows how much these funds are needed.

Vice-Mayor Malakoff said she has a resolution coming to one of the next Commission meetings, in some cities and in the whole state of California, there is a tax on sugary drinks, it could be within our city and its \$.02 per ounce, it comes to quite a bit, the idea is to reduce the drinking of sugary drinks, whether it's Pepsi-Cola or Coca-Cola or other energy drinks with a lot of sugar and it makes them more expensive and therefore less apt to be purchased. With those monies designated for homeless services, so that will be coming to a future Commission meeting.

Commissioner Góngora said he thinks it is a great idea if we could expand it to be homeless and domestic violence.

Vice-Mayor Malakoff agreed and she had also put in for children's welfare, children's health, which could help with the domestic violence as well. Often there are children involved. However, we are not able under state law to put in a tax ourselves so it does have to go to the Florida legislature, and if they would do it for the whole state, the way California did it would be a miracle, but at least Miami Beach, perhaps can have that carve out.

Commissioner Arriola said he didn't know about Vice-Mayor Malakoff's resolution, he will support it; he thinks it is a great idea. It is a public health crisis.

MOTION: Commissioner Samuelian moved the item as recommended by the Administration. Commissioner Góngora seconded.

17. DISCUSSION REGARDING THE PROPOSED BALLOT QUESTION – RESOLUTION URGING THE FLORIDA LEGISLATURE TO AUTHORIZE A 1% HOMELESS AND DOMESTIC VIOLENCE TAX IN THE CITY OF MIAMI BEACH

March 13, 2019 – R7 G

Sponsored by Commissioner Arriola

Office of the City Attorney

ACTION

Commissioner Arriola opened the item. He said that we had a lengthy and passionate discussion last month about 1% of food and beverage tax to further fund the work of the Homeless Trust and he thinks he heard his colleagues that everyone wants to do more to tackle our homeless and domestic violence crisis, but we disagreed on how we can come up with the funding mechanisms for that and some of us said that will take it up during the budget cycle and see what we can do, which is great and that's about to start shortly. In order to get ahead of things, he is proposing ballot language that we would take to the voters in November asking the voters how they feel about it. Basically in the memo it talks about getting votes from the public on whether they support a 1% tax that would urge the Florida legislature to allow us to collect this tax and that's basically what we have here and so he wanted to get the Committee's thoughts on this.

Commissioner Arriola said he wants to hear from the voters since they are the ones paying for it.

Vice-Mayor Malakoff said she believe this puts the City of Miami Beach at a huge disadvantage, our main business at this time is tourism and that includes restaurants as well as nightclubs and hotels, etc. She said she understands hotel restaurants would be excluded. Nevertheless, we have hundreds and hundreds of restaurants we want to encourage small business for most of the restaurants are certainly small business. No other cities in the County of Miami-Dade, or perhaps in the state that have such a high tax, it would make our tax 10%, we are already charging the 2% resort tax, which is included in our bills. She believes that it's not fair to the small businesses of our City to do it. She doesn't think it's right to put it out for referendum. She feels very strongly about this. She spoke about the Homeless Trust and how they are doing a good job in trying to find housing for all and pay for the housing for all the homeless, but she also believes that in the City of Miami Beach we are doing an excellent job taking care of our homeless through both the police outreach team and the community services team, under Maria Ruiz. Our homeless count

has gone down according to our statistics, which she believes are true by 31%, she thinks we should continue to fund our services here and not use this referendum to divide the community more.

Commissioner Arriola asked then where can we get the money because we need more money to tackle homeless.

Vice-Mayor Malakoff said we are already looking and Commissioner Arriola said we are looking at this current budget process and they talked about using the short term rental fees and if he wants we could use 100% of them instead of using half for affordable workforce housing. We could use the whole half a million plus to go towards homeless services.

Commissioner Arriola said the reason we are talking about this now is to get ahead of it, we don't know what is going to happen in the budget, maybe there's money in the budget that addresses this, but his suspicion is there's not. So we are going to come out saying here's this sort of token amount, but is not sufficient to address the homeless and domestic violence crisis that we have in our County. Either we are going to have more or not the budget cycle and having done this for a while we are not going to have sufficient money, but maybe there's a miracle in there and we can address it. But if we don't, the question he has is do we want to hear from the voters? The preliminary polls that have been done show overwhelming support for this because we have a homeless crisis right here in our city and certainly in the County and money is part of the solution to addressing our homeless and domestic violence crisis. He thinks it's incumbent, it's our responsibility to do something and one of the things we can do is find funding mechanisms to do that and this is what the County has been doing, having food and beverage tax and so this is what I like to hear from voters.

Jerry Libbin, CEO the Chamber of Commerce, spoke. He said from their position they certainly agree with Vice-Mayor Malakoff. However, they also stated on the record in March, that they would support it if the Commission wanted to find the funds in another manner and he thinks he even suggested if we wanted to ask the voters what he had in mind was certainly not coming back and asking the voters if they want someone else to pay for it. He was thinking to ask the voters if they want to pay for it, not ask the restaurants if they want to pay for it. The Chamber would not have an opposition to if the Commission was so inclined to put out a ballot question asking to raise general funds to raise the money. Now keep in mind there may be no appetite given the just committed to for the \$450 million of G.O Bonds, but would have no objection to that he is more than happy to pay his fair share and he is sure each of the Commissioners would be willing to pay their fair share because it would come out of our pockets every time we go to a restaurant anyway.

Commissioner Góngora said that he actually agrees that we need to do more for homeless and domestic violence tax. He is not prepared to support the ballot question today, not that it matters because Commissioner Arriola is a Commissioner and can put this on any Commission agenda that he chooses and he is certainly not in favor of killing an item in a Committee or anything of that nature. His preference on this item because he's not convinced that it should go on the ballot today, would be that we discuss this in our budget meetings, which commence in May and that this come before the full Commission in June for a discussion on this ballot question when I suspect we are going to have other ballot questions to discuss. He doesn't feel prepared to vote in favor of this item today.

Commissioner Arriola thanked Commissioner Góngora for saying that, they still have time, they don't have to vote on this today, but he just wanted to let the Committee know where he's going with this. They are going to go into the budget and he promises there is not going to be money in the budget for this. Maybe there will be a miracle and if there's not, he is going to ask the Commission to consider this and Mr. Libbin raised an interesting question too, it doesn't have to be through food and beverage tax. We could have a general increase in the millage rate, for example. He is going to press them to find a solution to this. He wants everyone to put their thinking caps on, because they all talk about wanting to do something and they either want to do something or don't, and they need to find a way to do it. The question he has for the food and beverage industry, what is the cost of homelessness to the businesses? It is a tragedy when walking

Lincoln road or anywhere, that we see homeless people sleeping outside restaurants. There is a cost to doing business and he is wondering if the tax of doing business whether the benefits outweigh the costs.

Mr. Libbins said there's a cost not just to the restaurants and that's why he comes from the standpoint that there should really be a broader tax, it impacts every business. The money has come from a much broader source than the select few restaurants are that are outside of hotels.

Commissioner Samuelian said he would not be in a position to support this. His sense is that they had actually a degree of consensus that we didn't want to go down this path, so at this point he is not comfortable throwing it over to the voters and seeing because they don't have the information that we're dealing with. He is supportive in doing more. He thinks that one, we made a recommendation today to do a little bit more and two, he would like to see, doing more at the Homeless Trust is a valid option, but are there enhancements that the Administration can bring forward, which maybe are not this size, but that could move the needle? He would like to see more options and what is it that the Administration needs from the Commission to move the needle on this issue and if there's an enhancement, he is definitely game to give it consideration. He doesn't know what that number is, he doesn't know what that plan is yet. He would like to know the what, when, how.

Commissioner Arriola said the reason this on the agenda today is going into the budget cycle he wants them thinking about this.

Commissioner Alemán said she wants to be careful as they deliberate this topic of stating that whatever we do here is going to solve homelessness in Miami Beach and that we will eliminate having homeless people on Lincoln Road or in Lummus Park, that is not the case at all. No matter what we do here and no matter how much money we put to this we will still have homeless people in Miami Beach, so she wants to caution them against talking about it in that way because she thinks it's misleading.

Ron Book, Chair of the Miami-Dade County Homeless Trust, spoke. First of all to address the issue of a ballot measure, they were asked at the Commission meeting if they have a problem with it, the answer is no, and would they support it, they said yes. They are not afraid to allow the voters to speak as to whether they would or they would not like to encourage the Commission to simply pass an urging to the legislature. It is to get a sense of where your public is on the issue. Speaking to the second issue, which was the cost of homelessness on the Beach. What's the cost of those two really lousy headlines in the last 30 days of the homeless individuals who he believes committed two murders in Miami Beach in last 30 days? He asked what is that cost to those businesses, whether they are the restaurants on Lincoln Road or other businesses or other tourism related issues on the beach. To Commissioner Alemán's point he said he has never represented that we could completely end homelessness any more than we can end unemployment, what we certainly can do is get to functional zero. What we can do is we can take all of those people that are shelter resistant. They are the chronic population where nationally as well as locally it has been accepted that by experts across the country. The only solution for chronic homelessness is utilization of housing first and the only way to expand our housing first model is additional revenue. We don't have enough revenue to expand it, to go beyond that. To the issue of the breadth and the depth of it, he heard the reference made that we are not talking countywide; we are only talking about the Beach. He simply reminds the Committee that the revenues expended and whether we talk about the domestic violence portion or talk about the pure homeless portion, the amount of money that the Trust has expended over the years for almost 26 full years are people coming from the beach is in the tens of millions of dollars that people from throughout the County have not said one word about us expending when there were no fair return coming from the beach. He said we can talk about the approximate \$1.8 million that was put in today, but that hasn't always been the commitment. On the issue of where homeless people come from he can tell us again in our community in communities around our state around the country we don't look at where they come from, because we can't they are here on the street. We can try to be a sanctuary city, we can talk about carding them and decide whether we can provide a place for them to be generally off the beach or we can talk about how we direct our resources in a way that ends homelessness and ends those bad headlines. He is not afraid to take the message to the voters. He wanted to address one last thing that

Mr. Libbin said the burden is not on the restaurants the burden is on the people who eat in those restaurants that gross \$400,000 or more and have a liquor license. He said they can show how the restaurants have flourished on the mainland and no one has said one word in 25.5 years of the tax being in place.

Commissioner Góngora thanked Mr. Book for his eloquent comments.

Commissioner Arriola asked Mr. Book to take them back to 26 years ago with the County in respect to homeless and domestic violence and how money has changed the paradigm.

Mr. Book said started with homeless first, the focus is how to get them off the street and get them either into shelter or into permanent housing of some sort. When you look at the breadth and depth of our continuum, as several of you know we don't have a one-size-fits-all model. The reason that HUD has recognized them six times nationally is because they don't look at it as a one-size-fits-all. It's why there's a program at Lotus House for women and children. It's why they have these outreach teams that go out across the County every day. It's why we the Lazarus program that takes five medical professional seven days a week out on the streets to help take the psychotropic medicines to individuals on the streets. Because they recognize that a mental health individual who is taking their psychotropic medication is not only safer for themselves and for taking the meds they are safer for the community. He continued to explain.

Commissioner Arriola said he was simply looking for the answer that money works. He's been there many times now, the different facilities we have throughout the County and it's clear that the money has been well invested and in the ancillary support services money is a critical part in solving the homeless and domestic violence crisis that we have. We have to continue funding it.

Constance Collins, Executive Director of the Lotus House women's shelter and she is here today also on behalf of the Miami-Dade County domestic violence oversight board which she serves. Domestic violence or intimate partner violence more broadly defined is a life and death issue. It is a public health crisis across the United States and our community our County and Miami Beach is no exception. If we look at the data from the Florida Department of Law Enforcement Uniform Crime Report, between 2013 and 2017, there were 47,086 domestic violence related offenses in Miami-Dade county 21,562 domestic violence related arrests. In that same period 2,143 domestic violence related offenses and 1,698 domestic violence related arrests in the Beach municipalities. In that same timeframe 780 domestic violence deaths, in the County of 2.7 million people, we have 163 adult beds and 18 cribs. That means that women and children are being turned away from lifesaving domestic violence shelter beds every day. Some of them go into the homeless system because 90% of the women and children at Lotus House have histories of domestic violence, intimate partner violence and other serious traumas. According to the homeless management information system during May 2013 and May 2018, 4,020 residents of Miami Beach who received homeless emergency shelter and services and housing assistance reported they were fleeing domestic violence. Domestic violence is a public health crisis. The City of Miami Beach doesn't have a domestic violence oversight board or a human services agency that addresses the domestic violence issues in Miami Beach. Why? Because Miami-Dade County has the oversight board because Miami-Dade County is providing the domestic violence shelter beds and services and homeless services for women and children who are victims of domestic violence. We have one domestic violence shelter new shelter which will bring on 60 beds under construction. It's woefully inadequate for our County, if Miami Beach had been contributing its 1% and the 15% share had been going into the domestic violence oversight board budget then women and children would have more beds right now. For the last 25 years they haven't been contributing, we are behind we need not just one more shelter, we need multiple shelters and women who fleeing domestic violence are victims of violent crime, intimate partner violence in the home system need to be supported. The rest of the County is paying for it, Miami Beach is not. As a matter of fairness and just as a matter of recognizing this is a life-and-death issue, it affects us all, but it especially affects women and children because over half of the victims of domestic violence and intimate partner violence are actually children, so she would ask the City to look at this issue hard, this before the voters. She has no qualms about paying

her share. She doesn't know how the City of Miami Beach can call itself the City of Kindness, it is kind only to the tourists, but what about our residents, what about our community, what about the most vulnerable in our community? She said for at least to put this before the voters.

Vice-Mayor Malakoff asked why only 15% being split since domestic violence is such a huge, huge problem in the County.

Ms. Collins said first it is historical, because that is what was built into the statute and the 15% only goes for the construction and operation of domestic violence shelter beds, the rest of the monies for domestic violence support services like Lotus House Shelter provides are coming from the 85% that goes from the homeless services, so they are not singled out even though that is predominantly who they shelter and serve.

Commissioner Arriola asked if Lotus House can service more beds, but it is a funding issue, correct.

Ms. Collins said that is correct. Their facility was built to shelter 490 women and children plus infants, where as of last night 430 women and children. They are the largest shelter in the Country actually for women and children and we have over 100 unfunded beds.

Commissioner Arriola said that is the number he recollects and if they had more money they could provide 100 extra beds.

Vice-Mayor Malakoff said Miami Beach used to pay for beds at Lotus House and then like two or three years ago they no longer accepted the funds from Miami Beach for some reason.

Ms. Collins said they had a small contract with Miami Beach and did no renew it. The shelter was going through a transition period and under construction. The new village was being built. They had to go through a very difficult time where they were renting buildings out in the neighborhood in Overtown to try to bridge themselves through.

Vice-Mayor Malakoff asked now that new village is built, she asked if they can sign a contract with Miami Beach.

Ms. Collins said they could. She just wanted to emphasize that they feel very strongly that the evidence-based best practices that they utilize with the homeless trust are an important component to their program. They are not going to put someone out just because they are maybe not complying with the letter of what their agreements require. They had to carry a number of guests from Miami Beach for a lengthy period of time completely unfunded because they were perceived to not have met the requirements ultimately; many of them were completely successful. They are strong believers in evidence-based best practices in what they do, their results speak for themselves. In the past year, they have sheltered over 1,000 women and children, life to date, 3,740 women and children. Over 80% exit the shelter system, it's intensive. They are completely committed to that approach because they know it works.

Vice-Mayor Malakoff said that Miami Beach would like now that they are in their village that we would be able to pay for some beds there.

Commissioner Góngora said that Ms. Collins speaks incredibly well and obviously these are very compelling arguments that everybody on the Commission is extremely conscious of, and they are all he believes committed to really looking very carefully for more funding sources. They want to help them and he visited the center and it's amazing, the work that they do. He said to please not take the comments from this body and not being prepared to put this on the ballot today to mean that they are not interested in the issue or focused on the issue and looking to find more funding. They are going to do that through the funding process and he knows Commissioner Arriola is passionate about this and if he is not satisfied with

how that goes he knows this will be on the June Commission agenda. He thanked them and wanted them to know the Commission is focused on the issue.

Tracy Slavins, resident, spoke. She said she is present as a board member of Chappman partnership and as a resident. In the time since this item was on the Commission agenda, she asked a lot of her friends and family what they think as residents of Miami Beach about adding a penny sales tax to their restaurant bills at the restaurant that they frequent. No one had a problem with it. She said this is real, she said as a resident if she can contribute to this and make a difference she is willing to do that. It is important to remember that the restaurants are not paying, she is paying, and the consumer is paying.

Vicky Mallette, Executive Director of the Miami-Dade County Homeless Trust, spoke. She said she appreciates the conversations that they are having about services and shelter for the homeless, but she doesn't want anyone to lose sight that housing is a tremendous component of creating a system that ends homelessness. We have 1,000 people on the street and on any given night another 2,600 people in shelter. They all are homeless. They are in temporary settings in crisis housing and we need to move them out. For chronically homeless people who have been on the street for a year more and have a disability, the intervention is housing first permanent supportive housing, a subsidy combined with support services. For individuals who are not as vulnerable and may not have a severe enough disability, it's rapidly housing short to medium term rental assistance, with light touch support services. For all of this population we not only need to identify housing, but we need to have the housing subsidies in order to move people out. While we are out there talking to private market landlords every day about working with our clients who albeit are not perfect people. If we do not have the housing on the back end we can put thousands more people in shelter and still not end homelessness, we will just have a greater shelter number and she should point out that more than half of the funding that comes to the Trust is provided by the federal government, and if our homeless number, if the total homeless number takes upward we risk losing those federal resources. It's really important to think inward about how housing is part of the system flow, which you're not going to solve this problem with all the outreach and all the shelter in the world.

Valerie Navarette, present as the Chair of the Homeless Committee and as an individual. First, she spoke speak as the chair of the Homelessness Committee. The Committee was 100% in agreement to pass the suggested 1% tax and they are also in support adding the item to the ballot. She would like to have a right to vote on it. She then spoke as an individual. She said she's been looking into the 2% resort tax, where the money goes and everything and in the year 2017 the City collected over \$55 million and she thinks it would be interesting to toggle some of that money to the homeless as well. Another suggestion is for the developers to have a small tax on the developers that goes to the homeless and also affordable housing, because if people are not able to afford their house they become homeless.

Commissioner Arriola said this will be a topic of discussion as we go through the budget.

Commissioner Samuelian said it is certainly an important discussion. he said he would like to formalize his request, he would like to see the Administration bring forward an enhancement or enhancements because they all have interest in improving, they are saying that they are willing to put more money. He would like to know what those options are, whether it's housing at the Lotus House or others, he would like to make that motion that they as part of the budget process bring forth those enhancements. Commissioner Góngora seconded.

MOTION: Commissioner Samuelian motioned for the Administration to bring forward an enhancement or enhancements during the budget process, whether it's housing at the Lotus House or others. Commissioner Góngora seconded.

18. DISCUSSION REGARDING SMALL SIDED SOCCER FIELDS IN ONE OR MORE OF THE WEST LOTS

March 13, 2019 – C4 K

Sponsored by Commissioner Arriola

Parks and Recreation/Office of Capital Improvement Projects

ACTION

Cindy Casanova, Parks and Recreation Assistant Director, presented the item. She said this item was originally to discuss small sited soccer fields at the West Lots, they thought it would be best to actually take the Committee through the presentation that they are going to do next week at the NCAC meeting, which includes use of the West Lots. They wanted to give a comprehensive picture of where they are at right now with the sports field inventory and their uses, some identified gaps they noticed, and their plan which is a creative plan to help meet those needs moving forward.

Commissioner Arriola said he is not necessarily pushing hard for soccer fields to be on the West Lots, but there are private operators out there who contract with cities and counties, that at their own cost build soccer fields and then charge for its use. His thought was while the West Lots are sitting their dormant, hire a contractor to activate those spaces while we are trying to figure out what to do with them to see what that would look like and he was told the Parks and Recreation Department has already been working on this.

Commissioner Góngora said there was another item that Commissioner Alemán referred to the NCAC, which was similar.

It was explained that these items were morphed into one.

Cindy Casanova went through the presentation and talked about the different fields and parks the City has and explained their uses. She then spoke about the needs and the gaps that have been identified. She explained the new designs for the parks and how they will help us improve the programs and increase the use. She said we need 2 additional fields to accommodate the baseball program for ages 3-13. She also spoke about the soccer programs and expanding them in the different parks. She said we need an additional soccer field for travel soccer for ages 12 and under and 2 fields for travel soccer for ages 13 and up. Soccer is becoming more and more popular. She went through the recommendations and the costs. She said there are some quick easy wins to get the space we need. The first recommendation would be for Biscayne Elementary, we recently acquired this site, but the way it is now is not practical and functional for our needs. The proposal is to turf it, light it, and get us what we need which is an additional soccer field and some added baseball field space. The proposal for the turf is artificial turf, it has longer life and it is more financially feasible. The next recommendation is for Polo Park, she said if we put sports lighting, we will be able to expand the Danny Berry baseball program, and in addition we can line the outfield and make it an additional soccer field for ages 12 and under, the estimated cost for that is \$614,336. She then mentioned Miami Beach Senior High School; there have been conversations about wanting to put in a football field. The idea is to take it a step further and make it a sports complex and add football, soccer, baseball; we can expand the City's programming there and enter into a joint use agreement with the school. The preliminary cost is \$1,737,024.

Discussion was held about the NFL Foundation and the Dolphins Foundation.

Commissioner Alemán said the NFL Foundation put in \$250,000 for a grant and the City did as well. She said she was under the impression someone was going to talk to Miami Beach Senior High School about their portion. She asked how those funds that already granted tie into what is being recommended here.

Cindy Casanova said they haven't had those conversations yet, there are a lot of moving parts to this project. She said we will need to sit with the stakeholders, the School, the PTAs, to make sure we are all on the same page and then figure out how to make the funding work with what the NFL is proposing, what we want to pay to do, etc.

Matt Kenny, Tourism and Culture Director, said we have \$750,000 confirmed, \$250,000 from the City, \$250,000 from the Dolphins Foundation, and \$250,000 from the School Board. It is in the contract stage right now; it hasn't been confirmed with the Super Bowl.

Commissioner Alemán said it was her understanding it was important to the NFL that we break ground on that project in June and that it gets completed, because the whole point was to have it ready in time for the Super

Matt Kenny said the PTA is running that right now and working with the School Board, getting it on their agenda and pushing it through their processes.

Commissioner Arriola asked if to get to the vision of the \$1,737,024 if we would reduce it by the \$750,000 that we have earmarked.

Cindy Casanova said yes she imagines so.

Commissioner Arriola said we only then need \$1 million and we are going into the budget process now, so we can hopefully find this money.

Cindy Casanova continued to talk about the long term goals. She spoke about North Shore Park; she said the G.O. Bond scope is to take over the parking lot if feasible in the hopes of gaining 1-2 more fields to expand our baseball program. She then went on to talk about the west lots. She said the Parks and Recreation Department's preference is to take over the 85th and 86th lots and turn it into one big parcel where we could pick up 2 additional 12 and under soccer fields and a smaller multipurpose field for other sports and for open community play. The preliminary cost estimate is \$2,436,039.68; it does not include the cost to vacate the street between the 2 lots. If that is not preferable to the Committee, there is also the option of doing the small sided soccer fields at the west lots. It would be to incorporate the micro soccer fields on those lots with artificial turf or natural turf. The natural turf will cost \$1,379,677.48 and the artificial turf will cost \$1,682,442.28.

Commissioner Malakoff asked about the skate park.

Cindy Casanova said it will be on 82nd Street.

Cindy Casanova said the recommendation would be to move forward with the cost design and sports lighting at Biscayne Elementary, also to have more conversations about the multisport complex at Miami Beach Senior High School and sports lighting at Polo Park to expand the programming there.

Commissioner Góngora said he likes this and asked if we can move it to the budget discussions.

Commissioner Arriola said he was going to recommend rolling all of this to be considered during the budget cycle.

Commissioner Góngora made that motion to move this to be considered during the budget discussion.

Commissioner Alemán said she agrees, but not for Miami Beach Senior High because we have to do it much faster in order to do it by the time of the Super Bowl.

Commissioner Góngora said he will incorporate that into the motion.

Cindy Casanova thanked the Parks and Recreation Facilities Advisory Board, for all of their hard work; they have discussed this at many meetings and met at the proposed sites.

Commissioner Arriola said this is all exciting, it is taking our parks to another level. He asked if this will be capital money.

John Woodruff, Chief Financial Officer, said yes, if we need to find more money mid-year we can more than likely un-fund a project that is moving slower to free up some money in advance of the budget process. He will work with the Parks and Recreation Department to see how different projects are going to come up with an option.

Commissioner Malakoff asked if there are still surface parking lots where the skate park will be.

Cindy Casanova said yes.

Commissioner Malakoff mentioned an idea that was discussed previously about a developer building town homes and the lease payments could go towards community projects, such as sports fields or work force housing.

Kathie Brooks, Assistant City Manager, said at this time the only things that have been moving forward for the West Lots has been the North Beach Yard and we currently have on the street a solicitation for hydroponic farming on either the lot between 84th and 85th or the lot between 80th and 81st. The direction that was given from the Commission when we brought the concept plan for the West Lots, was to look at things that were interim in nature that could eventually turn over later to that type of development that Vice-Mayor Malakoff mentioned.

MOTION: Commissioner Góngora motioned to move this item for consideration during the budget process, but to expedite the Miami Beach Senior High School piece beforehand to have it done in time for the Super Bowl. All in favor.

19. UPDATE ON THE PROGRESS OF THE TRAFFIC MITIGATION STRATEGY TO HELP REDUCE TRAFFIC IMPACTS OF THE CONNECTING MIAMI CONSTRUCTION PROJECT

March 13, 2019 – R7 G

Sponsored by Commissioner Samuelian
Transportation

ACTION

Commissioner Samuelian opened the item. He said this specifically relates to the Connecting Miami project. It is almost \$1 billion investment being made here; it is going to have some material impacts on traffic. This particular item, which he thinks they should get periodic updates for so they all know the latest on when and where this will happen and what the potential strategies are to mitigate it.

Jose Gonzalez, Transportation Director, spoke. He said at the March 13th Commission meeting, the City Commission adopted a resolution that recommended that the Administration pursue in conjunction with FDOT and the County various traffic mitigation strategies in connection with the FDOT signature bridge project. Those were to accelerate the implementation of the beach express north (BERT), the second was to enhance the service of County bus route A, and the third was to explore waiving tolls on the Venetian Causeway. There was a fourth strategy discussed briefly, which was pursuing water taxi services, that one was to continue conversations with the County as a long term type of strategy. Pursuant to that direction, the City Manager Jimmy Morales, Assistant City Manager, Kathie Brooks, and himself met with FDOT District 6 secretary Jim Wolf on April 5th. At that meeting, they recapped all of the projects that are ongoing or planned over the next 5 years. It is a list of over a dozen projects. Following that list of projects, they made some requests and expressed some concerns and asked if some project can be deferred and not overlapped to not have concurrent construction in our major streets. FDOT had some serious concerns with delaying any of the projects; they specifically cited the delay costs. For example, they mentioned the signature bridge projects. Delaying that project would be \$1 million a day of delay costs to the contractor. They did commit to work with the City of Miami Beach in terms of some of these projects are rather simple so they will work with us to either work during the off peak hours during the day Monday-Friday or during the night time hours. That would minimize the impact. One of the biggest wins is that the City brought to

their attention is a coordinated citywide type of traffic control plan that would address multiple FDOT constructions occurring simultaneously on our major roads and what they committed to doing and are already working on is an interactive map, a coordinated citywide map that would also include the causeways as well as I-95. The public can use this map to stay connected with all of the FDOT projects going on. We are already well underway. Lastly, they went over the mitigation strategies that were mentioned previously on the BERT system, the study they are currently doing across the Julia Tuttle is that they expect to complete that by November 2019, the County is performing that study, they would provide the results to FDOT for FDOT to be able to design the bus express rapid transit project across the Julia Tuttle. They also discussed with the County of enhancing the bus route A. Perhaps they can find the funding through their budget process. He said they also discussed waiving tolls on the Venetian Causeway. FDOT was amenable to that they said that they would work with us and support us for a Board of County Commissioners resolution, almost like an umbrella type of resolution that would allow the tolls on the Venetian Causeway to be waived as needed during the life of the signature bridge project, which is about a 4-5 year project that just started. The next strategy was about a communications protocol and consistent messaging between FDOT and the City. We are working on a framework for that and the last potential strategy, which we did not discuss with FDOT; it is more of a County function as well is the commuter waterborne transportation service. We had a very good discussion with the County earlier this week on that potential service between the Omni Downtown Miami area and South Beach. We are currently exploring with the County that opportunity and ideally with funding to be provided by FDOT because this would be a strategy to mitigate the impacts of the FDOT project, so those conversations have started. He hopes to provide an update very soon on that, the goal is for this commuter waterborne transportation service, we're trying not to call it a water taxi because there's an implication that water taxi implies on-demand service that you can hail and it just comes to you on demand, but the idea would be that unlike our pilot which we terminated some time ago, This service would be at about the same fare as the County bus fare of \$2.65.

Commissioner Samuelian said this Connecting Miami project is going to be with us for years and will have dramatic impacts and while we are struggling with some traffic issues, this potentially is a big threat to our mobility, specifically as the project starts to reduce lanes from I-395 onto I-95 that is very likely to cause backups, I-395, which will impact the MacArthur Causeway. So we have a big challenge on our hand and part of this item is to make sure that folks are aware, his best understanding is probably we start seeing the initial impacts in that vein later in the Summer into the Fall. What's important is that we take action and that we do something about it. He is pleased to hear that we have some conceptual agreement, from FDOT on waiving tolls on the Venetian bridge as needed. First, he loves the idea that FDOT is going to give us the interactive map, so we are least have the picture. He would also request that the City Administration build on that map for our own projects and any traffic impacts. He said we have a major project on West Avenue and it is hard for him to believe will not have any traffic impacts, timing and thinking about how that fits into the process he thinks is critical. His second thought is more just a point of information he and other Commissioners are sponsors of reducing the amount of times that the Venetian Island bridges are up, that's a specific strategy we know we are taking action, he thinks that can be a mitigation approach. He said that Jose Gonzalez talked about the funded project on the Julia Tuttle which is good, but there's one other one that he would like to add to the mix, which is express bus service on the MacArthur Causeway. During weekdays approximately 15,000 people a day are going by bus on the MacArthur Causeway and the Commissioner has taken a position to try and free up one of those lanes, so he thinks an additional strategy would be to work with FDOT and the County to accelerate the express bus on the MacArthur Causeway. He asked what Jose Gonzalez's thoughts on the County bus A and where do we go with that?

Jose Gonzalez said based on conversations with the County is to try to work through the budget process as an enhancement. It always helps as well to have a County Commissioner champion that, we have County Commissioner Higgins, who has previously mentioned on this dais that she is pushing for that on her end as well. That's the latest from County staff on that.

Commissioner Samuelian asked if Mr. Gonzalez needs anything from the Commission to help that push going.

Mr. Gonzalez said there is already a resolution on the books which is urging the County to enhance that service to the levels before the cuts.

Vice-Mayor Malakoff said going to the water service, in most cities and other countries as well where water type service is successful and used on a regular basis and they are ferry boats, they are used for commuting and the problem with the last water taxi was it was just for tourists for the weekend and there weren't enough of them because it was so expensive. We need something on a regular basis, which is similar to the bus fare as mentioned in a ferry boat, where you can have many people riding on a scheduled route. They would be scheduled and it would be ferry like boat to take you from Miami Beach to your work in Miami and back again in the evening.

Commissioner Góngora said that is an interesting point and they discussed the water ferry for quite a bit last year at the NCAC when we stopped the service. He agreed with Vice-Mayor Malakoff, it was too expensive to be usable. Part of the problem that we have is in all the cities where it seems to be successful it is subsidized by the City and he thinks the discussion at the NCAC was that we weren't ready to commit money to the water ferries. He thinks they left it at exploring the opportunity of allowing them to have advertising or some type of commercial activity on the ferries to see if that would incentivize people to rebid.

Jose Gonzalez said that is correct and we still have to have those conversations with the County. We are calling the service a commuter waterborne transportation service. It's unlike our pilot, which did fail for variety of reasons, this one would be a Monday through Friday service with a fare comparable to County bus fare, it would be on a schedule. The County mentioned they went out with a competitive solicitation some time ago, but they believe that it is still a valid solicitation, so they are already in conversations with that vendor. The vendor can provide a large vessel with a capacity of over 100 passengers, so it would be a ferry type service unlike the pilot that we had that was a much smaller vessel.

Commissioner Samuelian said he strongly agrees with Vice-Mayor Malakoff's perspective, we need something more robust that people trying to get to and from work and from and his discussions with Commissioner Higgins and the County, that is the intent. In terms of the subsidies on he thinks we are in a better space here because of the problem with the Connecting Miami project. He thinks FDOT and others realize that we need some help. One thing that Connecting Miami has is he thinks it is going to push us to some more creative mobility solutions and he thinks the commuter waterborne transportation is one of those examples.

DIRECTION: Come back with updates quarterly so it runs parallel with the other traffic item.

20. DISCUSSION TO CONSIDER THE APPROVAL OF A CAPITAL BUDGET AMENDMENT FOR PAYMENT TO AECOM TECHNICAL SERVICES, INC, FOR PROFESSIONAL SERVICES RELATED TO THE FLAMINGO NEIGHBORHOOD, PHASE II CONSTRUCTION PROJECT IN THE AMOUNT OF \$36,789.30, PLUS \$3,678.93 IN OWNERS CONTINGENCY FOR A TOTAL OF \$40,468.23

April 10, 2019 – C4 A

Public Works

ACTION

Roy Coley, Public Works Director, presented the item. He said this item a capital budget amendment request to pay AECOOM for inspection related services in the Flamingo neighborhood. It represents services on about \$7.7 million worth of construction, which comes in at about a 3% cost, which we found to be very reasonable. These funds would come from the enterprise funds of the utility and we have those in reserve.

MOTION: Commissioner Góngora moved to approve the item. Commissioner Samuelian seconded.

21. DISCUSSION REGARDING BENCHMARKING OF IMPACT FEES

January 16, 2019 – C4 G

Sponsored by Commissioner Alemán

Office of Budget and Performance Improvement

ACTION

Bo Martinez, Economic Development Director, presented the item. At the January 16th Commission meeting, Commissioner Alemán was looking for us to do analysis regarding the benchmarking of impact fees within the city. What we've done to date is looked at existing impact fees in the City of Miami Beach and there's 4 of them that we've taken a look at that are part of our structure, Transportation, Parks and Recreation, Parking fees in lieu of providing Parking, Water and Sewer impact fees. We also found that there are no impact fees currently being charged for Police and Fire. The next step for us is to go out there and do a benchmarking of 16 other cities throughout the Metro region of Miami as well as other communities in Florida. In addition to that we were also can be looking for some in the any direction as the Committee may have as we go out there and do this impact fee analysis as well as benchmarking other cities, we hope to get back to the Committee at the end of Summer 2019 with our findings.

John Woodruff, Chief Financial Officer, asked if Bo Martinez has any idea if it's possible to be closer to the middle of the end of July, to align with our budget process. Usually we try and make final decisions around then, so that we can make some of these changes, if any, effective October 1.

Bo Martinez said he thinks so.

DIRECTION: Report back to the FCWPC in July 2019 on the analysis with comparison to other cities.

22. DISCUSSION TO REVIEW THE VACATION OF AN ALLEY IN THE NORTH BEACH TOWN CENTER CORE (TC-C) DISTRICT BETWEEN ABBOTT AND BYRON AVENUES, FROM 71ST AND 72ND STREETS, IN FAVOR OF ABBOTT AVENUE PARTNERS, LLC; PUMPS AT 71 LLC; AND 7433 COLLINS AVE CORP

April 10, 2019 – C4 AH

Sponsored by Commissioner Alemán

Public Works

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

23. DISCUSSION REGARDING THE MARINE AND WATERFRONT PROTECTION AUTHORITY'S RECOMMENDATION REGARDING THE ESTABLISHMENT OF A MOORING FIELD IN SUNSET HARBOUR

March 13, 2019 – C4 M

Sponsored by Commissioner Arriola

Public Works/Office of the City Attorney

ACTION

Commissioner Arriola opened the item he said this affects quality of life for those folks who live near the water particularly on the bay side where there are a lot of marine vessels derelict vessels that have been abandoned and the City's ability to control our waterways.

Raul Aguila, City Attorney, went through why we should consider this. He said at the last Commission meeting on April 10 Commissioner Arriola referred an item with regard to us giving a legal opinion as to whether the City could create a mooring field in the area of Sunset Harbor neighborhood. He said a

mooring field is a designated area on the water that has strategically placed permanent anchorage to which vessels may safely tie up and swing with the tide and wind without impacting other boats in the area. For a long time now the City has had issues with derelict vessels and live aboard vessels that really don't move that are not seaworthy, tying up in the proximity of the City's neighborhoods such as the Venetian Islands and most problematically Sunset Harbour. He explained they have been asked whether we can regulate those vessels. Unfortunately, the State has preempted us from regulating vessels outside of established mooring fields under state law. They established a pilot program which would have made it easy for some local governments to create mooring fields, but although we lobbied several years during our state legislature session to try and get into the pilot program, which is kind of an expedited process to create a mooring field, we never got permission to do so and only a limited number of cities were admitted, which include the City of St. Augustine, St. Petersburg, Sarasota, Monroe County, in partnership with Key West and Marathon, and Martin County in partnership with the City of Stuart. The pilot program also expired in 2017. The only option to us available since we were not able to regulate these type of live aboard boats and derelict vessels outside of a mooring field is to proceed to try and create a mooring field. The City has the authority to create a mooring field, under state law, and we do have the authority to create a mooring field within a designated boundary. The specific question here was outside of Sunset Harbour up to 100 vessels. This process would likely require local, state, and federal approvals if we are dealing with submerged lands. His initial research has also uncovered is that while there is a process there are certain steps that need to be taken first of all and those are the recommendations he made in his memo. Once you create a mooring field, the ultimate step is usually for the City to do this either by resolution or ordinance. Then there's the parallel state and federal permitting process, but it regulates things like the length of time the vessel can remain in a mooring field, the establishment of fees, safety and insurance considerations, operational hours for noisy machinery, requirements relating to the display of time of signs, sanitation requirement, provisions regulating fishing, swimming and other recreational activities, restrictions on feeding wildlife. The City can either manage it or get a private operator to manage it, something that's called a managed mooring field. He thinks the Commission has to address certain policy decisions first. The first thing obviously being a recommendation by this Committee to explore this further, if there is direction by this Committee to explore it further and it goes to the Commission, he would recommend that when we do this after speaking with people in Tallahassee, that we should definitely hire a consultant to help us to do this and there are consultants that guide local governments to the process of it. It's not an easy process and it could be a multiyear process, there are extensive permitting and other requirements. You have to prepare management plan outlining what your mooring field is going to look like and what it's going to do and he would imagine we would need specific input from the public, particularly the stakeholders in and around Sunset Harbour. He said his recommendation is if there is a desire both by this Committee to recommend that the City Commission proceed with considering the creation of a mooring field within Sunset Harbour. He would recommend that we also either through competitive bidding or otherwise retain a consultant to guide us through the steps and down to work with a point person on the Administration to do it. There's been a lot of interest in seeing this happen for a lot of years, but it's not something that that happens overnight. The only way we can regulate vessels within that area is by creating a mooring field. Otherwise, we just don't have the authority to regulate.

Commissioner Arriola said that the last thing that Mr. Aguila said is his compelling reason why he wants to study this. He said he does hear complaints from people who live in Sunset Harbour and Venetian islands neighborhoods where they look at seaworthy derelict vessels parked behind their apartments or homes and they ask why we cannot get Code Compliance out there. We have no control over our waterways, so this is a step to do that. Secondly, if we find this to be interesting then in those areas like Sunset Harbor where we have restaurants and things like that, it could help those commercial establishments where people come for the day tie up to the mooring field to have lunch or dinner. The primary reason he wants to study this is that we have no control over waterways and to remove some of these eyesore type vessels.

Commissioner Góngora said he had thought about putting this item on the agenda previously, he knows this is something that the Marine and Waterfront Authority Committee has been urging us to do. He knows there are some residents from Belle Plaza present. He knows when he lived there you can see from the balconies people from the boats discharging wastes and other things like that into the water. There are

other residents in other building in Sunset Harbour that are concerned that adding this type of mooring field might add congestion and problems to that community. He's interested in exploring it. He asked what the realistic possibility of doing it is. He also asked what the cost of doing it is with retaining outside consultants and the years of lobbying efforts.

Mr. Aguila said he was told it is doable and it is hard. It is arduous. Sunset Harbour might be unique because to create a mooring field you need to identify certain land-based facilities, like a dinghy dock, parking, bathrooms, shower facilities, laundry facilities, those mitigate a lot of the sanitation issues that we are having with these live aboard vessels, but he doesn't think the City can do this on its own without a consultant because there's just a level of expertise and negotiating the permitted agents that's necessary, he doesn't think the consultant is necessarily something that's extraordinarily expensive, what the consultant would basically do is help us to create a lot of the documents that we have to submit, including the management plan, which identifies all the things you need to create including the land-based facilities and help us through the permitting process.

Commissioner Góngora said maybe he would be in favor of retaining the consultant if it's a reasonable amount and then having them bring us back a realistic financial picture and timeline picture as to what this would entail before he'd be all in moving forward with this concept.

Commissioner Malakoff said in the meantime, is there any way through our Marine Patrol that we can stop the boats who are out there dumping their garbage into our waters.

Mr. Aguila said it is very difficult, first of all he thinks citywide our Marine patrol resources are very limited. Second of all, we have wrestled with this issue before and the boats are essentially private property, so there has to be a reason for going on board a boat. One of the things of why we've explored the concept of a mooring field as Commissioner Arriola said without a mooring field our ability to regulate is very limited. The problem is having a Marine Patrol there visually sees a boat owner dumping garbage at the time that it's being dumped otherwise how do you identify the person that's dumping the garbage and he thinks we have two or three boats to cover the City citywide, so that's challenging to be there at the time that that the violation is occurring. If you go the route of a managed mooring field and you contract with an operator to manage it, sanitation issues like Vice-Mayor Malakoff referenced could be mitigated because there's a person on site. We do have that structure at the Purdy boat ramp between the Purdy boat ramp and Maurice Gibb Park could maybe be retrofitted.

Commissioner Arriola said this is timely because we also because in the G.O. Bond we have money to retrofit that facility for Fire and Police and so there are going to be enhancements to that structure. The other thing to keep in mind is that we can charge for tying up and so that helps pay for the cost of a dock master or people there to enforce rules and regulations.

Mr. Aguila said that Sunset Harbor is kind of in a unique situation and unfortunately that neighborhood is kind of the victim of this unregulated activity is because there is express language and state statutes that prohibit this kind of activity within the proximity of the Venetian Islands. The other thing is the facilities that we have within the proximity of the water the Marina and boat ramp which can be retrofitted. He imagines there's going to be public comment on this; you can do it for up to 100 boats. Sunset Harbour may not want it to be for up to 100 boats, but if you want to get the ball rolling, he thinks his job was to answer the question if we can legally do it and we can. The first step is if there is a recommendation by this Committee and then have the discussion at the Commission, he would recommend that there be a designated administrative point person and that we would proceed with issuing some kind of RFP or competitive solicitation for a consultant. He said he thinks he can get some names from Mr. Book's staff person.

Commissioner Samuelian said that he is open to having a conversation; he would agree with Commissioner Góngora we are going to need to get a sense of what type of investments we're talking about, that the cost figure's important. He would also like to understand from any initial planning work we do, the impact on the community both the benefits, for example around sanitation and if there's some

disorderly behavior that we can regulate, he wants to hear about that. He also wants to understand the impact on the potential area it would go and he thinks what he would call for is the opportunity to learn from these other cities that have been piloting these moorings if it is working, how it is helping, if it is good for those local businesses, and if there are any neighborhood impacts. He would be looking to hear a little bit more about the impact in the community and benefits, the big picture of the costs before we decide to go much further down the path.

Mr. Aguila said from his perspective and from Commissioner Arriola's, this has been as a result of periodic requests from residents of the community that would like to see this done. He doesn't know if everyone is on board, but this is something that was prompted by people in the Sunset Harbour neighborhood.

Commissioner Góngora said his whole reason for being interested is that he would hope that people wouldn't continue to discharge their waste into our public waters, but what he would hate to see and that even if we did it, some people just have bad behavior and aren't going to care and continue to engage in that bad behavior.

Mr. Aguila said that is also the point of having perhaps exploring a managed mooring facility, which would have something akin to somebody patrolling the area and making sure that that bad behavior is limited.

Ron Book, Lobbyist, spoke on the item. He said that his firm spent some time this past week on this issue. They know a lot about the issue, it predates their representation of the City. It's funny because what City Attorney is representing to the Committee is these carve out areas, they carved out because some of the residents retained his firm several years ago out of frustration. What occurred and as the City Attorney has described as they passed the statute that created if you will, because of the Marine industry, this pilot and they gave municipalities opportunity to join the pilot. There was a sign up period, Miami Beach didn't sign up at the time, then attempted to get into the pilot after they had closed it. The marine industry was trying to keep a stiff arm out there to keep you from coming into the pilot. The goal was they gave three years to put together a report with a model ordinance. What they were trying to do was create some continuity statewide as to where mooring fields would operate. He said if he were the City he would be upset. He said people have been discharging into the waterways now for years, when they were done with the three years; they couldn't put a model ordinance together in three years. He said he believes that they carved out Sunset Lake, the sections in Biscayne Bay between Rivo Alto and Toledo Island, San Marino Island and San Marco Island, San Marco Island and Biscayne Islands. What happens is in the fall you have a large group of Canadian boaters who sailed to Miami Beach and they stay for six or seven months and they anchor behind these people's homes and behind their buildings. There were several residents in a war. Residents moved because of this. He continued to talk about that horrible situation. If you didn't have Marine Patrol constantly patrolling frequently, there was nothing that could be done. He said he is where the City Attorney is, he said they are happy to coordinate the effort. He said they do have somebody specifically in mind in Tallahassee that they think is in a unique position. We don't know whether he would make himself available or not. He thinks the guy is fairly pricey in what he does, but it can't be that expensive. If the City doesn't do something it's more of the same. He spoke about a couple of attempts by Hollywood in this session and last session to do a local bill to cut their area in and they are never going to pass a local bill to do it. He thinks it will be terribly difficult to open the statute up, but he thinks creating the mooring field at least gives the City some opportunity to do something to speak to the citizens' concerns.

Mr. Aguila thanked Kelly in Mr. Book's office for speaking to us for over an hour with regard to the legal opinion.

Wendy Joseph Rugg, Vice President of Belle Plaza condominium, spoke. She said she doesn't want to reiterate what Ron Book or Raul Aguila said, but Belle Isle in the back of their building especially is a dumping ground for all of these boats. Between 5-5:30 a.m. they wake up and see boats taking poles and dumping them. She would say their Bay is in crisis. The Marine Patrol only comes out during the day, but this occurs early in the morning in the dark and it is a disgrace.

Gary Rugg, Belle Plaza Condominium, spoke. He said you can go on Air B&B and see these vessels are for rent by each night and they do not have power. They don't have solar panels. They've seen the mooring field at Coconut Grove and it does work. We need the same on both sides of the Venetian Isles. He thanked the Committee for looking into this.

Bruce Backman, Sunset Harbour Neighborhood Association, spoke. He said that they haven't really taken a stance on this; they are really just exploring and trying to find out what's being offered. He brought John Lee up to speak, he said currently there are about 30 boats out there generally and he asked John Lee what his plan is to limit the mooring field. The number of votes will determine how big the laundry, shower facilities would be required to be impacting Maurice Gibb Park.

John Lee introduced himself, he said he is the chair of the Marine and Waterfront Protection Authority and is a resident of 9 Island Ave., Miami Beach, FL. He said his Committee likes this issue so much that they sent two letters to Commission in the last year specific to this issue. He said their main point with this issue is the environmental hazard and the public safety hazard. To Mr. Backman's questions he thinks there is a lot of back and forth that would happen and his questions have a lot of discovery items in them that they have not done yet and he thinks they were talking about engaging a consultant to do some of that discovery. He won't have specific answers to the questions, but he is happy to hear them and he would welcome Commissioner Arriola to jump in and help with them also.

Commissioner Arriola suggested Mr. Backman tell the Committee his questions and concerns.

Bruce Backman went through his concerns. He said the size of the boats, the number that are illegally or randomly there now. He asked how we will get rid of the boats if they are derelict and refuse to pay marine fees and asked if there will be police there 24/7. We do have the new Police and Fire facility coming in the park, he asked if they will be in charge of this or how do we do that? He said one of his principal concerns and this may require state legislation, when he read the state statute, the fines that are state-mandated are ridiculous, they are \$50 for the first offense, \$100 for second offense, \$250 for their subsequent offenses. That is not going to discourage anyone; he asked if we require a state law to get increased fines. This is something if we are going to engage a consultant, we may want to start with that state authorization now.

Mr. Aguila said he read this and it is anecdotal, but it when he was speaking to Mr. Brook's associate, violators are less likely to park their boats in a mooring field because mooring fields are regulated pursuant to operational criteria and a management plan. Bad actors are less likely to park their vessels in the mooring field because of the regulations that go with being in a mooring field.

Mr. Backman asked how do you handle those bad actors. How do we actually enforce the mooring field and more importantly is the perimeter around it. He said he's heard the perimeter is 150 feet; he doesn't just want the mooring field only to move the boats 50 feet away and then start their bad behavior again because they'll just dump there and this is true. He said sewage is a real issue here.

Mr. Aguila said the statute also says that vessels cannot moor within 100 feet of the boundaries of the mooring field, so that would allow us to regulate vessels within a certain distance outside the mooring field.

Discussion continued about the boundaries of the mooring field.

Mr. Backman asked additional questions about the mooring field as well as the Police and Fire facility. He said the residents are concerned about commercial concessions in the park. In addition he asked about the fees and if it will be enough for a dock master.

Commissioner Arriola said Mr. Backman's questions are all good questions, all the questions that he raised will come once we know what the consultants going to advise us including the cost.

Mr. Backman said he is not asking the questions because he is against this, he just wants these things to be explored.

Raime Walsh, Sunset Harbour resident, spoke. She said in an effort to find a solution she said she had some ideas she would like to present. She asked what the possibilities are of the City allowing Sunset Harbour Yacht Club to expand its reach to encompass the area to the south of the existing marina area so that we can essentially have a private entity enforcing and regulating what's going on. She said rather than build infrastructure into the park in the new facility, there seems to be a variety of vacant spots inside the towers on the marine side in Sunset Harbor Towers, she asked if the City can explore installing the laundry and whatever facilities have to be installed from an infrastructure perspective to accommodate the mooring field. She asked if the City could reach an agreement with Sunset Towers to use some of that space instead of building more concrete jungle in the park that they worked so hard to come up with. She asked if the City could strike deals to allow condo buildings to extend their reach to regulate, the private entities that are not restricted by government limitations.

Mr. Aguila said these are public mooring fields, so we have to be aware that they are created, enabling authority has to be created by the local government by resolution or ordinance. In regard to the land-based facilities that you required to have theoretically if you have a managed mooring field theoretically a city might be able to contract with let's say a condo building to provide the facilities on that on that site. He doesn't know how that would affect the complexity of the permitting; the local government also has the option of either managing the mooring field itself or contracting with a private entity to manage it. The underlying thing is they are public mooring fields, they have to be open to up to whatever capacity of boats that you have. He doesn't know how condo associations might feel about assuming that liability, but the state statute says that you can contract management of the mooring field to a private entity.

Commissioner Góngora said we are hearing about people disposing of their waste in the water from certain condominium buildings. We've been big on camera infractions. He asked if we have to have live enforcement or could we contract with some of these buildings to have cameras.

Commissioner Góngora said for the City Attorney's Office to prepare an LTC on this question.

Commissioner Arriola said in the interest of time, he asked his colleagues if they are all comfortable with moving this along to engage a consultant to further advise the City.

Commissioner Góngora said if the consultant is a reasonable amount he doesn't have a problem putting it out to obtain a consultant to answer all of these questions and give us a more informed and detailed answer on what it would take to move this forward.

Mr. Aguila said what he needs from the Committee is first of all, is a recommendation authorizing the Administration to proceed with exploring the creation of a mooring field in the proximity of the Sunset Harbour neighborhood.

Commissioner Góngora said his motion is that he just wants to obtain a consultant to tell us if it's a good idea, the cost, and what the realistic possibilities of getting it done.

Mr. Aguila said that was the second part of the motion, which is to retain a consultant for up to a limited amount to just explore the viability of it.

Commissioner Góngora said that is correct. He said he will move the second part of the motion as he stated. Commissioner Samuelian seconded.

Commissioner Samuelian would like to know the real world experience, Coconut Grove and others that have gone down this path to learn from them as well.

MOTION: Commissioner Góngora motioned to proceed with obtaining a consultant to explore this further including the cost and viability of it. Commissioner Samuelian seconded.

DIRECTION: Office of the City Attorney to prepare an LTC about having live enforcement in order to give Code violations or if we can contract with some of the condominiums to install cameras to watch people.

24. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE

June 6, 2018 – C4 E

Sponsored by Commissioner Arriola

Economic Development/ Office of the City Attorney

ACTION

DIRECTION: Item withdrawn by sponsor.

DEFERRED ITEMS

25. DISCUSS THE DESIGN AND PLAN CONCEPT FOR THE OCEAN TERRACE NEIGHBORHOOD URBAN DESIGN PLAN BY THE CORRADINO GROUP AND REFERRING THE PROPOSED IMPLEMENTATION PLAN FOR PRIORITIZATION AND POTENTIAL FUNDING OPTIONS

December 12, 2018 – C7 AE

Economic Development

ACTION

DIRECTION: Defer pending development agreement for Ocean Terrace.

26. DISCUSSION REGARDING ESTABLISHING A PILOT PROGRAM FOR DOCKED ELECTRIC ASSISTED BICYCLE SHARING SERVICES

October 17, 2018 – C4 J

Sponsored by Commissioner Arriola

Transportation

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting, pending further discussions at the NCAC.

27. DISCUSSION REGARDING THE BUDGET ADVISORY COMMITTEE MOTION THAT THE CITY OF MIAMI BEACH COMPLETE A FACILITY CONDITION ASSESSMENT

December 12, 2018 – C4 H

Sponsored by Commissioner Samuelian

Property Management

ACTION

DIRECTION: Update will be provided at the May 31, 2019 FCWPC meeting.

28. DISCUSSION REGARDING THE ADMINISTRATION'S PROCEDURE FOR WELCOMING NEW BUSINESSES TO MIAMI BEACH

December 12, 2018 – C4 E

Sponsored by Commissioner Arriola

Economic Development

ACTION

DIRECTION: Defer to the May 31, 2019 or June 28, 2019 FCWPC meeting, pending town hall results.

29. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND

April 11, 2018 – C4 O
Sponsored by Commissioner Arriola
Finance/Planning

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

30. DISCUSSION REGARDING THE BIGBELLY PROGRAM AND POTENTIAL WAYS TO SUBSIDIZE ITS COST

October 17, 2018 – C4 I
Sponsored by Commissioner Arriola
Public Works

ACTION

DIRECTION: Defer to a future FCWPC meeting until meeting with BigBelly and Public Works has taken place.

31. DISCUSSION TO REVIEW THE CITY'S FORTHCOMING STORMWATER MANAGEMENT BUDGET AS WELL AS RELATED UTILITIES, ABOVE GROUND, AND OTHER ASSOCIATED COSTS

September 12, 2018 – C4 G
Sponsored by Vice-Mayor Samuelian
Public Works

ACTION

DIRECTION: Defer to the June 14, 2019 FCWPC meeting, pending information from Jacobs Engineering.

32. DISCUSSION REGARDING THE LOCATION OF A STORAGE FACILITY AND NEW RESTROOMS FOR SOUNDSCAPE PARK

January 16, 2019 – C4 I
Tourism and Culture

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting, pending renderings from designers.

33. DISCUSSION REGARDING THE RECYCLING FEE AND BACKYARD SERVICE COST

September 12, 2018 – R5 M
Sponsored by Commissioner Arriola
Public Works

ACTION

DIRECTION: Defer in order to be discussed as part of the program budget process.

34. DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE 72ND STREET CIVIC COMPLEX PROJECT

January 17, 2017 – C4 AD
Sponsored by Commissioner Alemán
Office of Capital Improvement Projects

ACTION

DIRECTION: Item withdrawn by sponsor.

35. DISCUSSION TO PROVIDE FUNDING FOR DIVERSITY TRAINING TO SPECIFIED CITY DEPARTMENTS

March 13, 2019 – C7 I
Sponsored by Commissioner Góngora
Organizational Development

ACTION

DIRECTION: Defer to the May 31, 2019 FCWPC meeting.

36. DISCUSSION REGARDING A CAPITAL BUDGET AMENDMENT TO ALLOCATE FUNDING FOR THE PURCHASE AND INSTALLATION OF LICENSE PLATE RECOGNITION (LPR) CAMERAS AT ALL GARAGE ENTRANCES AND EXITS, AS PART OF THE CITY'S PARKING GATED ACCESS/REVENUE CONTROL SYSTEM

April 10, 2019 – C4 B
Parking

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

37. DISCUSSION OF RETROACTIVE FEE WAIVERS AND SPONSORSHIP OF THE FLORIDA INTERNATIONAL UNIVERSITY SURF & TURF VOLLEYBALL TOURNAMENT

April 10, 2019 – C4 C
Tourism and Culture

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

38. DISCUSSION ON MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION AND ITS FINANCIAL CONDITION

April 10, 2019 – C4 D
Sponsored by Vice-Mayor Malakoff
Office of Housing and Community Services

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

39. DISCUSSION ON THE FOUR MOTIONS FROM THE MAYOR'S 41ST STREET BLUE RIBBON COMMITTEE MADE ON MARCH 14, 2019

April 10, 2019 – C4 E
Sponsored by Commissioner Samuelian
Economic Development

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

40. DISCUSSION REGARDING A PROPOSED ORDINANCE TO AMEND THE CITY'S ART IN PUBLIC PLACES ORDINANCE TO EXPAND PROJECTS COVERED UNDER THE ORDINANCE TO PROMOTE MORE PUBLIC ART AND FUNDING FOR FUTURE PROJECTS APPROVED BY THE CITY COMMISSION

April 10, 2019 – C4 F

Sponsored by Mayor Gelber

Office of the City Attorney

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

41. DISCUSS HERITAGE TREE DESIGNATION, AWARENESS CAMPAIGN AND INCENTIVE PROGRAM

April 10, 2019 – C4 H

Sponsored by Commissioner Alemán and Co-Sponsored by Vice-Mayor Malakoff

Environment and Sustainability

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

42. DISCUSS THE IMPLEMENTATION OF THE TWO MOTIONS MADE ON APRIL 5 BY THE HISPANIC AFFAIRS COMMITTEE

April 10, 2019 – C4 AF

Sponsored by Commissioner Samuelian

Tourism and Culture/Marketing and Communications

ACTION

DIRECTION: Item to be heard at the May 31, 2019 FCWPC meeting.

43. DISCUSS THE HISPANIC AFFAIRS MOTION REGARDING SIMON BOLIVAR

April 10, 2019 – C4 AG

Sponsored by Commissioner Góngora

Tourism and Culture

ACTION

Commissioner Góngora said as an emergency item this item will be added to the agenda today. Commissioner Samuelian motioned and Commissioner Góngora seconded.

Commissioner Samuelian said this was a motion from the Hispanic Affairs Committee, a group that has done a lot of good work. The motion was to honor a Venezuelan Statesman and someone that is well recognized and that we conduct an event around this. The timing couldn't be better given all of the challenges in Venezuela.

Gabriel Paez, Chair of the Hispanic Affairs Committee, spoke. He said that one of the motions passed at their meeting was for a Simon Bolivar anniversary event very similar to the Jose Marti event that is held annually in January at the Collins Park monument of Jose Marti. Given the fact Collins Park does have a monument of Simon Bolivar they thought it was an appropriate time to stand with our Venezuelan brothers and sisters in the County and share and bring to light the life of Simon Bolivar, recognize a man who was

involved with liberating 5 nations in Latin America and did the same thing that George Washington did for us here in the United States.

Commissioner Góngora said that he loves this idea, and if he did understand correctly the Jose Marti event is a nominal cost, approximately \$1,200 a year.

Mr. Paez said it shows on the record for Parks and Recreation of approximately \$1,159. Their Committee is asking for a similar event with the same cost. They are asking for the event on or about July 24th, with that being the date of his actual birth.

Commissioner Samuelian said this is a wonderful idea, the timing couldn't be any better, he is fully supportive. He asked if the Administration if there are any objections whatsoever and also given the small size of the amount of money if they need Commission action.

Matt Kenny, Tourism and Culture Director, said if it approved across the board, the \$1,200 should be easy to find.

Commissioner Góngora said he thinks they can approve it today; the Jose Marti event doesn't usually go before Commission because of the nominal amount. He thinks this is on the agenda to see the will of the Commission of adding this event. He also mentioned that Bolivar was heavily associated with Venezuela, but also with other countries in South America. He said the July 24th is also Colombian Independence Day, so this can be an expansive effort to reach out to those South American countries that we don't usually recognize as much. He thinks we need to focus on our South American residents as well.

Mr. Paez said Simon Bolivar is considered the founding father of Colombia also, so it goes hand in hand with what Commissioner Góngora said.

Commissioner Malakoff said she is not on the FCWPC, but she thinks this is a great idea.

MOTION: Commissioner Samuelian motioned to approve the funding of the item. Commissioner Góngora seconded.