MIAMIBEACH

Finance and Economic Resiliency Committee Meeting

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April 24, 2020 - 10:00 AM

Commissioner Ricky Arriola, Chair Commissioner David Richardson, Vice-Chair Commissioner Mark Samuelian, Member Commissioner Steven Meiner, Alternate

John Woodruff, Liaison Morgan Goldberg, Support Staff

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A meeting of the Finance and Economic Resiliency Committee was held on Friday, April 24, 2020 at 10:00 a.m. via Zoom. Attendance: Mayor Dan Gelber, Commissioners Ricky Arriola, David Richardson, Mark Samuelian, Steven Meiner, Micky Steinberg, and Michael Góngora. Members from the Administration and the public were also attendance.

Meeting began at 10:05 a.m.

OLD BUSINESS

1. UPDATED FINANCIAL IMPACT FROM COVID-19

Office of Management and Budget

ACTION

Commissioner Arriola opened the meeting. He said that there are 140 participants in the meeting. He said we will be having meetings every Friday, but will try to keep short it and sweet, at a minimum this a way we update ourselves and our residents about the economic recovery efforts and where we stand with respect to our budget. Later today they will talk a little about the City administration's effort to start planning for recovery and a way back to the new normal. We directed staff to look for additional alternatives and options for us to consider.

Jimmy Morales, City Manager, said that John Woodruff, Chief Financial Officer will walk through the memorandum.

John Woodruff, Chief Financial Officer, said that the Administration presented budget balancing plans for the funds most impacted by COVID-19 at the April 17th meeting. Those plans emphasized cost savings to help limit the use of reserves to balance the budget. At the last meeting the Committee requested that Administration further review staffing needs for FY 2020 and look for additional furlough opportunities, especially in management positions and recognizing that revenue shortfalls may continue in the next year. Direction was also given to begin the process of proactively looking at opportunities for the FY 2021 budget development process.

John Woodruff said that there is no presentation today because this is more of a focused discussion, but he shared a chart on screen from the memo on this item. He said that the City Manager, the City Attorney and the City Clerk all have announced that they will each take 10 unpaid furlough days. Additionally, between now and the end of the fiscal year all members of the management team as well as the Mayor's Chief of Staff and the Inspector General's staff will take 5 unpaid furlough days. There will also be no merit pay or COLAs this year. Since last week we put together a recommendation where we extended the five unpaid furlough days to include all non-public safety union employees making more than \$50,000. He went into explaining the chart.

Raul Aguila, City Attorney, said that in his office he is taking furlough, 10 furlough days and the rest of the office is taking 5 each.

John Woodruff continued explaining the chart showing the value of 1 unpaid furlough day for each bargaining unit. He said the focused is on employees making over \$50,000, which would total savings of \$237,000 per day, so if we multiply that by 5 unpaid furlough days that would generate an additional \$1.2 million dollars across the board, which is the recommendation. He continued to the next chart and highlighted the parts of the charts that are new. Last week's list of the full-time positions being furloughed had been limited to 29 positions in the Parking Department because they experienced the most dramatic financial impact from the COVID crisis. As directed by the Committee, we have identified an additional 20 full time positions in various departments including two Assistant Parking Directors that have been identified to be furloughed. These additional positions generate a savings of approximately \$700,000 across all funds if furloughed through the end of the year. The 49 positions in the chart total the amount of employees furloughed, although Parking went from 29 to 31, the rest of the positions are all new. He continued to explain how we identified which positions could potentially be furloughed as we had to take into account how many position vacancies are already being absorbed by that department, both full time and part-time, and that there are also employees that have been repurposed.

Discussion was held.

Commissioner Arriola asked how many of the additional 20 positions are all true positions that we had this week and we furloughed or if we are counting vacancies that we are no longer going to fill.

John Woodruff said we had to go through that exercise and be clear about which ones are vacancies, that is the first column and which ones are filled and those are what you see in the furlough column so we have a lot in the vacant column already. That is why our opportunity to furlough additional folks are limited because our Departments are already down all those vacancies.

Raul Aguila noted that in his office they only have 4 vacancies, not 7. John Woodruff said he will follow up on that.

John Woodruff said of the 49 positions, 11 are management type positions. He also said they received a little direction to be proactive to look ahead to next year's budget and see if there are opportunities to make position cuts or changes. As we reflected and looked into it we realized that a lot of what goes into creating next year's budget are the revenue projections. Over the next 30 to 60 days we are hoping to have a much better idea of what the timeline for recovery is and how that would drive the revenues that we would receive, which will then tell us how much we will need likely to cut into the budget in order to mitigate that. We want to do it holistically and do it right. We do anticipate that we will have revenue impacts in the new fiscal year. We will have to take action to reorganize departments making potential reductions and we are going be proactively working on that over the next few weeks to line up with our normal budget timeline. We really get started in May, June and July when we have a lot workshops. To date we have been focusing on balancing FY 2020 budget. Hopefully in the next week or so we can start transitioning over to focus on the FY 2021 budget.

John Woodruff said that last week during the discussion of the General Fund balancing plan we spoke about the limited use of the general fund reserve, which was projected at about \$8.6 million dollars.

The additional measures of expanding the number of positions required to take 5 unpaid furlough days that we just talked about will add \$1.2 million across all funds. The 20 full time positions that are being proposed to be furloughed will generate about \$700,000 in savings as well. When the second quarter projections are completed in the next few weeks we will capture all the miscellaneous savings out there in different departments and are hoping that the cumulative effect of all three of these measures will help limit the use of the general fund reserve from \$8.6 million to closer to \$5-\$6 million.

Commissioner Arriola asked when we talk about the employees that were furloughed, are we saying furloughed through the end of the end of the fiscal year or are these permanent reductions in staff?

John Woodruff explained that it is through the end of the fiscal year, but depending on the recovery timeline, some of those positions may be needed sooner. At the same time we are hoping to have offsetting revenue to assist with that. The decision about permanent cuts needs to be a more holistic discussion. We need to see what the revenue projections are going to be. After having some discussions with colleagues in other counties, he thinks we have done great work and are ahead of the curve. We are in good shape with the FY 2020 budget and it is time to start transitioning to FY 2021. He thinks we are in position to do that.

Jimmy Morales reiterated that the furloughed employees are allowed to use their vacation time and they are on our health insurance, we in fact are covering their premium and their families as well. That was Commissioner Richardson's motion last week. We are covering the insurance through the time period that they are furloughed. Some furloughs may end early. Later on the agenda we are going to talk about the reopening of parks, so we will need to bring back Parks and Recreation employees to help enforce the parks. We will also be eligible for FEMA reimbursement as these employees will be enforcing social distancing rules due to the pandemic. If things change and the economy opens up and there is demand for other employees' services, they can be brought back as well.

Commissioner Richardson said he appreciates all of the work that has been done by John Woodruff and the Administration. He thinks we made a very good first effort and as John Woodruff said there is more work to be done. He said he has some other models and would like to work with John Woodruff so that we can come back next week. He thanked staff again for listening to what the Committee said last week and paying attention to showing reduction in all levels of our City employees. He mentioned he spoke to the City Manager about the health care issue. He would like us to have a formal process where we memorialize that any employee that is furloughed, will get their health insurance paid through the end of the fiscal year. He said he appreciates all of the offers for the furloughs, he is a little concerned we may be giving the public the wrong idea by the use of the furlough. He knows the work ethic of the Management Team. He knows that people are going to take the furlough without pay and continue working. There is a suggestion by the use of the word furlough, people have said to him if you are making a lot of money you don't need an unpaid vacation. He would like to talk about that, maybe for some of the senior people it is a combination of furlough and pay reduction. He wants to work on that some more this week. He doesn't think a specific decision needs to be made, but he wants to come back next week with some other models. He said we need to look at cash flow issues, based on the employees coming back that could qualify for FEMA reimbursement. He asked John Woodruff to formally correct the public safety piece in the memorandum and reissue the memo to memorialize the correction. In addition, he brought up an email he received about salaries and car allowances for the top people in the organization. He was troubled by the email regarding the car allowances. He spoke about his aide and not getting reimbursed for the car mileage. He said there is no reimbursement procedure. There could be an opportunity for further cost savings regarding the car allowance. He wants to talk about the reimbursement process for mileage on City business.

Commissioner Góngora said that this is a terrible unprecedented time, he also did get reached out to by a number of employees and it has been a very bad time. He is very sympathetic to the situation. He thinks the Administration did an excellent job with the materials, they didn't receive them until last night. It would be helpful to continue the dialogue when they have had more time to address the

materials. He is not in a position to approve or disapprove of the memorandum. He said there a bigger impact on lower paid employees than higher paid employees. When he was looking at the chart he thinks they need to have a bigger conversation about furloughing employees versus others. He is open to having the discussion about the car allowance, because they all received the email. He responded to Commissioner Richardson's mention about his aide's mileage and mentioned that their office has a budget for expenses like this and traditionally these mileage costs have been reimbursed. He mentioned that when he does budgets in his own work, you have a number in mind of where you need to get to, we don't know the number so we are trying to make cuts where we see available. He also would like to have the employees that have been furloughed are first in line to get their jobs back.

Jimmy Morales responded to Commissioner Góngora's concern about the number we are trying to get to. Last week's memorandum included what number we needed to get to in order to balance the budget in light of the new revenue. The changes presented last week were to make sure we can meet our bond obligations and provide whatever support is needed. It was to bridge the gap with whatever revenue shortfall and our demands. We got to that number and that is what the Committee approved. That included hitting the resort tax reserve for one month or \$5 million and hitting the general fund reserve for about \$8 million. He reiterated what was said earlier how we went back to look at management and mid management positions, but also see what additional dollars we could save so we wouldn't have to hit the reserves as hard. The reason we have been doing the furloughs and not traditional lay-offs, we want to keep the employees engaged with the City because we will start bringing people back when they are needed. He continued to talk about the vacancies in the departments, so that is why in some departments we did not furlough more individuals.

Commissioner Samuelian said he wanted to echo some comments that were made. This is a challenging and unfortunate situation. The Administration has done a very good job with a tough hand. He echoes Commissioner Richardson's comments about healthcare about providing for the individuals and families throughout the fiscal year. In addition, he looks forward to hearing about the car allowance situation.

Commissioner Steinberg asked about the 5 furlough days for the employees making \$50,000 or more, if it is the net or the gross income.

John Woodruff said it is the gross salary.

Commissioner Meiner thanked the Administration for the hard work. He said something he has been thinking about is the criteria used on the furloughs and how we are making those decisions. He wants to have an understanding of how we are making those decisions. He would like it to be transparent.

Commissioner Arriola said he wants to understand the process like his colleagues of how people were selected for furlough. He said he received texts and emails that it wasn't particularly fair how these furloughs were done. He wants to spend the next week talking about how this was done to make sure we did it right.

Jimmy Morales said the reason we notified people yesterday was that we didn't want them to see in a memorandum that came out where they would see that 3 people are leaving their department and it would create uncertainty. He directed the department directors to find people that either weren't very busy or service areas that we could see some change in. Also, include management level employees. We needed to minimize service impact.

Commissioner Arriola said he would like to understand better by department if the employees aren't busy now and that was the reason for the furlough, which is justifiable, but to what extend will that be the new normal? He wants people to start being able to plan their future.

Mayor Gelber said the furlough is just a pay cut because he knows the employees are still working. He addressed the reimbursement process that Commissioner Richardson mentioned earlier. He stated we do give reimbursement. He also mentioned that this process is to really steady the boat,

so we can get through this with the drop in revenue, etc. The only think he would be careful about is that we are starting the budgeting process for next year, if people have systemic things they want to talk about that is where they should be brought up. We will then hopefully have a better idea of the long term demands and challenges of the budget are. He would resist changes right now. He said we can also look at the car allowance during that process.

Commissioner Richardson said his aide has not complained or asked for reimbursement, he is the one that asked, he didn't know there was a process or procedure. He also to the point that was made that we don't know the number we need to get to is false, we do know the number, as it was presented last week. He said his personal goal is to reduce the use of the reserves from \$8.6 million to about \$5 million. He said we are getting much closer to the \$5 million he had in mind with the adjustments presented today. He is worried about next year, we will have a full year to deal with, we may have to dip into our reserves a little more. He asked if we need to bring the topic of the healthcare being covered for the furloughed employees through the fiscal year.

Jimmy Morales said we told the employees we would cover their personal health insurance through the end of the fiscal year, we went and extended that to the full family. The intention is to keep them connected to the City.

Raul Aguila said he would recommend that for next Friday's special commission meeting that a resolution be prepared ratifying the Committee's recommendation today. He thinks we can take Commissioner Richardson's recommendation as a motion and he asked if anyone on the Committee would second it. The motion is that employees that are being furloughed will continue to receive health benefits and not just health benefits for themselves, but for their families as well

Commissioner Samuelian seconded the motion. Approved by acclamation.

Commissioner Richardson said there was mention something about the people at the lower end of the pay scales feeling the hit a little bit more with the furlough days. He thinks the Administration did an amazing job at listening to the Committee, they made some hard choices. He thinks the ratio of the management team furlough versus the other employees is fair, he is happy about that percentage.

Commissioner Arriola asked what the Committee would like to do with this discussion for the Administration to prepare for next week. He got this information last night and would like to talk to John Woodruff and Jimmy Morales about it offline in the next few days. He welcomed additional feedback of anything that has not been covered.

Commissioner Góngora said he thinks they have spent adequate time on this. He is satisfied with it. He clarified his comment from earlier about not having a number, he meant hat it is not a hard number it is a projection, he said we are normally able to budget with more knowledge. He thinks we need to keep watching the number as we move forward throughout the year.

Commissioner Steinberg said we need to be looking at this holistically. We don't want to make changes that will benefit us on the front end and hurt us on the back end. She mentioned that she brought up the income level of the employees making over \$50,000 is because they will feel that more, maybe we don't start them with 5 furlough days and maybe doing it on a scaling system, something to think about.

Jimmy Morales said from what he is hearing is that we can hold off from implementation until next Friday to give the Commissioners a chance to study it more and think about it. There is nothing time sensitive about this.

Commissioner Arriola said he would be okay with that but isn't sure that is the direction that was given. He thinks that people are rattled and bringing this up and doing this all over again next week is brutal. When we talk about furlough he wants to provide direction for our team. At least provide them the clarity of how long it will be, if it is a permanent cut we need to make that clear to people, so

that they can sort of start planning their professional career down the line. He also brought up whether employees are still going to work on their furlough days. He doesn't want to have particularly senior level people who are on furlough not work during a time of crisis and during a time of recovery. That makes no sense, what might be more logical option is to take an actual pay cut and continue working. If it is going to be affecting our operations because people aren't working during furlough that might not be the best route to go, we might be better off asking for a pay cut, that when times get better we can redo, but he doesn't want to have critical people out of work at a time when we need them.

Jimmy Morales addressed Commissioner Arriola's concerns. He said that members of his team have already taken furlough days and not one of them stopped working. This was the mechanism to essentially affect what was just described as sort of a pay cut. He has already taken two days but has still worked. He said everyone is clear that we are here, we are 24/7 and will continue to be.

Commissioner Richardson said that is exactly why he brought the issue up, he knows the Administration is working and normally it is a time when people aren't working. He mentioned that some people asked him why the senior people are going to get an unpaid vacation, but that is not really what's happening. As he said earlier he has some other models and would like to bring those back next week for discussion. Commissioner Steinberg mentioned about the people on the lower end of the pay scales, feeling it a bit more, he has some ideas he would like to bring them back next week for discussion. In response to what we do now, we have a memorandum, he thinks that the Administration has really tried to do what the Committee directed them to do last week, and he thinks that they should give the green light that they are moving in the right direction. As painful as it is to see it is for us to see someone furloughed, he doesn't think that their role as Commissioners pick employees and save employees and protect employees because that's the role of the City Manager. He thinks it would be unfair to say, let's not go through with the plan because there will be uncertainty to the next week if people are going to be laid off. That will create more anxiety for people, so he is comfortable with the memo with the direction. He thinks the Committee needs to say to the Administration that they appreciate that they're moving in the right direction. Also, that they can continue to work on cost savings to the extent there are other possibilities and continue the discussion next week.

Commissioner Samuelian spoke. He said he does think it's important that we track our progress on an ongoing basis, he would ask the Administration to give thought to the best sort of reporting mechanism that they want to use. This is a very dynamic environment and we need to know that we are actually realizing the savings and if revenues are ahead or behind, we need to know how we are doing. In addition, when we talk about furloughing employees, he believes, and he just wants to confirm his understanding that is through the end of the fiscal year, but we would then revisit if we have the ability, goal, and hope is to bring folks back. That's the definition of the furlough that he sort of heard.

Jimmy Morales said the decisions that we've made today are to get us through FY 2020, September 30, 2020. FY 2021 budget which would take effect October 1, 2020 is where he thinks we'll have the more long-term vision because we are going to, at that point, look at what realistically our projections are going forward, what we can really afford going forward. The personnel and services may be hard to decide on, but it has to be what we can afford.

Commissioner Samuelian said he is supportive of what Commissioner Richardson said, this is a terribly difficult situation. It's very uncertain and difficult for these employees, but he does believe the Administration has gone through a thoughtful process so he is prepared today to support and greenlight what has been presented.

Commissioner Góngora asked since this has only been discussed at the Committee level, if this expression at the Finance Committee binds the Commission or if it would be a better course of action for this to come before the Commission at next Friday's meeting, so that the City Manager gets clear direction.

Raul Aguila said that is the reason a motion was taken. Commissioner Richardson's motion to allow the furloughed employees to continue to receive health benefits for themselves and their families if they signed up for their families throughout the period of furlough until the end of the fiscal year. That motion was adopted here and then you're right it is appropriate for it to come and it will come before the special city commission meeting next Friday as a resolution as a recommendation from the Finance Committee.

Commissioner Samuelian said he understands the health care motion, and that motion was made and that would go to the full commission. He believes there are at least six Commissioners and I think the mayor was present as well and are in favor of that.

Raul Aguila said this isn't advertised as a commission meeting. The action will be taken by the body next Friday. Since they are all here today he imagines what the results will be next Friday.

Commissioner Richardson said to Commissioner Samuelian's point, the motion on the healthcare will be brought, because that is for a period through the fiscal year and we want to make sure we memorialize that. He thinks what they are saying is that they are giving a green light, from the committee concerning the memo and the implementation of the memo and, he thinks under Jimmy's emergency powers he has the ability to furlough employees.

Raul Aguila said that is correct and he has already done that. The City Manager does have the power to that and the emergency powers were just extended.

Commissioner Samuelain doesn't think leaving the employees in a holding pattern for a week is appropriate. He thinks this body is giving the City Manager their guidance to move forward.

Commissioner Richardson said he agrees with Commissioners Samuelian. To his point and to the Chair's point, which he brought up at the beginning of the meeting is that the Administration should take a careful look at these furloughs while they are planning for the end of the fiscal year. He thinks the Chair's point was, he does not want to leave people hoping, where it is known today that the position may be lost, because that's not fair to the employees, and he is in total agreement with it and that with all of these positions, the Administration should take a look. He doesn't want to give people false hope because we need to be fair to people.

Raul Aguila said he needs clarification from the City Manager, he asked him to bring Michael Smith, HR Director in the meeting. He said he is getting texts that are confusing as to the furlough days. We were told previously that furlough days, cannot be taken as vacation days. He said the City Manager said today that furlough days could be taken as vacation days. He said he needs clarification on that.

Jimmy Morales said that people who are furloughed, not a furlough day, but people who are furloughed, they retain their insurance, but we've also told them that if they have vacation days they can use those until they stop receiving a salary.

Raul Aguila said that is not what Mike Smith is saying.

Mike Smith, HR Director, said that the people who can take furlough or vacation days after they've been furloughed are the people who've been released from work, not the folks that are just taking 5 or 10 days. These are the people who have been relieved of duty and will be indefinitely. So, they are allowed to use the balance their vacation time until they become unemployed and then they can go file for unemployment.

Daniel Ciraldo said he just wanted to briefly just say that this is a very difficult time for people, people have mortgages, families, car payments, rents and more. The US government is committing major funding to keep people on payroll for small businesses, because they know that that's a key part of the economy. Every year, RCA creates a budget, and the budget is balanced and the headcount is approved during the budget kind of reflecting what the mayor said. He thinks that's a great time to

consider the changes in headcount. He thinks this would count as a rainy day to use some of the reserves so he is wondering if the City would consider other places to possibly trim like capital projects or anything that could keep these 20 to 50 people employed and paid.

DIRECTION: Proceed with the recommendations that the Administration made in the memorandum and as presented today.

NEW BUSINESS

2. POTENTIAL IMPACT FROM FEDERAL PROGRAMS

Office of Management and Budget/Grants & Legislative Affairs

ACTION

Commissioner Richardson said he would like to defer this item until next week. We will have more information for discussion next week.

DIRECTION: Defer to next week's meeting.

Jimmy Morales, City Manager, brought up the will of the body about continuing the morning phone calls with the Commissioners. He wanted to know the preference going forward.

Commissioner Richardson said there will be a Commission meeting next Friday and he would say that there was general consensus that they don't have the have the morning calls every day. He said he calls staff whenever he has questions and gets them answered. He suggested maybe scheduling one call a week in addition to the meeting. He suggested maybe on Tuesday to do a status call and then there will be a Commission meeting on Friday at 9 a.m.

Commissioner Samuelian said when he initially thought about this he was landing where Commissioner Richardson is and he is open to that if they want to schedule another meeting. Because now is more focused on reopening, they may run into the sunshine issue. The only concern he has is if they can have a productive meeting. If they can have a productive meeting fine, but he wanted to raise the issue of running into the sunshine.

Commissioner Meiner said that he shares some of the concerns that Commissioner Samuelian mentioned. He said the City Manager and Alina Hudak give very good updates and the update was given by email today and he feels that would be useful going forward. Maybe a daily update would be extremely helpful. He suggested trying one extra meeting on Tuesday to have that update, he agreed they will be limited in what they can say, but he would like to give it a shot.

Commissioner Richardson asked if the City Manager and his staff can give the written update daily.

Jimmy Morales said absolutely, that was his intention to do that on days they don't meet or talk. He did one today because he thought they may not get to the rest of the information. He can provide information daily and if we do a Tuesday meeting they can be very careful and all we do is talk about information and items under his special order.

Commissioner Richardson said they have to be very careful in what they talk about because once they start talking about plans for reopening they may be beyond what the emergency powers are. He recommended they have the call on Tuesday morning at 10 a.m. and be careful about what they talk about. They can revisit the issue on Friday at the full Commission to get everyone to weigh in.

Raul Aguila, City Attorney, asked if Commissioner Richardson's idea of the call is kind of just the City Manager to give an agenda review and explaining the items that are on the agenda without the Commissioners responding. He asked what his idea of what should be discussed on the call.

Commissioner Richardson said to get a status of where we are. There have been issues on the call where people have said you cannot talk about topics because they would need to be voted on. He said it is highly likely that Mayor Gimenez is going to announce what he is going to do in regard to the parks and public spaces. He thinks that may become effective in the Wednesday timeframe. This would give a chance as a group to hear from the City Manager on his emergency actions. Going forward, he thinks they may not have to have the morning calls.

Raul Aguila summarized that the call would be for the Commissioners to fact gather in anticipation for Friday's Commission meeting. None of the Commissioners will provide direction or input to the City Manager. The City Manager will provide the information and say they will all discuss it at Friday's Commission meeting. It will give time to formulate opinions before the public meeting.

Commissioner Samuelain suggested giving it a try on Tuesday and see how it goes.

Commissioner Richardson asked for the City Manager and his staff to continue providing the status update daily because it is has been very helpful.

Commissioner Samuelian thanked everyone for a productive meeting.

Commissioner Meiner thanked everyone as well.

3. ESTABLISH AN EMERGENCY FUND TO ASSIST MIAMI BEACH BASED CULTURAL ORGANIZATIONS DUE TO REVENUE LOSS EXPERIENCED BY COVID-19 CRISIS

Sponsored by Commissioner Richardson Tourism and Culture

ACTION

Commissioner Richardson opened the item. He explained that last week we were talking about budget cuts, etc. he suggested we take a look at some balance that has built up in the cultural affairs fund to create some sort of relief funds for other cultural institutions. There were number of cuts in the resort tax category, we found there is a current balance in the cultural affairs budget of about \$4 million. They still have still roughly about \$500,000 to spend.

Heather Shaw, Tourism and Culture Assistant Director, reiterated that through the Cultural Arts program we have the cultural arts fund balance, which caps at \$2.4 million and is to be utilized in an emergency or unforeseen circumstances and we also have the cultural arts council endowment which is a fund that was set up to have self sufficiency for cultural arts and is capped at \$1.5 million. For this fiscal year we 44 grants that we are supporting with our cultural institutions for FY 19/20. For FY 20/21 we have about 55 grant requests that are coming through. Since COVID-19 has occurred 15 of our cultural anchors that have received \$300,000 from us in grants have reported that they have lost \$3.7 million because of their closure. Our cultural institutions are our foundation for the residents and tourists in terms of maintaining our history and culture and they are really struggling. The County is also reporting that other grantees are reporting about \$2.4 million in losses. Commissioner Richardson suggested creating a cultural arts relief fund where we would take the money from the funds we have from the cultural arts council fund balance and utilize some of it to the level that is recommended, we were suggesting \$1 million and allow our cultural anchors that are based in Miami Beach and give them some additional support so they can survive and provide their enrichment to the tourist and residents. Staff is suggesting this be done through an application process, criteria would be set up and the Cultural Arts Council would review the applications and make a recommendation to the Commission. For example, the criteria would include the impact that COVID-19 has had on their ability to provide programming, to maintain their operations, etc.

Commissioner Richardson summarized what has been said. He said the fund balance has about \$4 million and it looks like there is another \$500,000 that has to be used to fulfill our grant commitments. Therefore, there will be about \$3.5 million and he recommends using \$1 million of that for a relief

fund, specifically to address the people that got left behind in the resort tax cuts. What we found out after some research is that there is really one entity, the Miami City Ballet, that got hit significantly of around \$200,000. If we take \$1 million we will still have about \$2-2.5 million and he thinks if next year we don't have any money in the budget to fund cultural arts there will still be a full allocation for next year that they can spend, we would not be cutting next year. He made a motion to take \$1 million to create a relief fund, the part that is not in the memorandum is that he wants it clear that the Miami City Ballet that got cut in the resort tax should be first in line for that. Certain criteria will be set up. After giving the Miami City Ballet the \$200,000 there will be \$800,000 left which the entities will go through an application process to the full Commission would have to approve it. His motion was to accept the preliminary proposal, bring it to the full Commission next Friday so all 7 of them can discuss and vote on it. The reason he is doing that, even though the City Manager can act with his emergency powers today, there could be applications that come in after his emergency powers expire. He wants the program to be able to continue through the fiscal year.

Commissioner Samuelian seconded the motion. He thinks this is a smart idea. He thinks we need to do right by the cultural institutions, and he thanked Commissioner Richardson for bringing this forward.

Commissioner Meiner said that he is supportive. He thinks it is a good referral to the Commission.

Commissioner Richardson asked Rafael Paz and Raul Aguila to add the item to the Commission for next Friday.

Rafael Paz, Deputy City Attorney, said they will prepare a resolution.

MOTION: Commissioner Richardson motioned to accept the preliminary proposal indicated in the memorandum and emphasized that he wanted Miami City Ballet to be first in line to receive their \$200,000 and move the item to the full Commission. Commissioner Samuelian seconded. All in favor.

4. RECOVERY PLAN

Office of the City Manager

ACTION

Jimmy Morales, City Manager, explained that he and Amy Knowles, Chief Resiliency Officer will walk the Committee through the item.

Amy Knowles, Chief Resiliency Officer, explained that this is the first of many discussions about how to navigate the recovery from COVID-19. She said we will also go through the approach to recovery, this is a delicate balance about protecting our vulnerable population, our community, and economy. As important as it was to shut down successfully it is equally important to reopen successfully. Public health experts have recommended phasing in, the biggest question is when does phase 1 commence. She explained they will review some guidance in this area. We will also specifically focus on Parks recommendations and John Rebar, Parks and Recreation Director will go over that in detail. She thanked everyone for their insight during this time. She said this is a time to rebuild stronger and she went through what recovery is. Today we will discuss the framework and this will be evolving as new quidance and data comes about. Number 1 is to successful reopen and succeed in controlling the virus and following all public health guidance, number 2 is about tailoring the reopening to Miami Beach's vulnerable population and tourism based economy, number 3 is about doing everything we can to sustain and recover our location business, employment and mitigate the terrible economic hardships to the most impacted. This is going to change our economy. The goal is to increase our resilience by reducing the severity impacts of future pandemics and preparation and making this a part of our own strategic plan and the resiliency 305 strategy. We want to maximize our lessons learned for climate change and for sustainability goals. She spoke about other stressors and emission.

The presentation continued with the recovery plan, which included the City government, the community along with the reopening of closed businesses, hospitality, arts and culture, economic diversification, and the specialized support for our vulnerable.

Amy Knowles continued with the presentation and mentioned we are pivoting from response to reopening and association guidelines are coming out every day along with best practices. We have been using the John Hopkins program to inform our recommendation as well. There is also a Miami Beach business group and hotels group that have been very instrumental. She then went through some next steps. She said we will provide weekly updates through the City Commission meetings, she has spoken to the Rockefeller Foundation through the resilient City's program and they are committing a consultant to us to help us develop a rapid recovery program. It can be a pilot to the rest of the nation. The Administration is recommending an Education and Enforcement Team to help achieve compliance with reopening safety needs. In addition, the City Government Workforce, Workplace Safety and Operations will be very important to minimize the virus spread and continue beneficial new practices.

Amy Knowles touched on the public health gating criteria with the opening American Again guidelines for all phases. We are continuing to approach phase 1. Another source of guidance is from John Hopkins, which includes a risk assessment for places to open. She continued to the chart of the last 14 days, which included the indicators of the cases.

The presentation continued. The framework and the phases were explained on addressing the public health crisis. They included support structures, economic, and community. Each system addresses different entities in order to recover.

Jimmy Morales spoke specifically on phase 1 as it pertains to reopening. He explained that currently we are responding and monitoring carefully the transmissions, hospitalizations, people on ventilators, etc. This would all decide how and when we get to phase 1. There has been a lot of criteria of what people have talked about whether it is 14 days or 21 days declining statistics. In addition, the ability to do testing, contact tracing, etc. We look at what we call 2 phases, phase 1 being a limited opening, phase 2 being sort of a new reality between the phase 1 being successful and what we call resilience. Resilience could mean we have a vaccine or treatment that can be very effective. He explained one of the doctors that is working with the County said that there may not be a vaccine, but there may be a prophylactic drug that functions like a vaccine. He mentioned at what point do we continue living and don't shut down and change our life, when do we get to the point where the COVID-19 virus is not something that is so risky to so many different populations that we have to continue engage in social distancing. Phase 1 and phase 2 is really the transition. He said within the structure of how to get to phase 1, the recommendations tailored to us include, public schools being closed until beginning of June, childcare is closed, the trolley is a conversation, Miami-Dade transit is never closed. Bike share could maybe open with extra cleaning.

Jimmy Morales said that next week we are starting with a phased opening of the parks, the County will be issuing their order as lifted and soon he will have John Rebar explain how he sees the opening of our parks happening. That is really the first opening of the community. It will give us the opportunity to then see how that phase reopening county wide goes, whether we see new cases or stabilization. The health professionals are okay with the phasing in the parks, but they are not of the opinion they are ready to enter what we call phase 1, which is more than just that, it would be opening of the economy. After 2-3 weeks if we don't see any negative data, the Department of Heath can really increase the contact tracing. The health professionals can advise us after seeing the data in those few week if we are ready to go to that phase 1. Phase 1 would be where restaurants could begin to open, maybe special hours, reduced seating, separation of tables, etc. Conversations have been had about how to bring people back in to restaurants. They are going to have to do what is necessary to encourage people to come back. Phase 2 we would begin to see some opening of bars with social distancing, most of the experts think that clubs can open when we get to the new normal. They are very challenging to create social distancing in that setting. Retail is something we can do in phase 1 with social distancing, similar to what we are seeing in grocery stores and pharmacies. Non-essential

retail is going to have to make sure people feel safe to come in. Gyms and fitness studios in phase 1 could open with less than 10 person capacity and that could include condominiums where people would social distance and people would take personal responsibility. He thinks community pools would be too difficult to engage in social distancing for phase 1. Maybe it is a little easier in the private condo pools. Hair and nail salons could open in phase 1 with social distancing. Hotels, short term rentals, would remain closed in phase 1. People are going to be hesitant to travel on airplanes, people see a car driven market, in phase 1 we want to protect the local market. In phase 2 we will reopen the lodging industry with significant standards of cleanliness, etc. The lodging industry are very sensitive about opening. The presentation continued with the opening of museums, which will be in phase 1 with social distancing and theaters in phase 2. Large venues and special events will be later on. Beaches will remain closed in phase 1, hotels and beaches should probably be in sync when they open. No one beach should open before another, the sentiment there with other costal communities is that in phase 1 we keep those closed and phase 2 we begin opening. Community centers and libraries as it pertains to our parks programs will begin opening in phase 2. Places of worship are a challenge, it will probably be in phase 2. He explained in late May we could open restaurants on a partial basis and nonessential retail and see how it goes for 2-3 weeks. We track the numbers during this process and if the numbers stay down, we could in that period of early to mid June go into the phase 2 with a broader opening. Jimmy Morales continued to explain then how we could then continue into the other phases. In regards to the City Staff, we will function much like we have been in response phase in phase 1 with virtual meetings, telecommuting etc, less pubic transactions. In phase 2 we would begin to relax that a little bit. However, there will be a new normal and we will figure it out as we go along.

Discussion was held.

Commissioner Arriola expressed his concerns. He said lost in all of this is the human impact of the shut down. He thinks as leaders they need to do a better job. We need to think about the people not working in Miami Beach and the suffering they are going through. Every decision made that delays the opening is prolonging that suffering. There is a real human impact during this whole process. They need some real direction and hope of when they can get back to work. He is eager to press them about reopening even if it is a small window. Also, for the business community we need to provide real guidelines as to what reopening needs to look like. There is going to be major pressure on the City to open. We need to have a real plan ready to go with a lot of pressure to open. The human suffering that is going to happen if we remain closed for a long time is major. The longer we wait to open the real human cost is enormous. He continued to express that we need to start putting real plans and giving real direction to businesses and employees of when they can expect to get back to work.

Commissioner Samuelian thanked the City Manager, Amy Knowles and her team for a job very well done. He completely understands the needs to reopen, the business impact, it is impacting our own employees. At the same time we need to make sure we do it in a way that puts public health first and ensures that things we do are building and adding confidence. He thinks the gradual phased approach including the Health Advisory Committee strikes the right balance. A priority for him is that we continue to protect our employees, especially the first responders, whether it is PPE, the way we use our office space, that is incredibly critical. He also emphasized the importance of protecting our vulnerable populations, there are seniors and the homeless. The homeless problem is likely to get worse because of the impact on the economy and the medical issues. He thinks we want to do everything we can to help those people. There have been some conversations about providing some food cards and showers to help out. At the same time we need to make sure that this homeless population is not detrimentally impacting our quality of life. He has been told about panhandling in some of the pick up locations we have. He thinks we need to look at some of our emergency measures, for example the curfew. He wants some clarity of where they fit and where they don't. In addition, he said he supports the idea of gyms including the condo gyms, however, one might argue that the open swimming pool is less risk than the gym at that property. He thinks those should go together. This is excellent work, good planning, but he wants to encourage we look at the hurricane contingency plan.

Commissioner Arriola asked about religious gatherings. He said he is starting to see more and more law suits being brought and restrictions being overturned by district courts. They are working their way up through the appellate courts. He wants to know at what extent we are using that as a signal of what we should be doing. He wants to be mindful, also, pools for example are outdoor and it is said they are less risk. He wants to be mindful about banning things that have little scientific support. He asked Raul Aguila what the latest is on religious gatherings as far as legal challenges.

Raul Aguila, City Attorney, said that there is a law suit they are following in California and another one in the Midwest they are following. The challenges to continuing to prohibit religious gatherings as this emergency continues is that as we see the opening up of essential services, there is a fundamental first amendment right. The freedom to worship is a first amendment right. The regulation has to be narrowly drawn and if there is something short of prohibiting it all together that you can do, you must take that course of action. Florida has not seen a challenge yet, but we do have a lot of mega churches housed in Florida, it will eventually become an issue. The question is are we allowed to prohibit it all together and since we are opening other facilities is there a way we can open houses of worship by imposing reasonable things on them, like social distancing, hand sanitizers, anything short of closing them all together. We are going to see the first legal challenges coming with houses of worship. If we were to be sued we would have to pay the costs of attorneys fees.

Mayor Gelber spoke. He thanked the Administration for their work. He explained that the City Manager and himself had meetings with the Lincoln Road BID, health professionals including the head of the emerging pathogen institute at the University of Florida, one of the most well regarded institutes working on this and also spoke to the head of infectious disease at Mount Sinai. That day represents the two sides of this. We need to get what best practices work in the community for real, we have to have this constant outreach. We also have to realize the healthcare part of it, although the economic part is great. This is a health care crisis, which means we have to listen to the best medical professionals for every aspect of opening up. Going in without the good contact tracing capacity would be disastrous. He doesn't think a rigid timeline will work, we have to keep track of these things because the testing may improve, the contact tracing may improve to manage outbreaks. For him there is no inflexible timeline. He thinks we are going about it the right way, we are figuring out the best and sound approaches. The timeline will happen when doctors and scientists of this disease tell us now we can do it in a way that doesn't cause massive loss of life. He spoke about the statistics in Miami-Dade County, the statistics are terrible and that was with the measures we employees and the County employed. There is no question thousands of people would have died without any of the counter measures. He thinks the approach is correct, we need to get the most technical approach we can. We need to make sure everything we do is pressure tested by doctors that inform our decisions. He does believe that even though we are hitting these tough spots, he thinks we are getting closer to treatments and hopefully vaccines.

Commissioner Arriola said that the Mayor's analysis is very good, but the point he is trying to make is the other side of it, there are a multitude of people in this country that are not as fortunate as all of us on the call. We no longer have the luxury of waiting, we will start losing people not to COVID-19, but other factors that are at their end. Our delay will cost lives. He wants us to take the measures more seriously to give people the opportunity to put food on their table.

Commissioner Richardson thanked the Administration for their work. This is very difficult, when the government closed nationally, it was clear we wanted to slow the infection rate. We have to recognize that the virus is not going to go away until we have a vaccine. What we have done by restricting and social distancing is to slow the rate of infection. If you look at the graph, you can see Miami Beach has done a great job by the actions we have taken. He thinks there is a recognition that we aren't waiting until the infection rate goes to zero, we have to listen to the medical professionals, listen to the science, but we need to start having plans. He doesn't think we are in a position today where we can start thinking about dates, we are still listening to the science, etc. The presentation was great with information per industry, but he would like to us start thinking about is what could go first. For example, we know the County is going to open parks next week and we are going to have a reaction to that. He brought up no touch retail, where you can go into a store with a mask and just buy a shirt,

he also mentioned touch retail like getting a hair cut or nail salons. He would like the Administration to start thinking about the phase, not specific to industry, but phasing about what the experts see in terms of a roll out. For example, no touch retail, then touch retail, then restaurants, hotels, etc. He wants to see additional analysis on that.

Commissioner Meiner spoke. He said that he wanted to touch on testing and the data that comes with testing for the virus. There is the testing site on Collins Avenue and 46 Street. The next phase would be the antibody testing to see if people have immunity to it. He knows the City is looking at bringing that in, but to him that is one of the most vital projects we could be working on. He thinks the antibody testing will help people make informed decisions, the data and the knowledge of having that testing available will expedite the gradual opening of the economy.

Commissioner Arriola mentioned they need to start thinking about if you are immune to the virus, would we have immunity cards and special privileges? He is not sure how we would use the antibody testing to drive the policy. He said more and more data is coming out in regards to the infection rate. The data is going to be more likely to be prevalent than not. The longer we wait the more suffering people will continue to endure. We need real plans to reopen.

Commissioner Góngora spoke. He said he has enjoyed listening to the comments and is in agreement with just about everything that has been said. This kind of conversation and dialogue is what he has envisioned his discussion item to be on Wednesday. He thanked the City for moving in this direction. He agreed the timeline is not an exact science. He agreed that the medical testing is important. He agreed with Commissioner Samuelian's comment that the condo pools and gyms need to run at the same time, eh doesn't think it should be a separate decision. He also agreed with the homeless issue that was mentioned by Commissioner Samuelian. He would like to see this plan continue to be formulated, he thinks it is a great start and that it should be on every meeting. He also agreed we need to be concerned with our business reopening, but we need to guided by medicine and science primarily. He would like the business community to be considered to form the committee they want to form because they are also interested in reopening.

Commissioner Arriola asked where the City Manager is in his discussions with industry leaders. He asked if we have real plans, if tomorrow Governor DeSantis says we are opening, are we ready?

Jimmy Morales explained that there are a series of committees that have been formed at the State Level and local County. We have been meeting regularly with the Hospitality industry getting their input on what kind of standards would apply to hotels and what kind of standards would apply for opening restaurants, and also working through the standards for retail. There are a series of guidelines that we could roll out in things like a partially opened restaurant. Some of it will be driven by what they will hear from the consumers because there is a real concern of having relapses. The other thing is their workforce as well. We have sector by sector people sitting in on these meetings, we know about how to open a restaurant. He said we can put that data together and perhaps share it at the next meeting. We are trying to learn from the industry because they know best how they work and fit that into the model of social distancing. He wanted to put on the record, in terms of timing, we cannot act first, we are covered by the County order, we have to follow their lead. As Commissioner Arriola said we can try to persuade. Mayor Gimenez has a lot of input from many different committees, but at the end of the day until he issues an order or revises it, with a few minor exceptions, we have to follow his lead. This has to be a regional approach and that's how we have been approaching it. On the testing piece, most of the medical community we have been talking to have said the current antibody testing is real inconclusive, there are too many false positives and too many false negatives. they are still waiting for some good testing to come out. A broader availability of testing to see if you are sick is important, not so much to see if the workforce is healthy or not, but as we open up and see cases going up we need to be ready to quick test and retest to keep any surges from coming. He thinks we are a few weeks away from seeing progress with the testing.

Discussion was held.

Commissioner Arriola asked about City Hall and when it will be open. In terms of leading by example in terms of distance separation, sanitation, etc, where are we in terms of our own best practices? He also asked if the City Manager had anyone in mind within our City to lead these recovery efforts, to run point. He thinks someone should be tasked with being a business liaison who is working on best practices and making sure they are being followed.

Jimmy Morales said in respect to City Hall, in phase one we continue doing a lot of what we are doing today, telecommuting, zoom meetings, encouraging the residents to communicate with staff online or by phone. We are trying to protect our employees and the public. In phase 2, if all goes well we are looking at early to mid-June, we can begin to open more of economic, he thinks we can start with more of reopening of City Hall with masks. Part of the new normal will be more telecommuting and tele-meetings than in the past. In phase 2 is where he sees more of a broader opening.

Commissioner Arriola said he thinks Alina Hudak would be amazing to lead the reopening. She is already so entrenched with the County.

Jimmy Morales said he thinks the world of Alina Hudak and Amy Knowles put together this presentation. He also mentioned when we talked to the Rockefeller Foundation and they would put \$250,000 towards retaining a consultant to assist us with the process and reimagining. It is also helpful to have some private sector partner that brings the industry together to work with us. Alina Hudak and Amy Knowles would both be great, they have both been doing a lot of work in this area and both have strengths in different communities. They could probably lead the effort with a lot of support in partnership with private sector partners.

Commissioner Samuelian said he thinks that the presentation and the commentary lays out a potential timeline based on the data and medical science. Next week we could have parks open after the County issues their order. If there is no spike, in a matter of a few weeks, we could be heading to the next step of no touch retail, restaurants, etc. He believes we would love to hear from the private sector. While we are having the conversation and if some of those folks want to meet and come up with some thoughts and delegate some folks to represent them, he would love to have them come talk to the Committee. He would hate to see us slow down the bids, the hospitality industry, etc. If they want to meet he encourages them to do so. He also said testing is very important, he asked about the Convention Center and the personnel there.

Jimmy Morales said we submitted a request through Mayor Gimenez's office, DEM was requiring the request come from the County and he believes Mayor Gelber reached out to Mayor Gimenez and we are waiting to hear.

Mayor Gelber said that one of the problems is the viability of the tests out there right now. He touched on what Commissioner Samuelain said in regards to the industries, he said the industries are meeting daily. He has reached out to members of the business community already to create some kind of advisory group. He spoke to Raul Aguila about this, how we can formally incorporate them without making it so they can't talk to one another because of sunshine. The second issue is how they relate to what might be happening in the County. The third issue is whether they have some kind of consulting that brings to us and to them the advantages of the perspective. He continued to discuss the formation of the advisory group. He said at the next meeting, we will hopefully know more. He also reiterated the business community and communicating with them on the timeline of opening and how we will need to have better testing and tracing.

Commissioner Steinberg said that she agrees we have to have plans to reopen, we need to be careful and strategic, so we don't have a relapse, which would cause greater harm. Also, the two hardest sectors that were hit were the economy in tourism and economic development departments. She said while she agrees with a czar per se, she thinks that the two directors we have missing right now in Tourism and Culture and Economic Development departments. She said this might be the right time to attract the right talent.

Jimmy Morales said the Rockefeller Foundation is helping us bring on a consultant that can at least help in the short term. He mentioned he knows some people are short on time today and he would like John Rebar to talk about the Parks reopening in case anyone has guestions or concerns.

Commissioner Richardson said like he said in the Commission meeting he is opposed to forming a formal Committee for the reasons we all discussed, like preventing people from talking. He said we want input. We want to encourage industries; he doesn't think we should create anything that would prevent industry leaders from talking to each other. He also said the point made by Commissioner Steinberg about economic development was a great one, he said from his perspective that would be the one exception he would support in terms of the hiring freeze. If the Administration found this person and brought them to the Commission, that is the only exception he would make right now.

Commissioner Arriola asked if we are going to wait for the signal from the County or the State to proceed forward, we need to know because people feel like they are in limbo. He said whether we do a task force or hire a consultant, he is not a big fan of hiring consultants, we have so many talented people on our staff, we just need to be able to mobilize quickly. His vote would be for someone like Alina Hudak, because a consultant would take time to ramp up.

Commissioner Richardson said that he wanted to add his support for Alina Hudak to be the point person on this effort, she has a great staff to help her as well.

Jimmy Morales said Alina Hudak is great, but she does have other responsibilities, for example stormwater, he has to balance all of that out. We will figure out the right person or figure out who will help out with her current responsibilities. He also addressed Commissioner Arriola's earlier point on what signal we are waiting for, he said we have to wait for the Count to act, our coordination with them is very critical, anything we want to do economically, culturally, community infrastructure is subject to an order by the County Mayor. We are coordinating, our staff is sitting in on all of the task forces that have been created, we are in constant communication. He said the phased opening of the parks which will happen as soon as next Wednesday, that will the most significant opening thus far, if after 2 weeks after that we continue to see declining numbers in terms of new patients, hospitalization, etc. Also, declining percentage of positive testing. His sense is that we can be in a phase 1 the 2nd or 3rd week of May if those numbers hold up. In addition, if opening restaurants, retail, etc. doesn't cause spiking numbers, we could be in phase 2 early June. If all goes well, we continue phasing things in.

Public comment began.

Daniel Veitia, resident/business owner, spoke. He thanked the Commission and City Manager for all of the hard work that has been done and continuing to be done. He said that there is a lot to weigh on the table. He said it is important for the people in North Beach to open their economy because they are very locally driven. Every day we hold back the small businesses, it becomes more difficult. The are deciding if they are even going to be reopening, every day we delay the opening it becomes harder for them to plan to reopen.

Alejandro Torres, resident, spoke. He agreed with the resident before him about the great work everyone is doing. He said we need to get back to work as soon as possible, people are really hurting. The sooner we can get back to work would make everyone feel better.

Wayne Roberts, resident, spoke. He said that the City Manager summed up the unpredictable situation we are in with scientific evidence that is effective. We should be in a good position to reopen mid-May and June 1, we should see infection decline rapidly with the heating elements of the world and social distancing we are applying. He asked the Mayor to reach out to the County, for mental health purposes to open the beaches from 6- 10 a.m., it will give the residents a boost for their mental health. If we limit to early morning hour, it will restrict the choose that could come from out of city visitors and tourism.

Alex Fernandez, resident, spoke. He thanked Commissioner Góngora and Commissioner Samuelian for addressing the homeless issue and for Commissioner Arriola for addressing the human impact of this crisis. He also thanked the City Manager and his staff for his hard work, especially, the homeless department and the Police Department. He also wanted to make sure people are not scared away by panhandlers from going to restaurants and other establishments when they open. He wanted to make sure the community is protected and maybe amending the section of the code for take out to make sure panhandling is restricted in those areas where people go to pick up food. He said the people who are suffering the most from this are the poor people.

Lyle Stern, resident and business owner, spoke. He said several of the residents have been asked to sit on task forces by Mayor Gimenez and the task forces had several zoom calls. He said what he heard was that we follow the County. He said he would ask our City through the Chamber of Commerce or through email blasts to let the Miami Beach business community know what the process is, that we follow the County, that the City is tracking everything closely, the aspirational date of phase 1 which is mid-May, so people can start preparing and being optimistic. He thinks the City has done an amazing job of protecting everyone. We need to get more information out to the business community of what is going on.

Gerald Bouhana, resident, spoke. He thanked everyone for providing updates regarding the reopening. He asked about the restaurant hours during the phase 1 and phase 2 and the potential of curfew. He also asked about the night clubs and if they could open as part of phase 3, maybe limit the capacity or if they will be totally restricted until there is a vaccine or treatment available.

Discussion on panhandling was held.

Commissioner Samuelian said that he hears from the community concerns about panhandling and the impact it could have on our businesses reopening. He asked about panhandling in regards to take out, he knows we have some language in the Code, can the City Manager by emergency power expand on that. What could we do to address that problem?

Raul Aguila, said that he brought the issue of panhandling before, particularly the supreme court caselaw is not in our favor. The impact of the supreme court case has rearticulated the standard when regulation of speech is contact based, it is very much this determination that has had large impact on panhandling. The trend of panhandling laws are invalidated. The only place where he sees we can do this is for the sidewalk café permits, since those are permits on public property which we control. A homeless person who is panhandling has first amendment rights. The emergency powers don't change anything. We will continue to look at this, we haven't stopped, but there is supreme court precedent for local governments to enact panhandling laws that prohibit the type of behavior that is seeking to be curbed.

Commissioner Samuelian said we do have some language in the Code today in regards to out door cafes, if the outdoor cafes are not functioning, are those prohibitions that we have today still in place if they aren't operating on the sidewalk.

Raul Aguila said he thinks they would be invalidated. We are in the middle of litigation with regard to panhandling that invalidated our ordinance. We are looking at a way to bring that back. The only thing in regard to the emergency powers that the City Manager could do is that panhandlers have to maintain a 6 foot separation from the people they panhandle.

Commissioner Góngora said he knows when he was on the Commission last time he sponsored some legislation that did not allow panhandling near ATMs and asked if that is still valid.

Raul Aguila said that has been invalidated due to recent supreme court decisions.

Commissioner Góngora said he knows these are difficult ordinances, but he supports the direction to look at this and do whatever we can that pushes the envelopes. He said he is hearing the most

concern about restaurants that are open for take out. He said he will discuss it with Robert Rosenwald and they will continue looking at this.

John Rebar, Parks and Recreation Director, presented about the parks reopening plan. In addition to this plan, they are refining their operational plan specific to the COVID-19 reopening as well as all park visitors and staff. He explained there is an attachment in the agenda that goes over this. He explained the maximum hours that the parks will be open will be from sunrise to sunset, there will be strict social distancing, face coverings will be required by users and staff with the exception of rigorous exercise. This part of reopening is intended for short period of 2 hours or less. Based on conversations had with County officials and other leaders in the industry, there will be areas that will remain closed. They include all children's playgrounds, all indoor facilities, all outdoor exercise equipment, picnic areas, dog parks, play fields will be open but closed to organized play. Also, skate parks, pools, volleyball courts. There are a few things that may show up as open in the County order, but they are recommending we go stricter. They are recommending park restrooms remain closed with the exception of the two tennis centers because we can enforce strict social distancing. In addition to that, they are recommending South Point Park Pier remain closed because it is a major tourist attraction. They list indoor facilities, but he is specifying the racket ball courts in Flamingo Park remain closed, but the single wall outdoor courts will open. The County is looking to open basketball courts with strict regulations, no more than 3 players per half court and everyone must have their own ball. That is very difficult to regulate and oversee, he is going to recommend the courts remain closed. Compliance is key in the reopening. People need to follow the new rules, so we aren't faced with closures in the future. Park ambassadors will play a big part in this, he said we will be bringing back our part time park rangers and some part time recreation staff to assist in these efforts. The list includes the opening of 34 of our parks, the 2 tennis centers, 2 golf courses, but 10 parks will remain closed for good reason. They include the one near the Convention Center, which is a hospital for right now, pocket parks that do not have room for social distancing, dog parks, etc.

Raul Aguila said he wanted to circle back on the panhandling issue. He respectfully asked this Committee place a follow up item in 2 weeks about panhandling, he would like to submit a legal memo and have Aleksandr Boksner and Robert Rosenwald discuss what we can and cannot do, so the public can also be aware.

Commissioner Richardson said he and Commissioner Samuelian were the only voting members left and he asked his opinion.

Commissioner Samuelian said that would be great and Commissioner Góngora said in addition to the panhandling itself, we have the issue of social distancing. He was in favor of the item and looks forward to the conversation in 2 weeks.

Commissioner Richardson said to add it to the agenda for the agenda in 2 weeks. There was no objection.

Commissioner Meiner said he had no objection to adding it to the agenda in 2 weeks. He also said he thinks since Commissioner Arriola left, he would be a voting member of this Committee as the alternate members.

Commissioner Richardson said he didn't mean to leave him out and thanked him for his concurrence.

Jimmy Morales said based on John Rebar's presentation, we cannot be more lenient than the County, but can stricter. He said we are pretty much mirroring their order, with a few exceptions. What is attached in the memorandum are the guidelines, and is the recommendation. John Rebar highlighted some areas where we are being stricter, but otherwise we are being consistent with the County order. If there is any concern about a particular park or facility, we could address that with some stricter rules if wanted.

Mayor Gelber asked what we are doing and what the County is doing about basketball.

John Rebar said the County is opening their courts and their proposed regulations are no more than 3 players per half court and everyone must have their own ball and no sharing or touching of another person's basketball. Also, not one on one. That would be very difficult, so we are keeping them closed.

Jimmy Morales asked for John Rebar to address the track at Flamingo Park.

John Rebar said they are proposing in phase 1 to open the track, but knowing the history on a regular day, there is a large crowd and a difficult crowd to manage. It is going to be staff intensive, but as long as people comply, it will work. Compliance is very key to this opening.

Mayor Gelber said that one of the concerns is the possibility of misinformation going out. He asked how close our opening will be to the parks, he asked if we will have enough time when someone in Miami Beach hears about the County's parks it will be a couple days later. Will they know what our limitations will be so they don't hear different things at 2 different times.

John Rebar said we are prepared to open the same day. They will work with the Communications Department to start putting together the information as we have it now. Whatever the County's wording is that may or may not edit some of what we are doing right now. We will need our own emergency order to be stricter. Ahead of time staff will be working on that internally in advance.

Jimmy Morales said the County Mayor's order will have an effective date to open a few days later as well. That will give us the opportunity to issue our order and educate before the parks open.

Commissioner Richardson asked when the County Mayor may change his order.

Jimmy Morales said he was looking to do it as soon as this past Wednesday, but the challenge of social distancing enforcement has been a more challenging task than they envision. They are looking to employee 1,000 security guards. They are going to wait until they are ready. We are hearing, the order could come over the weekend effective next Wednesday, but that depends if they are ready or not for the true enforcement.

Mayor Gelber said we would still be doing our own enforcement.

Every municipality would have to do their own enforcement in their parks.

Commissioner Samuelain said he is very excited about the opening and in conjunction with the County. He wanted to make a point around the communication. He said the second we announce this, it is going to beg 50 questions we don't have the answer to. He suggested maybe using the City Manager's email in the presentation that this is a first step, we don't have definite timing, but we have additional plans forthcoming. He said we might underline that what we are doing is a phased approach to see if our community can adhere to social distancing. This is a bit of a test case.

Commissioner Richardson proposed that as a Committee they put an item on the agenda for the Commission meeting next Friday to discuss the issue of the point person to lead this effort. He thinks it would be important for the entire Commission for all 7 people to weigh in on it.

Commissioner Samuelian and Commissioner Meiner agreed.

DIRECTION: Move forward with the recommendations on the reopening of the parks. Bring an item to discuss the point person to lead the reopening effort to next Friday's Commission meeting. City Attorney's Office to prepare an item for panhandling for the FERC meeting in 2 weeks.

DEFERRED ITEMS

5. DISCUSS A PROPOSED MARINA REDEVELOPMENT PROJECT TO UPGRADE AND IMPROVE THE CITY'S MIAMI BEACH MARINA AND RELATED FACILITIES, VIA A PROPOSED AMENDMENT TO, AND EXTENSION OF, THE CITY'S MIAMI BEACH MARINA LEASE WITH MIAMI BEACH MARINA ASSOCIATES, LTD., AS WELL AS A PROPOSED SALE OF THE AIR RIGHTS ABOVE THE UPLAND PORTION OF THE MARINA LEASED PREMISES AT 300 ALTON ROAD, FOR THE DEVELOPMENT OF A MIXED USE PROJECT, WITH RESIDENTIAL, RETAIL AND COMMERCIAL USES, AND WITH THE FOREGOING SUBJECT TO AN INDEPENDENT THIRD-PARTY APPRAISAL OF THE VARIOUS COMPONENTS OF THE TRANSACTION, AND NEGOTIATION OF ADDITIONAL REVENUES AND OTHER PUBLIC BENEFITS TO BE PROVIDED TO THE CITY AS PART OF THE TRANSACTION

March 18, 2020 - C4 Q Sponsored by Commissioner Arriola Office of the City Attorney/Office of the City Manager

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

6. DISCUSSION REGARDING THE CITY OF MIAMI BEACH EFFORTS TO COMMUNICATE THE DANGERS OF E-CIGARETTES AND VAPING AMONG YOUTH IN MIAMI BEACH

December 11, 2019 – R9 H Sponsored by Mayor Gelber Organizational Development

ACTION

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

7. DISCUSSION REGARDING THE BEST USES FOR THE COLLINS PARK GARAGE RETAIL SPACE

January 15, 2020 – C4 B Sponsored by Commissioner Arriola Economic Development

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

8. DISCUSSION REGARDING THE REVIEW OF THE JULIA TUTTLE BUS RAPID TRANSIT DEMONSTRATION PROJECT-QUARTERLY UPDATE

May 16, 2018 – C4 R Sponsored by Commissioner Samuelian Transportation

ACTION

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

9. DISCUSSION REGARDING A FINANCIAL PLAN FOR THE WATER AND SEWER SYSTEM MASTER PLAN

January 15, 2020 – C4 A Public Works

<u>ACTION</u>

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

10. UPDATE FROM THE ECONOMIC DEVELOPMENT DEPARTMENT REGARDING STEPS TAKEN TO STREAMLINE THE BUSINESS PERMITTING PROCESS, IMPROVE BUSINESS RETENTION, AND ATTRACT NEW BUSINESSES

December 12, 2018 – C4 E Sponsored by Commissioner Arriola Economic Development

ACTION

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

11. DISCUSSION REGARDING MIAMI BEACH COMMUNITY DEVELOPMENT CORPORATION AND ITS FINANCIAL CONDITION

April 10, 2019 – C4 D Sponsored by Commissioner Richardson Office of Housing and Community Services

ACTION

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

12. REVIEW THE ECONOMIC IMPACT OF SUPER BOWL 2020 AND THE MIAMI HERALD ARTICLE REGARDING TALKS OF A FREE CONCERT

February 12, 2020 – R9 R Sponsored by Commissioner Meiner and Co-sponsored by Commissioner Góngora Tourism and Culture/Finance

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

13. DISCUSSION REGARDING STORMWATER CONNECTION FEES FOR COMMERCIAL PROPERTIES

July 17, 2019 – C4 E Sponsored by Commissioner Arriola and Commissioner Samuelian Public Works

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

14. DISCUSSION REGARDING THE JUNE 18, 2019 ANIMAL WELFARE COMMITTEE MOTIONS ON EXTENDING THE CAT FEEDER AND WATER PROGRAM AS WELL AS INCREASING THE FUNDING FOR THE TRAP, NEUTER, AND RELEASE (TNR) PROGRAMS

September 11, 2019 – C4 C Sponsored by Commissioner Samuelian

Public Works

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

15. DISCUSSION REGARDING THE ANIMAL WELFARE COMMITTEE'S RECOMMENDATION TO FUND A PET ADOPTION FACILITY

July 17, 2019 - C4 N

Sponsored by Commissioner Arriola and Co-Sponsored by Commissioner Samuelian Public Works

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

16. DISCUSSION TO EXPLORE IMPROVING CAPITAL ASSET CONDITIONS (E.G., STREETS, SIDEWALKS, BUILDINGS) BY INCREASING ANNUAL FUNDING FOR PAY-AS-YOU-GO (PAYGO) FUND

July 31, 2019 – C4 B Sponsored by Commissioner Samuelian Office of Management and Budget

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

17. 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 22, 2020 FERC meeting, pending discussions with North Bay Village.

18. 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 22, 2020 FERC meeting, pending discussions with City of Miami.

19. UPDATE ON THE CITY'S BLUEWAYS MASTER PLAN

July 17, 2019 – C4 K Sponsored by Commissioner Arriola Parks and Recreation

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting, pending staff briefing.

20. DISCUSSION REGARDING THE BIGBELLY PROGRAM

October 16, 2019 – R7 H Public Works

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

21. DISCUSS THE LIVING WAGE RATES FOR FISCAL YEAR 2020/2021 IN ACCORDANCE WITH CHAPTER 2, ARTICLE IV, DIVISION 6, SECTION 2-4, OF THE CITY CODE

February 12, 2020 – C4 B Procurement

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

22. DISCUSSION REGARDING EARLY CHILDHOOD FUNDING

January 15, 2020- C4 C Sponsored by Commissioner Arriola Organizational Development

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

23. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND

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

<u>ACTION</u>

DIRECTION: Defer to the May 22, 2020 FERC meeting.

24. DISCUSSION REGARDING SPONSORSHIP OF THE AMERICAN BLACK FILM FESTIVAL

September 11, 2019 – C4 E Sponsored by Commissioner Arriola Tourism and Culture

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

25. DISCUSSION REGARDING CITY'S HOMELESS WALK-IN CENTER

September 11, 2019 – R9 O Sponsored by Commissioner Samuelian Office of Housing and Community Services

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

26. DISCUSSION ONE-TIME FUNDING IN THE AMOUNT OF \$200,000 FOR A MIAMI BEACH SENIOR HIGH SCHOOL BEAUTIFICATION PROJECT, AT THE REQUEST OF THE MIAMI BEACH SENIOR HIGH SCHOOL PARENT TEACHER STUDENT ASSOCIATION (PTSA)

February 12, 2020 – C4 G Sponsored by Mayor Gelber Organizational Development

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

27. UPDATE ON NEGOTIATIONS PURSUANT TO RFP 2019-100-KB FOR THE DEVELOPMENT OF A MIXED-USE PROJECT WITH CULTURAL COMPONENT (BYRON CARLYLE THEATER), WITH PACIFIC STAR CAPITAL, LLC, THE TOP RANKED PROPOSER, AND MENIN HOSPITALITY AND KGTC, LLC, THE SECOND RANKED PROPOSER

October 16, 2019 – R7 D Economic Development/Procurement

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

28. REVIEW OF ALL CITY DEPARTMENTS FOR JUSTIFICATION AND EFFICIENCY

October 16, 2019 – C4 U Sponsored by Commissioner Góngora Office of Management and Budget

ACTION

DIRECTION: Defer to the June 19, 2020 FERC budget briefing meeting.

29. DISCUSS FUNDING THE DESIGN WORK FOR THE NORTH BEACH SKATEPARK EXPANSION

February 12, 2020 – C4 D Sponsored by Commissioner Arriola Parks and Recreation

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

30. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," BY REQUIRING THOSE ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED ON OCEAN DRIVE, BETWEEN 5TH STREET AND 15TH STREET, POSSESSING A 5 A.M. ALCOHOL LICENSE AND SELLING OR SERVING ALCOHOLIC BEVERAGE(S) LATER THAN 12 A.M., TO RETAIN THE SERVICES OF AN OFF-DUTY POLICE OFFICER, FROM 12 A.M. UNTIL THIRTY (30) MINUTES PAST THE CLOSING TIME OF THE ALCOHOLIC BEVERAGE ESTABLISHMENT, FOR ALL SATURDAYS AND SUNDAYS (AND ALL SATURDAYS, SUNDAYS AND MONDAYS FOR THOSE HOLIDAY WEEKENDS OR CITY-SPONSORED EVENTS) DURING WHICH ALCOHOLIC BEVERAGES ARE SOLD OR SERVED BEYOND 12 A.M.; ESTABLISHING EXCEPTIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

December 11, 2019 – R5 J Sponsored by Mayor Gelber Office of the City Attorney

ACTION

DIRECTION: Update to be provided at the May 22, 2020 FERC meeting.

31. DISCUSS INVESTING IN PLAYGROUNDS IN LUMMUS PARK

February 12, 2020 – C4 E Sponsored by Commissioner Arriola Parks and Recreation

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

32. DISCUSSION REGARDING EXPANSION OF EQUIPMENT AND LIGHTING AT MUSCLE BEACH

February 12, 2020 - C4 AA

Sponsored by Commissioner Góngora

Parks and Recreation

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

33. DISCUSS INCREASING THE BUDGET OF THE CULTURAL ARTS COUNCIL

February 12, 2020 – C4 AB

Sponsored by Mayor Gelber and Co-sponsored by Commissioner Góngora

Tourism and Culture

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

34. DISCUSS IMPLEMENTING THE PRODUCTION INDUSTRY COUNCIL'S DECEMBER 12, 2019 MOTION

February 12, 2020 – C4 C

Sponsored by Commissioner Samuelian

Tourism and Culture

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

35. DISCUSSION REGARDING NEGOTIATIONS PURSUANT TO ITN 2019-099-KB COLLINS PARK ARTIST WORKFORCE HOUSING PROJECT

March 18, 2020 – C4 B Economic Development

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting

36. DISCUSS THE RENEWAL OF THE \$60 MILLION LINE OF CREDIT

March 18, 2020 - C4 M

Finance

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

37. DISCUSS FUNDING ARTISTIC PATINING OF THE MID BEACH WATER TANKS

March 18. 2020 - C4 N

Sponsored by Commissioner Arriola

Tourism and Culture

<u>ACTION</u>

DIRECTION: Defer to the May 22, 2020 FERC meeting.

38. REVIEW OF A PROPOSED TRANSACTION W ITH THE GREATER MIAMI JEW ISH FEDERATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION (THE "FEDERATION"), THE CITY'S LONG-TERM LESSEE AND OPERATOR OF THE HOLOCAUST MEMORIAL SITE LOCATED AT 1933-1945 MERIDIAN AVENUE (THE "MEMORIAL"), FOR THE CONVEYANCE OF THE MEMORIAL AND ADJACENT MUNICIPAL PARKING LOT AT 775 19TH STREET TO THE FEDERATION, TO PERMIT THE FEDERATION, AT ITS SOLE COST AND EXPENSE, TO DEVELOP, CONSTRUCT, OPERATE AND MAINTAIN A STATE-OF-THE-ART HOLOCAUST MEMORIAL COMMUNITY LEARNING CENTER, FOR THE PRESENTATION OF EXHIBITS, LECTURES AND OTHER INTERACTIVE PROGRAMMING THAT CONNECTS THE HOLOCAUST EXPERIENCE TO CONTEMPORARY CIVIC LIFE AND PROMOTES TOLERANCE, REMEMBERANCE AND GLOBAL HUMAN RIGHTS

March 18, 2020 – C4 O
Sponsored by Mayor Gelber
Office of the City Manager/Office of the City Attorney

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

39. DISCUSS A PILOT PROGRAM WITH CURBFLOW, INC. FOR REALTIME CURB ACCESS MANAGEMENT OF COMMERCIAL AND ON-DEMAND OPERATORS AT NO COST TO THE CITY OF MIAMI BEACH

March 18, 2020 C4 P Sponsored by Mayor Gelber Parking

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

40. DISCUSS WHETHER THERE ARE OPPORTUNITIES TO REFINANCE CERTAIN DEBT OBLIGATIONS DUE TO THE RECENT DROP IN INTEREST RATES

March 18, 2020 – C4 R Sponsored by Commissioner Meiner Finance

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

41. DISCUSSION REGARDING THE LGBTQ ADVISORY COMMITTEE MOTION REGARDING FUNDING FOR LGBTQ COMMUNITY INITIATIVES

April 22, 2020 -C4 A Sponsored by Commissioner Góngora Office of Management and Budget

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

42. DISCUSS CONDUCTING A MOPED SHARING SERVICE PILOT WITH REVEL

April 22, 2020 – C4 B Sponsored by Commissioner Arriola Transportation/Parking

ACTION

DIRECTION: Defer to the May 22, 2020 FERC meeting.

43. DISCUSS MODIFYING COMPONENTS OF THE COLLABORATION, FUNDING, AND MANAGEMENT AGREEMENT BETWEEN THE CITY AND THE SABRINA COHEN FOUNDATION, INC. FOR AN ADAPTIVE RECREATION CENTER

October 16, 2019 – C4 I Sponsored by Commissioner Arriola Parks and Recreation

ACTION

DIRECTION: Defer to the Summer 2020, pending additional fundraising updates.

44. DISCUSSION ON A HOTEL ROOM BLOCK ATTRITION POLICY TO SECURE INCREASED MIAMI BEACH CONVENTION CENTER BOOKINGS

September 11, 2019 – R9 M Tourism and Culture

ACTION

DIRECTION: Defer to the September 18, 2020 FERC meeting.