

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: October 18, 2017

SUBJECT: REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE (FCWPC)
MEETING ON FRIDAY, JULY 28, 2017

A meeting of the Finance and Citywide Projects Committee was held on Friday July 28, 2017 at 3:15 p.m. in the Commission Chamber, 3rd Floor of City Hall. Commissioners in attendance: Commissioners Ricky Arriola, Joy Malakoff and John Elizabeth Alemán. Members from the Administration and the public were also in attendance.

MEETING OPENED AT 2:41 P.M.

OLD BUSINESS

1. Discussion Regarding The Fees Charged To Developers To Appear Before The City's Land Use Boards

Commission Item C4F, April 26, 2017
(Sponsored by Commissioner Alemán)

Tom Mooney, Planning Director

ACTION

DIRECTION: Deferred to the October 13, 2017 FCWPC meeting.

NEW BUSINESS

2. Discussion Regarding An Economic Feasibility Analysis For The Proposed North Beach Neighborhood Conservation District

Commission Item C4K, June 7, 2017
(Planning)

ACTION

Tom Mooney, Planning Director introduced the item. Director Mooney gives a brief history of this item, and an ordinance will be presented for first reading at the October 18, 2017 Commission Meeting. Director Mooney stated that in May, the Land Use and Development Committee agreed for the City Commission to defer this item to the finance committee separately to the Finance Committee. Jeff Oris, former City of Miami Beach employee was handling this previously, and had stated that due to the change that were proposed in the NCD

were all Land Use, it was difficult to quantify something economically. If there was going to be some type of separate analysis, the City would need to go out and retain a firm that specializes in that. Director Mooney is asking the Committee for direction.

Matis Cohen spoke and stated that there is nothing more important than quantifying the economic feasibility of the regulations being proposed in the conservation district. Mr. Cohen reiterated that the rules and the criteria in the proposal must be quantified; the City must know what the feasibility is. Commissioner Arriola asked Director Mooney, why this item come to be. Director Mooney explained that the land use committee was discussing the neighborhood conservation district overlay regulations and as part of that discussion, members of the public suggested it would be a good idea to have an economic feasibility study. Commissioner Arriola and Director Mooney had a brief discussion and clarified that the intent for item is for the Committee to approve the hiring of an economist to study what economic impact a conservation district would have on the neighborhood.

Commissioner Alemán asked what it would take to figure out what the incremental changes in terms of property tax valuation to the City, she added that the City is obligated to come up with the economic impact of new ordinances, and again asked how would that even be done. Director Mooney replied and stated that it can be done by attaining a firm that specializes on this topic, and suggested the only caution provided is that the NCD regulations are not reducing FARs and developer rights remains the same. Director Mooney briefly described NCD regulations in reference to height and lot size.

Commissioner Malakoff stated that she believes that investors and property owners should conduct their own research and investigation regarding the regulations for the properties in a Neighborhood Conservation District, and decide for their own if they want to invest in these properties, the City should not have to hire an economic analyst it should be on the individual. Mr. Cohen responded and stated that every regulation has an economic impact, and when making a decision on a large broad base of properties, it is the responsibility of the city to quantify what that impact is. Commissioner Arriola stated that the City should have no obligation to do an economic analysis, and explained that when doing this type of planning, the City has to take everything into account including economic impact. However the goal is not always to maximize economic returns. He explained that there is nothing unique to gain from this economic analysis; instead it will slow down the process of having this Neighborhood Conservation District properly planned. Daniel Veitia spoke and stated that the economic analysis that was done in the North Beach master plan was very enlightening to bring to light what level of profit a developer would need to gain, in order to have an interest in revitalizing the neighborhood.

NO ACTION TAKEN

3. Discussion Regarding A Request For The City To Sponsor The Sting Swim Club

Commission Item C4D, June 28, 2017
(Sponsored by Commissioner Rosen Gonzalez)

John Rebar, Parks and Recreation Director

ACTION

DIRECTION: Item deferred to the September 8, 2017 FCWPC meeting.

DEFERRED ITEMS

4. Discuss Engaging In A Pilot Program With A Cost Reduction Consultant

Commission Item C4N, March 1, 2017
(Sponsored by Commissioner Arriola)

James Sutter, Internal Auditor

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending further research.

5. Discussion To Explore Placing Cameras On Every Corner Of The MXE (Mixed Used Entertainment) District And On The Beachwalk, And Installing Emergency Activation Boxes Along The Beachwalk

Commission Item C4P, March 1, 2017
(Sponsored by Vice-Mayor Rosen Gonzalez)

Daniel Oates, Police Chief

Commissioner Rosen Gonzalez introduced the item and explained the costs for this project. Steve Feldman from the police Department confirmed the cost to be \$550,000.00 for storage and connectivity, and cost estimate for infrastructure and electricity was approximately \$380,000.00. The Committee asked how much does the City has budgeted and what is the difference.

John Woodruff, Chief Financial Officer, stated that he had met with Mr. Feldman regarding this operation and that he recommends a phase in approach. He explained that operation is going to take some time, maybe 1 or 2 years, and that this project can be part of the GO Bonds. Director Woodruff stated that they focused on what can be done today, and identified that for \$170,000.00 they can do something very substantial on a portion of Ocean Drive. Mr. Feldman describes that blanketing the seawall area extending up to 15th street can be done for \$170,000.00, and can be done next fiscal year. Director Woodruff stated there are a few options that can be looked at to achieve this and would like review these options to include and share during the budget proposal. Commissioner Alemán asked that for the second phase in this operation to consider the areas of 21st and 22nd along the beachwalk. The Committee discusses the current crime statistics and asked if the camera coverage can extend up towards 23rd street. Director Woodruff said that the City has an opportunity on the GO bonds program to do something substantial, and this is the opportunity to think big, and to conceptualize what the city wants to do long term. Commissioner Kristen Rosen Gonzalez asked Eric Carpenter, Assistant City Manager if he can provide a timeline for this project, and asked by when the City should expect to have all these cameras operational. Eric Carpenter states that unless there is an issue with assigning the vendor who is contracted for this project, work can start within 30 days.

ACTION

DIRECTION: To include a phase one to cover the specified area for approximately \$170,000.00. Include it in the proposed budget and share how the City plans to pay for it, and move forward to potentially include it in the GO bonds project.

MOTION: Commissioner Alemán motioned to move forward with direction. Commissioner

Malakoff seconded.

6. Discussion Regarding Sustainable Funding Sources For Educational Enhancements In Miami Beach Public Schools

Commission Item R9F, March 1, 2017
(Sponsored by Commissioner Grieco)

Dr. Leslie Rosenfeld, Chief Learning Development Officer

ACTION

DIRECTION: Defer to the September 8, 2017/October 13, 2017 FCWPC meeting after school reconvenes and the Quality of Education Committee meets.

7. Update On Energov Permitting System

Commission Item C7M, April 26, 2017
(Information Technology)

Mark Taxis, Assistant City Manager
Ariel Sosa, Information Technology Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting per direction from the Committee at the June 30, 2017 FCWPC meeting.

8. Discussion Regarding The North Beach Town Center Redevelopment Proposal, Involving City-Owned Parking Lots, Made By North Beach Town Center Development, LLC, An Affiliate Of Pacific Start Capital, LLC

Commission Item C4C, May 17, 2017
(Sponsored by Commissioner Malakoff and Co-sponsored by Commissioner Arriola)

Eva Silverstein, Tourism, Culture, and Economic Development Director
Kathie Brooks, Assistant City Manager

ACTION

Discussion held. Representative spoke on behalf of Mr. Geraldo Sea, and Lucas Sea property owners of 404 71st Street, and Prima Pasta; she mentioned that they are not opposed to the project but they wanted to know about the zoning with adjacent parcel to see if they can move, and relocate their business. When they met with the City to find out about the municipal parking lot, they uncovered that the Mr. Sea's parcel was included as part of the parcel swap in the North Beach Redevelopment Proposal from May 2017, and Mr. Sea's property is not part of this proposal. Discussion held regarding whether or not it was clerical error, but they want to clarify for the record of this error. Raul Aguila stated that since item was deferred, he recommends making no recommendation about this item if he wants to hear the speaker. The Committee listened to the representative. Discussion held, and the representative provided a visual presentation.

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending appraisal.

9. Discussion Regarding The Costs Relating To Having Miami Beach Commit To Ensuring That All Government Buildings Will Be Powered By 100% Renewable Electricity

Commission Item R9AB, May 17, 2017

(Sponsored by Vice-Mayor Rosen Gonzalez)

Margarita Wells, Environment and Sustainability Acting Director

Adrian Morales, Property Management Director

ACTION

DIRECTION: Defer to future FCWPC meeting, pending direction from the Sustainability and Resiliency Committee.

10. Discussion Regarding Washington Avenue Parking And Workforce Housing Options At 1234/1260 Washington Avenue

Commission Item R9P, May 17, 2017

(Capital Improvement Projects)

Saul Frances, Parking Director

David Martinez, Capital Improvement Projects Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending further analysis.

11. Discussion Regarding The Evaluation Of Costs Impacts Of Improving The Amenities At Soundscape Park

Commission Item R7G, June 7, 2017

(Tourism, Culture, and Economic Development)

Eva Silverstein, Tourism, Culture, and Economic Development Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending evaluation of costs.

12. Discussion Regarding The Condition Of The Log Cabin Structure Located At 8128 Collins Avenue

Commission Item C4N, June 7, 2017

(Property Management)

Adrian Morales, Property Management Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending additional research.

ADDENDUM MATERIAL

NEW BUSINESS

13. Discussion To Allocate \$2,500, As Requested By The Hispanic Affairs Committee, To Fund Enhanced Entertainment During The Hispanic Heritage Month Kick-off Event, Band Shell Band Night, On September 14, 2017, At The Band Shell

Commission Item C4L and R9AB, July 26, 2017

(Sponsored by Commissioner Rosen Gonzalez and Commissioner Steinberg)

Leonor Hernandez, Office Manager and Community Liaison/Hispanic Affairs Committee Liaison

ACTION

Leonor Hernandez, Office Manager and Community Liaison/Hispanic Affairs Committee Liaison introduced the item. Discussion held by the Committee regarding board and committees raising money by engaging in private fundraisers. Discussion continues regarding allocating budgets from the Mayor and Commission Office to fund board and committees activities.

DIRECTION: Commissioner Malakoff moved the item.

14. Discussion Regarding The Methodology For Future Stormwater Rate Increases

Commission Item C4M, July 26, 2017

(Sponsored by Commissioner Alemán)

Eric Carpenter, Assistant City Manager/Public Works Director

ACTION

Eric Carpenter, Assistant City Manager/Public Works Director, introduced the item. The referred item was to look at the possibility of indexing the City's stormwater utility rates to a CPI or other reasonable cost of living index. Other municipalities tie their utility rates to CPI just like the City of Miami Beach ties the water and sewer rates to a CPI. It would be the recommendation of the City to look at tying those utility rates to some sort of index as well. The Committee agrees that that is a sensible idea. John Woodruff, Finance Director asked if this is to be implemented this upcoming fiscal year, or next fiscal year. Discussion held, Committee agreed to implement for upcoming fiscal year 2017/2018.

DIRECTION: Motion made by Commissioner Alemán to index according to CPI for stormwater rates increases, to be effective fiscal year 17/18, seconded by Commissioner Malakoff.

15. Discussion Regarding A Proposal To Build A Public Baywalk From 10-12 Streets And A Public Marina

Commission Item C4N, July 26, 2017

(Sponsored by Vice-Mayor Arriola)

Tom Mooney, Planning Director

ACTION

Tom Mooney, Planning Director introduced this item. He stated that this was just referred by City Commission is on as a verbal report and will be discussed further. The property where the public marina is proposed is in an RM3 district. In order to have a main use public marina a code change would be necessary in order to allow that within an RM-3 district. Ultimately is a policy decision of the City Commission. Vice-Mayor Arriola stated that many in the community want to see the Baywalk completed, due to historical reasons some private property owners

were committed in the past to completing the Baywalk, but for some reason they have not. Vice-Mayor Arriola explained that he took it upon himself to try and get something done. He stated that he spoke to the owners of the Mondrian Hotel, where they had a discussion where the owners of the Mondrian stated that they would be willing to complete their portion of the Baywalk without getting contractually bounded. Commissioner Arriola asked if they would be interested in entertaining a Marina. Commissioner believes that there is not enough Marina's in the City of Miami Beach, and said that the City is waterfront community with little marina activation. Vice-Mayor Arriola further stated that if the City is going to have a Baywalk, it should be activated; restaurants and retail space would not be able to survive in a without adequate foot traffic. Commissioner Arriola provided his personal opinion stating that if they start allowing more marinas in the Baywalk, it would bring in boat traffic, and this will activate the retail businesses as well. This is good for a thriving Baywalk and he wants to hear a proposal to build this Marina.

Commissioner Malakoff asked if a marina would increase the value of the properties along the marina. Director Mooney stated that it does increase the value only if there is dedicated space for that property, in this case this would be a separate commercial marina apart from the residential property. Commissioner Malakoff asked if there was a shortage on boat slips. Vice-Mayor Arriola added that it is very expensive to get slips in Miami Beach, for the boating community the more slips the City has; it will make boating more affordable. Vice-Mayor Arriola reiterated his point of view that it will be good for the community to have more waterfront activation and a thriving Baywalk.

Natalie Alexander from the Mirador spoke, she stated that there is no retail at the Mirador or the Mondrian. The proposed marina is from 10 -12, there is no retail there. She advises proposing the marina Bentley where there is retail space. She also expressed her concern regarding many people enter to the property during party boat weekend, and suggested implementing some form of security or secure gate for the marina. Vice-Mayor Arriola spoke and shared his personal experience while living at the Portofino building which has a Marina, and stated that it is very safe and the marina is very active.

Discussion held between Committee and Ms. Alexander, the Committee asked the resident not to be alarmed, this is the first of many discussions regarding this topic, and the City wants to ensure that all concerns have an action plan and can be addressed. Enrique Montalvo, owner and resident at the Mirador spoke. Mr. Montalvo suggested finishing the Baywalk, however he suggested not building the marina between 10 and 12 streets because is all residential.

Antwon Mikhael resident owner at the Mirador spoke. Mr. Mikhael stated that the City built a beautiful park on 10th street; he is there every night and stated that all he sees are people drinking beer, and smoking joints, and it does not make any sense to add another 1,000 of space for people to go and litter. Mr. Mikhael stated that he is pro-business and that a marina belongs in a commercial area, not residential. Mr. Mikhael stated that the residents have complained many times against the Mondrian Hotel because they have loud parties, and allow people to enter the Mirador's property. He stated the Mondrian has a dock operated by the Boucher Brothers for Jet Ski rentals, and this is also loud and disturbing to the residents. Daniel Ciraldo spoke and stated that the Baywalk is a great idea, and hopes that something happens.

Russel Galbut, Managing Principal of Menin Hospitality spoke. He stated that having a marina will greatly increase property value; he said that he has spoken with experts on this matter, and they believe building this marina will help the wave wash and the outer walls to protect the seawalls. Mr. Galbut suggested a landing spot on the outer walls for a public ferry from Miami

Beach to downtown, and a spot for the Miami Beach Fire Boat.

Commissioner Alemán asked Mr. Galbut if he is willing to provide security, and also tie in with the cameras that will be installed along the Baywalk, and if he is willing to have restrains to not run tour party boats, and commercial out of the marina. Raul Aguila, City Attorney spoke and said that if the City pursues the marina there is probably an obligation to lease with State dep, which currently has restrictions on their leases prohibiting party boats. Mr. Galbut replied that there will be no party boats, and is willing to provide security services and tie in with the proposed project to install cameras along the Baywalk.

Mary Jababowicz, resident of the Mirador spoke. She stated that the security concerns will not be addressed. She describes how a big party boat docks in front of her property every weekend with over 40 people invading their residential property and making noise. She said that it will not increase the property value, but instead it will decrease. She said it has already decrease because of the noise issue.

Ms. Valluani, president of the Mirador spoke and said when unit owners became aware of the proposal the residents agreed to oppose it, due to the issues they already have with the party boats, and the noise from the Mondrian Hotel guests. She stated that when she raised the issue with the Mondrian, they demonstrated intent and the willingness to solve the problem, but nothing ever got done about the issues. She stated that they requested no trespassing signs, and asked to have the gates are locked on both sides of the property. The Committee responded and stated that this is about the marina, and there is no proposal yet, and a well-lit marina with police boats, cameras, and high foot traffic will make the marina safe. Russell Galbut from Crescent Heights Real Estate spoke that the reason the guests dock, and walk through the 1000 pool deck, and 1200 pool deck is because they also own it, and have the property rights. He claims that the back areas of both properties belong to the Mondrian, and suggested for a way to come to an agreement between the properties. He proposed covering the entire circumference of the south beach with marinas. He informed of a rapid transit system that will be accessed from 10th street. Residents in the Mirador will be able to benefit from this water taxi service directly to bayside.

Chris Craven, resident of the Mirador spoke. He stated that most people would be in favor of the byawalk, but a message of a massive marina was heard just that day, and the residents had to find out about it by coming to the meeting. He mentioned that residents and people directly impacted should hear about it first. He stated that West Avenue has traditionally been the residential side of the beach. There is the noisy side, and the quiet side, that is why people would like to keep it quiet. A marina that is 1500 feet long will generate high traffic, and more noise. Many residents feeling uncertain about what is happening, and believes many neighbors are skeptical about this development.

Discussion held, Committee agreed that 24 hour security, professional management, and the concerns of the residents are very important, and this is only the beginning discussion of a lengthy process.

DIRECTION: Mr. Galbut to engage with the residents in the Mirador and surrounding properties to address their concerns and bring item back in few months whenever there is something to move forward with and Mr. Galbut to begin working on the baywalk as soon as possible.

16. Discussion Regarding The Management Agreement Between The City Of Miami Beach And The Sabrina Cohen Foundation, Inc., Providing For The Foundation To Manage, Operate And Maintain The Adaptive Recreation Center On The City's Behalf

Commission Item R7AC, July 26, 2017
(Sponsored by Commissioner Malakoff)

John Rebar, Parks and Recreation Director

ACTION

John Rebar, Parks and Recreation Director, presented the item. He mentioned it was just discussed at Wednesday's Commission meeting. He provided a little bit of background. He said that the City would be partnering with the Sabrina Cohen Foundation to build an Adaptive Recreation Center. They would design and build it on their dime and it would become of the Parks and Recreation Facility inventory. They have looked at a few sites over the last few years. Through the multiple analyses done, they arrived at 53rd Street and Collins Avenue, it was approved at Wednesday's meeting. The funding and collaboration was approved at the meeting on Wednesday with the foundation and for it go on the lot at 53rd Street and Collins Avenue. The management agreement was not decided on, which is what is here today.

Raul Aguila, City Attorney, said that what was actually approved at Wednesday's Commission meeting was a resolution, which is being prepared by the City Attorney's Office, conceptually endorsing the project and authorizing the foundation to commence fund raising. Based on the site of part of the parking lot at Beachview Park.

Vice-Mayor Arriola said this is a management agreement; there is nothing super unusual about this.

Commissioner Alemán said we should go through the redlined version of the management agreement, people's questions and concerns might be addressed.

Raul Aguila said we have used this management agreement template before with the UNIDAD Center and The Boys and Girls Club.

Vice-Mayor Arriola said he is interested in understanding what the obligations and the milestones are for this to take effect if we approve it. If the milestones are not achieved and the Foundation doesn't live up to their obligations, this agreement would be terminated. Raul Aguila said it would terminate for convenience.

Raul Aguila said this is a management agreement, but it also has a funding component. He explained the funding component. The Foundation has 3 years to raise the money for this facility, if it does not do so within the 3 years then the City has the right to terminate the agreements for convenience. The specific provision is in section in 29.4 on page 28 of the agreement. The first thing to remember, nothing happens with the facility until the Foundation raises the money. If they do raise the money, the City Commission has to approve the concept plan design. The site of the facility will go in the parking lot. The footprint is a 2 story facility and can be up to 10,000 square feet. The City Manager will have propriety approval; there will also be regulatory approval by the Land Use Boards. This facility will be owned by the City. The management agreement does not commence until the facility gets a certificate of occupancy. The agreement is 9 years and 364 days. This is not a lease; there is no referendum requirement under the City Charter. He explained the use of the center. This is not intended as a hall for hire. It is intended to be used as an adaptive recreation center. There are ancillary uses for the center as well. They can sell food and beverage. Raul Aguila also explained there were also conditions the City Manager raised located in section 5.10 on page 10 of the agreement. They also have to commit to a fundraising schedule. If none of these conditions are satisfied, then the

City has the right to terminate the agreement for convenience. The cost of the project is around the \$4.5 million area. The intent of this agreement is that the City not be responsible for any costs for design and construction or operating.

Raul Aguila mentioned section 4.2 on page 6. He spoke about the use restriction. He went into detail about the programming. If the Foundation cannot operate the facility, there will be some flexibility with the programming if another vendor takes over the center.

Raul Aguila said that the primary use is the adaptive recreation center. Commissioner Malakoff said that she would see no objection for fundraising events if there is alcohol involved. Raul Aguila said the hours of operation would be from 8 am- 9pm Monday –Sunday. If they wanted to request to change the hours for a fundraiser they would need the approval of the City Manager.

Rafael Paz, First Assistant City Attorney mentioned some changes and revisions. The City Manager or his designee would be on the board of directors. Also, during high impact events, the City can close the Center. Raul Aguila said without the City Commission's prior written consent, the Foundation has to maintain the non for profit status, throughout the term of their management agreement.

Further discussion was held regarding the details of the agreement, including termination for cause of the agreement. If the City assumes control over the center, we can donate 50% of it to non-adaptive recreation use purposes.

Commissioner Malakoff said she would like to be heard from Sabrina Cohen and Michael Llorente.

Raul Aguila said if there is a vote today, it would need to go back to the Commission and they would take a 5/7th vote.

Vice-Mayor Arriola said whether the Committee approves this today, it will go back to the Commission with a recommendation and it will be voted on there.

Commissioner Alemán said they need to fill in a gap of days for the time that the center will be closed during high impact times. Raul Aguila said if there were to be a high impact event there, then we have the right to require them to close the center for the period of the event to have more parking. Rafael Paz said between 10-14 days and they will work with Sabrina Cohen to figure out the right number.

Michael Llorente, spoke on behalf of the Sabrina Cohen Foundation. He thanked the Committee for their support. He gave some feedback on the redline changes.

Sabrina Cohen said in earlier conversations, for the building it signifies a beach access point. Initially, the building will be designed with accessibility, as long as it is a component of what can occur thereafter. As long as there is an inclusive component to the center after, she is okay with it.

Michael Llorente went over some other feedback.

Further discussion about edits was held.

From the date of the City Commission's approval of the concept plan, that is when the number will be agree on and the fundraising will need to begin. The City Commission meeting where the

concept plan will be approved will be one that is noticed to the public.

Further discussion was held regarding the concept plan and approval. Vice-Mayor Arriola said that the Commission shouldn't be unreasonable with the fundraising and concept plan. Commissioner Alemán said the City needs to have leverage to have the changes they would like to be accommodated. Raul Aguila said that the City Commission can grant an extension if they choose.

Commissioner Alemán said that it should clearly state that the City's review should be on the City's dime. Vice-Mayor Arriola agreed.

Raul Aguila said he can clarify that.

Michael Llorente said that they can work with the City Attorney's office on the language regarding the concept plan design and the approval. He said they would like to have the option to present multiple concept plan designs, to show what they are shooting for and also an alternative. Raul Aguila said he doesn't object to multiple concept plan designs, but if they cannot agree on the project costs it becomes a problem. The Commission needs the flexibility to approve something that is satisfactory.

Vice-Mayor Arriola asked if for any reason the milestones are not met, they can waive them. Raul Aguila said not in this agreement, there is no ability to waive them.

Raul Aguila asked if he wants to do the same language for the concept plan, unless the Commission grants an extension. Vice-Mayor Arriola agreed.

The Committee asked if the money has to be in the bank. The term raised in regards to the funds need to be clarified.

Raul Aguila said the premise that is being put in the agreement is so the City doesn't spend any funds.

The concept plan design topic was further discussed.

Michael Llorente mentioned that on page 14, regarding the City Manager approval of the budget, they want to strike the word approval from the language; they don't want to be dependent on the annual approval for operating the facility.

Raul Aguila said that doing that would make this management agreement very different. The Manager or his designee does like to have review and approval of annual programmatic plans. They can include not to be unreasonably withheld as a compromise.

Rosa De La Camera, Attorney representing the Imperial House spoke. She said she thought the comments made at the Commission meeting on Wednesday were unkind and would like to distance from them. She handed out a letter and made a couple of comments regarding the due process issue and the financial issue. She feels that there has not been community outreach especially to her client. She went through some objections to the different articles in the agreement. She said she has 250 signed petitions by the residents. She doesn't think there has been sufficient public input. She said her clients want to work with the City and the Foundation. She would this to be deferred to September to understand what exactly is being proposed here.

Vice-Mayor Arriola said we went through this for an hour and his answer won't change. He

supports this no matter what.

Raul Aguila said one of things Rosa referenced was the Residents' Right to Know Ordinance, which was adopted on 2nd reading on Wednesday. That ordinance goes into effect on January 1st. She also brought up the right to be heard ordinance. They are allowed to be heard up to final action, final action is not being taken today. When this item is brought to the City Commission there will be an opportunity for public input.

Commissioner Malakoff said that the Mid Beach Alliance that did not get a chance to speak the other day was just formed in March. In April there was a public meeting and invitations were extended to the Imperial House. It was held at the Normandy Shores Golf Club. There were members from the immediate adjacent condominiums present at the meeting.

Commissioner Alemán said there was quite a bit of testimony at Wednesday's Commission meeting. Although not everyone was able to speak.

Raul Aguila mentioned how Rosa is a professional and will provide her with a revised agreement so she can share with her clients.

Commissioner Alemán asked about the maintenance facility. Raul Aguila said it is consistent with the other management agreements.

Matis Cohen, business owner in Miami Beach, spoke in support of the project. He thanked the Committee for their support. He spoke highly of the project and Sabrina Cohen herself. He mentioned that we owe an obligation to everyone in the community. He stated the Committee should allow this to move forward, it is a great project and it should move forward to help all people.

Vice-Mayor Arriola said that he wants to very much see this project move forward. He believes we owe it to not only the disabled residents, but all residents. He wants to get a fair deal for the City and he wants to move this forward.

Commissioner Alemán said that we are all one and this center will provide access to seniors and all residents. We are obligated to do everything we can to provide access for all people.

MOTION: Commissioner Malakoff moved the item with the revisions discussed today. Commissioner Alemán seconded.

17. Discussion Regarding Tesla Supercharger Stations At The Pennsylvania Avenue Garage

Commission Item R9R, July 26, 2017

(Parking)

Saul Frances, Parking Director

ACTION

Saul Frances, Parking Director, presented the item. He mentioned they met with representatives from Tesla and there are 2 points that are nonstarters for them. He said he had received direction from the Commission to do a 1 year pilot program at the Pennsylvania Avenue Garage with 10 spaces for the superchargers. They are looking for a 5 year term; the cost for the infrastructure is about a half a million dollars, they need a minimum of that term to be able to recoup that for it to be viable for them. They also do not give any financial returns for any other

venues where the superchargers are, so they weren't receptive to providing the City with any financial return for the placement of the superchargers.

Vice-Mayor Arriola confirmed that Tesla wants a 5 year commitment. He said what the harm is to the City to make us want to remove them. Saul Frances said nothing they can think of.

Commissioner Alemán asked what is in it for us. Saul Frances said that the superchargers are well utilized that they would attract people to the garage and it would generate revenue for the City. If someone goes and charges their car for 30-40 minutes and goes to get a coffee, their car would be charged by the time they are back, so that also generates revenue for merchants in the City.

Commissioner Malakoff said she thinks there will be a lot of Teslas in Miami Beach, there are new \$35,000 Tesla coming out. She asked if we have looked at the 5th Street Garage to generate more revenue there. Saul Frances said he can talk to the developer and maybe do a joint venture to see what can be done there.

Saul Frances said we wouldn't lose the revenue from the supercharger spaces; it is first come first serve for people to park there.

The Committee would like to know if Tesla would do another project for the City, such as the pump stations.

Vice-Mayor Arriola said as long as we are not losing revenue in the parking spaces, he is inclined to do this. He is not sure he sees the downside.

Commissioner Alemán asked if these chargers can be used by other types of cars. Saul Frances said no.

Vice-Mayor Arriola said if this is a 5 year deal, they seem to be the only manufacturer now, but down the road there might be another manufacturer and then Tesla has some competition to keep the bid.

There will be 10 spaces and Tesla is asking for a 5 year agreement. There will be a sign that says Tesla charging station available, but anyone can park there. Any expansion of this will need to come back to the Committee. Commissioner Malakoff would like them to look at the 5th Street garage as well. She would like Tesla to look into something with solar power in the pump station.

The Committee would like some kind of public benefit.

MOTION: Commissioner Alemán moved the item including the 5 year agreement and 10 spaces in the garage. Commissioner Malakoff seconded.

18. Discussion Regarding The Completion Of The 2012 CIP Project For Stillwater That Included A Sign, Improved Landscaping And Lighting At The Entrance

Commission Item R9AD, July 26, 2017

(Sponsored by Commissioner Steinberg)

David Martinez, Capital Improvement Projects Director

ACTION

David Martinez, Capital Improvement Projects Director, presented the item. He said he met with members of the homeowner association and they provided a wish list of some things they would like to enhance. When the original GO Bond went in affect there was money set aside for some of this above ground work in this neighborhood. It set aside \$23,640 in the early days of the GO Bond. When they did the project 4 or 5 years ago they did some enhancements, they did what they could with the funds available. They are now requesting a monument sign, better up lighting, some modifications of islands and medians, and a few other things. He said they priced it out and they are at about \$165,000. This would come out of the capital budget.

Commissioner Alemán said it has come to her attention that we have 2 Northern turf projects that are slightly underfunded. Fairway Park and Normandy Isle need artificial turf. They are in progress projects.

John Woodruff, Chief Financial Officer said when we made that change to the Biscayne Beach parking garage project, there was \$300,000 already appropriated, David needed an additional \$300,000 to do the work that was discussed at the last meeting. It turns out that the original \$300,000 was pay go money, which probably never should have been, it will be swapped out with parking money. There is now \$300,000 freed up. He said we can definitely cover the 2 turf projects. A project that has already been funded in a prior year and now needs additional funding is usually a higher priority; otherwise it will sit all year long until we find more money. He is not 100% sure we can find funding for the Stillwater project, but they can look for it, by the time we get to the proposed budget. It might be a better candidate for next year's budget process.

Vice-Mayor Arriola said this is a must do, but if we don't have the money in this year's budget it rolls to next year, but please try and find the money. By increasing the millage rate by just a little bit we could have freed up so much money and taken care of so many projects.

John Woodruff said when the new Commissioners come in, we will probably have a strategic planning session fairly early in the Spring and they can definitely spend some quality time on the infrastructure issue that was discussed.

Vice-Mayor Arriola said if we could start shortly after the election maybe in December with some meetings, it would be helpful.

Commissioner Alemán said she doesn't know that all of the Commissioners realize that when the budget is being worked on at the Finance and Citywide Project Committee meetings that really everyone should come.

John Woodruff said when he was conducting some of the briefings for the last meeting who hadn't been attending. He realized there may have been disconnect in communication there. It will definitely be addressed for next year's budget process.

DIRECTION: Try and find the funding for this project, if not it will wait until next year's budget process.

19. Discussion Regarding \$20,000 In Funding For The Sobe Arts Production Of Tesla, A Multidisciplinary Opera September 28 Through October 1, 2017 At The Colony Theatre Miami Beach

Commission Item R9AJ, July 26, 2017

(Tourism, Culture, and Economic Development)

Eva Silverstein, Tourism, Culture, and Economic Development Director

ACTION

Mr. Carson spoke and stated that 15 years ago they started Sobe Arts, and for 12 years they produced new work here in the City of Miami Beach. For two years they planned this project, and unfortunately were displaced by the closing of the Convention Center, and now they are forced to host it in the Colony Theatre. The costs now are now much higher, and Mr. Carson is requesting funding from the City. Mr. Carson describes Miami-Dade County as a cultural center, and the creation of new work and presenting it to the world is what makes the region a cultural center. Mr. Carson passionately describes Nikola Tesla's accomplishment, inventions, and his vision of free clean energy for the world. Mr. Carson explained that this show is going to be a multidisciplinary opera that will feature beautiful costumes, electricity, and mechanical electrical engineering.

Eva Silverstein, Tourism, Culture, and Economic Development Director spoke and added that the City is currently supporting this production with a CAC grant for \$14,686.00. Eva Silverstein added that the Miami New Drama and Colony Theatre know that this is a big budget for Mr. Carson and waived \$8,300.00, of rent and offered free rehearsal dates but unfortunately the theatre cannot waive the crew cost. Commissioner Arriola asked how much the absolute minimum that Mr. Carson would need is. Mr. Carson replied that originally they need \$25,000 but \$20,000.00 will help tremendously. Mr. Carson stated that he needs to raise \$40,000 he has reached out to millionaires for funding, and with the City's help he is positive that he will raised the needed. Discussion held amongst the committee regarding the availability of funds and where can it be allocated from. Committee asked John Woodruff, Finance Director if it is possible to find available funding. Director Woodruff stated that there a few things that can be looked at, savings accounts, and other departments to find funds for this event. Motion made by Commissioner Malakoff to offer \$10,000 for this project, seconded by Commissioner Rosen Gonzalez said for Communications Department to help with promoting the event.

DIRECTION: Motion made by Commissioner Malakoff to offer \$10,000 for this project, seconded by Commissioner Rosen Gonzalez, Communications Department to help with promoting the event.

DEFERRED ITEMS

20. Discussion Regarding The Formation Of A Special Assessment District On Alton Road, From Dade Boulevard To 63rd Street, For The Purpose Of Undergrounding Utilities And Fiber Cable

Commission Item C4H, July 26, 2017
(Sponsored by Commissioner Malakoff)

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending research.

21. Discussion Regarding Considering The Implementation Of A Student Loan Reduction Program For City Employees, To Help Pay Off Their Student Debt Faster

Commission Item C4I, July 26, 2017
(Sponsored by Commissioner Rosen Gonzalez)

Michael Smith, Human Resources Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending research.

22. Discussion Regarding Consideration Of A License Agreement With Design Miami II, LLC For Use Of Portions Of The New Convention Center Park, Located To The West Of The Miami Beach Convention Center, For A Period Of Ten (10) Years

Commission Item C4J, July 26, 2017
(Tourism, Culture, and Economic Development)

Eva Silverstein, Tourism, Culture, and Economic Development Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending negotiations.

23. Discussion To Consider Amending Our City Employee Leave Ordinance For Time Donations For Employees Caring For Ill Family Members

Commission Item C4K, July 26, 2017
(Sponsored by Commissioner Alemán)

Michael Smith, Human Resources Director

ACTION

DIRECTION: Defer to the September 8, 2017 FCWPC meeting, pending research.

JLM/JW/MG