

# MIAMI BEACH

Neighborhood/Community Affairs Committee Meeting  
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
April 4, 2018 - 9:00 AM

Commissioner Kristen Rosen Gonzalez, Chair  
Commissioner Michael Gongora, Vice-Chair  
Commissioner Mark Samuelian, Member  
Commissioner Micky Steinberg, Alternate

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A meeting of the Neighborhood/Community Affairs Committee was held on Wednesday, April 4, 2018, at 9:00 a.m. in the Commission Chambers, 3rd Floor of City Hall. Commissioners in attendance: Kristen Rosen Gonzalez, Michael Góngora, and Mark Samuelian. Members from the Administration and the public were also in attendance.

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## **OLD BUSINESS**

### **1. DISCUSSION REGARDING AN ORDINANCE AMENDING THE HOURS OF OPERATION FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD**

July 26, 2017 - C4 P

Sponsored by Commissioner Arriola  
Office of the City Attorney/Police/Code Compliance

### **ACTION**

Commissioner Rosen Gonzalez opened the discussion to hear from both sides regarding amending the hours of operation in Sunset Harbour from 5:00 am to 2:00 am.

Kathie Brooks, Assistant City Manager, stated for the record that Commissioner Arriola wanted the committee to know that he wanted to be present for this item; however, he could not make it. Commissioner Arriola asked that the committee hear the item and gather feedback.

Sara de los Reyes, a resident of Sunset Harbour stated she sent out a timeline regarding the issues residents have been having with Purdy Lounge. The timeline was submitted for the record. In 2009, residents started report incidents that they have endured with Purdy Lounge. The noise use to resonated from inside the building but after a meeting with Purdy Lounge, Purdy Lounge added two double doors so they music does not flow to the outside. Sara de los Reyes continued on to say that the issue is not inside Purdy Lounge, the issue is what happens outside of Purdy Lounge. Having Police stationed outside does not seem to be working. Police cannot stop people from talking loud, screaming or doing

inappropriate activities. The only incident where Police will step in is when people are physically fighting.

Bruce Backman, a resident of Sunset Harbour and member of the Sunset Harbour Neighborhood Association stated the City decided to change Sunset Harbour into a residential and commercial neighborhood before Purdy Lounge was built.: the North Tower was built in 1996 and the South Tower was built in 1998; Purdy Lounge opened in 2000 and has proven to be incompatible with the residential character of Purdy Avenue. Unlike the restaurants, Mr Backman stated the following concerns: Purdy Lounge is the only establishment attracting loud and intoxicated clientele in the neighborhood; six months ago at an NCAC meeting, Purdy Lounge promised they would have Off-Duty Officer and staff bouncers present to maintain order, but they are only there two (2) nights per weekend. Purdy Lounge bouncers only watch people as they enter and exit, per fire rules; Mr. Backman recalled an incident that occurred on March 3, 2018, and led to a meeting with the Captain. This incident took place between 2:00 am to 3:30 am. During the hours of 2:00 am and 5:00 am the worse disturbances take place and are also the hours when most people need to sleep. Mr. Backman expressed that if restaurant bars, with 2:00 am closing in Sunset Harbor, can flourish while serving food and employing waiters and busboys as well as spend more for garbage and clean up, than there is no reason Purdy Lounge cannot make a good profit operating until 2:00 am by serving only alcohol a much higher profit margin than food.

A video that was recorded from Bruce Backman's Terrence on the 23rd floor at 4:30 am on January 7, 2018 was shown A video from March 30, 2018 was also shown.

Arthur Gowran, a resident of Sunset Harbour South expressed his disdain with the City's lack of effort to resolve the situation.

Commissioner Rosen Gonzalez responded that the committee has not received any data. Purdy Lounge has been in business for 20 years and the City cannot arbitrarily, without statistics, put them out of business. There has not been statistical data or evidence from the Police Department, apart from the anecdotal incidences. Commissioner Rosen Gonzalez clarified that she is not saying that action will not be taken but every single side needs to be heard so that it is fair and things are done right.

Commissioner Rosen Gonzalez stated that they gave Purdy Lounge the opportunity to hire Police Officers who were supposed to control these types of incidences but there have not been any reports. According to the last NCAC meeting, there was no way to control these incidences because Code Compliance does not handle noise that occurs outside. Police are not creating reports every time a call is made regarding an incidence at Purdy Lounge. Bruce Backman stated that the video shows what residents have been dealing with all these years. The bar staff just stands there and watches. They have not done what they have promised.

Commissioner Rosen Gonzalez stated that six months ago Purdy Lounge was asked to have Police on duty to stop these types of incidences. Commissioner Rosen Gonzalez asked the representative at Purdy Lounge what happened.

John Donovan, a resident of 63rd and Collins Avenue and co-owners of Purdy Lounge stated that they hired Off-Duty and they also put up signage. He also stated they have done everything that was asked of them: Purdy Lounge has also reached out to the residents to

try to come up with more solutions but the residents never got back to Purdy Lounge Office Manager Kelly. Mr. Donovan also stated that it makes the streets safer having people outside between 2:00 am and 5:00 a.m. There is less crime in the neighborhood and it adds value to it.

Dan Dinkiewiz, co-owner of Purdy Lounge stated Purdy Lounge has Off-Duty Police but if they do not show up on Friday or Saturday night is it not because they requested them not to be there, but whether the City can provide them or not.

Commissioner Rosen Gonzalez stated she was willing to give another grace period to see if Purdy Lounge could rectify the situation but also thought of going in the opposite direction and having Purdy Lounge close at 2:00 a.m. for 90 days. Commissioner Rosen Gonzalez wanted to know why Police Officers were not present on Friday or Saturday nights.

Dan Dinkiewiz stated Police are always on request. Since the last NCAC meeting, six months ago, police staffing and signage were requested and Purdy Lounge complied. They put up a sign that read it was neighbors are sleeping and well as camera outside of the building and also changed their programming. Mr. Dinkiewiz stated there has been nothing that was asked of them that they have not done. A community meeting was held after the last committee meeting and keeping in touch with the condo association across the street was requested. Mr. Dinkiewiz stated many emails have been sent to with no response because the Condo Association does not want to work with Purdy Lounge.

Commissioner Samuelian stated this is a very serious issue. Commissioner Samuelian asked the representatives at Purdy Lounge if they thought there was a problem.

Dan Dinkiewicz responded it is not a problem as this isn't constantly happening. This only happens once in a blue moon rolling back the hours of Purdy Lounge and not the rest of the City will be putting Purdy Lounge out of business. Mr. Dinkiewicz asked the committee if they decided to roll back the hour they should do so to the whole City and not just Purdy Lounge.

Commissioner Samuelian stated that based on the video there is a noise issue, it is unacceptable and something needs to be done.

Commissioner Góngora stated the noise presented from the videos is unacceptable. Part of the problem is the zoning in the area, which is originally an Industrial Zone. When Sunset Harbor was built, the neighborhood slowly transformed into what it is today, a residential neighborhood with high-end restaurants and a parking garage. Purdy Lounge opened when it was an Industrial Neighborhood and received the 5:00 am operating permit.

Commissioner Rosen Gonzalez recommended giving Purdy Lounge 30 more days. If a resident calls to complain about being woken up by noise then there will be a rollback.

Commissioner Góngora stated he spoke with the Police the day before and they said the operator is complying with all of the conditions that have been placed on them. The fact that nothing is being done concerns Commissioner Góngora because they cannot Police the streets. Commissioner Góngora asked the Police Officers present why they weren't asking the people screaming to leave or be quiet.

Officer Mimi Pfnogner, Miami Beach Police Department, stated that in the last six (16) months the Police Department has received 16 documented calls about Purdy Lounge. Six (6) of the calls were requests for police services for issues other than loud music. For example, a Baker Act, a traffic crash, a stolen phone, assisting a citizen or the club called because there was an issue with a patron. The remaining ten (10) calls comprised of five (5) calls that were referred to Code Enforcement for issues of loud music. All of these calls were closed with the disposition of not valid because when Code Enforcement responds, they respond to calls of music inside the club but the music isn't loud enough to be a violation. The remaining five (5) calls consist of three (3) separate dates where calls were made regarding the loud noise, a large crowd of people yelling. The date's breakdown as follows: January 7 at 4:54 a.m. off-duty officers were advised of the complaint. The officer was advised that the club was letting out and the patrons were on the street waiting for their Ubers to pick them up. January 15 at 4:12 a.m., Off-Duty Police was on the scene. They were advised of the complaint and the case was closed with a disposition of no report which means that there was a noise violation. They handled it and advised no report. On March 3 at 2:30 a.m., 20 to 25 people were outside shouting and talking on the street. Off-Duty Police were on the scene, and again they quelled the noise and gave a disposition of no report to the dispatcher.

Commissioner Samuelian asked why the issues were not handled by Off-Duty Police before the calls were made if Off-Duty Police were present.

Sergeant Marcellin, Miami Beach Off-Duty Police Coordinator, stated the issues the Police have to address are mainly dispersing crowds into the street. If they hear loud noises, they would tell the patrons to keep it down. The officers are doing their job as far as singling out the inebriated individuals crossing the street to go toward a condominium. The officers would address situations like that. The officers cannot address every situation because the club releases thousands of people and there are only two (2) officers present. Purdy Lounge tried to keep a neighborhood atmosphere. Purdy Lounge hired additional security guards and sanitation personnel to clean around the business. They are they have their bodyguards addressed crowds when he gets out.

Officer Mimi Pfnogner clarified that when the club lets out, there are several parking locations that the people walk to. Some of them may exit to the street and wait for their Uber, walk down the street and wait for a ride or cross over into the marina parking lot. It is impossible to determine where the loud noise is going from. Generally, the police will not arrest someone for being loud and boisterous. Being loud is not a crime, it is inappropriate and unfair to residents that live in the area. If they settle down after Police talks to them, it is not a crime unless they are disturbing and they don't stop.

Commissioner Rosen Gonzalez asked if there was a Police presence between 4:00 am and 5:30 am when people are and the incidences are taking place.

Officer Mimi Pfnogner stated that on Thursday, March 30th the date of the recorded incident off duty would not have been present because Off duty works only on Friday and Saturday. The only way to address that situation is to have off duty all the nights the club is open.

Commissioner Rosen Gonzalez asked if the large crowd on Thursday was due to Spring Break.

Both Officers responded that it is very possible.

Commissioner Rosen Gonzalez, if Off Duty was present, would this incident have happened.

Officer Mimi Pfnogner responded it may still have happened but would have been stopped immediately by the Officers.

Commissioner Rosen Gonzalez stated that requiring off duty police during every night of spring break can be a solution.

Commissioner Góngora asked the representatives of Purdy Lounge for suggestions or ideas on addressing the neighbor's concerns.

Dan Dinkiewiz stated it has never been brought to their attention that they needed to Police the streets outside but if that is what it would take they would have security outside. Having stanchions on the sidewalk was also discussed with staff. As people exit, the stanchions would take people to the left instead of the right. Mr. Dinkiewiz also stated that the video footage is not the norm there are anomalies. Incidences like the ones depicted in the video do not happen every night. Purdy Lounge opened in an area that was industrial under the pretense they would be open until 5:00 am. Their business was built around that model. Mr. Dinkiewiz expressed if the hours are rolled back, they will not have a business anymore. He continued saying this is not a Sunset Harbour rollback, this is a Purdy Lounge rollback. No one else in the area is open until 5:00 am.

Commissioner Góngora stated if Purdy Lounge wants to stay open until 5:00 am they need to do something so that people can sleep at night. The issues Commissioner Góngora observed from the video are all occurring on the street. Commissioner Góngora suggested that if Purdy Lounge wanted to stay open 7 days a week until 5:00 am they would need Off Duty Officers 7 days a week until 5:00 am.

Dan Dinkiewiz stated that would cost them \$3,000 to \$4,000 a week which would greatly affect their business.

John Donovan stated they do not conduct a lot of business on Tuesday, Wednesday and Thursday night. Mr. Donovan suggested having Purdy Lounge security address people when they cause disturbances. The solution of having people exit to the left on 18th would put the patron on the Southside that way they are not walking on Sunset Harbour.

Commissioner Samuelian asked if the City had the full right to modify the alcohol hours.

Debbie Turner, First Assistant City Attorney responded yes, there was an ordinance to that effect in the agenda.

Commissioner Samuelian asked the Purdy Lounge representatives if patrons could exit the back way toward the alley.

Dan Dinkiewiz stated he did not think it would be a safe solution because the alley is a garbage area.

Commissioner Rosen Gonzalez asked if Purdy Lounge could clean up the alleyway to make an exit.

Dan Dinkiewiz responded they could try but the alleyway is very narrow and there is a garbage dump in the alleyway.

**MOTION:** Commissioner Samuelian made the following motions and Commissioner Góngora seconded the motion. All in favor.

1. Immediately start redirecting patrons from the existing entrance to 18<sup>th</sup> Street with a physical solution.
2. Purdy Lounge security, will supplement the work of the Miami Beach Off-Duty Police to minimize these issues.
3. 60 days to explore the viability of exit in the back alley.
4. Purdy Lounge to work with the Public Works Department to find a viable solution to the alley exit.

**DIRECTION:** Come back on June 20, 2018 NCAC meeting.

## 2. **DISCUSSION DIRECTING STAFF TO ENHANCE NEXT YEAR'S HOLIDAY DECORATION**

January 17, 2018 - C4 L

Sponsored by Commissioner Samuelian  
Property Management

### **ACTION**

Adrian Morales, Property Management Director, provided an update on this item. Property Management is continuing to work with the holiday lighting contractor on phase two (2), the design of the holiday lighting program. However, they are not there yet. Mr. Morales stated that by the next NCAC meeting, he will have a final presentation available for the committee to review and decide on the direction before it goes to Finance. Mr. Morales also stated he received a request from Commissioner Góngora regarding a piece on Art in Motion by Jim Morris but has not had a chance to meet with Mr. Morrison as of yet.

Commissioner Góngora stated that he had a meeting with Mr. Morrison. Mr. Morrison had a proposal last year during holiday time in December that was approved by the Commission. The proposal was for a LED signage on the MacArthur Causeway. But, at that time, the proposal did not go anywhere. This proposal is being brought back and moving forward as a potential idea for the month of December at Miami Beach High school. Commissioner Góngora asked staff to work with them on this. Mr. Morrison has a second proposal for decorating the MacArthur Causeway with Christmas balls on the trees. As the City is exploring holiday décor, Commissioner Góngora stated it would be interesting to pursue this proposal; however, the department overseeing the MacArthur Causeway may need to approve it. Commissioner Góngora also stated that this is a relatively inexpensive idea and wanted to see if the current referral could be supplemented to include this idea.

Commissioner Rosen Gonzalez stated that she did not have any issues with the idea but the MacArthur Causeway was already lit up. Commissioner Rosen Gonzalez also stated that she

liked the rings around the palm trees that Mr. Morrison designed as well as supporting the idea of the LED exhibit at Miami Beach High school last year and would support it again this year.

Jim Morrison clarified that his proposal for the MacArthur Causeway was not for ornaments but instead they were ribbons on the palm trees along the causeway.

Commissioner Rosen Gonzalez stated she would like to see the proposal in addition to everything else. However, she is not sure this can be done because this was put out to bid.

Adrian Morales stated that there is a contractor from an RFP from last year but will meet with Mr. Morrison to discuss the proposal further. Mr. Morales and Mr. Morrison have worked together before on the Julia Tuttle

Mr. Morrison stated he would also like to work with Mr. Morales if there are any modifications to the designs of the Julia Tuttle. Mr. Morrison would like to be involved in the discussion because every year the rings are damaged during installation. Afterward, Mr. Morrison has to go back and fix them. Mr. Morrison suggested coming up with a design and working with the contractors from Chicago so damage can be prevented from happening.

Kathie Brooks, Assistant City Manager, stated that the MacArthur Causeway will involve FDOT. The Transportation Department can assist with reaching out to FDOT.

**MOTION:** Commissioner Góngora made a motion to supplement the current referral to include Mr. Morrison's proposals as well as involve FDOT on the design process of the MacArthur Causeway decorations. Commissioner Samuelian seconded the motion. All in favor.

3. **DISCUSSION REGARDING THE PERMANENT TERMINATION OF THE CITY'S MONTH-TO-MONTH AGREEMENT WITH XEROX STATE AND LOCAL SOLUTIONS, INC. ("XEROX") REGARDING THE PHOTO RED LIGHT ENFORCEMENT PROGRAM**

January 11, 2018 - R9 T

Sponsored by Commissioner Rosen Gonzalez

Police

**ACTION**

Chief Oates, Police Department stated that the pricing for the FIU study is \$13,500. However, the study will require a lot of prep work and analysis from the Police Department and the Transportation Department.

Commissioner Rosen Gonzalez stated it is a small price to create a large change. Commissioner Rosen Gonzalez asked if the committee had the authorization to commission the study.

Kathie Brooks stated that the committee would need to make a motion to the Commission recommending moving forward with the study.

**MOTION:** Commissioner Góngora made a motion to move this item to the full Commission with the recommendation to move forward with the study. Item moved with a 2-0 vote. Commissioner Samuelian was not present at the time of voting.

**4. DISCUSSION REGARDING CABLERUNNER AND ITS TECHNOLOGY**

February 14, 2018 - C4 V

Sponsored by Commissioner Alemán

Public Works/Information Technology

**ACTION**

Roy Coley, Public Works Director, stated that there is a dual track investigation on Cablerunner. Eve Boutsis, from the City Attorney's office, is working on the communication issues for legal issues. The Public Works Department has asked Hazen and Sawyer, one of the City's consulting engineering firms to review the implications of having cables inside the City's sewer systems. Hazen and Sawyer started evaluating the different materials, depth, and how salt water might have an impact on the City's sewer pipes. Hazen and Sawyer have pledged to have a technical memo delivered to the City before the end of April with their recommendations. Mr. Coley requested that the committee not make a decision until the final technical memo from Hazen and Sawyer is reviewed.

Commissioner Rosen Gonzalez asked what percentage of the City's sewer pipes were replaced versus the ones that are old and need replacing right now.

Roy Coley answered that the overwhelming majority have not been replaced. Most of the City's sewer lines are very old and are in need of replacement.

Commissioner Rosen Gonzalez stated that the reality is the City's sewers are struggling with capacity issues. Cablerunner is only valid in places where the City has replaced the sewer. Commissioner Rosen Gonzalez asked what percentage of the City were the sewers replaced.

Roy Coley stated he did not have that percentage. Public Works provided Hazen and Sawyer will all the data regarding the City's sewer lines for them to discuss the implications.

Discussion ended.

**DIRECTION:** Provide at update at the next meeting.

**5. DISCUSSION REGARDING THE INCREASE IN CRIME IN MIAMI BEACH AND HAVING MORE COMMUNITY POLICING CITYWIDE**

February 14, 2018 - R9 X

Sponsored by Commissioner Góngora

Police



## **ACTION**

Chief Oates stated a few issues were brought up at the last NCAC meeting. The committee asked for information on how the area of Miami Beach was doing as it relates to crime. Crime in Miami Beach has been on a downward trend in the last eighteen (18) years. From 2007 to 2016, violent crime was up two (2) percent nationwide but property crime was down by nineteen (19) percent. There is a similar arc across the nation because property crime is the bulk of all crime. Similarly, in Miami Dade and Miami, crime is being reduced at the same pace. Statewide during the same period, crime was at 7.98 percent. In Miami-Dade crime is down by seven (7) percent. In the City of Miami, crime is down by eleven (11) percent and in the City of Miami Beach it is down by twelve (12) percent. The City of Miami Beach numbers corresponds with national, state and regional trends. Crime analysis is a more detailed report than UCR. It is a snapshot in time and crime is counted differently in Florida than how is it counted by the Feds. Area 1 includes anything South of twenty-third (23) street – including the entertainment district. Area 2 is Mid Beach and Area 3 is North Beach. Crime is analyzed and compared to a four (4) week period and the immediate prior 4 week period. That same four (4) week period is compared to the four (4) week period from a year ago and a year to date stat is given at the end. All this information is preliminary. It changes based on Detective supplemental reports. For instance, a stolen car can later be reclassified as a late rental return. It is not the official final data that UCR provides. At the request of the committee, Dr. Leslie Rosenfeld found a FIU Professor who offered to conduct a study on perception. The estimated cost of the study is \$14,000.

Kathie Brooks clarified that the study is from an entity that has conducted focus groups for the City of Miami Beach in the past.

Commissioner Rosen Gonzalez asked for information regarding total arrests from 2008 to 2012.

Chief Oates presented the arc of arrests for a ten (10) year period via PowerPoint and hard copy.

Commissioner Rosen Gonzalez asked how long Chief Oates has been with the City.

Chief Oates responded halfway through 2014.

Commissioner Samuelian asked about the dramatic decline between 2013 to 2014 versus the trend now and what was behind the reduction in arrests.

Chief Oates responded that the arc of arrests responses to the downward trend of crimes. The measures for a Police Department should never be arrests, it should be victimization and how that can be reduced. Since Chief Oates has not been with the City from 2007 to 2014 he stated he cannot explain the dip in arrests. However, he is very comfortable with how the department has been very successful in reducing crime during his tenure.

Commissioner Rosen Gonzalez stated that between the first year that Chief Oates started working for the City and a full year afterward, crime has declined by almost forty (40) to fifty (50) percent. The dramatic drop in arrests shows that something has changed. None of the arc that was shown shows as large of a drop. In 2011 there were 9221 arrests, in 2012 there were 9241 arrests and in 2013 there were 9793 arrests. In 2014 during Chief Oates first year there were

5639 arrests made showing a fifty (50) percent drop in arrests. Commissioner Rosen Gonzalez asked what caused the dramatic change.

Chief Oates responded there is a description on the Miami Beach Crime Prevention page that explains reductions and arrests in Lummus Park. It explains that if the right people are arrested, which Miami Beach Police has been doing, then reducing crime is effective and simultaneously arrest go down. The Miami Beach Police Department has been effective in reducing and it shows in the crime numbers.

Commissioner Rosen Gonzalez stated something has happened whether with the policy or how arrests are being made, even administratively where police officers are being stopped from going out and policing the community. The whole City was divided during the election cycle regarding the closing down of Ocean Drive because of the perception of crime. During the Sutnick Hour, residents have complained about crime in Miami Beach. In the last weeks, there has been human stampeded and sexual assaults.

Commissioner Góngora stated he echoed some of the sentiments that Commissioner Rosen Gonzalez made. Commissioner Góngora also stated that he does not recall any time while he served on the Commission, crime being as highlighted of an issue as it always is. There are always issues with the Police Department in Miami Beach and every city in America. Therefore, residents are always going to complain. The data shows a dramatic drop from 2013 to 2014 which backs up Commissioner Góngora gut instinct that less people are being arrested. Commissioner Góngora stated he has heard that as well from officers on the street. The officers have stated to him that this administration has the policy to made less arrests and certain small arrests are doing being done like there were in the past. The perception Commissioner Góngora hears from the residents is that crime is much higher now than it was at the end of 2013. Yet, arrests are almost half now compared to what they use to be then. For this reason, Commissioner Góngora wants an outside audit explaining the shift, what happened and why are so many less people being arrested when the perception from the residents is crime is up.

Chief Oates stated that the Police Department has been very smart as to who they arrested. That is why there are regular crime meetings and crime analysis on who the engine of crime are and the Police Department focuses on them. If those people are put in jail, they commit less crime and crime goes down as it has in the last five (5) years by twenty one (21) percent. Chief Oates disagreed that the number of arrests corresponds with the effectiveness of the City's Police Department. A measure in his opinion should be based on reducing victimization which the City has been very successful over the last twenty (20) years. With the help of a citizen group, the Police Department has been locking up people that commit crime after crime. They have been successful in court by getting significant jail time for people who have previously spent a night in jail. The effect has been a significant reduction in crime. The entrainment district leads the City in crime reduction.

Commissioner Rosen Gonzalez stated the Citizen's Intervention Group was a result of the increase in crime and residents saying they were not going to stand for it, therefore they self-organized to help the Police Department.

**MOTION:** Commissioner Samuelian made a motion to:

1. Look into a case study (focus group) of Miami Beach that looks into crime from an objective standpoint.

2. Extend the UCR part 1 arrest and DUI data to include Miami Beach, Miami Dade and the City of Miami starting in 2007.
3. Review of studies the City has done and what were the scopes of those studies were as well as what type of studies other departments, City of Miami, and Miami Dade County have done over the last ten (10) years and recommend 3 study options for the NCAC to consider, including the following:
  - What is the disconnect in the reduction of victimization - public perception.
  - Understanding of the relationship between arrests and crime in Miami Beach

Commissioner Góngora seconded the motion.

## 6. **DISCUSSION REGARDING AN AUTONOMOUS MASS TRANSIT SHUTTLE TEST PROGRAM IN MIAMI BEACH**

March 7, 2018 - C4 J

Sponsored by Commissioner Rosen Gonzalez  
Transportation

### **ACTION**

Jose Gonzalez, Transportation Director, stated that since the last NCAC meeting, the Transportation department reached out to a few entities including the City of Las Vegas, University of Michigan and Minnesota DOT. Informal conversations were held with the City of Las Vegas and Minnesota DOT regarding their current autonomous vehicle pilot programs. The City of Las Vegas has a one year pilot in partnership with Keolis. Keolis owns and operates one Navya autonomous vehicle. The vehicle is equipped with air conditioning and operates in mixed traffic but it is not ADA accessible. The City of Las Vegas is fully subsidized by the AAA, so there is no cost to the City of Las Vegas. The Minnesota DOT operates a four month pilot in a very controlled test environment. Thus, this vehicle is not in mixed traffic. This is a different type of vehicle called an Easymile. The Easymile is equipped with air conditioning and is more ADA accessible than the Navya vehicle but it is not fully ADA compliant. The cost to Minnesota DOT for this vehicle is about \$200,000 (\$50,000 a month) for a four month pilot program. Easymile has several pilots in Florida including at the University of Florida in Gainesville, Fort Myers, and Jacksonville.

Commissioner Rosen Gonzalez stated that the cost was really expensive. Commissioner Rosen Gonzalez asked if the Transportation Department reached out to AAA to see why they decided to sponsor the pilot program in Las Vegas at no cost.

Jose Gonzalez stated they have not reached out to AAA as of yet.

Commissioner Rosen Gonzalez stated she would like to explore sponsorship opportunities before looking into locations.

Commissioner Góngora suggested the City contact AAA and meet Tonya Daniels from the Marketing and Communications Department and Eva Silverstein, from Tourism, Culture, and Economic Development meet with them to see if someone will sponsor the pilot program in Miami Beach.

**MOTION:** Commissioner Góngora made a motion directing the Transportation Department to work with Tonya Daniels from the Marketing and Communications Department and Eva

Silverstein from Tourism, Culture, and Economic Development to find a sponsor for the pilot program and bring the item back next month. Commissioner Samuelian seconded the motion. Vote by acclamation.

## **NEW BUSINESS**

7. **DISCUSSION REGARDING THE RATIONAL RECOVERY PROJECT, SPONSORED BY THE FREEZONE YOUTH SELF RESPECT AND SOUTH BEACH SOBER COACH**

January 17, 2018 - C4 M

Sponsored by Commissioner Góngora

Housing and Community Services

**DIRECTION:** Defer to the May 22, 2018, NCAC meeting.

8. **DISCUSSION REGARDING FORMING A CITIZEN ANIMAL ADVOCACY AND WELFARE COMMITTEE**

February 14, 2018 - C4 F

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

## **ACTION**

Commissioner Samuelian introduced the item. Commissioner Samuelian stated that there is a range of animal related issues. There are injured animals, abandoned animals, overpopulation, feeding and cleanliness issues. Some volunteers have tried to address these issues. Commissioner Samuelian stated he has personally had the opportunity to get familiar with the following formal organizations: The Cat Network and the Miami Beach Animal Advocates (MBAA). The goal is to have a committee where these issues can be vetted and the effects can be coordinated for the good of the animal community. Commissioner Samuelian recommended that the membership be as follows: The Mayor and each Commissioner would make one appointee. In addition, any nonprofit that has demonstrated results or proven that they can have results in Miami Beach related to animal advocacy would also have a member. To be specific, Miami Beach Animal Advocates and The Cat Network they each would get a seat. The goal is to have these groups collaborate and work together. There would be a minimum of seven (7) and each group would get a seat.

Commissioner Góngora recommended that there not be a sliding scale number on a board or committee. Instead, there should be a fixed number. In the future, the number can be revised. Commissioner Góngora suggested having the seven (7) members plus the two (2) animal groups Commissioner Samuelian identified. If more animal groups are looking to be a part of the committee, next year, the number can be revised.

Commissioner Samuelian stated that if there were no spots for the animal groups, it can be filled with an at-large appointment. Commissioner Samuelian also stated that animal groups have been given money in the past.

**MOTION:** Commissioner Samuelian made a motion to have seven (7) direct appointments and two seats to be left open for animal groups. If any other animal groups come forth before the next Commission meeting, the list can be amended on the Commission floor.

**9. DISCUSSION TO CONSIDER ESTABLISHING A NEW BARK BEACH IN SOUTH BEACH**

February 14, 2018 - C4 G

Sponsored by Commissioner Alemán  
Parks and Recreation

**DIRECTION:** Defer to the June 20, 2018, NCAC meeting.

**10. DISCUSSION REGARDING THE CLEANLINESS INDEX PROGRAM**

February 14, 2018 - C4 J

Sponsored by Commissioner Góngora  
Organizational Development Performance Initiative / Public Works

**ACTION**

Commissioner Góngora stated that this item is important to him because he receives a number of complaints about the cleanliness of Miami Beach. Based on the cleanliness index report that was provided, Commissioner Góngora interpreted it as the City of Miami Beach appears to be dirtier than it use to be. Commissioner Góngora also stated that this is unacceptable and the two basic functions are to keep the City clean and safe. It is a huge responsibility to make sure that those two areas are at a top tier level.

Dr. Leslie Rosenfeld, Chief Learning Officer stated the index was developed in 2005 as part of the strategic planning process. The need for the cleanliness index was identified as part of the community satisfaction survey in 2005. Every community satisfaction survey since 2005 has prioritized cleanliness as well as safety. In 2007, the cleanliness index won the Florida Sterling Quality Team Showcase Award. The index provides a scale of one (1) being extremely clean to six (6) being extremely dirty. Litter, trash, organic material, fecal matter and garbage cans are assessed. As well as all public rights of way, sidewalks, streets, alleys, parking lots, parks, beaches, and waterways. Different areas are also assessed, commercial, non-commercial, entertainment and residential. There is approximately ninety-three (93), four (4) hour assessments each quarter. The City is completing approximately fifteen hundred (1500) hours of assessments. About twelve (12) to twenty-four (24) assessments in each of the four (4) hour time periods. The memo in the agenda reflects the quarterly report that was provided to the Commission via LTC. Comparisons were made between the current quarter, the prior quarter, the prior year same quarter as well as going back to the base year of 2005.

Commissioner Samuelian asked if there was an actual report on the satisfaction level of businesses and residents from the Community Survey.

Dr. Leslie Rosenfeld stated that information was not in the memo provided but the information is available.

Commissioner Samuelian stated he would like to see that information. Commissioner Samuelian also stated that he has a great admiration for the cleanliness index report and he has personally completed one. Commissioner Samuelian suggested looking at the data from any time series that is available for the community survey and overlay that information with the City's cleanliness index to see to what extent they can tell the same story because residents have a lot of concerns. Commissioner Samuelian asked to see that information at the next committee meeting.

Michael DeFilippi, Miami Beach resident stated he started the Clean-Up Miami Beach group 4 years ago because he wanted to make the city cleaner but has not seen any improvements. Mr. DeFilippi continued saying that the sidewalks were disgusting and stained; the streets and alleyways were dirty; trash cans do not get picked up enough; waste haulers are relied upon to pick up trash cans. Mr. DeFilippi also stated he is not a fan of the cleanliness index. He suggested including visitors and tourists which is currently not incorporated in the current index.

Dr. Leslie Rosenfeld stated that visitors and tourists are not a part of the perception of the community's satisfaction survey. The community satisfaction survey, surveys residents and business owners and some civic organizations that are serving in the community.

Commissioner Rosen Gonzalez asked that in the future visitor/tourist perception be included in the survey as one of the samples.

Kathie Brooks stated that the GMCVB separately surveys visitors but is not sure whether that question regarding cleanliness is included but suggested staff reach out to the GMCVB for that information.

Commissioner Rosen Gonzalez suggested adding to the motion, reaching out to the GMCVB and asking them about cleanliness. Commissioner Rosen Gonzalez asked how the Bigbelly trash cans on Washington Avenue were doing.

Mr. DeFilippi stated he was excited about the Bigbelly trash cans at first but now there are starting to be a big issue because you have to grab the handle to open them. People do not want to grab the handle because of the perception that they are dirty and gross. The Bigbelly trash cans were supposed to be for efficiency and help with labor costs, but cans are full and overflowing. This is data driven; someone is supposed to receive a text or an email when the trash can is full.

Commissioner Rosen Gonzalez stated she had not thought about people having to open the Bigbelly trash cans with their hands. Since people do not want to touch it they are not using them. Commissioner Rosen Gonzalez asked if the Bigbelly trash cans were full. The Bigbelly trash cans were supposed to solve one of the City's trash problems. According to the cleanliness index, the biggest issue is dirty sidewalks.

Eric Carpenter stated that the workers from the Sanitation Department are picking up the trash day in and day out relatively at the same frequency as they were before on Washington Avenue. Because they are in the area and it makes sense for them to remove the trash while they are there rather than come back later.

Alberto Zamora, Sanitation Division Director, stated that one of the issues with the Bigbelly program is on the recycling side. It is not compatible and people are not actually recycling the way it should be done. Therefore, a lot of the recycling is being contaminated. There haven't been any decreases in the service of the Bigbelly units. The cost is starting to go

up. Kids are ripping off the lids and the cost is starting to go. Bigbelly is a three year pilot program. If the program is not completed up to the third year the City has to reimburse them for capital costs which are not cheap.

Commissioner Rosen Gonzalez asked how many Bigbelly trash cans are in the program.

Alberto Zamora stated Washington Avenue has a total of 65 units. Some of which are dual and the other area single.

Ceci Velasco, Executive Director of the Ocean Drive Association, stated the tourist perception is that the streets have overflowing trash cans.

Commissioner Rosen Gonzalez stated the beachwalk needs to be pressure cleaned every single morning from twenty third (23<sup>rd</sup>) down to first (1<sup>st</sup>) Street. Commissioner Rosen Gonzalez asked how often the beachwalk was cleaned.

Eric Carpenter stated the beachwalk is cleaned on a 15 day cycle.

Commissioner Rosen Gonzalez asked how the cleaning of the beachwalk can be a daily occurrence.

Eric Carpenter stated that they have not implemented any changes in the cost structure for Sanitation in the last five (5) years that he has been with the City. Revenue and service are not increasing. One of the factors behind the cleanliness index when it was originally created an influx of funding to the sanitation group which moved the cleanliness index from around 2 to 1.75 on average.

Alberto Zamora clarified that it was about 2.5 when they first started. In 2005, the influx of money was added to the Division. The population has increased by 22 percent since 2005. The daily population has increased by 50 percent and additional money or crews have not been added. The biggest issue is the South Point RDA money went away. The Sanitation Department is constantly being cut on their revenue and they are a revenue based division. They are an enterprise fund.

Commissioner Samuelian stated the City is getting ready for the budget cycle. Commissioner Samuelian also stated he would like to see the data they discussed and the existing community survey compared to the cleanliness index as well as, request information from the GMCVB, the Chamber of Commerce or anyone who has data about tourist's perception. After the information is collected come back to NCAC. Commissioner Samuelian directed staff to start thinking about based on their knowledge, what efforts including resources would be required to move this forward. By next month Commissioner Samuelian would like to know where the problem lays whether it is the sidewalk litter or geographic as well as a program including associated resources that can be a part of the budget process.

Commissioner Góngora requested information regarding the specific amount of money that can be supplemented in order to keep the City cleaner.

Commissioner Rosen Gonzalez stated that one of the biggest problems is pressure cleaning the sidewalks and the beach walk which needs to be done almost daily. Across the City, this is done on a rotation. Commissioner Rosen Gonzalez recalled her experience of living when in Monterey Bay where which the beachwalk was pressure cleaned every

day. Commissioner Rosen Gonzalez would like for the beachwalk in the tourist areas to be pressure cleaned every day.

Commissioner Góngora agreed that South Beach needed more cleaning because it is more active and has more people. He continued to say that there needs to be a more structured report from the Sanitation Department as to what is needed in order to enhance all areas of the City.

Commissioner Samuelian stated costs come with benefits. He would like to see what areas would be focused, the level of investment and measures of how they are doing it whether it is with trash cans or on the index.

Commissioner Rosen Gonzalez stated a theory is if the City is kept clean, people are going to behave better and they are going to try to maintain that cleanliness. Therefore, if they see dirt they think it is ok to add even more dirt.

Ceci Velasco stated hospitality is the backbone of everything that is done in the City. Hotels would not pull back on that type of funding because they would not be able to survive if they didn't have a really high level of sanitation. Ms. Velasco suggested offering a few recommendations from Ocean Drives viewpoint. For example, the garbage cans need to be repainted, because they suffer from pressure cleaning or cigarette treatment.

Mr. DeFilippi agreed that Lincoln Road, Ocean Drive, and Collins Avenue should be pressure cleaned every morning. Clean sidewalks and streets make a huge difference. Those are the details the City is lacking. A lot of the trash can have stains because the liners are leaking liquids.

Commissioner Rosen Gonzalez suggested taking the top distressed sidewalks, according to the data that was submitted and increase the pressure cleaning in those areas. It is unrealistic to think every single part of Miami Beach can be pressure cleaned every single day. Commissioner Rosen Gonzalez recommended staff to come back next month with information regarding the progress they have made. She also directed staff to work with Dr. Leslie Rosenfeld to find out what those locations are and what the cost would be.

Eric Carpenter stated there is a provision in the Sidewalk Cafe Ordinance that requires all Sidewalk Cafe permit holders to pressure clean the table areas of their sidewalk cafe every day. However, that requirement has gotten a little lax. Enforcement efforts need to increase this requirement.

Commissioner Samuelian asked if there were any other obligations for businesses or retail stores and what businesses need to do and how enforcement might be stepped up for that.

Eric Carpenter stated there are ordinances within the City that require maintenance of the sidewalk areas in front of all businesses up to the edge of pavement and centerline of the alleys. The ordinances in place make it a public-private partnership.

Commissioner Samuelian added to the motion that data be presented that shows enforcement of the ordinances. Based on that data, an approach can be considered.

**VOTE BY ACCLAMATION:** Come back next month with all the information the committee requested. Commissioner Samuelian added to the motion that Code Compliance should bring back statistics as it relates to enforcement, current efforts as it relates to communicating expectations, and enforcement as well as any ideas for improvement.



Commissioner Rosen Gonzalez directed staff to reach out to the City of Marbella, in Spain, Saint-Tropez or resort towns around the world that are internationally renown and ask them how often they clean their beach and beachwalk and provide a small report to the committee based on what other cities are doing and what the City is doing.

11. **DISCUSS REGARDING HOLDING A JOB FAIR FOR HIGH SCHOOL STUDENTS LIVING IN MIAMI BEACH, IN PARTNERSHIP WITH THE MIAMI BEACH CHAMBER OF COMMERCE, TO ASSIST STUDENTS IN FINDING SUMMER JOBS, AS REQUESTED BY THE YOUTH COMMISSION**

February 14, 2018 - C4 AI

Sponsored by Commissioner Rosen Gonzalez

Organization Development Performance Initiative

**ACTION**

Commissioner Rosen Gonzalez stated that she loves this item.

Dr. Leslie Rosenfeld stated that at the request of the Youth Commission and Commissioner she met with the Miami Beach Chamber of Commerce at their last executive board meeting and proposed the idea. There was some concern from the businesses. They felt that the amount of effort to train youth for summer employment for a short period of time would be a struggle. Even if the students were to continue their employment during the school year, the hours of their availability was very restrictive. However, there was a suggestion for a potential career fair where students could learn about different careers. The Youth Commissioners were open to the idea but requested that Miami Beach Chamber of Commerce attend their next Youth Commission meeting. Therefore, the Miami Beach Chamber will be attending the next Youth Commission meeting on April 24, 2018.

Commissioner Rosen Gonzalez asked if the Miami Beach Chamber of Commerce is needed in order to have a career fair. Commissioner Rosen Gonzalez noted that one of the top employers on Miami Beach for high school students is the Boucher Brothers. Students do not know that this job exists in Miami Beach. This is not about careers; the Youth Commission wants to create a liaison for summer jobs because this currently does not exist. Commissioner Rosen Gonzalez suggested having the top employers from places like Fresh Market, Publix, Boucher Brothers and other top vendors host it at Miami Beach High.

Dr. Leslie Rosenfeld stated the City can reach out to some of the employers. Miami Beach High has entered into a testing mode. The challenge is going to be getting close to the high school because we are close to summer.

Commissioner Rosen Gonzalez suggested not involving Miami Beach High. Instead, just tell them about the City Youth Job Fair for the residents of Miami Beach. An email will be sent and top vendors will be invited to a City location, that way a lot of children of residents of Miami Beach get jobs that they may not know about. Commissioner Rosen Gonzalez asked to be invited to the next Youth Commission meeting so she can have this discussion. Information regarding the top 10 employers could be requested from the Miami Beach Chamber of Commerce. Commissioner Rosen Gonzalez offered to help facilitate this event. Commissioner Rosen Gonzalez asked if Commission approval is needed for this item.

Kathie Brooks responded that Commission approval would eventually be needed in order to accept the Committee's recommendation.

Commissioner Samuelian stated it would be helpful for Commissioner Rosen Gonzalez, Jerry Libbin and the Miami Beach Chamber of Commerce to hear from the Youth Commission.

Commissioner Rosen Gonzalez stated that the Boucher Brothers are hiring people for the summer now. Commissioner Rosen Gonzalez continued to say that if we want to move forward with the job fair we would need to do so now. Commissioner Rosen Gonzalez suggested a meeting be scheduled with Jerry Libbin, Dr. Rosen Gonzalez and herself to discuss this.

Dr. Leslie Rosenfeld stated she had a youth fair flyer ready to and be distributed at the last Youth Commission meeting. However, there were concerns from the businesses regarding the amount of time it would take to train the students and students only being available for a short period of time. High school student hours are very restricted because they are in class during the school year. During the summer, they have more time.

Commissioner Samuelian stated he did not want to turn a deaf ear to the feedback that was received from the Miami Beach Chamber of Commerce. Commissioner Samuelian also does not want to conduct something that will take resources and set people up with expectations that cannot be met.

Commissioner Rosen Gonzalez stated the youth of the Miami Beach Community came forth and asked for help to facilitate the liaison with the companies for summer jobs.

Dr. Leslie Rosenfeld stated that the Activity's Director, at Miami Beach Senior High School, informed her that they cannot host any type of event at the school because they are in testing mode. If something like this is done, it would have to be done at a location outside of the school which presents other challenges.

**Direction:** Follow up.

**12. DISCUSSION REGARDING THE RENEWAL OF THE POLICE AND PARKING DEPARTMENT TOWING PERMITS TO BEACH TOWING SERVICES, INC. AND TREMONT TOWING, INC. FOR A TERM OF ONE (1) YEAR, COMMENCING ON MARCH 1, 2018 AND EXPIRING ON FEBRUARY 28, 2019**

February 14, 2018 - C7 A

Sponsored by Commissioner Alemán

Parking

**DIRECTION:** Defer the June 20, 2018, NCAC meeting.

**13. DISCUSSION REGARDING A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN CONCEPT, THE RECOMMENDATION FROM THE EMPLOYEE SUGGESTION**

**PROGRAM TO PLACE WAYFINDING SIGNAGE ON THE BEACHWALK BETWEEN 6TH AND 16TH STREET (SERPENTINE AREA) AND DIRECTING THE CITY MANAGER TO INVESTIGATE THE COST AND FEASIBILITY OF IMPLEMENTING SUCH SUGGESTIONS AND TO REPORT FINDINGS TO THE CITY COMMISSION**

February 14, 2018 - R9 H

Public Works

**ACTION**

Roy Coley stated the memo provided in the agenda had price quotes. Mr. Coley clarified that the price quotes were from 5<sup>th</sup> to 15<sup>th</sup> Street, the Lummus Park area, however, the referral referenced 6<sup>th</sup> to 16<sup>th</sup> Street. The Serpentine Walkway goes up more North and in the twenties (20s). The area that is being requested can be any area. The Lummus Park area is \$10,000 to \$20,000 total expense depending on final design. Going further north would be a little bit more expensive.

Commissioner Góngora stated that this is a good idea. People tend to get lost on the beach especially tourist. Commissioner Góngora thinks this is attractive and the price is fairly reasonable.

Commissioner Samuelian stated that he also liked the concept and the price is reasonable. Commissioner Samuelian asked if they should go through the City's budget process.

Commissioner Góngora asked if funding was available for this item.

Roy Coley stated \$10,000 to \$20,000 in the Public Works budget can be identified for this item. If the committee decides to go further north, the Public Works will need to report back on how much more money it will cost and if the funds can be identified. Mr. Coley also stated that Betsy Wheaton, Environmental & Sustainability Director, is currently working on installing signs along the dunes, on the beach side and the walkway identifying the streets. In the next few months, this installation will be complete. Individuals walking the beach will be able to locate where they are. This is a common issue because a lot of people get lost and do not know which walkway to go on.

**MOTION:** Commissioner Samuelian made a motion to proceed with the locations as described in the memo with the associated costs of \$10,000 to \$20,000. Commissioner Góngora seconded the motion. The motion passed by acclamation.

**DEFERRED ITEMS**

**14. DISCUSSION REGARDING THE 23RD STREET AND 63RD STREET COMPLETE STREETS FEASIBILITY STUDIES**

December 13, 2017 - C4 A

Transportation

**DIRECTION:** Defer pending completion of community outreach.

15. **DISCUSSION REGARDING THE DESIGN AND CONSTRUCTION OF TWO (2) NEIGHBORHOOD MONUMENT SIGNS REQUESTED BY THE SOUTH OF FIFTH NEIGHBORHOOD ASSOCIATION**

December 13, 2017 - C4 B

Capital Improvement Projects

**DIRECTION:** Defer to the May 22, 2018, NCAC meeting pending completion of processing service order, development of concepts signs with consultant and meeting with the South of Fifth Neighborhood Association.

16. **DISCUSSION REGARDING ENHANCING NORTH BEACH THROUGH CREATIVE FUNDING OPTIONS, AND DIRECTING THE ADMINISTRATION TO DEVELOP A QUALITY OF LIFE PLAN THAT INCLUDES OPTIONS WITH RESPECT TO TRAFFIC, PARKING AND NEIGHBORHOOD PROJECTS, CONSISTENT WITH THE NORTH BEACH MASTER PLAN, WITH SUCH PROJECTS TO POTENTIALLY BE FUNDED BY A DEDICATED FUNDING STREAM FOR THE BENEFIT OF THE NORTH BEACH AREA**

December 13, 2017 - C4 V

Sponsored by Commissioner Samuelian

Tourism, Culture, and Economic Development/Finance

**DIRECTION:** Defer to the May 22, 2018, NCAC meeting pending review of the preliminary list with each Committee member.

17. **DISCUSSION REGARDING THE FUTURE LOCATION OF 2018 CICLOVIA EVENTS**

February 14, 2018 - C4 A

Sponsored by Commissioner Samuelian

Marketing and Communications

**DIRECTION:** Defer to the May 22, 2018, NCAC meeting pending review of options for other potential locations.

18. **DISCUSSION REGARDING POTENTIALLY ADDING THE NAME "MIAMI BEACH BOULEVARD" TO 5TH STREET**

February 14, 2018 - C4 I

Sponsored by Commissioner Góngora

Transportation

**DIRECTION:** Defer to the June 20, 2018, NCAC meeting pending information from Michael Comras regarding community support.

19. **DISCUSSION REGARDING A POTENTIAL PARK SHARE PILOT IN MIAMI BEACH**

February 14, 2018 - C4 AG

Sponsored by Commissioner Alemán

Parking

**DIRECTION:** Defer to the May 22, 2018, NCAC meeting pending discussion from the Transportation, Parking & Bicycle-Pedestrian Facilities Committee meeting on April 9, 2018.

20. **DISCUSSION REGARDING THE PERMITTING REQUIREMENTS FOR BICYCLE EVENTS ON MIAMI BEACH ROADWAYS**

February 14, 2018 - R9 M

Sponsored by Commissioner Alemán

Tourism, Culture, and Economic Development

**DIRECTION:** Defer to the June 20, 2018, NCAC meeting pending information regarding thresholds of other large cities permitting similar events.