

## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: December 12, 2018

SUBJECT: REPORT OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE (FCWPC) MEETING ON FRIDAY, NOVEMBER 30, 2018

A meeting of the Finance and Citywide Projects Committee was held on Friday, November 30, 2018 at 12:00 p.m. in the Commission Chambers, 3rd Floor of City Hall. Commissioners in attendance: Ricky Arriola, Mark Samuelian, Micky Steinberg, and John Elizabeth Alemán. Members from the Administration and the public were also in attendance.

### MEETING OPENED AT 12:08 P.M.

### OLD BUSINESS

1. **DISCUSSION OF NEGOTIATIONS WITH PRISM CREATIVE GROUP FOR THE ACTIVATION AND CULTURAL PROGRAM PLANNING FOR RUE VENDOME AND LUMMUS PARK, AND AVAILABLE FUNDING SOURCES**

May 16, 2018 – C4 Y

Sponsored by Commissioner Arriola  
Tourism, Culture, and Economic Development

### ACTION

Heather Shaw, Acting Tourism, Culture, and Economic Director presented the item. She said that we have been trying for months to activate Rue Vendome with some programming and that she came to the FCWPC in September and the recommendation was to work with Prism Creative Group because they were already programming Lummus Park. They have to do 3 months of activation on Rue Vendome for \$25,000 as soon as we get the approval to move forward.

Commissioner Arriola and Commissioner Samuelian said they are both comfortable. Commissioner Arriola said for \$25,000 the ideas that Prism came up with are good.

**MOTION:** Commissioner Samuelian moved to recommend this item and recommend the Commission to do a bid waiver to amend Prism's current agreement to add on the work for Rue Vendome. Commissioner Arriola seconded. All in favor.

2. **DISCUSSION TO EXPLORE DISCOUNTS FOR SHARED WORK SPACES IN ORDER TO ATTRACT ENTREPRENEURS AND SMALL BUSINESSES**

April 11, 2018 – C4 H

*We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.*

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact 305-604-2489 (voice) or 305-673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Sponsored by Commissioner Samuelian  
Tourism, Culture, and Economic Development

### **ACTION**

Commissioner Samuelian opened up the item and explained that we have been talking about a lot of things to show people that Miami Beach is open for business with our Small Business Task Force. The original concept here was related to WeWork, they have done some other municipal partnerships, so we basically asked if we can do something like that.

Heather Shaw, Acting Tourism, Culture, and Economic Director, said she is pleased to report that we do have an agreement with WeWork. Staff has been working them based on direction from the Committee to do some collaboration and launch something for small businesses. We have a tentative agreement with them to do a launch in the latter part of January 2019 to announce a two-fold project, which is a discount for Miami Beach small businesses and non-profit organizations. WeWork has agreed to give a 20% discount to small businesses for 3 months and 10% thereafter and for non-profit organizations they will get 15% discount in perpetuity for the non-profits. In addition, WeWork has agreed to host capacity building workshops for us. We have a few samples of capacity building topics that we want to launch with WeWork, at their South of Fifth location and at the Lincoln Road location. The wonderful thing about this is that it has no cost to the City. The reason we want to launch it in January is because it is a new year and this is when people think about starting a business, changing a business, or expanding a business. She said she is looking for the Committee's recommendation to approve moving forward with that and making a recommendation that the Commission approve. In addition, they will also explore doing other similar type activations in North Beach with other shared company spaces.

Commissioner Samuelian said to this is great news for the marketplace and make sure the word gets out through our Small Business Task Force, the Chamber of Commerce. He also feels that in the media our business friendliness doesn't get the response that it should. It is a really positive media story, so he would encourage us to really get the word out.

Heather Shaw said the Communications Department has been working with them on getting the word out and also the WeWork promotion department is working on it, and also the Small Business Task Force is aware of it as well as sharing it with the Chamber of Commerce.

**MOTION:** Commissioner Samuelian moved the item as presented. Vote of acclamation to approve it.

### **3. DISCUSSION REGARDING RECOMMENDATIONS OF THE EMERGENCY RESPONSE COMMITTEE- REVISED RESORT TAX POLICY**

February 14, 2018 – R9 J

Sponsored by Commissioner Steinberg  
Finance

### **ACTION**

Commissioner Steinberg opened the item. She said the Budget Advisory Committee had a look at this as part of the recommendation. What is in the memorandum is their recommendation. The only new thing they have added from our existing policy is #1 under Revised Resort Tax Reserve Policy. They want to see a goal from 3 months to 6 months of total revenue, the other change they made is #5.

John Woodruff, Chief Financial Officer, explained #5. He said when this was created was to have 2 months worth of funding as a minimum to be a requirement of reserve, which is a best practice and to add an extra optional month as a target. At the time the BAC actually recommended 6 months and when it went to Commission it got knocked back down to 3 months. The concept here is to have a moving floor. He gave an example of the City reaching 4 months of reserve, we would basically take an item to Commission and instead of having 2 months required, it would be 3 months required until we get all the way up to 6 months over a long term period given that the Convention Center is hopefully going to drive a lot of business and with the hotel on the way we like to think that is very doable. We recently reached the 3 month amount, which is great. Given that our general fund reserve levels are just at a normal best practice and we kind of would like to have a higher reserve between the general fund and the resort taxes, given that we are riskier as an island and are susceptible to hurricanes, etc. this would certainly be viewed positively by credit ratings agencies. The next step would be to take the revised policy to Commission for approval.

Commissioner Steinberg and Commissioner Samuelian both are fine with this.

Commissioner Arriola asked if this would be over a long period of time.

John Woodruff confirmed. He also said the way it is structured it wouldn't put us in a box in any way and any time the Commission wants to take money out of reserves, it just takes a 5/7ths vote.

Discussion was held regarding the amount of money and putting it in the reserves over time.

John Woodruff said what we normally do with resort tax, just because it is much more volatile than other revenue sources, is assume a very small growth percentage, that way if we don't meet it or if there is a hiccup, we are in pretty good shape. If it is a good year, we are able to add money to the reserve and/or fund one-time items.

Commissioner Arriola confirmed we would conceivably get to the 6 months over a 10 year period.

John Woodruff said that is the goal, but he likes the think it would be sooner. It is a goal to put a time period on it. When we looked at parametric insurance we realized it probably made more sense for us to have a healthier reserve than to pay an annual insurance premium.

#### **VOTE OF ACCLAMATION TO APPROVE THE CHANGES TO THE POLICY**

#### **4. DISCUSSION REGARDING A REVISED SOLICITATION FOR THE FUTURE USE OF THE BYRON CARLYLE THEATER**

July 25, 2018 – C4 O

Sponsored by Commissioner Alemán

Tourism, Culture, and Economic Development

#### **ACTION**

Kathie Brooks, Assistant City Manager, presented the item. She explained that the last time this item was discussed was in September and at that point the Committee gave direction to include the theater component, include the parking lot across the street at Byron Avenue and 71<sup>st</sup> Street next to Café Prima Pasta as an option at the City's discretion, as well as coming back to the Committee this month after the passing of the Town Center Overlay ordinance.

She went on to continue to direct the Committee to the memorandum to review the scope for the RFP. We are looking at a long term lease for this project, where the developer would design, finance, and build the project and continue to manage and operate the asset for an initial 50 year term and then with two 20 year renewals. We are asking for consistency with the North Beach Master Plan. She continued to explain what was provided in the scope include 3.5 FAR and putting them on notice that they would need to get Land Use Board approval. The component for the Theater was included in the RFP with 10,000 square feet. The project would have to meet LEED gold requirements. The financial returns is an element that they would need to provide to the City as an evaluation process. We outlined the lease approval process as well as the design approval process for them. This process would be as follows, first prequalify, shortlist, and then submit proposals. The minimum qualifications include having one mixed use project completed within the last 15 years and must have developed or provided financing for at least one \$20 million mixed use project within the last 20 years. The criteria for qualifications are 15 for proposal qualifications, 10 for design qualifications, 30 for the financial returns for the City, 30 for the consistency with the North Beach Master Plan, and 15 for resiliency component. If the Committee approves this, it would hopefully go to the December 12<sup>th</sup> Commission meeting and we would issue the RFP and give them 45 days to respond.

Commissioner Arriola commented on the criteria for evaluation, in regards to the financial returns to the City, he is less interested in the financial returns for a project like this. He is interested in this project having the most impact for the City versus returns. Ground floor theater is great for neighborhood development and quality of life. He doesn't want to overemphasize the financial aspect of this project. He wants to do something that the private community wouldn't do. He also asked about the ground lease agreement in regards to the covenant to operate a 10,000 square foot theater. He asked if the developer would run it or if the City to run it. His thought is for the developer to build this at their cost and then the City would run it and do what we want with it.

Kathie Brooks said that we would have it and we would give it out for someone else to run.

Commissioner Steinberg said she agrees with Commissioner Arriola. She wants to see this be a give back to the community. She wants to maximize the public benefit and be an anchor for North Beach.

Kathie Brooks said that she thinks what Commissioner Arriola is suggesting is to carve out the 30 points for financial return and add another component like quality of life then she thinks we will achieve what everyone wants.

Commissioner Arriola said we have an amazing opportunity with this site to do a cultural anchor there that no one else will do. He asked about the FAR. He said it is about 100,000 square feet of FAR.

Kathie Brooks confirmed.

Discussion continued about ideas of what the developer could do.

Commissioner Steinberg said she doesn't think we should limit ourselves to the 10,000 square feet, she thinks there is enough square footage there that they can make a return on the investment.

Commissioner Arriola suggested putting the square footage to say at least 10,000.

Commissioner Steinberg said she would like to see something go in this space just as quintessential as the theater.

Commissioner Arriola said if we were to do a parking garage across the street and we don't put parking here, it allows a developer to do more with this space. That gives us a bigger public benefit with space that doesn't generate a lot of money, but provides a lot of public good. He gave some examples.

Kathie Brooks said as part of the scope they can put the preferences discussed today, but not put any specific requirements, but say at least the 10,000 theater cultural square feet. Also, in the evaluation criteria take points away from the financial returns and move it over to a public benefit criterion.

Commissioner Samuelian said he agreed with his colleague's comments, he is happy there are financial returns, but all benefits don't have to be money. Community benefits absolutely should be part of the equation; he thinks we are going in a good direction.

Commissioner Steinberg confirmed what language will be changed, she confirmed that under cultural component, instead of saying approximately 10,000 square feet, it will say minimum.

#### **VOTE OF ACCLAMATION TO APPROVE THE ITEM WITH CHANGES**

#### **5. DISCUSSION REGARDING THE FEES CHARGED TO DEVELOPERS TO APPEAR BEFORE THE CITY'S LAND USE BOARDS**

April 26, 2017 – C4 F

Sponsored by Commissioner Alemán  
Planning

#### **ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

#### **6. DISCUSSION REGARDING G.O. BOND**

January 17, 2018 – R9J

Sponsored by Commissioner Arriola  
Finance

#### **ACTION**

Maria Hernandez, Project Director for Convention Center District, presented the item. She explained that the City Manager appointed a G.O. Bond working group of 4 consisting of John Woodruff, Eric Carpenter, Alex Denis, and herself. She said they have been tasked by the City Manager to develop an implementation program, which will satisfy the intent of the G.O. Bond and deliver on the promises that were made to our residents. In order to meet those goals, their first order of business will be meeting with the owner departments on all 57 projects and begin to organize these by certain criteria that they have already been talking about. This is mainly projects which are shovel ready, or projects that can be completed quickly, and be impactful to the neighborhoods. Many of them are little park projects that are all over the City and 2 or 3 large regional projects, which would be game-changers for certain neighborhoods. They were thinking of the Par 3 which is also pretty far advanced, also the 72<sup>nd</sup> Street Aquatic Center. Development of this execution schedule has to be organized around the 4 tranches of funding that were committed during the community education process, starting with the 1<sup>st</sup> tranche of \$150 million. The plan also has to work with our procurement capabilities to make

sure everything flows properly and it flows with the other procurement responsibilities. Finally, a messaging and communication plan to the public and to the Commission, which is simple, informative, and transparent. She said we want to take the elements of what worked well in the first round in the G.O. Bond approval and have some continuity with that. It was very well embraced by the community. They will be ready to present the plan to the G.O. Bond Oversight Committee after they are appointed and then go from there.

John Woodruff, Chief Financial Officer, said the Election Day results would have normally been modified in November, but because of the recount, it is going to happen on December 12<sup>th</sup>, that kicks off a 60 day time period during which there can be a challenge to the bonds. Following that is when we can get really started, around mid-February. We wouldn't have the bond issue proceeds until early April. There are about 6 weeks where we would have to do some bridging and we would probably be able to let some contracts on that first batch of projects that we are identifying for the first \$150 million. He said we would be coming back to Commission with all of that information as we move forward. He just wanted to make sure that the timing was clear to everyone.

Commissioner Samuelian said what Maria Hernandez said sounds absolutely right. In their last meeting Commissioner Alemán laid out some good criteria to think about and he thinks Maria Hernandez played some of those back. He wanted to underline two considerations as we sequence projects, is there something we can do quickly and start saving money and planning for operating costs that we better be ready to fund. He just wanted to dial that up as an important consideration, but he loves where we are going and it is exciting to see this stuff come to fruition.

**DIRECTION:** Come back to the December 14, 2018 FCWPC meeting with an update.

**7. UPDATE ON ENERGOV PERMITTING SYSTEM**

April 26, 2017– C7 M  
Information Technology

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

**8. DISCUSSION ON THE PROPOSED MOBILITY FEE PROGRAM**

July 25, 2018 – C4 U  
Sponsored by Commissioner Alemán  
Transportation

**ACTION**

Commissioner Alemán said Jose Gonzalez will explain this more, but she thinks this needs to come back here after more work. She said the mobility fee as compared to the concurrency fee is a better model, but she doesn't think the numbers are there yet. She said if you look at where there are some examples of projects in North Beach, Mid Beach, and South Beach, what jumped out for her was how much the fee is increasing over and above the current calculations. She agrees with the mobility fee paradigm, but thinks the numbers conflict with other things we are trying to do. She gave an example of the North Beach scenario and then doing a 5 fold increase in fees. In a condo mixed use project the fees were doubling. That is not consistent with the revitalization we are trying to drive in North Beach. She said the same thing in Mid Beach for example, on 41<sup>st</sup> Street. She said she thinks we are trying to fund 13% of our Transportation Master Plan over the next 20 years, so when you look at it that way she

understands how Jose Gonzalez got to these numbers. Unfortunately, these levels will disincentive retaining and attracting these good businesses and attracting investment. We need to not do that.

Discussion about the Transportation Master Plan was held and building this in with the above ground work.

Commissioner Alemán recommended going back and analyzing how the Transportation Master Plan will fit together with the other ground work.

Jose Gonzalez, Transportation Director said a lot of those projects are part of the Transportation Master Plan projects that we are trying to fund.

Commissioner Alemán reiterated that the fees are too high.

Commissioner Samuelian agreed with Commissioner Alemán and he has shared some of it directly with the Administration as well. He agrees that the mobility fee paradigm is the right direction; he thinks it has been very thoughtful and it's moving in a good direction. The problem that we have with the increases he thinks is related to something that we will be talking about soon, that we weren't adjusting our concurrency fees. We are not a bunch of years out and we are trying to catch up which becomes a problem. The CPI adjustments are a big issue, he thinks not just for these fees, but for others. He thinks Miami Beach is open for business and we want to embrace new businesses and be easy to work with. He thinks Administration should look at these fees holistically from the perspective of starting a new business like a restaurant. He thinks we need some benchmarking on these fees as it relates to mobility versus concurrency. The decision being made is if they want to come here or go elsewhere. He doesn't think we can make a decision on these fees until we see what the competition will look like.

Commissioner Steinberg said she thinks we are in consensus about moving to the mobility fee model, it is definitely more progressive and equitable. The reason there is a mobility fee is because certain retail, restaurants, and businesses do generate traffic. This is supposed to help mitigate that. These are dollars used for those purposes. Today we have certain waivers in place like Washington Avenue and North Beach; they have café sidewalk concurrency waivers. We could do something to emulate the mobility fee where we give the same courtesy without tweaking too much of what we are playing with. If this is going to come back she would like to see how we can extend as far as what we currently do as approved by Commission with the concurrency fee waivers to carry over in the mobility fee structure. This is just for new businesses. This is not an annual cost; it is a onetime fee.

Matis Cohen, Business owner, spoke. He said a waiver is a small step in the right direction. He is very encouraged as to what he has heard from this Committee as to how they will be looking at this. He said while they are doing this, take into consideration with the mobility that there is also a concurrency for the County. We have to take into account a lot of things like Commissioner Samuelian mentioned regarding what it takes to open up as business, for example, the county, the permit fees, and the building department.

Commissioner Alemán said she likes what Commissioner Samuelian said about the cost to start up a business analysis and where we are on a competitive basis with our neighboring municipalities. Then we compound that with slow processes, etc., and then it makes it an unappealing place to start a business.



Sandor Scher, developer, said he wanted to bring the Committee up to speed regarding an analysis that was presented to the Chamber of Commerce where they calculated what it would cost for a medium sized restaurant to open. The fee was about \$140,000 for the new fee to the City. He said they have been desperately trying to rent their spaces in North Beach and they offer their tenants money and it is still not enough. These fees are counterproductive of what we are trying to do. The other thing is if you are a developer and trying to build a new development, there are no real credits that you get from the County. He also spoke about the fees that the County charges and the City charges. He said for 134 units at \$6,280 a unit is a residential rental County road impact fee, which equals \$841,891. The City has another fee of about \$89,000. The fees to develop in Miami-Dade County are astronomical. He brought these things up because any City fees are adding to a problem. He continued to talk about the impact fees. He said there is a bigger picture here that the Committee needs to consider.

Jose Gonzalez said the issue of the road impact fees that the County collects, we really cannot rely on those fees, those fees are intended to stay within a district that may or may not include more than just the City and the County really tries to limit those funds to their own roads. A lot of those goes towards signalization type projects, not to increase capacity on roads.

**DIRECTION:** Come back to the December 14, 2018 or January 2019 FCWPC meeting.

9. **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 STAR CAPITAL, LLC**  
April 11, 2018 – R7 A  
Office of the City Manager/Tourism, Culture, and Economic Development

### **ACTION**

Kathie Brooks, Assistant City Manager, introduced the item. She provided an overview of what this current proposal looked like in April 2018 which was a proposal for 120,000 square feet of retail space that would be owned by the developer, and a parking garage which will be owned by the City with the exception of 100 spaces. There was a discussion on the length for the free parking and convertibility. Currently the project has decreased from 120,000 square feet to 80,378 square feet because of the carve-out for Prima Pasta restaurant. Currently the developer is offering either a 358 parking garage or a 479 parking garage, all of which will be paid for and built by the City. The cost of the 358 space option will be just over \$12 million, and the 479 space option will cost around \$16 million, as compared with a previous out of pocket cost of \$10 million; therefore getting less retail and more cost. The developer has agreed to pay for 100% of the validated parking usage from day one, and that the City can convert the garage after 10 years if the parking usage decreases over time. In the earlier version of the proposal from April, and July, the City had the option of convertibility after 20 years without any restrictions. The developer's new term sheet now includes accommodation for Prima Pasta to allow them to operate. These would be pending ongoing refinement and would be subject to review by the Fire and Building Department. They did modify the concept plan to provide a single delivery service drive from Byron Avenue and Abbot Avenue. The final point that has changed over time is that instead of having two separate structures, the garage, and the retail; it will be a single building structure with condominium style components for retail and parking. Given that structure and the potential risk it presents, Legal has worked with the developer's legal team, and the developer has agreed to a number of items: The entire project cannot be liened or encumbered; the construction loan would have to identify collateral all within the



project; as a condition of closing they will provide evidence of the lenders agreement to continue to fund the project and therefore a completion guarantee in the event that the developer defaults and the lender forecloses; and that the entity will be constituted as a bankruptcy remote entity with independent directors to ensure that any decision to seek bankruptcy protection is done in good faith and not arbitrarily. The City has concerns with the number of parking spaces because there will be a net loss of 88 parking spaces. Under the 479 option the City has a net gain of only 95 spaces. The net profit from the validated parking paid for by the developer will be \$79,000 under the 358 space option, and \$235,000 under the 479 space option. The proposed term has addressed the bankruptcy issue, but there is still risk for the City, and one option would be to sell the project to the developer and buy it back after completion. They submitted a report with the economic impact of this investment of \$312,000 the first year and over \$3.5 million in ten years, however, the City's investment increased from \$9.7 million to \$12 or \$16 million. They estimated that other economic activity includes \$50 million annually in retail sales, and generate \$1.115 million in building fees; \$863,682 in transportation and concurrency fees, in addition to \$220,000 for arts in public places funding. The developer also predicted that new development will follow for more economic growth in the area. City staff concluded that they do not recommend moving forward with this development solely on the basis that it is a parking project; however, given the numbers provided by the economic impact, if they offset the cost and the risks then it may be worthwhile. Importantly City staff encourages the Committee to take into account that this allocation will use up the available parking funds from any other new parking projects.

Commissioner Arriola asked if the cash flow from the parking will provide a return.

Kathie Brooks reiterated her figures of \$79,000 annually for the 358 space option, and \$235,000 for the 479 space option. Commissioner Samuelian asked how much the current surface lots are generating. Ms. Brooks replied with \$66,000 combined.

Wayne Pathman, law offices of Pathman and Lewis spoke. He stated that there are a few variables to consider. He introduced Kobi Karp, from Kobi Karp Architects and Interior Design, who will provide the Committee with a presentation of the project. Presentation began; Mr. Karp demonstrated renderings of the project to the Committee. Mr. Pathman resumes speaking and stated that this project is the first seed to a forest. This project is ready to go and it could revitalize the whole area. He stated that the overall profit of the garage is only one element. The developer has removed the free parking, and now the City will have a functional garage operating from day one. There is a distinction being made from cars that come to patronize the retailer versus open to the public, but understand that everyone is the public. People will use the garage to park and patronize the beach, restaurants and other areas and this is revenue for the City. He does not believe that City staff is taking into consideration the future value of the parking after 6:00 pm. The City currently does not charge for parking after 6:00 pm in North Beach. He stated that he has worked with other projects such as the 5<sup>th</sup> street garage and the Sunset Harbour garage, and added that they all transformed, and they all changed the area. He stated that zoning statement of 3 parking spaces per 1,000 square feet is not accurate, and added that North Beach is under developed, it is not a vibrant community, has the lowest car ownership in the City, and many resident utilize alternative means of transportation such as ride sharing and other services. According to a study he estimates that only 45% of those who will come to the big box stores will arrive in their cars. He also added

that City staff is not taking into consideration that investments over time will yield returns. The City will invest \$12 million today but the value will continue to increase and it will be worth much more after 10 to 20 years. He read quotes from an article in the Miami Herald praising this project as a catalyst for development and revitalization. Mr. Pathman stated that there is no crystal ball to see the future but added that ultimately there will be 3 major parking garages within a block and a half from each other which will be parking for retail and for the public. Those things are going to transcend and change the environment in North Beach. He made a comparison that people who park around Lincoln Road end up walking up and down Lincoln Road are unknowingly walking over a mile and a half. He mentioned that from Ocean Terrace to the retail site is only 3 and half blocks, and one can imagine the community that is being created with people who will be parking in one place and walking up and down the area and then back to their parking. The good thing with this project is that the City will have a garage that can generate revenue 24 hours a day and that the people coming there are going to go to the shops, the beach, and the surrounding areas. All of that is going to happen as a result of what the developer is going to be doing on 71<sup>st</sup> Street. Mr. Pathman introduced Kevin Crowder who has worked on the economic analysis and has also looked at the parking issue as well.

Commissioner Arriola asked Kathie Brooks if they go with the larger garage, will it affect the plans to repurpose the Byron Carlyle.

Ms. Brooks replied yes.

Mr. Pathman asked the Committee that while Mr. Crowder is speaking to please not see this as a parking garage, but as a catalyst to economic development, and to keep in mind that it will have the convertibility to change into something else. Commissioner Arriola agreed and asked Mr. Pathman if he had a recommendation between the smaller or the larger garage. Mr. Pathman responded and mentioned that the smaller garage would be better, and more manageable. There is sufficient parking and people are engaging more in ride sharing and other transportation services. Overall this project will be serving the community and based on his studies and analysis the City will be better off with the smaller garage option.

Mr. Crowder spoke, and stated that he is going to focus on economic development and that there are five things that drive that investment which are: land; labor, capital, the market, and regulation. All of these components were in place with the exception of the land, and now the land is available and there is an opportunity for public private partnership. They view building a parking garage as an economic development just like any other type of infrastructure. Parking is a piece of infrastructure that is an investment towards revitalization. Now the City has a willing partner that has control of the land which is the most important thing to get this project done; and to bring the 71<sup>st</sup> street Town Center which is the top priority of the North Beach Master Plan, and this project also delivers towards the other top 4 projects of the North Beach Master Plan. All of the other projects are great but this project is the real catalyst. Mr. Crowder mentioned that markets can change and convertibility can go 10 to 20 years to 20 and 25 years. He references the Loews Hotel that was completed in 1998, and added that it was a public and private partnership that changed the market. He named examples of other parking lots and combined with public land that were catalysts for other areas, and changed the market. Mr. Crowder continued explaining the positive economic impact that this project will bring to the region.

Mr. Pathman stated there is no perfect deal with no risks but this proposal is close, and it is not likely for this deal to fail once the project has started. The City should be looking at this in a more global sense because times are changing and things are changing; he remembers growing up in North Beach, and it was never really been the apple or the eye of the community, and this is an opportunity to change that. He urged the Committee to not let this opportunity pass, the numbers will show that it is good project and to not think of it as just a garage.

Carter McDowell from Bilzin Sumberg spoke on behalf of Café Prima Pasta. He is not here to support or oppose the development, but to address the concerns of Café Prima Pasta. Water, sewer, power, loading, trash, and garbage for Café Prima Pasta, all occurs in the City's garage. The sum total in the term sheet dealing with Café Prima Pasta is only two sentences, and it states that the developer at his expense will provide a loading corridor for 71<sup>st</sup> street shops including Café Prima Pasta with access to Byron Avenue. The developer will provide a grease trap to Café Prima Pasta, and Prima Pasta shall not have to pay for any access or use fees. This makes them nervous because it does not really address Prima Pasta's concerns. He understands that it is a term sheet and not an actual agreement but, he wants to ensure that Café Prima Pasta has a seat on the table to negotiate the issues. Mr. McDowell asks what will happen during construction, and how is it going to work after is completed. He also mentioned that initially they were going down this path and suddenly the developer stopped talking to them and decided to work around Prima Pasta. That discussion occurred in July and has not heard a single word since July, and that scares Prima Pasta. He referenced the drawing presented by Mr. Karp and stated that there is a corridor that leads to Byron, but there is not an actual loading dock for Prima Pasta, and they will have to result in using the actual street as a loading dock. Mr. McDowell reiterated that he is not opposing the developer and is in favor for North Beach to move forward, but they have to work together. He asked the Committee and the developer to please not forget Prima Pasta as they need to be part of the discussion as well.

Matis Cohen spoke, and stated that in order to monetize it the 71<sup>st</sup> street property it has to come to some kind of agreement with its neighbors. In order to create a positive effect on the neighborhood and the master plan, a parking lot there makes sense, but a parking lot on its own footprint does not make any sense. He personally believes the City should go for the larger plan. If all of this new development is coming to the area with a bigger parking garage the City can get better after hours rate, get better usage and more people walking around the area. He urges the Committee to get this done. Resident named Sam spoke. He is in favor of this development and also urges the Committee to move forward and make something happen. Mr. Pathman spoke and asked Mr. Karp speak and address some of the issues with Prima Pasta. Mr. Karp stated that he was providing a means of egress, and he is willing to sit down with Mr. McDowell and make something work out.

Commissioner Steinberg spoke and stated that the City has gone a long way to get to where is at but there is still some fine tuning to make. She asked Mr. Pathman how it would look like with the possibility of the City leasing the land and having the developer build the garage. Mr. Pathman responded that is not a possibility for them because the numbers don't work.

Commissioner Alemán spoke and stated that she does not agree with Mr. Pathman about the parking implications of a grocery store and a target that people will not be driving there. She

stated that people will be driving and visiting both the grocery store and the target store; people will be carrying bags and they will want to drive. She is very disappointed because after the last meeting they requested the developer's best and final offer, and that is not what really happened. She is upset that Prima Pasta who is also involved in this project has not been communicated with since July, and she does not understand why. She added that the City is investing \$22 million on this project but they are losing 88 spaces. The City has done much to provide catalysts for North Beach. The voters passed a 3.5 FAR increase for this project, and the Commission was courageous and created a consolidated overlay with height up to 220 feet to allow developers to put together beautiful projects for the town center, and this one is not getting there. She agrees that there is much needed retail but this looks like a developer give away. This is the complete opposite of the proposed project for the 500 and 600 block of Alton road with Mr. Russel Galbut, who will be developing a three acre park and giving back to the City. She reiterated that she is very disappointed because she wanted to see the best and final offer, but this is not it.

Commissioner Samuelian said his feelings are in line with Commissioner Alemán's comments. He appreciates that we have a developer that wants to make something happen. We are talking about a significant investment, we have the out of pocket cost of \$12-16 million, but we have the land that is worth around \$10 million. He is concerned about the lack of tangible community benefits. He said he thinks he heard about the parking generating about \$13,000 more. Those numbers aren't there for him. He appreciates what we are trying to do, he suggested a way of selling the parcels of land if there was a good deal. He doesn't think what is in front of the Committee is going to pass the threshold.

Commissioner Arriola said he has a different perspective than his colleagues. He appreciates what they are saying, but at the end of the day nothing has happened in North Beach for 50 years. Some of the stuff we are saying today is inconsistent with what we already do in regards to parks and parking garages. He said every investment in the City doesn't have to give us back revenue dollar for dollar. He said maybe we don't like the deal terms and those can be improved, but he doesn't want to walk away from this deal. He thinks in the bigger picture this project could be a catalyst for the whole area. He said we are building a parking garage in North Beach, but a standalone parking garage is going to fail. This project will bring people to North and give them a reason to be there and utilize the parking garage. He wants his colleagues to change how they are looking at this and try to get something done.

Commissioner Steinberg said she agrees with Commissioner Arriola on the return on investment idea that it comes from other means, not just monetary. She said they need to look at this project as if it will be the catalyst we need in North Beach. It has to be done in a way with everyone feeling comfortable and we need to think how we can get there. There are good aspects to this project and there are things that her colleagues brought up that are important. She doesn't mind giving them another brush and giving the developer another opportunity to come back to the Committee. She said before it dies here, she thinks this is it and right now this project fails because 2 Commissioners are already a no. She said we want to help the whole area without impacting it negatively. She said we want it to be the positive impact that we are all hoping for. This is not an easy yes or no. The question we have to ask ourselves is if we believe this to be the catalyst for North Beach.

Commissioner Alemán said she agrees with what Commissioner Arriola said and we have talked a lot about the risk of going first to bring something positive to North Beach. She was hoping this would be that project, but she is deeply disappointed. She reiterated that the Committee told the developer to bring their best and final offer and that there are no material changes here. She is willing to keep the door open and she is willing to give this another try, but if it is not materially different then she is a no. This has to be a good deal.

Commissioner Steinberg agreed. She said if we are going to give them the opportunity to come back it has to be something everyone can wrap their hands around. It is not just about the Commission it is about the community.

Commissioner Arriola said he doesn't think from a staff perspective that we have looked at the economic impact adequately. A project like this will have a positive effect on other developments. In his mind he can get comfortable pretty quickly that this investment we are making will definitely help quality of life and economic development as well. He doesn't think the economic impact has been presented sufficiently well by Mr. Pathman and team. He wants to do a deal and figure out how to convince everyone that it is better to do a deal than to walk away and this is a deal that we should do.

Aria Mehrabi spoke. He said he appreciates the Commissioners voting for this last April. He gave some background on how the discussion started. He spoke about the retail and the parking. He compared Russel Galbut's South Beach development to this project. He said the rent there is double the rent in North Beach. He said they cannot do this with half the rent. He said the tenant is not going to come without the free parking. They need to provide incentive for the tenants to get there. The developer is still providing the free parking. He spoke about cutting the deal with Café Prima Pasta; he said they couldn't make the deal. The bigger issue was that they wanted time. He said they have been very open and nothing has changed since April 2017 besides the \$1.5 million difference in the parking cost. He said they made their best offer to make this work.

Commissioner Arriola asked how much the project is going to cost Mr. Mehrabi.

Mr. Mehrabi said the overall project is going to be \$160 million outside of the City investment.

Commissioner Arriola said we need investments in North Beach and this developer is asking the City to partner with him and do something to help his economics and actually help our economics and the neighborhood. He said there is a problem in North Beach and we will not get many other developers that want to do this.

Discussion was held on what to do with the item.

Commissioner Arriola said without getting into the numbers he is willing to make this investment. We need to do something if we want something to happen. He thinks saying no deal is sending a horrible message to the development community and to the North Beach residents. We need to do things to help developers take a substantial risk. He wants to see us work out the details and do the project.

Mr. Pathman said that while he doesn't agree with everything that Commissioner Alemán said there is a difference of opinion and he wants to see if they can resolve that. He suggested that

they hire a mutually agreeable firm to conduct an economic analysis that will put in all the variables that the Committee members and the developers are concerned about. The data should help everyone decide what this project is worth and how it can go forward or not. He said he will meet with Kathie Brooks and the City Manager and agree on a company that they can jointly hire and they will pay for it. They will get started right away and they can probably do it in 30-45 days.

Commissioner Arriola said to meet with staff and the Commissioners to iron these things out.

Mr. Pathman said they will work on the economic issues, Café Prima Pasta issue, and the other concerns that were mentioned today.

Commissioner Arriola said he is thinking big picture and if we can resolve the parking issue here it will help with the other projects and items that are coming up for discussion in North Beach. He mentioned the Byron Carlyle.

Mr. Pathman said they can include the Byron Carlyle in the economic analysis study and work together.

Commissioner Samuelian said he had a couple of questions. He said we have gone through a few iterations of projects and he asked Kathie Brooks from the last transaction that was on the table to this one as it relates to parking spaces, he asked what has changed. He is referring to the July iteration.

Kathie Brooks said the free parking changed and in the past they were offering to pay for validated parking once the occupancy reached 90% and now they said they would pay from day 1.

Commissioner Arriola mentioned the Café Prima Pasta issue and noted it didn't move much.

Commissioner Samuelian asked why the numbers are going up.

Kathie Brooks said in the memorandum they provided they were more focused on the April version of the offer because the April version is the one the Commission recommended, the July one is the one the Commission wanted staff to go back and rework. The cost was higher in the July version, but the number of spaces was the same. We were paying for those spaces in the July offer. In April, of the 459 spaces they were paying for 100 spaces. It is about \$3.4 million and whatever associated land costs there would be. Now the City is paying for 100% of the spaces.

Commissioner Alemán asked how many residential units are in the current plan.

Mark Milisits, Real Estate Division Director, said 134 units.

Commissioner Samuelian asked if there are other creative options that we should be thinking about right at this moment.

Kathie Brooks said one of the challenges is at the end of the day it has to be something economically viable for the developer. She said they would like to go back to the deal that they pay for 100 spaces, but they said that deal doesn't work for them. She thinks that would move the needle for the City significantly.

Mr. Pathman said at that time they had free parking and were capping the cost of construction at \$34,000 a space, which is likely to go up. There are more spaces now, so there is more cost. He said the variable that is being discussed is somewhere between \$1.4 and 1.7 million. Times are changing and the garage is not going to be used the way the Code says. This is North Beach, not South Beach. This is a project he thinks they can get done working together. He said they can sit down and discuss the concerns and they can kill the project later if they cannot come to an agreement, but he doesn't think it should be done today.

Commissioner Alemán said she agrees with Commissioner Arriola regarding the economic value and impact and it being material, but there was an implied premise that was commented on that this is the only deal in town or the only deal we would ever get. She objects to that comment. She said when this started the FAR and height were different. There is potential for another deal, but we would lose all the time and losing momentum. If we were to cancel this deal there is another deal. She is willing not to kill this today; she is disappointed that more progress hasn't been made. She wants to see the results of the economic analysis. She would love to fully understand that the project is a no brainer. She said for her it is materially not there. She is willing to be open-minded.

Commissioner Arriola said the economic study might help a lot. He said there could be other deals, but he doesn't think we will get this type of development. We need this to get things going.

Discussion was held about the Byron Carlyle and the parking.

Commissioner Samuelian said maybe we need more parking and that Kathie Brooks mentioned capital constraints. He asked how much money we have in the parking fund under these 2 scenarios, what does that leave us, and are there other outstanding needs?

Kathie Brooks said available in the parking fund as of year-end close excluding the funds that are restricted to South Beach and North Beach, \$11.9 million generally available. That includes \$2 million that is restricted to North Beach and another \$4 million that has been set aside for repairs to parking garages and lots. If they wanted to go to the \$60 million option, which is the 479 spaces, we would have to look at projects that were previously appropriated for other things and see if any of them could be reduced.

Discussion was held regarding the difference in versions with the parking spots and their cost.

The project changed since April once they moved Café Prima Pasta out.

Discussion was held regarding the different scenarios for the parking garage.

Tom Mooney, Planning Director, said the parking that was being proposed is not required parking and since it is enclosed it does count in the FAR. In the old deal they were proposing a main use garage. Now it is something that would be additional non-required parking. Because of that the parking counts in the FAR.

Commissioner Samuelian asked if the project the way it is laid out now fully utilizes the 3.5 FAR.

Tom Mooney said they have some marginal FAR left.



Commissioner Arriola recapped what the direction is, which is to put together an economic study that will better inform this investment and spend some time with the Commissioners and see if they can address their concerns.

Mr. Pathman asked if they would come back to the FCWPC.

The Committee said for it to come to this Committee.

Kathie Brooks confirmed that the Committee wants the consultant to go beyond evaluating the term sheet as it is.

Commissioner Arriola said for Mr. Pathman to come back with whatever document he thinks will be persuasive and informative to the discussion.

Commissioner Steinberg said the community needs to understand this and this needs to be the most transparent process. Everyone needs to understand the return on investment entirely.

Mr. Pathman asked if they can be scheduled for the next meeting. The Committee said yes and they can try for the December 14<sup>th</sup> meeting, but if that is too soon, try for the January meeting.

Commissioner Samuelian said he is open to continuing the discussion and he thinks he understands the gist of the economic report that was done and it is that we are hoping it is a catalyst and it is the longer term returns that are important. He said is open to the additional report, but he needs to see material changes in the economic structure of the deal. He doesn't want us to go down a path that is not going to be fruitful.

Kathie Brooks said they will facilitate the meeting with the Mr. Pathman and team.

**DIRECTION:** Mr. Pathman and team to meet with Administration and Commissioners to address concerns, work with Café Prima Pasta, and hire the economic impact consultant to bring back the results at the next or following FCWPC meeting.

## **NEW BUSINESS**

### **10. DISCUSSION REGARDING THE COMPOSITION OF AND QUALIFICATIONS FOR MEMBERSHIP ON A PROPOSED GENERAL OBLIGATION (G.O.) BOND OVERSIGHT COMMITTEE**

November 14, 2018 – C4 B  
Sponsored by Mayor Gelber  
Office of the City Attorney

### **ACTION**

Mayor Gelber introduced the item. He stated that the public wants the 57 General Obligation Bond projects done, and done right. To ensure the process is realized, he provided two different ordinance versions creating a General Obligation Bond Oversight Committee. Mayor Gelber stated that he does not want another oversight board such as Design Review Board (DRB), and the Historic Preservation Board (HPB). He foresees a good advisory Committee

like Mayor's G.O. Bond Advisory Panel. The two models are seven person committees. In both proposals the Mayor will appoint a Chair and stated the he would like to appoint Ms. Karen Rivo, as she did a great job as Chairperson for the Mayor's G.O. Bond Advisory Panel. For the other six members he wants two members each from South, Mid, and North Beach with staggered terms. It is important to have diversity but is not particular important to have architects and specialized qualifications such as the DRB, HPB, etc. He offered that he can appoint all the candidates and get feedback and recommendation from the rest of the City Commission, or the members can get nominated and selected by 4/7 vote from the City Commission and stated that with version "A" at least four of the seven members will come from the Mayor's G.O. Bond Advisory Panel.

Raul Aguila, City Attorney read the members composition of version "A" for the record. Version "A" is composed of seven members, two from North Beach, two from Mid-Beach, and two from South Beach, and the Chair. Each pair will have staggered terms of one year and two years, and the Mayor gets to appoint all the members initially. After that, the six members will be appointed At-Large. Version "B" will have the Mayor appoint the Chair, and the rest of the members will be appointed/reappointed by a 4/7 vote by the City Commission.

Commissioner Samuelian stated that he agrees with the Mayor focusing on the program level, and not getting into the details of the project. He mentioned that in reference to the Ex-Officio members, there is a recommendation to include a member of the Audit Committee. He agrees with this recommendation, but also wants to add the Budget Advisory Committee; it is a different skillset that can benefit the Committee. He thinks about this Committee as a team, and there is one special skill that he wants to call out which is communication. It is important to have one person in the Committee who will work directly with the City's Communications Department. As for the Mayor's proposals he prefers version "B" because it will be more transparent and it will provide more variety of skills from the candidates.

Commissioner Arriola clarified with the Mayor that for version "A" the Mayor will make all initial appointments, and the Committee will appoint/reappoint members after the terms of all initial appointments ended; and the Mayor will continue to appoint the Chair. Mayor also added that he is very proud of the job that the G.O. Bond Advisory Committee and would recommend appointing most of these members to serve on this G.O. Bond Committee to maintain continuity. The Committee was composed of members that were recommended by the Commission and he believes that it is important when Committee members get along well, and they did.

Commissioner Arriola stated that he is okay with either version but emphasized that he has seen many times in a Committee of seven, there will be five stellar members, and one or two other members who are not as sharp but are very popular; this can dilute the skills of the Committee with popularity, and he does not want that. This is a very important Committee, and wants all seven members to be top notch. His concern with option "B" is that it can compromise the Committee because there might be one or two members up for appointment that perhaps are very supportive towards the City Commission and attends many meetings, but do not know how to read a balance sheet, or have never been involved in a construction project.

Mayor Gelber replied that the reason for the first version having six members At-Large because it would be difficult to get four votes from the Commission for each of the proposed

categories. He appreciates Commissioner's Samuelian observation but for the first time it might be hard to get it right, but whichever way the Committee votes he will be ok with.

Discussion held regarding Committee selection process.

Commissioner Alemán spoke in support of version "A" because the members of the previous G.O. Bond Committee are already up to speed on what is going on with the G.O. Bonds. They are intimate with every single project, the estimates, and the financials. She added that it is important to get it right.

Commissioner Steinberg asked for clarification regarding the term limits of the board members because a direct appointment has an eight year term limit, and an At-Large appointment has a six year term limit; therefore are the term limits going to change from direct appointment, initially by the Mayor to At-Large appointments when the members are up for reappointment.

Mr. Aguila replied that she is citing the general requirements of the Board and Committees but, they can word the ordinance in version "A" which will override the general provision of the Code; that the Mayor will appoint the initial slot of members which are the Chair and six members, subject to the requirements of the ordinance. He also added that when it is staggered terms the Office of the City Clerk will draw straws to determine who serves the one year term, and who serves the two year term. After their term they will be reappointed subject to the At-Large terms. Commissioner Steinberg stated that the Ex-Officio members are from Audit Committee, and from Parks and Recs, and she suggests representation from the Sustainability Committee should be included because it will bring a good perspective for the infrastructure projects. She also stated that Ms. Karen Rivo, former Chairperson of the Mayor's G.O. Bond Advisory Panel is a great Chairperson, and based on the composition she asked in what category Karen would fall under. She does not want to limit the composition too much and miss out on good people such as Ms. Rivo from serving.

Discussion was held regarding the Ex-Officio members, the size of the Committee, and the powers and duties. The Committee reiterated that the purpose of the G.O. Bond Oversight Committee is to have residents' representation on the table. The G.O. Bond Oversight Committee will be allowed to ask questions regarding the projects, they can make suggestions and recommendations to the City Commission, but they will not be a judiciary body who approves or rejects projects.

Discussion continued regarding the members composition.

Commissioner Steinberg stated that she is not sure on which version of the ordinances to move forward. She likes components from both ordinances and perhaps a hybrid ordinance might be a good option.

Commissioner Samuelian agreed and suggested of a hybrid ordinance where the Mayor can nominate all candidates and the Commissioners can discuss and vote on the candidates.

Mayor Gelber responded that he will be happy with any version of the ordinance, and however the Committee decides he will be happy and support their decision.

Commissioner Arriola made a recommendation for a motion for the Mayor to provide a list of the seven members to ratify the members before the full Commission, and allow the City Commission to veto the members if needed.

Commissioner Steinberg added that she will make that motion, and would like to add two more Ex-Officio members to include the Budget Advisory Committee, and the Sustainability Committee, and to add Neighborhood Leadership as a category to be able to accommodate Ms. Rivo.

Commissioner Samuelian seconded the motion and asked for the Mayor to consider a member with communications skills.

**MOTION:** Commissioner Steinberg motioned to move forward before the City Commission with a list of members from the Mayor to ratify before the City Commission. Add two more Ex-Officio members to the composition to include the Budget Advisory Committee and Sustainability Committee. Add Neighborhood Leadership to one of the categories, and for the Mayor to consider a candidate who possesses Communication skills. Motion seconded by Commissioner Samuelian. All in favor.

**11. DISCUSSION OF CULTURAL PROGRAMMING FOR MEMORIAL DAY WEEKEND MAY 2019**

October 17, 2018 – R9 T

Sponsored by Commissioner Arriola

Tourism, Culture, and Economic Development

**ACTION**

Heather Shaw, Acting Tourism, Culture, and Economic Director presented the item. The Commission directed that staff come to the FCWPC regarding the cultural programming planning for Memorial Day weekend. There is a budget of \$100,000 and they were directed to work with Ruben Roberts, Chairman of the Miami-Dade Branch NAACP and also the CEO of RER Consulting Enterprises LLC. She said they met with Mr. Roberts and he has submitted a proposal that provides services for Memorial Day and has requested a fee of \$65,000 with a \$10,000 bonus on his successful activation of Memorial Day Weekend. She said she listed some activations he is considering, but we still need to sit down with Mr. Roberts and have a plan and budget to work this out. Some activities include a heritage village in Lummus Park, which would have cultural vendors in terms of food and artistic elements, a gospel choir, a comedy show, poetry. It includes a lot of entertainment and education programs like a book fair as well as economic development empowerment like a job, as well as sports. She said staff recommends the approval in concept, she said they are still going to work on that and recommend to the Commission that we continue to negotiate on the personal service agreement with Mr. Roberts.

Commissioner Arriola said he is very comfortable with this and he had the pleasure of working with Ruben Roberts last year. He is top notch, he knows the market. He went through the preliminary ideas for the weekend, they are very exciting and he needs to be paid for his time and effort for him and his staff, the same way we pay any company.

Heather Shaw said that Mr. Roberts will also be getting sponsorships for his activation so we can do more with the \$100,000.

Commissioner Samuelian said that he heard Heather Shaw say that staff recommends this and that these rates are in line with other market rates and the details will be fleshed out and we will be really clear in what we are getting. He said based on all of that he is comfortable to proceed.

**VOTE OF ACCLAMATION TO APPROVE THIS IN CONCEPT AND CONTINUE NEGOTIATION.**

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

October 17, 2018 – C4 I

Sponsored by Commissioner Arriola  
Public Works

**ACTION**

Commissioner Arriola said he is getting tired of hearing about this issue. This is constantly coming up, since he has been on the Commission.

Rafael Andrade, lobbyist on behalf of BigBelly, spoke. He said this is not an issue. He said they are trying to save the City some money and there are a couple of ways to do that. One is a limited advertising program and the other way is through a small cell siting program. The City currently has a cost associated with the program and what they are offering is if the City implements either one of the two solutions it can underwrite the cost and the expansion of the program to other areas of the City. It could also be a potential revenue stream for the City. He introduced Rob Cutner from BigBelly.

Rob Cutner, from BigBelly, explained the two presentations.

Commissioner Arriola asked in order to roll out more BigBellys the way to subsidize them is through advertising or small cells.

Rob Cutner, from BigBelly, said that he works on what they call their strategic real estate initiatives, which means what else they can do with the space they are occupying in the City's public right-of-way. The 3 things he wants to make the City and the Commission aware that are available as a high profile municipality; one is utilizing advertising to seriously scale the BigBelly program throughout Miami Beach, they are talking about scaling in the hundreds through an advertising platform. The other alternative that is a small step is that we can utilize the stations that are on the ground now to create a revenue stream. It will not take a long term commitment from the City. It will be a way to test the sensitivity of the community to advertising and see what kind of revenue the City can draw.

Commissioner Arriola asked if someone from staff can speak to this. He asked what the need is and why this is important. He asked if we like this program and if so let's do more of it, if there are issues, what they are and how do we address them.

Jay Fink, Public Works Assistant Director, said the program is under a 5 year pilot program, we are couple of years into it. We are working out wrinkles. He thinks what is being proposed to the Committee here is advertising, but he cannot address that because he hasn't seen any nuts and bolts to that.

Commissioner Arriola asked if the request to advertise coming from the City or the provider.

Jay Fink said as far as he knows it is coming from the provider; he hasn't seen any details on it.

Rob Cutner said that everything he is presenting today is predicated on the core value that they are bringing to the City, which is closed contained waste and recycling in a smart way to manage that operation. If this isn't interesting to the City, they can throw out the window the advertising and small cell siting. This is a way to scale the service to the City through different medians. He gave an example of the 5G. He is here from an informative standpoint today to make sure the City recognizes the options available.

Commissioner Alemán asked about the small cell and asked what it does for us.

Jay Fink said there is a resolution going in front of the Commission at the next Commission meeting and part of that resolution is that there was a meeting in front of the neighborhoods and within that the requests or recommendations was to retain a consultant to evaluate the various 5G technologies and he quoted it.

Commissioner Alemán said we love the BigBellys, and what she heard Mr. Cutner said is that if the City allows BigBelly to turn them into a small cell device then they will give the City a revenue stream that offsets the cost of the BigBelly program.

Mr. Cutner said that at this point it is exploratory of what he can bring the City of Miami Beach. He said his relationships with other carriers, what they can do is deliver the City a smart waste and recycling option, fit it as small cell mini cell tower to increase cellular service, bring power and fiber to that location at essentially no cost to the City. What he would ask today is that they have a direction to explore that with the City Attorney and any other committee that would potentially oversee this or Public Works at how scaled that solution can look.

Commissioner Alemán asked if the revenue comes from us selling that capacity.

Mr. Cutner said the same way an advertising program would work that you get an asset for advertising rights, what the City would get is a BigBelly smart waste and recycling solution landed on the streets of Miami Beach managed, maintained by BigBelly for the rights to have a small cell radio at that location. The value of the station far outweighs what the City can charge an operator on an annual basis to operate in the public right-of-way.

Rafael Andrade asked if the Committee can direct staff as well as the City Attorney's Office to meet with BigBelly and himself to explore both options and they will bring back a hard proposal at the next Committee meeting. There is some modification to the agreement that would allow us to cite small cells within the BigBellys.

Commissioner Arriola said what we like about the BigBelly program is that they are aesthetically better looking than city garbage cans they are enclosed, you can compact, and from a sanitation perspective, because they can trigger an alert the Sanitation Department to let them know when they need to be emptied. He asked how the pilot is going and what the data is telling Jay. He asked if it works or if we don't have any cost savings because we have to roll out the trucks anyway.

Jay Fink said they are all placed on Washington Avenue, so it is not a matter of rolling trucks and troops on the ground there anyway. It does have value and we are looking at maximizing the time between to actually have to empty them. There is a lot of value to it. There are some wrinkles as far as the electrical components with dealing with trash and grabbing the handle, a foot pedal would have worked better. There are some nuances we can still iron out to see the

best we can get. He hasn't seen any proposals come from BigBelly in regards to advertising or 5G, so he can't really tell the Committee or give an explanation.

Commissioner Ariola said the reason we are talking about advertising or 5G is because the BigBelly cans cost more than a standard trash can.

Jay Fink said it is a \$500,000 deal over 5 years.

Commissioner Arriola said it is a big investment from the City to go BigBelly, so the question is what the benefit is and he thinks that is why we did a pilot to see if there are real labor savings. He said aesthetically they are better, but no one has proven the cost benefit of them. These gentlemen are saying that if we let them do advertising or 5G the cost would be reduced.

Commissioner Steinberg said she doesn't know if we are there to explore yet, because Jay Fink has not seen anything. She said they are just ideas now.

Commissioner Samuelian said he thinks staff is open to taking a meeting. He wanted to underline what Commissioner Arriola said about the cost benefit of what we are doing today. Before we talk about expanding he would like to understand the specifics of what they cost, what the alternatives are and the labor savings. He would like to see that, to him that is the base line before we talk about advertising or something more. He would like to have that brought back next time we discuss it.

Commissioner Steinberg said to give some background she is probably the only one that didn't support the BigBelly program in Miami Beach because she was cornered that it was very costly to what the service was to the City to make all of our receptacles uniform and a way to make it easy. She said she is obviously not going to be in favor, but she is sure her colleagues are open to exploring.

Commissioner Alemán said we don't like advertising, but we love the BigBellys, she thinks what we need is for them to come back with something that is really turnkey. She does agree the Committee should direct staff to work with Mr. Andrade and BigBelly. If staff has to figure out how to do all of this, it is not a priority for us. Whatever they bring has to be turnkey and not require a lot of market research.

**DIRECTION:** Staff to meet with Rafael Andrade and BigBelly and for BigBelly to come back with their proposal to the next or following FCWPC meeting.

**13. DISCUSSION REGARDING CAPITAL APPROPRIATIONS FOR THE 4-FOLD BI-PARTING HURRICANE DOORS AT FIRE STATION NO. 02 AND BASS MUSEUM EMERGENCY GENERATOR**

November 14, 2018 – C4 D  
Property Management

**ACTION**

Adrian Morales, Property Management Director, presented the item. He said typically every month they will come as they are working on projects and identify other project savings or change in priorities and they will come to Committee to reshuffle the dollars from different accounts to be able to complete other projects. For the Fire Station No. 2 doors, they were able to identify some other projects that are no longer needed, as well as the Bass Museum generator which has reached its useful life is in need of some funding. Most of those items



were covered under the recent renovation. This is just reshuffling of existing funds, there is no ask for new funds.

**MOTION:** Commissioner Steinberg moved the item. Commissioner Samuelian seconded. All in favor.

**14. DISCUSSION REGARDING A CHANGE ORDER FOR THE RELOCATION OF THE SEGMENTS OF THE INDIAN CREEK SEAWALL TO RESOLVE THE REGULATORY ISSUES, FOR A PROJECT AMOUNT NOT TO EXCEED \$529,570**

November 14, 2018 – C4 F

Public Works

**ACTION**

Carter McDowell, from Bilzin Sumberg, spoke on behalf of his client and requested that the City moves forward with the project, his client is a small business man, he has 80 employees and it is in the end of the year and he hasn't been paid in a long time at this point. There are outstanding invoices; there is a change order, and a P.O. He said he and Public Works are on the same page he believes, he is simply hoping that his client will at least get paid before the end of the year, so he can pay his employees for the holidays.

Eric Carpenter, Assistant City Manager, said we are trying to resolve an unfortunate situation on Indian Creek Drive. We have come to this through a number of missteps and mistakes, but ultimately at this point we need to find a path forward and we believe that Shoreline has been a good partner in trying to resolve the situation that we have found ourselves in. They have been willing to come to the plate and share in the cost of remedial measures so that we can get to a place where we can get this behind us and move forward in a positive direction. He said he is recommending that we move forward with this change order to Shoreline and that we finish out the permitting and go forward with the remainder of the project. He said he would be proud to work with them moving forward as our contractor.

Commissioner Samuelian mentioned that the memorandum alluded to one more outstanding issue in Tallahassee.

Eric Carpenter said we did go to Tallahassee and met with the Division of State Lands, the Division of State Lands is still an outstanding issue; we were informed that we will have to meet with the trustees.

Mr. McDowell said there are some submerged lands that the State is looking for to be donated to them to offset to some of the wall placement. He said the City Attorney's Office actually spoke to him. He said he also has a client that has some submerged land and he is also trying to see if they can solve that gap. The gap that he understands it is that the State wants a certain amount of submerged land effectively given to them in exchange for the wall placement. He said they are all working together to find a solution to do that.

Commissioner Samuelian asked if anything discussed would have economic impact or change the recommendation of Eric Carpenter today.

Eric Carpenter said he doesn't believe so, until it is finalized he cannot know for sure, but he doesn't believe it would have any economic impact.

Commissioner Samuelian said we are in a tough situation, he said they don't like to be allocating funds in this way. His punchline is what are the lessons learned and who is going to be on point for the City to make sure this doesn't happen going forward.

Eric Carpenter said we have certainly dealt with the project manager that was responsible for some of these mistakes and missteps. He thinks that as a whole the group in Public Works is a strong group of professionals and he has all the belief that Roy Coley as the Public Works Director that has lived through this with him has felt enough of the pain that we will not want to relive this.

Commissioner Arriola asked John Woodruff if we have the money for this change order.

John Woodruff said that he believes we do.

Eric Carpenter said there is \$2.5 million that are already allocated to the seawall project. We have a contract mechanism that would allow us to assign it to them, but they didn't want to do that without bringing it to Commission and being fully transparent.

Commissioner Steinberg said they do not like the manner in which all of this went down and are not happy, but we have to do it right now and we need to move it to Commission for the final vote.

**MOTION:** Commissioner Steinberg moved the item to Commission for the final vote. Commissioner Samuelian seconded. All in favor.

**15. DISCUSSION REGARDING THE FUNDING OF BRIDGES THAT HAVE A SUFFICIENCY RATING OF LESS THAN 70% AS PER THE LATEST BRIDGE INSPECTION REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION**

November 14, 2018 – C4 C  
Public Works

**ACTION**

Roy Coley, Public Works Director, presented the item. He explained that this item is to request the authorization to go forward on design work for 4 bridges. The City owns 24 bridges that were inspected and 4 of them have a rating of below 70% and one of them is below 50% and we want our designer to evaluate those and do what works needs to be done to bring those bridges above 70%.

Commissioner Steinberg thanked Roy Coley for bringing this forward and we obviously want the sufficiency rating to be at a responsible level. She asked about the bridge on Biscayne Pointe Canal, which is at a 45.1% rating which seems alarming. She said that the memorandum stated that repairs were completed in 2015, which was just 3 years ago. She wants to know what was done 3 years ago and why we are not at such a low sufficiency rating compared to the bridge at 77<sup>th</sup> Street and Tatum Waterway drive, where repairs were done in 2007, we are at a 62.7% sufficiency.

Roy Coley said most of the repairs that Commissioner Steinberg referred to are very minor cosmetic repairs that were done, it wasn't major work. He thinks what she is seeing is, that we need to have a proper evaluation done to see what major work may be required.

Commissioner Steinberg inquired about what the scope of the work was that was done prior to now and why did we only do cosmetic if our bridges needed more work.

Roy Coley said we would like to do a comprehensive analysis of the bridges and come back with that report.

Commissioner Steinberg said that would be great. She also asked in order to design all 4 of the bridges and spend the money on the designing, she asked if we have the money for the construction part of it and what the timeline is.

Roy Coley said the bridge that is at 45.1% is not in danger of collapsing, but what they would like to do is recognize that there are needs. We don't know how extensive the repairs may be, it is a planning level estimate because until we have the designer specified we don't know how much it will cost. He said that John Woodruff has identified in the Pay-As-You-Go (PAYGO) funds of \$280,000 that we can have all 4 bridges evaluated and if that evaluation returns something that raised the Commission's alarm level, then we can move on it immediately, and if it doesn't raise the alarm level it can go in Public Works' budget in process for capital improvements.

Commissioner Samuelian said that we have some concern about the sufficiency percentages and he wanted to underline what Commissioner Steinberg said about funding the 4 design projects immediately, but particularly the one in the 40s, he is inferencing that 40% is more problematic than 70%, if we need to take action to jumpstart that, we should go faster. He asked if Roy Coley needs anything from the Committee to do that.

Commissioner Steinberg said she doesn't want to use all of the money for the designing of the 4 bridges, when we then don't have the money to actually do the construction.

Roy Coley said he would defer to the John Woodruff, but he believes that if we were to uncover an emerging condition we have contingency funds that we can reach to if we thought it was at that level of concern.

Commissioner Arriola said we need to do whatever we can to remove the emergency.

Commissioner Steinberg asked what the timeline is.

Roy Coley said they have already begun discussions with bridge design engineers and are awaiting their proposals now. He said we would like to believe by the time we get to the December 12<sup>th</sup> Commission meeting and get this authorized, we would be ready to have final negotiations shortly after that.

Commissioner Steinberg asked if we get an update on the County and State bridges.

Roy Coley said he received the report for City-owned, but he can request the County owned ones for reference if Commissioner Steinberg would like.

**MOTION:** Commissioner Steinberg moved the item. Vote of acclamation to approve the item.

**16. DISCUSSION ON FUNDING AND THE HOUSING COMPONENT FOR THE PROPOSED MIXED-USE PARKING GARAGE AT PARKING LOT P16, LOCATED AT 1262 COLLINS AVENUE**

November 14, 2018 – C4 A

Office of Capital Improvement Projects

**ACTION**

David Martinez, CIP Director and Alba Tarre, Office of Housing and Community Services Assistant Director, presented the item.

David Martinez said the parking lot located at the southwest corner of Collins Avenue and 13<sup>th</sup> Street is a project we have been working on since 2016 where we hired a design criteria professional to put together criteria to build at the time strictly a 7 story parking garage. Since then in 2017, the City started their efforts in bringing in workforce housing and revisited the scope of the garage. In June 2017 the Commission agreed to go ahead and proceed with preparing criteria that would include on the top level of the garage workforce housing units. He said they prepared an analysis and the FCWPC and the Commission selected an option.

Alba Tarre provided a brief history on workforce housing. With Commission direction, the Administration has been working on exploring workforce housing since 2014. Workforce housing provides a reduction in traffic, creating closer community ties, and encourages residency of vital employees, such as emergency personnel, teachers, etc. Based on these findings in order to increase workforce housing, in 2016 Commission accepted the recommendation of adding workforce housing into parking garages. In 2017 a presentation was held at Commission to explain the benefits of workforce and affordable housing to review the City's comprehensive plan. We continue to explore parking garages as one of the options. In March 2017 City Commission adopted the recommendations made by the LUDC to expand the definition of workforce housing. It was limited to 120-140 AMI and we incremented to up to 140 AMI. We incentivized the private development into workforce housing. In July 2017 the City Commission based on the recommendations of the FCWPC accepted the ability of having workforce housing on 13<sup>th</sup> and Collins Avenue. She said we have started working with Concourse Group, which is the consultant for this project and one of the things they found is the viability and feasibility of incorporating workforce housing. They found that in order to incorporate workforce housing there would need to be a reduction in the parking spaces.

Commissioner Samuelian thanked them for the presentation. Housing is a serious issue here in Miami Beach. We have issues for folks who want to live here as well as some of the existing stock of home we have and how some of them are going to be resilient. He said he is a little bit new to this discussion. He has some specific questions. He compared the two options given; he said the money listed is there is not money the City would spend.

David Martinez confirmed. He said for the record he needed to clear an error that is in the Commission memorandum that is attached to this item. Option 2 the concourse Group option, the total cost of parking ground floor that reads \$8,100,000 should be \$9,060,000. He said the original intent of the procurement of this project was just a garage that was design build. We are still looking at a design build mechanism for procurement except it would be a design build potentially financed, owned, operated, and maintained. The building would be a condominium where the City would own the parking component and maybe some of the common areas. The design builder would come in with a developer and finance the housing component which would be a condominium, which would also share in the common areas. They would operate and maintain the housing component.

Commissioner Samuelian confirmed that the plan is in option 1 the \$7.2 million and the \$14.4 million would not be City funding.

David Martinez confirmed that is correct.

Commissioner Samuelian asked what other options at the time did we explore as it related to workforce housing and asked what we are currently exploring.

Alba Tarre said one of the options that we have explored and are currently exploring is the Barclay Apartments; it is a City-owned property. We are looking to bring out the RFP for workforce housing and it would be completely workforce housing.

Kathie Brooks, Assistant City Manager said we are also working on the site at 23<sup>rd</sup> Street and Liberty Avenue, it is workforce housing with artist focused spaces. We looked at a couple of other sites, but we pulled back from those per the direction of the Commission.

Commissioner Samuelian asked in terms of this approach for this specific project, what risks are there to the project.

Kathie Brooks said she thinks this would be a pretty straight forward deal; it would be similar to what we did at Sunset Harbour. It is an upper floor instead of a lower floor that goes to a third party and is paid for by a third party. It is housing instead of retail. It would be a 2 step RFQ that we would probably use with pre-qualifications first. Then based on a short list we would select a developer.

Commissioner Arriola said he likes option 2 the Concourse Group option and that we are gaining 105 spaces from what is available now and we get more housing units.

Commissioner Samuelian said he is comfortable with option 2 as well. He thinks it is important for us to understand the amount of City investment in workforce housing. If we didn't have workforce housing and we did something what would the value be? He wants to understand our investment. The second thing is that he doesn't believe the new Commission has had as much time on the housing topic and he believes it would help him and maybe others to do a little bit of a deeper dive on housing issues, including workforce house so the policy thinking can be in line with the project.

Commissioner Steinberg agreed regarding the housing education like Commissioner Samuelian mentioned. She said it has been a couple of years since they had a full workshop on affordable housing and workforce housing and the distinction and all of those nuances. She said for purposes of today, she asked if staff wants the Committee to move this forward to Commission.

Staff said yes.

Commissioners Steinberg said they are giving is a favorable recommendation for option 2 right now, there are obviously some things that need to be worked out.

Commissioner Arriola said this is a great thing we are doing and something we will probably want to do more of. The sooner we can do this the better.

**VOTE OF ACCLAMATION TO MOVE THE ITEM TO COMMISSION WITH A FAVORABLE RECOMMENDATION FOR OPTION 2.**

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

October 17, 2018 – C4 J

Sponsored by Commissioner Arriola  
Transportation

**ACTION**

Jose Gonzalez, Transportation Director, presented the item. He explained that this item was discussed this morning at the NCAC and they received some direction from them including a few things they need to do a little more research on in terms of the electric bicycle node and if it can use our current bicycle lanes or not. They also need to explore a procurement in terms of if the City wants to move forward with some sort of a pilot, what that pilot program would look like. They also need to continue discussions with potential vendors including the County's vendor Ride On. The NCAC also referred Transportation to the Transportation/Bicycle/Pedestrian and Facilities Committee for their input as well. There are representatives from Ride On, Citybike, and others that probably would like to speak.

Rafael Andrade, Lobbyist representing Ride On, spoke. He said they were in conversations with Deco Bike and City Bike to see if perhaps to see if they could come up with some business model where there is a JV and maybe share docking stations, etc. At this point they did present earlier to the NCAC and they are happy with the direction to further explore this concept and if the Committee has any questions they are happy to answer. They also had a bicycle on display. They are here to peacefully coexist and collaborate with Deco Bike and to complement what they currently offer to users. They are part of the solution.

Micky Marrero, Lobbyist representing City Bike and Deco Bike, spoke. He said City Bike has been almost 10 years in Miami Beach and at the direction of the NCAC they agreed to get together with Ride On and their group to see if there is a way to make this work with the County connection and their existing model in the City. They are happy to do that and they have already started speaking with them. He said the direction from the NCAC was to go back there in January to give staff enough time to give the Committee members a direction on the legal framework from the State perspective as to the electric mobility and where these bikes can actually go and give them time to meet with Ride On to see if there is any synergy here.

Rafael Andrade said the model bike is Ride On's version of an electrical bike, they are legal. The scooters that the City had a problem with were not street legal, but these bikes are. He said their bikes would be on a docked station. They are electric bikes.

Raul Aguila, City Attorney, said the electric bikes are legal in the bike lane.

The Committee asked about the discussion that was held at the NCAC.

Commissioner Samuelian said Jose Gonzalez summarized the discussion that was held at the NCAC well in terms of our next steps. As to the collaboration point with the different providers, what we learned is that one provider; Ride On actually has a County agreement. They would have perhaps some rights on County roads, where they could put their infrastructure. The other vendor, Deco Bike, which we have a relationship with, has the stands docked in place. It was a discussion that maybe it is worth them talking.

Commissioner Steinberg said that we have had things like this come in front us, docked being better than dockless, but it seems like staff still needs to work things out. She likes the initiative to for vendors to talk and try to get things to happen, but she doesn't know how many vendors there are and what would be best for our City. She doesn't like the idea of additional street furniture right now though. She is a little cautious of this. She thinks staff needs to do a little more vetting and come back to the Committee.

Collin Hughes of Jump Bikes, spoke. They are a bike share company that is interested in operating in Miami Beach. They have an electrical assist bicycle that looks a little different. He is here to encourage the Committee to have an open and transparent process. There are

multiple companies coming to Miami Beach wanting to invest in bicycle infrastructure which is a positive thing. The current system with City Bike is great, but he thinks there is room for new types of technology, electric assist and dockless bicycles. He said their model is pretty different than anything seen previously. They have a dockless bike, but it is very different than ones you've seen in that it locks to street furniture. Just like the normal bike that many residents ride around town that lock to a bike rack or to a street sign, that is exactly how their works. It brings the benefits of dockless mobility, but it also solves the problem of disorder on the street. He continued to explain the bikes. He explained the technology of their bikes.

Michael Llorente, LSN Partners representing Lime, spoke. He said Lime is one of the premier providers of e-assist bikes, this week along Lime deployed e-assist bikes in the UK, Salt Lake City, Denver and last week they deployed 500 e-assist bikes in Orlando and in Orlando they were asked to coexist with another bike share company that has been in operation for a number of years. He gave some other statistics of bikes they deployed. In addition, to Lime being a dockless scooter provider it is a provider of this very type of e-assist bike service all around the world. They would encourage as this discussion continues that the Commission remain open to all the different options and companies that could participate and offer micro mobility solutions.

Commissioner Alemán said there has been a lot of movement in this industry and she agrees with the sentiment that they should avoid making any long term commitments because the partners are changing and the technology is changing rapidly. She is in favor of getting more of this, whether the bikes or scooters, they have to be safe. She is concerned about parking. She asked Aleksandr Boksner if this vehicle that was present be required to conform to our vehicle numbering requirements that we implemented regarding the motor scooter category of vehicle. So if they are running stop lights and stop signs the police can identify the vehicle while it is in motion to report it to the vendor.

Aleksandr Boksner said as it is currently drafted they would not. That is something that we can ultimately amend if that is in fact the will of the Commission.

Commissioner Alemán said she appreciates the discussion about sharing data so we can do transportation analysis on that.

Commissioner Arriola said that this is a good discussion. Some bikes are dockless and become street furniture and a big problem. Some firms have started to solve that problem through technology and for him make him more receptive to hearing those proposals and a year ago he was not. As we have made significant investments and continue to make significant investments in our bike lanes, his analysis is that the more we increase the ridership we also increase safety and gets people out of their cars. If opening this up solves the goal of less traffic and getting people out of their cars he would be very open to hearing about electric bike solutions and opening up to more providers in order to hit those public policy goals.

Commissioner Alemán said that to the extent that these companies are willing to provide a revenue share or participating to implement more green bike lanes there is more room to operate the vehicles, they will get more ridership. As we look to structure agreements, whether it is revenue share or public benefit it is consistent with the mobility. We need to look for more opportunities to close some of the gaps of the Transportation Master Plan that is unfunded.

Commissioner Steinberg asked in regards to safety how fast these electric bicycles can go versus traditional bicyclists who are using the lanes currently because that might be unsafe.

Rafael Andrade said anything less than 15 mph that the City wants they can do.



Aleksandr Boksner said once this product exceeds a certain speed limit it is no longer within the statutory limitation of a motorized bicycle it then morphs into a different category, which they will then have to legally evaluate.

Raul Aguila, City Attorney, asked if we proceed with recommending moving forward with a pilot program if there is a way the bikes can be adjusted so that they do not exceed a certain speed so that isn't an issue.

Rafael Andrade said theirs can.

Raul Aguila said they can add any consideration like that to the contract.

Commissioner Samuelian said this is constructive dialogue and where the NCAC landed, we might be in a similar place and want to learn more. He said they invited the vendors to continue discussion with the Administration, there was a referral to the Transportation Committee, it is coming back to the NCAC in January to full vet out some of the things that were talked about. This space has really moved and we have been watching it and monitoring it. We have learned from other cities, at least to date this has served us well. That is where the NCAC and this Committee might be in the same place as well.

Commissioner Steinberg agreed.

Commissioner Arriola said it sounds like the Committee is very open to this and are excited about it; the specifics have to be ironed out. It will probably be a pilot, whether it is one or two companies or open it to everyone. We don't want to tie up our sidewalks, so we need to figure out that too. The sooner we can iron out all of those things we can start doing some pilots.

Raul Aguila asked what the direction is that the Committee wants to give to staff.

Commissioner Samuelian said the NCAC has it coming back in January and it is going to the Transportation Committee. The question is to the Chair, Commissioner Arriola whether he wants to keep this item here as well or just let the NCAC cook it.

Commissioner Arriola said it should be discussed here when it comes to revenue share and P3 since this is the Finance Committee. It is going to be very important to these companies. Whenever that discussion is ready to be had and presented come back to the FCWPC, otherwise chew on it at the NCAC.

Raul Aguila confirmed that the Committee wants this item to be continued to be discussed at the NCAC and iron out the wrinkles and bring back any proposal or terms back to the FCWPC.

The Committee confirmed.

Commissioner Arriola said for the companies that are present today to start coming up with proposals and presenting them.

Mr. Hughes from Jump Bikes suggested looking at some other cities to look at other examples of pilots.

Commissioner Arriola said he is more interested in providing means of transportation for our residents and tourists versus revenue to the City. He suggested for the NCAC to start discussing where these docks could be placed throughout the City and that might mean we

have to go with one or two firms as opposed to opening up to everyone. He would like to see our bike lanes used more whether they are man powered or electric because he thinks our residents and tourists want them.

Commissioner Samuelian said for him, the docked characteristics makes this option a little more palatable compared to other options. He wants to make sure we do this at the proper sequence, avoid unintended consequences. If we are going to consider this he is certainly in the crawl phase since it is changing so quickly, but they will continue discussing at the NCAC.

**DIRECTION:** Continue the discussion of the item at the NCAC and iron out any wrinkles; come back to the January or February 2019 FCWPC meeting with an update.

## **DEFERRED ITEMS**

### **18. DISCUSSION ON THE STORMWATER UTILITY RATES**

Public Works

#### **ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

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

September 12, 2018 – C4 G

Sponsored by Commissioner Samuelian

Public Works

#### **ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

### **20. SANITATION FEE ADJUSTMENT**

Public Works

#### **ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

### **21. DISCUSSION REGARDING THE REVIEW OF CITY STREETS THAT NEED TO BE FIXED**

October 17, 2018 – R9 Z

Sponsored by Commissioner Alemán and Commissioner Samuelian

Public Works

#### **ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCPWC meeting until CIP's Prairie Avenue Project is completed (approximately end of December). Public Work to bring back the item with an analysis of remaining streets that need fixing for further direction.

### **22. DISCUSSION REGARDING THE FUTURE USE OF THE CORAL ROCK HOUSE, CONSISTING OF APPROXIMATELY 1,307 SQUARE FEET, LOCATED AT 1701 NORMANDY DRIVE**

April 11, 2018 – C4 A  
Tourism, Culture, and Economic Development

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting, pending revised construction cost estimate.

**23. QUARTERLY REPORT TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE FOR DISCUSSION REGARDING THE REVIEW OF THE BEACH EXPRESS NORTH BUS EXPRESS RAPID TRANSIT (BERT) DEMONSTRATION PROJECT**

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

**ACTION**

**DIRECTION:** Defer to the January 2019 FCWPC meeting, pending quarterly report from Miami-Dade County on the progress of the new BERT service.

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

September 12, 2018 – R9 E  
Sponsored by Commissioner Arriola  
Office of the City Attorney

**ACTION**

**DIRECTION:** Defer to the January 2019 FCWPC meeting, after obtaining feedback.

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

September 12, 2018 – R9 F  
Sponsored by Vice-Mayor Góngora  
Office of the City Attorney

**ACTION**

**DIRECTION:** Defer to the January 2019 FCWPC meeting, after obtaining feedback.

**26. DISCUSSION REGARDING THE PROJECT BUDGET AND SCOPE OF THE 72<sup>ND</sup> STREET CIVIC COMPLEX PROJECT**

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

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

**27. DISCUSSION REGARDING ESTABLISHING A HISTORIC PRESERVATION FUND**

April 11, 2018 – C4 O

Sponsored by Commissioner Arriola  
Finance/Planning

**ACTION**

**DIRECTION:** Defer to the January 2019 FCWCP meeting, pending Land Use and Development Committee discussion.

**28. DISCUSSION REGARDING THE MIAMI BEACH ROWING CLUB LEASE**

June 6, 2018 – C4 E

Sponsored by Commissioner Arriola

Tourism, Culture, and Economic Development/ Office of the City Attorney

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting, pending discussions with Miami Beach Rowing Club.

**29. DISCUSSION REGARDING THE FINANCIAL IMPACT OF MAINTAINING TREES LOCATED IN THE SWALE**

May 16, 2018 – C4 AA

Sponsored by Commissioner Arriola

Public Works

**ACTION**

**DIRECTION:** Defer to the January 2019 FCWPC meeting, pending pilot study on sites and potential funding.

**30. DISCUSSION REGARDING THE COSTS RELATED TO HAVING MIAMI BEACH COMMIT TO ENSURING THAT ALL GOVERNMENT BUILDINGS WILL BE POWERED BY 100% RENEWABLE ELECTRICITY**

May 17, 2017 – R9 AB

Sponsored by Commissioner Rosen Gonzalez

Environment & Sustainability/Property Management

**ACTION**

**DIRECTION:** Defer to a future FCWPC meeting, pending Sustainability and Resiliency Committee direction.

**31. DISCUSS ENGAGING IN A PILOT WITH CAMINO PERMITTING SOFTWARE**

September 12, 2018 – C4 N

Sponsored by Commissioner Arriola

Building/Information Technology

**ACTION**

**DIRECTION:** Defer to the March 2019 FCWPC meeting, pending the issuance of an RFP and the continued studying of the City's processes.

**32. DISCUSSION REGARDING THE RECYCLING FEE AND BACKYARD SERVICE COST**

September 12, 2018 – R5 M

Sponsored by Commissioner Arriola  
Public Works

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting, pending discussion of the Sanitation Fee Adjustment item.

**33. DISCUSSION ON THE CONE OF SILENCE ORDINANCE**

November 14, 2018 – C4 R  
Sponsored by Commissioner Arriola  
Procurement/Office of the City Attorney

**ACTION**

**DIRECTION:** Item to be heard at the December 14, 2018 FCWPC meeting.

**34. DISCUSSION ON EVALUATION COMMITTEES FOR CITY EMPLOYEES FOR CITY COMPETITIVE SOLICITATIONS**

November 14, 2018 – C4 S  
Sponsored by Commissioner Arriola  
Procurement/Office of the City Manager

**ACTION**

**DIRECTION:** Item to be heard at the December 14, 2018 FCWPC meeting.

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

April 11, 2018 – C4 J  
Sponsored by Commissioner Arriola and Co-sponsored by Commissioner Samuelian  
Tourism, Culture, and Economic Development

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting.

**36. DISCUSSION REGARDING THE PRODUCTION INDUSTRY COUNCIL MOTION TO PROMOTE A CAMPAIGN HIGHLIGHTING THE RETURN OF THE FILM PRODUCTION INDUSTRY TO MIAMI BEACH**

November 14, 2018 – C4 E  
Sponsored by Commissioner Samuelian  
Tourism, Culture, and Economic Development

**ACTION**

**DIRECTION:** Item to be heard at the December 14, 2018 FCWPC meeting.

**37. DISCUSSION TO CONSIDER REVISING THE “SPECIAL EVENT REQUIREMENTS AND GUIDELINES”, BY AMENDING THE FOLLOWING SECTIONS: “MINIMUM REQUIREMENTS,” “EXTERNAL REVIEW PROCEDURE,” “BOOKING POLICY,” “USE OF PUBLIC PROPERTY,” “SPECIAL EVENT FEE SCHEDULE, AND**

**“SPECIAL EVENT CLASS MATRIX”, HEREBY PERMITTING AND RESTRICTING  
FURTHER USES ON PUBLIC PROPERTY AND RECONCILING SPECIAL EVENT  
FEES TO MATCH RECENT INCREASES ASSOCIATED WITH OTHER PUBLIC  
RENTAL USES**

October 18, 2017 – C4 F

Tourism, Culture, and Economic Development

**ACTION**

**DIRECTION:** Defer to the December 14, 2018 FCWPC meeting, pending feedback from the industry.