


MIAMI BEACH

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: December 11, 2018

SUBJECT: REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE (NCAC)
MEETING ON FRIDAY, NOVEMBER 30, 2018

A meeting of the Neighborhood/Community Affairs Committee was held on Friday, November 30, 2018, at 9:30 a.m. in the Commission Chambers, 3rd Floor of City Hall. Commissioners in attendance: Kristen Rosen Gonzalez, Michael Góngora and Mark Samuelian. Members from the Administration and the public were also in attendance.

The meeting started at 9:36 am.

OLD BUSINESS

1. **DISCUSSION REGARDING THE 23RD STREET COMPLETE STREETS
FEASIBILITY STUDY**

December 13, 2017 - C4 A
Sponsored by Commissioner Góngora
Transportation

ACTION

Commissioner Rosen Gonzalez mentioned that Ray Breslin had emailed her saying there was no notice outreach to the community in regard to this item and before the Committee heard this item he wanted to make sure that the Collins Park Neighborhood Association had the opportunity to meet with the Transportation Department. Commissioner Rosen Gonzalez stated she doesn't mind deferring the item for a month in order to do the community outreach. Mr. Breslin stated they have a meeting on December 10th and they will get together with Jose from the Transportation Department.

Commissioner Samuelian supports the deferral and stated that they did try to do some outreach but requested that staff go back to Collins Park Neighborhood Association and the Transportation Parking Bicycle and Pedestrian Facilities Committee meeting and obtain formal motions stating what they like and what they want to change, etc.

DIRECTION: Staff to attend the Collins Park Neighborhood Association on December 10, 2018. Get a formal motion from the Transportation, Parking, and Bicycle-Pedestrian Facilities Committee (TPBPFC) and come back in January 2019 with opportunities specific to what they like and what was changed.

2. **DISCUSSION REGARDING CRIME IN MIAMI BEACH**

February 14, 2018 - R9 X

Sponsored by Commissioner Góngora
Police

ACTION

Commissioner Rosen Gonzalez mentioned that this item is a standing item sponsored by Commissioner Góngora. Paul Acosta, Patrol Division Commander came on behalf of Chief Oates and Clements who could not be present because of an FBI Terrorism meeting. Captain Ian Robinson went over a power point presentation with Committee members highlighting police initiatives to reduce beach thefts and illegal vendors.

After the presentation, Commissioner Góngora asked why charges against illegal beach vendors who get arrested were dismissed. Captain Robinson replied that it is a frustrating process where the beach vendors who are arrested, taken to jail and the following morning when they are in bond court. The state attorney's office does not prosecute the beach vendors.

Commissioner Rosen Gonzalez asked about the attorney that was budgeted to go to court to make sure illegal beach vendors were prosecuted. Captain Robinson stated that beach vendors were charged with a county ordinance violation for doing business without a license. It is not under the jurisdiction for which the City Attorney was hired. Captain Robinson mentioned that there was an ask to increase the penalties of the City ordinance to a criminal penalty from a civil fine. This would allow the City Prosecutor to state the need for a stay away order for those violators who perform illegal beach vending.

Commissioner Rosen Gonzalez suggested placing a discussion item on the next meeting agenda regarding why we aren't prosecuting these cases when money was allocated for this position in the first place along with why the prosecutor isn't present at any of the NCAC meetings.

Commissioner Rosen Gonzalez suggested increasing the civil fine instead of establishing a criminal penalty in the ordinance. Commissioner Góngora stated that the violators, more than likely, will not pay those violations.

Commissioner Góngora asked about the possibility of higher police presence on the beach to counter beach violators. Captain Robinson agreed that more of a presence from on-duty police officers on the beach would decrease beach theft cases. Commissioner Rosen Gonzalez asked about the security company that was hired to patrol the beach. Captain Robinson stated that the security guards patrol Lummus Park, but not on the beach east of the dunes.

Commissioner Góngora stated that there is a discussion item on the December 12, 2018 Commission meeting agenda regarding the role of the City Prosecutor. Commissioner Góngora recommended that the Police Department come back with a response and recommendations as to whether it would be a good use of resources to have an officer, security company, park ranger or someone in uniform to enforce the laws on the beaches within the City of Miami Beach.

Commissioner Samuelian agreed that further discussion regarding the role of the City Attorney was necessary to better understand the issues and protocol of arresting beach violators. Commissioner Samuelian also commended the Miami Beach Police Department for their consistent role in enforcing street issues along the beach.

DIRECTION: Address the role of the City of Miami Beach Special Prosecutor as it pertains to enforcing these types of crimes. As well as come back with a response or recommendation as to whether it is a good use of resources to have an officer, security guard or ranger.

3. **DISCUSSION REGARDING SAND SIFTING, BEACH CLEANING, AND MAINTENANCE**

June 6, 2018 - C4 T

Sponsored by Commissioner Góngora & Co-sponsored by Commissioner Rosen Gonzalez

Beach Maintenance

DIRECTION: Deferred to the December 14, 2018, NCAC meeting per Commissioner Góngora's request.

NEW BUSINESS

4. **DISCUSSION REGARDING THE REMOVAL OF THE PERMANENT BENCHES NEAR THE LUMMUS PARK SIGN AS A PUBLIC SAFETY MEASURE**

July 25, 2018 - R9 X

Sponsored by Commissioner Góngora

Parks and Recreation

ACTION

Commissioner Rosen Gonzalez stated that she does not see why benches across the City have to be removed just because crime cannot be controlled. The benches are a resident amenity.

Commissioner Góngora stated it is upsetting the number of public amenities that have been removed because they cannot adequately be policed. Huts, benches, and places where residents can sit and take a break from the sun have been removed. Commissioner Góngora stated there needs to be a way to keep these areas safe because people that visit Lummus Park need a place to sit down.

Paul Acosta stated that police efforts will be focused on Lummus Park. Residents and visitors deserve a place to sit peacefully.

Commissioner Rosen Gonzalez suggested avoiding bench removals.

John Deutzman expressed his thoughts on the criminal activity that occurs near the benches in Lummus Park.

Ray Breslin shared stories on how he has seen robberies committed in the open and how he does his part to warn tourists to be more vigilant.

Commissioner Samuelian stated that the Mayor has announced there will be a Blue Ribbon Committee on Ocean Drive. The voters of Miami Beach have approved three (3) GO Bonds totaling 400 million dollars including approximately 20 million dollars on Ocean Drive and Lummus Park, there will be better benches.

ITEM WITHDRAWN BY SPONSOR.

5. DISCUSSION REGARDING THE FITUR LATIN AMERICAN TOURISM FESTIVAL

September 12, 2018 - C4 K

Sponsored by Commissioner Góngora

Tourism, Culture, and Economic Development

ACTION

Commissioner Góngora stated that there hasn't been time to conduct adequate outreach. Commissioner Góngora believes this is an interesting festival that could be great for Miami Beach if they were interested in coming.

DIRECTION: Staff to meet with Commissioner Góngora's aide, Diana Fontani, before the meet NCAC meeting to what can be done in order to move this item forward. Item deferred to the December 14, 2018, NCAC meeting.

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

October 17, 2018 - C4 J

Sponsored by Commissioner Arriola

Transportation

ACTION

Representatives from Ride On, the Contractor for the Miami Dade County electric bicycle sharing program, Rafael Andrade and Carlos Pujol, spoke on behalf of Ride On to explore potential pilot areas to implement docking stations for the Electric assisted bicycles. A brief video was presented.

Mr. Andrade began his discussion seeking approval to determine feasibility, approach, and scope of a potential electric assisted bicycle pilot initiative areas within the City.

Commissioner Góngora stated that It wouldn't be the best interest of Mr. Andrade's client (Ride-On) to start installing the bikes on county roads before the city is ready to move forward because people aren't going to be allowed to ride the bicycles anywhere.

Mr. Andrade stated that he was willing to defer to the Commissioners about the timeframe of when the electric bicycles would be implemented and deployed. Mr. Andrade stated that since there was a contract awarded to Ride On by the County, the City can, in fact, piggyback off of it efficiently to avoid procurement. Mr. Andrade suggested sitting down with a few of the City of Miami Beach staff to determine locations to begin a pilot study and present results of the pilot study.

Commissioner Rosen Gonzalez posed the question of ownership of the streets specifically asking who owns the land on either side of the street within the City of Miami Beach. Kathie Brooks, Assistant City Manager, responded to her question by stating that Miami Dade County owns the right away.

Commissioner Rosen Gonzalez asked for the specifics in the contract, stating a winning a bid for Miami Dade County does not mean you can invade other municipalities. Commissioner Rosen Gonzalez has no problem with taking a look at the pilot study but is frustrated with the amount of parking space that is being taken away from bike stands throughout the City of Miami Beach.

Mrs. Brooks stated that revenues received from Deco Bike contract are supposed to offset the lack of revenue received from parking spaces. The City of Miami Beach has revenue bonds in Parking Department that are pledged to bondholders. Kathie seeks direction from the Commissioners but also wants the Committee to make sure there is an understanding and due diligence of the Miami Dade County contract with Ride On.

Commissioner Samuelian posed a question to the City of Miami Beach City Attorney Deborah Turner, asking about any restrictions on where Electric Bikes can and cannot go. City Attorney answered under current state legislation, Electric Bikes are street vehicles and can be on the street whether it is from this current company or not, but electric bikes cannot be on certain sidewalks.

Commissioner Samuelian than asked Deborah Turner under current legislation if Electric Bikes are legal to operate on bicycle lanes. City Attorney responded that she was not sure whether electric bikes could operate in bike lanes because of the motorized component of electric vehicles she would need someone in her office to look at it.

Commissioner Samuelian suggested, that for future discussions, any information regarding street bike lane restrictions would be helpful.

Commissioner Rosen Gonzalez highlighted was the advantage that the City of Miami Beach would have by using the same type of bicycles as Miami Dade County if the City ever decided to go down this specific path.

Micky Morrero, a representative from Bercow Randall, spoke about the concerns expressed by Citi Bike regarding potential impact to the City's revenue sharing agreement. Citi Bike has expressed an interest to launch an electric bicycle pilot or a different type of bicycle sharing share system using its existing docking station.

Commissioner Rosen Gonzalez stated there might be a possible RFP (Request for Proposal).

Commissioner Góngora expressed interest in the electric bicycle concept but stated he had more questions than answers. Commissioner Góngora suggested that this item be deferred to the Commission to answer his questions and concerns and also suggested that both Deco Bike and Ride On meet for a joint pilot project to avoid the RFP process where several other vendors would then bid for those services.

Commissioner Rosen Gonzalez agreed with Commissioner Góngora's suggestion.

Commissioner Samuelian stated that he looked forward to Legal's response pertaining to the item and agreed with Commissioner Góngora's suggestion. Commissioner Samuelian requested that the Transportation Parking Bicycle and Pedestrian Facilities Committee look at the item and come back with suggestions as well.

MOTION: Commissioner Góngora made a motion for the Legal Department to research street and bike lane restrictions. Ride On and Deco Bike to consider a possible collaboration, per the Committee's recommendation. After the review of the Miami Dade County contract, item to be referred to the Transportation Parking Bicycle and Pedestrian Facilities Committee for discussion. Deferred to the January 2019 NCAC meeting. Commissioner Samuelian second the motion.

7. DISCUSSION REGARDING FREEBEE VEHICLES TRANSPORTING PEOPLE ACROSS THE VENETIAN CAUSEWAY DURING SPECIFIED HOURS EACH DAY

October 17, 2018 - C4 L

Sponsored by Commissioner Rosen Gonzalez
Transportation

ACTION

Jose Gonzalez, Transportation Director, stated that a similar item was discussed at the October NCAC meeting. There is currently a county bus service on the Venetian Causeway. The A bus operates on a very limited schedule. An on-demand service like Freebee could augment the county's bus service. Earlier this year, the Transportation Department issued a competitive solicitation for an on demand service provider which can include Freebee, Swoop, Uber, Lyft or any other on-demand service provider. There were three proposed companies, all of which were deemed unresponsive because the solicitation was premised on the service being at no cost to the City or to the passenger. All three of the proposed companies were requesting some form of subsidy from the City because they claimed that advertising revenues alone (which is basically their business model) is not enough to sustain a consistent service every day for so many hours a day. When this was presented at the October NCAC meeting, the

committee did not take any action. The Transportation Department will continue to monitor this item and continue to look for opportunities with providers and the county to augment the bus service with an on demand service.

DIRECTION: Provide updates via LTC.

8. **DISCUSSION REGARDING SUPPORTING THE HEALTH ADVISORY COMMITTEE'S MOTION ENDORSING THE CITY'S INITIATIVE OF PUTTING TOGETHER A COMMUNITY HEALTH FAIR**

October 17, 2018 - C4 N

Sponsored by Commissioner Góngora
Human Resources

Sonia Bridges, Risk Manager, stated the idea for a community health fair stemmed from an idea that the Human Resource Director had two years ago. The Human Resource Department has a health fair for employees every year. The City of Palmetto Beach has a collaborative effort for both the community and employees. The Human Resource Department is looking for the right opportunity and the right time of year to offer a program together. Ms. Bridges does not believe this will work if it is done in conjunction with the City's employee program. The City program is held late summer around July/August. Ms. Bridges suggested having the community/residents health fair in the spring (May or early June). The Human Resource Department has been in talks with the Miami Beach Community Health Center and Mount Sinai, and the Health Advisory Committee regarding their support.

Commissioner Góngora asked what venues are being considered for the health fair.

Ms. Bridges responded the Miami Beach Convention Center.

Commissioner Góngora suggested reaching out to different groups to be a part of the health fair, including Scott Schrey Substance Abuse Outreach Program, Seniors First, STD Prevention and the Prep vans.

Ms. Bridges stated that the Fire personnel that is on the Health Advisory Committee has been in contact with the CDC, health department and community health centers. Different people have expressed excitement about being a part of the health fair.

Commissioner Samuelian stated that Baptist Healthcare has also expressed interest in getting involved.

VOTE BY ACCLAMATION: Move to the full Commission with a favorable recommendation from the Committee.

9. **DISCUSSION REGARDING THE MOTION OF THE DISABILITY ACCESS COMMITTEE THAT RECOMMENDS PROVIDING FUNDING FOR AIRA WAYFINDING TECHNOLOGY**

October 17, 2018 - C4 Q

Sponsored by Commissioner Góngora
Management

ACTION

David New, a member of the Disability Access Committee, stated that the Disability Access Committee made a motion to support Miami Beach as the first AIRA smart city. AIRA is an artificial intelligence software that enables people that are blind with guided navigation wherever they are. This technology can be a solution for construction zones that are dangerous for individuals with disabilities. Mr. New provided a live demonstration on how the technology works. Individuals would wear special webcam glasses while an agent is on the phone directing them. The agent that was on the phone during the live demonstration was able to successfully describe different features in the room. The way the service works is the subscriber pays a monthly fee for the service. If this service were to be available through Miami Beach, anyone with a smartphone can download the app for free and use the app wherever they go. The Disability Access Committee has been working on a lot of initiatives to wayfinding around Miami Beach a reality.

Commissioner Góngora asked how much this technology would cost the City.

Mr. New responded that the glasses are free for subscribers and the app can be downloaded for free but subscribers would have to purchase air minutes to use the service. The subscription rate would be \$5,000 for the City of Miami Beach which can be used by residents and visitors within the City of Miami Beach. The fund would be utilized by the individuals until they were depleted.

Commissioner Rosen Gonzalez asked what needed to be done in order to get the \$5,000 for this technology.

Kathie Brooks, Assistant City Manager responded that funding can be allocated.

Valeria Meija, staff liaison for the Disability Access Committee, stated that \$5,000 proposal was for a pilot program, \$5,000 is worth 25,000 minutes. The service is charged by air minutes. Feedback from the Administration regarding the program included whether limits could be set on usage to prevent abuse. The technology can be set for use outdoors only or with a time restriction. Limits can be set. City staff, working the application can be trained on how to limit use.

Commissioner Rosen Gonzalez asked what the average minute use was for other cities.

Mr. New responded Miami Beach would be the first smart city. AIRA has contracts with national corporations, such as Walgreens and AT&T, in which the service can be used, for free, within their business establishment. The issue is getting to the store.

Commissioner Rosen Gonzalez suggested getting a better price for the technology with fewer limitations.

VOTE BY ACCLAMATION: Staff to reach out to AIRA regarding better pricing. Funds to be allocated for the subscription service.

10. **DISCUSSION REGARDING MAKING IT A PRIORITY TO COLLABORATE WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS FOR MEANINGFUL JOINT USE OF FIELD SPACE AND FACILITIES**

October 17, 2018 - C4 R

Sponsored by Commissioner Góngora

Organizational Development Performance Initiatives/Parks and Recreation

ACTION

Commissioner Góngora introduced the item stating that he put this item on the agenda because it was an item that came back from the Parks Department in one of the reports the Commission was reviewing during the budget cycle. Miami Beach has successfully partnered with the school board where the park area adjacent to Biscayne Elementary school is currently being programmed. Commissioner Góngora asked if there were more opportunities to do this throughout the City.

John Rebar, Parks and Recreation Director, stated that this item was a part of a document that was given at the Goals Conference. One of the challenges within the Parks and Recreation department is that Miami Beach is on an island and there is not a lot of space. Miami Beach continues to become younger, fitter and more active which puts a demand on both interior and exterior space. Looking long term past the GO Bond, the only opportunity may be with the schools.

Commissioner Rosen Gonzalez stated that the football field at Beach High is a great example of how Miami Beach will work with Miami Dade County public school to pull resources.

No action taken.

DEFERRED ITEMS

11. **DISCUSSION TO CONSIDER THE INSTALLATION OF THE BEAUTIFUL BARRIERS CONCEPT AS SECURITY BARRIERS AROUND THE CITY**

April 11, 2018 - C4 Q

Sponsored by Commissioner Alemán & co-sponsored by Commissioner Rosen Gonzalez
Property Management

DIRECTION: Deferred due to delay in implementation of the 6 month pilot program.

12. **DISCUSSION REGARDING THE CONDITION OF WASHINGTON AVENUE, THE INCREASING NUMBER OF VACANT STOREFRONTS THEREIN, AND THE STATUS OF THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT**

April 11, 20148 - R9 W

Sponsored by Commissioner Góngora
Tourism Culture and Economic Development

DIRECTION: Deferred pending selection of storefront designs.

13. **DISCUSSION REGARDING NAMING FOR THE NEW NORTHERN CONVENTION CENTER PARK AND THE MAIN CONVENTION CENTER PARK**

May 16, 2018 - C4 AN

Tourism, Culture and Economic Development

DIRECTION: Deferred pending feedback from the Parks and Recreational Facilities Advisory Board.

14. DISCUSSION REGARDING THE POSSIBILITY OF INSTALLING A TURNING LANE WHEN YOU ARE DRIVING EAST ON I-195 HEADING ONTO 41ST STREET AND TURNING SOUTH ON ALTON ROAD

May 16, 2018 - C4 AO

Sponsored by Commissioner Góngora
Transportation

DIRECTION: Deferred pending a response from FDOT regarding the study.

15. DISCUSSION REGARDING UNDERGROUNDING FOR NORTH BAY ROAD AND ALTON ROAD

May 16, 2018 - R7 O

Public Works

DIRECTION: Deferred pending the results of the survey from the remaining residents.

16. DISCUSSION TO EXPLORE ADDITIONAL AVENUES FOR PUBLIC ENGAGEMENT

June 6, 2018 - C4 Q

Sponsored by Commissioner Samuelian
Marketing & Communications

DIRECTION: Deferred to the January 2019 NCAC meeting pending a quarterly report.

17. DISCUSSION REGARDING THE REVIEW AND ANALYSIS OF EXTRANEIOUS AND POTENTIALLY OUTDATED LEGISLATION IN MIAMI BEACH

July 25, 2018 - C4 E

Sponsored by Commissioner Góngora
Office of the City Manager

DIRECTION: Deferred to the December 14, 2018, NCAC meeting pending a list of obsolete legislation from each department.

18. DISCUSSION REGARDING THE INTEREST OF THE COMMISSION IN OPERATING ELECTRIC SCOOTERS AT ALL AND THE POSSIBILITY OF A FUTURE PILOT PROGRAM

July 25, 2018 - R9 V

Sponsored by Commissioner Góngora
Transportation/Legal

DIRECTION: Deferred pending the results of the two pilot programs in Miami Dade County and research on the potential use of the bike lanes.

19. **DISCUSSION TO INITIATE THE PROCESS OF NAMING THE MID-BEACH COMMUNITY PARK (PAR 3)**

September 12, 2018 - C4 M

Sponsored by Commissioner Aleman
Parks and Recreation

DIRECTION: Deferred pending community outreach and feedback from the Bayshore Neighborhood Association and the Parks and Recreational Advisory Board on suggested names.

20. **DISCUSSION REGARDING JIM MORRISON'S LIGHTING OPTION**

PROPOSAL October 17, 2018 - C7 O
Property Management

DIRECTION: Deferred pending the lighting option proposal from Jim Morrison.

The meeting adjourned at 10:56 am.