

MIAMI BEACH

Public Safety and Neighborhood Quality of Life

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June 5, 2024 - 10:00 AM

Commissioner Laura Dominguez - Chair
Commissioner David Suarez, Vice Chair
Commissioner Kristen Rosen Gonzalez
Commissioner Joseph Magazine

Mark Taxis, Liaison
Stephanie Rey Brooks, Support Staff

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OLD BUSINESS

1. **DISCUSSION/UPDATE REGARDING THE TREE PLANTING PILOT PROGRAM IN NORTH BEACH.**
July 28, 2023 - C4 H
Commissioner Rosen Gonzalez
Environment & Sustainability
2. **DISCUSS THE UTILIZATION OF MOBILE ARREST-PROCESSING CENTERS TO DECREASE THE TIME POLICE OFFICERS SPEND AWAY FROM THEIR ASSIGNED AREAS OF RESPONSIBILITY.**
April 3, 2024 - C4 W
Mayor Meiner, Commissioner Suarez, Commissioner Magazine
Police
3. **DISCUSS PILOT PROGRAM FOR A ONE-WAY CONVERSION OF SHERIDAN AVENUE AND ROYAL PALM AVENUE FROM 37 STREET TO 44 STREET, INCLUDING TURN RESTRICTIONS ONTO 41 STREET DURING WEEKDAY AFTERNOON PEAK PERIODS.**
March 13, 2024 - C4 V
Commissioner Suarez
Transportation and Mobility
4. **DISCUSSION REGARDING BEACH CONCESSIONS, REGULATIONS, AND LAYOUT TO ENSURE THAT SUFFICIENT AREA REMAINS AVAILABLE AT ALL TIMES FOR PUBLIC ENJOYMENT OF BEACHES.**
November 16, 2022 - C4 F
Commissioner Fernandez
Facilities and Fleet Management

5. **DISCUSS AND TAKE ACTION ON OUTFRONT MEDIA GROUP CONTRACT.**

December 13, 2023 - R9 V

Commissioner Rosen Gonzalez

Transportation and Mobility

NEW BUSINESS

6. **DISCUSSION REGARDING BAYSHORE PARK POSITIVE AFFIRMATIONS AND MENTAL HEALTH SIGNAGE.**

May 15, 2024 - C4 D

Vice-Mayor Dominguez

Office of Capital Improvement Projects

7. **DISCUSS THE CREATION OF CODE COMPLIANCE AREA CAPTAIN POSITIONS FOR SOUTH BEACH, MID BEACH AND NORTH BEACH.**

May 15, 2024 - C4 T

Commissioner Fernandez; Co-Sponsor Commissioner Magazine

Code Compliance

8. **DISCUSS EXPANDING THE MB RESIDENTS CONNECT PORTAL TO ALLOW NEIGHBORHOOD ASSOCIATIONS TO RECEIVE TARGETED NOTICE OF CERTAIN SPECIAL MAGISTRATE HEARINGS RELATING TO INDIVIDUAL PROPERTIES IN A NEIGHBORHOOD**

February 21, 2024 - C4 N

Vice-Mayor Dominguez

Information Technology

9. **DISCUSS THE CONTINUATION OPTIONS FOR FLORIDA FRESH MARKETS**

May 15, 2024 - C4 C

Tourism and Culture

10. **DISCUSSION REGARDING AN ART INSTALLATION ON THE FRITZ HOTEL ON OCEAN DRIVE**

May 15, 2024 C4 G

Commissioner Fernandez

Tourism and Culture

11. **DISCUSS THE MIAMI BEACH COMMISSION FOR WOMEN IMPLEMENTING A CALL TO ARTISTS TO CREATE A MURAL HONORING MARJORY STONEMAN DOUGLAS IN MARJORY STONEMAN DOUGLAS PARK**

April 3, 2024 - C4 R

Commissioner Rosen Gonzalez

Tourism and Culture

12. **DISCUSSION REGARDING PLACEMENT OF A PLAQUE IN HONOR OF CIVIL RIGHTS ACTIVIST AND PRESERVATIONIST JOE TOM EASLEY AT PRIDE PARK**

May 15, 2024 - C4 M

Commissioner Bhatt

Parks and Recreation

13. **DISCUSS BROADER EXPANSION OF TREE CANOPY IN NORTH BEACH.**

April 3, 2024- C4 P

Commissioner Suarez and Co-Sponsored by Commissioner Magazine
Environment & Sustainability

14. **DISCUSSION REGARDING ESTABLISHING A NIGHTTIME DROP-IN CENTER FOR PERSONS EXPERIENCING HOMELESSNESS AND OTHER VULNERABLE POPULATIONS IN MIAMI BEACH.**

May 15, 2024 - C4 E

Commissioner Fernandez

Office of Housing and Community Services and Facilities and Fleet Management

15. **DISCUSS THE OPTIONS FOR ESTABLISHING LIVE ASSISTANCE FOR HOMELESS OUTREACH SERVICES DURING AFTERHOURS**

May 15, 2024 - C4H

Commissioner Fernandez

Office of Housing and Community Services and Information Technology

16. **DISCUSSION REGARDING AN INSTALLATION OF A BUST OF GENERAL DON JOSE DE SAN MARTIN AT COLLINS PARK**

April 3, 2024 - C4 S

Commissioner Rosen Gonzalez

Parks and Recreation

SUPPLEMENTAL

17. **DISCUSS IMPLEMENTING A PROGRAM SIMILAR TO MONROE COUNTY'S FREE MOBILE PUMPOUT SERVICE FOR VESSELS.**

April 3, 2024 - C4 U

Vice- Mayor Dominguez

Facilities and Fleet Management

18. **DISCUSS THE POTENTIAL IMPLEMENTATION OF A TEXT MESSAGING SYSTEM TO FACILITATE THE REPORTING OF CODE COMPLIANCE COMPLAINTS**

April 3, 2024 - C4 T

Commissioner Fernandez; Co-Sponsor Commissioner Magazine

Information Technology & Code Compliance

FUTURE ITEMS

19. **DISCUSS EXPANDING THE CRIME DASHBOARD, WITH PHASE 2 TO COMPRISE THE OVERLAPPING OF CRIME AND ARREST DATA, AND WITH PHASE 3 TO INCORPORATE AND MERGE CODE COMPLIANCE DATA THEREIN.**

May 15, 2024 - C4 K

Commissioner Fernandez Co-Sponsored Suarez & Vice- Mayor Dominguez

Police, Code & Information Technology

20. **DISCUSSION REGARDING THE CREATION OF ELECTED NEIGHBORHOOD ADVISORY COUNCILS IN THE CITY OF MIAMI BEACH.**

March 13, 2024- C4 P

Commissioner Fernandez

City Clerk & City Attorney's Office

21. **DISCUSS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," TO CORRECT A SCRIVENER'S ERROR AND TO PROVIDE AN EXEMPTION ALLOWING GOLF COURSES TO CONDUCT MAINTENANCE STARTING AT 6:00 A.M.; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**
January 31, 2024 - R5 AI
Commissioner Rosen Gonzalez Co-sponsored by Commissioners Suarez and Commissioner Magazine
Code Compliance
22. **DISCUSS RUSTY TRAFFIC LIGHTS IN SOUTH BEACH.**
June 28, 2023 - C4 T
Commissioner Rosen Gonzalez
Transportation and Mobility
23. **DISCUSSION REGARDING CO-NACONAMING OF 9TH STREET BETWEEN OCEAN DRIVE AND BAY ROAD IN HONOR OF FORMER CITY COMMISSIONER AND PRESERVATIONIST NANCY LIEBMAN.**
May 15, 2024 - C4 R
Commissioner Bhatt
Transportation and Mobility
24. **DISCUSS POTENTIALLY MOVING THE PUBLIC SAFETY COMMUNICATIONS DIVISION ("PSCD") FROM UNDER THE AUSPICE OF THE FIRE DEPARTMENT BACK TO THE POLICE DEPARTMENT.**
May 15, 2024 - C4 F
Commissioner Fernandez
Fire and Police Department
25. **DISCUSS OPTIONS TO ADDRESS INCREASED TRAFFIC CONGESTION CREATED BY RIDESHARE DRIVERS PICKING UP AND DROPPING OFF PASSENGERS ON THE PUBLIC RIGHTS-OF-WAY.**
May 15, 2024 - C4 B
Commissioner Bhatt
Transportation
26. **DISCUSSION REGARDING CO-NAMING 15TH STREET IN HONOR OF FORMER CITY MAYOR MATTI HERRERA BOWER.**
May 15, 2024 - C4 A
Commissioner Fernandez Co- Sponsored Commissioner Rosen Gonzalez
Transportation and Mobility
27. **EXPLORE THE POSSIBILITY OF CONSTRUCTING OF A PEDESTRIAN JOGGING PATH AROUND THE MIAMI BEACH GOLF CLUB AND PRESENT ITS FINDINGS AND ESTIMATED COST TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE AND THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE WITHIN 90 DAYS OF THE ADOPTION OF THIS RESOLUTION.**
May 15, 2024 C7 BF
Commissioner Magazine Co- Sponsored by Commissioner suarez
Parks and Recreation, Human Resources, Transportation & City Attorney's Office

28. **DISCUSS THE REQUIREMENT FOR TREE REMOVAL AND NEW TREE PLANTINGS ON CITY PROPERTY, INCLUDING AN UPDATE ON RECENTLY COMPLETED AND ON-GOING CAPITAL PROJECTS THROUGHOUT THE CITY INVOLVING TREE REMOVALS, RELOCATION OR PLANTING**
February 1, 2023 - C4 Z
Mayor Meiner
Capital Improvement Projects, Public Works & Environmental and Sustainability
29. **DISCUSS A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE APPROPRIATE TERMS AND CONDITIONS FOR THE POSSIBLE EXTENSION OF THE TERM OF THE MIAMI BEACH MARINA LEASE, TO INCLUDE OPTIONS FOR BOTH A SHORT-TERM (LESS THAN 10 YEARS) AND LONG-TERM (10 YEARS OR MORE) EXTENSION, AND TO PRESENT A DRAFT TERM SHEET THAT INCLUDES BOTH OPTIONS TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE (FERC) AND THE PUBLIC SAFETY NEIGHBORHOODS AND QUALITY OF LIFE COMMITTEE (PSNQLC) FOR REVIEW BY EACH COMMITTEE AS SOON AS REASONABLY PRACTICABLE.**
April 3, 2024 - C7 U
Commissioner Suarez
Facilities and Fleet Management
30. **DISCUSS REGULATIONS PERTAINING TO ELECTRIC VEHICLES AND DEVICES, ALONG WITH THE CITY'S ENFORCEMENT EFFORTS AND ANY ADDITIONAL REGULATIONS THAT MAY BE NECESSARY TO AID IN ENSURING THE SAFE OPERATION OF ELECTRIC VEHICLES AND DEVICES FOR ALL**
December 31, 2023 - C4 I
Commissioner Bhatt and Co-Sponsored by Vice-Mayor Dominguez
Transportation and Mobility

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION/UPDATE REGARDING THE TREE PLANTING PILOT PROGRAM IN NORTH BEACH.**

HISTORY:

At the March 20, 2024 Public Safety and Neighborhood Quality of Life Committee (the “PSNQLC” or “Committee”) meeting, the Administration presented an update on the tree planting pilot program in North Beach. The Committee unanimously recommended that the Public Works and Environment and Sustainability Departments collaborate on presenting a cost estimate to expand tree planting in North Beach through the use of contractors in areas currently without tree canopy. It was recommended that the update should incorporate visual aids and explore potential collaborations in the form of Public Private Partnerships (PPP). The item is sponsored by Commissioner Kristen Rosen Gonzalez.

ANALYSIS

Tree canopy provides countless benefits that promote environmental health and stormwater management, improve quality of life, and beautify spaces. Lack of shade contributes to the urban heat island effect, which can greatly increase ambient temperatures, especially at night. The 2023 summer alone set many record-high temperatures and extreme heat warnings, and this is expected again in 2024. Unfortunately, certain areas of the City have low tree canopy coverage due to former planning and development approaches that include narrow or non-existent greenspaces in rights-of-way available for planting. Innovation is needed to introduce trees and their benefits to these more established areas of Miami Beach.

The North Beach tree-planting pilot project was approved by the Mayor and City Commission and is located on the northern side of 78 Street, between Byron and Carlyle Avenues. The pilot project included creating triangular tree pits within existing angled parking. This pilot was a new way to introduce much-needed shade without losing parking spaces and maintaining required sidewalk access. Six (6) Satin Leaf trees were planted in the triangular areas. The work was led and completed internally by the Public Works Department in coordination with the Environment and Sustainability Department.

Many lessons were learned that will be valuable for future projects. The following learnings are noted: there were some delays making sure that American Disabilities Action (ADA) space

requirements were met for the sidewalk, local residents remain committed to keeping parking spaces, and old underground infrastructure may cause space and repair delays. Ultimately, adding additional greenspace and canopy introduces a broader vision that may include a careful redesign of streets such as reducing lane widths, one-way conversions, or exchanging parking spots for plantable space.

Identifying Additional Pilot Areas

The Administration was tasked with exploring expanding the pilot program and identifying additional locations to plant trees. Due to the dense and impermeable nature of the areas, additional tree pits could be created in the unused triangular space formed when an angled parking spot meets the curb. A scope of work with design specifications has been created, and a request for quotes has been issued in order to determine a cost of construction with a contractor.

As noted during the March 2024 Committee meeting, City staff does not have the capacity to perform this volume of work in-house, which includes: 1) identifying the locations of existing underground infrastructure components; 2) demolition and excavation of pavement and limerock debris to create the tree pits; 3) forming and pouring of D-curb borders around the perimeter of tree pits to prevent planting soil and mulch from washing away and to serve as a wheel-stop to ensure that parking cars don't make contact with the trees; 4) re-striping of the parking spots; 5) supplying and installing the trees; and 5) daily tree watering to establishment. These trees may not thrive over time given the restricted planting space, but can offer some vegetative relief in an otherwise very hot area of the city and maintain the existing streetscape and parking spots.

Planting Details

Additional locations for tree planting within angled parking spaces include the north side of 78th Street, south side of 79th Street, and north side of 80th Street for a total of 40 individual planters to allow for the installation of canopy trees. The angled parking spaces in North Beach were evaluated between 73rd Street and 80th Street and they do not have a constant parking aisle length; the initial pilot project site had some of the longest aisle lengths at 21' and all others are generally equal or much shorter.

The original prototype tree pits (13' x 9.5' x 9.5') were created for soil volume and rooting space to accommodate a medium sized tree. Small trees impede vehicle clearance requirements and create no sidewalk shade while large trees could not survive under the limited soil volume and may end up impacting critical infrastructure in the search for water. Measurements of 45-degree parking spaces between 73rd Street and 80th Street found that only three (3) additional sections were consistent with the original tree pit prototype design and minimum Code aisle length:

- 79th Street between Carlyle Avenue and Byron Avenue
- 79th Street between Byron Avenue and Abbott Avenue
- 79th Street between Abbott Avenue and Harding Avenue

Three additional blocks with the original prototype design is not sufficient to meet the North Beach Tree Planting Project goals. Therefore, the original prototype planter was minimized to a shorter length. The suggestion is a 13' x 8' x 8' planter area which meets the bare minimum planting space for both soil volume and rooting space and maintaining compliance with minimum

Code aisle length.

The modified suggested planter size accommodates the following five (5) additional sections, in addition to the three (3) areas complying with the original pilot planter size:

- 78th Street between Dickens Avenue and Carlyle Avenue
- 78th Street between Byron Avenue and Abbott Avenue
- 79th Street between Dickens Avenue and Carlyle Avenue
- 79th Street between Harding Avenue and Collins Avenue
- 80th Street between Carlyle Avenue and Byron Avenue

All other sections cannot accommodate a bare minimum planting area and comply with Code parking aisle length minimum standards. Total street and sidewalk recalibration and construction is required to add trees to all other North Beach sites.

Public Private Partnerships

- To increase the tree canopy, planting on private property is essential since 75% of the land on Miami Beach is privately owned. The overall goal to increase the tree canopy from 17% to 22% was adopted by the City Commission through the Urban Forestry Master Plan (the UFMP) in 2020. To engage the community, the Neighborhood Affairs Division can help to reach out to property owners to advise of the coming pilot projects, and also encourage private property owners to plant trees on private property. A tree palette specific to Miami Beach will be provided, and the Environment and Sustainability Department can host a free tree giveaway for the North Beach community using existing funding.

Illustrations

- Additionally, the Committee requested illustrations for expanding the tree canopy through the pilot project. The map locations of the additional pilots, photos of the existing pilot, and graphics from the Urban Forestry Master Plan are included in Attachment A and offer descriptive visuals for expanding tree canopy in dense urban areas. They depict the necessary soil volume and dimensions needed for planting street trees considering parking and ADA access, also advise on how to plant trees in a way they are preserved during Neighborhood Improvement Projects that include new utilities and street elevation.

Fiscal Impact Statement

- An estimated cost to expand the North Beach tree planting pilot program will be provided at Committee as the initial procurement did not result in any bids.

CONCLUSION:

The Administration is pleased to provide the research, procurement, and estimate to inform the discussion regarding implementation and funding for expanding the tree planting pilot. If the discussion item is approved, the item can be forwarded to the full City Commission for consideration with a potential referral to the Finance and Economic Resilience Committee.

Applicable Area

North Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Neighborhoods - Enhance the beautification, physical appearance and cleanliness of neighborhoods.

ATTACHMENTS:

Description	Type
□ Attachment A-Tree Planting Pilot North Beach Program Map and Illustrations	Other
□ C4 H - Ref PSNQLC_Update on Tree Planting Pilot in NoBe	Memo

Attachment A: North Beach Pilot Program Expansion Map and Illustrations



Figure 1. Additional planting pits could be located on 78th and 79th Streets, between Byron Avenue and Harding Avenue.

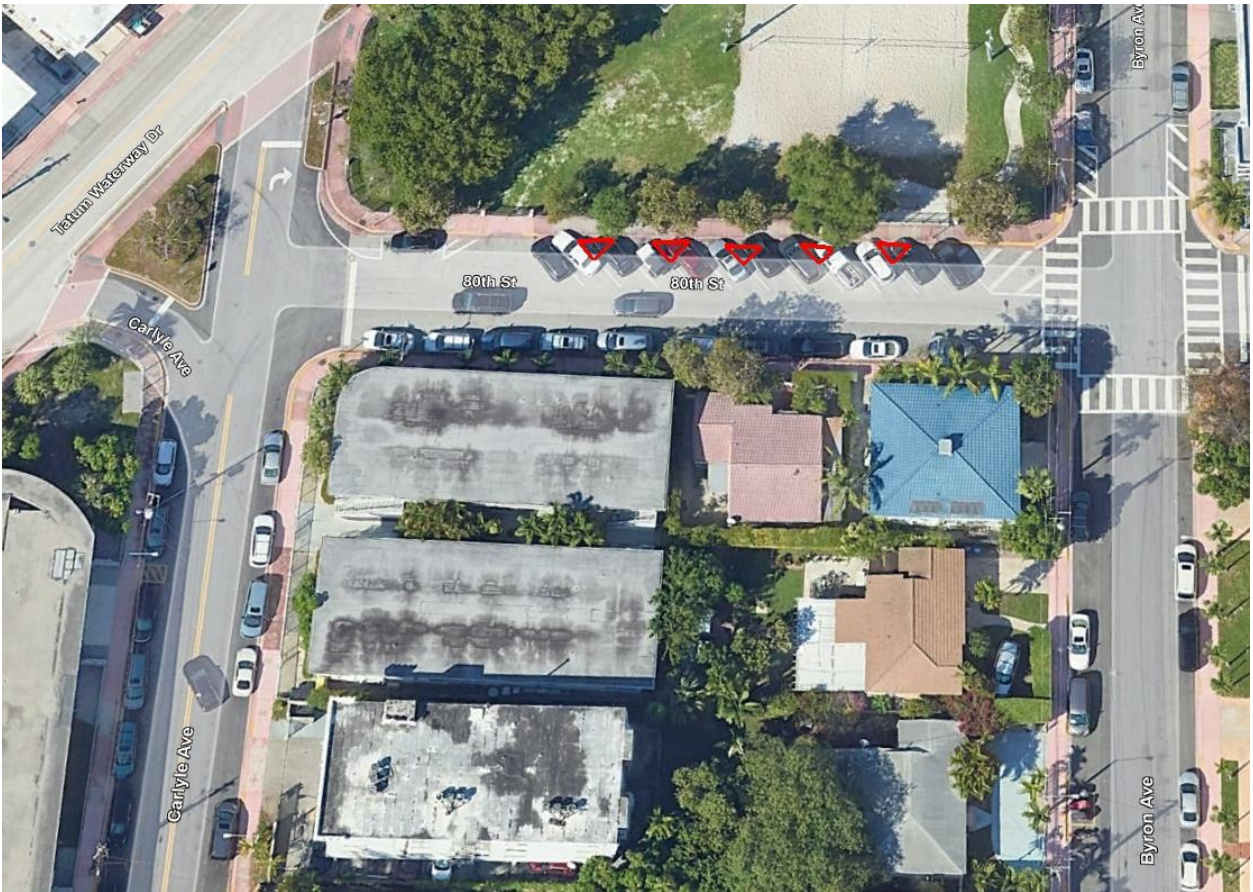


Figure 2. Additional planting pits could be located on 80th Street, between Carlyle Avenue and Byron Avenue.

Attachment A: North Beach Pilot Program Expansion Map and Illustrations

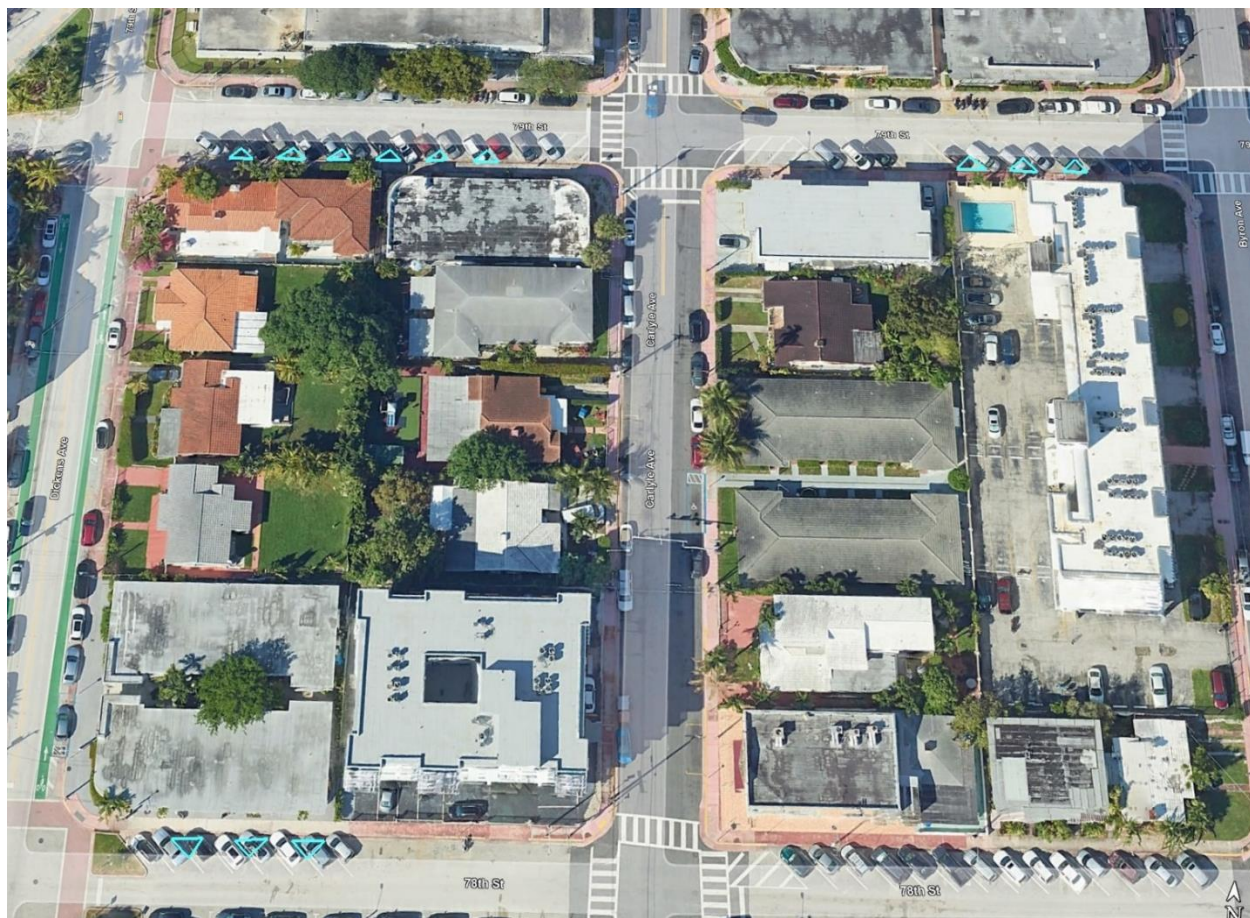


Figure 3. Additional planting pits could be located on 78th and 79th Streets, between Dickens Avenue and Byron Avenue.

Attachment A: North Beach Pilot Program Expansion Map and Illustrations



Figure 4. Representative tree from initial NoBe pilot on 78th Street between Carlyle Avenue and Byron Avenue.

Attachment A: North Beach Pilot Program Expansion Map and Illustrations



Figure 5. View facing northwest of initial NoBe pilot on 78th Street between Carlyle Avenue and Byron Avenue.



Figure 6. View facing southeast of initial NoBe pilot on 78th Street between Carlyle Avenue and Byron Avenue.

Attachment A: North Beach Pilot Program Expansion Map and Illustrations

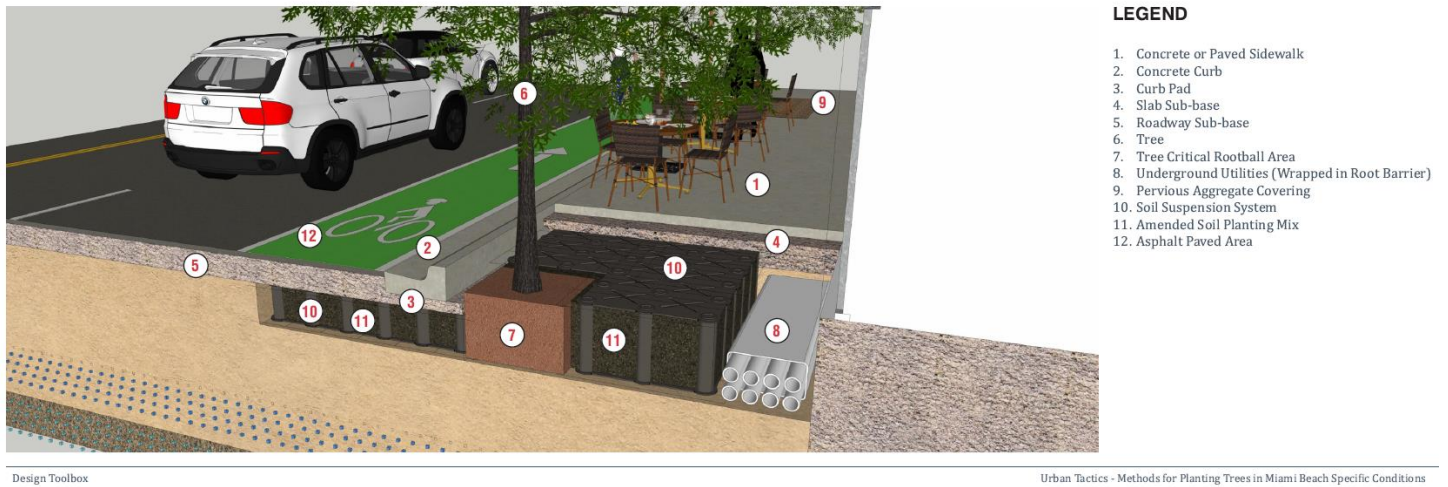


Figure 7. Methods for planting in commercial street frontage of 6-10 feet widths without curb-side parking, as per the Urban Forestry Master Plan adopted in 2020.

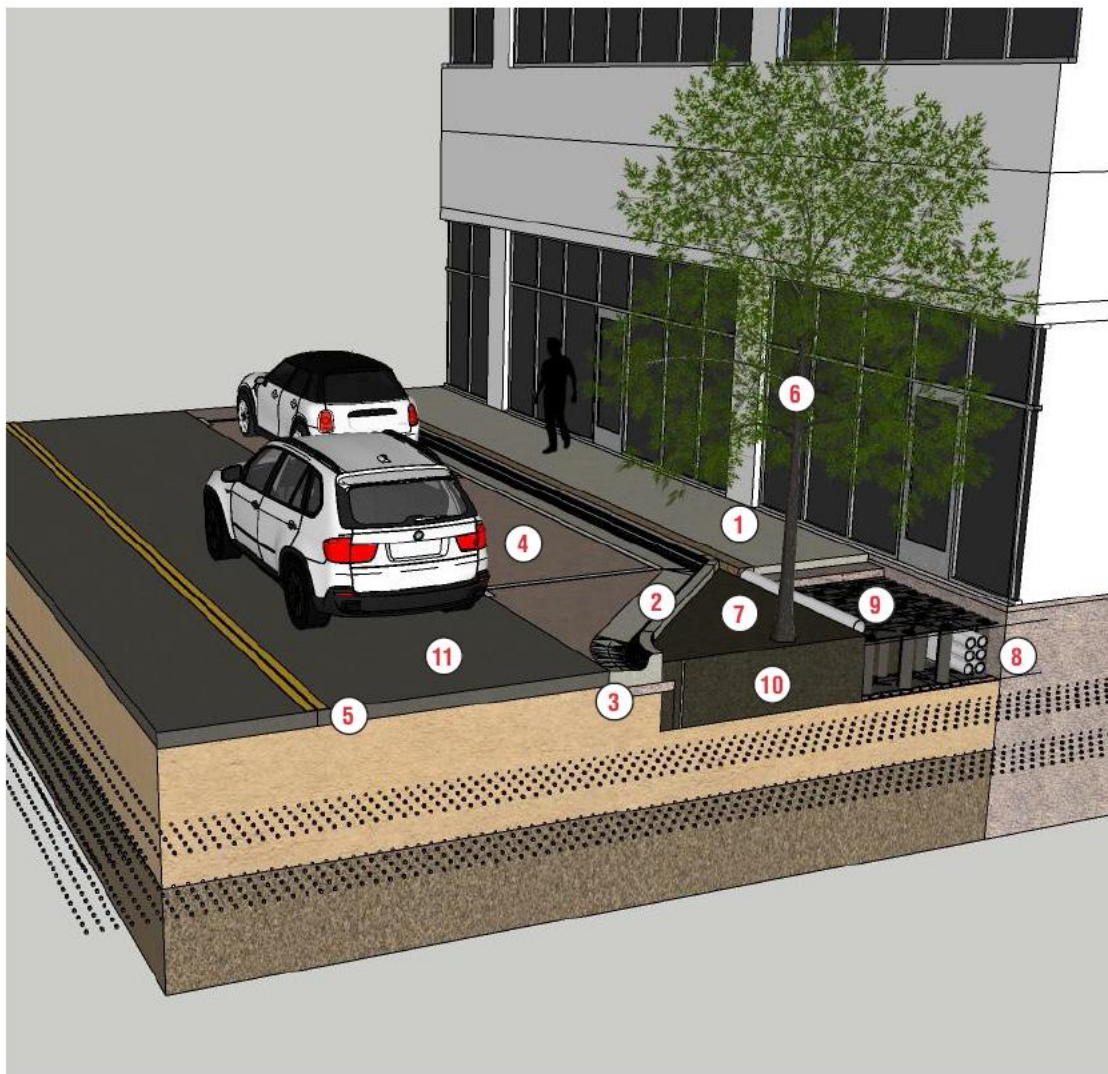


Figure 8. Methods for planting on all street frontages as per the Urban Forestry Master Plan adopted in 2020.

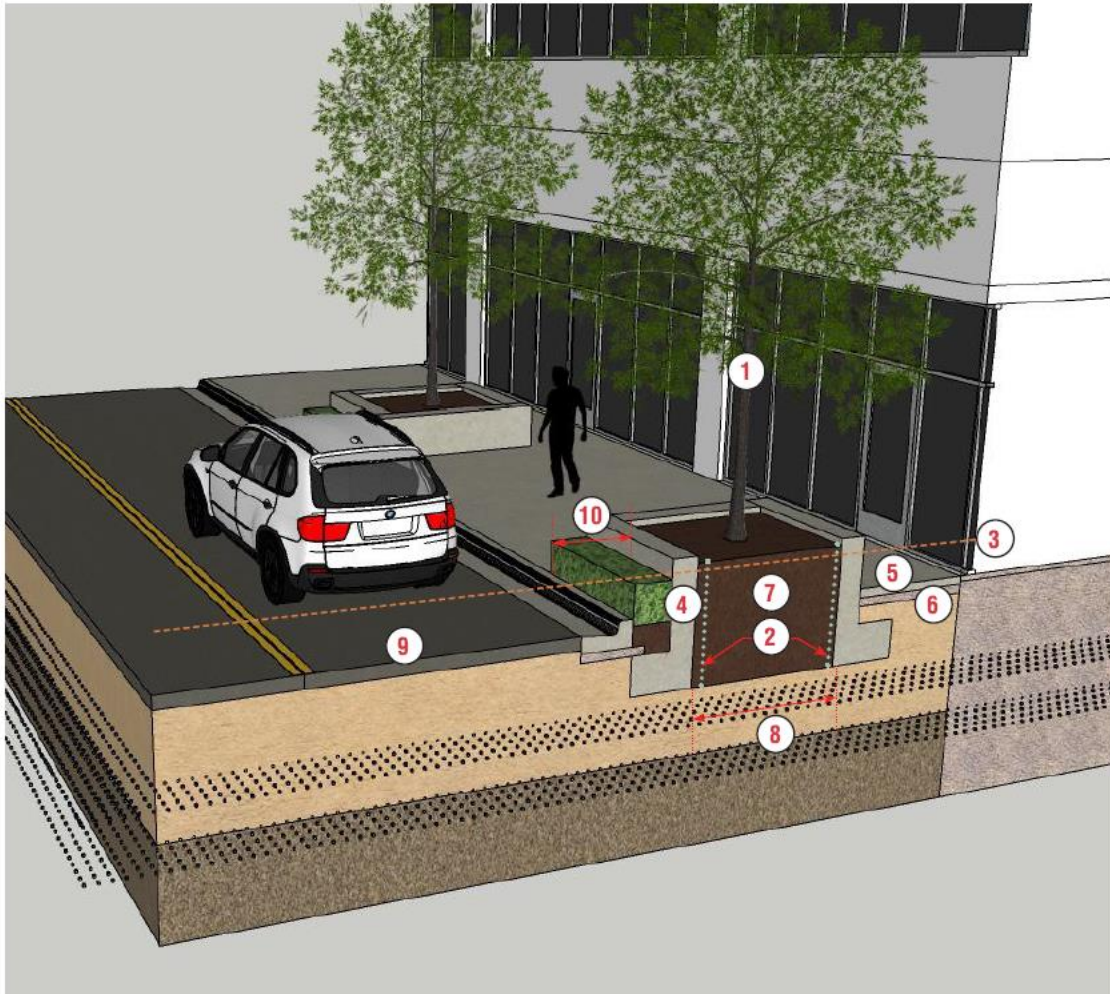


Figure 9. Methods for planting on all street frontages where remaining walkable area meets the minimum required A.D.A. clearance requirements, as per the Urban Forestry Master Plan adopted in 2020.

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Kristen Rosen Gonzalez
DATE: July 26, 2023

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE - DISCUSS/UPDATE ON TREE PLANTING PILOT PROGRAM IN NORTH BEACH.

BACKGROUND/HISTORY

In November 2022, I met with Resiliency and Public Works in North Beach regarding planting trees on one block where there are no trees in North Beach. The logic behind this was to challenge our city officials to find innovative ways to create tree canopy in areas where there are none.

It is very easy to plant trees in swales and parks where CMB already has trees, but the \$3M in GO bond funding for trees was for planting trees in areas that **have no shade**, and in my opinion, the money spent to date, has been a waste, because we have created no new canopy areas, just planted trees in areas that already have trees.

I was promised that by April 2023, the block of trees would be ready. We are now in mid-June and we await the results of our pilot program. I would like a public update on what they have found regarding tree-plantings on concrete street, and lessons learned as we move forward.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

North Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Neighborhoods - Enhance the beautification, physical appearance and cleanliness of neighborhoods.

Legislative Tracking

Commissioner Kristen Rosen Gonzalez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE UTILIZATION OF MOBILE ARREST-PROCESSING CENTERS TO DECREASE THE TIME POLICE OFFICERS SPEND AWAY FROM THEIR ASSIGNED AREAS OF RESPONSIBILITY.**

HISTORY:

At the July 28, 2021 City Commission meeting, at the request of Mayor Steven Meiner (then Commissioner Meiner), the Mayor and City Commission approved a referral (C4 V) to the Neighborhood Quality of Life Committee ("NQLC" - now the Public Safety and Neighborhood Quality of Life Committee or "PSNQLC") to discuss the use of mobile arrest-processing centers to decrease the time police officers spend away from their assigned areas of responsibility.

The item was discussed and concluded at the September 20, 2021 Neighborhood and Quality of Life Committee. A second referral (C4 O) was subsequently placed on the December 8, 2021 City Commission meeting agenda at the request of Mayor Meiner (then Commissioner Meiner) as a second referral to the same committee for further discussion. The item was heard at the March 29, 2022 PSNQLC meeting where it was closed by the sponsor.

At the April 3, 2024 City Commission meeting, at the request of Mayor Steven Meiner and co-sponsored by Commissioner David Suarez and Commissioner Joseph Magazine, the Mayor and City Commission approved an additional referral (C4 W) to the PSNQLC to revisit the topic.

ANALYSIS

A mobile arrest processing center is a vehicle that can mobilize to the scene of an arrest to carry out preliminary activities. The mobile center can carry out fingerprinting and the processing of evidence and documents on location and later transport a subject to a dedicated holding facility. Evidence collection occurs on scene; however, evidence processing occurs either in the Miami Beach Police Department's Crime Scene lab or at the Miami-Dade County lab. A detainee can only be transported by a sworn law enforcement officer and the Department uses civilian crime scene technicians, so the vehicle cannot be multi-purposed.

Considerations

Every arrest requires time to properly document. When possible, the initial arrest affidavit can be

completed on scene to avoid an officer having to leave their assigned area and travel to the station to complete the necessary paperwork. At other times, and due to security and safety concerns for the officer and the arrestee, as well as to limit the chain of evidentiary custody and protect evidence from cross-contamination, the arrested parties should be immediately removed from the area of initial detention.

Officers must also manage increasing security concerns outside of their vehicles to deter any potential attacks and possibly being overwhelmed by unruly crowds which could pose a threat to all parties on scene and any recovered evidence. As such, having a mobile arrest and evidentiary processing vehicle would limit the officer's ability to move from the arrest location to a safer one to complete the arrest process. Therefore, the use of a mobile arrest processing center in a tourist and entertainment-driven city such as Miami Beach, while theoretically feasible, would be impractical and inefficient if implemented.

Additionally, an increased emphasis is placed on the proper management of custodial chain of evidence and prisoner property in field processing. The longer evidence is kept in the field, the more problematic it becomes to maintain the chain of custody and accountability. The chain of custody and removal of property and criminal paraphernalia at a crime scene is sensitive and specific in its handling and must be limited as required by law. As the Department is accredited through the Commission on Accreditation for Law Enforcement Agencies (CALEA), it is bound by strict adherence to the standards established for the handling, receipt, and storage of evidentiary property. All evidentiary property must be stored within designated, secure areas with access limited to authorized personnel. Security measures must be established for high value and sensitive items, such as monies, drugs and firearms, and evidentiary property must be sealed and stored individually without any chance of cross contamination.

A mobile room or command van, consequently, requires an exceptionally secure site that will accommodate the contraband and personal prisoner property with dedicated Property and Evidence Division personnel manning the station. This personal property must at some point be brought back to the main station so it can either be secured for processing or, if not evidentiary, be transported with the prisoner as they make their way from the holding facility to the main jail. This requires the use of additional personnel and officers to secure and process on location which could also increase the overall processing time of any given arrest rather than decreasing it.

It is important to highlight that during high impact weekends when bulk arrests historically occur more frequently, the Department works with area partners to bus prisoners to the Turner Guilford Knight Correctional Center ("TGK"). At all other times, MBPD uses customized mobile prisoner transport vehicles that enable an MBPD Detention Officer to transport a detainee directly to the Department's temporary holding facility or to TGK safely. The prisoner van is deployed daily.

CONCLUSION:

The Administration is appreciative of the City Commission's support in increasing the efficiency of Police Department daily operations with tools and resources. However, the Administration does not recommend the use of a mobile arrest processing center. Notwithstanding the financial implications for the vehicle, resources, and staffing, the Administration believes that in a City such as Miami Beach, a mobile center would increase officer time in the field and may present new challenges to the evidentiary chain of custody, CALEA standards adherence, and to overall police operational efficiency.

Applicable Area

Citywide

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

No


**Does this item utilize G.O.
Bond Funds?**

No

Strategic Connection

Neighborhoods - Prevent and solve crime for residents and visitors.

ATTACHMENTS:

Description	Type
 C4 W - Mobile Arrest-Processing Centers - April 3, 2024	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Mayor Steven Meiner
 DATE: April 3, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE
 TO DISCUSS THE UTILIZATION OF MOBILE ARREST-PROCESSING CENTERS TO
 DECREASE THE TIME POLICE OFFICERS SPEND AWAY FROM THEIR ASSIGNED AREAS OF
 RESPONSIBILITY.

BACKGROUND/HISTORY

Please place on the April 3, 2024 agenda a referral to the Public Safety and Neighborhood Quality of Life Committee to discuss the potential utilization of mobile arrest-processing centers to decrease the time police officers spend away from their assigned areas of responsibility.

The general Standard Operating Procedure is for Police officers to take arrested individuals to the Police Department for processing. Upon arrival, they spend significant time fully booking the individual post-arrest. Once completed, the officer must then travel back to his/her assigned area. This item aims to explore the use of Mobile Arrest-Processing Centers, which can travel to the arrest location. Fingerprinting, evidentiary issues, and completing the required documentation are all accomplished at the Mobile-Arrest Processing Center. The arrested individual is then transported by the Mobile Center, which allows the officer to remain in his/her assigned area of responsibility. This time-saving mechanism could be impactful in increasing police presence, productivity, and visibility.

Request that the Police Department be prepared at Committee to discuss the available options for utilizing mobile-arrest processing centers to decrease the time that police officers spend away from their assigned areas of responsibility. Request that the Police Department, upon consideration of all relevant factors (including, but not limited to, feasibility, effectiveness, and cost), provide the Committee with its recommendation(s) regarding the potential utilization of mobile arrest-processing centers, along with any specific issues or concerns relating to this initiative.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Mayor Steven Meiner

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS PILOT PROGRAM FOR A ONE-WAY CONVERSION OF SHERIDAN AVENUE AND ROYAL PALM AVENUE FROM 37 STREET TO 44 STREET, INCLUDING TURN RESTRICTIONS ONTO 41 STREET DURING WEEKDAY AFTERNOON PEAK PERIODS.**

HISTORY:

At the March 13, 2024 City Commission meeting, Commissioner David Suarez sponsored a referral item (C4 V) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC" or "Committee") to discuss a potential pilot program which would consist of a one-way conversion of Sheridan Avenue and Royal Palm Avenue from 37 Street to 44 Street, and the restriction of turning movements, particularly left turns, onto 41 Street (i.e. allowing north-south travel only) during weekday afternoon peak periods. The pilot is intended to facilitate northbound/southbound vehicular travel within the City of Miami Beach ("City") rather than vehicular trips leaving the City via 41 Street during the weekday afternoon peak hours.

State Road ("SR") 112/41 Street is classified as a principal arterial under the jurisdiction of the Florida Department of Transportation ("FDOT"). The corridor is located in Middle Beach and provides direct access to/from I-195/Julia Tuttle Causeway, a limited access federal interstate facility, and SR A1A/Collins Avenue/Indian Creek Drive (also under FDOT's jurisdiction).

The 41 Street corridor regularly experiences heavy traffic congestion during weekday afternoon peak hours and major special events in the City. Several factors contribute to daily recurring traffic congestion along the corridor, including increased volumes due to drivers avoiding major ongoing construction and choke points on I-395/MacArthur Causeway, closely spaced traffic signals, extensive school zones, high number of pedestrian crossings, and heavy side street traffic from the connecting north-south avenues which results in vehicles frequently blocking the intersections and creating gridlock in all directions. Based on the FDOT 2022 Level of Service ("LOS") map, the 41 Street corridor is and has been operating at LOS F (failing) based on the annual average daily traffic and capacity of the roadway.

ANALYSIS

Pursuant to Sections 2-95 and 2-96.1 of the Miami-Dade County ("County") Code, all traffic control and traffic engineering services in Miami-Dade County are under the exclusive jurisdiction of the County. Therefore, any modifications to the existing traffic flow will require review and

approval from Miami-Dade County Department of Transportation and Public Works (“DTPW”). Transportation and Mobility Department staff reached out to DTPW to determine the requirements for the implementation of a pilot program. Based on the feedback received from DTPW, the City must submit to DTPW a formal memorandum outlining the purpose, scope, methodology and limits of a pilot program, including data collection, implementation plan, community outreach strategy, measures of success, and post implementation evaluation criteria. DTPW would then review and evaluate the submittal for purposes of providing feedback and/or approval. The potential timeline to submit the required documentation and obtain DTPW approval is approximately ninety (90) days.

Community Charette

At the March 30, 2024 PSNQLC meeting, the Committee discussed the item and recommended that the Administration schedule a community charrette to obtain feedback on a potential pilot program and return to the June 5, 2024 PSNQLC meeting with an update.

Pursuant to the Committee’s recommendation, on May 7, 2024, the Administration conducted a hybrid community charrette to obtain community input on the potential pilot program. The community charrette was well-attended with 41 of participants attending in person and 73 participants attending virtually via Zoom. During the community charrette, the Administration presented two (2) potential options to the community (Attachment A). Both pilot options are intended to facilitate northbound-southbound vehicular traffic flow through the 41 Street intersections during the weekday afternoon peak hours of 3:30 p.m. to 7:00 p.m.

Option 1 will create a one-way pair with Sheridan Avenue (two travel lanes) operating in the northbound direction and Royal Palm Avenue (two travel lanes) operating in the southbound direction. No turns (left or right) onto 41 Street would be allowed from either Sheridan Avenue or Royal Palm Avenue during the pilot. This option will require Police resources to be deployed at the six (6) intersections affected along both avenues between 40 Street and 42 Street. On-street parking would be temporarily prohibited along the west side of Sheridan Avenue and the east side of Royal Palm Avenue during the pilot so that vehicles do not park facing the opposite direction of vehicular traffic flow. No northbound left turns will be permitted from Sheridan Avenue onto 40 Street during the Pilot Program.

Option 2 will maintain the existing two-way traffic flow on Sheridan Avenue and Royal Palm Avenue. No left turns would be allowed onto 41 Street from Sheridan Avenue and Royal Palm Avenue during the pilot. This option will require Police resources to be deployed at two (2) intersections only (Sheridan Avenue and 41 Street and Royal Palm Avenue and 41 Street). In addition, this option does not affect on-street parking and reduces the impact to the neighborhood as compared to Option 1.

During the community charrette, most participants did not support a pilot program. Additionally, following the community charrette, the Administration conducted a two (2) week online survey from May 9 through May 23, 2024. The purpose of the survey was to obtain feedback from the community on the two (2) options for a potential pilot program. A total of 343 responses were received (Attachment B). Based on the general community feedback received, 34.69% of respondents supported Option 1; 34.11% of respondents supported Option 2; and 31.20% of respondents did not support the implementation of a pilot program.

Further discussions with DTPW are pending regarding the analysis and approvals required for the implementation of either Option 1 or Option 2 on a pilot basis.

Tangentially, the Administration is exploring various strategies to manage the increased vehicular demand on 41 Street and on the north-south avenues connecting to 41 Street. Currently, the Transportation and Mobility Department will be evaluating the feasibility of creating dedicated turn lanes on the north-south avenues to more effectively facilitate turns onto 41 Street during peak periods as well as vehicles wishing to cross 41 Street and continue traveling northbound/southbound. The preliminary findings and recommendations of the traffic study are anticipated by end of 2024 and will be shared with the City Commission, once available. FDOT and DTPW review and approval of the traffic study will be required.

Furthermore, FDOT is currently conducting a comprehensive analysis to re-time the traffic signals along 41 Street to ensure signal coordination and vehicular traffic progression along the corridor. The FDOT study is anticipated to be completed by early 2025.

CONCLUSION:

The Administration is committed to exploring ways to more effectively manage increased traffic volumes on 41 Street and along the north-south avenues connecting to 41 Street, particularly during afternoon peak periods.

Should PSNQLC recommend that the Administration move forward with either Option 1 or Option 2 of the pilot, the Administration will bring the PSNQLC’s recommendation to the City Commission for acceptance via a City Commission Resolution and continue to work with DTPW for approval and implementation of either Option 1 or Option 2 on a pilot basis prior to the high-impact season.

Applicable Area

Middle Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Address traffic congestion.

ATTACHMENTS:

Description	Type
❑ Attachment A – Community Charrette Presentation	Memo
❑ Attachment B – Online Survey Results	Memo
❑ Referral Item - March 13, 2024 - C4 V	Memo

Community Charrette

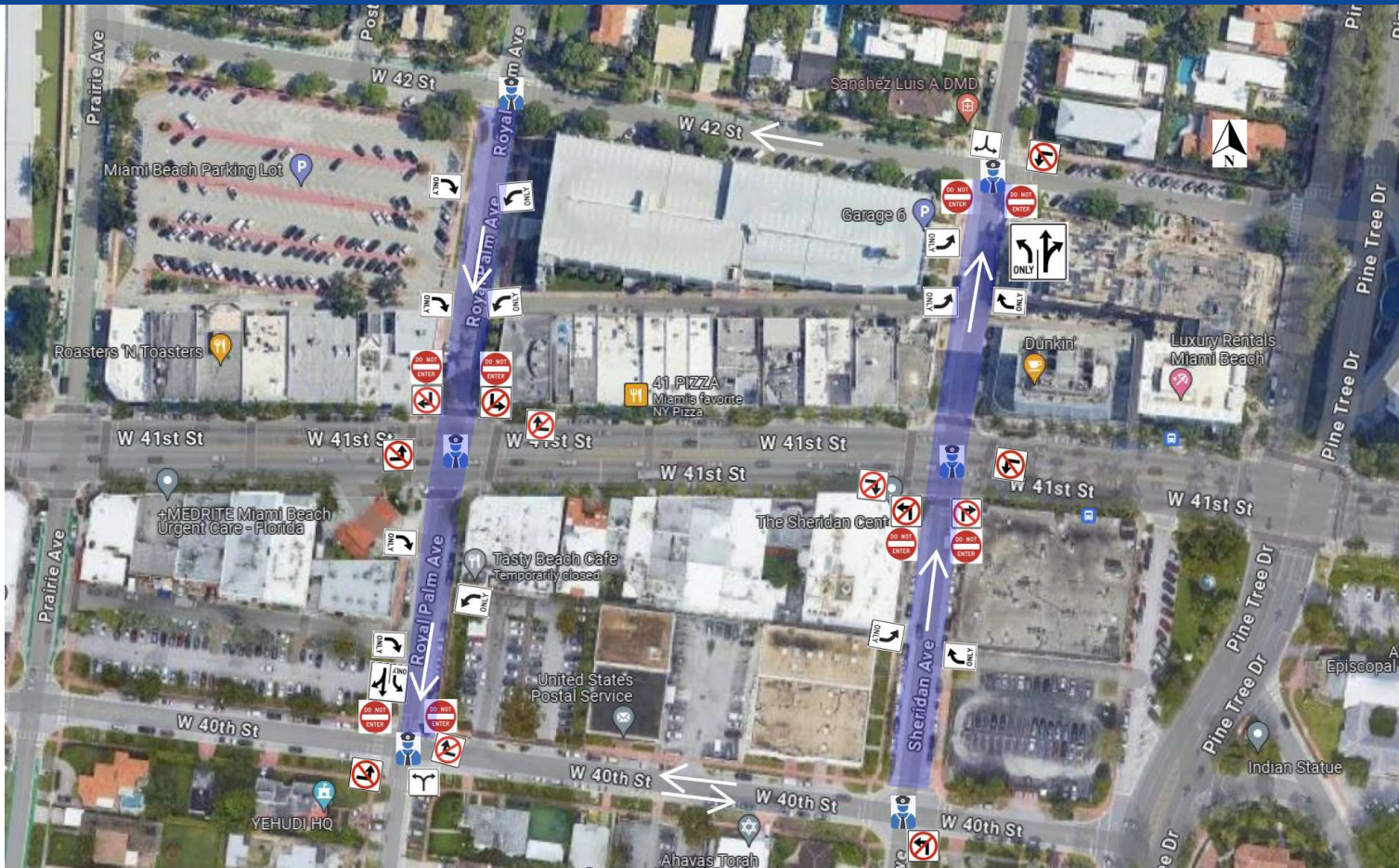
Traffic Re-Circulation Pilot Program

May 7, 2024

MIAMIBEACH



OPTION 1: CREATE ONE-WAY PAIR (SHERIDAN AVE NB & ROYAL PALM AVE SB)



OPTION 1: CREATE ONE-WAY PAIR (SHERIDAN AVE NB & ROYAL PALM AVE SB)

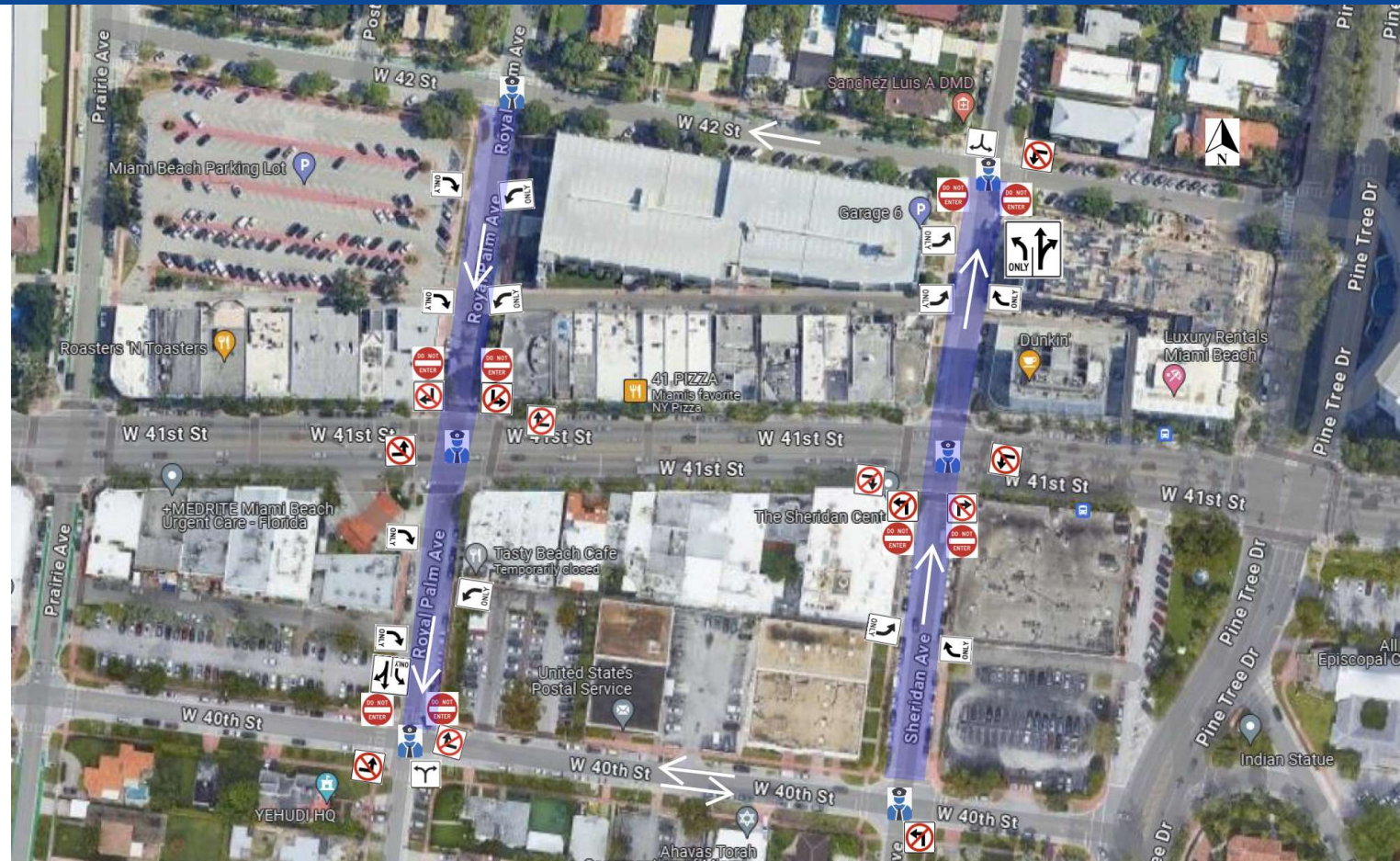
- Sheridan Ave: One-Way NB
 - Prohibit NB Left and Right Turns onto 41 St
 - Prohibit NB Left Turn onto 40 St
- Royal Palm Ave: One-Way SB
 - Prohibit SB Left and Right Turns onto 41 St
- Pilot Limits: 40 St – 42 St
- Pilot Hours: 3:30PM – 7PM

Advantages

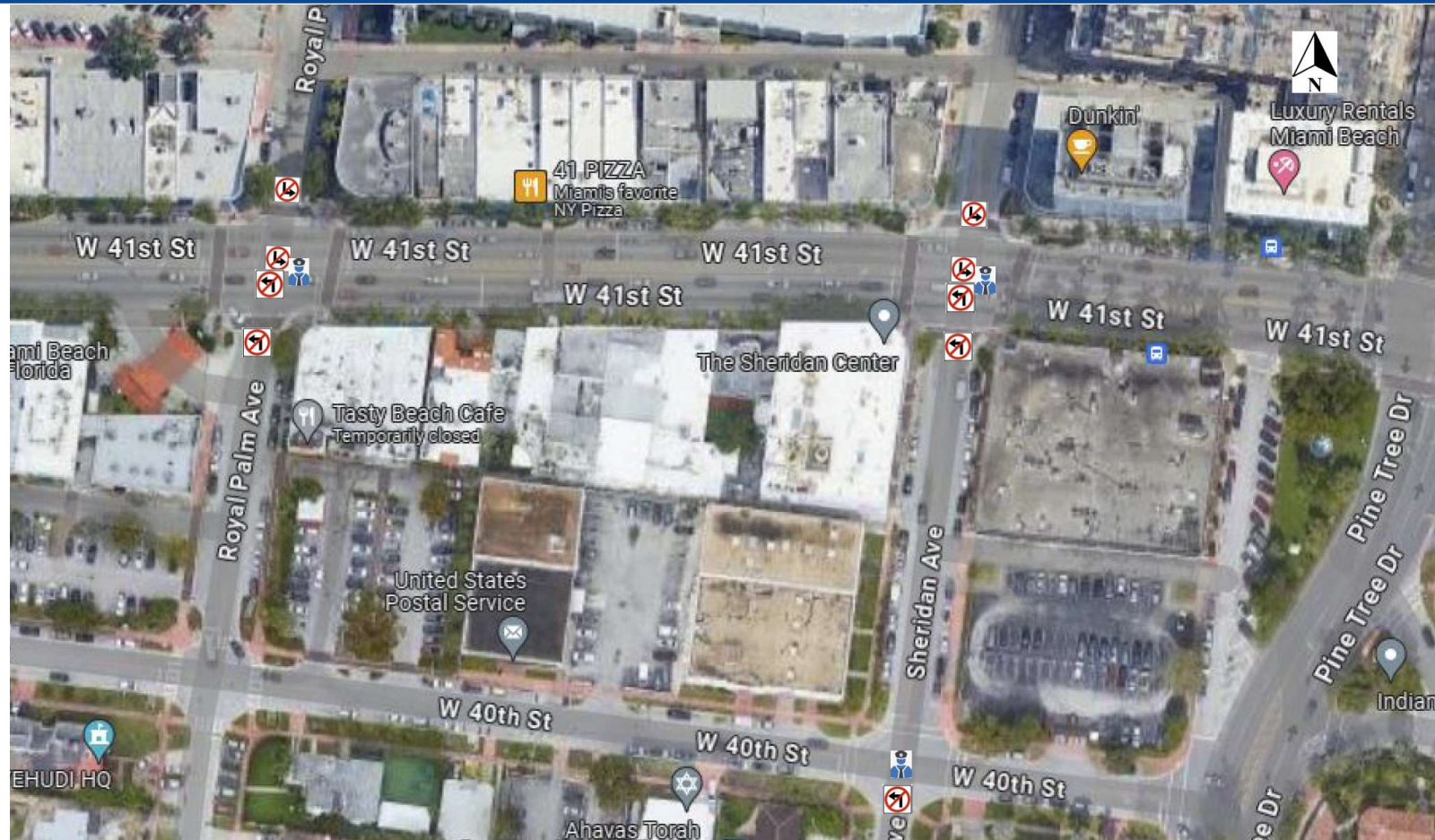
- Follows rules of the road
 - NB on the right and SB on the left
- Two lanes in same direction
 - Increases capacity for NB and SB

Disadvantages

- On-street parking prohibited during pilot hours
 - E side of Royal Pam Ave and W side of Sheridan Ave
- Requires Miami-Dade County Approval



OPTION 2: MAINTAIN TWO-WAY TRAFFIC/PROHIBIT NB & SB LEFT TURNS ONTO 41 ST



OPTION 2: MAINTAIN TWO-WAY TRAFFIC/PROHIBIT NB & SB LEFT TURNS ONTO 41 ST

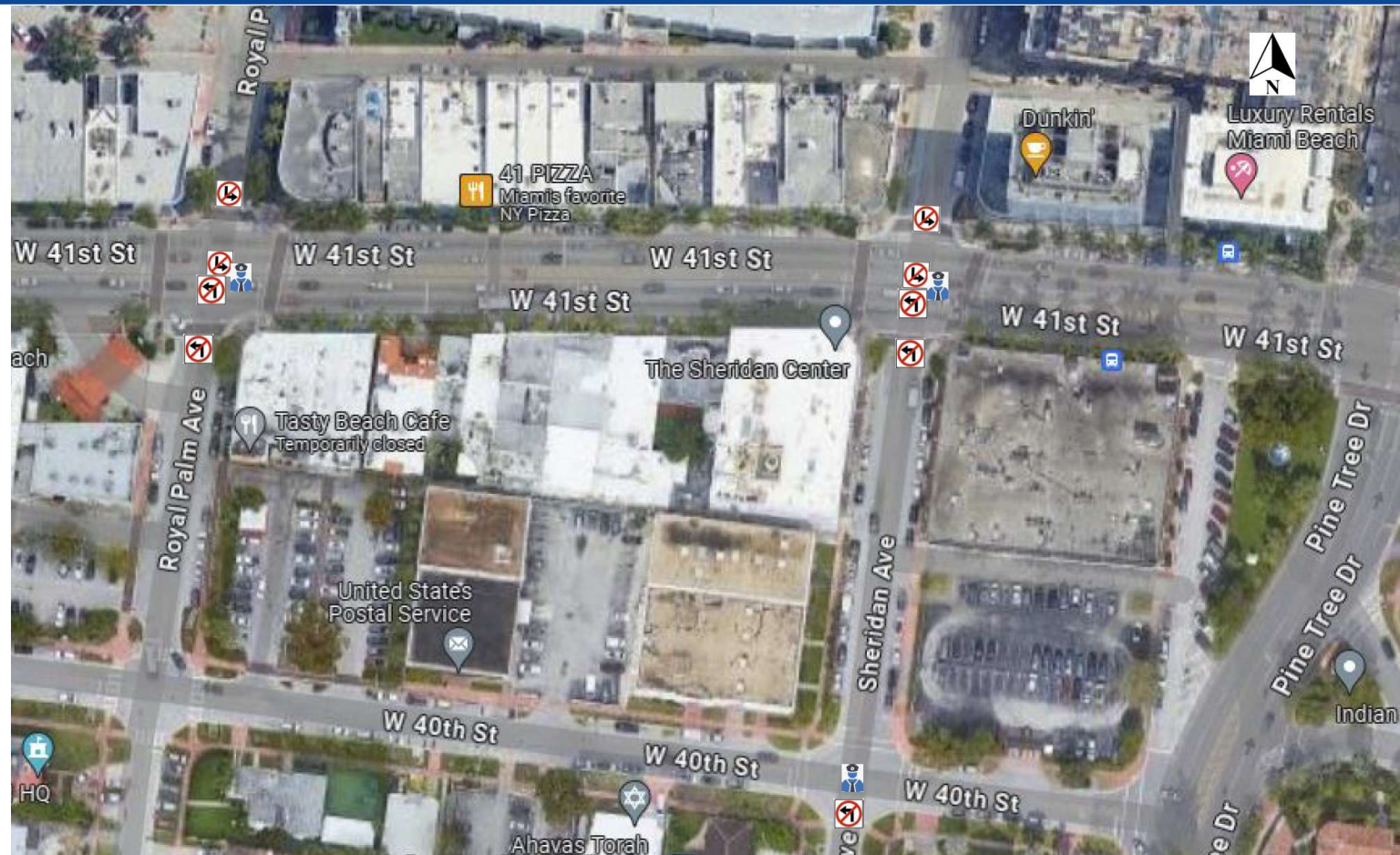
- Sheridan Ave: Two-Way
 - Prohibit NB and SB Left Turns onto 41 St
 - Prohibit NB Left Turn onto 40 St
- Royal Palm Ave: Two-Way
 - Prohibit NB and SB Left Turns onto 41 St
- Pilot Limits: 40 St – 41 St
- Pilot Hours: 3:30PM – 7PM

Advantages

- Ease of implementation
- Less impact to the neighborhood
- No impact to on-street parking
- May not require Miami-Dade County approval

Disadvantages

- Does not increase capacity NB and SB



STAY IN TOUCH



Download the presentation and re-watch the meeting.



Sign up to receive project updates via email.



Provide feedback within our **two-week** comment period, which ends **May 22, 2024**.

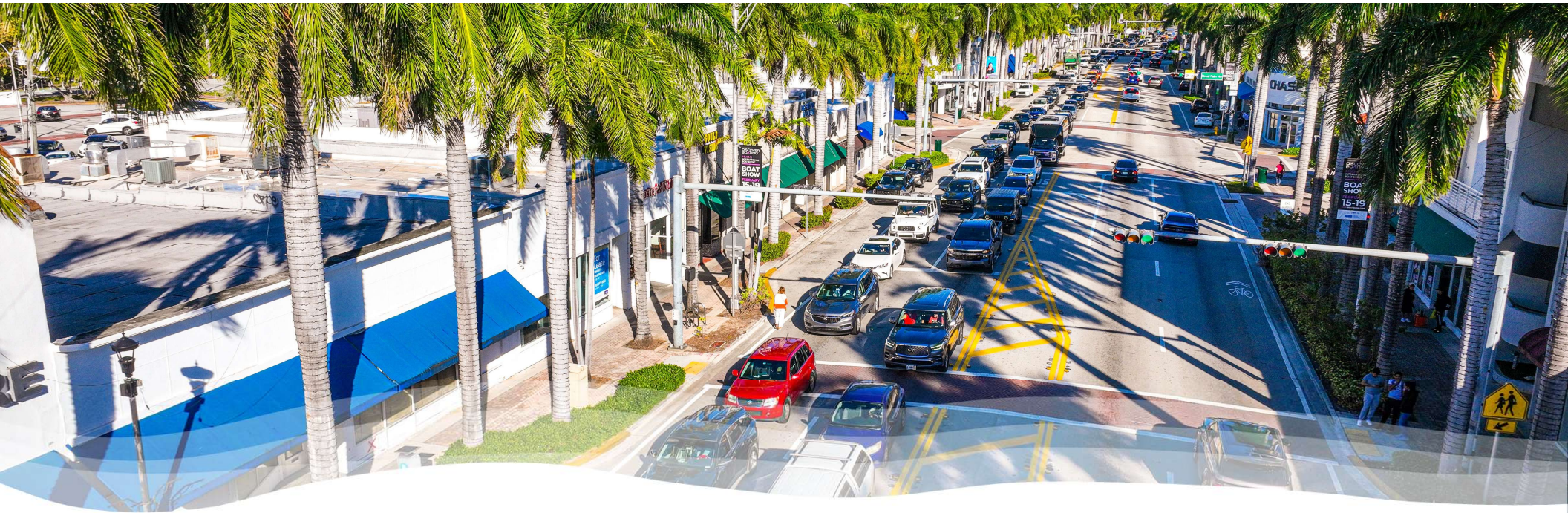
CONTACT

Kevin Pulido, Neighborhood Affairs Director
KevinPulido@miamibeachfl.gov

Gabriella Gonzalez, Neighborhood Affairs Coordinator
GabriellaGonzalez@miamibeachfl.gov

Scan the QR code to receive project updates.

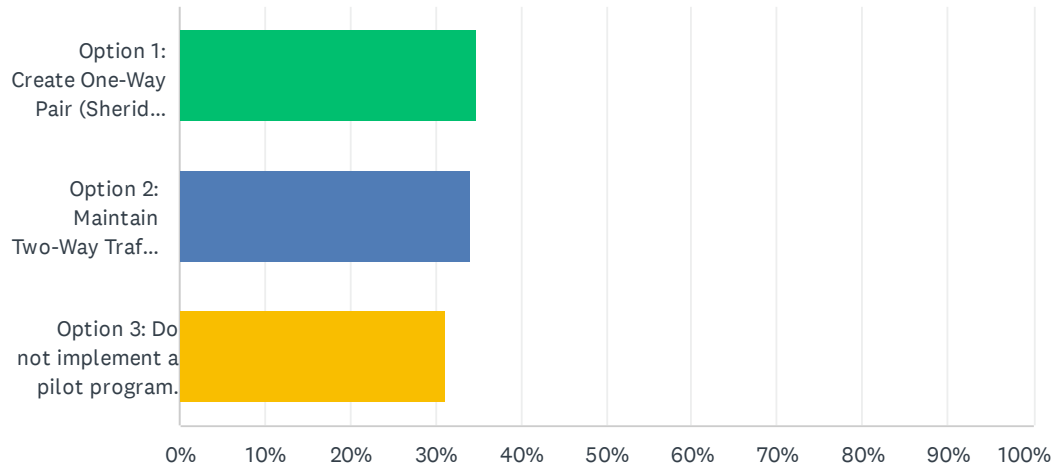




Thank you

Q1 Which option do you support for the traffic calming project?:

Answered: 343 Skipped: 0



ANSWER CHOICES	RESPONSES	
Option 1: Create One-Way Pair (Sheridan Ave northbound & Royal Palm Ave southbound)	34.69%	119
Option 2: Maintain Two-Way Traffic with Turn Restrictions	34.11%	117
Option 3: Do not implement a pilot program.	31.20%	107
Total Respondents: 343		



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: March 13, 2024

SUBJECT: REFERRAL TO THE MARCH 20, 2024, PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE - PILOT PROGRAM FOR A ONE-WAY CONVERSION OF SHERIDAN AVENUE AND ROYAL PALM AVENUE FROM 37 STREET TO 44 STREET, INCLUDING TURN RESTRICTIONS ONTO 41 STREET DURING WEEKDAY AFTERNOON PEAK PERIODS.

RECOMMENDATION

At the request of Commissioner David Suarez, this item has been prepared requesting that the Mayor and City Commission discuss/take action on a potential pilot program for a one-way conversion of Sheridan Avenue and Royal Palm Avenue from 37 Street to 44 Street, including restricting turning movements onto 41 Street during weekday afternoon peak periods.

BACKGROUND/HISTORY

State Road ("SR") 112/41 Street is classified as a principal arterial roadway under the jurisdiction of the Florida Department of Transportation ("FDOT"). The corridor is located in Middle Beach and provides direct access to/from I-195/Julia Tuttle Causeway, a limited access federal facility, and SR A1A/Collins Avenue/Indian Creek Drive (also under FDOT's jurisdiction).

The 41 Street corridor regularly experiences heavy traffic congestion during weekday afternoon peak hours and major special events in the City of Miami Beach. Several factors contribute to daily recurring traffic congestion along the corridor, including increased volumes due to drivers avoiding major ongoing construction and choke points on I-395/MacArthur Causeway, closely spaced traffic signals, extensive school zones, high number of pedestrian crossings, and heavy side street traffic from the connecting north-south avenues which results in vehicles frequently blocking the intersections and creating gridlock in all directions.

Based on the FDOT 2022 Level of Service ("LOS") map, the corridor is currently operating (and has been for many years) at a LOS "F" (failing).

Commissioner David Suarez has proffered a traffic flow strategy which would consist of a one-way conversion of Sheridan Avenue and Royal Palm Avenue (one southbound and the other northbound) from 37 Street to 44 Street, and the restriction of turning movements, particularly left turns, onto 41 Street (i.e. allowing north-south travel only) during weekday afternoon peak periods. It is important to note that any modifications to the existing traffic flow, albeit on a pilot basis, will require coordination

with, and possibly approval by, Miami-Dade County Department of Transportation and Public Works (“DTPW”).

LOBBYIST DISCLOSURE

In accordance with Resolution No. 2023-32857, adopted by the City Commission on December 13, 2023, the following information has been provided by the primary item sponsor as it relates to the subject item:

- 1. Was the Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No
- 2. If so, specify name of lobbyist(s) and principal(s): Not Applicable

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Amount(s)/Account(s):

N/A

Applicable Area

Middle Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Address traffic congestion.

Legislative Tracking

Transportation and Mobility

Sponsor

Commissioner David Suarez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING BEACH CONCESSIONS, REGULATIONS, AND LAYOUT TO ENSURE THAT SUFFICIENT AREA REMAINS AVAILABLE AT ALL TIMES FOR PUBLIC ENJOYMENT OF BEACHES.**

HISTORY:

On November 16, 2022, the Mayor and City Commission approved, the referral of item C4 F, sponsored by Commissioner Alex Fernandez, to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss the Beachfront Concessions, regulations and layouts to ensure sufficient beach area remains vacant for use by members of the public at all times.

The City's Rules and Regulations for Beachfront Concession Operations (Rules and Regulations) have been amended five (5) times with material modifications addressing issues and/or updates.

On January 31, 2001, the Mayor and City Commission adopted and approved the First Amendment to the Rules and Regulations, which prohibited cooking or heating food on the Beachfront. On June 27, 2001, the Mayor and City Commission directed the Administration to revisit the issue of cooking and heating on the Beachfront, the minimum size requirements for facilities to accommodate the same, and to provide for a description of waterside equipment that may be used in non-watersport channel areas and swim zones.

Subsequently, on July 25, 2001, the Mayor and City Commission directed the Administration to address new issues, which included among others, beach chair density and layout. Consequently, the Second Amended and Restated Rules and Regulations was adopted via Resolution No. 2001-24571, which addressed and resolved the issues requested by the Mayor and City Commission by: (1) requiring that only upland owners may apply for Beachfront Concession Operations; (2) providing for a new fee schedule based on number of upland units; (3) providing a definition for waterside equipment that may be used in swim areas; and (4) providing for cooking and/or heating of food.

Thereafter, the Third Amended and Restated Rules and Regulations was adopted pursuant to Resolution No. 2016-29403. A Fourth Amended and Restated Rules and Regulations was later

adopted via Resolution No. 2018-30498, which allowed the operations of food trailers by upland owner concessionaires as part of the concession facilities. Subsequently, on October 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-31017, approving the Fifth Amended and Restated Rules and Regulations. Material changes to this amendment included requiring all upland beachfront concession operations and their third-party concession operators, including delivery services to utilize 100% reusable wares in connection with the consumption of food and beverages.

ANALYSIS

For several months City staff has been gathering input from upland property owners and concessionaires, hotel and condominium management, City-contracted concessionaires, the City Attorney's Office, the Environment and Sustainability Department, and Ocean Rescue Division to provide updates to the Rules and Regulations. The Administration also sought engagement from key stakeholders, including neighborhood associations, and Miami-Dade County to gather relevant feedback to incorporate into the Sixth Amendment to the Beachfront Concession Rules and Regulations.

As a result of gathering information from multiple sources and a close review of the Fifth Amendment to the Rules and Regulations, great consideration was given to each of the concerns raised by Commissioner Alex Fernandez in his referral of this item and from all stakeholders. The following are a few revisions that have been contemplated in the proposed amendment.

- Considerable edits to the "Workable Concession Area" section which dictates beach area available for use and enjoyment. The proposed amendment will require Concessionaires expand areas available for the public. Currently there is a distance or clearance of five (5) feet between their Concession workable area and the neighboring Concession workable area. The proposed amendment for two neighboring concessions would provide a ten (10) foot wide area between concessions in addition to a ten (10) foot clearance east or in front of their first row of chairs and the previous high waterline for public use.
- A clause regarding clarifying naming additional properties has been provided. Additional properties which utilize the beachfront and amenities behind any given upland property is limited only to those located within the city limits of Miami Beach. Requests to become additional properties of some Beachfront hotels have been received from City of Miami establishments.
- In addition to these measures, the approximate acreage of Beachfront in Miami Beach is 167.99 acres. The total number of acres under private and City concession agreements is 57.74 acres. The number of acres fully available for use by the public is 110.25 acres. This is inclusive of all properties which: i) do not operate a concession, ii) all properties which are currently closed for construction, iii) the 10-foot clearance in front of Concession and 10-foot clearance between each concession operation, iv) street ends where there is no lifeguard tower, and v) city beachfront upland properties without a city concession agreement.

Additionally, the following items have also been updated in the proposed Sixth Amendment:

- Centralizing rules and regulations for Food Truck concessionaires
- Providing guidance for creating "Children's Play Areas" (proper security, parental supervision, etc.)

- Providing guidance for use of private watercrafts (specifically jet-skis and wave runners)
- Providing clear guidance for placement of chairs (with reference to mean water line)
- Required language for the Beach Safety Rules
- Required language for the Concessionaire Acknowledgement and Authorization
- Updates to Rate and fee schedules

Collectively, the information gathered from all stakeholders provided a holistic roadmap to address the revisions needed for the Sixth Amendment to the Rules and Regulations. On July 10, 2023, an informational workshop was held to review the proposed changes. A copy of the draft amended Rules and Regulations was distributed to over 140 stakeholders prior to the session. The workshop clarified material terms and provided a productive discussion with positive feedback on the proposed modifications.

CONCLUSION:

The proposed Sixth Amendment to the City's Rules and Regulations for Beachfront Concession Operations (Exhibit A), is presented here for the Public Safety and Neighborhood Quality of Life Committee’s consideration. Based on the foregoing and the policy discussion by the Committee, the Administration recommends transmitting this item to the City Commission for review and approval.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<div data-bbox="152 1224 881 1266"> <div> <div></div> <div>Exhibit A - Draft Sixth Amendment to Beachfront Rules and Regulations</div> </div> </div>	Other
<div data-bbox="152 1266 881 1308"> <div> <div></div> <div>Referral Memo</div> </div> </div>	Memo

MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Facilities and Fleet Management Department
Beach Maintenance Division
Tel: 305-673-7631

Sixth Amended and Restated RULES AND REGULATIONS FOR BEACHFRONT CONCESSION OPERATIONS

The following Rules and Regulations (the "Rules and Regulations") shall apply to Beachfront Concessions within the City of Miami Beach:

1. DEFINITIONS.

A. **Beachfront Concession** - beachfront operations authorized by the City of Miami Beach to either: 1) the Upland Owner Concessionaire, or 2) a Direct City Concessionaire, subsequent to the submission of all requirements, which grants the right to use the public beach land to rent or otherwise provide beach equipment (lounge chairs, umbrellas and the like), sell food and beverages and/or rent watersports equipment, or to furnish, with or without charge, any of the foregoing.

B. Definitions -

- (1) **Direct City Beachfront Concession Agreement** – A concession agreement between the City and a Direct City Concessionaire that authorizes the operation of a Beachfront Concession, adjacent to public property for the general public
- (2) **Commercial Beachfront Concession Agreement** - A Beachfront Concession letter agreement that is issued to the Upland Owner Concessionaire by the City, which authorizes the operation of a Beachfront Concession adjacent to the Upland Property for the general public, and/or the guests or residents of the Upland Property at a charge or fee to the user of the Beachfront Concession services, or if the Upland Property collects any resort or membership fee which includes access to the Beachfront Concession services.
- (3) **Non-Commercial Beachfront Concession Agreement** - A Beachfront Concession letter agreement that is issued to the Upland Owner Concessionaire by the City, which authorizes the operation of a Beachfront Concession solely for the guests and/or residents of the Upland Property, for which the Upland Property does not charge (i) a fee for use of the Beachfront Concession services; or (ii) a resort or Membership fee, entitling the user to the use of the Beachfront Concession services.
- (4) **Concessionaire** - any Direct City Concessionaire, Upland Owner Concessionaire or Third-Party Concession Operator, authorized to operate a

Beachfront Concession: provided that the Upland Property has secured all regulatory approvals for, and is open for business as a hotel, condominium, club, public establishment, or other permanent, high-occupancy operation which serves the public and/or guests or residents of the Upland Property.

- (5) **Direct City Concessionaire** - a provider of beachfront concession management and operation services who has been contracted directly by the City of Miami Beach.
- (6) **Third-Party Concession Operator** - a provider of beachfront concession management and operation services who has been subcontracted by the Upland Owner Concessionaire, excluding Direct City Concessionaires.
- (7) **Upland Owner Concessionaire (Commercial or Non-Commercial) - the legal owner of the Upland Property and operator of a Beachfront Concession** who is authorized, pursuant to a Commercial Beachfront Concession Agreement (Commercial Upland Owner Concessionaire) or a Non-Commercial Beachfront Concession Agreement (Non-Commercial Upland Owner Concessionaire): to conduct its own Beachfront Concession Operations; and/or to subcontract its Beachfront Concession Operations to a Third-Party Concession Operator.
- (8) **Upland Property** - the land adjacent to, and immediately westward of, the public beach. The Upland Property owner shall be determined from the records of the Miami Dade County Property Appraiser's Office, corresponding to the folio number for the Upland Property.
- (9) **Beachfront Concession Layout** - a schematic plan as depicted and described in Page 30, Beach Concession Layout, submitted to, and approved by, the City of Miami Beach which illustrates, in conjunction with the Concessionaire equipment list, and the Concession Facilities that the Concessionaire is granted permission to have.
- (10) **Concession Facilities** - Concession Huts and Storage Boxes (as depicted and described in Pages 30 - 34, Beach Concession Design Guideline, as well as any other items or equipment including, but not limited to, designated children's play area, cooking, heating, and refrigeration equipment or furnishings, trash receptacles approved for use by the City of Miami Beach in connection with the Beachfront Concession.
- (11) **Workable Concession Area** – The Concessionaire shall not place any Concession Facilities outside of the Workable Concession Area unless explicitly identified within this paragraph.
- (a) The placement of Concession Huts, and all storage boxes, shall be within the portion of the Concession Area bounded on the west by a line no more or less than three feet east of the trash receptacle line. Umbrellas and all styles and sizes of chairs and lounges shall be bounded on the west by a line no less than Six (6) feet east of the trash receptacle line. Additional boundaries shall be on the east by the lifeguard line of sight or 10 feet from the mean high-water line, whichever is greater and affords the lifeguard on duty a safe and

effective view of the water as determined by the lifeguard on duty, and bounded on the north and south by the extensions of the north and south property lines less Five (5) feet on both the north and south of the Upland Property in the case of an Upland Owner Concessionaire, all as determined by the City of Miami Beach. This configuration will allow for a public use area measuring Ten (10) feet in front of each "Workable Concession Area" plus Ten (10) feet between each concession area. The Concessionaire shall not be allowed to place any Concession Facilities outside of the above-described Workable Area other than a single umbrella secured to the interior side of a 4x4 wood post within the beach access path directly behind the representative Upland Property at a minimum of Twelve feet (12') west of the western edge of the emergency/service vehicular traffic lane. This umbrella is to be fully open with the canopy at a height of no less than Seven feet (7') when in place for greeting and directing the Upland Property guests and residents. It must be removed if not open and in use.

- (b) Children's Play Area- provided a children's play area has been included in the site plan and approved, it shall be located within the Workable Area and be located a minimum of Thirty-five feet (35') east of the trash can line with seating placed on the western side of the play area to be used for parental supervision of children at play. Signage indicating a "children's play area" shall be posted at Fifteen-foot (15') intervals along the eastern edge of the play area. At the end of each day, the temporary children's play area installations shall be removed from the beach and stored away.

- (12) **Motor Vehicle** - any City-approved automobile, truck, sport utility vehicle, golf cart, all-terrain vehicle (ATV), Mobile Cooking Concession Facility, or any other means of transportation that is, to the extent required by law, approved and appropriately licensed by the Florida Department of Transportation and /or Florida Department of Motor Vehicles to travel on paved roadways.

- (13) **Trailer** - any non-motorized vehicle or other means of transportation (e.g., jet ski trailers), with wheels, or constructed so that it can be fitted with wheels, and which is used or intended to be used for any one of the following purposes:
- (a) The rental of watersports equipment
 - (b) The sale of food and/or beverages
 - (c) cooking and /or heating of food
 - (d) the distribution, delivery, towing and return of anything, including, without limitation, jet skis, towels, chaises, cabanas,

2. **GENERAL CONDITIONS.**

A. Each Applicant to the City for approval as either a Direct City Concessionaire or an Upland Owner Concessionaire and their Third-Party Concession Operators must provide the City with written acknowledgment of their understanding of, and agreement to abide by, these Rules and Regulations, **Pages 36 - 37, Concessionaire Acknowledgement and Authorization** Prior to being granted a Beachfront

Concession Agreement. The entire application must be signed on behalf of the Applicant Concessionaire by a senior management officer and authorized individual; whose signature and authorization are and shall be binding upon Applicant's successors in interest, subject to the successor entity complying with the application and approval process for the Agreement within thirty (30) days from the date of the sale or transfer of the Applicant's interest; and whose signature must be notarized. The application must be accompanied by a report of the Secretary of State of the State in which the Applicant Concessionaire is organized and a report from the Secretary of the State of Florida, if Florida is the state of incorporation or, in the case of a foreign corporation, reflecting that Applicant is authorized to transact business in the State of Florida. Each such report must be dated not more than thirty (30) days before the submission of the application and must reflect that the Applicant Concessionaire is in good standing and that the applications signer holds a position which indicates his authority to sign the application; and must comply with all of the City's requirements for the application, including the following acknowledgments:

- (1) a written acknowledgment, **Pages 36 - 37, Concessionaire Acknowledgement and Authorization**, of its understanding of, and agreement to abide by, these Rules and Regulations prior to being granted a Beachfront Concession.
- (2) a written acknowledgment of its acceptance of its obligation, as to each person who, on its behalf, is to operate a Motor Vehicle on the beach ("Prospective Driver"), to do the following before the Prospective Driver drives any Motor Vehicle: The operating Concessionaire shall:
- (3) sign, in addition to the Prospective Driver the Safe Driving Agreement in substantially the form attached as **Pages 40 - 43, Vehicle Information Sheet, and Safe Deriving Agreement** or as amended by the City from time to time, with one fully signed original to be submitted with the application package and to be held by the City with the application,
- (4) retain, and make available for inspection by the City upon its request, each such fully signed Safe Driving Agreement throughout the period that the Prospective Driver is operating a Motor Vehicle on behalf of the Applicant Concessionaire and for a period of two years after the Prospective Driver ceases to operate a Motor Vehicle on behalf of the Applicant Concessionaire; and
- (5) prior to the operation of any Motor Vehicle on the beach, the City will require the Prospective Driver to satisfactorily complete a one-hour training course specifically geared to safety and operation of a Motor Vehicle, in compliance with the Safe Driving Agreement, said training to include actual operation by the Prospective Driver of the type of Motor Vehicle which he or she is anticipated to drive.
- (6) if the Applicant Concessionaire seeks approval as a Direct City Concessionaire, a written acknowledgment that it will not subcontract to any other person or entity the performance of any of its duties and obligations as a Direct City Concessionaire is required, unless otherwise approved in writing by the City pursuant to the Direct City Beachfront Concession Agreement.
- (7) If the Applicant Concessionaire seeks approval as an Upland Owner Concessionaire, a written acknowledgment that, **if it contracts with a Third- Party**

Concession Operator or multiple Third-Party Concession Operators for the management and operation of all, or parts of, the Beachfront Concession, the Upland Owner Concessionaire shall remain responsible to the City for performing under the terms and conditions of the Beachfront Concession Rules and Regulations, as may be amended from time to time. An Upland Owner Concessionaire may contract with more than one Third-Party Concession Operator for separate services. I.e., one for water sports, and another for furnishings. Each of the Third-Party Concession Operators and the Applicant Concessionaire are required to submit their **"Acknowledgement and Authorization" Page 36 - 37**, as well as their individual certificates of insurance. Under no circumstances may a Third-Party Concession Operator sub-contract any aspect of their services or responsibilities to another party or service provider.

- (8) The Applicant Concessionaire's application is not complete and will not be considered by the City if any of the City's application requirements are not satisfied. The City reserves the right, before considering any application, to require that any documentation or information be updated, expanded, and resubmitted if it is deemed necessary by the City to clarify and /or to confirm any such documentation or information.
- (9) Any Beachfront Concession granted pursuant to these Rules and Regulations shall not be construed to vest any additional rights upon the Concessionaire that do not otherwise exist, except for the privilege of temporary use of the beachfront in accordance with the conditions and requirements set forth in these Rules and Regulations and all other applicable City, County, State, and Federal laws. Concessionaires are hereby notified that all beaches within the City of Miami Beach are public and, as such, Beachfront Concession operations must not restrict, or appear to restrict, access or in any way limit the public nature or ambiance of the beachfront. All Concessionaires are required to post in a conspicuous location for all to read a sign approved by the City of Miami Beach which advises all that the *Beach is Open to the Public*.
- (10) There is no responsibility on behalf of the City of Miami Beach for any lost, stolen, or damaged property belonging to a Concessionaire.
- (11) Concessionaires are responsible for any damage caused to any City-owned property and /or the beachfront during the time of its usage of said areas.
- (12) Concessionaires must submit a written evacuation plan to the City for the prompt removal from the beach of all Motor Vehicles, Trailers, and Concession Facilities and Furnishings. The plan shall be implemented within one (1) hour of notification by appropriate City authorities and within eight (8) Hours of the issuance of a Hurricane Warning by the Miami-Dade County Office of Emergency Management. This plan **Page 39, Evacuation Plan** must be submitted to the City for approval. Each Concessionaire shall conduct a drill once per year, at the City's discretion, prior to hurricane season, to remove all of its Concession Facilities from the beach.
- (13) Each Applicant must further agree to notify the City, within thirty (30) days of any sale or transfer in the interest of Applicant or in the Third-Party Concession Operator entity. The successor entity shall be required to apply for its own Beachfront Concession Agreement in accordance with the terms and conditions of the Rules and Regulations.

- (14) The City reserves the right to amend these Rules and Regulations. Said amendments shall be binding on all Concessionaires.

3. BUSINESS TAX RECEIPTS AND FEES.

- A. **Business Tax Receipts** – As related to a Beachfront Concession, a City Business Tax Receipt (valid from October 1 through September 30 of the following year) is required for (1) each Upland Owner Concessionaire for the operation of the Upland Property; and (2) each Direct City Concessionaire in connection with the Beachfront Concession activities which such Direct City Concessionaire operates
- B. In addition to the Business Tax Receipts required in Paragraph 3(a) above, an Upland Owner Concessionaire shall pay an Upland Fee, per Upland Unit. The fee will increase annually in accordance with the Consumer Price Index (CPI) as determined by the U.S. Department of Labor Statistics. The number of Upland Units shall be determined by the City's Finance Department or designee as will the CPI adjustment amount.
- C. If the Upland Owner Concessionaire requests that the Concession Area be utilized by any additional property or properties, other than the Upland Property, the same Unit fee shall apply to any additional properties based on the number of units in each of the additional properties. Additional properties are those non-beachfront properties which are authorized by agreement with the Upland Property to utilize the beachfront and Beachfront Concession amenities of the Upland Property. There shall be no maximum Unit Fee for Beachfront Concessions utilized by multiple properties. These fees shall be due and payable in advance to the City's granting authorization for a Beachfront Concession, and prior to October 1, of each year.
- D. Any additional property granted approval to utilize the beach and the beachfront amenities of an upland property, (1) must be physically located within the city limits of the City of Miami Beach and (2) maintain Liability Insurance in the same manner as the upland property with the City of Miami Beach listed as co-insured and certificate holder.
- E. Direct City Concessionaire Fees - In addition to the Business Tax Receipts required in Paragraph 3(a) above, a Direct City Concessionaire will pay the City a concession fee, to be negotiated between the Direct City Concessionaire and the City, in connection with the operation of a Beachfront Concession, to be delineated in the Direct City Beachfront Concession Agreement.

4. LATE FEES

Any payment of fees invoiced and due associated with the operation of any Beachfront Concession including the Mobil Cooking Concession Facility which is not paid on or before the respective due date provided for in the application for Beachfront Concession Operations shall be subject to interest of Eighteen percent (18%) per annum or the maximum interest rate allowable under Florida law from the payment due date until such time as the payment in full is actually received by the City. In addition, any payment received after Five (5) Days of its due date shall accrue a late payment fee equal to Ten percent (10%) of the invoiced amount and additional late payment fees thereafter payable on each Thirty (30) day interval until paid in full.

5. INSURANCE

- A. Every Concessionaire must maintain the required Beachfront Concession Insurance set forth in the attached **Page 44, Beach Concession Insurance Requirements** at all times. Every Concessionaire shall:

- (1) furnish to the City a Certificate of Insurance, in customary form and substance, evidencing compliance with those requirements; and
 - (2) furnish to the City a renewal Certificate of Insurance, in customary form and substance, evidencing compliance with these requirements, at least fifteen (15) calendar days before:
 - (a) the expiration of a current Certificate of Insurance; or
 - (b) the effective date of any cancellation of the insurance.
- B. **In the event the Concession Area is utilized or operated by any additional person or entity each such person or entity must maintain the required Beachfront Concession Insurance at all times.** The Concessionaire is responsible for compliance with these requirements by said additional person or entity. This Paragraph 4(B) shall not be interpreted or applied in any manner to diminish the responsibilities of the Concessionaire or to authorize the use of the Concession Area by any additional person or entity.

6. CONCESSION AREA.

- A. Each Concessionaire shall comply with the approved Beachfront Concession Layout which sets forth the Workable Area of the Beachfront Concession and shall stay within the Workable Area. The Concessionaire shall not be allowed to place Concession Facilities anywhere outside of the Workable Area. The Concessionaire shall not Agreement patrons to place any chairs, umbrellas, or any other items/equipment belonging to the Concessionaire outside of the Workable Area. The only exception to this requirement shall be the placement of a single umbrella as stipulated in **Workable Concession Area, Page 3 of 46, Section 1. B. (11), (a).**
- B. Notwithstanding Paragraph 6(A) above, due to the irregular curve of the beach at 20th Street, the Concessionaire immediately south of 20th Street shall be authorized to occupy the Street end of 20th Street. Use of street ends by Concessionaires at all other locations is prohibited.
- C. Concession Facilities, other than trash receptacles and beach chairs /umbrellas, shall not occupy more than forty percent (40%) of the north/south distance of the Workable Area. By way of example, if the north/south distance of the Workable Area is 100 feet, and the Concession Huts and Storage Boxes are 10 feet by 10 feet each, there shall be no more than a combination of four (4) Concession Huts and/or Storage Boxes located within the Workable Area. Notwithstanding the foregoing, Concession Huts and/or Storage Boxes shall be placed/stacked east and west of each other. **However, under no circumstances may this east to west stacking exceed Three (3) Concession Huts and/or storage boxes or occupy more than One-Third (1/3) of the measured distance from the trash can line to the Average Mean Highwater Line (typically the high edge of the high tide line).**
- D. Concessionaires shall place, if included as part of the Beachfront Concession Layout, one (1) Storage Box at the southwest corner of the Workable Area and one (1) Storage Box at the northwest corner of the Workable Area, as a means to identify said boundaries of the Workable Area.

E. The Workable Area shall be set up every day no earlier than one (1) hour after sunrise and removed no later than sunset, except that from April 1 to October 31 Concessionaires must wait until Miami-Dade County has conducted its morning turtle nesting survey before commencing set up (the "Operating Hours"). Set up of the workable area shall not occur until the later of the one (1) hour after sunrise or the completion of the Sea Turtle survey.

F. The Concessionaire shall post signs which state "BEACH OPEN TO THE PUBLIC" on all Concession Huts and Storage Boxes. Said signs shall include, for commercial Beachfront Concessions, the prices to be paid by the public, to the extent applicable, for food and beverages, the rental of watersports equipment, and the rental of beach furnishings and equipment. Said signs shall require prior written approval by the City.

- (a) Upon the recommendation of our City Attorney, All Concessionaires should post warning signs on their concession structures warning beachgoers of inherent dangers of the ocean. The recommended language appears below.

BEACH SAFETY RULES
FOR YOUR OWN SAFETY IT IS REQUIRED
THAT YOU UNDERSTAND AND TAKE HEED OF THE FOLLOWING

DUE TO THE INHERENT DANGER OF CONSTANTLY CHANGING OCEAN, SURF CONDITIONS AND WEATHER, PLEASE BE ADVISED THAT WHEN ENTERING THE OCEAN, THERE ARE NATURALLY OCCURRING, UNCONTROLLABLE CONDITIONS, AS WELL AS INHERENT RISKS WHICH COULD PHYSICALLY HARM YOU (AND POSSIBLY CAUSE DEATH), SUCH AS WIND, WEATHER, WAVE, SURF, AND WATER CONDITIONS, AS WELL AS, AMONG OTHER THINGS, SANDBARS, SEA LIFE, RED TIDE, GLASS, AND SUBMERGED ARTICLES, NONE OF WHICH CAN BE CONTROLLED.

G. The Concessionaire shall post the following items in a visible location inside the Concession Huts: 1) a copy of the Business Tax Receipt, 2) a copy of these Rules and Regulations, and 3) basic operating procedures for Concessionaire staff, which procedures shall be subject to review and approval by the City (i.e., time of deployment of equipment, location of equipment, collection of trash, etc.).

H. Concession Facilities shall be neat, clean, and well maintained at all times. The Concession Area and operation must be aesthetically pleasing and non-detrimental to the surrounding environment. Any graffiti shall be removed or re-painted with matching paint within twenty-four (24) hours. Beachfront concession storage sheds and concession huts will be inspected regularly. If found to be in need of repair, maintenance, or replacement a notice of violation shall be issued, and a period of time will be noted for corrective action.

I. Beachfront Concession activities, including the placement and /or use of umbrellas, canopies, etc., shall not obstruct the view of a lifeguard. **Any request from a lifeguard to relocate any item that obstructs his/her view shall be treated as an emergency and the item shall be relocated immediately without question.**

7. FOOD AND BEVERAGE SERVICE.

(a) A Food Service license issued by the Florida Department of Business and Professional Regulation - Division of Hotels and Restaurants for the food service unit must be supplied by the Applicant for a Beachfront Concession before a City Business Tax Receipt for a Food and Beverage Beachfront Concession may be issued.

(b) If the Beachfront Concession includes Food and Beverage service, then at least one supervisory employee must possess a Food Service Management Certification issued by the Miami-Dade County Public Health Department. In addition, each food service facility must be licensed by the Florida Department of Business & Professional Regulation - Division of Hotels and Restaurants (8240 NW 52 Terrace, Suite 101, Doral, Florida, 33166; telephone: 850-487- 1395).

(c) Any Upland Property which provides Food and Beverage services shall schedule sifting of their beachfront by an insured, City approved vendor at a frequency of twice monthly. The cost of this sifting service shall be borne by the Upland Property holding the beachfront Food and Beverage Agreement.

(d) Concessionaires shall not vend or offer glass containers, metal containers, unless such bottle or container is primarily composed of aluminum., plastic lids, single use plastic beverage straws, single use plastic stirrers, except that plastic beverage straws or plastic stirrers may be provided to an individual with a disability or medical condition, as described in Section 11. Notwithstanding the foregoing, recyclable plastic bottles, bottles or containers which are primarily composed of aluminum will be authorized for use. The use of plastic bags (except for large plastic bags used for trash collection) shall not be authorized.

(e) **100% Reusable Ware Requirement for Concessionaires (Excluding take-out Food and Beverage service provided by Mobile Cooking Concession Facility).** The requirements of this subsection 6(d) shall become effective on October 1, 2024.

- (1) All Concessionaires approved for, and who are issued a Beachfront Concession Agreement authorizing the Upland Property to provide Beachfront Concession services which include food and beverage services are required to utilize 100% reusable wares in connection with the containment, delivery, display, consumption and retrieval of all items used for the purpose of providing Food and Beverage services in the Concession Area on the beach. Reusable wares shall include, but are not limited to, tableware serving dishes/containers, condiments, plates, bowls, hot and cold cups, and flatware. Notwithstanding the foregoing, Concessionaires will be authorized to use napkins made from recycled materials and wooden coffee stirrers. All reusable wares are required to be collected and removed from the beach by the Concessionaire upon conclusion of their use. This reusable ware requirement shall not apply to take-out Food and Beverage services provided by mobile cooking and heating Concession Facilities, as more particularly described in Subsection (g).

(f) Mobile Cooking Concession Facilities.

The following requirements shall apply to Mobile Cooking Concession Facilities:

- (1) Mobile Cooking Concession Facilities will only be authorized at those locations operating pursuant to a valid, City-issued Business Tax Receipt and a Beachfront Concession Agreement which specifically authorizes a Mobile Cooking Concession Facility.

- (2) **Mobile Cooking Fee** - A Mobile Cooking Concession Facility must be applied for by the Upland Property owner to the City immediately upon serious consideration and well prior to any purchase of such a Concession Facility, or its appliances and/or facilities. The application must contain full detail on the size, dimensions, electric power source and capacity, fuel source and capacity, intended appliances and their power consumption, and a certified acknowledgement from the original equipment manufacturer, confirming that the original equipment, as manufactured, is capable of accepting, handling, and properly and safely functioning with the addition of all additional equipment, amenities, modifications and alterations proposed by the Upland Property owner. If the Upland Owner Concessionaire is authorized to use a Mobile Cooking Concession Facility, the Upland Owner Concessionaire shall also pay a Mobile Cooking Fee, in the fixed annual amount of \$120,000.00, payable on a monthly basis, in the amount of \$10,000.00. The monthly Mobile Cooking Fee shall be paid, in advance, on the first day of each month.
- (3) No Mobile cooking and/or heating Concession Facility which is more than Twenty (20) Years of age shall be Agreementttd to operate on the beachfront. The Beach Field Supervisor shall conduct routine inspections of all facilities to ensure appropriate appearance and esthetics.
- (4) Notwithstanding any other provisions contained herein, all mobile cooking and/or heating concession facilities must be removed from the beach at least one (1) hour before sunset, shall not be Agreementttd to remain on the beach overnight, and shall not be located on the beach prior to one (1) hour after sunrise or, during Sea Turtle Nesting season (April 1 to October 31) prior to the completion of the nesting survey.
- (5) In order for a Mobile Cooking Concession Facility to be approved and authorized on the Workable Concession Area, the Upland Property must also have secured approval of Beachfront Food and Beverage services, except in the case of a Direct City Concessionaire Agreement. The use of a Mobile Cooking Concession Facility shall also require at least one supervisory employee who must possess a Food Service Management Certification issued by the Miami-Dade County Public Health Department. This may be the same employee who oversees the Beachfront Food and Beverage concession operation on the Upland Property. In addition, each food service facility must be licensed by the Florida Department of Business & Professional Regulation - Division of Hotels and Restaurants (8240 NW 52nd Terrace, Suite 101, Doral, Florida, 33166; telephone: 850-487- 1395).
- (6) **Only City-approved Concession Facilities will be Authorized.** All mobile cooking and /or heating Concession Facilities must be approved by the Planning Department, Design Review Board or their designated authority as to color, size, style, power source, additional equipment, alterations to OEM specifications, and modifications for any given location. Any and all mobile cooking and /or heating Concession Facilities must receive prior approval by the City Manager, in accordance with the City Planning Department's current Beachfront Concession Design Guidelines or any other such design as may be approved by the City Manager and the City's Planning Department or designated staff. No Trailer manufactured before 2016 is to be authorized for use on the beachfront.
- (7) Mobile cooking and/or heating Concession Facilities will only be authorized on the beachfront in accordance with applicable City, County, State, and Federal laws, and shall be inspected at least once per year by the City's Fire Department.

- (8) Cooking and/or heating Concession Facilities shall only be powered by the use of battery powered, solar powered, or propane gas systems, that are properly approved, authorized, and installed in accordance with applicable City, County, State, and Federal laws. The use of electricity-producing generating Mobile devices (generators) is prohibited.
- (9) Upland Owner Concessionaires who are authorized to provide mobile cooking and/or heating Concession Facilities may provide patrons table seating immediately adjacent to the cooking and/or heating Concession Facility. Each mobile cooking and/or heating Concession Facility may provide a maximum of ten (10) tables, with no more than one Umbrella and four (4) chairs per table. All facilities are subject to approval by the Planning Department. Notwithstanding any other provisions contained herein, all mobile cooking and/or heating Concession Facilities must be removed from the beach by sunset; shall not be approved to remain on the beach overnight; and shall not be located on the beach prior to 1 hour after sunrise.

(g) **Take-Out Food and Beverage services provided by Mobile Cooking Concession Facility.** In connection with providing take-out Food and Beverage services, Upland Owner Concessionaires shall pursue the use of service articles made of biodegradable or recycled materials, including, but not limited to, tableware, serving dishes/containers, condiments, plates, bowls, hot and cold cups, napkins, wooden coffee stirrers and flatware. The city encourages the use of unbleached, non-coated, recycled content, paper food service articles and other fiber-based food service articles as the most environmentally preferred alternatives. No plastic bags should be distributed; instead, the Applicant should use paper or reusable bags (materials can vary, such as calico, cotton, hemp, jute and others).

- (h) Upland Owner Concessionaires are encouraged to reduce the amount of packaging and use packaging that does not contain packaging inks, dyes, pigments, adhesives, stabilizers, and additives with levels of lead, cadmium, mercury or hexavalent chromium in packaging inks, dyes, pigments, adhesives, stabilizers, and additives equal to or greater than 100 parts per million, which is consistent with packaging statutes adopted by 19 U.S. states. The following exceptions apply to this heavy metal threshold recommendation for packaging:
- a. Packaging made from recycled materials.
 - b. Packaging that is essential to the protection, safe handling, or function of the package's content.
 - c. Packaging having a controlled distribution and reuse (i.e., beverage containers subject to mandatory deposit requirements); and
 - d. **Packaging or packaging component that is glass or ceramic where the decoration has been vitrified (Definition: Vitrified glass is glass that has been fired at an ultra-high temperature so that it is nonporous and extremely durable) and when tested meets specific requirements.**

8. WASTE DISPOSAL.

- (a) The Concessionaire shall provide, at its sole expense, at least two (2) City approved trash receptacles (one (1) for trash clearly labeled "Trash" or "Non-Recyclable" and one (1) for recyclable materials Clearly labeled "Recyclable" with a secure lid with a seven-inch (7") round hole for depositing recyclables within the confines of the Concession Area, approved for its use and for the use by the public. Disposal of the contents of said trash receptacles, and the removal

of all other trash or litter from the Concession Area, shall be performed in accordance with Section 7(b), and shall be the sole responsibility of the Concessionaire.

(b) Each Concessionaire shall be responsible, at all times throughout the day, for the collection of all trash and litter, within the entire Concession Area. Additional trash and litter collection exercises shall be performed prior to the placement of any umbrellas or chairs each morning, hourly by concession staff at all concession locations between the hours of 12 PM and 5PM and at the end of each day of operation. All such materials shall be identified as either trash or recyclable and placed in the appropriate cans for trash or recyclable items. Unless otherwise approved in writing by Miami-Dade, County, all such materials collected by the Concessionaire must be removed from the beach and disposed of by the Concessionaire and shall not be placed in the Miami-Dade County or City of Miami Beach serviced trash receptacles or dumpsters under any circumstances.

(c) **Food and Beverage Waste (including Mobile Cooking Concession Facilities).** Any waste items, unconsumed food or beverage, food remains such as bones, fruit skins, or other remaining food matter will be placed in a clear plastic bag which will prevent leakage by the Concessionaire and placed in the appropriate trash can for collection and disposal. Upland Owner Concessionaires are responsible for all trash and debris generated by the utilization of any approved mobile cooking and/or heating Concession Facility on the beach.

(d) The City and or the county shall charge Concessionaires for the costs of special clean up necessary should Concessionaires fail to reasonably perform.

9. STORAGE.

(a) There shall be no overnight storage of any kind east of the dune Rope and Post fence line of any kind within the dune. The following will be permissible on the beach:

- (1) Beach chairs, day beds, and cabanas will be Agreementtted to remain within the Workable Area overnight, as long as they are in good condition, neatly stacked, and orderly arranged side-by-side, running east and west, immediately adjacent to the Storage Boxes/Concession Huts. All chairs, day beds, and cabanas shall be secured with a cable and/or a locking mechanism to prevent unauthorized access and use. This cable, when removed shall be secured within the Concession Hut to ensure that it does not get entangled and damage the beach sifting equipment. The Upland Property will be responsible for any and all damage to sifting equipment caused by failure to properly secure the said cable, Stacked equipment shall not interfere with beach cleaning and grooming operations, as determined by the City of Miami Beach. In no event shall the stacked equipment exceed a height of eight (8) feet.
- (2) Trailers for storage shall not be authorized for use anywhere on the beach at any time, or on any adjacent dune area or spoil area (west of the dune area). The Storage or parking of Jet Ski trailers, unless actively deploying jet skis, shall not be authorized on the beach or any adjacent dune area or spoil area.

10. STAFFING.

(a) During operating hours, each Concession Area shall have at least one (1) employee on-site at all times.

(b) All employees of the Concessionaire working within the Concession Area shall wear uniforms, which include the name of the Concessionaire, and must comport themselves in a professional and courteous manner at all times during Operating Hours. In the event the uniforms do not include the name of the employee, then there must be an employee roster contained at the Concession Hut. The Concessionaire is responsible for the actions, behavior, and work Agreements for each of its employees and its subcontractor's employees.

(c) Each Concessionaire must conduct its operations so as to maintain reasonable quiet and make no public disturbances. Hawking to attract attention, and/or summoning or accosting any person is prohibited. The playing of any music or allowing any other activity that disturbs the public is prohibited.

11. SPECIAL EVENTS.

For any use or operation, other than that specifically authorized for a Beachfront Concession, the Concessionaire must comply with any requirements imposed pursuant to Section 12-5 of the City Code and any other applicable City, County, State, and Federal requirements. A special event Field Monitor will be on site to enforce load-in, load-out, and event Agreement procedures and requirements. This Field Monitor will issue Agreement violations and ensure corrective action is taken in an acceptable time period considering the nature of the violation. In the event a Field Special Events Monitor or the Beach Maintenance Field Supervisor should learn of any violation involving the dune or its vegetation, immediate notification to Environment and Sustainability shall be provided.

12. ENVIRONMENTAL

(a) Pursuant to Section 46-92 (c) of the Code of the City of Miami Beach, as may be amended from time to time, it is unlawful to carry onto the beach any expanded polystyrene product, single use plastic beverage straws or single use plastic stirrers, except that the prohibition relating to single use plastic beverage straws or plastic stirrers shall not apply to a person or patron with a disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or plastic stirrer. Concessionaires are prohibited from selling, using providing food in, or offering the use of expanded polystyrene food service articles. Except as Agreemented, Concessionaire is prohibited from selling, using, providing food in, or offering the use of plastic beverage straws or plastic stirrers on the beach. Additionally, pursuant to Section 46-92(c) of the Code of the City of Miami Beach it is unlawful for any person to carry onto any beach in the City or for any concessionaire to use, provide, or offer any glass or metal bottle or glass or metal containers excluding any metal bottle or container which is primarily composed of aluminum. Concessionaires are prohibited from selling, using, providing food in, or offering the use of glass or metal bottles or glass or metal containers excluding any metal bottle or container which is primarily composed of aluminum.

(b) Pursuant to Section 82-7 of the City Code, as may be amended from time to time, Concessionaire is prohibited from selling, using, providing food in, or offering the use of expanded polystyrene food service articles (as defined in City Code Section 82-7) on the Concession Area. A violation of this subsection (b) shall be deemed a violation under the terms of the Concessionaire's agreement, and grounds for revocation of a Food and Beverage Concession.

(c) Additionally, pursuant to Section 82-8 of the City Code, as may be amended from time to time, Concessionaire is prohibited from selling, using, providing food in, or offering the use of single-use plastic beverage straws or single-use plastic stirrers (as defined in City Code Section 82-8) on the Concession Area. A violation of this subsection (b) shall be deemed a default under the terms of Concessionaire's Agreement or agreement, and grounds for revocation of a special event Agreement. Notwithstanding the above, the requirements of Section 82-8 shall not restrict Concessionaire from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer to an individual with a disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or single-use plastic stirrer.

(d) As additional consideration for Concessionaire's Agreement, separate and apart from the requirements of Sections 82-7 and 82-8 of the City Code, Concessionaire agrees:

(1) not to sell, use, provide food in, or offer the use of expanded polystyrene food service articles on the Concession Area. A violation of this subsection (d)(1) shall be deemed a default under the terms of Concessionaire's Agreement and grounds for revocation of a special event Agreement. Notwithstanding the above, this subsection (d)(1) shall not apply to expanded polystyrene food service articles used for prepackaged food that have been filled and sealed prior to receipt by Concessionaire; and

(2) not to sell, use, provide food in, or offer the use of single-use plastic beverage straws or single-use plastic stirrers on the Concession Area. A violation of this subsection (b)(2) shall be deemed a default under the terms of Concessionaire's Agreement. Notwithstanding the above, Concessionaire shall be authorized to provide a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer to an individual with a disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or single-use plastic stirrer.

Pursuant to Section 82-482 (a) of the Code of the City of Miami Beach, as may be amended from time to time, it is unlawful and prohibited for any person to conduct, or Agreement to be conducted, the storing of beach equipment, tents, or other materials in the vegetated dune area. It is unlawful and prohibited for any person to destroy, mutilate, break, move, tear up, carry away, harvest, traverse upon, or alter in any manner any dune and/or beach vegetation, fencing, rope and post, public access structures, public beach structures, or fixtures occurring naturally or planted or erected by the city or its agents. Additionally, pursuant to Section 82-482 (a) of the Code of the City of Miami Beach, it is unlawful for any person to walk or traverse in the dune, or drive or operate a motor vehicle in the dunes. Lastly, it is unlawful and prohibited for any person to excavate, mine and remove, or haul sand or soil from the beach or dune.

13. **WATERSPORTS (Jet Ski and In-Water Towable) AND PARASAILING**

The following regulations specifically apply to Concessionaires offering watersport concessions and parasailing:

(a) Propeller crafts have been approved with propeller guards for shuttle purposes to and from the Parasail vessel only and for Parasail passenger participants only. The shuttle vessel may only operate within an established watersports channel which is properly marked as stated in Section 12 Watersports, sub-section (e). Life jackets are required to be worn by all passengers while on the shuttle vessel and the Parasail vessel. Per Florida SS 327.27 "A person may not operate a vessel on any waters of this state towing a person attached to a parasail or similar device unless there is a person in the vessel, in addition to the operator, in a position to observe the progress of the person being towed. A wide-angle rear-view mirror is not acceptable for this purpose."

(b) All operations that involve the use of a jet ski and/or in-water towable watercraft must

have a "chase watercraft vessel" of equal or greater horsepower readily available for problems that may arise during the rental of water sports equipment and be in good working order. The "chase watercraft vessel" is subject to the prior approval of the City.

(c) The operation of all watersport activities (motorized and non-motorized) shall be conducted outside the 300-foot restricted swim area and no closer than 400 feet of any lifeguard stand. The location of each watersport concession shall be subject to the approval of appropriate City Departments.

(d) Concessionaires are responsible for instructing clients on the safe operation of water sports equipment including, without limitation, directions to stay out of all restricted swim areas; to wear a lifejacket at all times; and how to use, and the circumstances for use of, the kill switch.

(e) In its application, each Concessionaire must identify a channel (adjacent to the Concession Area) to be used as an access route through which users of watersport equipment may leave the beachfront and enter open water. Said channel shall be a minimum of 25 feet in width and shall extend 300 feet east, and perpendicular to the shoreline and be marked by removable, orange-colored buoys which shall be a minimum of eighteen (18) inches in diameter. There shall be a minimum of four (4) buoys on each side of the channel, equally spaced. The water channel shall be marked by the Concessionaire before watersports equipment is used. The channel, and any changes in the channel, must be approved as provided in Section 12(n).

(f) Watercraft shall not exceed "idle speed" within the channel.

(g) The continuous wearing of a life jacket is required for all watersport activities (i.e., wave runners, jet skis, kayaks, paddle boards, and parasailing etc.). All life jackets must be approved by the U.S. Coast Guard and be in good condition. Concessionaires shall supply all users of watersport equipment with life jackets in appropriate sizes.

(h) Each Concessionaire must comply with the following Florida Statutes, and as such Statutes may be amended. These statutes are overseen and enforced primarily by the State of Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement. These statutes include F.S. 327.39, F.S. 327.395, and F.S. 327.54, which include, in part, the following:

- (1) All persons under the age of 14 cannot operate or rent a personal watercraft ("PWC").
- (2) All persons 14 years of age or over, but under age 18, can operate a PWC with a boater ID card but cannot rent a PWC.
- (3) All persons 18 years of age, and born on or after January 1, 1988, can rent and operate a PWC with a photographic identification and a Florida boating safety identification card issued by the commission; a state-issued identification card or driver license indicating possession of the Florida boating safety identification card; or photographic identification and a temporary certificate issued or approved by the commission.
- (4) All persons born before January 1, 1988, must meet the age requirement to rent and operate a PWC.
- (5) Valid identification shall be required by the Concessionaire.

(i) Parasailing shall be conducted only from winch boats operating beyond the restricted swim areas. The propellered shuttle taking clientele to and from the Parasail Vessel to

and from the near shore must be equipped with a propeller guard, may only operate within the marked watersports channel and only at idle speed.

(j) All watercraft equipment shall meet the registration and license requirements of the State of Florida.

(k) All motorized watersports equipment shall be equipped with approved kill switches in good working order. The watersports equipment driver shall wear the kill switch activator at all times.

(l) Fueling watersports equipment is allowed on the beach under the following conditions only: signs must be posted where the gasoline is kept; cans which are spill-proof must be used; residents, tourists, and the general public, must be kept a safe distance from where the fuel is stored and where the fueling process is taking place. Fuel shall not be stored on the beach overnight. Fueling must be completed over a secondary containment vessel to prevent spillage and contamination of beach sand. Any fuel spill on the beach shall be reported immediately to City of Miami Beach Fire, Police, Ocean Rescue, Environment and Sustainability, and Beach Maintenance.

(m) The equipment approved to be used in a watersport Beachfront Concession operation consists of a maximum of five (5) waverunners for rent, and a combined total of six (6) kayaks and/or paddleboards for rent. Notwithstanding the foregoing, the Beachfront Concessions located at 1601 Collins Avenue (Loews Hotel) and 4441 Collins Avenue (Fontainebleau Hotel) have additional grandfathered equipment, including additional waverunners, banana boats, and parasail operations.

(n) Any change to, or addition of, a watersport Beachfront Concession, or the implementation of a new water channel to accommodate a new watersport Beachfront Concession operation, shall require review by, and a recommendation from, the Marine and Waterfront Protection Authority, as well as written approval by the City Manager or his/her designee.

14. MOTOR VEHICLES, TRAILERS AND CONCESSION FACILITIES.

(a) A Concessionaire's Motor Vehicle shall only be allowed on the beach for purposes of supplying the Beachfront Concession, and, if and to the extent authorized, to initially deploy equipment and a Trailer at the beginning of the day, to remove the equipment and Trailer (if a Trailer is authorized) at the close of operations each day, and the Concessionaire's Motor Vehicle must leave the beach immediately thereafter. Said supplying, deployment, and removal operations shall only be approved of during a Concessionaire's regular hours of operation and shall be completed safely. No Motor Vehicle or Trailer is to be on the beach before 1 hour after sunrise or after sunset. Access to the beach shall only be authorized via the predetermined and assigned beach access points/dune crossovers authorized for such use and nearest to the Concession Area as reflected in the Concession application.

(b) Motor Vehicles, including Motor Vehicles with attached Trailers, operated on the beach shall not exceed 5 M.P.H. and shall only operate on the "hard packed sand" area in the immediate vicinity of the Concession Area for which they service and are employed, or to-and-from the predetermined and assigned beach access point for the property they serve. After transporting equipment to a Concession Area, the Motor Vehicle, and any Trailer attached thereto, shall be removed from the beach. Driving on the beach shall be kept to a minimum. No Concession-related vehicular traffic will be authorized on the beach, at any time or for any purpose, other than as stated and as approved herein.

(c) Eighteen-inch (18") high cones, orange in color, shall be placed in front of, and at the rear of, a Motor Vehicle or Trailer when parked on the beach. Concessionaires must inspect the perimeter of the Motor Vehicle or Trailer and surrounding area, prior to starting the engine, to assure a clear path of egress and only proceed with extreme caution.

(d) All Motor Vehicles, Trailers and/or Concession Facilities must display on each side of the vehicle a "Beach Vehicle Pass" decal containing a unique Identification Number which shall be issued and provided for by the City. No other identification or signage of any kind shall be displayed, except that the name of the Concessionaire which owns and operates the Motor Vehicle, Trailer, and /or Concession Facility may also be displayed, in which case the Upland Owner Concessionaire (if any) may also add its name. The two (2) decals must be placed on opposing sides of the vehicle (either front/back or left/right). The Identification Number will correspond to the number on the City file which contains originals or copies of all applications, Agreements, correspondence, and other materials which concern or relate to the Beachfront Concession and/or the Beach Vehicle Pass decals which have been issued. Concessionaires with multiple Motor Vehicles, Trailers, or Concession Facilities will receive a unique Identification Number for each such Motor Vehicle, Trailer and /or Concession Facility. As to each Motor Vehicle, Trailer, or Concession Facility for which the City issues Beach Vehicle Pass decals, the City shall advise the Concessionaire in writing of the limits applicable to each such Motor Vehicle, Trailer, or Concession Facility, including the limited area, the limited range, and the limited points of entry to and exits from the beach. Such limits shall be reflected in a document issued by the City which must be displayed on the Motor Vehicle, Trailer, or Concession Facility, at all times.

(e) Each Beachfront Concession shall be limited to the use of one (1) Motor Vehicle servicing the Concession Area at a time and one (1) Trailer, to supply and/or service the Beachfront Concession. Notwithstanding the foregoing, Beachfront Concessions authorized to provide watersports shall be allowed one (1) additional Motor Vehicle to service the watersports operation; and in the event the Upland Property is operating a Mobile Cooking Concession Facility, one additional cargo cart may be approved for the delivery of supplies and the removal of reusable wares, recyclables, and trash.

(f) Due care and caution must be utilized at all times while driving any Motor Vehicle, and any Trailer attached thereto, on the beach. All vehicles while entering or exiting the beach regardless of the location shall come to a complete stop and yield full right of way to pedestrians, bicyclists, and others on the Beachwalk.

(g) Prior to entering the beach and at all times while on the beach, drivers must turn on their Motor Vehicle's headlights and front and rear flashers and their Trailer's rear flashers, to the extent that the Motor Vehicle or Trailer is so equipped.

(h) Both the passenger and driver's side front windows of the Motor Vehicle shall be rolled down while operating said Motor Vehicle on the beach.

(i) All Motor Vehicles and any Trailers attached thereto, shall stay west of the garbage can line on the hard-packed sand or within the vehicle service lane when travelling north and south, and shall travel only north or south on the beach except to the limited extent necessary for brief periods to deploy, service, or remove anything necessary for the Concessionaire to conduct its operations. All Motor Vehicles, and any Trailers attached thereto, entering the area east of the garbage cans shall travel in a ninety-degree angle to the garbage can line. Notwithstanding, all Motor Vehicles shall at all times remain west of all Concession Facilities and other beach equipment (e.g., chairs, umbrellas). The only exception to this rule is for Beachfront Concessions that have been authorized to conduct watersports activities and are in the process of deploying, servicing, or removing watersports equipment from the Concession Area. Said deployment, servicing, or removal of water sports equipment must be

conducted with no less than one additional Concessionaire employee who will be positioned on the beachfront to directly supervise and guide said deployment, service, or removal operation, to ensure the safety of the public. Additionally, during any deployment, service, or removal operation, the Concessionaire is required to place no less than eight (8), eighteen-inch (18") high cones, orange in color, no less than four (4) on the northernmost boundary and no less than four (4) on the southernmost boundary of the projected path (from hard-packed sand to the shoreline) of the Motor Vehicle to create a clear non-obstructed path perpendicular to the shoreline, of no less than twenty-five feet (25 ') in width (when measured from north to south). The vehicle driver and a supervising Concessionaire employee must independently inspect the vehicle perimeter, surrounding area, and path (once marked) before starting the engine, to assure a clear path of ingress to the shoreline or egress to the hard packed sand, and only then, proceed with the respective operation with extreme caution to ensure the safety of all beachfront patrons and persons and property on the beach.

(j) Use of a cellular phone or any other electronic device by the driver while the Motor Vehicle is in motion is prohibited. The Motor Vehicle's gear shift must be placed in the Park position and the emergency brake engaged prior to any use of a cellular telephone or any other electronic device by the driver.

(k) Concessionaires, their employees, and contractors, are prohibited from driving their personal vehicles on the beach at any time, irrespective of whether the personal vehicle is a motor vehicle or any other type of vehicle (e.g., motorcycle).

(l) Any Motor Vehicle not reflected in an approved Beachfront Concession "Vehicle Information Sheet," and/or not approved by the City, will be required to leave the beach immediately.

(m) Motor Vehicles and Trailers shall not be parked or left unattended on the beach, at time or for any reason, except that golf carts and ATVs shall be allowed to park immediately east of the dune for no more than 30 minutes, but only during the Operating Hours of the Concessionaire and only to the extent that the emergency vehicle path remains unobstructed.

(n) Each driver shall be required by the Concessionaire to drive with both hands on the steering wheel at all times.

(o) Each driver shall be required by the Concessionaire to hold at all times a valid and effective Florida chauffeur's or driver's license (whichever the law may require) which is not suspended or revoked.

(p) Each driver shall be required by the Concessionaire to drive at all times without being under the influence of alcohol, drugs, or any substance which may impair the Driver's ability to drive safely.

(q) Each driver shall be required by the Concessionaire, before the Driver begins his her work for the Concessionaire, to complete a one-hour training course on the or operation of a Motor Vehicle in compliance with the Safe Driving Agreement. The training shall include actual operation by the Driver of the type of Motor Vehicle which the Driver is expected to drive.

15. ENFORCEMENT, PENALTIES AND TERMINATION.

These Rules and Regulations shall be enforced by the City, as set forth below:

(a) The following monetary penalties shall be imposed for a failure to comply with these Rules and Regulations:

(1) First offense... a penalty of \$250.00.

(2) Second offense for the same violation within a 12-month period... a penalty of

- \$500.00.
- (3) Third offense for the same violation within a 12-month period... a penalty of \$1,000.00.
 - (4) Fourth offense and subsequent offenses for the same violation within a 12-month period a penalty of **\$2,500.00.**

The City may issue a written warning for first time violations in lieu of a first offense violation. Such penalties are in addition to and separate from any violations issued by the City for noncompliance with other sections of the City Code.

(b) The City Manager, or his/her designee, through its Beachfront Field Supervisor, or other designee, shall enforce the provisions of these Rules and Regulations. As used in these Rules and Regulations, "Field Supervisor" shall include, but not be limited to, a Code Compliance Officer, Park Ranger, a Police Officer or the Beachfront Field Supervisor. If a Field Supervisor finds a violation of this section, the Field Supervisor may issue a Notice of Violation to the violator. The Notice of Violation shall inform the violator of the nature of the violation, amount of penalty for which the violator is liable, and instructions and due date for correcting the violation and for paying the penalty.

(c) If a Concessionaire, or any of its employees or independent contractors, is the named violator, and after issuance of the Notice of Violation, the Concessionaire fails to pay the penalty within ten (10) days, the Beachfront Concession may be revoked by the City Manager.

(d) The City reserves the right to suspend or revoke a Concessionaire's authorization to operate the Beachfront Concession upon the occurrence of the following two conditions:

- (1) a Concessionaire, or any of its employees or independent contractors, is the named violator, in any Notice of Violation of these Rules and Regulations; and
- (2) the Concessionaire, within ten (10) days after issuance of the Notice of Violation, fails to pay the applicable fine or
- (3) the subject Concessionaire has received a total of Eight (8) notices of violation at one property regardless of reason, during the previous Twelve (12) month period.

THE SUSPENSION OR REVOCATION SHALL BE EFFECTIVE TEN (10) DAYS AFTER THE CITY SENDS WRITTEN NOTICE THEREOF TO THE CONCESSIONAIRE; PROVIDED, HOWEVER, THAT THE CITY MANAGER OR HIS/HER DESIGNEE MAY ORDER THE SUSPENSION OR REVOCATION TO BE EFFECTIVE AT ANY EARLIER TIME, INCLUDING THE TIME AT WHICH THE NOTICE OF VIOLATION IS ISSUED, IF THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE, IN HIS/HER SOLE DISCRETION, MAKES A DETERMINATION THAT THE CONTINUED OPERATION OF THE BEACHFRONT CONCESSION IS A DANGER TO PUBLIC HEALTH, WELFARE OR SAFETY.

(e) A notice sent to a Concessionaire of suspension or revocation, irrespective of when sent, shall state the reason (s) for the suspension or revocation.

(f) ALL BEACHFRONT CONCESSION AGREEMENTS OR AGREEMENTS TO OPERATE BEACHFRONT CONCESSIONS ARE GRANTED ON A REVOCABLE BASIS. THE CITY MAY, THROUGH ITS CITY MANAGER, AND FOR ITS CONVENIENCE AND WITHOUT CAUSE, TERMINATE ANY AUTHORIZATION, AGREEMENT OR AGREEMENT AT ANY TIME, BY GIVING CONCESSIONAIRE THIRTY (30) DAYS WRITTEN NOTICE OF SUCH TERMINATION.

(g) Following revocation or termination of the authorization, Agreement or agreement, the City shall be discharged from any and all liabilities, duties, and terms arising out of, or by virtue of, the authorization, Agreement or agreement.

(h) Anyone found operating on the beach without the required licenses and approvals will be removed from the beach and will not be allowed to apply for a Beachfront Concession for twelve (12) months thereafter.

15. BEACHFRONT CONCESSION DESIGN STANDARDS

A. Storage Boxes

- (1) Storage Boxes shall be equipped to be fully mobile via trailer or other towing mechanism incorporated internally, for immediate removal from the beach upon demand by the City, or in cases of mandatory emergency evacuation. Skids shall not be used if the Storage Boxes are to be towed.
- (2) Plans for Concession Huts and Storage Boxes shall include accurate dimensions and scale.
- (3) Storage Boxes shall be designed for the horizontal storage of chaise lounge pads, umbrellas, sun canopies, daybeds, and similar items and shall not exceed a maximum size of eight feet (8'-0") in length, eight feet (8'-0") in width and an overall height of eight feet (8'-0") above the sand.
- (4) Storage Boxes shall be simply designed and detailed in a manner appropriate to the unique beach environment inclusive of construction materials and finishes and shall be painted in a neutral or white color with or without an accent trim color and shall be subject to the review and approval of the Design Review Process or other designated City staff.
- (5) No signage shall be posted or placed on storage facilities, except a prominently displayed plaque facing the interior of the Workable Concession Area measuring twelve inches by eighteen inches (12" H x 18" W), stating "BEACH OPEN TO THE PUBLIC" and the applicable rates for Beachfront Concession services, as well as a discreetly displayed plaque measuring four inches by six inches (4" x 6"), identifying the Concessionaire's name, address and telephone number.
- (6) The size of all of the Storage Boxes shall be included towards the overall percentage (%) allowed within the Workable Concession Area.

B. Concession Huts

- (1) The Concession Huts, which are used to distribute beach furnishings and towels, shall prominently displayed the signage "BEACH OPEN TO THE PUBLIC" on the north, south, and east faces of the hut in a manner not to be concealed by Beachgoers, an open door or window shutter or flap. Concession Huts shall be for the rental of beach equipment, and/or watersports, and/or the sale or distribution of food and/or beverages (non- alcoholic beverages only).
- (2) Concession Huts shall have a maximum floor area of one-hundred (100) square feet, excluding any platform, with exterior dimensions not to exceed 10 feet (10') in width, depth, or length and nine feet (9'-0") in height from the sand to the eave line (i.e., the intersection of the roof and the exterior walls).
- (3) Any architectural projections above the eave line may not exceed twelve feet (12'-0") in height from the sand (i.e., roof and roof related architectural elements), with the exception of poles or masts for signage banner/ pennants attached to

the facility, which shall not exceed eighteen feet (18'- 0") in height from the sand.

- (4) All roofing elements shall be appropriate to and consistent with the unique beach environment and/or evocative of the upland architecture and shall be subject to the review and approval of Design Review or other designated staff.
- (5) All Concession Huts shall be designed to preserve vistas and shall be fully open from forty-two (42") inches above the finished floor deck to a minimum eight feet (8'-0") above the sand, with the exception of structural columns or posts.
- (6) Any security side panels that may be used as shade devices shall be fully supported from the structure itself and shall not contain independent vertical support columns that extend directly to the sand or perimeter platform walkway.
- (7) A detached perimeter platform walkway, no greater than 40" in width, shall be authorized to surround the concession stand.
- (8) All building construction materials and finishes shall be appropriate to and consistent with the unique beach environment, subject to the review and approval of the Design Review Process or other designated City staff.
- (9) All Concession Huts shall be designed so as to facilitate their immediate removal from the beach at the end of each day, or removal upon demand by the City.
- (10) Signage shall consist of only a fabric banner/ pennant only, which may be attached either to a single mast or span between two (2) poles which are directly attached to the structure itself. The size of the banner/ pennant shall not exceed ten (10) square feet. The overall dimensions, wording, color, placement, design, and mounting systems for said banner/ pennant shall be subject to the review and approval of Design Review Process or designated City staff. The wording on the banner shall be generally limited to the name of the Upland Owner Concessionaire or the primary establishment service.
- (11) Exterior surface colors and finishes shall be appropriate to the design of the structure, as well as the surrounding beach environment, subject to the review and approval of the Design Review Process or other designated staff.
- (12) The size of the Concession Huts shall be included in the overall percentage (%) allowed within the Workable Concession Area.
- (13) Towel bins, not to exceed 42" in height, may be utilized adjacent to the Concession Huts for the containment of disposed towels. Such bins shall be of a wood finish and painted white to differentiate the bins from trash receptacles.

C. Design and Layout Restrictions

- (1) Umbrella Signage: shall be restricted to the valance area with letters no more than 3" in height and copy limited to the name of the Upland Property and/or the Third-Party Concession Operator, and on the top face of the umbrella the logo of either the Upland Property or the Third-Party Concession Operator.
- (2) Umbrellas will not be deployed and/or will be folded down and wrapped securely when wind and/or gust forecasts reach Seventeen (17) miles per hour.

- (3) Sun Canopies: shall be restricted to the area west of the lifeguard stands and shall not exceed 4'-0" in height above the sand.
- (4) Seating areas inclusive of tables and chairs shall not be placed in or around any of the beachfront structures, with the exception of chairs for the use of guardians of children in the children's sand play areas and for the use of the concessionaire at any watersport concession hut.
- (5) Small stacking side tables with low-lying profiles, no greater than 16" in height, associated with the distribution of food and /or beverages shall be authorized and shall be contained in the Storage Boxes at day's end.
- (6) Children's sand play areas shall remain free of structures with the exception of shade umbrellas and chairs for the use of guardians.
- (7) In no instance shall serving trays, coolers, boxes, or other devices or objects remain stacked or stored outside of a storage facility and visible from any vantage point on the beach, at any time.
- (8) All battery powered and mechanical equipment shall be concealed to the greatest extent possible and not exposed or remain on vehicular trailer.
- (9) All beach furniture shall be subject to approval by the Design Review Process or other designated City staff.

D. MOBILE COOKING CONCESSION FACILITIES

(1) General Restrictions

- (1) The size of a Mobile Cooking Concession Facility shall be restricted to a minimum size of 8.5' x 10' to a maximum size of 8.5' x 26'. The maximum height of the body of a Mobile Cooking Concession Facility shall be no greater than 8' in height (container height). The suspension, tires, and wheel size of the Mobile Cooking Concession Facility must all be of a height, width, and size sufficient to raise the Mobile Cooking Concession Facility frame above the sand. A Mobile Cooking Concession Facility which drags or plows the sand due to insufficient elevation will not be authorized.
- (2) **All Mobile Cooking Concession Facilities must be driven onto the sand each day and removed each evening by a single on-road vehicle of sufficient size, horsepower, and towing capability to accomplish the delivery to and removal from the beach independently and without the assistance of any other vehicle or means.**
- (3) All battery power, solar panels, and other mechanical equipment shall be concealed to the greatest extent possible and not exposed to or adjacent to a Mobile Cooking Concession Facility.
- (4) Any security side panels or sun awnings, attached to or independent from the Mobile Cooking Concession Facility, that may be used as shading devices shall be fully supported from the structure itself and shall not contain independent vertical support columns that extend directly to the sand.
- (5) In no instance shall serving trays, coolers, boxes, or other devices or objects remain

stacked or stored outside of a Mobile Cooking Concession Facility and visible from any vantage point on the beach.

- (6) In no instance shall menus, handbills, adverts, flyers, promotions, or other paper or other disposable objects be distributed, remain stacked on/or stored outside of a Mobile Cooking Concession Facility.
- (7) All ancillary furniture, equipment, and embellishments, independent from the Food and Beverage Concession Trailers shall be subject to the Design Review Process or other designated City staff, including tables, chairs, and umbrellas.

(2) EXTERIOR STANDARDS

- (1) Plans and elevations for Mobile Cooking Concession Facilities should include accurate dimensions and scale.
- (2) In general, all Mobile Cooking Concession Facilities signage, exterior copy and graphic imagery shall be encouraged to be creative and artistic.
- (3) Exterior surface colors and finishes shall be appropriate to the design of the Mobile Cooking Concession Facilities and compatible with the unique beach environment and/or evocative of the upland architecture, subject to review and approval through the Design Review Process and/or other designated City staff.
- (4) Color samples of every color to be used (except white), keyed to the four (4) Mobile Cooking Concession Facility elevations. No primary or vibrant color(s) shall be permitted; a muted, light, pale, or pastel color palette is highly encouraged with white as a contrasting color.
- (5) Highly reflective finish and material or chrome-like veneer, shall be prohibited on any Mobile Cooking Concession Facility.
- (6) Photographic or hyper realistic imagery shall be permitted along the exterior of the Mobile Cooking Concession Facility.
- (7) Line art and graphic imagery may occupy 100 % of the Mobile Cooking Concession Facility.
- (8) Mobile Cooking Concession Facility signage shall be limited to one sign per long side of the Mobile Cooking Concession Facility. The signage shall be limited to identifying the Concessionaire's upland kitchen /hotel, the name of the Mobile Cooking Concession Facility, and any product names. The total square footage per side shall not exceed 20 square feet. Signage lettering shall not exceed 12" in height and shall be subject to review and approval by the Design Review Process and/or other designated City staff.
- (9) No portion of a sign shall extend above the Mobile Cooking Concession Facility roofline. Any architectural projections or Mobile Cooking Concession Facility "toppers" above the Mobile Cooking Concession Facility roofline may not exceed two feet (2'-0") in height from the Mobile Cooking Concession Facility roof. All roofing elements shall be appropriate to and consistent with the unique beach environment and/or evocative of the upland architecture and shall be subject to review and approval through the Design Review Process and/or other designated City staff.

- (10) No paper signs, streamers, or flags may be attached to the exterior of the Mobile Cooking Concession Facility. One menu, limited to an area of three-square feet, may be affixed to the exterior of the Mobile Cooking Concession Facility.
- (11) General advertising of any format, including displayed commercial products, is prohibited along the exterior of the Mobile Cooking Concession Facility.
- (12) The State of Florida Department of Environmental Protection reserves the right to review and Agreement all structures, including Concession Huts, Storage Boxes, and Mobile Cooking Concession Facilities, pursuant to Section 161.56 of the Florida Statutes.

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APPLICATION REQUIREMENTS

Enclosed herewith is a copy of the most current *Rules and Regulations for Beachfront Concession Operations* and *Application for Beachfront Concession Operations* which must be submitted and approved by the City Manager or the City Manager's designee prior to the operation of any Beachfront Concession. Carefully review the documents and familiarize yourself with their contents. Please ensure that:

- 1) All required signatures are obtained and notarized.
- 2) All required certificate(s) of insurance is (are) provided.
- 3) Evacuation Plan is fully completed.
- 4) The Operational Plan is fully completed, including the number of chairs, equipment, etc. which you are requesting to place on the beach.
- 5) Beachfront Concession Layout (drawing) of your operation, including the dimensions of the beachfront area that you intend to use, is specific.
- 6) All regulatory approvals and legal requirements in connection with the operation of the Beachfront Concession including, without limitation, review and approval by the City's Planning Department (Design Review Process) for the Beachfront Concession Facilities which will be placed on the Concession Area.
- 7) In the event there is an existing authorized and properly licensed watersport operation and Applicant desires to continue operating said service, Applicant will be required to submit a new application, with all the required documentation and approvals, for consideration by the City.

Please submit all applications via e-mail to: BFCAdmin@miamibeachfl.gov

Once your application is reviewed and approved, a Agreement authorization letter will be forwarded to you for execution. Once executed and returned to the city, final authorization will be granted,

Operation of any beachfront business without proper authorization and/or Agreement, including but not limited to required agreements, contracts, business tax receipt (s), insurance, approved evacuation and operation plans, and Planning Department Agreements and/or authorizations which may be required, will not be authorized.

ANY BEACHFRONT BUSINESS FOUND TO BE OPERATING WITHOUT CITY AUTHORIZATION SHALL BE CONSIDERED TO BE TRESPASSING AND WILL BE REMOVED FROM THE BEACH AND ANY EQUIPMENT WILL BE CONFISCATED AT CONCESSIONAIRE'S SOLE EXPENSE.

APPLICATION FOR BEACHFRONT CONCESSION OPERATIONS

{As amended March 2024}

SECTION 1 LOCATION OF CONCESSION REQUESTED

Upland Property Name:

Upland Property Address:

Name of Upland Owner:

SECTION 2 TYPE OF CONCESSION(S) REQUESTED

SELECT ALL CONCESSION TYPES DESIRED BY THE UPLAND PROPERTY

- ☐ Commercial – **(For the Public, Residents and Guests with Resort or other fees charged)**
- ☐ Non-Commercial – **(No Fees Charged, For Residents and Guests at No Fee)**
- ☐ Food and non-alcoholic beverages – prepared and served by the upland property.
Cooking and heating will only be authorized at those facilities/locations where cooking and heating activities have been authorized pursuant to a Beachfront Concession Agreement.
- ☐ Beach Furnishings Rental (Beach chairs, chair pads, umbrellas, cabanas, day beds)
- ☐ Watersports - Jet Ski Rentals and In-Water Towable
(Only available through City authorized water channels)
- ☐ Parasail – (Only available through City authorized water channels)
- ☐ Mobil Cooking Concession Facility - \$10,000 Monthly / \$120,000 Annually

SECTION 3

UPLAND PROPERTY APPLICANT INFORMATION

Name of Property:

(i.e.: Corporation, Partnerships, LLC, other)

Name of Authorized
Representative:

Title of Authorized

Principal Business
Address:

Email:

Office Telephone No.:

Authorized Representative Cell Phone
Number:

Board of Directors Positions held and E-Mail

President:

Vice President:

Secretary:

Treasurer:

Each document required must be attached.

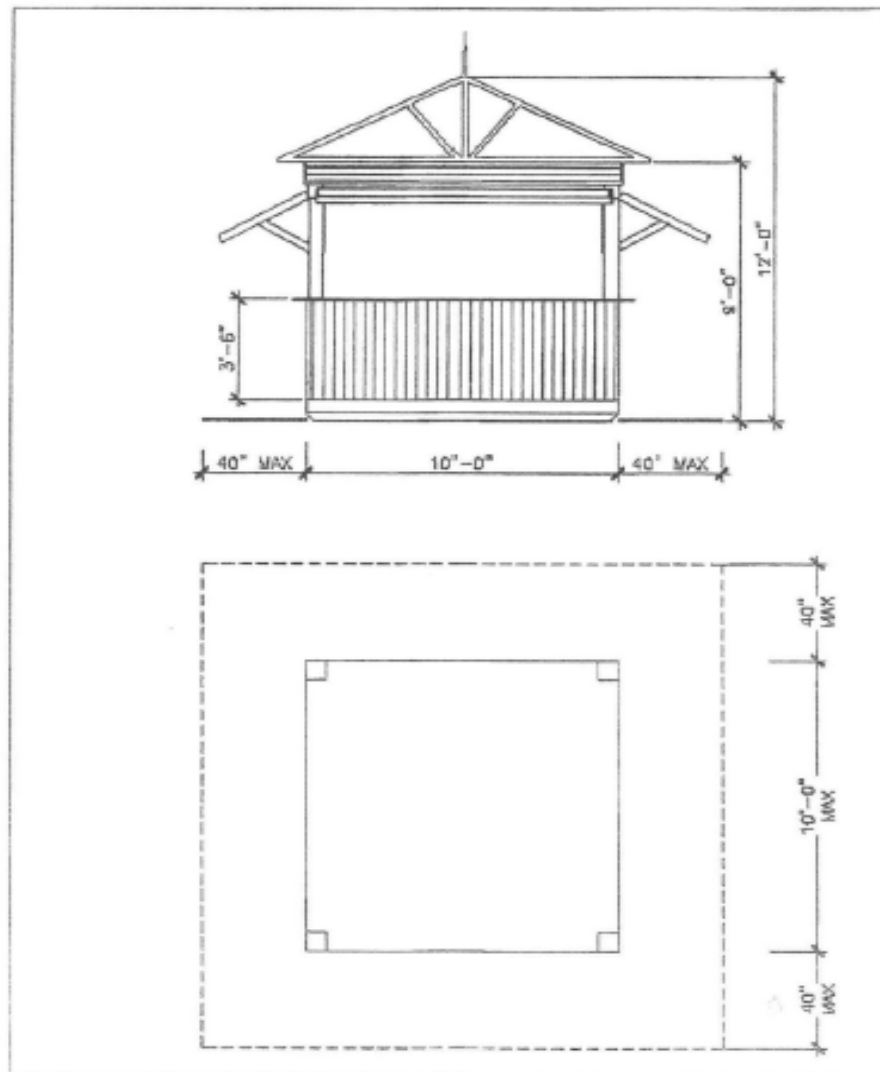
Please List Your Attachments:

1. MDC Property Appraiser, Folio Listing
2. SOF, Div. of Corporations, SUNBIZ
3. Certificate of Insurance
4. Certificates of Insurance (COI) from each Third-Party concessionaire and each additional property

Beachfront Concession Design Guidelines

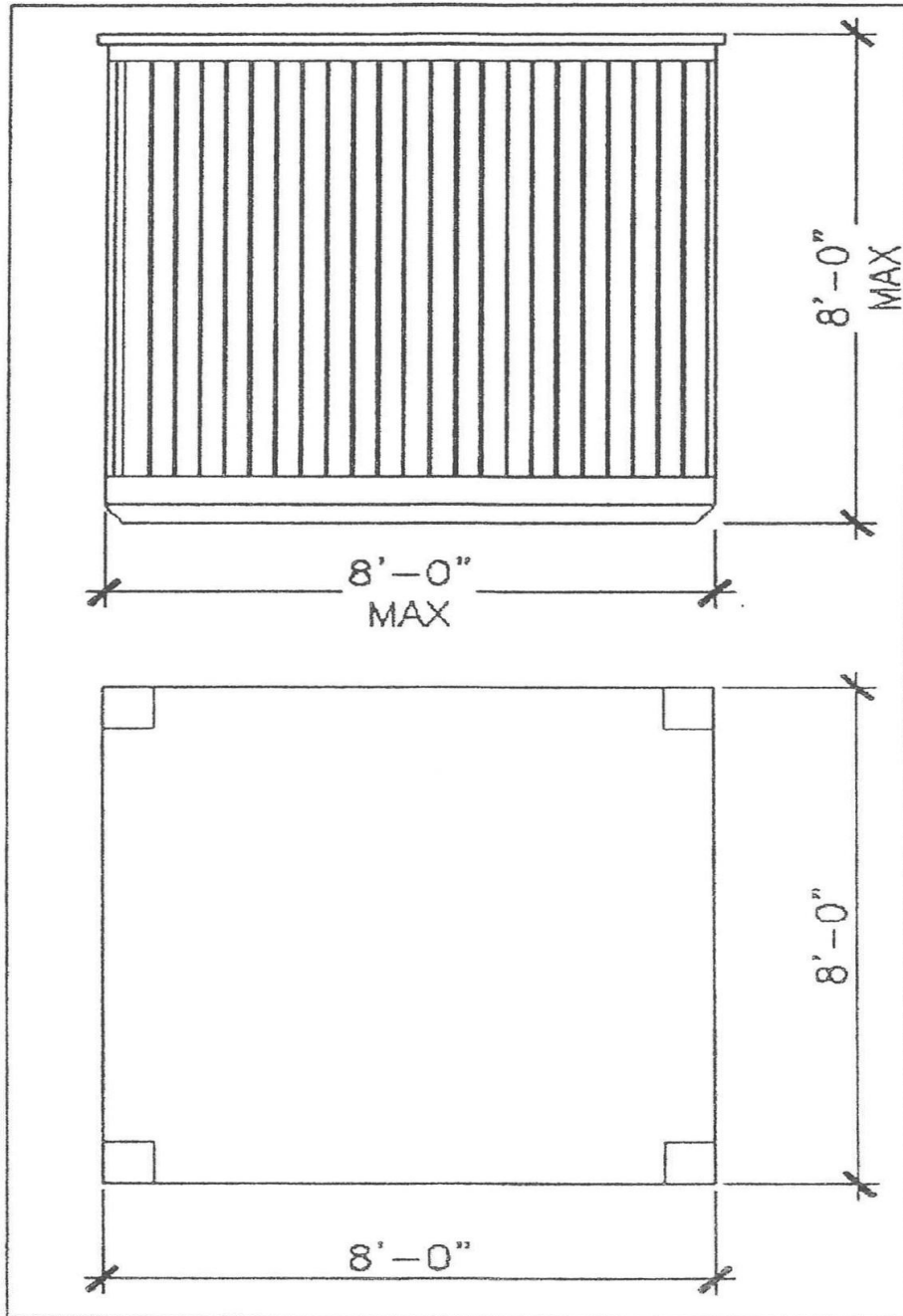
BEACH CONCESSION DESIGN GUIDELINES

Concession Hut



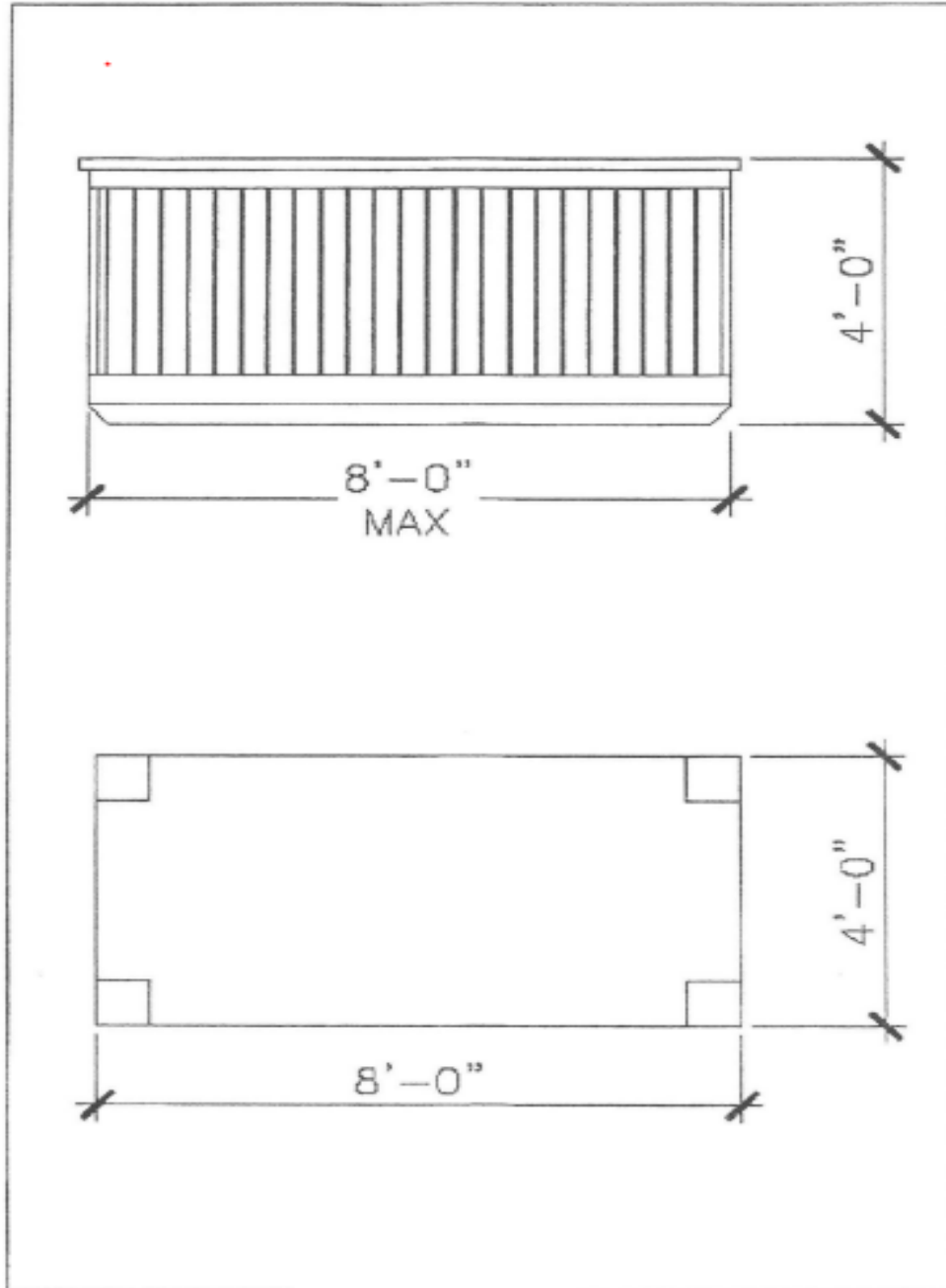
Beachfront Concession Design Guidelines

Large Storage Box



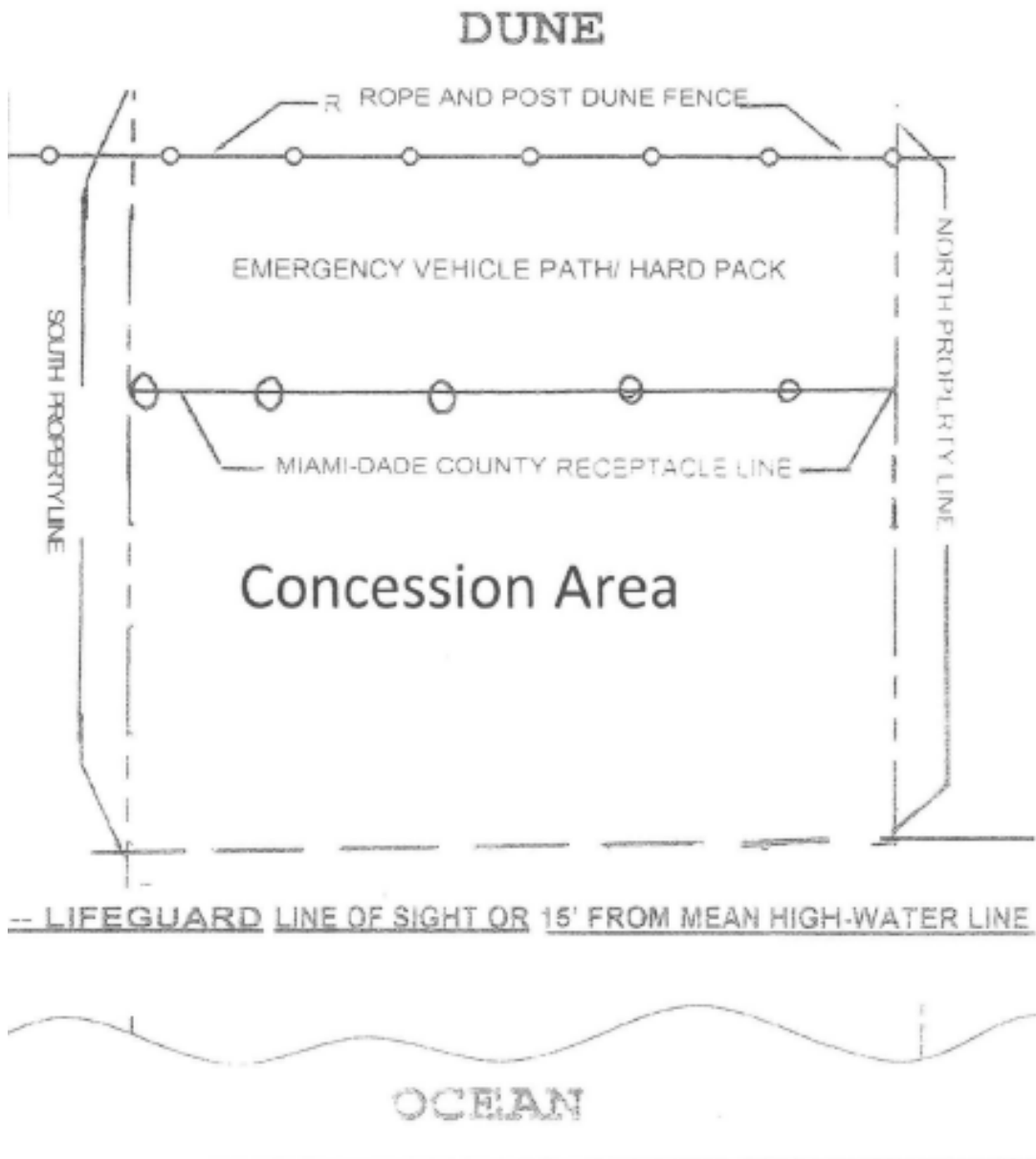
Beachfront Concession Design Guidelines

Small Storage Box



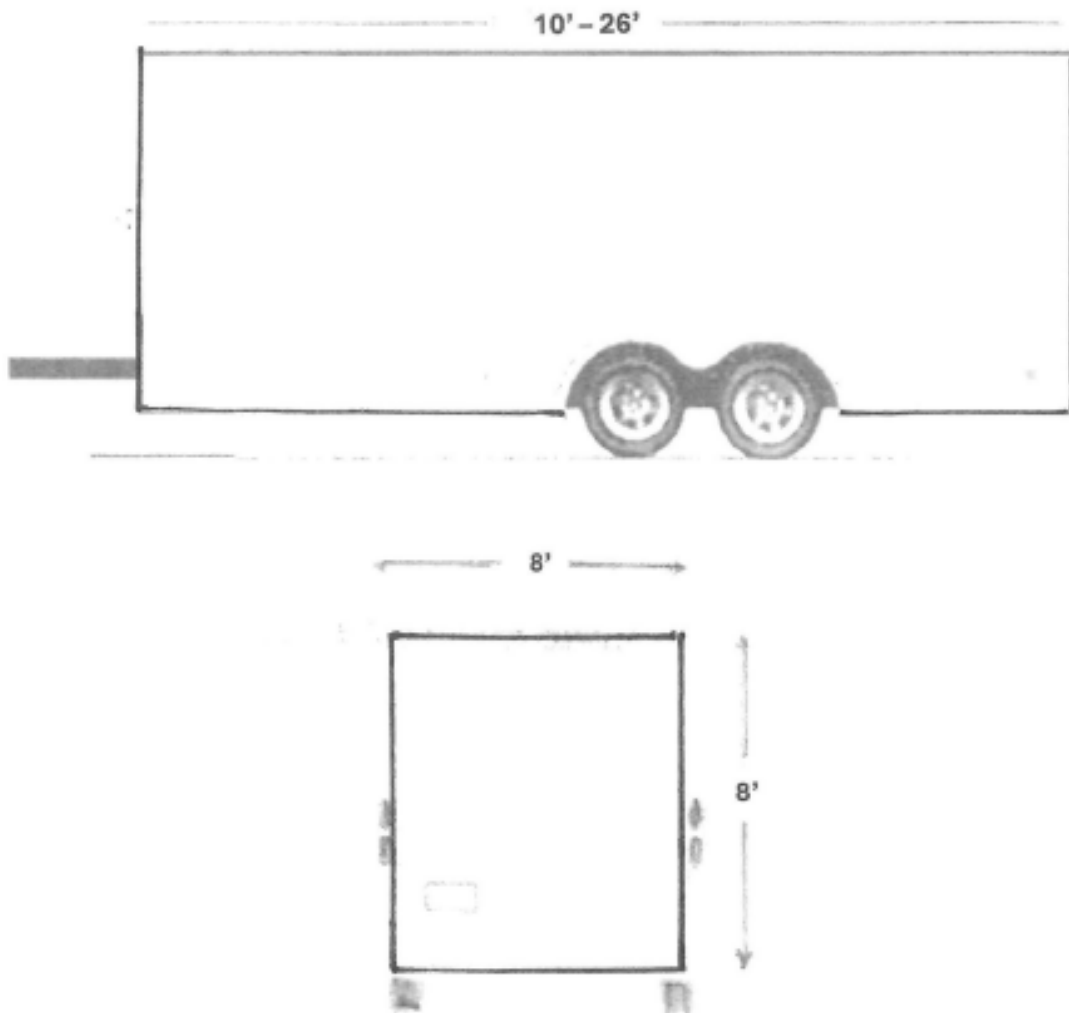
Beachfront Concession Design Guidelines

BEACH CONCESSION LAYOUT



Beachfront Concession Design Guidelines

Mobile Cooking Concession Facility



RATE AND FEE SCHEDULES FOR UPLAND OWNER CONCESSIONAIRES

All Upland Owner Concessionaires are subject to an annual upland fee. The annual upland fee is per upland unit for each Upland Property and will increase annually based on the Consumer Price Index (CPI) of the preceding Twelve (12) months as determined by the U. S. Department of Labor Statistics. A maximum upland unit fee will be established also to be adjusted annually based on the Consumer Price Index (CPI) of the preceding Twelve (12) months as determined by the U. S. Department of Labor Statistics and will be applicable to the Upland Property only. The upland unit fee associated with any additional properties are not to be included in association with determining the maximum upland unit fee. The upland unit fee and additional property unit fee will be required for each Beachfront Concession location, plus any applicable taxes and the activity fee for each Concession activity, such as beach furnishings rental, Food and Beverage beach service, and beachfront watersports rentals and parasailing if so approved. All tax receipts and upland fees shall be due and payable prior to October 1st of the fiscal year.

Any required City Business Tax Receipt must be obtained prior to beginning any Beachfront Concession operation. The available Beachfront Concession categories are listed below. The fees for items One (1) through Six (6) as listed, shall be increased annually based on the same Consumer Price Index (CPI) as determined by the U. S. Department of Labor Statistics for Upland Fees. Authorization for Mobile Cooking Concession Facility (commonly known as Food Trucks) require specific authorization pursuant to the Beachfront Concession Agreement at a fee, payable in advance, of ten thousand dollars (\$10,000) per month (in addition to fees associated with a City Business Tax Receipt for Food and Beverage, and specific standards for the construction of Mobile Cooking Concession Facilities and their appliances and power source, as detailed below.

2024 - 2025

Agreement Fees Associated with Beach Front Concessions

1. Upland Unit Fee – \$ 32 / Unit Maximum Cap for 2024 – 2025 - \$ 21,299

2. Additional Property Fee - \$ 32 / Unit

3. Beach Furnishings – \$ 1,126

4. Water Sports – \$ 1,126

New Requests – Must be presented to the Waterfront Protection Authority for consideration and approval followed by the approval of the City Manager.

5. Food and Non-Alcoholic Beverage Service – \$ 1,126
(Service from Upland Property)

6. Parasail – Existing – \$ 1,126

New Requests – Must be presented to the Waterfront Protection Authority for consideration and that approval followed by the approval of the City Manager.

7. Mobile Cooking Concession Facility - \$10,000 Monthly / \$120,000 Annually

**UPLAND PROPERTY CONCESSIONAIRE
AND THIRD-PARTY CONCESSIONAIRE
ACKNOWLEDGEMENT AND AUTHORIZATION**

Page 1 of 2

I have read and understand the attached Rules and Regulations for Beachfront Concession operations and agree to be bound by the terms and conditions contained herein. I agree that I will be responsible to the City for the operation of the Beachfront Concession in accordance with the terms and conditions of the Rules and Regulations, even in the event that a Third-Party Concession Operator is approved by the City to operate all or a portion of the Beachfront Concession. My obligations, associated with the operation of the Beachfront Concession, shall include, without limitation, any financial obligations, such as paying for any required occupational licenses, all Agreements, fees, fines, and penalties, and satisfying any liens which may be imposed related to the Beachfront Concession. As such, I also agree to ensure that any approved Third-Party Concession Operator complies with the requirements set forth in the Rules and Regulations for Beachfront Concession including, without limitation, maintaining the required Beachfront Concession insurance, abiding by the Beachfront Concession Rules and Regulations which may be amended from time to time, and if the Agreement provides for Food and Beverage service, maintaining a Food Service license issued by the Florida Department of Business and Professional Regulation – Division of Hotels and Restaurants for the food service unit. I further agree to provide any documentation or other information which may be requested by the City in connection with the Beachfront Concession.

I further agree to notify the City thirty (30) days prior to any sale or transfer in the interest of the Upland Owner Concessionaire or in the Third-Party Concession Operator entity. The successor entity shall be required to apply for its own Beachfront Concession Agreement in accordance with the terms and conditions of the Rules and Regulations.

I FURTHER ACKNOWLEDGE THAT ALL BEACHFRONT CONCESSION AUTHORIZATIONS, AGREEMENTS OR AGREEMENTS TO OPERATE BEACHFRONT CONCESSIONS ARE GRANTED ON A REVOCABLE BASIS. THE CITY MAY, THROUGH ITS CITY MANAGER, AND FOR ITS CONVENIENCE AND WITHOUT CAUSE, TERMINATE ANY AUTHORIZATION, AGREEMENT OR AGREEMENT AT ANY TIME BY GIVING CONCESSIONAIRE THIRTY (30) DAYS WRITTEN NOTICE OF SUCH TERMINATION. FOLLOWING REVOCATION OR TERMINATION OF THE AUTHORIZATION, AGREEMENT OR AGREEMENT, THE CITY SHALL BE DISCHARGED FROM ANY AND ALL LIABILITIES, DUTIES, AND TERMS ARISING OUT OF, OR BY VIRTUE OF, THE AUTHORIZATION, AGREEMENT OR AGREEMENT.

Under penalties of perjury, I affirm that all the Application information I have provided herein is true and correct. I further agree to comply with the aforementioned acknowledgements and terms and conditions. The undersigned signatory warrants and represents that he/she has secured all necessary authorizations from its board to execute this application and acknowledgement. Furthermore, I affirm that the powers and authority granted to me by my official position empower me to execute this Upland Property Concessionaire Acknowledgement and Authorization and will be equally binding on my successors in interest during the term of this Agreement, subject to the successor entity complying with the application and approval process for the Agreement within thirty (30) days from the date of the sale or transfer of the Applicant's interest.

THIS ACKNOWLEDGEMENT AND AUTHORIZATION IS SWORN TO, SUBSCRIBED, AND ACKNOWLEDGED ON THE FOLLOWING PAGE BY THE UPLAND PROPERTY AUTHORIZED REPRESENTATIVE AND THE THIRD-PARTY CONCESSION OPERATOR REPRESENTATIVE (IF ANY).

**UPLAND PROPERTY CONCESSIONAIRE
AND THIRD-PARTY CONCESSIONAIRE
ACKNOWLEDGEMENT AND AUTHORIZATION**

Page 2 of 2

Type of Concession Applied For

- ☐ Beachfront Furnishings ☐ Non-Commercial ☐ Commercial
☐ Food and Beverage ☐ Commercial Only
☐ Water Sports -- Jet Ski and In-Water Towable ☐ Commercial Only
☐ Water Sports – Parasail ☐ Commercial Only
☐ Mobile Heating and or Cooking Concession Facility (Currently \$10,000 Monthly)

Subject **Upland Property** Name and Address: _____

Name and Title of **Upland Property** Authorized Representative:

Print: _____

Upland Property Authorized Representative:

Signature: _____

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was sworn to, subscribed, and acknowledged, before me this _____ day of _____, 20____, by _____, who is either personally, known to the undersigned authority or has produced as identification, _____ and who did/did not take an oath. (Signature of Notary) _____ (Affix Seal Here)

Name of **Third-Party** Concession Operator

Print _____

Name of **Third-Party** Concession Authorized Representative

Print: _____

Signature: : _____

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was sworn to, subscribed, and acknowledged, before me this _____ day of _____, 20____, by _____, who is either personally, known to the undersigned authority or has produced as identification, _____ and who did/did not take an oath. (Signature of Notary) _____ (Affix Seal Here)

(If there are additional Third-Party Concession Operators, use an additional copy of this form for each Third-Party Concession Operator.)

OPERATIONAL PLAN

Please describe your proposed operation including specific numbers and types of equipment (attach a photograph, copy of brochures or other descriptive materials for equipment), number of personnel, and hours of operation (NOTE: The concession is to be open and operating seven days a week, weather permitting). If a water recreational concession attach a sketch illustrating the placement of the Concession Hut and equipment as required in the Rules and Regulations. Information should also include the type and number of beach chairs, type and number of umbrellas, type and number of watercrafts, etc.

QUANTITY

Lounge Chairs	_____	
Umbrellas	_____	
Sand Chairs	_____	
Cabanas	_____	
Lg. Storage Shed	_____	
Sm. Storage Box	_____	
Concession Hut	_____	
Food & Beverage Trailer	_____	
Mobile Cooking/Heating	_____	(Only in City Approved Locations)
Watersports Equipment	_____	(Only in City approved water channels)
Type_____	_____	
Type_____	_____	
Type_____	_____	
Other Equipment	_____	
Other Equipment	_____	
Other Equipment	_____	
Other Equipment	_____	
Other Equipment	_____	
Staffing	_____	
Hours of Operation	_____	

EVACUATION PLAN

Please describe in full detail your evacuation plan in case of a natural disaster such as a hurricane. All your facilities and/or equipment must be off the beach and safely stored at a private, off-site location within one (1) hours' notice given by the City and /or within eight (8) hours of the issuance of a Hurricane Warning by the Miami-Dade County Office of Emergency Management. Identify the storage space, and its location, that you would use in this type of situation.

DRAFT

**Beachfront Concessionaire
Motor Vehicle Information**

Complete ONLY if a Motor Vehicle will be used for this Beachfront Concession.

Specify type of **Motor Vehicle** requested to be used by Concessionaire and if applicable, Third-Party Concession Operator (hereafter referred to as Vehicle).

Vehicle 1:

Vehicle Type: _____

Vehicle Make and Model _____

Vehicle Year; Color and Tag: _____

Vehicle 2 :

Vehicle Type: _____

Vehicle Make and Model _____

Vehicle Year, color, and tag _____

Vehicle 3 :

Vehicle Type: _____

Vehicle Make and Model _____

Vehicle Year, color, and tag _____

ONLY THE ABOVE IDENTIFIED VEHICLES WILL BE DEEMED APPROVED AND CONCESSIONAIRE SHALL NOT USE ANY ADDITIONAL VEHICLE(S) ON THE BEACH. VIOLATION OF THIS REQUIREMENT MAY RESULT IN THE REVOCATION, SUSPENSION AND/OR TERMINATION OF CONCESSIONAIRE'S PERMIT OR AGREEMENT.

Signature of Authorized Upland Owner's Representative DATE

Complete ONLY if a Motor Vehicle will be used for this Beachfront Concession.

As the Concessionaire or Third-Party Concession Operator, I am at all times responsible for the conduct of my staff. To this point, I have read and understand the “Rules for The Operation of a Vehicle on The Beach” and have had each of my staff who do at this time or may in the future have an opportunity or assignment to operate a motor vehicle on the beach, read and acknowledge the understanding of the attached “Rules for The Operation of a Vehicle on The Beach”. I and all my staff and employees are bound by the rules, terms and conditions contained in this agreement.

By my signature below I agree to abide by these rules and ensure that all of my staff agree to abide by them as well at this time and in the future.

The driver hereby accepts, and agrees to comply with, the following rules for his or her driving duties:

(1) Motor Vehicles shall not be driven faster than 5 M.P.H.

(2) Motor Vehicles shall be driven only on the hard-packed sand area (between the dunes and the trash cans).

(3) Driving on the beach shall be kept to a minimum.

(4) Due care and caution must be utilized at all times while driving any Motor Vehicle, and any Trailer attached thereto, on the beach.

(5) Prior to entering the beach and at all times while driving on the beach, the Driver will turn on the Motor Vehicle's headlights and front and rear flashers and the Trailer's rear flashers to the extent that the Motor Vehicle or Trailer is so equipped.

(6) Both the passenger and driver's side front windows of the Motor Vehicle (if equipped with windows) shall be rolled down while operating the Motor Vehicle on the beach.

(7) All Motor Vehicles, with or without Trailers, shall stay west of the garbage can line on the hard-packed sand when travelling north and south, and shall travel only north or south on the beach except to the limited extent necessary for brief periods to deploy, service, or remove anything necessary for the Concessionaire to conduct its operations.

(8) During any deployment, service, or removal operation, the Driver will place the Concessionaire-supplied orange cones as follows: at least four cones on the northernmost boundary, and at least four cones on the southernmost boundary, of the projected path (from hard-packed sand to the shoreline) of the Motor Vehicle to create a clear non-obstructed path perpendicular to the shoreline, of no less than twenty-five feet (25') in width (when measured from North to South),

(9) During any deployment, service, or removal operation of jet skis, the Driver and a supervising Concessionaire employee must independently inspect the Motor Vehicle's perimeter. The entire surrounding area, and path (once marked) shall be inspected for persons and/or objects before starting the engine, to assure a clear path of ingress to the shoreline or egress to the hard packed sand and only then, proceed with the respective operation with extreme caution to ensure the safety of all beachfront patrons and persons and property on the beach.

Complete ONLY if a Motor Vehicle will be used for this Beachfront Concession.

Exhibit A

(10) Use of a cellular phone, or any other electronic, electric, or battery-powered device, by the Driver while the Motor Vehicle is in motion is prohibited. The Motor Vehicle 's gear shift must be placed in the "park" position and the emergency break engaged prior to any use of a cellular telephone or any other electronic, electric, or battery-powered Device by the Driver.

(11) The Driver shall drive with both hands on the steering wheel at all times.

(12) The Driver will not park or leave unattended on the beach any Motor Vehicle or Trailer at any time or for any reason, except that golf carts and ATVs are allowed to park immediately east of the dune for no more than 30 minutes; only during normal business hours of the Concessionaire; and only to the extent that the emergency vehicle path on the hard pack of the beach remains unobstructed.

(13) Each driver shall hold a valid and effective Florida chauffeur's or operator's driver's license (whichever the law may require) which is not now suspended or revoked. This fact is to be confirmed by the concessionaire/employer. The employee will maintain this license continuously in The same status throughout the course of their employment.

(14) No driver will drive any Motor Vehicle while under the influence of alcohol, drugs, or any substance which may impair my ability to drive safely. Each driver will immediately advise the Concessionaire of, and will furnish the Concessionaire with, a hard copy of any ticket, summons, citation, or similar document which alleges any such driving irrespective of when or where it occurs.

(15) I will immediately advise my employer (Concessionaire) of any accident which occurs and will furnish the City and my employer with any requested documents, concerning any accident which occurs while I am driving any Motor Vehicle for the Concessionaire. I have not been advised of any claim, and I am not a party to any lawsuit, arising out of or relating to any type of accident.

(16) I have successfully completed the Concessionaire's one-hour training course on the operation of a Motor Vehicle in compliance with this Safe Driving Agreement. The training included actual operation by me of the type of Motor Vehicle which I am expected to drive on the beach.

Typed or Printed Driver's Name

Driver's Signature:

Date

This form is intended to remain with the employer and produced upon city request.

CERTIFICATION BY CONCESSIONAIRE

Complete ONLY if a Motor Vehicle will be used for this Beachfront Concession.

As the Concessionaire or Third-Party Concession Operator, I am at all times responsible for the conduct of my staff. To this point, I have read and understand the “Rules for The Operation of a Vehicle on The Beach” and have had each of my staff who do at this time or may in the future have an opportunity or assignment to operate a motor vehicle on the beach, read and acknowledge their understanding of the attached “Rules for The Operation of a Vehicle on The Beach”. I and all of my staff are bound by the rules, terms and conditions contained in the preceding pages of this Safe Driving Agreement and the associated “Rules for The Operation of a Vehicle on The Beach”.

By my signature below I agree to abide by these rules and ensure that all of my staff agree to abide by them as well at this time and in the future.

Date and Concessionaire Signature

Typed or Printed Full Corporate Name of
Concessionaire

BEACHFRONT CONCESSION INSURANCE

The following is required by the City of Miami Beach with respect to the Beachfront Concession operations, pursuant to Rule 4 of the preceding Rules and Regulations for Beachfront Concession Operations:

Each Direct City Concessionaire, Upland Owner Concessionaire, or Third-Party Concession Operator shall furnish to the City of Miami Beach Risk Management Department a Certificate of Insurance which complies in all respects with the said Rule 4 and with the following:

1. Commercial General Liability limits \$1,000,000.

2. The City of Miami Beach must be listed as a CERTIFICATE HOLDER as follows:

City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

3. The City of Miami Beach must be named as an ADDITIONAL INSURED.

The following language must be included under the section of Description of Operations/Locations Vehicles/Special Items:

The City of Miami Beach is included as an additional insured with respect to the beachfront concession operations.

4. Worker's Compensation

Companies that employ more than three (3) employees must provide proof of Worker's Compensation insurance; otherwise, please provide a letter on Company letterhead stating that you have three (3) or less employees.

5. All policies must be issued by companies authorized to do business in Florida with a Best Key rating of A-VI or better.

6. Each Certificate of Insurance delivered to the City must contain the following provision: A copy of any notice of cancellation, or of any reduction in scope or amount of coverage, shall be sent to the City of Miami Beach at the same time that it is sent to the named insured.

If you have any questions, please feel free to contact the City of Miami Beach Risk Management Department at (305) 673-7014 or the Office of Real Estate at (305) 673-7631.



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Facilities and Fleet Management Department, Beach Maintenance Division
1833 Bay Road, Miami Beach, FL 33139
(305) 673-7631

Beachfront Concession Agreement Renewal by Letter Form

(NOT TO BE USED FOR 2024 RENEWALS)

May 1, _____

To Upland Owner/Manager:

The City of Miami Beach is currently renewing Beachfront Concession Agreements for all Upland Properties for fiscal year October _____ - September _____.

Please refer to the Beachfront Concession Application which you submitted when you applied for your fiscal year _____ Beachfront Concession Agreement. If all the information contained on said application is current and accurate, please have the Authorized Representative mark Box #1 and sign below. Include any updated COI and for any new employee, if an operator of a vehicle, their Driver's License.

If all the information contained in your fiscal year _____ Beachfront Concession Application is **NOT** current and accurate, please revise the applicable pages, using the blank application provided, and have the stated Authorized Representative mark Box #2 and sign below.

Please return all documents to the Facilities and Fleet Management Department, Beach Maintenance Division located at 1833 Bay Road, Miami Beach, Florida 33139 (or scan and e-mail to BFCAdmin@miamibeachfl.gov no later than June 1, 20____.

Also, attached for your reference is a copy of the Sixth Amended Rules and Regulations, as well as the Application Information and Insurance Requirements for Beachfront Concession operations.

If you have any questions or need further assistance, please contact Beach Maintenance at (305) 673-7631 or via e-mail at BFCAdmin@miamibeachfl.gov

- ☐ 1. NO CHANGES, All the information contained on my fiscal year 2023/24 Beachfront Concession Application (attached hereto) is current and accurate.
- ☐ 2. Please update my existing Beachfront Concession Application (attached hereto) with the attached revised pages.

UPLAND PROPERTY APPLICANT AND AUTHORIZED REPRESENTATIVE

Property Name _____ Print _____

Property Address _____

Property Owner or Reg. Agent _____ Print _____

Signers Official Position _____ Print _____

Date _____

Property Owner or Reg. Agent Signature _____

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

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,
www.miamibeachfl.gov Facilities and Fleet Management, Beach Maintenance Division, 1833
 Bay Rd., Miami Beach FL 33139,
 Tel: 305-673-7631

BEACHFRONT CONCESSION ADDITIONAL PROPERTY

To Upland Owner Concessionaire:

Per Section 3(c) (Business Tax Receipts and Fees) of these Amended and Restated Rules and Regulations For Beachfront Concession Operations, the Upland Property shall pay an Upland Fee based on the number of units contained in the Upland Property (with a maximum adjusted annually). If the Upland Owner Concessionaire requests that the Concession Area be utilized by any additional property or properties, other than the Upland Property, the same Unit fee shall apply to any additional properties based on the number of units in each of the additional properties. The maximum unit fee shall not take into consideration the number of units in additional properties. These fees shall be due and payable in advance to the City's granting authorization for a Beachfront Concession Agreement for each fiscal year, and prior to October 1, of each fiscal year.

Be advised that servicing and/or accommodating additional properties at your Beachfront Concession without notifying the City of Miami Beach is a violation of the Rules and Regulations and could result in the revocation of your Beachfront Concession Agreement.

If there are no additional properties serviced or accommodated at your Beachfront Concession, please have the stated Authorized Representative mark Box #1 and sign below. If any additional properties are being serviced and accommodated at your Beachfront Concession, please have the stated Authorized Representative mark Box #2 and list below all additional properties. The Upland Property owner must also provide a Certificate of Insurance to the City of Miami Beach, with the City named as a Certificate Holder as well as an Additional Insured, from all listed additional properties.

If you have any question, or need further assistance please contact Beach Maintenance at (305) 673-7631 or via e-mail at BFCAdmin@miamibeachfl.gov.

- ☐ 1. There are no additional properties serviced and/or accommodated at this Upland Property.
- ☐ 2. The additional properties serviced and/or accommodated at the concession area seaward of the Upland Property are listed below.

Additional Property Name	Additional Property Address

Authorized Representative

 Property Name and Address

 Authorized Representative Print Name and Title

 Authorized Representative Sign / Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Vice-Mayor Alex Fernandez
 DATE: November 16, 2022

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE REGARDING BEACH CONCESSIONS, REGULATIONS, AND LAYOUT TO ENSURE THAT SUFFICIENT AREA REMAINS AVAILABLE AT ALL TIMES FOR PUBLIC ENJOYMENT OF BEACHES.

BACKGROUND/HISTORY

The Mid Beach Neighborhood Association has approached me with a desire to collaborate with the City to ensure that sufficient public beach space always remains available for the enjoyment of our residents. Specifically, MBNA has expressed concern about the lack of a standard square footage or formula to determine the amount of beach space or occupancy allowed by property or concession agreements. MBNA has suggested the need for “a formula of how many food trucks, concessions, chairs and umbrellas should/could be allocated based on the condominium or hotel size/use and their potential impacts to our beach and water quality.”

I would like to request from the City Administration an update at Committee on the revisions being considered to the current concession manual. The City Administration should provide a memo in the Committee Agenda explaining the provisions of the current manual, the updates being considered, and the process for stakeholder engagement.

Please do not hesitate to contact me at alex@miamibeachfl.gov with any questions or suggestions.

SUPPORTING SURVEY DATA

n/a

FINANCIAL INFORMATION

n/a

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Vice-Mayor Alex Fernandez



COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS AND TAKE ACTION ON OUTFRONT MEDIA GROUP CONTRACT.**

HISTORY:

At the December 13, 2023 City Commission meeting, at the request of Commissioner Kristen Rosen Gonzalez, the Mayor and City Commission ("City Commission") referred an item (R9 V) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC" or "Committee") to discuss the City of Miami Beach ("City") contract for bus shelters with Outfront Media Group LLC ("Outfront") including possible termination.

On September 2, 2021, the City Commission adopted Resolution No. 2021-31853 authorizing the City to enter into a revenue-sharing agreement ("Agreement") with Outfront for the design, construction, operation, and maintenance of bus shelters and other street furniture at designated locations within the City. The Agreement was executed on October 1, 2021 and covers a 20-year term with a 5-year renewal option. The goal of the bus shelter Agreement is to install a minimum of 200 and a maximum of 250 bus shelters throughout the City such that every existing bus stop in the City (currently over 200) will have a bus shelter. The estimated revenue share to the City over a 20-year contract term is estimated between \$44 million and \$48 million; and between \$62 million and \$69 million for a 25-year term. The total value to the City, including capital expenditure, revenue share, and operating/maintenance costs, is estimated to be between \$82 million (for a 20-year term with 200 shelters) and \$119 million (for a 25-year term with 250 shelters).

On May 4, 2022, the City Commission adopted Resolution No. 2022-32156 (Attachment A), approving, in concept, the bus shelter design pursuant to the Agreement with Outfront. Design concept approval was obtained from the Historic Preservation Board ("HPB") on September 13, 2022, and from the Design Review Board ("DRB") on November 1, 2022, with the final bus shelter design, including materials and finishes, to be reviewed and approved by Planning Department staff. The bus shelter design concept required additional design and engineering, specifically: 1) manufacturing feasibility design to refine the build/deploy plan; 2) value engineering to meet the program budget; and 3) structural engineering design to meet the requirements of the Florida Building Code. The result of this design refinement for the new "standard" bus shelter is shown on Attachment B. Planning Department staff reviewed and administratively approved the final bus shelter design and determined it was consistent with the design concept previously approved by HPB and DRB. It is worth noting that Outfront has designed three (3) variations of the new bus shelter based on size and amenities (standard, enhanced, and minimal). Furthermore, every bus shelter is anticipated to be

equipped with digital “next bus” estimated time of arrival signs, either incorporated as part of the new bus shelter structure or as a stand-alone sign.

ANALYSIS

Pursuant to the Agreement, Outfront shall install a prototype bus shelter for City approval prior to commencing mass production and installation throughout the City. As such, Outfront is in the process of manufacturing the prototype bus shelter, which is proposed to be installed on the west side of Washington Avenue north of Lincoln Road (adjacent to Soundscape Park) by October 2024. The installation of the new bus shelters is anticipated to commence in early 2025 upon City Manager's approval of the prototype. A phasing plan has been developed to ensure a smooth transition between the installation of new bus shelters and the removal of existing bus shelters. The phasing plan is as follows:

- Priority 1: Installation of enhanced shelters at locations with high ridership;
- Priority 2: Installation of new shelters at bus stop locations without shelters and more than 50 boardings per day;
- Priority 3: Installation of new shelters at bus stop locations without shelters and fewer than 50 boardings per day;
- Priority 4: Installation of minimal shelters due to low ridership and/or adjacent single-family land use; and
- Priority 5: Replacement of the existing bus shelters with new shelters.

In compliance with the terms of the Agreement, Outfront anticipates completing the installation of approximately 200 new bus shelters citywide by November 2026.

At the April 17, 2024 PSNQLC meeting, the Committee discussed this item and requested the City Administration (“Administration”) to return at a future date with an update on the implementation of the prototype bus shelter.

CONCLUSION:

The outlined schedule for mass production and installation of new bus shelters provides a clear roadmap for the completion of this project. The Administration remains committed to continue collaborating closely with Outfront to expedite the timeline and ensure a smooth and successful execution of this project.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Increase multi-modal mobility citywide and connectivity regionally.

ATTACHMENTS:

Description	Type
 Attachment A – Resolution No. 2022-32156	Memo

▣ Attachment B – Rendering of New Standard Bus Shelter

Memo

▣ Referral Item R9 V - December 13, 2023

Memo

Attachment A

RESOLUTION NO. 2022-32156

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN CONCEPT, THE BUS SHELTER DESIGN, ATTACHED TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, PURSUANT TO THE AGREEMENT WITH OUTFRONT MEDIA GROUP, LLC FOR THE CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF BUS SHELTERS AT DESIGNATED LOCATIONS WITHIN THE CITY PURSUANT TO INVITATION TO NEGOTIATE NO. 2020-239-KB.

WHEREAS, on September 16, 2020, the Mayor and City Commission authorized the issuance of Invitation to Negotiate (ITN) 2020-239-KB for Revenue Sharing Agreement for the Design, Construction, Operation, and Maintenance of Bus Shelters and Other Street Furniture (the "ITN") with the goal of negotiating an agreement that resulted in new and improved bus shelters and revenue to the City; and

WHEREAS, on October 21, 2020, the City issued the ITN which allowed bidders to bid on the previously developed ACAI/Pininfarina bus shelter design or suggest an alternative bus shelter design, with all costs related to design, construction, and installation of the new bus shelters and other street furniture to be the responsibility of the successful bidder; and

WHEREAS, the ITN also included stand-alone digital Estimated Time of Arrival (ETA) signs at bus shelter locations and the sale of bus shelter advertising space; and

WHEREAS, ITN responses were due and received on January 7, 2021 and the City received one proposal from Outfront Media Group, LLC. (Outfront); and

WHEREAS, on September 17, 2021, the Mayor and City Commission adopted Resolution No. 2021-31853, approving the Agreement with Outfront for the construction, installation, operation and maintenance of bus shelters at designated locations within the City pursuant to the ITN; and

WHEREAS, pursuant to the Agreement, Outfront was tasked with developing a new bus shelter design within 18 months from the commencement date to be presented to the City Commission for approval; and

WHEREAS, once approved by the City Commission, Outfront will seek Design Review Board (DRB) and Historic Preservation Board (HPB) approvals for further design development; and

WHEREAS, the Agreement was executed on October 22, 2022 and will result in the installation of premium bus shelters and bus stop amenities citywide (minimum of 200 and maximum of 250 bus shelters and ETA signs, 100 bicycle racks, and up to 100 bus benches); and

WHEREAS, over the past six months, Outfront has been working closely with the City staff to develop a new bus shelter design; and

WHEREAS, during the process, alternative design and engineering approaches were taken to develop a design concept that is in line with the City's original design developed by

ACAI/Pininfarina while reducing fabrication cost to maximize the total number of bus shelters to be installed under the Agreement; and

WHEREAS, it is important to note that the original design developed by ACAI/Pininfarina was determined to not be financially viable; and

WHEREAS, the goal of the design is to create an attractive bus shelter equipped with advertising (digital or static), security camera (only at key locations), digital ETA sign, passenger seating, and security lighting at every bus stop in the City; and

WHEREAS, this is a significant improvement over the current conditions wherein only one third of all bus stops in the City have a bus shelter; and

WHEREAS, in order to meet key project milestones stipulated in the Agreement between the City and Outfront for the design, construction, operation, and maintenance of bus shelters and other street furniture citywide, including approvals from DRB and HPB, the City Manager recommends that the Mayor and City Commission approve the conceptual design for the bus shelters that will be located within the City limits, subject to further design development by Outfront and as may be required by the City's regulatory boards.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve, in concept, the bus shelter design, attached to the City Commission Memorandum accompanying this Resolution, pursuant to the Agreement with Outfront Media Group, LLC for the construction, installation, operation and maintenance of bus shelters at designated locations within the City pursuant to Invitation to Negotiate No. 2020-239-KB.

PASSED and ADOPTED this 4th day of May 2022.



Dan Gelber, Mayor

ATTEST:



MAY 10 2022

Rafael E. Granado, City Clerk



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

4-21-22

Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: May 4, 2022

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN CONCEPT, THE BUS SHELTER DESIGN, ATTACHED TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, PURSUANT TO THE AGREEMENT WITH OUTFRONT MEDIA GROUP, LLC FOR THE CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF BUS SHELTERS AT DESIGNATED LOCATIONS WITHIN THE CITY PURSUANT TO INVITATION TO NEGOTIATE NO. 2020-239-KB.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission adopt the Resolution approving the bus shelter design concept for further design development by the OUTFRONT MEDIA GROUP, LLC.

BACKGROUND/HISTORY

On September 16, 2020, the Mayor and City Commission authorized the issuance of Invitation to Negotiate (ITN) 2020-239-KB for Revenue Sharing Agreement for the Design, Construction, Operation, and Maintenance of Bus Shelters and Other Street Furniture with the goal of negotiating an agreement that resulted in new and improved bus shelters and revenue to the City.

On October 21, 2020, the City issued the ITN. The ITN allowed bidders to bid on the previously developed ACAI/Pininfarina bus shelter design or suggest an alternative bus shelter design, with all costs related to design, construction, and installation of the new bus shelters and other street furniture to be the responsibility of the successful bidder. The ITN also included stand-alone digital Estimated Time of Arrival (ETA) signs at bus shelter locations and the sale of bus shelter advertising space. ITN responses were due and received on January 7, 2021. The City received one proposal from OUTFRONT MEDIA GROUP, LLC. (OUTFRONT).

On September 17, 2021, the Mayor and City Commission adopted Resolution No. 2021-31853, approving the Agreement with OUTFRONT for the construction, installation, operation

and maintenance of bus shelters at designated locations within the City pursuant to Invitation to Negotiate (ITN) No. 2020-239-KB.

Pursuant to the Agreement, OUTFRONT was tasked with developing a new bus shelter design within 18 months from the commencement date to be presented to the City Commission for approval. Once approved by the City Commission, OUTFRONT will seek Design Review Board (DRB) and Historic Preservation Board (HPB) approvals for further design development.

The Agreement was executed on October 22, 2022 and will result in the installation of premium bus shelters and bus stop amenities citywide (minimum of 200 and maximum of 250 bus shelters and ETA signs, 100 bicycle racks, and up to 100 bus benches).

ANALYSIS

Over the past six months, OUTFRONT has been working closely with the City staff to develop a new bus shelter design. During the process, alternative design and engineering approaches were taken to develop a design concept that is in line with the City's original design developed by ACAI/Pininfarina while reducing fabrication cost to maximize the total number of bus shelters to be installed under the Agreement. It is important to note that the original design developed by ACAI/Pininfarina was determined to not be financially viable.

The attachment depicts the bus shelter design concept developed by OUTFRONT. The goal of the design is to create an attractive bus shelter equipped with advertising (digital or static), security camera (only at key locations), digital ETA sign, passenger seating, and security lighting at every bus stop in the City. This is a significant improvement over the current conditions wherein only one third of all bus stops in the City have a bus shelter.

SUPPORTING SURVEY DATA

According to a 2019 Community Satisfaction Survey conducted by ETC Institute, 74% of respondents are satisfied with the City of Miami Beach Trolley System and 59% are satisfied with the Miami-Dade County bus service. Furthermore, 24% of survey respondents highlighted bus stop amenities as a factor of dissatisfaction with the trolley service. This project will improve the safety, convenience, and image of the City's bus stop amenities and, as a result, increase the residents' quality-of-life and satisfaction with transportation services offered in the City.

FINANCIAL INFORMATION

No fiscal impact.

Amount(s)/Account(s):

N/A

CONCLUSION

In order to meet key project milestones stipulated in the Agreement between the City and OUTFRONT for the design, construction, operation, and maintenance of bus shelters and other street furniture citywide, including approvals from DRB and HPB, the Administration recommends that the Mayor and City Commission adopt the Resolution approving the bus

shelter concept design for further design development by OUTFRONT.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Increase multi-modal mobility citywide and connectivity regionally.

Legislative Tracking

Transportation and Mobility

ATTACHMENTS:

Description

- ☐ Attachment - Bus Shelter Design Concept
- ☐ Resolution

BUS SHELTER COLLECTION

MIAMI BEACH

OUTFRONT
media

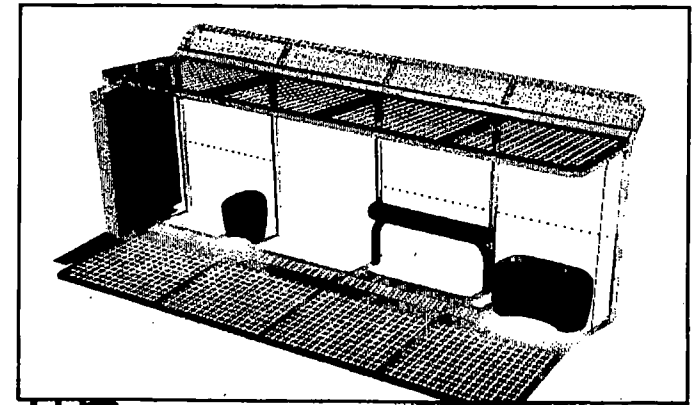


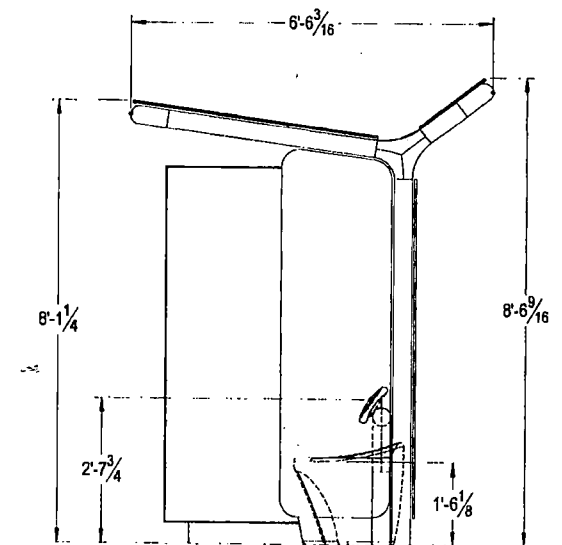
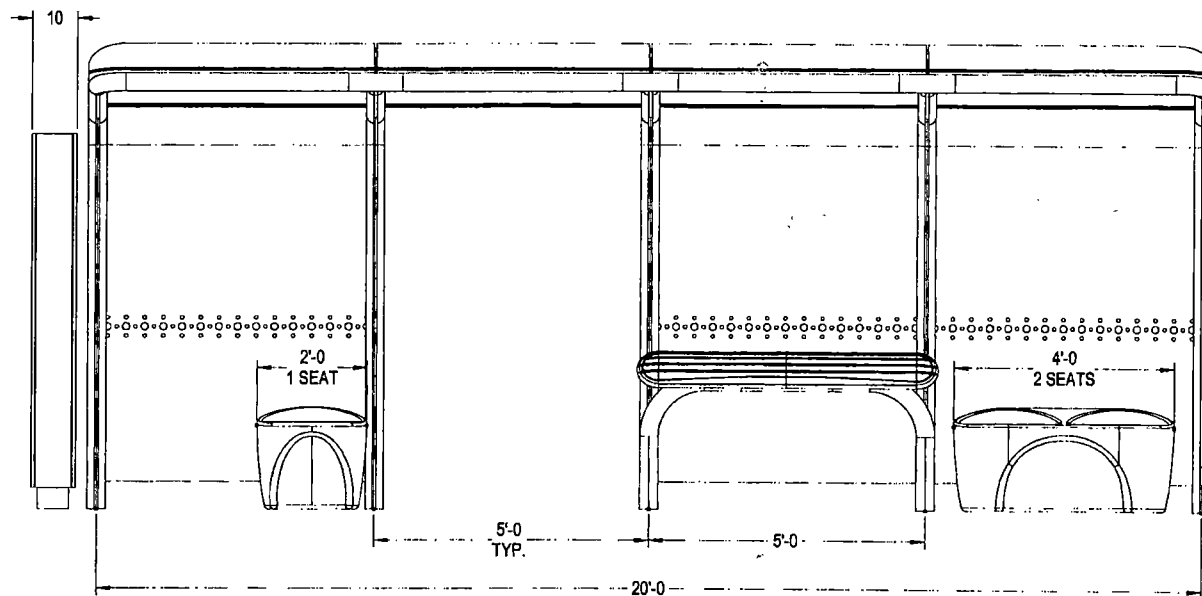
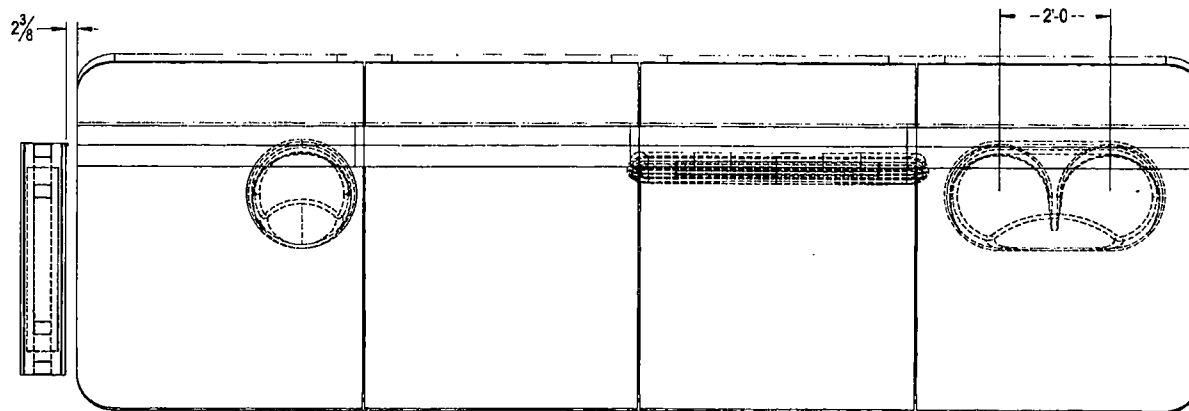
**POITRAS
INDUSTRIES**

Washington Av.

20' X 7' Shelter

Lean bar, bench, BusPas technology and advertising dashboard

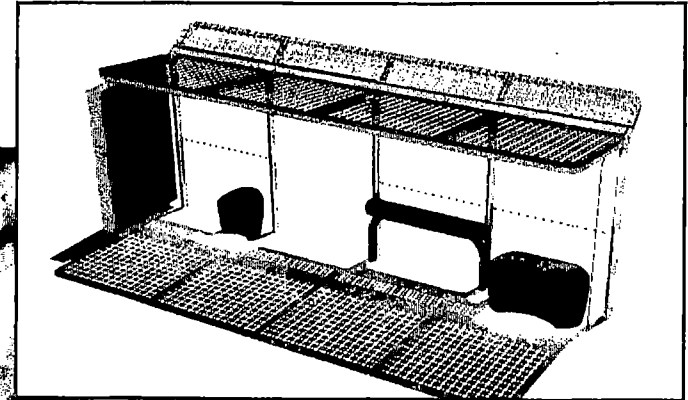




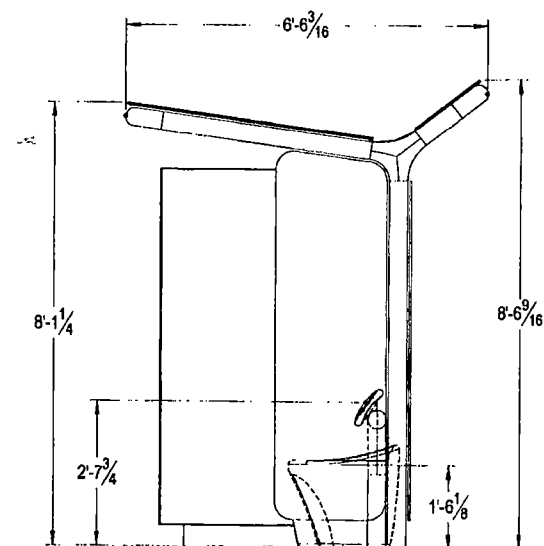
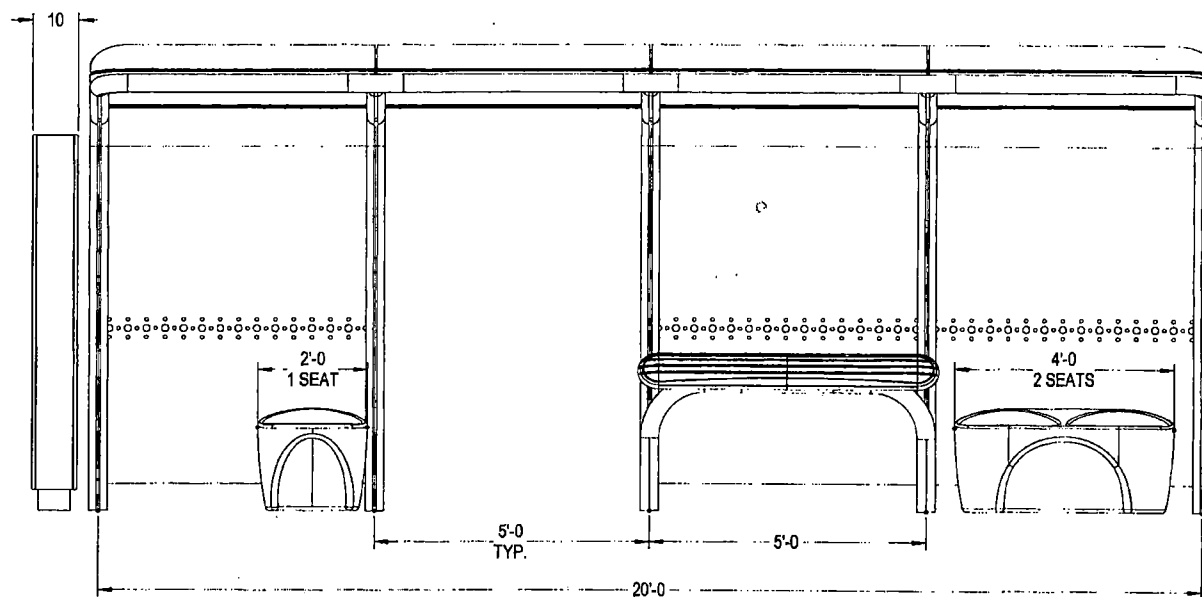
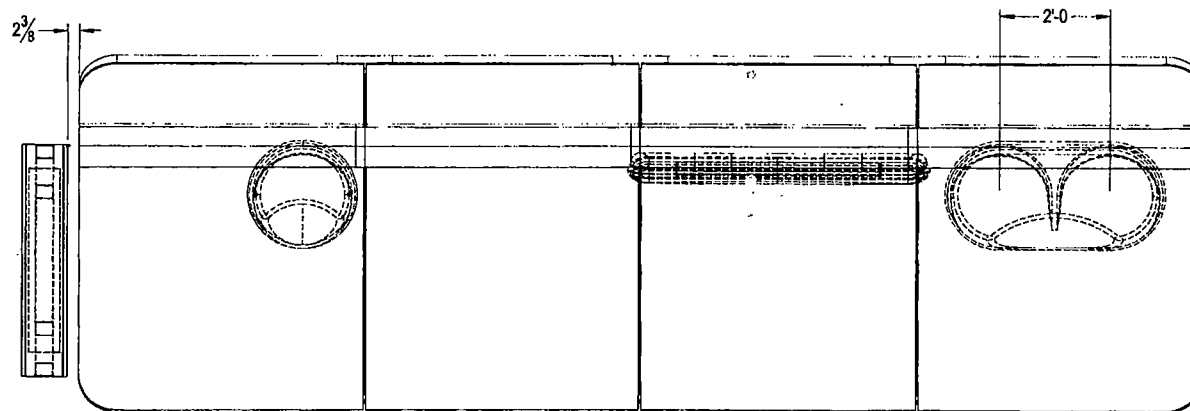
Collins Av.

20' X 7' Shelter

Lean bar, bench and advertising dashboard



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Convention Center Drive

10' X 7' Shelter

Bench and advertising dashboard



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MIAMI BEACH

OUTFRONT
media

 **POLARIS**
INDUSTRIES

Convention Center Drive

10' X 7' Shelter

Bench, BusPas technology and advertising dashboard



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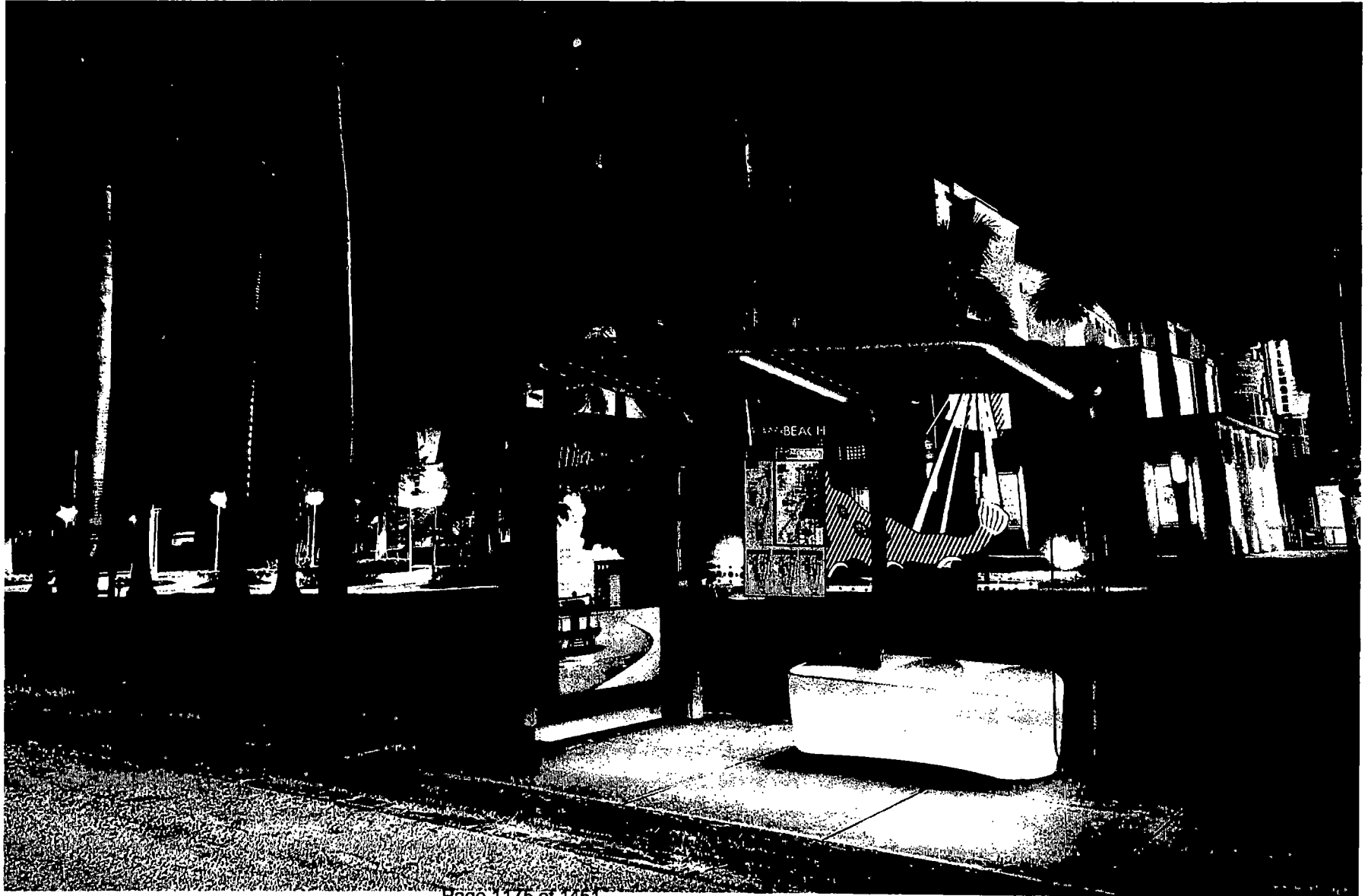
WALKER BEACH

OUTFRONT
media

POITRAS
INDUSTRIES

Convention Center Drive

10' X 7' Night rendering



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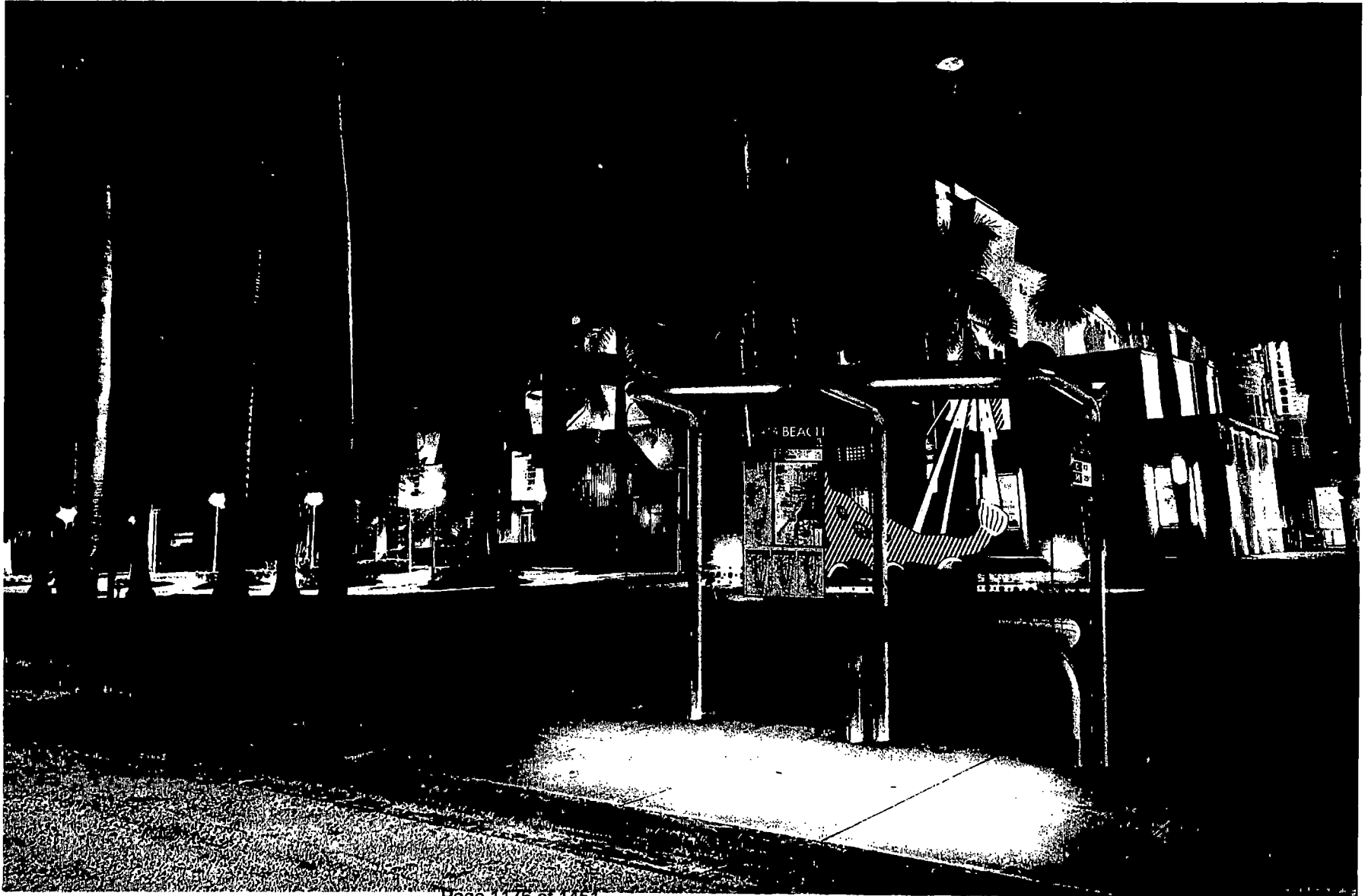
WAVE BEACH

OUTFRONT
media

POITRAS
INDUSTRIES

Convention Center Drive

10' X 3' Narrow Night rendering



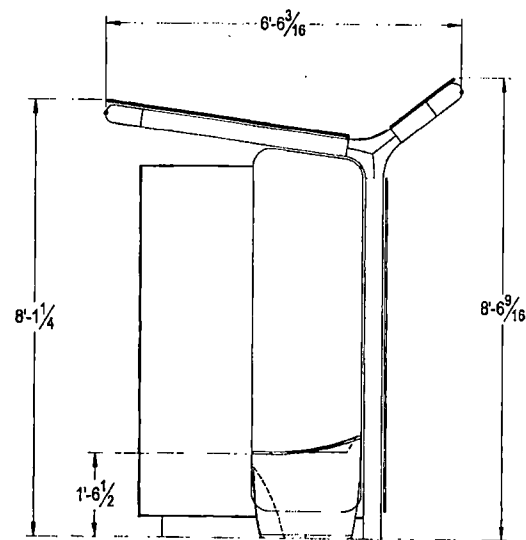
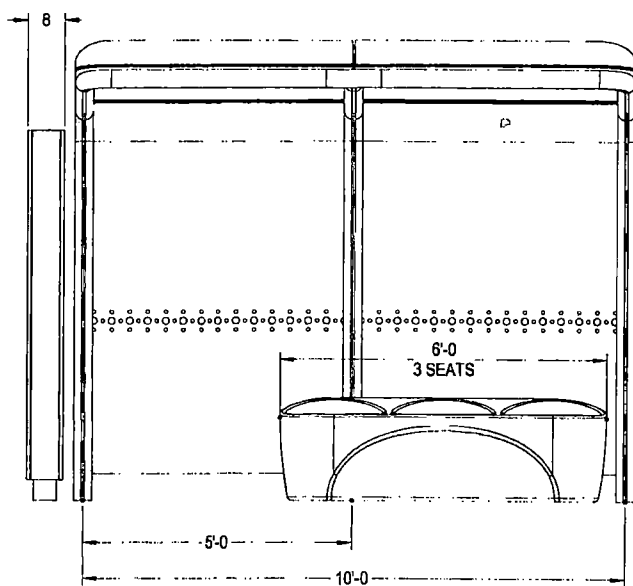
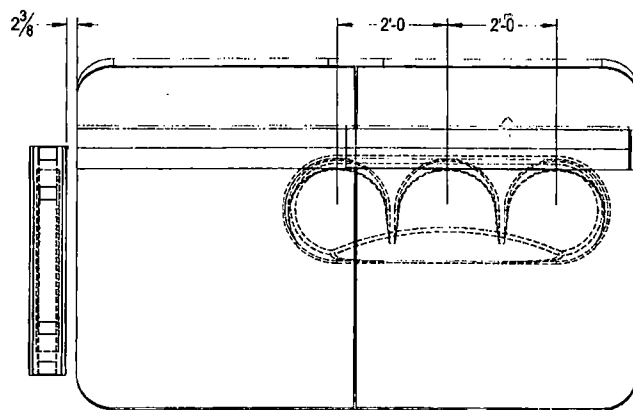
Page 1176 of 1451

Convention Center Drive

BusPas technology



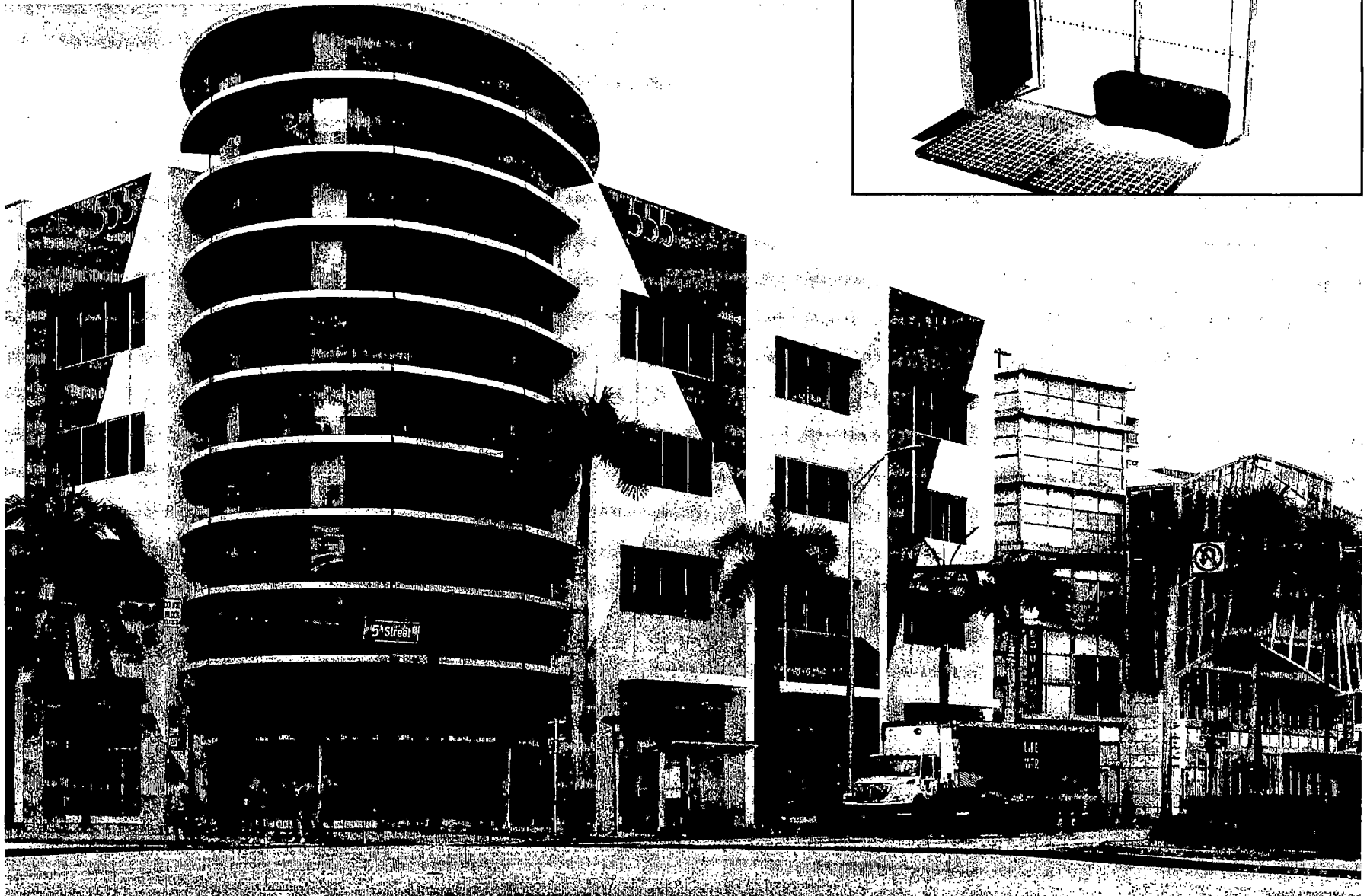
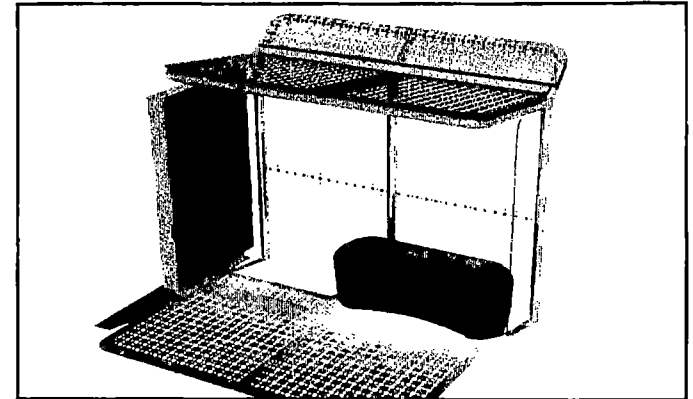
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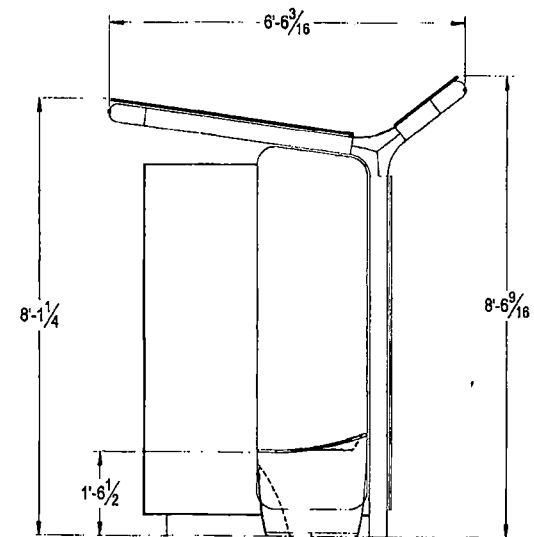
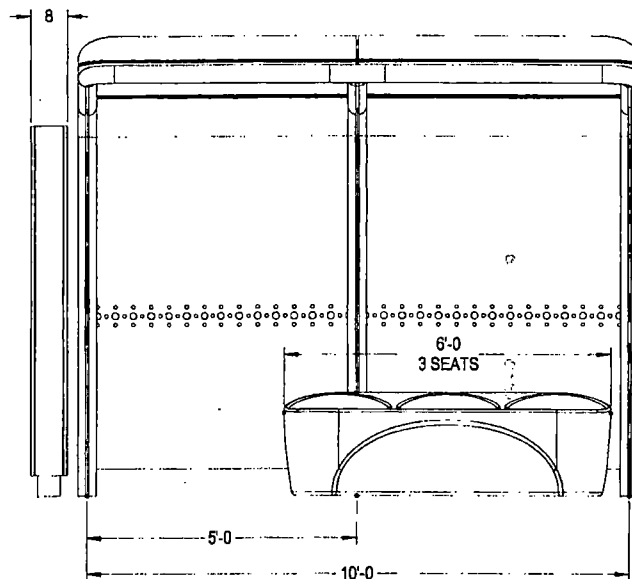
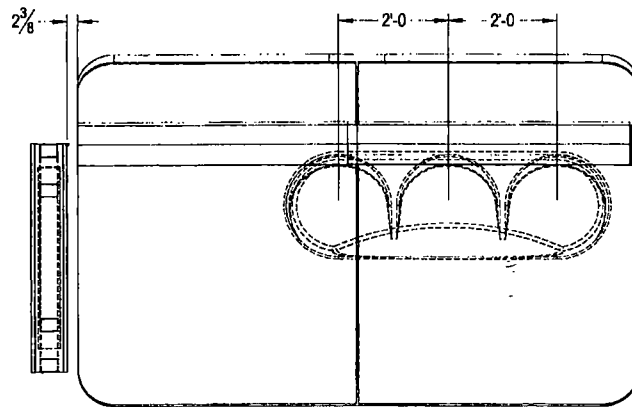


5th Street

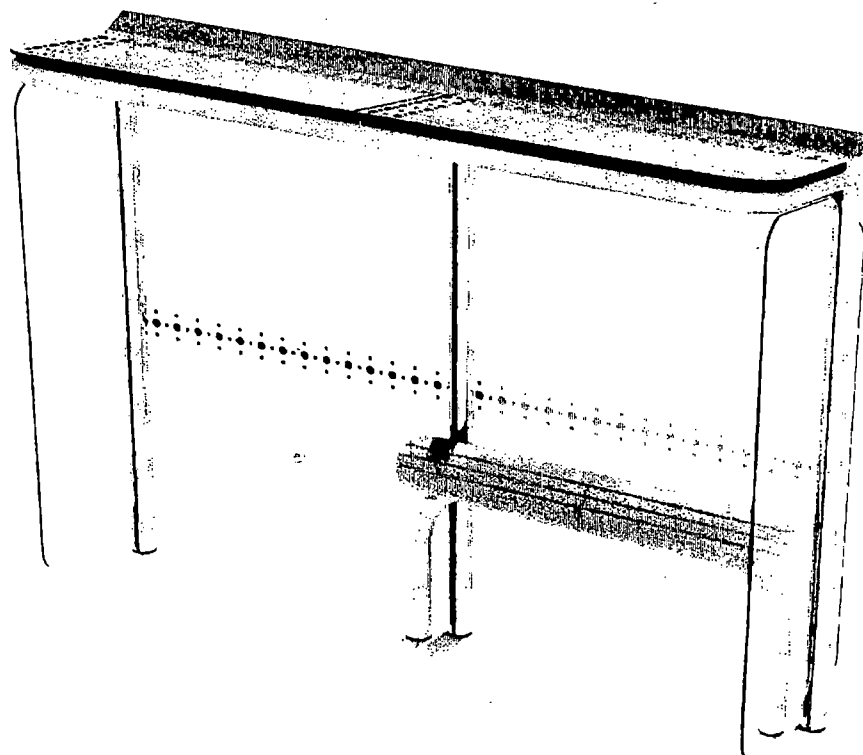
10' X 7' Shelter

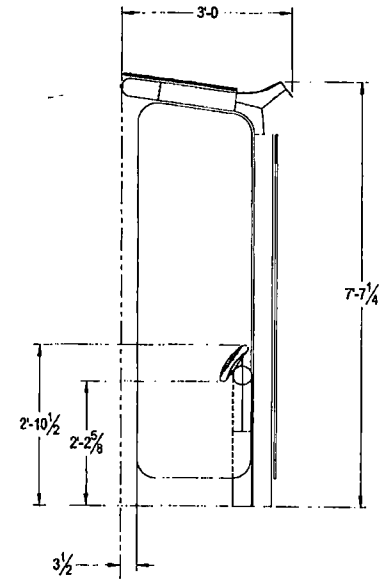
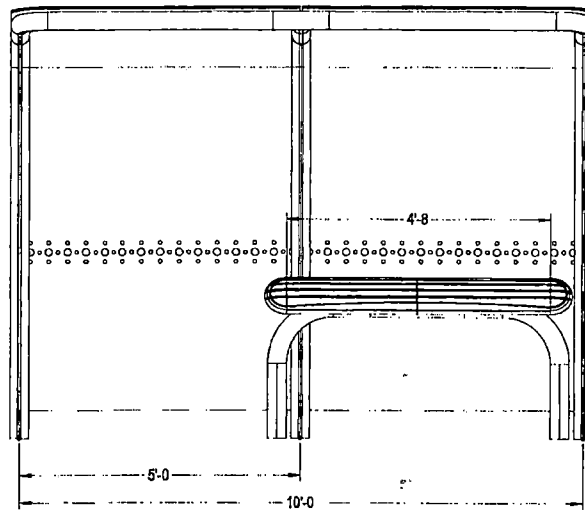
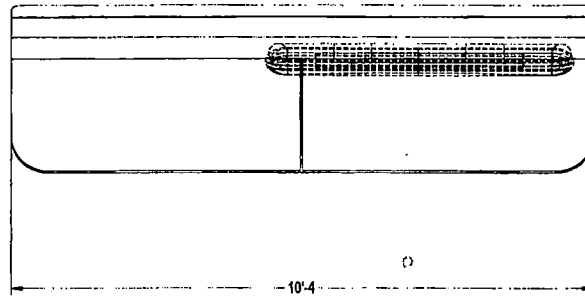
Bench, BusPas technology and advertising dashboard





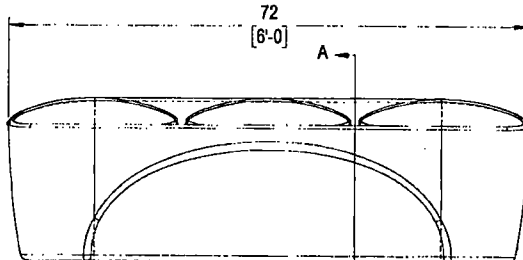
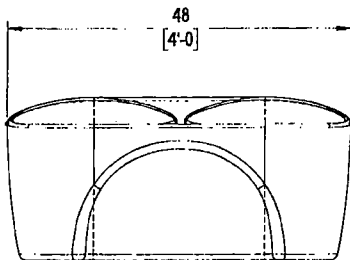
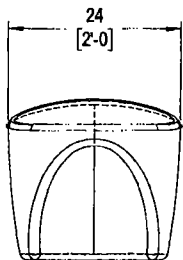
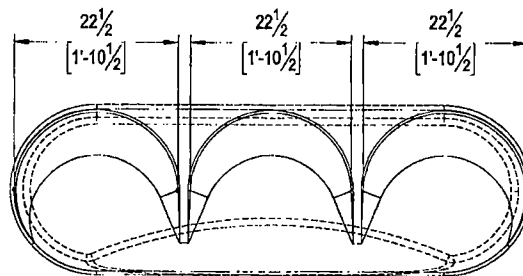
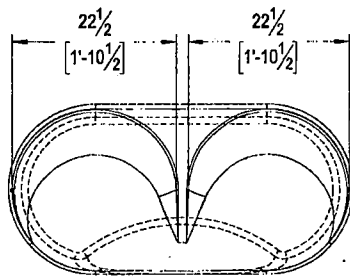
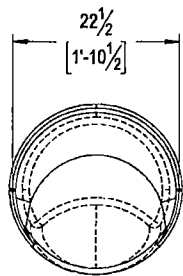
10' X 3' Narrow shelter





Benches

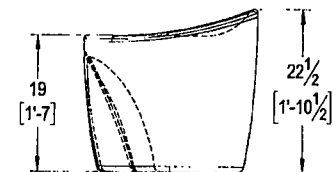
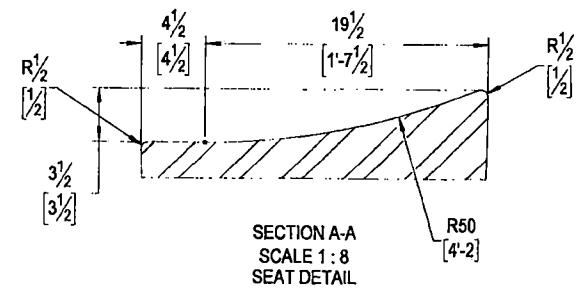




1 SEAT BENCH

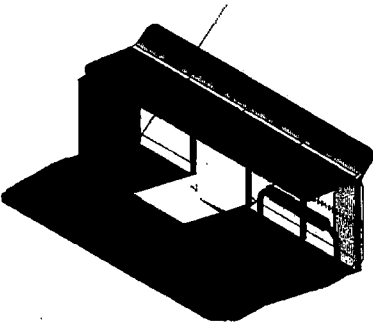
2 SEAT BENCH

3 SEAT BENCH

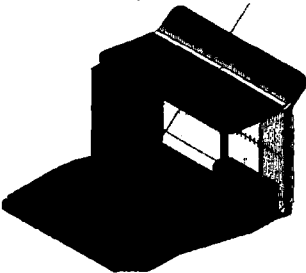


Shade study
August Miami

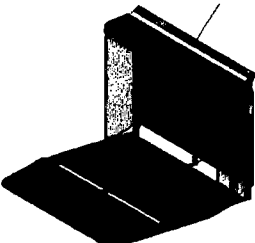
9 AM



SHELTER 20' x 7'

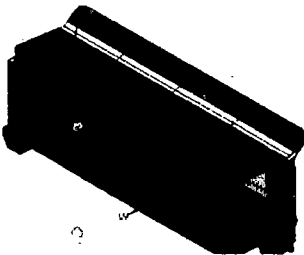


SHELTER 10' x 7'

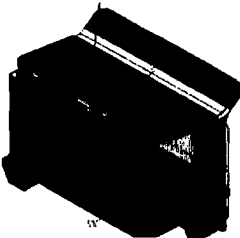


SHELTER 10' x 3"

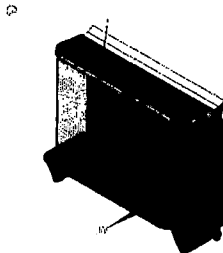
12 PM



W

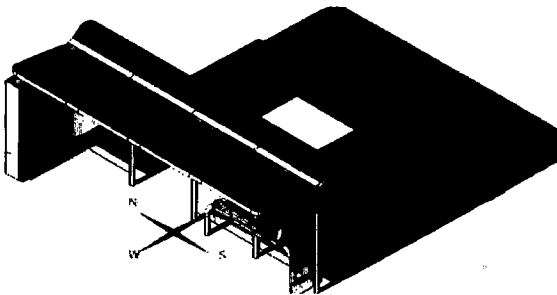


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4 PM

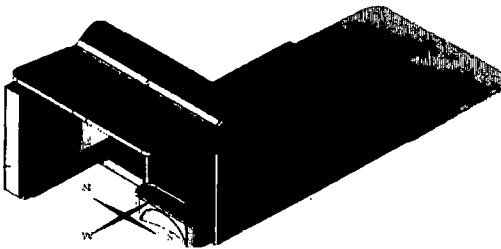


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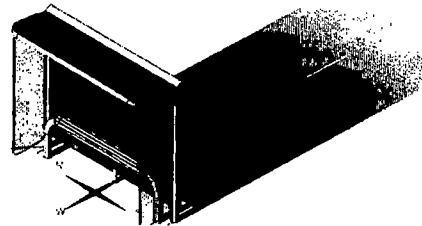


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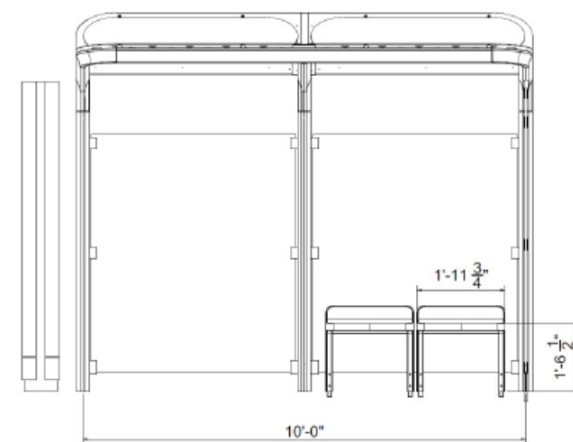
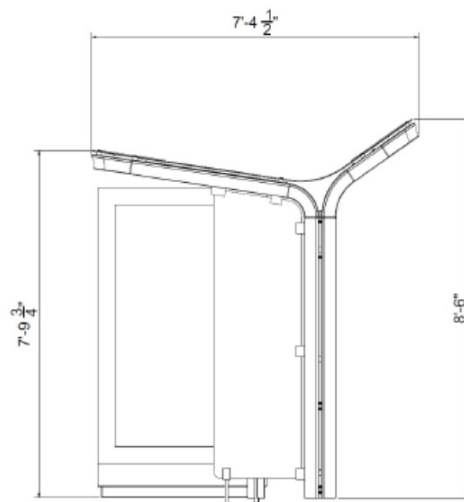
S

E

W

NOTE : Location used for shade study facing WEST on August 24th @ 25.788, -80.133

Attachment B - Rendering of New “Standard” Bus Shelter



MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Commissioner Kristen Rosen Gonzalez
 DATE: December 13, 2023

SUBJECT: DISCUSS/TAKE ACTION ON OUTFRONT MEDIA GROUP CONTRACT.

BACKGROUND/HISTORY

Discussion regarding the City's contract for bus shelters with Outfront Media Group, and a referral to the Finance and Economic Resiliency Committee, to discuss the status of same, including possible termination.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Commissioner Kristen Rosen Gonzalez

December 13, 2023
City of Miami Beach Hybrid Commission Meeting

Miami Beach.

Dr. Rosenfeld responded that the total would be \$450,000.

Mayor Meiner added that this program is a great enhancement to recruit and keep families in Miami Beach.

Voice vote: 7-0.

5:11:15 p.m.

R9 V DISCUSS/TAKE ACTION ON OUTFRONT MEDIA GROUP CONTRACT.

Vice-Mayor Kristen Rosen Gonzalez
Addendum added on 12/11/2023.

ACTION: Discussion held. Vice-Mayor Rosen Gonzalez made a motion to refer the Item; seconded by Commissioner Bhatt. The Item was referred to the Public Safety Neighborhood and Quality of Life Committee. Vote: 7-0. **Mark Taxis to place on the Committee Agenda. Jose Gonzalez to handle.**

Vice-Mayor Rosen Gonzalez stated that Commissioner Bhatt's Item about the Kiosks inspired her to add this Item to the agenda. The City signed a contract with Outfront Media Group for the bus shelters two years ago and no improvements have been made. She would like to have the discussion referred to the Public Safety Neighborhood and Quality of Life Committee to have a conversation about where the process stands and when the City should be expecting the new bus shelters. The City's bus shelters are completely outdated, we should have shelters that say when the buses are arriving. With the referral, Outfront Media Group can explain why not much has been done since the contract was signed two years ago. The residents deserve this.

Mayor Meiner added that further discussion will be held during the Public Safety Neighborhood and Quality of Life Committee.

The Item was referred to the Public Safety, Neighborhoods, and Quality of Life Committee by unanimous consent.

2:31:48 p.m.

R9 W DISCUSS/TAKE ACTION REGARDING THE TERMINATION OF THE AGREEMENT WITH IKE SMART CITY FOR DIGITAL MEDIA KIOSKS.

Commissioner Tanya K. Bhatt
Addendum added on 12/11/2023.

AFTER-THE-FACT RESOLUTION:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND IKE SMART CITY, LLC (IKE), PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2022-040-KB, TO DESIGN, MANUFACTURE, INSTALL, MAINTAIN, AND OPERATE INTERACTIVE DIGITAL MEDIA KIOSKS; SAID AMENDMENT (1) GRANTING THE CITY, FOR ITS CONVENIENCE, THE

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING BAYSHORE PARK POSITIVE AFFIRMATIONS AND MENTAL HEALTH SIGNAGE.**

HISTORY:

On May 15, 2024, the Mayor and City Commission referred item C4 D (Exhibit A), sponsored by Vice-Mayor Laura Dominguez, to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC), to discuss the installation of positive mental health affirmation signage at Bayshore Park.

On April 16, 2024 the City of Miami Beach Youth Commission unanimously passed a motion recommending the Mayor and City Commission create signage with positive mental health affirmations along the jogging trail/butterfly garden in Bayshore Park to coincide with the park opening in Fall 2025.

Bayshore Park is approximately 19.4 acres and is located at 2300 Pine Tree Drive. The park is located between Miami Beach Senior High School and the Scott Rakow Youth Center and will host many youth who reside in Miami Beach.

The new park will include a children's playground for different ages, exercise station, sports tennis courts, pathways, jogging trails, and a dog park. The park will also include a bathroom/office building, site furnishings, lake with infrastructure for future connection to the neighborhood drainage system, lake circulation and ozone water treatment system, and lake littoral zone. In addition, the park will feature entrance and park identification signs, a parking lot, lighting system, landscaping including the butterfly garden, an irrigation system, and connection to the utilities and FPL system.

On May 19, 2016, the City executed an agreement with Savino Miller Design Studio (SMDS) for the Landscaping, Architectural, and Engineering Design Services for the Bayshore Park Project. The park's design was presented at many public meetings including the Design Review Board, Parks and Recreation Advisory Board, Sustainability Committee, and the Bayshore Homeowner's Association.

On December 14, 2022, the Mayor and City Commission approved the award of a contract to Buslam Company Partners Inc., for the construction of the Bayshore Park. The City hosted a

groundbreaking ceremony for the project on September 19, 2023.

Bayshore Park is currently under construction, and is approximately thirty (30%) complete, with an anticipated completion of Fall of 2025.

ANALYSIS

The City of Miami Beach Youth Commission has expressed that one of the biggest problems faced by teens in our City is mental health. The Youth Commission's initiative of creating positive affirmation and mental health signage in Bayshore Park aims to help tackle this prevalent issue in our community.

Bayshore Park will have an expansive jogging trail circling and bordering different parts of the park, including the butterfly garden. The Youth Commission believes that butterfly garden can provide calming places where people relax, meditate, and enjoy nature, and their proposal is to install positive affirmation and mental health signage along the jogging trail in the portion of the park where it borders the butterfly garden. The signage could serve as a validating and educational tool, raising awareness about the importance of mental health and destigmatizing conversations surrounding mental health struggles and burnout. Through carefully crafted messages, visitors may gain insights into coping strategies, mindfulness practices, and resources available for mental health support within the community. Examples of positive affirmation and mental health signage artwork can be seen in Exhibit B. If implemented, such signage would be the first of its kind in City parks.

This initiative proposes that the artwork for the positive affirmation and mental health signage be created by local Miami Beach artists and art students at Miami Beach Senior High, thereby highlighting Miami Beach artists and youth while achieving the goal of improving mental health throughout the City.

Messaging for the signs could be implemented from the Poetry Project, a social experiment originating to promote mental health awareness and well-being within the London Underground. The Poetry Project has experienced considerable growth over time and there would be no cost for using quotes from this project.

The inclusion of signage featuring positive mental health affirmations in Bayshore Park aligns with the City's commitment to promote the well-being of the community members, especially our youth. Creating a supportive and uplifting environment within the park can empower individuals to prioritize their mental health and foster a sense of belonging.

The Youth Commission's vision for this initiative would include 12 to 16 different, double-sided signs, using a typical size for traffic signs of approximately 12" X 18", with an introduction sign stating information about the initiative, how it was created by the Youth Commission and listing accessible mental health resources. The colorful signs would be installed on poles that would border the jogging trail in the area where it borders the butterfly garden.

City staff has shared the Youth Commission's proposal with SMDS who expressed a preference "to keep the park virtually sign free, allowing the user to curate his/her own feelings for the park experience." Concerned that the signs could be distracting to park views, and subjected to vandalism, the consultant suggested that similar results could be achieved through the use of fewer and smaller signs with QR codes, allowing for varying messages and greater flexibility.

Should the Committee elect to consider this initiative, City staff will need to coordinate permitting, including the preparation and approval by the Building Department of a sign permit, and explore potential zoning restrictions and the design of the poles. The Administration has not yet determined the potential cost implications for the design, permitting, manufacturing and installation.

CONCLUSION:

The foregoing is presented to the members of the PSNQLC for discussion.

Applicable Area

Middle Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Exhibit A - Referral Memo from May 15, 2024 Meeting Item C4 D	Memo
<input type="checkbox"/>	Exhibit B - Examples of Positive Affirmation & Mental Health Signage Artwork	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Vice-Mayor Laura Dominguez
DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE -
DISCUSSION REGARDING BAYSHORE PARK POSITIVE AFFIRMATIONS AND MENTAL
HEALTH SIGNAGE.

RECOMMENDATION

Please place on the May 15, 2024 agenda a referral to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss the installation of positive mental health affirmation signage at the Bayshore Park.

At its March 16, 2024 meeting, the Youth Commission passed a unanimous motion recommending for the Mayor and City Commission to create signage with positive mental health affirmations along the jogging trail/butterfly garden in Bayshore Park to coincide with the park opening in Fall 2025.

The Bayshore Park is a 19.4-acre park that is currently under construction and is set to open in the Fall of 2025. The park is located between Miami Beach Senior High School and the Scott Rakow Youth Center, and will host many teenagers and other youth who reside in Miami Beach.

The City's advisory Youth Commission has recently established that one of the biggest problems faced by the teens in our City is mental health. The Commission's initiative of creating positive affirmation and mental health signage in Bayshore Park aims to help tackle this prevalent issue in our community.

The Bayshore Park will have an expansive jogging trail circling and bordering different parts of the park, including the butterfly garden. Butterfly gardens are known to be calming places where people relax, meditate, and enjoy nature. The Commission's proposal is to put positive affirmation & mental health signage along the jogging trail in the portion of the park where it borders the butterfly garden. The signage can serve as a validating and educational tool, raising awareness about the importance of mental health and destigmatizing conversations surrounding mental health struggles and burnout. Through carefully crafted messages, visitors can gain insights into coping strategies, mindfulness practices, and resources available for mental health support within the community. If implemented, such signage would be the first of its kind in City parks.

The idea is to have the artwork for the positive affirmation and mental health signage be created by local Miami Beach artists and art students at Miami Beach Senior High, in order to highlight Miami Beach artists and youth while achieving the goal of improving mental health throughout the City.

I would like for the messaging on the signage to be implemented from the Poetry Project. Originating as a social experiment to promote mental health awareness and overall well-being within the London Underground, the Poetry Project has experienced considerable growth over time and there is no charge to use the quotes from this project (See attached Exhibit A).

I believe that the inclusion of signage featuring positive mental health affirmations in Bayshore Park aligns with our commitment to promoting the well-being of our community members, especially our youth. By creating a supportive and uplifting environment, we can empower individuals to prioritize their mental health and foster a sense of belonging within the park space.

BACKGROUND/HISTORY

Please place on the May 15, 2024 agenda a referral to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss the installation of positive mental health affirmation signage at the Bayshore Park.

At its March 16, 2024 meeting, the Youth Commission passed a unanimous motion recommending for the Mayor and City Commission to create signage with positive mental health affirmations along the jogging trail/butterfly garden in Bayshore Park to coincide with the park opening in Fall 2025.

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The Bayshore Park will have an expansive jogging trail circling and bordering different parts of the park, including the butterfly

garden. Butterfly gardens are known to be calming places where people relax, meditate, and enjoy nature. The Commission's proposal is to put positive affirmation & mental health signage along the jogging trail in the portion of the park where it borders the butterfly garden. The signage can serve as a validating and educational tool, raising awareness about the importance of mental health and destigmatizing conversations surrounding mental health struggles and burnout. Through carefully crafted messages, visitors can gain insights into coping strategies, mindfulness practices, and resources available for mental health support within the community. If implemented, such signage would be the first of its kind in City parks.

The idea is to have the artwork for the positive affirmation and mental health signage be created by local Miami Beach artists and art students at Miami Beach Senior High, in order to highlight Miami Beach artists and youth while achieving the goal of improving mental health throughout the City.

I would like for the messaging on the signage to be implemented from the Poetry Project. Originating as a social experiment to promote mental health awareness and overall well-being within the London Underground, the Poetry Project has experienced considerable growth over time and there is no charge to use the quotes from this project (See attached Exhibit A).

I believe that the inclusion of signage featuring positive mental health affirmations in Bayshore Park aligns with our commitment to promoting the well-being of our community members, especially our youth. By creating a supportive and uplifting environment, we can empower individuals to prioritize their mental health and foster a sense of belonging within the park space.

SUPPORTING SURVEY DATA

n/a

FINANCIAL INFORMATION

n/a

Amount(s)/Account(s):

n/a

CONCLUSION

n/a

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

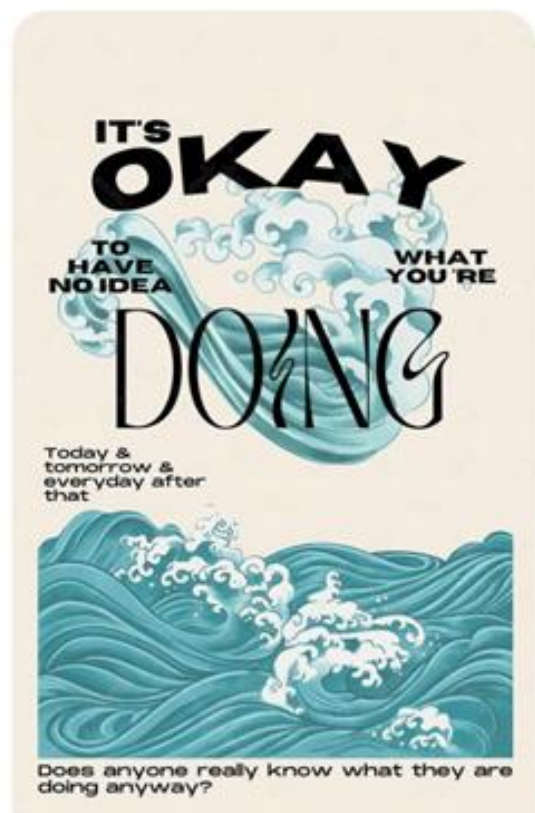
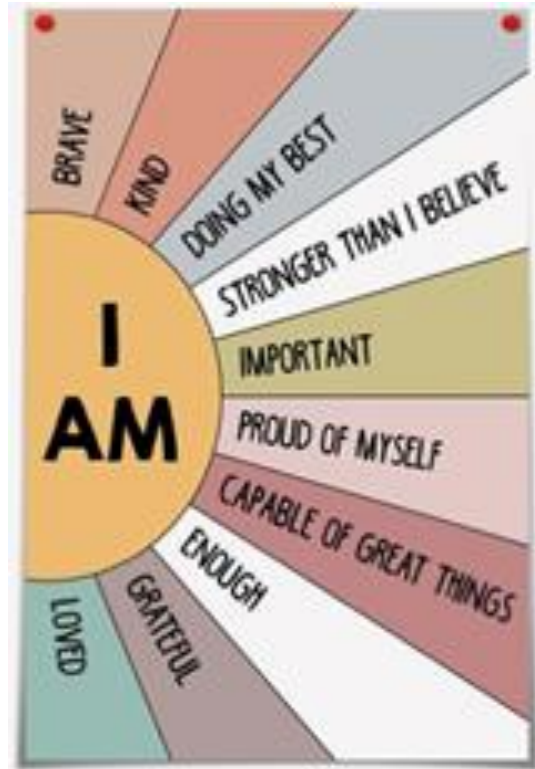
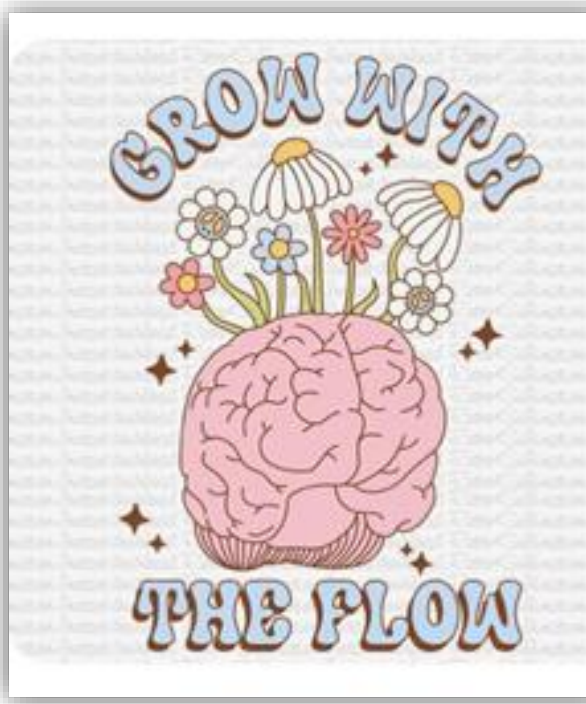
Vice-Mayor Laura Dominguez

Sponsor

Co-sponsored by Commissioner Alex Fernandez

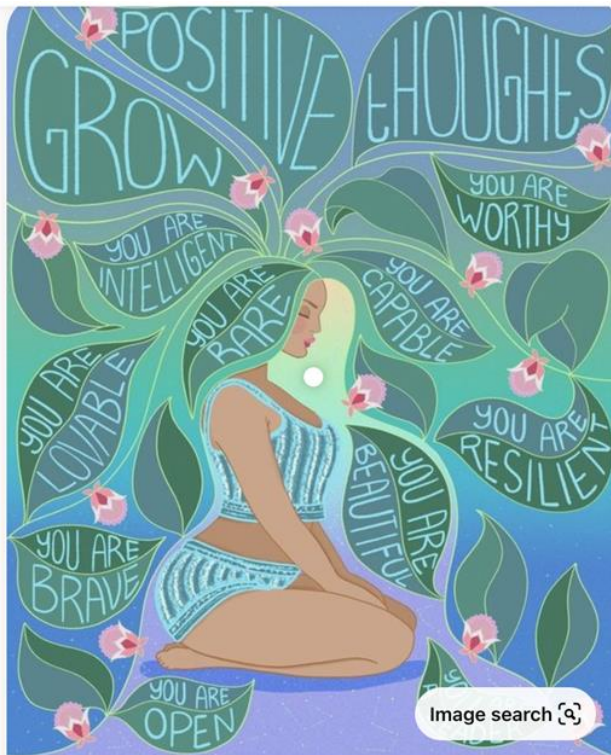
EXAMPLES OF POSITIVE AFFIRMATION AND
MENTAL HEALTH SIGNAGE ARTWORK

EXHIBIT B



EXAMPLES OF POSITIVE AFFIRMATION AND
MENTAL HEALTH SIGNAGE ARTWORK

EXHIBIT B



MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE CREATION OF CODE COMPLIANCE AREA CAPTAIN POSITIONS FOR SOUTH BEACH, MID BEACH AND NORTH BEACH.**

HISTORY:

At the May 15, 2024 Commission meeting, at the request of Commissioner Alex Fernandez and co-sponsor Commissioner Joseph Magazine, the Mayor and City Commission approved a dual referral to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) and the Finance and Economic Resiliency Committee (FERC) to discuss the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach.

The referral requested that the Code Compliance Department, Human Resources and Finance should be prepared to discuss this matter before the Committees.

ANALYSIS

The Code Compliance Department currently employs Code Compliance Administrators who are strategically assigned to zones like South Beach, Mid Beach, and North Beach, catering to the specific challenges and needs of each area. In addition to these Code Compliance Administrators, there are also assigned Code Compliance Officers who work within their designated zones, allowing for a more targeted approach to addressing area-specific concerns and ensuring effective enforcement of codes and regulations. This zoning system enables the Department to provide focused attention and resources to each neighborhood, enhancing the quality of service and compliance efforts in the community.

The Code Compliance Department acknowledges there is an opportunity to create greater awareness of district 'go-to' supervisors, aligning their role more closely with the concept of a Single Point of Contact (SPOC) for neighborhoods. This initiative can be implemented without any additional fiscal impact or the need to add Full-Time Equivalents (FTEs).

CONCLUSION:

Staff will be present to discuss and provide any information regarding the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Neighborhoods - Increase compliance with City code.

ATTACHMENTS:

Description	Type
☐ May 15, 2024 C4T Original Referral and Memo	Memo
☐ Code Compliance Contact List for Web	Other



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE AND THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE CREATION OF CODE COMPLIANCE AREA CAPTAIN POSITIONS FOR SOUTH BEACH, MID BEACH AND NORTH BEACH.

RECOMMENDATION

Please place on the May 15, 2024 agenda a dual referral to the Public Safety Neighborhoods and Quality of Life Committee (“PSNQLC”) and the Finance and Economic Resiliency Committee (“FERC”) to discuss the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach.

The effective enforcement of the City’s Code of Ordinances (the “Code”) is crucial to the maintenance of the highest standards of safety, cleanliness and quality of life for the City’s residents and visitors. The City has approximately fifteen (15) square miles within its territorial jurisdiction. While many of the concerns relating to violations are homogenous throughout the City, because of the distinct character of South Beach, Mid Beach and North Beach, each of these areas presents its own unique set of challenges. Although our Code Compliance Department does a great job addressing compliance issues throughout the City, because of the unique characteristics of the South Beach, Mid Beach and North Beach areas, it would be useful to have an Area Captain designated for each of these regions. By consistently working in the same area of the City, the Area Captains will forge a stronger bond with residents and businesses in the area and will be in a better position to address area-specific concerns.

I would like for my colleagues on the PSNQLC to discuss, and I would like to discuss with my colleagues on the FERC, the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach as we prepare to embark upon the FY 2025 budget process.

The appropriate representative(s) from the Code Compliance Department, Human Resources and Finance should be prepared to address this matter before the Committees.

SUPPORTING SURVEY DATA

na

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez

Sponsor

Co-sponsored by Commissioner Joseph Magazine

ATTACHMENTS:

Description

📎 [Memo](#)



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Honorable Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: May 15, 2024

SUBJECT: DUAL REFERRAL TO THE PUBLIC SAFETY NEIGHBORHOODS AND QUALITY OF LIFE COMMITTEE AND THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE TO DISCUSS THE CREATION OF CODE COMPLIANCE AREA CAPTAIN POSITIONS FOR SOUTH BEACH, MID BEACH AND NORTH BEACH

Please place on the May 15, 2024 agenda a dual referral to the Public Safety Neighborhoods and Quality of Life Committee ("PSNQLC") and the Finance and Economic Resiliency Committee ("FERC") to discuss the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach.

The effective enforcement of the City's Code of Ordinances (the "Code") is crucial to the maintenance of the highest standards of safety, cleanliness and quality of life for the City's residents and visitors. The City has approximately fifteen (15) square miles within its territorial jurisdiction. While many of the concerns relating to violations are homogenous throughout the City, because of the distinct character of South Beach, Mid Beach and North Beach, each of these areas presents its own unique set of challenges. Although our Code Compliance Department does a great job addressing compliance issues throughout the City, because of the unique characteristics of the South Beach, Mid Beach and North Beach areas, it would be useful to have an Area Captain designated for each of these regions. By consistently working in the same area of the City, the Area Captains will forge a stronger bond with residents and businesses in the area and will be in a better position to address area-specific concerns.

I would like for my colleagues on the PSNQLC to discuss, and I would like to discuss with my colleagues on the FERC, the creation of Code Compliance Area Captain positions for South Beach, Mid Beach and North Beach as we prepare to embark upon the FY 2025 budget process.

The appropriate representative(s) from the Code Compliance Department, Human Resources and Finance should be prepared to address this matter before the Committees.

CODE COMPLIANCE DEPARTMENT

1680 Meridian Avenue Suite 602, Miami Beach, FL 33139

Ph. 305.673.7555

NOTICE: Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to the City of Miami Beach.

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MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: DISCUSS EXPANDING THE MB RESIDENTS CONNECT PORTAL TO ALLOW NEIGHBORHOOD ASSOCIATIONS TO RECEIVE TARGETED NOTICE OF CERTAIN SPECIAL MAGISTRATE HEARINGS RELATING TO INDIVIDUAL PROPERTIES IN A NEIGHBORHOOD

HISTORY:

On February 21, 2024, at the request of Commissioner Laura Dominguez, a discussion item (C4 N) was referred by the Mayor and City Commission to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss expanding the MB Resident Connect portal to allow neighborhood associations to receive targeted notice of certain Special Magistrate hearings relating to individual properties in a neighborhood.

MB Resident Connect, a tool developed by the Information Technology Department, was implemented as a result of the Residents Right to Know Ordinance on July 26, 2017. The ordinance, in part, required targeted electronic notices for matters that impact resident's quality of life. MB Resident Connect allows users to sign up to receive electronic alerts based on keywords of their choosing. When City meeting agendas are published, the user receives an e-mail if one of the keywords they set up is part of the agenda. These keywords may be found within documents from the City Commission meetings, or other committee meetings. The system checks for keywords daily and notifies the user via e-mail when a new document containing the keyword is found.

ANALYSIS

The City of Miami Beach is actively engaged in the implementation of a new agenda system, OneMeeting, which is replacing the City's existing Novus agenda platform. As part of this upgrade, the City will be consolidating the functionality of MB Resident Connect into the new OneMeeting application. The OneMeeting system is expected to be in production in the summer of 2024.

CONCLUSION:

The Administration is prepared to discuss viable options to allow notifications regarding Special Magistrate items on the City's newly implemented agenda system.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Organizational Innovation - Improve two-way communications and engagement.

ATTACHMENTS:

Description	Type
 Referral Memo- C4 N	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Laura Dominguez
DATE: February 21, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE
TO DISCUSS EXPANDING THE MB RESIDENTS CONNECT PORTAL TO ALLOW
NEIGHBORHOOD ASSOCIATIONS TO RECEIVE TARGETED NOTICE OF CERTAIN SPECIAL
MAGISTRATE HEARINGS RELATING TO INDIVIDUAL PROPERTIES IN A NEIGHBORHOOD.

ANALYSIS

Please refer a discussion to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss expanding the MB Residents Connect portal to allow neighborhood associations to receive targeted notice of certain special magistrate hearings relating to individual properties in a neighborhood in order to allow residents impacted by nuisance behavior at nearby properties to monitor and possibly provide evidence or testimony in appropriate cases that may assist the City prosecutors and the special magistrates in obtaining a fair and expeditious result that will help end nuisance behavior in our City's residential neighborhoods. Currently, on the City's website under the link for Special Magistrate, the public can search by address, which will display all pending cases for that particular address with a link to the Special Magistrate docket and the text of the violation. I would like to discuss the feasibility of providing automatic notice to neighborhood associations of this information to better facilitate their monitoring and possible participation in cases impacting their neighborhoods.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Laura Dominguez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE CONTINUATION OPTIONS FOR FLORIDA FRESH MARKETS**

HISTORY:

On May 12, 2021, the Mayor and City Commission authorized the issuance of Request for Proposals (RFP) 2021-151-ND, to solicit proposals for managing and operating an artisanal market in Lummus Park.

On July 30, 2021, the Administration provided a status update on RFP 2021-151-ND for the Management and Operation of an Artisanal Market in Lummus Park via Letter to Commission (LTC) # 315-2021. The Administration worked to identify other areas for potential artisanal markets to promote activations within specific neighborhoods or commercial districts and serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements.

The Administration released an addendum to the RFP to allow future additional markets in the resulting agreement, subject to City Commission approval. On October 13, 2021, the Mayor and City Commission authorized the Administration to enter negotiations with Florida Fresh Market, the top-ranked proposer, and the best-qualified firm to manage and operate the artisanal markets.

On July 20, 2022, through Resolution No. 2022-32259, the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street and 8 Streets. The Resolution also authorized the Administration to negotiate with Florida Fresh Markets (FFM) to activate artisanal markets in other Miami Beach locations.

FFM launched the Lummus Park Artisanal Market on September 10, 2022. After approximately six (6) months of activation at Lummus Park, the City launched market locations in the 41st Street commercial corridor and the Collins Park neighborhood by Amendment No. 1 to the agreement via Resolution No. 2023-32465.

The market expansion faced challenges in the 41st Street corridor and Collins Park neighborhood. The 41st Street corridor had two (2) separate market locations, yielding

unsuccessful results since the addition in February 2023. Staff also received feedback from the Mayor's 41st Street Blue Ribbon Committee regarding concerns with the locations and vendors. The Collins Park location also witnessed reduced patron and vendor participation since its inception in March 2023.

FFM has demonstrated professionalism and responsiveness throughout their time of activation. However, since the inception of the FFM artisanal markets, staff has worked to address community concerns regarding the market activations. The Administration has received communications from the Ocean Drive Association, SOBESafe, and residents regarding the artisanal market activation in Lummus Park, in addition to some concerns shared by members of the Commission on behalf of constituents. Concerns at Lummus Park have ranged from activation overload at the park, space available for walkers and cyclists, and possible impact on businesses and the park.

On July 10, 2023, the Administration sent Letter to Commission (LTC) #310-2023 with an update on the performance of Florida Fresh Market activations throughout the City and the decision to exercise the termination for convenience clause in the agreement between the City and Florida Fresh Markets. Upon issuing a notice of termination, the last activation under the agreement took place on August 6, 2023.

On September 13, 2023, the Mayor and City Commission discussed an item regarding terminating the market operations and directed the Administration to explore potential changes and continuation options for the artisanal markets operated by Florida Fresh Markets.

On October 18, 2023, the Mayor and City Commission directed the Administration to negotiate a six (6)-month pilot project with Florida Fresh Markets, with a three (3)-month review contingent on various modifications to the market, including, but not limited to:

- limiting categories of offerings to natural products that align with the Lummus Park health-conscious theme;
- reducing the footprint of the market; and
- replacing the tents with a more aesthetic covering.

ANALYSIS

Based on the direction given at the October 18, 2023 Commission meeting, the Administration began negotiations with Florida Fresh Markets on October 23, 2023.

Considering the terms and scope of the market were to be modified, the Tourism and Culture Department worked with the City Attorney's Office and Procurement Department to determine feasibility and the best steps forward. After various conversations and reviews, staff drafted a reinstated and amended management and operation agreement that was presented to Florida Fresh Markets on March 19, 2024.

Understanding the challenges brought by weather and seasonal residency changes to the outdoor activation in the summer months, the vendor has requested that the start date of the market activation be November 2024. Careful consideration has been given to the schedule during the negotiation process.

CONCLUSION:

The Administration presents this timeline and the vendor's request to the Public Safety and Neighborhood

Quality of Life Committee for consideration and possibly, a recommendation to the City Commission.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

ATTACHMENTS:

Description	Type
□ Resolution 2022-32259	Resolution
□ Resolution 2023-32465	Resolution
□ LTC 310-2023	Other
□ Referral Memo	Memo

RESOLUTION NO. 2022- 32259

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE RELOCATION OF THE LUMMUS PARK ARTISANAL MARKETS TO THE AREA OF LUMMUS PARK GENERALLY LOCATED BETWEEN 6TH STREET AND 8TH STREET, AND AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH FLORIDA FRESH MARKET TO ACTIVATE ARTISANAL MARKETS IN OTHER AREAS OF THE CITY, IN ADDITION TO LUMMUS PARK.

WHEREAS, on September 16, 2020, Commissioner Michael Gongora sponsored a referral to the Neighborhood and Quality of Life Committee to discuss establishing an Art Deco Market in Lummus Park. It was proposed that a market would help improve the arts & culture offerings of the area and provide revenue to artists who were suffering from ongoing closures during the pandemic; and

WHEREAS, at the October 19, 2020 and November 6, 2020 Neighborhood and Quality of Life Committee meetings, discussions took place regarding the City's plan to relaunch and manage the operation of an artisanal and product market in Lummus Park in early 2021. The market would be a free weekend market featuring curated artistic goods, services, and organic produce year-round. Previously managed by a 3rd party, the management of the market would be a joint effort between the Tourism and Culture and Property Management Departments. These departments would lead the daily management of the vendors and assets, with additional support provided by the Parks and Recreation, Police, and Sanitation Departments; and

WHEREAS, at the January 13, 2021 City Commission meeting, a proposed budget amendment to include the Lummus Park Artisanal Market was presented. The Interim-City Manager expressed concerns of staff taking on the responsibility of overseeing the market due to resources that would have to be put forward for this initiative. The City Commission agreed and directed the Administration to place the Lummus Park Artisanal Market management out to bid; and

WHEREAS, on May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City; and

WHEREAS, on July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operations of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify potential artisanal markets in other areas to promote activations within certain neighborhoods or

commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets would serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement, subject to City Commission approval; and

WHEREAS, the Evaluation Committee convened on August 27, 2021, to consider proposals received. The Committee was comprised of staff from the Parks and Recreation, Property Management, and Tourism and Culture Departments, as well as members of the Art in Public Places Committee and the Miami Beach Convention Center; and

WHEREAS, on October 13, 2021, the Mayor and City Commission authorized the Administration to enter into negotiations with Florida Fresh Market, the top ranked proposer. Florida Fresh Market was the best qualified firm to manage and operate the artisanal markets. Florida Fresh Market demonstrated vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately; and

WHEREAS, on April 6, 2022, the Tourism and Culture department contacted the Ocean Drive Association to schedule a meeting to present the Lummus Park Artisanal Market details to include the footprint, and tent and logo design.; and

WHEREAS, on April 19, 2022, City Staff and Florida Fresh Markets presented the Lummus Park Artisanal Market to the Ocean Drive Association (ODA), and the ODA shared concerns regarding the location, public safety and the new Ocean Drive Promenade; and

WHEREAS, on April 26, 2022 the Administration received a letter (attached) from the ODA regarding the Lummus Park Artisanal Market where they further detailed their concerns with the location north of 12th Street; and

WHEREAS, on May 31, 2022, the Administration and Florida Fresh Markets presented the Lummus Park Artisanal Market at a publicly noticed Community Discussion, to which included the history of Florida Fresh Markets, the various locations in current operation as well as the proposed Lummus Park location between 13 Street and 14 Place in Lummus Park. The aesthetics of the vendor tents along with a logo for the Lummus Park Artisanal Market were also presented and well received. The overall community feedback was favorable, but the concern was shared that a market should not be placed north of 12 Street in Lummus Park; and

WHEREAS, on June 21, 2022 City staff received an electronic petition from SOBE Safe stating concerns with the market; and

WHEREAS, on July 20, 2022, the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street to 8 Streets and authorized the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, approving the relocation of the Lummus Park Artisanal markets to the area of Lummus Park generally located between 6th Street and 8th Street, and authorize the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other areas of the City, in addition to Lummus Park.

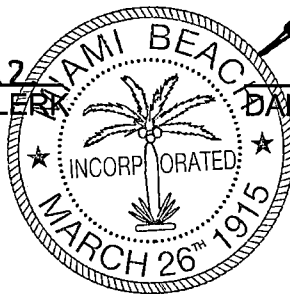
PASSED AND ADOPTED this 20th day of July 2022.

ATTEST:



RAFAEL E. GRANADO, CITY CLERK


8/16/2022





DAN GELBER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

8-15-22

Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: July 20, 2022

SUBJECT: DISCUSS AND TAKE ACTION, IF NECESSARY, ON THE RELOCATION OF THE APPROVED LUMMUS PARK ARTISANAL MARKET WITH MANAGEMENT AND OPERATION BY FLORIDA FRESH MARKET ENTERPRISES, INC.

RECOMMENDATION

Based on overall community feedback regarding the Lummus Park Artisanal Market, the Administration recommends the City Commission discuss and provide direction on a possible relocation of the market, and authorize the administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

BACKGROUND/HISTORY

Artisanal markets serve several objectives for cities, including enhancing and providing a community gathering place, adding value to neighborhoods and existing commercial districts, offering an economic opportunity to local vendors and businesses, and providing a diverse marketplace for residents, visitors, and tourists.

As a result, the City Commission directed the Administration to seek a vendor for the operation and management for the Lummus Park Artisanal Market.

ANALYSIS

On the September 16, 2020 City Commission meeting agenda, Commissioner Michael Gongora sponsored a referral to the Neighborhood and Quality of Life Committee to discuss establishing an Art Deco Market in Lummus Park. It was proposed that a market would help improve the arts & culture offerings of the area and provide revenue to artists who were suffering from ongoing closures during the Pandemic.

At the October 19, 2020 and November 6, 2020 Neighborhood and Quality of Life Committee meetings, discussions took place regarding the City's plan to relaunch and manage the operation of an artisanal and product market in Lummus Park in early 2021. The market would be a free weekend market featuring curated artistic goods, services, and organic produce year-round. Previously managed by a 3rd party, the management of the market would be a joint effort between the Tourism and Culture and Property Management Departments. These departments would lead the daily management of the vendors and assets, with additional support provided by the Parks and Recreation, Police, and Sanitation Departments. The mission of the market was to engage residents, tourists, and visitors, with a welcoming, fun, and safe place to shop and connect.

At the January 13, 2021 City Commission meeting, a proposed budget amendment to include

the Lummus Park Artisanal Market was presented. The Interim-City Manager expressed concerns of staff taking on the responsibility of overseeing the market due to resources that would have to be put forward for this initiative. The City Commission agreed and directed the Administration to place the Lummus Park Artisanal Market management out to bid.

On May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City.

On July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operations of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify potential artisanal markets in other areas as a way to promote activations within certain neighborhoods or commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets could serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Compared to the Lummus Park market, the additional markets referenced would likely be significantly smaller and some could be activated only episodically. Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement. Additional markets would require City Commission approval.

The Evaluation Committee convened on August 27, 2021, to consider proposals received. The Committee was comprised of staff from the Parks and Recreation, Property Management, and Tourism and Culture Departments, as well as members of the Art in Public Places Committee and the Miami Beach Convention Center.

On October 13, 2021, the Mayor and City Commission approved the recommendation to authorize the Administration to enter into negotiations with Florida Fresh Market, the top ranked proposer. Florida Fresh Market was the best qualified firm to manage and operate the artisanal markets. Florida Fresh Market had vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately.

On April 6, 2022 the Tourism and Culture department contacted the Ocean Drive Association to schedule a meeting to present the Lummus Park Artisanal Market details to include the footprint, and tent and logo design.

On April 19, 2022, City Staff and Florida Fresh Markets presented the Lummus Park Artisanal Market to the Ocean Drive Association (ODA). The ODA was impressed by the presentation but shared concerns regarding the location, public safety and the new Ocean Drive Promenade.

On April 26, 2022 the Administration received a letter (attached) from the ODA regarding the Lummus Park Artisanal Market where they further detailed their concerns with the location above 12th Street.

On May 31, 2022, the Administration and Florida Fresh Markets presented the Lummus Park Artisanal Market at a publicly noticed Community Discussion to the Art Deco Cultural District residents via Zoom. The presentation attached included the history of Florida Fresh Markets, the various locations in current operation as well as the proposed Lummus Park location between 13 Street and 14 Place in Lummus Park. The presentation also included a map of the area along with a logo for the Lummus Park Artisanal

LUMMUS PARK. The aesthetics of the vendor tents along with a logo for the LUMMUS PARK Artisanal Market were also presented and well received. The overall community feedback was favorable, but the concern was shared that a market should not be placed north of 12 Street in Lummus Park.

On June 21, 2022 City staff received an electronic petition (attached) from SOBESafe stating concerns with the market.

SUPPORTING SURVEY DATA

In the 2022 City of Miami Beach Resident Survey, 86% of residents agreed that free or City sponsored art and cultural activities contribute to their quality of life in Miami Beach and 86% of residents agreed that Miami Beach Cultural Activities (such as art shows, film festivals, musicals, and live performances) contribute to the quality of life in Miami Beach.

FINANCIAL INFORMATION

n/a

CONCLUSION

Based on overall community feedback regarding the Lummus Park Artisanal Market, the Administration recommends the City Commission discuss and provide direction on a possible relocation of the market, and authorize the administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Tourism and Culture

ATTACHMENTS:

Description

- ☐ Exhibit A Lummus Park Artisanal Market Presentation
- ☐ Exhibit B Letter from Ocean Drive Association
- ☐ Exhibit C Letter from SOBESafe
- ☐ Exhibit D LTC 315-2021

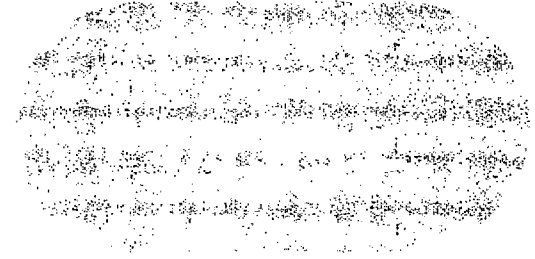
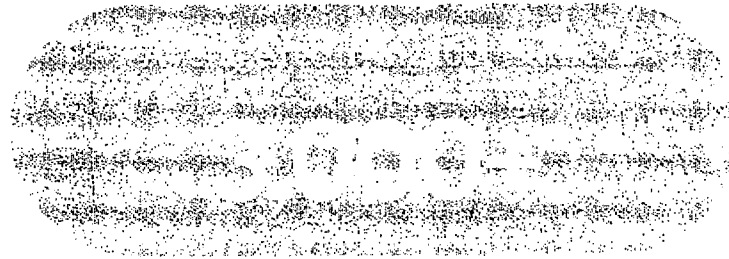
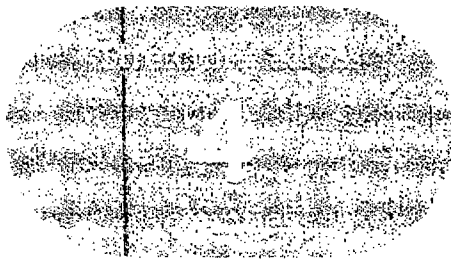


Florida
Fresh
Markets

Artisanal Market in Lummus Park



Numbers



Our partners



Brookfield
Properties



MIZNER
PARK

BAL HARBOUR
VILLAGE

SHOPS AT
MERRICK PARK

DOWNTOWN
CORAL GABLES
BUSINESS IMPROVEMENT DISTRICT



Outside Look

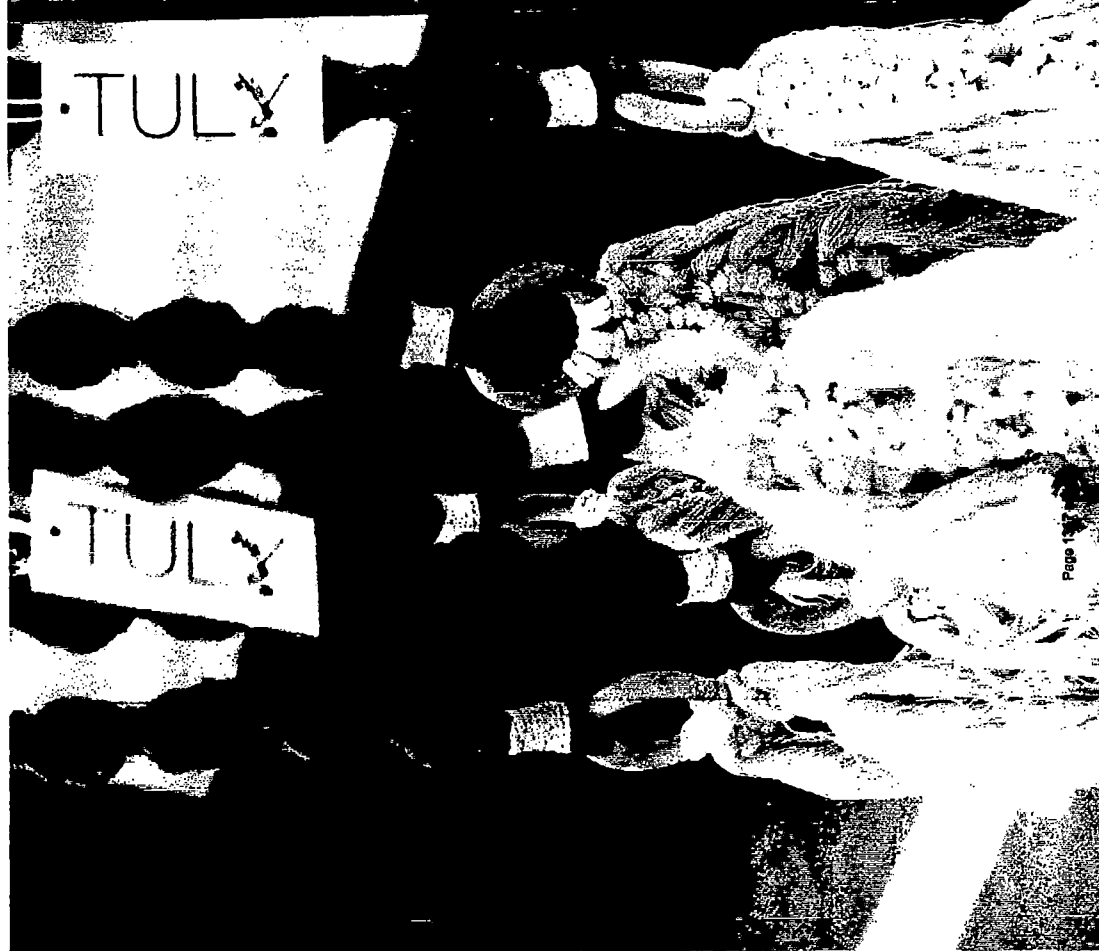
Page 1315 of 1502



Inside Look



Scope of Services



Our Plan

Goal

At the core of Florida Fresh Markets is bringing small local businesses and communities together.

Prioritizing local vendors

Priority will be given to vendors residing in the City of Miami Beach for the first 30 days upon the commencement date of the Concession Agreement when developing the roster of vendors.

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13th and 14th Street

Market Site

Page 1319 of 1502



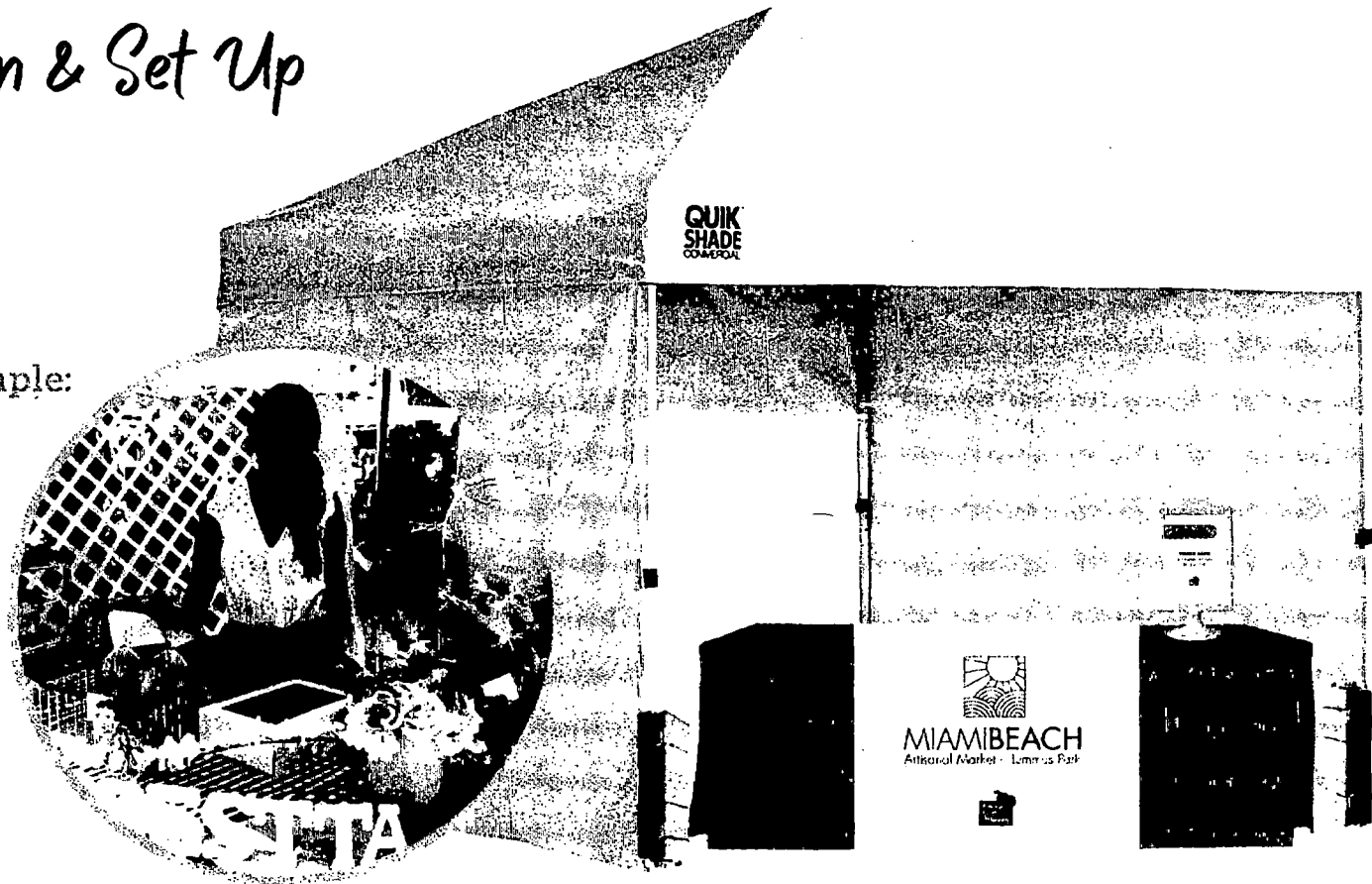
North of 6th Street
Market Site

Page 1320 of 1502



Booth Design & Set Up

Example:



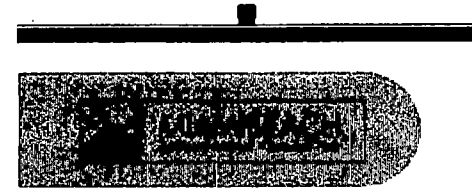
Page 1321 of 1502

Market Signage Plan

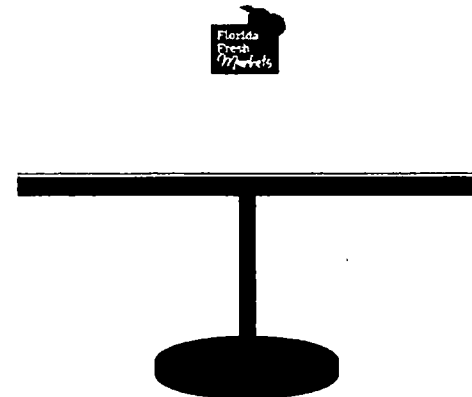
- Vendors will be required to place their individual Vendor ID in a visible location within their booth.



Page 1322 of 1502



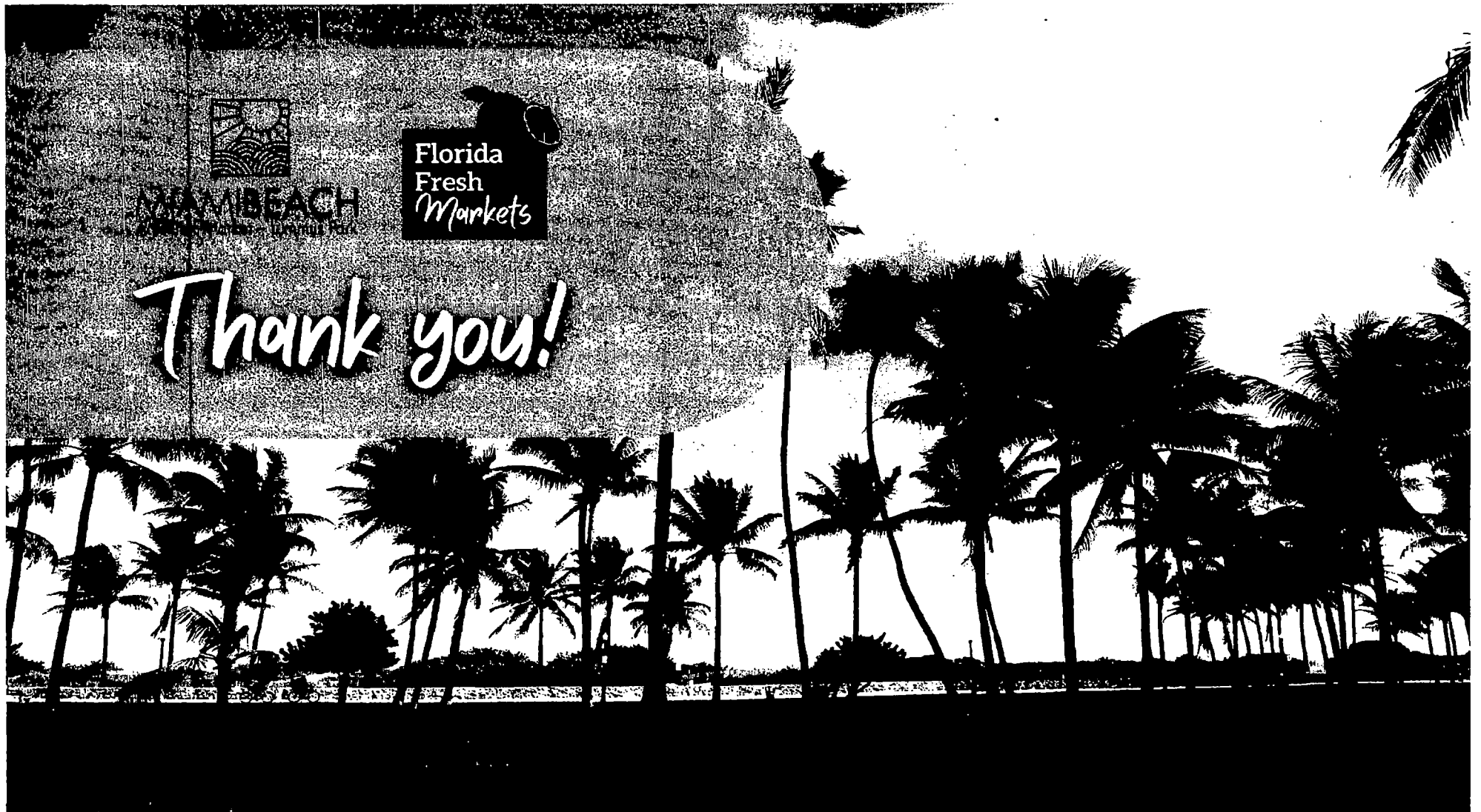
VENDOR NAME
@instagramaccount
123-456-7890





Vendor Guidelines & Standards

- Specific and strict arrival, set up, and breakdown times
- Strict & cohesive aesthetic expectations
- Each vendor is responsible for leaving the area in a perfect and clean condition after the market is closed.
- Strict cancellation policies
- Vendors will be required to maintain all relevant permits and licenses
- There will always be a market manager on duty to guarantee all market guidelines are met





April 26, 2022

Via Electronic Mail

Lisette Arrogante-Garcia
Director
Department of Tourism and Culture
City of Miami Beach

Lisette,

Thank you for taking the time to meet with the ODA board on 4/19/22 regarding the proposed "Artisanal Market" for Lummus Park. We are grateful for the open and constructive exchange. I thought that I would share the thoughts of the group as you begin to finalize your approach to this significant installation. I would take note that this was the first opportunity for the ODA to hear from the vendor or the city about the specific plans.

1. The ODA board was very impressed by the presentation made by the team from Florida Fresh. They were thorough, well prepared and professional. They seem to bring significant relevant experience. Kudos for selecting them, now subject to final contract negotiations.
2. The ODA board has a significant public safety concern about any installation adjacent/near the intersection of (i) the southbound beach walk, (ii) the serpentine walkway, (iii) one of the busiest entrances to the beach, (iv) the robust pedestrian traffic coming east on 14th Place (especially with a "South Beach Promenade" connecting Lincoln Road/Drexel/Espanola Way/14th Place and Ocean Drive actively being considered) and (v) the specifically redirected pedestrian and bicycle traffic from the Promenade on Ocean Drive. The section of the serpentine walkway being considered for the Artisanal Market is already one of the densest locations in Miami Beach (without taking into consideration of the additional impact of people coming to and shopping in the market!).
3. The ODA board has evolved in last 24 months to share what has traditionally been a resident centric view, we need to take particular care about the installation of anything new impacting the park.
4. The ODA board continues to have a significant interest in the nature of the mix of businesses that would be included in the Artisanal Market. Florida Fresh was not able to be precise at all about the ultimate composition of the participating vendors. We would welcome a much more active dialogue about final vendor selection. The ODA community has a particular interest in the nature and quality of any contemplated food vendors.
5. There is also awareness that Ocean Drive has, with the creation of the Pedestrian Promenade, two somewhat distinct sections. The northern portion (above 12th street) has a more residential centric quiet contemplative feel. The southern portion, with vehicular traffic, has more energy. The ODA board believes that

**BOARD OF
DIRECTORS**

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The Betsy

Secretary
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Treasurer
Alfie Feola
Altanini Realty

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Ocean Drive Property

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Boucher Brothers
Management, Inc.

Jamil Dib
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Ian Hendry
Club Management
Group

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Orlando Valdes
Cavalier & Henrosa
Hotels

David Wallack
Mango's Tropical
Café

Ceci Velasco
Executive Director

this is something to keep in mind when contemplating any installation. To be clear, we believe deeply that the whole Drive must be pointed in the direction of a carefully curated and elevated resident and visitor experience. Meticulous setup and cleanup is critical to a successful Market.

6. We would make three specific suggestions:

- We would suggest the installation of the "40 tents" (with contemplated Saturday and Sunday until sunset installation every weekend) to the area below 12th street. While further research might be needed to identify the optimal location, between 10th and 12th might be ideal
- We would encourage consideration of moving the Artisanal Market installation to the "spoiled sand area" east of the Coral Wall and closer to the dunes and set up the tents facing east. Getting shoppers off the serpentine walkway will promote a much better environment from a public safety point of view. Having the tents facing east will more actively engage passersby on both the serpentine walkway and on Ocean Drive in a safe manner. Moving the tents both further east (away from all the other Serpentine walkway traffic) and further south (away from the very resident rich north Ocean Drive neighborhood) is likely to be more well received by locals and visitors staying in the area.
- We understand residents have not been briefed on the market. We share your interest in this being a successful endeavor. We believe connecting with the resident community in advance about your specific plans would also be beneficial.

Thank you again for ALL you have been doing to promote a culturally rich Miami Beach. We know the burden has been substantial.

Respectfully,

Jonathan Plutzik
Chair
ODA Board of Directors

cc: Alina Hudak, City Manager
Eric Carpenter, Deputy City Manager
Lester Sola, Assistant City Manager
Marcia Monserrat, Chief of Staff
ODA Board of Directors
Ceci Velasco, ODA Executive Director



The Lummus Park Artisanal Market

Dear Madame Manager:

We, residents and business owners living and working on Ocean Drive, have an important and disappointing development to call to your attention in the hope of prompt redress before matters get out of hand.

We have a deep commitment to supporting your efforts to deal with the many challenges the City confronts. As many of us have repeatedly attested, we admire your leadership and that of the Mayor and Commission, the resultant progress that is taking place in the City, and the open way that you interact with the City's various communities. Which brings us to express directly to you a significant concern about a project that continues to unfold in the city's most scrutinized neighborhood -- the "Artisanal Market" (the "Market") contemplated for Lummus Park.

We believe that the activation of the Market is a very ill-considered step.

Our rationale concerning the (lack of) merits to the project:

A. The project must be considered in the context of what is already expected of and planned for this key area:

- The ocean, beach, Lummus Park, and historic architecture are the core of South Beach's distinctive brand. They must be protected
- Any activation must be viewed through the lens of whether it will bring us closer to our shared vision of the "American Riviera."

- The view looking east over Lummus Park and toward the dunes has tremendous value for our residents and visitors. It must not be compromised casually.
- The “spoiled area” (the hard-packed sand just west of the dunes) is a visually important and environmentally sensitive element in the ADCD. It should not be treated like a parking lot, a storage area, or a back-of-the-house loading zone.
- The goal of making this area more family-, resident-, and responsible tourist-friendly does not require a circus-like atmosphere.
- Given the importance of Ocean Drive as a destination, given all the existing commitments the City has (e.g. Air and Sea Show, Pride Festival, Formula One Festival, Orange Bowl Festival, Art Basel), our Lummus Park calendar is already very crowded. If we are to take on more, we must do so very carefully, lest existing commitments suffer.

B. The plans for the Market contemplate forty tents, installed facing east on the serpentine path every Saturday and Sunday not already committed to these events.

- The installation of such a market requires “load in” and “load out” vehicles for each of the forty tents operating in the “spoiled area.” Every Saturday and Sunday early morning and late afternoon there will be noisy and environmentally disruptive activity as this occurs.
- Given the size of the contemplated Market, the tents will immediately compromise the views looking east from Ocean Drive and the residential buildings and hotels.
- This is already a highly congested area, with pedestrians, bicyclists, skateboarders, rollerbladers, and more. The installation of the Market will compromise public safety as it entails tents opening right onto the serpentine walkway, adding substantial congestion to an already crowded space. Saturday and Sunday are, of course, the most challenging days of the week from a crowd management perspective.
- The selected operator has not provided any specific information as to the vendors that might be offered space in the Market.

We should also note that this issue has not enjoyed the same level of timely community involvement that we have seen on most other projects that the Administration undertakes:

- No interaction until very late in the planning process;
- Only one community meeting;
- Only one business briefing;
- No feedback on the concerns raised.

The City doesn't accept all our recommendations, of course, but we are grateful that it normally takes them seriously and responds openly and constructively. Not in this case.

In summary,

- You have made great progress in improving conditions on Ocean Drive and in the ADCD.
- We know that there is much work yet to do.
- We believe, however, that the Artisanal Market is not a constructive step forward for our community, and
- Therefore, we ask that you terminate the plans for its launch.

(See Signatories Attached)

***More Signatures in Progress**

Lummus Park Artisanal Market Petition Letter

	Date	Question 1: Name:	Question 2: Address:
1	6/14/2022 11:45	Jeff Kindler	1500 Ocean Drive, 1500 Ocean Drive Miami Beach, Florida 33139 USA
2	6/14/2022 17:57	George Lindemann	1455 Ocean Drive, BH 406 Miami Beach, FL 33139 USA
3	6/15/2022 0:21	Curtis Slipman	1455 ocean drive, 710 miami beach, fl 33139 USA
4	6/15/2022 0:22	Dianne Slipman	1455 Ocean Drive, 710 miami beach, fl 33139 USA
5	6/15/2022 16:44	David R David	1455 Ocean Drive, Unit 1011 Miami Beach, FL 33139 USA
6	6/15/2022 16:49	Van Pham	1455 Ocean Dr, Apt 704 Miami Beach, FL 33139 USA
7	6/15/2022 16:49	Ole Slorer	1455 Ocean Dr, 704 Miami Beach, FL 33139 USA
8	6/15/2022 16:50	Robert Lehrman	1455 Ocean Drive Miami Beach , Fl 33139 USA
9	6/15/2022 16:50	Van Pham	1250 Ocean Dr, 3F Miami Beach, Miami Beach 32139 USA
10	6/15/2022 16:51	Medran Realty	1250 Ocean Dr Miami Beach, FL 33139 USA
11	6/15/2022 16:52	Mollie zweig	1455 ocean dr. Apt.#1108 Miami beach, Fl 33139 USA
12	6/15/2022 16:54	Liz Lehrman	1455 Ocean Dr, #1507 Miami Beach, FL 33139 USA
13	6/15/2022 16:58	Ivan Selin	1455 Ocean Drive, Il Villaggio Miami Beach, FL 33139 USA
14	6/15/2022 17:04	Jim Winston	1455 Ocean Drive, #802 Miami Beach , Florida 33139 USA
15	6/15/2022 17:08	Rita & Ernesto Grinberg	1455 Ocean Dr, APT 702 MIAMI BEACH, FL 33139 USA
16	6/15/2022 17:10	Gary and Enid Goodman	1455 Ocean Drive, 402 Miami Beach, Florida 33139 USA
17	6/15/2022 17:24	Judith Pleasure Willner	1455 Ocean Dr., Unit 1109 Miami Beach, FL 33139 USA
18	6/15/2022 17:34	David T Kollat	Il Villaggio, 1455 Ocean Dr Beach House 404 Miami Beach, FL 33139 164
19	6/15/2022 17:43	John Yee, MD	1455 Ocean Drive # 1205 Miami Beach, FL 33139 USA

***ODA Member**

Lummus Park Artisanal Market Petition Letter

		1455 ocean drive, unit 1401, unit 1401
20	6/15/2022 18:40 myrna feinerman	Miami Beach, FL, FL 33139 USA
		1455 Ocean Drive
21	6/15/2022 18:58 Stephen Alex	Miami Beach, FL 33139 USA
		1455 ocean drive
22	6/15/2022 18:59 Christine Menedis	Miami Beach, FL 33139 USA
		1455 ocean Drive
23	6/15/2022 18:59 Marc Bacal	Miami Beach, FL 33139 USA
		1455 ocean drive
24	6/15/2022 19:00 Maritza Cuellar	Miami Beach, FL 33139 USA
		1455 ocean drive
25	6/15/2022 19:00 Naveen Trehan	Miami Beach, FL 33139 USA
		1455 Ocean Drive #703
26	6/15/2022 19:02 Samuel L Hinson	Miami Beach, FL 33139 USA
		1455 Ocean Drive, Apt 1105
27	6/15/2022 19:17 Zave and Celia Aberman	Miami Beach, Florida 33139 USA
		1500 OCEAN DRIVE #708
28	6/15/2022 20:22 ERIC GAVARA	MIAMI BEACH , FLORIDA 33139 USA
		1455 Ocean Dr, 904
29	6/15/2022 21:32 Murray Bacal	Miami Beach, FL 33139 USA
		1455 Ocean Dr
30	6/15/2022 21:41 Lew Cohen	Miami Beach, FL 33139 USA
		1455 Ocean Dr
31	6/15/2022 21:42 Karon Cohen	Miami Beach, FL 33139 USA
		1500 Ocean Drive, 706
32	6/16/2022 7:55 Seth J Weinberger	Miami Beach, FL 33139 USA
		1500 Ocean Drive, PH-08
33	6/16/2022 12:56 Robert Karsunky	Miami Beach, FL 33139 USA
		1455 Ocean Drive, BH 406
34	6/16/2022 16:46 Ana Paola Ferrari	Miami Beach, FL 33139 USA
		1455 Ocean Drive, BH 406
35	6/16/2022 16:47 Georgina Lindemann	Miami Beach, FL 33139 USA
		1455 Ocean Drive, BH 406
36	6/16/2022 16:47 Celina Lindemann	Miami Beach, FL 33139 USA
		1455 OCEAN DRIVE, APT 1109
37	6/16/2022 19:49 JOSEPH H WILLNER MD	Miami Beach, FL 33139 USA
		5373 fisher island dr
38	6/17/2022 12:23 richard robertson kracum	MIAMI BEACH, FL 33109 USA
		1455 Ocean Drive, Unit 1206
39	6/17/2022 16:00 Jack Frieden	Miami Beach, Florida 33139 USA
		1455 Ocean Drive, Unit 1206
40	6/17/2022 16:05 Jodie C Frieden	Miami Beach, Florida 33139 USA
		1455 Ocean Drive, 1609
41	6/20/2022 20:16 Richard Morgan	Miami Beach, FL 33139 USA

***ODA Member**

Lummus Park Artisanal Market Petition Letter

42	6/21/2022 10:51	Alfie Feola*	760 Ocean Dr., Suite 9 MIAMI BEACH, Florida 33139 USA
43	6/21/2022 11:19	Eugene Rodriguez*	1412 ocean drive Miami Beach , Fla 33139 USA
44	6/21/2022 11:24	Orlando Valdes*	1320 Ocean drive Miami Beach, Florida 33139 164
45	6/21/2022 12:51	Jane Krupp	1390 Ocean Drive, 401 Miami Beach, FL 33139 USA
46	6/21/2022 12:57	Rona Gheysens	1390 ocean drive , 103 Miami Beach , Florida 33139 USA
47	6/21/2022 13:39	Donald Worth	1390 Ocean Drive #207 Miami Beach, FL 33139 USA
49	6/21/2022 13:41	Nina Weber Worth	1390 Ocean Dr. #207 Miami Beach, Fl 33139 USA
50	6/21/2022 13:46	Bimal Rai / Ocean Drive Gallery	1390 Ocean Drive #105 Miami Beach , Fl 33139 164
52	6/21/2022 14:02	Fernando Di Carlo	1455 Ocean Drive # 1402 Miami Beach, Florida 33139 USA
53	6/21/2022 15:45	Ken Koppel	1455 Ocean Drive, #807 Miami Beach, FL 33139 USA
54	6/21/2022 15:48	Jonathan Plutzik*	1440 Ocean Dr Miami Beach, FL 33139 USA
54	6/21/2022 16:30	Harold & Joyce Rosenbaum	1500 Ocean Drive, Apt. 605 Miami Beach, FL 33139 164

****More Signatures in Progress****

***ODA Member**

MAV:BERH

OFFICE OF THE CITY MANAGER

LTC # 315-2021

LETTER TO COMMISSION

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager *Eric Carpenter for*

DATE: July 30, 2021

SUBJECT: Status Update on Request for Proposals (RFP) 2021-151-ND for Management and Operation of Artisanal Market in Lummus Park

The purpose of this LTC is to update the Mayor and City Commission on the status of Request for Proposals (RFP) 2021-151-ND for management and operation of an artisanal market in Lummus Park.

On May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City. However, the Administration has been working to identify potential artisanal markets in other areas as a way to promote activation within certain neighborhoods or commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets could serve as informal social gatherings where residents and visitors can meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Compared to the Lummus Park market, the additional markets referenced would likely be significantly smaller and some could be activated only episodically.

The RFP currently does not allow the Administration to work with the awarded operator to establish additional smaller or episodic markets across the City. The Administration believes that amending the RFP to include the ability to negotiate with the selected operator to develop one or more of the smaller or episodic markets will expedite the activation of the relevant neighborhood(s) or commercial district(s) rather than waiting to process a solicitation for each new market. Further, since the additional markets would likely be smaller than the Lummus Park market, negotiating with the selected operator could be more efficient and cost-effective than going through a selection process each time a potential market was identified and dealing with multiple market operators across the City.

Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement. Additional markets will require City Commission approval.

Please do not hesitate to contact me if you have any questions.

 MM/CA/AD/KB/ND

RESOLUTION NO. 2023-32465

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO.1 TO THE MANAGEMENT AND OPERATION AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND FLORIDA FRESH MARKET ENTERPRISES, INC. FOR MANAGEMENT AND OPERATION OF ARTISANAL MARKETS, TO ADD ACTIVATIONS IN THE AREAS OF THE 41ST STREET COMMERCIAL CORRIDOR, COLLINS PARK PLAZA, AND NORMANDY FOUNTAIN PLAZA.

WHEREAS, on May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City; and

WHEREAS, on July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operation of an Artisanal Market in Lummus Park in LTC-315-2021; and

WHEREAS, the Administration worked to identify potential artisanal markets in other areas to promote activations within certain neighborhoods or commercial districts and would serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements; and

WHEREAS, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement, subject to City Commission approval; and

WHEREAS, on October 13, 2021, the Mayor and City Commission authorized the Administration to enter negotiations with Florida Fresh Market, the top ranked proposer and the best qualified firm to manage and operate the artisanal markets; and

WHEREAS, Florida Fresh Market demonstrated vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately; and

WHEREAS, on July 20, 2022, through resolution 2022-32259 the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street and 8 Streets and authorized the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations; and

WHEREAS, based on overall community feedback, the Administration and Florida Fresh Market have negotiated the expansion of the Artisanal Market to activate in the following neighborhoods: 41st Street Commercial Corridor, Collins Park Plaza, and Normandy Fountain Plaza; and

WHEREAS, the 41st Street commercial corridor location is limited to the public right of way of municipal parking lot P63 (4166 Royal Palm Avenue), bounded on the north by the curb

approximately one hundred twenty (120.0) feet north and parallel to the parking lot's southernmost boundary, bounded on the south by the curb approximately sixty (60.0) feet north and parallel to the parking lot's southernmost boundary, bounded on the east by the easternmost non-handicap parking space and bounded on the west by the westernmost edge of the 13th consecutive parking space from the easternmost boundary; and


WHEREAS, the Collins Park Plaza location is limited to the public right of way bounded on the north by the bollards on Liberty Avenue separating the pedestrian walkway and the Collins Park Garage vehicular entrance, bounded on the south by the northern most line of the 22nd Street right of way, bounded on the east by the easternmost line of the Liberty Avenue right of way, and bounded on the west by the westernmost line of the Liberty Avenue right of way; and

WHEREAS, the Normandy Fountain Plaza location is limited to the public right of way bounded on the south by the north right of way line of the 71st Street, bounded on the north by the south right of way line of Normandy Drive, bounded on the west by a line eight (8.0) feet west of and parallel to the west back of curb of Rue Vendome, and bounded on the east by a line twenty feet and six inches 20' 6" east of and parallel to the east back of curb of Rue Vendome.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager to execute Amendment No.1 to the Management and Operation Agreement between the City of Miami Beach, Florida and Florida Fresh Market Enterprises, Inc. for Management and Operation of Artisanal Markets, to add activations in the areas of the 41st Street commercial corridor, Collins Park Plaza, and Normandy Fountain Plaza.

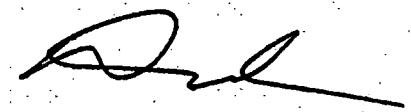
PASSED and ADOPTED this 1 day of February, 2023

ATTEST:



Rafael E. Granado, City Clerk

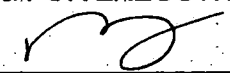
FEB 08 2023



Dan Gelber, Mayor



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *SH* Date 1-23-23

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: February 1, 2023

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE MANAGEMENT AND OPERATION AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND FLORIDA FRESH MARKET ENTERPRISES, INC. FOR MANAGEMENT AND OPERATION OF ARTISANAL MARKETS, TO ADD ACTIVATIONS IN THE AREAS OF THE 41ST STREET COMMERCIAL CORRIDOR, COLLINS PARK PLAZA, AND NORMANDY FOUNTAIN PLAZA.

RECOMMENDATION

Adopt the Resolution.

BACKGROUND/HISTORY

Artisanal markets serve several objectives for cities, including enhancing and providing a community gathering place, adding value to neighborhoods and existing commercial districts, offering an economic opportunity to local vendors and businesses, and providing a diverse marketplace for residents, visitors, and tourists.

As a result, the City Commission approved the relocation of the Lummus Park Artisanal market from 13th Street and 14th place to 6th street to 8th street and authorized the Administration to enter negotiations with Florida Fresh Market to activate artisanal markets in other areas of the City.

ANALYSIS

On May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City.

On July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operation of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify potential artisanal markets in other areas to promote activations within certain neighborhoods or commercial districts. The additional markets would serve

as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement, subject to City Commission approval.

On October 13, 2021, the Mayor and City Commission authorized the Administration to enter negotiations with Florida Fresh Market, the top ranked proposer. Florida Fresh Market was the best qualified firm to manage and operate the artisanal markets. Florida Fresh Market demonstrated vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately.

On July 20, 2022, through resolution 2022-32259 the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street and 8 Streets and authorized the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

Based on overall community feedback, the Administration has negotiated with Florida Fresh Market the expansion of the Artisanal Market to activate in the following neighborhoods:

- 41st Street Commercial Corridor
- Collins Park Plaza
- Normandy Fountain Plaza.

The 41st Street Commercial Corridor location is limited to the public right of way of municipal parking lot P63 (4166 Royal Palm Avenue), bounded on the north by the curb approximately one hundred twenty (120.0) feet north and parallel to the parking lot's southernmost boundary, bounded on the south by the curb approximately sixty (60.0) feet north and parallel to the parking lot's southernmost boundary, bounded on the east by the easternmost non-handicap parking space and bounded on the west by the westernmost edge of the 13th consecutive parking space from the easternmost boundary. Estimated launch date of February 26, 2023.

The Collins Park Plaza location is limited to the public right of way bounded on the north by the bollards on Liberty Avenue separating the pedestrian walkway and the Collins Park Garage vehicular entrance, bounded on the south by the northern most line of the 22nd Street right of way, bounded on the east by the easternmost line of the Liberty Avenue right of way, and bounded on the west by the westernmost line of the Liberty Avenue right of way. Estimated launch date of Spring 2023.

The Normandy Fountain Plaza location is limited to the public right of way bounded on the south by the north right of way line of the 71st Street, bounded on the north by the south right of way line of Normandy Drive, bounded on the west by a line eight (8.0) feet west of and parallel to the west back of curb of Rue Vendome, and bounded on the east by a line twenty feet and six inches 20' 6" east of and parallel to the east back of curb of Rue Vendome. Estimated launch date of Fall 2023.

Florida Fresh Market Expansion Details

41st Street Location - P63

Days of Operation*	Sundays
Load-In	9:00 AM - 10:00 AM
Hours of Operation	11:00 AM - 5:00 PM
Load-Out	5:00 PM - 6:30 PM
Security Deposit	\$2,250
Percentage of Gross	10%
Minimum Guarantee	None
Parking Space Rental**	Appx. \$13,664/year

Collins Park Plaza

Days of Operation*	Saturdays
Load-In	9:00 AM - 10:00 AM
Hours of Operation	11:00 AM - 5:00 PM
Load-Out	5:00 PM - 6:30 PM
Security Deposit	\$2,125
Percentage of Gross	25%
Minimum Guarantee	\$10,000
Parking Space Rental	N/A

Normandy Fountain Plaza

Days of Operation*	Sundays - Biweekly
Load-In	9:00 AM - 10:00 AM
Hours of Operation	11:00 AM - 5:00 PM
Load-Out	5:00 PM - 6:30 PM
Security Deposit	\$2,625
Percentage of Gross	25%
Minimum Guarantee	\$5,000
Parking Space Rental	N/A

*Days of operation determined in collaboration with each neighborhood's community input

**Yearly parking space rental fee paid by the Concessionaire to the City of Miami Beach Parking Department

SUPPORTING SURVEY DATA

In the 2022 City of Miami Beach Resident Survey, 86% of residents agreed that free or City sponsored art and cultural activities contribute to their quality of life in Miami Beach and 86% of residents agreed that Miami Beach Cultural Activities (such as art shows, film festivals, musicals, and live performances) contribute to the quality of life in Miami Beach.

FINANCIAL INFORMATION

N/A

CONCLUSION

It is recommended that the Mayor and City Commission adopt the resolution to approve and authorize the City Manager to execute Amendment No.1 to the management and operation agreement between the City of Miami Beach, Florida and Florida Fresh Market Enterprises, Inc. for Management and Operation Agreement of Artisanal Markets to add activations in the areas of the 41st Street commercial corridor, Collins Park Plaza, and Normandy Fountain Plaza.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Tourism and Culture

ATTACHMENTS:

Description

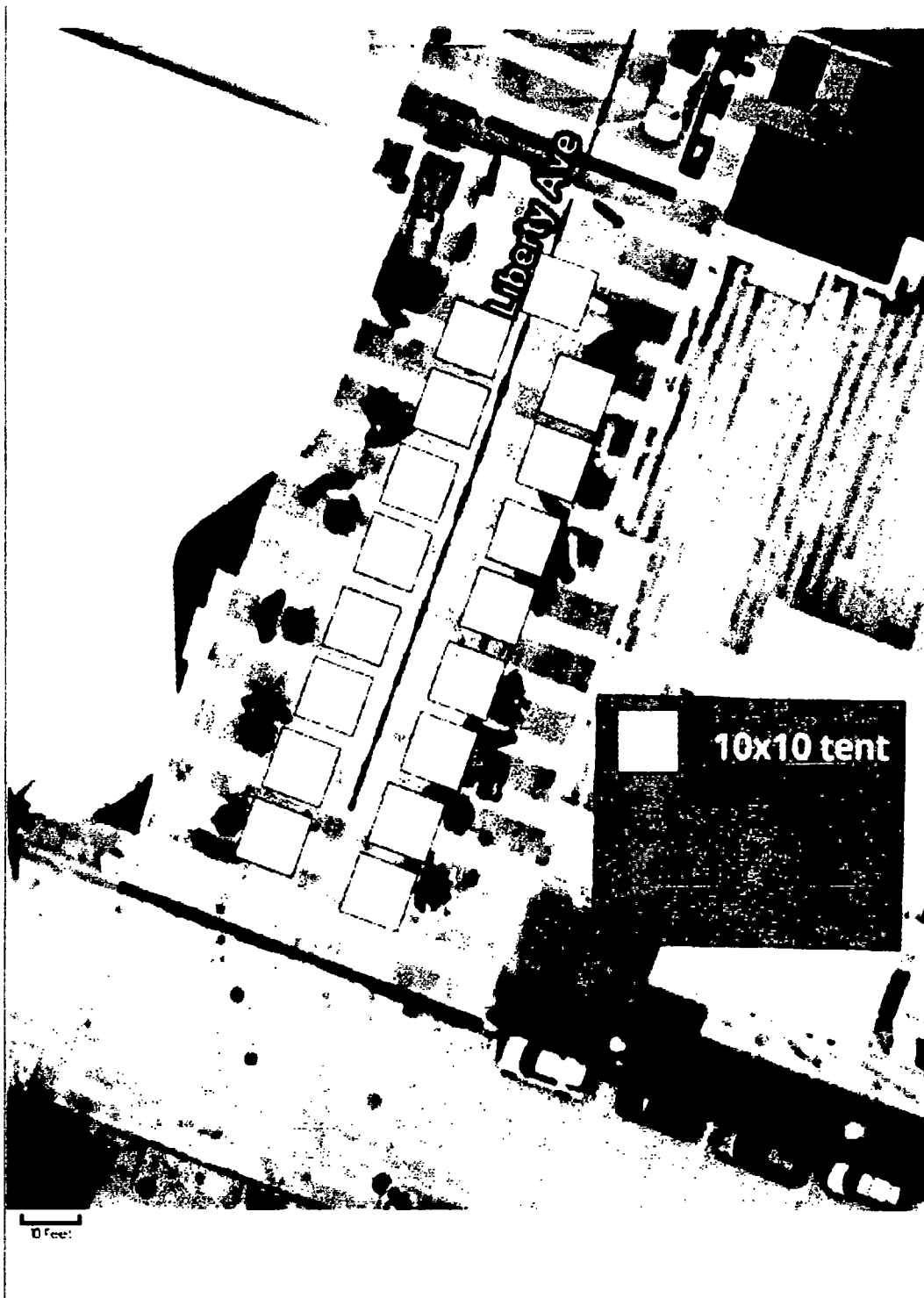
- ▢ Exhibit A - Normandy Fountain Plaza Site Plan
- ▢ Exhibit B - Collins Park Plaza Site Plan
- ▢ Exhibit C - 41st Street P63 Site Plan
- ▢ Exhibit D - Addendum 4 to RFP 2021-151-ND
- ▢ Exhibit E - Resolution 2022-32259
- ▢ Resolution

Normandy Fountain Plaza



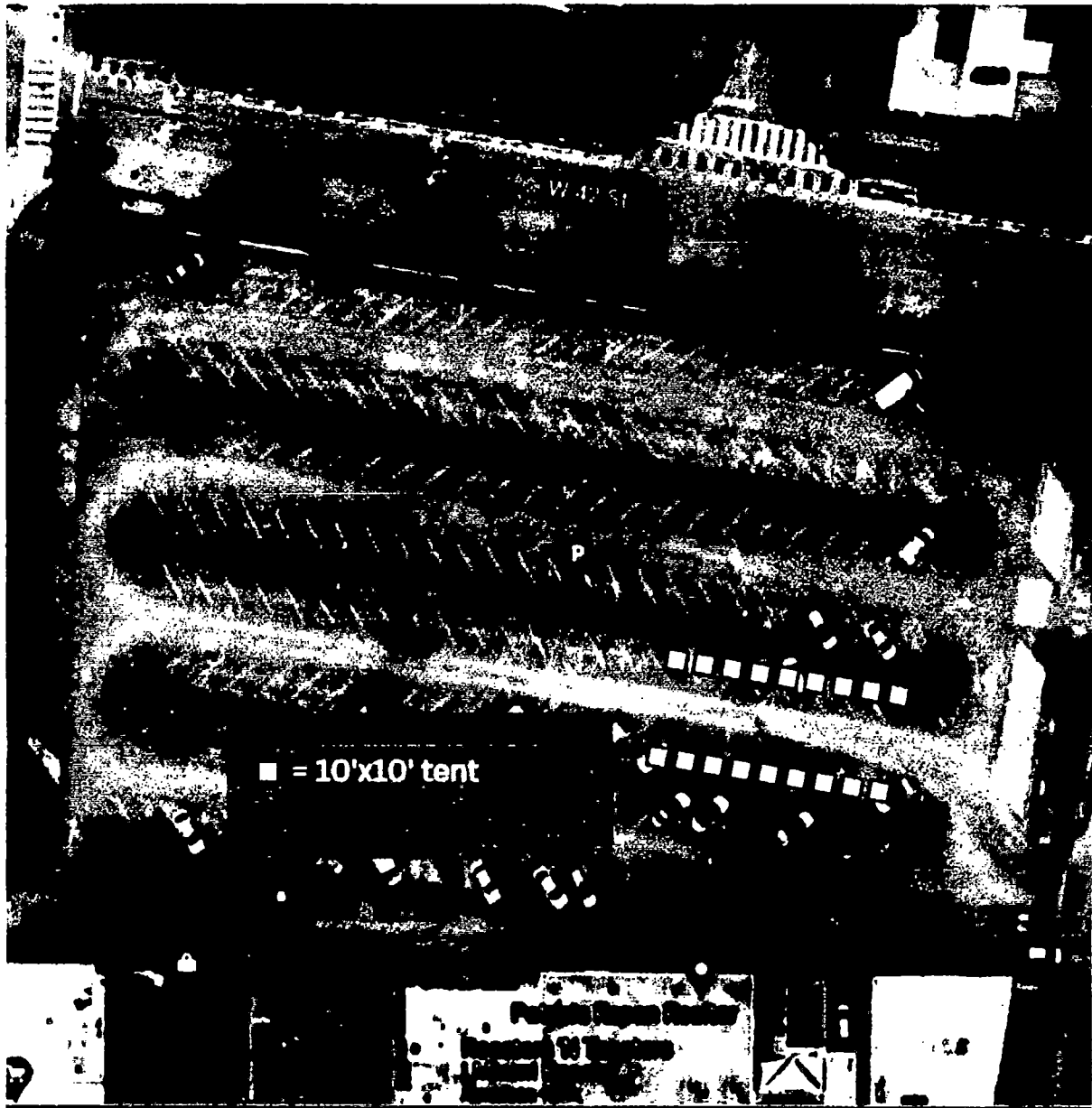
Vendome Miami Beach for Collins Park - December 1, 2022, 12:00 PM

Collins Park Plaza



Collins Park for Collins Park · December 1, 2022, 12:00 PM

41st Street Location – P63 Municipal Parking Lot



ADDENDUM NO. 4
REQUEST FOR PROPOSALS NO. 2021-151-ND
MANAGEMENT AND OPERATION OF ARTISANAL MARKET IN LUMMUS PARK (the "RFP")
July 9, 2021

This Addendum to the above-referenced RFP is issued in response to questions from prospective proposers, or other clarifications and revisions issued by the City. The RFP is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

1. **REVISION:** Section 0100, Instructions to Proposers, Subsection 2, Purpose, of the RFP is hereby amended as follows:

PURPOSE. The City Commission has directed the Administration, through the Tourism and Culture Department, to seek a vendor for the operation and management of an artisanal market in Lummus Park. The purpose of this RFP is to seek proposals from qualified firms or individuals for the management and operation of an artisanal market in Lummus Park, specifically, in the northern portion of Lummus Park (13th to 14th Streets), with the option (upon mutual agreement) to also operate in the southern portion of Lummus Park (5th to 6th Streets). Interested parties shall submit proposals for the Lummus Park artisanal market in accordance with Section 0300. See Appendix A for minimum requirements, specifications and requirements.

ADDITIONAL ARTISANAL MARKET LOCATIONS. Additional artisanal market locations are under consideration and may include but are not limited to: (i) Normandy Fountain (7802 Rue Vendome), (ii) Collins Park (2100 Collins Avenue); (iii) the 41 Street commercial corridor; (iv) Pride Park; and (v) other artisanal markets within the City of Miami Beach as determined by the City Commission. However, the details (e.g., exact locations, size, schedule) of the additional markets are yet to be finalized by the City. As such, Proposers should not include proposals for the additional markets at this time. In selecting an operator for the additional markets, the City may, but is not required to, negotiate with the selected operator for the Lummus Park artisanal market. If mutual agreement is achieved, the additional markets (i – v) may be added to any resultant agreement, via amendment, with the successful Proposer for the Lummus Park artisanal market upon successful negotiations and mutual consent of the contracting parties.

* * *

2. **REVISION:** Appendix A, Minimum Requirements and Specifications, Section A4. Special Conditions, of the RFP is hereby amended as follows:

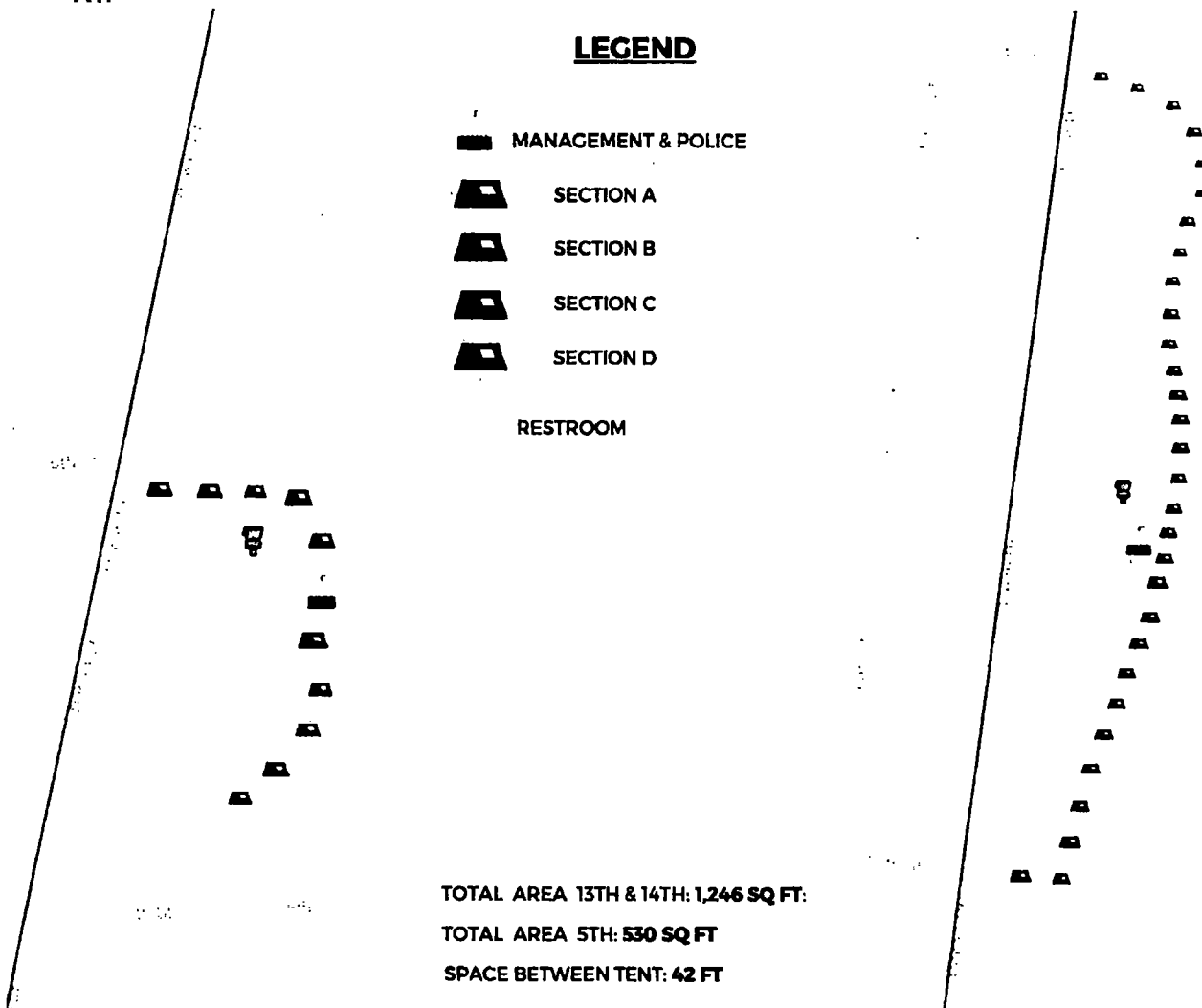
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7. ADDITIONAL LOCATIONS. Locations not specifically identified in this request for proposals may be added to, or deleted from, any resultant contract upon successful negotiations and mutual consent of the contracting parties.

3. RESPONSES TO QUESTIONS RECEIVED.

Q1: Is there a map available showing the EXACT outline of the area of the park that will be available for retail operations.

A1:



Q2: What was the gross revenue from any PAST retail Farmers or Artisanal marketplace in this same general area of South Beach, Lummus Park, etc.

A2: The gross revenue from past retail farmers or artisanal marketplace at Lummus Park is approximately \$200,000+ annually.

Q3: Are there any specific requirements regarding size, materials, etc. of the 'tents' or canopy that will be used in this market?

A3: The following are requirements for tents/canopies that will be used at the market:

- 10 x 10 tents

- (1) 10x10 back wall and (2) 3x10 side panels
- 89 lbs. Total
- Water resistance
- 99% UV protection
- UPF50+ rated
- CPAI-84 fire Certified

Q4: Are merchants allowed to bring their own generators for power?

A4: This can be negotiated with the City and depends on the type and amount of generators being requested.

Q5: How will the sales tax be assessed, and what is the procedure for paying it?

A5: Any required Florida State Sales and Use Tax due in connection with any payments due the City shall be paid by Concessionaire directly or added to the payments and forwarded to the City as part of said payments. It is the City's intent that it is to receive all payments due from Concessionaire as net of such Florida State Sales and Use Tax.

Q6: If weather or some other force majeure event occurs causing the event to be postponed or canceled for one or more dates, how will the city determine what events or delays will trigger postponement and/or cancellation and how will it proceed with payments assessed for said dates?

A6: If the City or Concessionaire's performance of its contractual obligations is prevented or delayed by an event believed to be force majeure, such party shall immediately, upon learning of the occurrence of the event or of the commencement of any such delay provide notice. In the event of a force majeure occurrence, the City may, at the sole discretion of the City Manager, suspend the City's payment obligations under the Agreement, and may take such action without regards to the notice requirement.

Q7: How will payments be made to the city and is there a payment schedule currently contemplated? e.g. weekly, monthly, etc.

A7: Payments will be made monthly to the City.

Q8: Have Health and Safety Plans and/or Sustainability Plans been submitted for similar events and does the city have these base plans available for review?

i) **A8: Health and safety and/or sustainability plans have not been submitted for similar events.**

Q9: How and when will payment be remitted for the MG if accepted?

A9: Thirty (30) days from the end of each contract year.

Q10: How and when will the percentage of gross be assessed and required to be paid by?

A10: The percentage of gross will be assessed by an amount equal to twenty-five percent (25%) of gross receipts and paid on a monthly basis and within thirty (30) calendars days from the end of each month..

Q11: Is there a maximum number of vendors we can have across the park, and/or is there a maximum number of vendors we can have per section of the park?

A11: Maximum of 50 vendors at Lummus Park: 40 in North Lummus Park and 10 in South Lummus Park. Two additional tents for (1) Market Management/Vendor Services and (2) Non-Profit Sponsor Tent.

Q12: **Off-Duty Police Officer**– hourly salary and/or entire day fee? (Ocean Drive Market load-in 7am-10am; Show Hours 10am-6pm; load-out 6pm-7/8pm)

A12: Payment of the off-duty police officer is based on Police Department fee schedule.

Q13: **Monitor** - What kind of assistance will the City of Miami Beach “monitor” provide to the Market? What time will the monitor be available and on site at the Market each day

A13: The Field Monitor will available and on site each day, time will vary, to assist with expediting any City services, monitor and verify the accuracy of vendor reports submitted to the City.

Q14: **Recycling**– what type of collection service will be provided to the Market as recycled items are collected? Will the City of Miami Beach’s recycling services make a daily pick-up, or will a recycling drop-off location be determined?

A14: Recycled materials will be picked up daily.

Q15: **Trash Collection/Sanitation**– What type of collection service will be provided to the Market as trash and garbage is collected? Will the City of Miami Beach’s trash collection services make a daily pick-up, or will a trash and garbage drop-off location be determined?

A15: Trash will be collected daily.

Q16: **Street Parking**– what is the cost for each Ocean Drive parking meter (7am – 8pm); meter coverage would have to happen early Saturday and early Sunday morning.

A16: Vehicles and trailers belonging to Concessionaire, including its employees, contractors, agents, vendors, and/or other third parties, shall be permitted on the street adjacent to the Concession Area/public right-of way only for set up and removal of the concession operations, and any and all such vehicles must be removed from the public right-of-way immediately thereafter. If use of parking spaces within the Concession Area is needed in connection with the operation of the Market, and approved by prior written consent of the City Manager or his/her designee, Concessionaire will be required to pay \$26.00 per space per day for the bagging of parking meters.

Q17: Holidays - Are Official Bank Holiday dates available market show dates? There are eleven (11) U.S. Bank Holidays).

A17: Official bank holiday dates are available for market show dates at the discretion of the City Manager.

Q18: Donations– Are donations made by the successful proposer to local non-profit organizations and/or disadvantaged vendors or students exempt from Percentage of Gross or the \$75,000 minimum fee payments?

A18: Donations, of market space, can be made by the successful proposer to an approved local non-profit organization, at the discretion of the City.

Q19: Load-in and Load-out– What special considerations will be given to the market operator and market vendors with traffic control, crowd control especially in the evening load-out portion of the Ocean Drive activation?

A19: A Field Monitor and/or the Police Department will be available to assist with traffic control, crowd control and evening load-out at the following times:

- Vendor Load-in: 8:00am-9:30am
- Market Open: 10:00am-6:00pm
- Vendor Load-out: 6:00pm-7:30pm

Q20: Are all interested parties able to have access to all questions asked and the corresponding answers that are submitted by all responding proposers?

A20: All interested parties have access to this addendum once posted to Periscope S2G.

Q21: What was the minimum guaranteed revenue from the past market?

A21: The Minimum Guarantee in the 2018 concession agreement was \$4k year one, \$5k year two and \$6k year three.

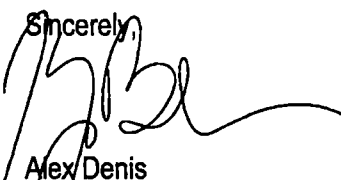
Q22: Does the City anticipate other artisanal markets at any other locations throughout the City?

A22: To be determined. See Revision 1 above.

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Management Department to the attention of the individual named below, with a copy to the City Clerk's Office at RafaelGranado@miamibeachfl.gov

Contact: Natalia Delgado	Telephone: 305-673-7000 ext. 26263	Email: nataliadelgado@miamibeachfl.gov
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Proposers are reminded to acknowledge receipt of this addendum as part of your RFP submission.

Sincerely,

Alex Denis
Procurement Director
RFQ No. 2021-151-ND
Addendum #4
7/9/2021

RESOLUTION NO. 2022- 32259

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE RELOCATION OF THE LUMMUS PARK ARTISANAL MARKETS TO THE AREA OF LUMMUS PARK GENERALLY LOCATED BETWEEN 6TH STREET AND 8TH STREET, AND AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH FLORIDA FRESH MARKET TO ACTIVATE ARTISANAL MARKETS IN OTHER AREAS OF THE CITY, IN ADDITION TO LUMMUS PARK.

WHEREAS, on September 16, 2020, Commissioner Michael Gongora sponsored a referral to the Neighborhood and Quality of Life Committee to discuss establishing an Art Deco Market in Lummus Park. It was proposed that a market would help improve the arts & culture offerings of the area and provide revenue to artists who were suffering from ongoing closures during the pandemic; and

WHEREAS, at the October 19, 2020 and November 6, 2020 Neighborhood and Quality of Life Committee meetings, discussions took place regarding the City's plan to relaunch and manage the operation of an artisanal and product market in Lummus Park in early 2021. The market would be a free weekend market featuring curated artistic goods, services, and organic produce year-round. Previously managed by a 3rd party, the management of the market would be a joint effort between the Tourism and Culture and Property Management Departments. These departments would lead the daily management of the vendors and assets, with additional support provided by the Parks and Recreation, Police, and Sanitation Departments; and

WHEREAS, at the January 13, 2021 City Commission meeting, a proposed budget amendment to include the Lummus Park Artisanal Market was presented. The Interim-City Manager expressed concerns of staff taking on the responsibility of overseeing the market due to resources that would have to be put forward for this initiative. The City Commission agreed and directed the Administration to place the Lummus Park Artisanal Market management out to bid; and

WHEREAS, on May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City; and

WHEREAS, on July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operations of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify potential artisanal markets in other areas to promote activations within certain neighborhoods or

commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets would serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement, subject to City Commission approval; and

WHEREAS, the Evaluation Committee convened on August 27, 2021, to consider proposals received. The Committee was comprised of staff from the Parks and Recreation, Property Management, and Tourism and Culture Departments, as well as members of the Art in Public Places Committee and the Miami Beach Convention Center; and

WHEREAS, on October 13, 2021, the Mayor and City Commission authorized the Administration to enter into negotiations with Florida Fresh Market, the top ranked proposer. Florida Fresh Market was the best qualified firm to manage and operate the artisanal markets. Florida Fresh Market demonstrated vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately; and

WHEREAS, on April 6, 2022, the Tourism and Culture department contacted the Ocean Drive Association to schedule a meeting to present the Lummus Park Artisanal Market details to include the footprint, and tent and logo design.; and

WHEREAS, on April 19, 2022, City Staff and Florida Fresh Markets presented the Lummus Park Artisanal Market to the Ocean Drive Association (ODA), and the ODA shared concerns regarding the location, public safety and the new Ocean Drive Promenade; and

WHEREAS, on April 26, 2022 the Administration received a letter (attached) from the ODA regarding the Lummus Park Artisanal Market where they further detailed their concerns with the location north of 12th Street; and

WHEREAS, on May 31, 2022, the Administration and Florida Fresh Markets presented the Lummus Park Artisanal Market at a publicly noticed Community Discussion, to which included the history of Florida Fresh Markets, the various locations in current operation as well as the proposed Lummus Park location between 13 Street and 14 Place in Lummus Park. The aesthetics of the vendor tents along with a logo for the Lummus Park Artisanal Market were also presented and well received. The overall community feedback was favorable, but the concern was shared that a market should not be placed north of 12 Street in Lummus Park; and

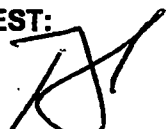
WHEREAS, on June 21, 2022 City staff received an electronic petition from SOBE Safe stating concerns with the market; and

WHEREAS, on July 20, 2022, the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street to 8 Streets and authorized the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.


NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, approving the relocation of the Lummus Park Artisanal markets to the area of Lummus Park generally located between 6th Street and 8th Street, and authorize the Administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other areas of the City, in addition to Lummus Park.

PASSED AND ADOPTED this 20th day of July 2022.

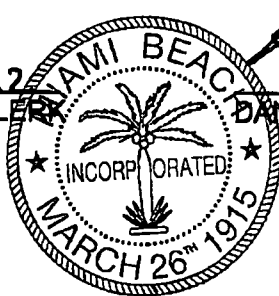
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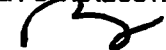
RAFAEL E. GRANADO, CITY CLERK



DAN GELBER, MAYOR



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

8-15-22

Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: July 20, 2022

SUBJECT: DISCUSS AND TAKE ACTION, IF NECESSARY, ON THE RELOCATION OF THE APPROVED LUMMUS PARK ARTISANAL MARKET WITH MANAGEMENT AND OPERATION BY FLORIDA FRESH MARKET ENTERPRISES, INC.

RECOMMENDATION

Based on overall community feedback regarding the Lummus Park Artisanal Market, the Administration recommends the City Commission discuss and provide direction on a possible relocation of the market, and authorize the administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

BACKGROUND/HISTORY

Artisanal markets serve several objectives for cities, including enhancing and providing a community gathering place, adding value to neighborhoods and existing commercial districts, offering an economic opportunity to local vendors and businesses, and providing a diverse marketplace for residents, visitors, and tourists.

As a result, the City Commission directed the Administration to seek a vendor for the operation and management for the Lummus Park Artisanal Market.

ANALYSIS

On the September 16, 2020 City Commission meeting agenda, Commissioner Michael Gongora sponsored a referral to the Neighborhood and Quality of Life Committee to discuss establishing an Art Deco Market in Lummus Park. It was proposed that a market would help improve the arts & culture offerings of the area and provide revenue to artists who were suffering from ongoing closures during the Pandemic.

At the October 19, 2020 and November 6, 2020 Neighborhood and Quality of Life Committee meetings, discussions took place regarding the City's plan to relaunch and manage the operation of an artisanal and product market in Lummus Park in early 2021. The market would be a free weekend market featuring curated artistic goods, services, and organic produce year-round. Previously managed by a 3rd party, the management of the market would be a joint effort between the Tourism and Culture and Property Management Departments. These departments would lead the daily management of the vendors and assets, with additional support provided by the Parks and Recreation, Police, and Sanitation Departments. The mission of the market was to engage residents, tourists, and visitors, with a welcoming, fun, and safe place to shop and connect.

At the January 13, 2021 City Commission meeting, a proposed budget amendment to include

the Lummus Park Artisanal Market was presented. The Interim-City Manager expressed concerns of staff taking on the responsibility of overseeing the market due to resources that would have to be put forward for this initiative. The City Commission agreed and directed the Administration to place the Lummus Park Artisanal Market management out to bid.

On May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP (RFP 2021-151-ND) to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City.

On July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for Management and Operations of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify potential artisanal markets in other areas as a way to promote activations within certain neighborhoods or commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets could serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Compared to the Lummus Park market, the additional markets referenced would likely be significantly smaller and some could be activated only episodically. Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement. Additional markets would require City Commission approval.

The Evaluation Committee convened on August 27, 2021, to consider proposals received. The Committee was comprised of staff from the Parks and Recreation, Property Management, and Tourism and Culture Departments, as well as members of the Art in Public Places Committee and the Miami Beach Convention Center.

On October 13, 2021, the Mayor and City Commission approved the recommendation to authorize the Administration to enter into negotiations with Florida Fresh Market, the top ranked proposer. Florida Fresh Market was the best qualified firm to manage and operate the artisanal markets. Florida Fresh Market had vast experience in collaborating with other municipalities such as Bal Harbour Village, the City of Coral Gables, and the City of Miramar in the development of their farmers' and artisans' markets. The process of contract negotiations between the City and Florida Fresh Market began immediately.

On April 6, 2022 the Tourism and Culture department contacted the Ocean Drive Association to schedule a meeting to present the Lummus Park Artisanal Market details to include the footprint, and tent and logo design.

On April 19, 2022, City Staff and Florida Fresh Markets presented the Lummus Park Artisanal Market to the Ocean Drive Association (ODA). The ODA was impressed by the presentation but shared concerns regarding the location, public safety and the new Ocean Drive Promenade.

On April 26, 2022 the Administration received a letter (attached) from the ODA regarding the Lummus Park Artisanal Market where they further detailed their concerns with the location above 12th Street.

On May 31, 2022, the Administration and Florida Fresh Markets presented the Lummus Park Artisanal Market at a publicly noticed Community Discussion to the Art Deco Cultural District residents via Zoom. The presentation attached included the history of Florida Fresh Markets, the various locations in current operation as well as the proposed Lummus Park location between 13 Street and 14 Place in Lummus Park. The presentation of the market plans along with a logo for the Lummus Park Artisanal

LUMMUS PARK. The designs of the vendor tents along with a logo for the Lummus Park Artisanal Market were also presented and well received. The overall community feedback was favorable, but the concern was shared that a market should not be placed north of 12 Street in Lummus Park.

On June 21, 2022 City staff received an electronic petition (attached) from SOBESafe stating concerns with the market.

SUPPORTING SURVEY DATA

In the 2022 City of Miami Beach Resident Survey, 86% of residents agreed that free or City sponsored art and cultural activities contribute to their quality of life in Miami Beach and 86% of residents agreed that Miami Beach Cultural Activities (such as art shows, film festivals, musicals, and live performances) contribute to the quality of life in Miami Beach.

FINANCIAL INFORMATION

n/a

CONCLUSION

Based on overall community feedback regarding the Lummus Park Artisanal Market, the Administration recommends the City Commission discuss and provide direction on a possible relocation of the market, and authorize the administration to enter into negotiations with Florida Fresh Market to activate artisanal markets in other Miami Beach locations.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Tourism and Culture

ATTACHMENTS:

Description

- ☐ Exhibit A Lummus Park Artisanal Market Presentation
- ☐ Exhibit B Letter from Ocean Drive Association
- ☐ Exhibit C Letter from SOBESafe
- ☐ Exhibit D LTC 315-2021

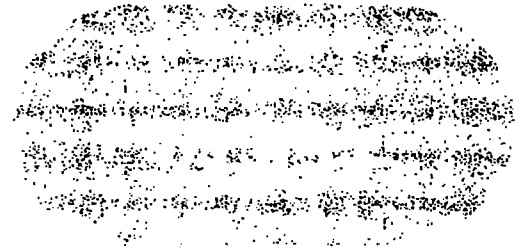
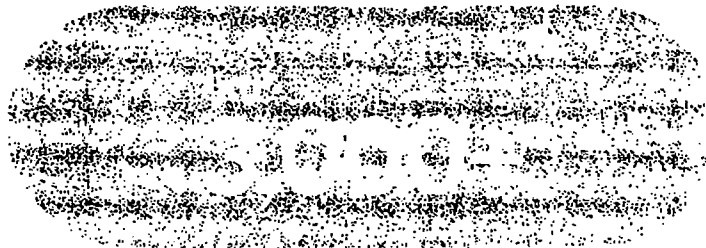
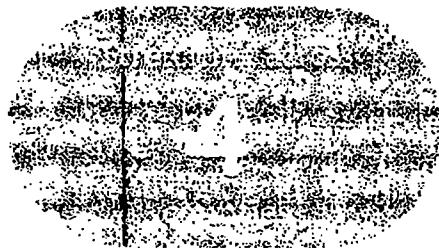
A black and white photograph of a tropical scene. In the foreground, a paved path leads towards a line of palm trees. The palm trees are silhouetted against a bright, hazy sky. The overall mood is serene and tropical.

Florida
Fresh
Markets

Artisanal Market in Lummus Park



Numbers



Our partners



Brookfield
Properties



MIZNER
PARK

BAL HARBOUR
VILLAGE

SHOPS AT
MERRICK PARK

DOWNTOWN
CORAL GABLES
BUSINESS IMPROVEMENT DISTRICT



Outside Look

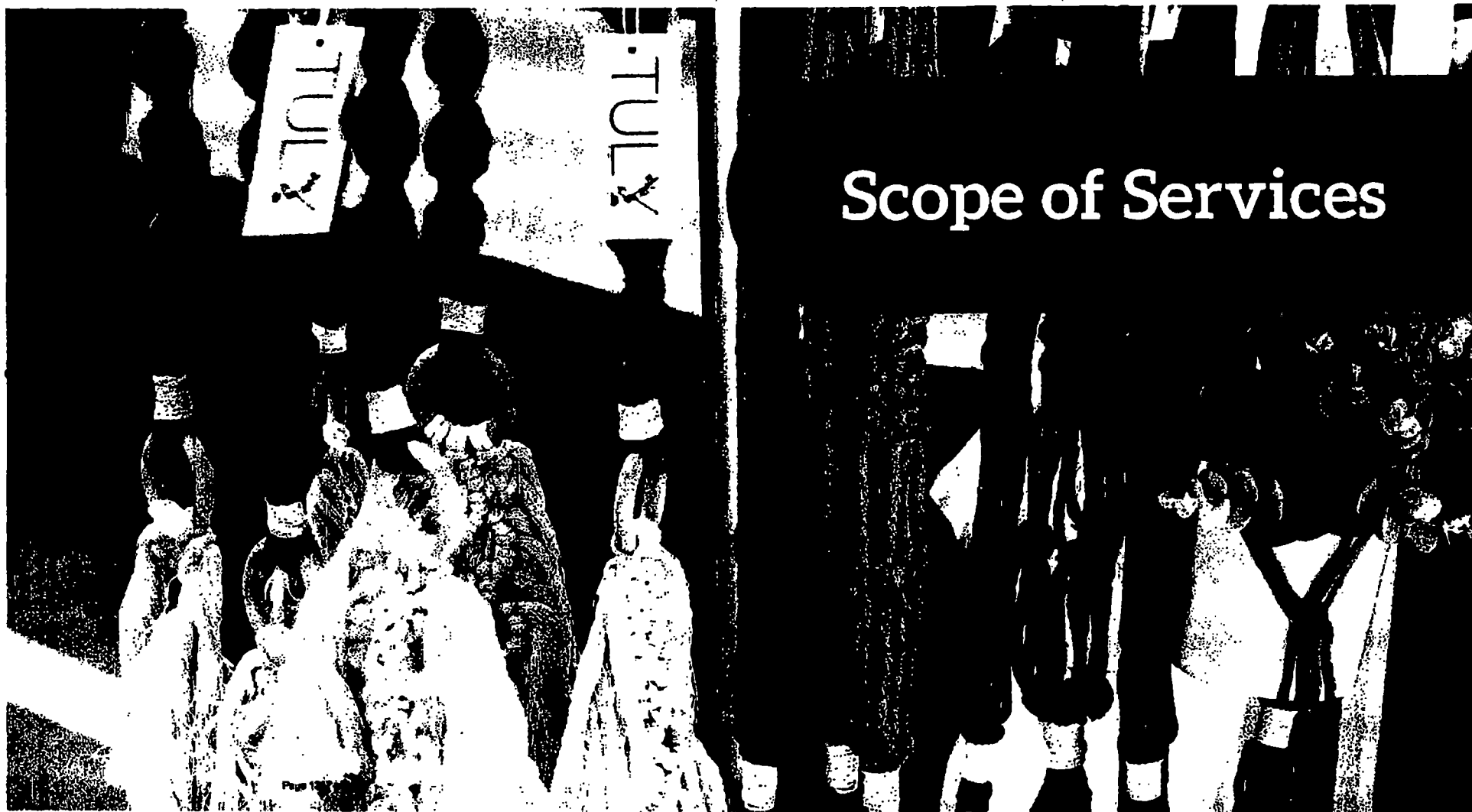
Page 1316 of 1502



Inside Look



Page 1316 of 1502



Our Plan

Goal

At the core of Florida Fresh Markets is bringing small local businesses and communities together.

Prioritizing local vendors

Priority will be given to vendors residing in the City of Miami Beach for the first 30 days upon the commencement date of the Concession Agreement when developing the roster of vendors.

Page 1318 of 1502



13th and 14th Street
Market Site

Page 1319 of 1502



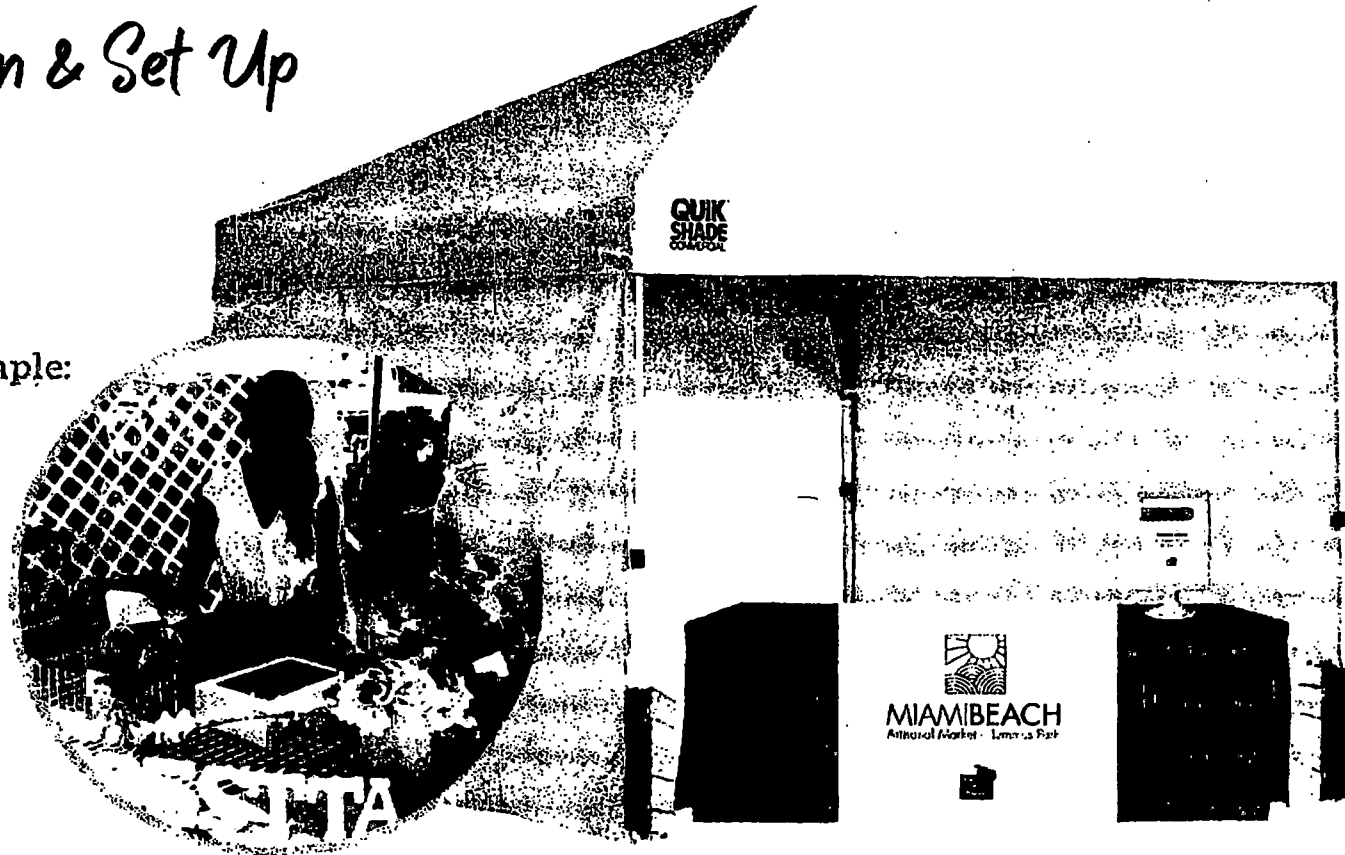
North of 6th Street
Market Site

Page 1320 of 1602



Booth Design & Set Up

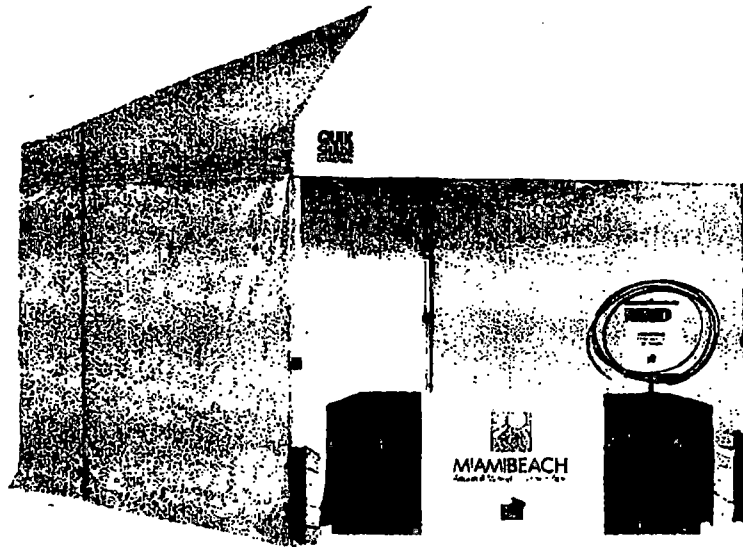
Example:



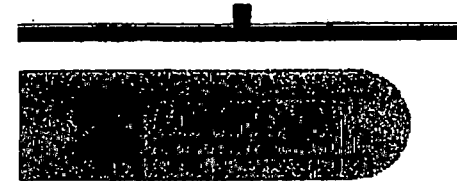
Page 1321 of 1502

Market Signage Plan

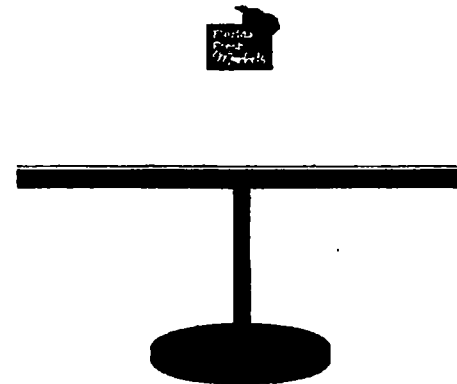
- Vendors will be required to place their individual Vendor ID in a visible location within their booth.



Page 1322 of 1502



VENDOR NAME
@instagramaccount
123-456-7890





Vendor Guidelines & Standards

- Specific and strict arrival, set up, and breakdown times
- Strict & cohesive aesthetic expectations
- Each vendor is responsible for leaving the area in a perfect and clean condition after the market is closed.
- Strict cancellation policies
- Vendors will be required to maintain all relevant permits and licenses
- There will always be a market manager on duty to guarantee all market guidelines are met





April 26, 2022

Via Electronic Mail

Lisette Arrogante-Garcia
Director
Department of Tourism and Culture
City of Miami Beach

Lisette,

Thank you for taking the time to meet with the ODA board on 4/19/22 regarding the proposed "Artisanal Market" for Lummus Park. We are grateful for the open and constructive exchange. I thought that I would share the thoughts of the group as you begin to finalize your approach to this significant installation. I would take note that this was the first opportunity for the ODA to hear from the vendor or the city about the specific plans.

1. The ODA board was very impressed by the presentation made by the team from Florida Fresh. They were thorough, well prepared and professional. They seem to bring significant relevant experience. Kudos for selecting them, now subject to final contract negotiations.
2. The ODA board has a significant public safety concern about any installation adjacent/near the intersection of (i) the southbound beach walk, (ii) the serpentine walkway, (iii) one of the busiest entrances to the beach, (iv) the robust pedestrian traffic coming east on 14th Place (especially with a "South Beach Promenade" connecting Lincoln Road/Drexel/Espanola Way/14th Place and Ocean Drive actively being considered) and (iv) the specifically redirected pedestrian and bicycle traffic from the Promenade on Ocean Drive. The section of the serpentine walkway being considered for the Artisanal Market is already one of the densest locations in Miami Beach (without taking into consideration of the additional impact of people coming to and shopping in the market!).
3. The ODA board has evolved in last 24 months to share what has traditionally been a resident centric view, we need to take particular care about the installation of anything new impacting the park.
4. The ODA board continues to have a significant interest in the nature of the mix of businesses that would be included in the Artisanal Market. Florida Fresh was not able to be precise at all about the ultimate composition of the participating vendors. We would welcome a much more active dialogue about final vendor selection. The ODA community has a particular interest in the nature and quality of any contemplated food vendors.
5. There is also awareness that Ocean Drive has, with the creation of the Pedestrian Promenade, two somewhat distinct sections. The northern portion (above 12th street) has a more residential centric quiet contemplative feel. The southern portion, with vehicular traffic, has more energy. The ODA board believes that

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David Wallack
Mango's Tropical
Café

Ceci Velasco
Executive Director

this is something to keep in mind when contemplating any installation. To be clear, we believe deeply that the whole Drive must be pointed in the direction of a carefully curated and elevated resident and visitor experience. Meticulous setup and cleanup is critical to a successful Market.

6. We would make three specific suggestions:

- We would suggest the installation of the "40 tents" (with contemplated Saturday and Sunday until sunset installation every weekend) to the area below 12th street. While further research might be needed to identify the optimal location, between 10th and 12th might be ideal
- We would encourage consideration of moving the Artisanal Market installation to the "spoiled sand area" east of the Corai Wall and closer to the dunes and set up the tents facing east. Getting shoppers off the serpentine walkway will promote a much better environment from a public safety point of view. Having the tents facing east will more actively engage passersby on both the serpentine walkway and on Ocean Drive in a safe manner. Moving the tents both further east (away from all the other Serpentine walkway traffic) and further south (away from the very resident rich north Ocean Drive neighborhood) is likely to be more well received by locals and visitors staying in the area.
- We understand residents have not been briefed on the market. We share your interest in this being a successful endeavor. We believe connecting with the resident community in advance about your specific plans would also be beneficial.

Thank you again for ALL you have been doing to promote a culturally rich Miami Beach. We know the burden has been substantial.

Respectfully,

Jonathan Plutzik
Chair
ODA Board of Directors

cc: Alina Hudak, City Manager
Eric Carpenter, Deputy City Manager
Lester Sola, Assistant City Manager
Marcia Monserrat, Chief of Staff
ODA Board of Directors
Ceci Velasco, ODA Executive Director



The Lummus Park Artisanal Market

Dear Madame Manager:

We, residents and business owners living and working on Ocean Drive, have an important and disappointing development to call to your attention in the hope of prompt redress before matters get out of hand.

We have a deep commitment to supporting your efforts to deal with the many challenges the City confronts. As many of us have repeatedly attested, we admire your leadership and that of the Mayor and Commission, the resultant progress that is taking place in the City, and the open way that you interact with the City's various communities. Which brings us to express directly to you a significant concern about a project that continues to unfold in the city's most scrutinized neighborhood -- the "Artisanal Market" (the "Market") contemplated for Lummus Park.

We believe that the activation of the Market is a very ill-considered step.

Our rationale concerning the (lack of) merits to the project:

A. The project must be considered in the context of what is already expected of and planned for this key area:

- The ocean, beach, Lummus Park, and historic architecture are the core of South Beach's distinctive brand. They must be protected
- Any activation must be viewed through the lens of whether it will bring us closer to our shared vision of the "American Riviera."

- The view looking east over Lummus Park and toward the dunes has tremendous value for our residents and visitors. It must not be compromised casually.
- The "spoiled area" (the hard-packed sand just west of the dunes) is a visually important and environmentally sensitive element in the ADCD. It should not be treated like a parking lot, a storage area, or a back-of-the-house loading zone.
- The goal of making this area more family-, resident-, and responsible tourist-friendly does not require a circus-like atmosphere.
- Given the importance of Ocean Drive as a destination, given all the existing commitments the City has (e.g. Air and Sea Show, Pride Festival, Formula One Festival, Orange Bowl Festival, Art Basel), our Lummus Park calendar is already very crowded. If we are to take on more, we must do so very carefully, lest existing commitments suffer.

B. The plans for the Market contemplate forty tents, installed facing east on the serpentine path every Saturday and Sunday not already committed to these events.

- The installation of such a market requires "load in" and "load out" vehicles for each of the forty tents operating in the "spoiled area." Every Saturday and Sunday early morning and late afternoon there will be noisy and environmentally disruptive activity as this occurs.
- Given the size of the contemplated Market, the tents will immediately compromise the views looking east from Ocean Drive and the residential buildings and hotels.
- This is already a highly congested area, with pedestrians, bicyclists, skateboarders, rollerbladers, and more. The installation of the Market will compromise public safety as it entails tents opening right onto the serpentine walkway, adding substantial congestion to an already crowded space. Saturday and Sunday are, of course, the most challenging days of the week from a crowd management perspective.
- The selected operator has not provided any specific information as to the vendors that might be offered space in the Market.

We should also note that this issue has not enjoyed the same level of timely community involvement that we have seen on most other projects that the Administration undertakes:

- No interaction until very late in the planning process;
- Only one community meeting;
- Only one business briefing;
- No feedback on the concerns raised.

The City doesn't accept all our recommendations, of course, but we are grateful that it normally takes them seriously and responds openly and constructively. Not in this case.

In summary,

- You have made great progress in improving conditions on Ocean Drive and in the ADCD.
- We know that there is much work yet to do.
- We believe, however, that the Artisanal Market is not a constructive step forward for our community, and
- Therefore, we ask that you terminate the plans for its launch.

(See Signatories Attached)

***More Signatures in Progress**

Lummus Park Artisanal Market Petition Letter

	Date	Question 1: Name:	Question 2: Address:
1	6/14/2022 11:45	Jeff Kindler	1500 Ocean Drive, 1500 Ocean Drive Miami Beach, Florida 33139 USA
2	6/14/2022 17:57	George Lindemann	1455 Ocean Drive, BH 406 Miami Beach, FL 33139 USA
3	6/15/2022 0:21	Curtis Slipman	1455 ocean drive, 710 miami beach, fl 33139 USA
4	6/15/2022 0:22	Dianne Slipman	1455 Ocean Drive, 710 miami beach, fl 33139 USA
5	6/15/2022 16:44	David R David	1455 Ocean Drive, Unit 1011 Miami Beach, FL 33139 USA
6	6/15/2022 16:49	Van Pham	1455 Ocean Dr, Apt 704 Miami Beach, FL 33139 USA
7	6/15/2022 16:49	Ole Slorer	1455 Ocean Dr, 704 Miami Beach, FL 33139 USA
8	6/15/2022 16:50	Robert Lehrman	1455 Ocean Drive Miami Beach , FL 33139 USA
9	6/15/2022 16:50	Van Pham	1250 Ocean Dr, 3F Miami Beach, Miami Beach 32139 USA
10	6/15/2022 16:51	Medran Realty	1250 Ocean Dr Miami Beach, FL 33139 USA
11	6/15/2022 16:52	Mollie zweig	1455 ocean dr. Apt.#1108 Miami beach, FL 33139 USA
12	6/15/2022 16:54	Liz Lehrman	1455 Ocean Dr, #1507 Miami Beach, FL 33139 USA
13	6/15/2022 16:58	Ivan Selin	1455 Ocean Drive, Il Villaggio Miami Beach, FL 33139 USA
14	6/15/2022 17:04	Jim Winston	1455 Ocean Drive, #802 Miami Beach , Florida 33139 USA
15	6/15/2022 17:08	Rita & Ernesto Grinberg	1455 Ocean Dr, APT 702 MIAMI BEACH, FL 33139 USA
16	6/15/2022 17:10	Gary and Enid Goodman	1455 Ocean Drive, 402 Miami Beach, Florida 33139 USA
17	6/15/2022 17:24	Judith Pleasure Willner	1455 Ocean Dr., Unit 1109 Miami Beach, FL 33139 USA
18	6/15/2022 17:34	David T Kollat	Il Villaggio, 1455 Ocean Dr Beach House 404 Miami Beach, FL 33139 164
19	6/15/2022 17:43	John Yee, MD	1455 Ocean Drive # 1205 Miami Beach, FL 33139 USA

***ODA Member**

Lummus Park Artisanal Market Petition Letter

		1455 ocean drive, unit 1401, unit 1401
20	6/15/2022 18:40 myrna feinerman	Miami Beach, FL, FL 33139 USA
21	6/15/2022 18:58 Stephen Alex	1455 Ocean Drive Miami Beach, FL 33139 USA
22	6/15/2022 18:59 Christine Menedis	1455 ocean drive Miami Beach, FL 33139 USA
23	6/15/2022 18:59 Marc Bacal	1455 ocean Drive Miami Beach, FL 33139 USA
24	6/15/2022 19:00 Maritza Cuellar	1455 ocean drive Miami Beach, FL 33139 USA
25	6/15/2022 19:00 Naveen Trehan	1455 ocean drive Miami Beach, FL 33139 USA
26	6/15/2022 19:02 Samuel L Hinson	1455 Ocean Drive #703 Miami Beach, FL 33139 USA
27	6/15/2022 19:17 Zave and Celia Aberman	1455 Ocean Drive, Apt 1105 Miami Beach, Florida 33139 USA
28	6/15/2022 20:22 ERIC GAVARA	1500 OCEAN DRIVE #708 MIAMI BEACH , FLORIDA 33139 USA
29	6/15/2022 21:32 Murray Bacal	1455 Ocean Dr, 904 Miami Beach, FL 33139 USA
30	6/15/2022 21:41 Lew Cohen	1455 Ocean Dr Miami Beach, FL 33139 USA
31	6/15/2022 21:42 Karon Cohen	1455 Ocean Dr Miami Beach, FL 33139 USA
32	6/16/2022 7:55 Seth J Weinberger	1500 Ocean Drive, 706 Miami Beach, FL 33139 USA
33	6/16/2022 12:56 Robert Karsunky	1500 Ocean Drive, PH-08 Miami Beach, FL 33139 USA
34	6/16/2022 16:46 Ana Paola Ferrari	1455 Ocean Drive, BH 406 Miami Beach, FL 33139 USA
35	6/16/2022 16:47 Georgina Lindemann	1455 Ocean Drive, BH 406 Miami Beach, FL 33139 USA
36	6/16/2022 16:47 Cellna Lindemann	1455 Ocean Drive, BH 406 Miami Beach, FL 33139 USA
37	6/16/2022 19:49 JOSEPH H WILLNER MD	1455 OCEAN DRIVE, APT 1109 Miami Beach, FL 33139 USA
38	6/17/2022 12:23 richard robertson kracum	5373 fisher island dr MIAMI BEACH, FL 33109 USA
39	6/17/2022 16:00 Jack Frieden	1455 Ocean Drive, Unit 1206 Miami Beach, Florida 33139 USA
40	6/17/2022 16:05 Jodie C Frieden	1455 Ocean Drive, Unit 1206 Miami Beach, Florida 33139 USA
41	6/20/2022 20:16 Richard Morgan	1455 Ocean Drive, 1609 Miami Beach, FL 33139 USA

***ODA Member**

Lummus Park Artisanal Market Petition Letter

42	6/21/2022 10:51	Alfie Feola*	760 Ocean Dr., Suite 9 MIAMI BEACH, Florida 33139 USA
43	6/21/2022 11:19	Eugene Rodriguez*	1412 ocean drive Miami Beach , Fla 33139 USA
44	6/21/2022 11:24	Orlando Valdes*	1320 Ocean drive Miami Beach, Florida 33139 164
45	6/21/2022 12:51	Jane Krupp	1390 Ocean Drive, 401 Miami Beach, FL 33139 USA
46	6/21/2022 12:57	Rona Gheysens	1390 ocean drive , 103 Miami Beach , Florida 33139 USA
47	6/21/2022 13:39	Donald Worth	1390 Ocean Drive #207 Miami Beach, FL 33139 USA
49	6/21/2022 13:41	Nina Weber Worth	1390 Ocean Dr. #207 Miami Beach, Fl 33139 USA
50	6/21/2022 13:46	Bimal Rai / Ocean Drive Gallery	1390 Ocean Drive #105 Miami Beach , Fl 33139 164
52	6/21/2022 14:02	Fernando Di Carlo	1455 Ocean Drive # 1402 Miami Beach, Florida 33139 USA
53	6/21/2022 15:45	Ken Koppel	1455 Ocean Drive, #807 Miami Beach, FL 33139 USA
54	6/21/2022 15:48	Jonathan Plutzik*	1440 Ocean Dr Miami Beach, FL 33139 USA
54	6/21/2022 16:30	Harold & Joyce Rosenbaum	1500 Ocean Drive, Apt. 605 Miami Beach, FL 33139 164

****More Signatures in Progress****

***ODA Member**

AAV:BECH

OFFICE OF THE CITY MANAGER

LTC # 315-2021

LETTER TO COMMISSION

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager *Eric Carpenter* for

DATE: July 30, 2021

SUBJECT: Status Update on Request for Proposals (RFP) 2021-151-ND for Management and Operation of Artisanal Market in Lummus Park

The purpose of this LTC is to update the Mayor and City Commission on the status of Request for Proposals (RFP) 2021-151-ND for management and operation of an artisanal market in Lummus Park.

On May 12, 2021, the Mayor and City Commission authorized the issuance of the RFP to solicit proposals for the management and operation of an artisanal market in Lummus Park. The RFP was developed for the Lummus Park market specifically as it is likely to be the largest artisanal market within the City. However, the Administration has been working to identify potential artisanal markets in other areas as a way to promote activation within certain neighborhoods or commercial districts. The areas that would potentially benefit from an artisanal market include: the Normandy Fountain area, Collins Park, the 41 Street corridor, and Pride Park, as well as other areas that could be identified in the future. The additional markets could serve as informal social gatherings where residents and visitors can meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements. Compared to the Lummus Park market, the additional markets referenced would likely be significantly smaller and some could be activated only episodically.

The RFP currently does not allow the Administration to work with the awarded operator to establish additional smaller or episodic markets across the City. The Administration believes that amending the RFP to include the ability to negotiate with the selected operator to develop one or more of the smaller or episodic markets will expedite the activation of the relevant neighborhood(s) or commercial district(s) rather than waiting to process a solicitation for each new market. Further, since the additional markets would likely be smaller than the Lummus Park market, negotiating with the selected operator could be more efficient and cost-effective than going through a selection process each time a potential market was identified and dealing with multiple market operators across the City.

Accordingly, the Administration released an addendum to the RFP to allow future additional markets to be added to the resulting agreement by mutual agreement. Additional markets will require City Commission approval.

Please do not hesitate to contact me if you have any questions.

ALH/k AD
MM/CAV/KB/ND

MIAMIBEACH

OFFICE OF THE CITY MANAGER

LETTER TO COMMISSION

310-2023

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: July 10, 2023

SUBJECT: **FLORIDA FRESH MARKETS UPDATE**

The purpose of this LTC is to update the Mayor and City Commission on the performance of the of Florida Fresh Markets (FFM) activations throughout the City and community feedback received resulting in the City's exercising the termination for convenience clause in the agreement.

Pursuant to RFP 2021-151-ND for the Lummus Park Artisanal Market, the Administration has worked with Florida Fresh Markets to add three additional market locations throughout the City in 2023. FFM launched the Artisanal Market in Lummus Park on September 10, 2022. After approximately six months of activation at Lummus Park, market locations were launched in the 41st street commercial corridor and the Collins Park neighborhood.

FFM has demonstrated professionalism and responsiveness throughout their time of activation. However, since the inception of the FFM artisanal markets, staff has worked to address community concerns regarding the market activations. We received communications from the Ocean Drive Association, SOBESafe and residents regarding the artisanal market activation, in addition to some concerns shared by members of the Commission, on behalf of constituents. Concerns at Lummus Park have ranged from activation overload at the park, space available for walkers and cyclists, possible effect to businesses, and impacts to the park.

The expansion faced challenges specific to the 41st corridor, with two locations having unsuccessful results. The staff has also received feedback from the Mayor's 41st Street Blue Ribbon Committee regarding concerns with the locations and vendors.

Based on the aforementioned, the notice of termination has been submitted to the vendor, with the last activation taking place on Sunday, August 6, 2023 in Lummus Park.

For more information, please contact Lissette Garcia Arrogante, Director, Tourism and Culture at lissettearrogante@miamibeachfl.gov or x2659

cc:
MM/LGA/FV

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rickelle Williams, Interim City Manager
DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE
TO DISCUSS THE CONTINUATION OPTIONS FOR FLORIDA FRESH MARKETS.

BACKGROUND/HISTORY

On May 12, 2021, the Mayor and City Commission authorized the issuance of RFP 2021-151-ND, "the RFP," to solicit proposals for managing and operating an artisanal market in Lummus Park. The RFP was developed specifically for the Lummus Park market, which was likely to be the largest artisanal market within the City.

On July 30, 2021, the Administration provided a status update on the Request for Proposals (RFP 2021-151-ND) for the Management and Operation of an Artisanal Market in Lummus Park in LTC-315-2021. The Administration worked to identify other areas for potential artisanal markets to promote activations within specific neighborhoods or commercial districts and serve as informal social gatherings where residents and visitors could meet and interact with local artists and designers, stimulate community development, and provide family-friendly engagements.

The Administration released an addendum to the RFP to allow future additional markets in the resulting agreement by mutual agreement, subject to City Commission approval. On October 13, 2021, the Mayor and City Commission authorized the Administration to enter negotiations with Florida Fresh Market, the top-ranked proposer and the best-qualified firm to manage and operate the artisanal markets.

On July 20, 2022, through Resolution No. 2022-32259, the Mayor and City Commission approved the relocation of the Lummus Park Artisanal Market from 13 Street and 14 Place to 6 Street and 8 Streets. It also authorized the Administration to negotiate with Florida Fresh Markets (FFM) to activate artisanal markets in other Miami Beach locations.

FFM launched the Lummus Park Artisanal Market on September 10, 2022. After approximately six months of activation at Lummus Park, the City launched market locations in the 41st Street commercial corridor and the Collins Park Neighborhood by Amendment No. 1 made to the agreement via Resolution No. 2023-32465.

The market expansion faced challenges in the 41st Street corridor and Collins Park neighborhood. The 41st Street corridor had two separate market locations, yielding unsuccessful results since the addition in February 2023. Staff also received feedback from the Mayor's 41st Street Blue Ribbon Committee regarding concerns with the locations and vendors. The Collins Park location, respectively, witnessed reduced patron and vendor participation since its inception in March 2023.

FFM has demonstrated professionalism and responsiveness throughout their time of activation. However, since the inception of the FFM artisanal markets, staff has worked to address community concerns regarding the market activations. The Administration has received communications from the Ocean Drive Association, SOBESafe, and residents regarding the artisanal market activation in Lummus Park, in addition to some concerns shared by members of the Commission on behalf of constituents. Concerns at Lummus Park have ranged from activation overload at the park, space available for walkers and cyclists, and possible impact on businesses and the park.

On July 10, 2023, the Administration sent a Letter to the Mayor and City Commission updating them on the performance of Florida Fresh Market's activations throughout the City and its decision to exercise the termination for convenience clause in the agreement between the City and Florida Fresh Markets. Upon issuing a notice of termination, the last activation under the agreement took place on August 6, 2023.

On September 13, 2023, the Mayor and City Commission discussed an item regarding terminating the market operations and directed the Administration to explore potential changes and continuation options for the artisanal markets operated by Florida Fresh Markets.

On October 18, 2023, the Mayor and City Commission directed the Administration to negotiate a six-month pilot project with Florida Fresh Markets, with a three-month review contingent on various modifications to the market, including, but not limited to:

- limiting categories of offerings to natural products that align with the Lummus Park health-conscious theme,
- reducing the footprint of the market and
- replacing the tents with a more aesthetic covering

ANALYSIS

Based on the direction given at the October 18, 2023 Commission meeting, the Administration began the negotiations with Florida Fresh Markets on October 23, 2023.

Considering the terms and scope of the market were to be modified, the Tourism and Culture Department worked with the City Attorney's Office and Procurement Department to determine feasibility and the best steps forward. After various conversations and reviews, staff drafted a reinstated and amended management and operation agreement that was presented to Florida Fresh Markets on March 19, 2024.

Understanding the challenges brought by weather and seasonal residency changes to the outdoor activation in the summer months, the vendor has requested that the start date of the market activation be November 2024. Careful consideration has been given to the schedule during the negotiation process.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration presents this timeline and the vendor's request to the Public Safety and Neighborhood Quality of Life Committee for consideration and direction.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Tourism and Culture

ATTACHMENTS:

Description

- ▢ [Resolution 2022-32259](#)
- ▢ [Resolution 2023-32465](#)
- ▢ [LTC 310-2023](#)

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING AN ART INSTALLATION ON THE FRITZ HOTEL
ON OCEAN DRIVE**

HISTORY:

On May 15, 2024, at the request of Commissioner Alex Fernandez, a discussion item (C4 G) was referred to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss the approval of an art installation on the Fritz Hotel, located on Ocean Drive.

ANALYSIS

The proposed art installation would consist of a projector on the hotel's rooftop. The projector would project art onto the adjacent wall of the Council Towers South building located on city-owned property at 533 Collins Avenue. The building has no windows and would serve as a blank backdrop. The City's Art in Public Places (AiPP) Committee would review and approve the proposed projected art.

The artwork projection being proposed includes portraits by Dutch master artists, including Rembrandt, Vermeer, and Van Gogh. The owner of the Fritz Hotel, Mr. Frits Boers, has contacted the Rijksmuseum in Amsterdam, Netherlands, to propose a collaboration on art curation. (See Attachment).

The Administration understands the desire to implement this art installation through the special event permit process managed by the Tourism and Culture Department.

Special Event Permit Process

The Commission-approved Special Event Guidelines include some salient provisions such as:

- In no case shall a permit be issued to an applicant or venue, for similar events, for more than four (4) consecutive days or five (5) non-consecutive days each during the course of a fiscal year.
- The City Manager shall have the discretion to approve a Special Event Permit for events which exceed the consecutive day clause/limit of permissible events per venue, and shall also have the discretion to amend, modify or temporarily suspend the permit for such

events.

This project would require a prolonged Special Event permit and would necessitate approval by the City Manager.

Art in Public Places Review

Pursuant to the Art in Public Places Ordinance, the AiPP would review and provide a recommendation based on the following criteria:

Sec. 82-612. Selection of artists and works of art.

(i) When providing an advisory recommendation to private nonprofit applicants seeking to install works of art in public places and/or noncommercial artistic murals, graphics and images on private or city-owned buildings, which mural, graphic or image art is not funded by the city, the committee shall utilize the following criteria:

(1) Appropriateness to the project or existing site.

(2) Maintenance requirements.

(3) Quality of the work.

(4) Likelihood that the artist can complete the work within available funding of the private nonprofit applicant.

(5) Reflection of enduring artistic concepts, rather than transitory ones.

(6) History of the artist in terms of completion of works on time.

The recommendation shall be issued prior to any required review of the design review board or historic preservation board.

The next AiPP meeting is scheduled for Tuesday, June 18, 2024, at 9:30am, at which time the proposed art projection can be reviewed prior to the June 26, 2024 City Commission meeting. .

Additional Considerations:

In addition, it is recommended that Elderly Housing Development & Operations Corporation ("EHDOC"), Council South Towers building ownership review and approve the proposed projection site and images.

CONCLUSION:

It is recommended that the Public Safety and Neighborhood Quality of Life Committee discuss the proposed art installation and provide a recommendation as to policy direction.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

□ Exhibit A - Referral Memo

Type

Memo



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE - DISCUSSION
REGARDING AN ART INSTALLATION ON THE FRITZ HOTEL ON OCEAN DRIVE.

SUPPORTING SURVEY DATA

na

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez

ATTACHMENTS:

Description

▮ [Memo](#)



PIC•COLLAGE

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE MIAMI BEACH COMMISSION FOR WOMEN
IMPLEMENTING A CALL TO ARTISTS TO CREATE A MURAL HONORING
MARJORY STONEMAN DOUGLAS IN MARJORY STONEMAN DOUGLAS
PARK**

HISTORY:

On April 3, 2024, at the request of Commissioner Kristen Rosen Gonzalez, a discussion item (C4 R) was referred to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC") to discuss the Miami Beach Commission for Women's motion to implement a Call to Artists to create a mural honoring Marjory Stoneman Douglas in Marjory Stoneman Douglas Park.

ANALYSIS

At the March 5, 2024, Miami Beach Commission for Women (the Committee) meeting, the Committee made a motion to honor Marjory Stoneman Douglas for her contributions to South Florida with a mural at Marjory Stoneman Douglas Park located at 3rd Street and Ocean Drive. The Committee requested an open Call to Artists and the desire to be part of the selection process.

Art in Public Places Review:

Pursuant to the Art in Public Places Ordinance, the Art in Public Places (AiPP) Committee would review and advise on the proposed mural at Marjory Stoneman Douglas Park, with consideration to the Call to Artist timeline, feasibility, and identification of funds.

The Call to Artist would consist of the following:

Selection of artists, sculptors, craftspersons, and professional advisory committee's review of designs and choice and acceptance of works of art shall be by the AiPP and must have approval of the City Commission.

In selecting/approving works of art, the AiPP and/or professional advisory committee and City Commission shall consider the following criteria:

(1) Appropriateness to the city construction project or existing site.

- (2) Maintenance requirements.
- (3) Quality of the work.
- (4) Likelihood that the artist can complete the work within available funding.
- (5) Reflection of enduring artistic concepts, rather than transitory ones.
- (6) History of the artist in terms of completion of works on time.

CONCLUSION:

It is recommended that the Public Safety and Neighborhood Quality of Life Committee discuss the proposed mural project and provide a recommendation as to policy direction.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
<div data-bbox="154 869 186 900" data-label="Image"></div> <div data-bbox="224 869 461 900">Exhibit A - Referral Memo</div>	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Kristen Rosen Gonzalez
DATE: April 3, 2024

SUBJECT: A REFERRAL TO THE APRIL 17TH PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE TO DISCUSS THE MIAMI BEACH COMMISSION FOR WOMEN IMPLEMENTING A CALL TO ARTISTS TO CREATE A MURAL HONORING MARJORY STONEMAN DOUGLAS IN MARJORY STONEMAN DOUGLAS PARK.

BACKGROUND/HISTORY

Dear Commissioner Gonzalez,

First I want to thank you for attending the March meeting of the Miami Beach Commission for Women. I am sure you noticed we have a very talented committee and they were all very excited that you took time to speak to us. After you left the committee discussed the importance of doing something at Marjory Stoneman Douglas Park to honor her contributions to South Florida. Everyone was on board and they voted unanimously to move forward. We thought a mural would be the best option. It's not expensive, it has great visibility from the street, it's current and has the greatest impact. In fact, the United Nations Women's Committee has a major project installing murals for women around the world to elevate the aspirations of women and foster gender equality. I was wondering as the senior female Miami Beach Commissioner if you would sponsor an initiative to get this done. The Commission for Women was adamant that they wanted an Open Call to Artists and have a voice in the selection. It's an exciting project and aptly honors a woman who is beyond deserving.

Please let me know your thoughts. I look forward to hearing from you.

Lynette

Lynette Long, Ph.D.
Chair, Miami Beach Commission for Women
Member, The Miami-Dade Commission for Women
drlynettelong@gmail.com

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Neighborhoods - Enhance the beautification, physical appearance and cleanliness of neighborhoods.

Legislative Tracking

Commissioner Kristen Rosen Gonzalez

Sponsor

Co-sponsored by Commissioner Joseph Magazine

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING PLACEMENT OF A PLAQUE IN HONOR OF CIVIL RIGHTS ACTIVIST AND PRESERVATIONIST JOE TOM EASLEY AT PRIDE PARK**

HISTORY:

At the May 15, 2024 Commission meeting, at the request of Commissioner Tanya K. Bhatt, the Mayor and City Commission referred an item (C4 M) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC"), to discuss the placement of a plaque in honor of civil rights activist and preservationist Joe Tom Easley at Pride Park. (Exhibit A).

ANALYSIS

Joe Tom Easley, who passed away in February of 2022, was a leading national civil and gay rights activist, a noted attorney instrumental in getting "don't ask/don't tell" repealed, and a fierce advocate for historic preservation, serving on the board of the Miami Design Preservation League for many years.

His marriage to husband Peter Freiberg was among the first same-sex unions announced in the New York Times. Mr. Easley served in the Navy during the Vietnam War, spent years fighting for the repeal of "don't ask/don't tell," and used his skills as a speaker, teacher and leader to serve the gay community. He was a chairman of the Servicemembers Legal Defense Network, a group that sought to end discrimination against gay military personnel, served as chairman of the Lambda Legal Defense and Education Fund, an LGBT group, and as president of the Human Rights Campaign Foundation.

His husband, Peter Freiberg, and the Palm View Neighborhood Association have requested that the City of Miami Beach honor Joe Tom Easley. They request doing so within the Palm View neighborhood, and are suggesting to place the plaque near a tree in the northwest corner of Pride Park. Mr. Easley fought hard to make Pride Park happen and therefore, they believe it would be a suitable place to honor his memory and legacy.

The Parks and Recreation Department and the Economic Development Department support placing a memorial plaque in Pride Park. The cost to produce and install a 12" x 12" plaque and a supporting pedestal, is approximately \$3,000 - \$5,000.

CONCLUSION:

It is recommended that the PSNQLC discuss and make a recommendation on the placement of a plaque in honor of civil rights activist and preservationist Joe Tom Easley at Pride Park. If recommended, and approved by the City Commission, this will require an appropriation of a budget, not to exceed \$5,000, to purchase the plaque and pedestal.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description	Type
□ Exhibit A – Referral Memo from May 15, 2024 Commission Meeting - Item C4 M	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Commissioner Tanya K. Bhatt
 DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE
 TO DISCUSS THE PLACEMENT OF A PLAQUE IN HONOR OF CIVIL RIGHTS ACTIVIST AND
 PRESERVATIONIST JOE TOM EASLEY AT PRIDE PARK.

ANALYSIS

Please place on the agenda a referral to the PSNQLC a discussion about installing a memorial park in Pride Park for late Miami Beach resident Joe Tom Easley. Joe Tom was a leading national civil and gay rights activist, was a noted attorney instrumental in getting "don't ask/don't tell" repealed, and was a fierce advocate for historic preservation, serving on the board of Miami Design Preservation League for many years.

His husband Peter Freiberg and the Palm View Neighborhood Association would like to have a plaque honoring Joe Tom, and while they initially thought someplace in their neighborhood might work, the feeling is that a location in the northwest corner of Pride Park, which Joe Tom fought hard to make happen, would be a more suitable location.

Please see the links below to learn more about Joe Tom's remarkable life and legacy.

<https://www.miamiherald.com/news/local/obituaries/article258677928.html>

<https://www.washingtonpost.com/obituaries/2022/02/22/joe-tom-easley-gay-rights-dead/>

<https://www.nytimes.com/2022/02/23/us/joe-tom-easley-dead.html>

<https://www.washingtonblade.com/2022/02/23/law-professor-lgbt-rights-advocate-joe-tom-easley-dies-at-81/>

SUPPORTING SURVEY DATA

n/a

FINANCIAL INFORMATION

n/a

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Non-Applicable

Legislative Tracking

Commissioner Tanya K. Bhatt

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: DISCUSS BROADER EXPANSION OF TREE CANOPY IN NORTH BEACH.

HISTORY:

At the April 3, 2024 City Commission meeting, discussion item C4 P was referred to the Public Safety and Neighborhood Quality of Life (PSNQLC) Committee regarding a broader vision to expand the tree canopy in North Beach. The item is sponsored by Commissioner David Suarez and co-sponsored by Commissioner Joseph Magazine.

ANALYSIS

The referral item to increase tree canopy in North Beach introduces a broader vision for transformational change. The area has a low percentage of tree canopy cover due to the historical design of the streets, parking, and sidewalks next to dense private property. The City has plans, infrastructure projects, and the Resiliency Code that all require future development to be more resilient and sustainable that includes requirements for green infrastructure and tree canopy. This memorandum outlines current plans and options for the Committee to consider.

Tree canopy provides countless benefits which promote environmental health and stormwater absorption, improve quality of life, and beautify spaces. Lack of shade can lead to many negative impacts, namely the urban heat island effect impacting public health, which can greatly increase ambient temperatures, especially at night. A lack of urban canopy can also contribute to stormwater and flooding issues, lower property values, lower quality of life, lower learning capacity, and increased air pollution.

The Urban Forestry Master Plan (UFMP) sets forth guidelines and goals regarding reforestation and establishes best management practices to adapt the tree canopy to be resilient to urban threats such as disease, tree abuse, and lack of space as well as climatic threats, including sea level rise, saltwater intrusion and rising temperatures. The main goal of the master plan is to grow from 17% to 22% canopy cover by the year 2040.

Given the scarcity of plantable public property and the density of private property in North Beach, street redesign may be required to achieve this broader goal. The street redesign would need to be acceptable to the community and may include reducing lane widths, one-way conversions, or exchanging parking spots for plantable space. Considering this would be transformational

change, it is important to define the goals of a long-term vision and if the community would accept, for example, less parking.

Staff from Environment and Sustainability, Parking, Planning, Public Works, and Transportation met to discuss existing plans and future options for the Committee to consider. They include:

- 1) Expand the North Beach tree planting pilot program;
- 2) Explore Buoyant City raised planter recommendations;
- 3) Select a location with defined boundaries, such as Park View Island;
- 4) Procure a multi-disciplinary firm;
- 5) Implement the North Beach Town Center/ North Shore D Neighborhood Improvement Project;
- 6) Implement the North Beach Town Center Core Zoning District community benefits for tree canopy; and
- 7) Explore additional private property landscape requirements for smaller multi-family new developments the North Beach Conservation Overlay District and other areas of North Beach.

Additional details are provided below:

1) Expand the North Beach Tree Planting Pilot Program

Potential areas to add tree pits to the base of angled parking spots have been identified. The estimated costs would need to be determined as the procurement process has not yielded any bids. The details are included in the PSNQLC agenda item entitled: DISCUSSION/UPDATE REGARDING THE TREE PLANTING PILOT PROGRAM IN NORTH BEACH.

2) Explore Buoyant City raised planter recommendations

Additionally, the Buoyant City Historic District Study Resiliency and Adaptation Guidelines introduced ways to plant and preserve trees for sea level rise adaptation (Attachment A). The Report was endorsed by the City Commission by acclamation on November 18, 2020. While the Report is the culmination of nearly twelve months of study and analysis of two (2) distinct areas of the Flamingo Park and Collins Waterfront local historic districts, it was anticipated that these adaptation guidelines will be able to be applied, with some modifications, to other historic districts in the City. The consultant team, consisting of multidisciplinary professionals, studied the areas utilizing a typological approach to existing buildings, landscapes and streetscapes. In addition to developing and illustrating practical strategies that property owners can take immediately to reduce flooding risks, this comprehensive study also provides a framework for future adaptation including potential zoning incentives for long term resilience.

Of note is the concept of raised tree planters for new trees located in this planting buffer/parking zone to allow for roadways or sidewalks to be repeatedly raised in the future without disturbing mature canopy trees along the avenues and streets.

3) Select a location with defined boundaries, such as Park View Island

By selecting a targeted area, a focused multi-disciplinary effort can be taken within defined boundaries. Park View Island is very walkable, has little tree canopy, and has limited vehicle circulation and pass through traffic in comparison to other areas of North Beach. Alternative transportation patterns can be evaluated that could allow for more space for tree plantings and

canopy. The area has experienced water quality concerns surrounding the island and can benefit from additional green space to retain and filter stormwater runoff.

4) Procure a multi-disciplinary firm

A broader vision for trees in North Beach would encompass landscape architecture, roadways changes, parking, multi-mobility needs such as sidewalks, bike safety, above and below ground infrastructure, and ADA accessibility. Procuring a multi-disciplinary firm is needed to inform the selection of geographic location(s), establish the vision of streets design acceptable to the community, plan and estimate the costs, and synthesize in the form of a recommendations report.

5) North Beach Town Center/ North Shore D Neighborhood Improvement Project

The North Beach Town Center North Shore D Neighborhood Improvement Project is one of three (3) holistic neighborhood climate resilience projects underway in Miami Beach. The project was awarded \$10 million from the Resilient Florida grant program and is in the preliminary design phase with procurement expected this year for full design. It includes replacements/rehab of water, sewer, and stormwater infrastructure, roadways with addition of new pump station with water quality treatment, creating greenspace, adding trees, mobility improvements for pedestrians and cars, and public outreach. The street trees will be planned and designed utilizing species that will grow best in Miami Beach now and in the future as salt tolerant needs increase.

6) North Beach Town Center Central Core Zoning District

On Nov 14, 2018, the City adopted the North Beach Town Center- Central Core (TC-C) zoning district, a recommendation of the North Beach Master Plan. In areas of the TC-C, the street trees are required to be larger to have more immediate shade impact and utilize structured soil systems for them to thrive in the longer term. The responsibility is with the private property developer to fund and implement these community benefits. Many projects have been approved by the Design Review Board, and in addition the buildings are required to have shade structure on the perimeter, further contributing to a more shaded environment for pedestrians. As these projects are built over time, the benefits will be realized. The street tree requirements are included in Chapter 5 of the Resilience Code.

7) Explore additional private property landscape requirements for smaller multi-family new developments the North Beach Conservation Overlay District and other areas of North Beach

As new development occurs over time, improved street tree requirements can have a positive impact on shade for the public right of way. There is an opportunity, given smaller multi-family developments anticipated, to incorporate a higher level of standards to meet the need for more canopy.

CONCLUSION:

The Administration is pleased to provide many options to support a broad vision for expanding the tree canopy in North Beach for the Committee's discussion and consideration.

Applicable Area

North Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes


Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Environment & Infrastructure - Reduce greenhouse gas emissions and heat.

ATTACHMENTS:

Description	Type
 Referral Memo	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Commissioner David Suarez
 DATE: April 3, 2024

SUBJECT: REFERRAL TO PUBLIC SAFETY NEIGHBORHOODS AND QUALITY OF LIFE, DISCUSS
 BROADER EXPANSION OF TREE CANOPY IN NORTH BEACH.

BACKGROUND/HISTORY

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify name of lobbyist(s) and principal(s): N/A

ANALYSIS

Please place an item on the April 3, 2024 agenda a referral to Public Safety Neighborhoods and Quality of Life ("PSNQLC") to discuss the expansion of the tree canopy in North Beach.

Last year, Commissioner Rosen Gonzalez sponsored an initiative to plant 70 trees in 100 days in North Beach. The program was successfully completed. Despite these efforts, the issue of insufficient tree coverage in North Beach persists, exacerbated by lack of space on rights-of-way and insufficient irrigation infrastructure.

At the March 20, 2024 Public Safety and Neighborhood Quality of Life Committee (the "PSNQLC") meeting, Staff presented options for expanding the tree canopy in North Beach. One proposed solution involved the development of a pilot program to plant trees in concrete planters, addressing concerns about limited space on rights-of-way and inadequate irrigation infrastructure.

The PSNQLC unanimously agreed to direct Staff to further develop this pilot program, identifying contractors and additional locations for tree planting. Staff was tasked with presenting a revised cost estimate at the June 2024 PSNQLC meeting, incorporating visual aids and exploring potential collaborations, such as Public Private Partnerships ("PPPs").

Trees produce oxygen and intercept airborne particulates, enhancing a community's respiratory health. In addition, tree canopy in urban areas reduces urban heat island effects, offering shade and promoting greater physical activity. Trees also contribute to a community's quality of life by absorbing and blocking sound and creating more visually appealing streetscapes.

Given the many beneficial effects associated with tree canopy and the positive preliminary discussions held at the Committee level, I believe it is essential to continue this conversation with all of my colleagues on the City Commission for the benefit of North Beach. While the discussions to date have been productive, I am proposing a much broader vision for the expansion of the tree canopy in North Beach, possibly to start with a project on Byron Avenue.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

Yes

Legislative Tracking

Commissioner David Suarez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING ESTABLISHING A NIGHTTIME DROP-IN CENTER FOR PERSONS EXPERIENCING HOMELESSNESS AND OTHER VULNERABLE POPULATIONS IN MIAMI BEACH.**

HISTORY:

At the May 15, 2024, Commission meeting, at the request of Commissioner Fernandez, the Mayor and Commission referred item C4 E to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) directing the Administration to explore and provide options for establishing a nighttime Drop-In Center in Miami Beach.

The referral directed the Administration to explore an existing City facility to provide amenities such as showers, bathrooms, and access to Homeless Outreach staff for shelter placements during the evening hours. The space could provide support not only for the homeless but also for vulnerable populations like victims of abuse, those escaping human trafficking and the LGBTQ population, providing further inclusivity and comprehensive care for all members of our community.

ANALYSIS

The City's Office of Housing and Community Services' Homeless Outreach Services Division operates a walk-in center for persons experiencing homelessness located at 771 17 Street, Monday - Friday 7:30 a.m. - 3:30 p.m. The caseworkers staffing the walk-in center serve persons seeking family reunification, identification assistance, shelter services, and other referrals.

Additionally, the City's Mobile Outreach Team canvasses the entire City identifying individuals living in places not meant for human habitation to offer services. Collectively, the Division serves 30-35 persons daily, by not only offering the referral services previously mentioned, but also coordinating with partners in the Continuum of Care (CoC) to effectively address the specific needs of the person seeking guidance and support.

Existing Resources

The Miami-Dade County Homeless Trust provides funding to several community providers within the CoC to offer various resources to persons experiencing homelessness. For example, hot meals and showers are typically provided to unsheltered individuals at the following locations in

Miami-Dade County:

- **Camillus House Day Center**, 1603 NW 7th Avenue, Miami, FL 33136
Meals: Monday - Friday at 8:30 a.m., Tuesday and Thursday at 12:30 p.m.
Showers: Monday-Friday at 6:30 a.m.
- **Miami Rescue Mission**, (services available for homeless males) 2020 NW 1st Avenue, Miami, FL 33127
Meals: Monday - Friday from 4:00 p.m. to 6:00 p.m.
Showers: Monday, Wednesday, and Friday 2:00 p.m.- 5:00 p.m.
- **The Missionaries of Charity of Mother Teresa** (services are available for homeless women and children)
724 NW 17 street Miami, FL 33136
Meals: every day, except Thursday from 10 a.m. to 11:00 a.m.

Currently, there are no nighttime drop-in centers in South Florida. However, there are two (2) non-profits in Broward County offering shower services.

Showering Love is a faith-based provider offering showers, clean clothing, laundry services and hygiene services at various churches and municipal facilities at various locations from 8:30 a.m. to 1:30 p.m. throughout Broward County. Showering Love provides services to families, women, men and children experiencing homelessness, with a special focus on veterans. They operate two (2) ADA- compliant buses equipped with laundry facilities, medical examination rooms, and a barber station.

HOPE South Florida, a faith-based provider, operates a mobile shower unit in Fort Lauderdale, FL throughout the week 9:00 am. to 5:00 p.m. and Saturdays 9:00 a.m. to 12:00 p.m. The 29.5-foot-long air conditioned and heated trailer is equipped with six (6) private showers, six (6) bathrooms and six (6) changing rooms, offering Broward County's homeless a shower and personal hygiene essentials. The mobile shower unit rotates between shared meal sites. On average, it dispenses 1,200 showers a year.

Preliminary Study

The Administration has contemplated various possibilities for the establishment of a Drop-In Center based on the preliminary information outlined in the Committee referral, and further direction is needed to properly determine the logistics related to the implementation and its fiscal impact.

1. **Mobile Facility-** The City contracts with various vendors that could potentially rent a trailer equipped with showers and bathrooms. The mobile facility would require staffing, enhanced security staffing, daily maintenance (cleaning/disinfecting services), and weekly or bi-weekly pumpouts.
2. **Existing City-owned Facility-** The City can potentially identify an existing City-owned public facility to be converted to a nighttime Drop-In Center after regular operations (9:00 p.m.- 5:00 a.m.) This option would also require enhanced security staffing and/ or Miami Beach Police officers, daily maintenance, enhanced City staffing and support.

CONCLUSION:

The Administration is seeking a recommendation from the Committee/Commission for establishing a nighttime Drop-In Center in Miami Beach for homeless and other vulnerable populations.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Address homelessness.

ATTACHMENTS:**Description**

☐ C4E- Referral

Type

Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
 FROM: Commissioner Alex Fernandez
 DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE (PSNQLC) FOR THE ADMINISTRATION TO EXPLORE AND PROVIDE OPTIONS FOR ESTABLISHING A NIGHTTIME DROP-IN CENTER IN MIAMI BEACH.

ANALYSIS

While the City offers a comprehensive range of services and support for our homeless population, it is notable that many individuals often decline them. This can lead to homeless individuals seeking refuge in residential and commercial areas, such as corridors, alleyways, and storefronts in the evening. Such behavior not only affects the unhoused population but also poses significant challenges for our neighborhoods.

The presence of homeless individuals in these areas can create a range of issues, including safety concerns for both the homeless individuals themselves and local residents. It can also result in increased littering, loitering, and disturbances, impacting the overall cleanliness and ambiance of our communities. Furthermore, the congregation of homeless individuals in these areas may deter potential visitors and customers, potentially harming local businesses and impacting the economic vitality of the neighborhood.

In light of this ongoing challenge and considering the vulnerability of homeless individuals in these situations, I propose that we refer this item to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC) to discuss the potential implementation of establishing a nighttime drop-in center for homeless persons in Miami Beach.

I suggest that the administration explore any available space to provide amenities such as showers, bathrooms, and access to services. Establishing such a space, conveniently located within the city, could greatly benefit our community and offer critical support to those in need.

Furthermore, this space could provide support not only for the homeless but also for vulnerable populations like victims of abuse, those escaping human trafficking and the LGBTQ population, providing further inclusivity and comprehensive care for all members of our community.

By offering after-hours comprehensive amenities tailored to the specific needs of the unhoused, victims of abuse, the LGBTQ population, and other vulnerable groups, we can enhance access to essential services and programming while promoting greater community accountability. Presenting this proposal to the PSNQLC will provide an opportunity for thorough discussion and exploration of potential options, ultimately leading to informed decision-making and positive outcomes for our community.

SUPPORTING SURVEY DATA

According to the 2022 Miami Beach Community Survey, 24.6 percent of survey respondents cited efforts to address homelessness as one of the major categories of city services that are most important for the city to provide. Additionally, the Mayor and City Commission identified the need to address homelessness by continuously evolving and innovating services to help those wishing to end their personal homelessness as a key management objective in the City's 2019 Strategic Plan Through the Lens of Resilience.

FINANCIAL INFORMATION

The Fiscal Impact is to be determined by the Committee.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez

ATTACHMENTS:

Description

▯ [Memo](#)

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE OPTIONS FOR ESTABLISHING LIVE ASSISTANCE FOR HOMELESS OUTREACH SERVICES DURING AFTERHOURS**

HISTORY:

At the May 15, 2024, Commission meeting, at the request of Commissioner Alex Fernandez, the Mayor and City Commission referred item C4H to the Public Safety and Neighborhood Quality of Life Committee (PSNQLC), directing the Administration to explore and provide options for establishing live 24/7 telephone coverage for homeless outreach assistance during after-hours.

ANALYSIS

The City's Office of Housing and Community Services-Homeless Outreach Services Team currently provides support through a walk-in center and community outreach, operating Monday through Friday from 7:30 a.m. to 4:00 p.m. Additionally, the City funds an extended outreach team available Thursday through Sunday from 7:30 a.m. to 6:00 p.m. Outside these hours, our contracted provider, New Hope CORPS, offers specialized outreach services seven (7) days a week from 7:00 p.m. to 3:00 a.m.

Despite these efforts, there is an identified need to improve phone coverage for the homeless services main line (305-604-4663) during evening off-hours to ensure continuous support for individuals in need.

In 2022, the Administration implemented Commissioner Fernandez's MBCARES signage suggestion in highly concentrated areas to promote accessibility to homeless services. These signs include information on the main telephone line for homeless outreach, the walk-in center location, and the website. This initiative has been instrumental in raising awareness and connecting individuals experiencing homelessness with necessary services.

However, the Homeless Outreach Services Team currently only responds to calls during regular working hours. The extended outreach team handles calls on Thursday and Friday evenings, as well as weekends. Outside of regular and extended office hours, concerns are often reported to the police non-emergency number for assistance.

To ensure 24/7 support, the Administration is proposing to collaborate with the Information

Technology Department and the Fire Department Public Safety Communications Division to explore the potential of rerouting calls from the homeless services main line to the City's non-emergency number after hours. This would involve the following steps:

Coordinate with the Information Technology (IT) Department:

- Work with the IT department to assess the technological requirements and feasibility of rerouting calls after regular working hours.
- Identify any potential technical or operational challenges during the rerouting process.

Coordination with the Public Safety Communications Division:

- Engage with the Public Safety Communications Division to ensure they have the capacity and resources to handle the increased volume of calls.
- Develop a protocol for dispatchers to efficiently manage and respond to homelessness-related calls during after-hours.

Potential Training and Resources Needed:

- Provide additional training for dispatchers to effectively handle calls related to homelessness.
- Ensure the Police-Homeless Resource Unit Sergeant and New Hope CORPS are prepared to assist when contacted.

Monitoring and Evaluation:

- Implement a system to monitor and evaluate the effectiveness of the rerouted calls.
- Collect data to inform further decision-making and potential adjustments to the process.

CONCLUSION:

By rerouting after-hours calls to the police non-emergency number, we can ensure round-the-clock assistance for individuals experiencing homelessness, demonstrate our commitment to providing comprehensive support services, and gather data to further refine our approach.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Mobility - Address homelessness.

ATTACHMENTS:

Description

☐ Committee Referral

Type

Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: May 15, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE (PSNQLC) TO REQUEST FOR THE ADMINISTRATION TO EXPLORE AND PROVIDE OPTIONS FOR ESTABLISHING LIVE ASSISTANCE FOR HOMELESS OUTREACH SERVICES DURING AFTERHOURS.

RECOMMENDATION

The City's Office of Housing and Community Services-Homeless Outreach Services Team operates the walk-in center and community outreach Monday through Friday from 7:30 AM to 4:00 PM, ensuring consistent support during regular business hours. Additionally, the City funds an extended outreach team, available Thursday through Sunday from 7:30 AM to 6:00 PM. Outside these hours, the City's contracted provider, New Hope CORPS, delivers specialized outreach services seven days a week from 7:00 PM to 3:00 AM.

In 2022, the administration implemented my suggestion to create and install MBCARES signs in highly concentrated areas to enhance accessibility to homeless services. These signs, installed that same year, promote the city's homeless services, including the main line for homeless outreach, walk-in center location, and website. By raising awareness and improving accessibility, these signs play a crucial role in connecting individuals experiencing homelessness with the support services they need in our community.

Expanding on our ongoing efforts, there is an opportunity to improve phone coverage for the homeless services main line 305-604-4663 during evening off-hours. Currently, the Homeless Outreach Services Team responds to calls during regular working hours from 7:30 AM to 4:00 PM. Additionally, while conducting street outreach, the City's extended outreach team transfers calls to a city cellphone on Thursdays and Fridays from 4:00 PM to 6:00 PM and on weekends from 7:30 AM to 6:00 PM.

Additionally, outside of regular and extended office hours, concerns are often reported to the police non-emergency number for assistance. Upon receiving these calls, the police dispatch an officer who, depending on the situation, can subsequently reach out to the Police-Homeless Resource Sergeant or New Hope CORPS.

To ensure continuous support for those in need, I propose sending this item to the Public Safety and Neighborhood Quality of Life Committee to explore options for having telephone coverage 24/7. This would involve investigating various staffing and technological solutions to ensure round-the-clock assistance for individuals reporting homelessness or needing services.

Exploring this option guarantees the public's round-the-clock access to report homelessness, demonstrates our commitment to providing comprehensive support services, and allows us to inform our decision-making process with further data collection.

Given the importance of addressing the needs of homeless individuals in our community, I recommend referring this item to the Public Safety and Neighborhood Quality of Life Committee for further discussion and exploring options for ensuring live assistance on the homeless outreach services phone line 24/7.

SUPPORTING SURVEY DATA

According to the 2022 Miami Beach Community Survey, 24.6 percent of survey respondents cited efforts to address homelessness as one of the major categories of city services that are most important for the city to provide. Additionally, the Mayor and City Commission identified the need to address homelessness by continuously evolving and innovating services to help those wishing to end their personal homelessness as a key management objective in the City's 2019 Strategic Plan Through the Lens of Resilience.

SUPPORTING SURVEY DATA

According to the 2022 Miami Beach Community Survey, 24.6 percent of survey respondents cited efforts to address homelessness as one of the major categories of city services that are most important for the city to provide. Additionally, the Mayor and City Commission identified the need to address homelessness by continuously evolving and innovating services to help those wishing to end their personal homelessness as a key management objective in the City's 2019 Strategic Plan Through the Lens of Resilience.

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez

ATTACHMENTS:**Description**

📎 [Memo](#)

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: DISCUSSION REGARDING AN INSTALLATION OF A BUST OF GENERAL DON JOSE DE SAN MARTIN AT COLLINS PARK

HISTORY:

During the April 3, 2024 Commission meeting, at the request of Commissioner Kristen Rosen Gonzalez, the Mayor and City Commission referred a discussion (C4 S) to the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC"), to discuss the installation of a bust of General Don José de San Martín at Collins Park (Exhibit A).

ANALYSIS

At its January 19, 2024 meeting, the City's Hispanic Affairs Advisory Committee made a motion recommending the City install a bust of General Don José de San Martín at Collins Park to honor City residents representing the communities of Argentina, Chile, and Peru.

Whenever there is a proposal to establish a monument or memorial on public property in the City, Section 82-504 of the City Code requires the sponsor to place the proposal as a referral to an appropriate committee (in this case, the PSNQLC).

General Don José de San Martín is a revered figure in the history of Argentina, Chile, and Peru, recognized for his pivotal role in the independence movements of these nations, and his legacy continues to inspire generations. Collins Park serves as a central location within our City, and is already a host to monuments to important historical figures such as Benito Juárez and José Martí, providing an ideal setting for the installation of a bust that reflects the diversity and heritage of our community.

The installation of a bust of General Don José de San Martín at Collins Park would not only pay tribute to his significant contributions to the cause of freedom and independence, but also serve as a symbol of unity, diversity, and inclusivity within our City.

The Administration is supportive of placing a memorial bust in Collins Park. The cost to produce and install a plaque, bust and a supporting pedestal, is approximately \$30,000 - \$35,000.

CONCLUSION:

It is recommended that the PSNQLC discuss the possible installation of a bust of General Don José de San

Martín at Collins Park. If recommended, and approved by the Commission, an appropriation of a budget, not to exceed \$35,000 to purchase the plaque and bust would be required. It is recommended that if there is a favorable recommendation, that the project be prioritized through the Fiscal Year 2025 budget process.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

Type

<input type="checkbox"/> Exhibit A – Referral Memo from April 3, 2024 Commission Meeting - Item C4-S	Memo
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MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Kristen Rosen Gonzalez
DATE: April 3, 2024

SUBJECT: REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE - DISCUSSION REGARDING AN INSTALLATION OF A BUST OF GENERAL DON JOSE DE SAN MARTIN AT COLLINS PARK.

BACKGROUND/HISTORY

Please place on the April 3, 2024 agenda a referral to the Public Safety and Neighborhood Quality of Life Committee (the "Committee") to discuss an installation of a bust of General Don Jose de San Martin at Collins Park.

At its January 19, 2024 meeting, the City's Hispanic Affairs Advisory Committee made a motion recommending for the City to install a bust of General Don Jose de San Martin at Collins Park to honor City residents representing the communities of Argentina, Chile, and Peru.

Whenever there is a proposal to establish a monument or memorial on public property in the City, Section 82-504 of the City Code requires the sponsor to place the proposal as a referral to an appropriate committee (in this case, the PSNQLC).

General Don José de San Martín is a revered figure in the history of Argentina, Chile, and Peru, recognized for his pivotal role in the independence movements of these nations, and his legacy continues to inspire generations. Collins Park serves as a central location within our City and is already a host to monuments to important historical figures such as Benito Juárez and José Martí, providing an ideal setting for the installation of a bust that reflects the diversity and heritage of our community.

The installation of a bust of General Don José de San Martín at Collins Park would not only pay tribute to his significant contributions to the cause of freedom and independence but also serve as a symbol of unity, diversity, and inclusivity within our City.

SUPPORTING SURVEY DATA

NA

FINANCIAL INFORMATION

NA

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Prosperity - Market and promote Miami Beach as a world class arts, culture, and quality entertainment destination.

Legislative Tracking

Commissioner Kristen Rosen Gonzalez

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS IMPLEMENTING A PROGRAM SIMILAR TO MONROE COUNTY'S
FREE MOBILE PUMPOUT SERVICE FOR VESSELS.**

HISTORY:

ITEM WILL BE SUPPLEMENTAL.

Applicable Area

Not Applicable

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

No

**Does this item utilize G.O.
Bond Funds?**

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE POTENTIAL IMPLEMENTATION OF A TEXT MESSAGING
SYSTEM TO FACILITATE THE REPORTING OF CODE COMPLIANCE
COMPLAINTS**

ANALYSIS

ITEM WILL BE SUPPLEMENTAL

Applicable Area

Citywide

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

Yes

**Does this item utilize G.O.
Bond Funds?**

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS EXPANDING THE CRIME DASHBOARD, WITH PHASE 2 TO COMPRISE THE OVERLAPPING OF CRIME AND ARREST DATA, AND WITH PHASE 3 TO INCORPORATE AND MERGE CODE COMPLIANCE DATA THEREIN.**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes, No

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rafael Granado, city Clerk & Ricardo J. Dopico, City Attorney

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING THE CREATION OF ELECTED
NEIGHBORHOOD ADVISORY COUNCILS IN THE CITY OF MIAMI BEACH.**

Applicable Area

Citywide

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

No

**Does this item utilize G.O.
Bond Funds?**

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," TO CORRECT A SCRIVENER'S ERROR AND TO PROVIDE AN EXEMPTION ALLOWING GOLF COURSES TO CONDUCT MAINTENANCE STARTING AT 6:00 A.M.; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS RUSTY TRAFFIC LIGHTS IN SOUTH BEACH.**

Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?

No

Does this item utilize G.O.
Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING CO-NACONAMING OF 9TH STREET BETWEEN OCEAN DRIVE AND BAY ROAD IN HONOR OF FORMER CITY COMMISSIONER AND PRESERVATIONIST NANCY LIEBMAN.**

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes, No

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS POTENTIALLY MOVING THE PUBLIC SAFETY COMMUNICATIONS DIVISION (“PSCD”) FROM UNDER THE AUSPICE OF THE FIRE DEPARTMENT BACK TO THE POLICE DEPARTMENT.**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS OPTIONS TO ADDRESS INCREASED TRAFFIC CONGESTION
CREATED BY RIDESHARE DRIVERS PICKING UP AND DROPPING OFF
PASSENGERS ON THE PUBLIC RIGHTS-OF-WAY.**

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

Yes

**Does this item utilize G.O.
Bond Funds?**

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSSION REGARDING CO-NAMING 15TH STREET IN HONOR OF FORMER CITY MAYOR MATTI HERRERA BOWER.**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **EXPLORE THE POSSIBILITY OF CONSTRUCTING OF A PEDESTRIAN JOGGING PATH AROUND THE MIAMI BEACH GOLF CLUB AND PRESENT ITS FINDINGS AND ESTIMATED COST TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE AND THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE WITHIN 90 DAYS OF THE ADOPTION OF THIS RESOLUTION.**

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS THE REQUIREMENT FOR TREE REMOVAL AND NEW TREE PLANTINGS ON CITY PROPERTY, INCLUDING AN UPDATE ON RECENTLY COMPLETED AND ON-GOING CAPITAL PROJECTS THROUGHOUT THE CITY INVOLVING TREE REMOVALS, RELOCATION OR PLANTING**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes, No

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO NEGOTIATE APPROPRIATE TERMS AND CONDITIONS FOR THE POSSIBLE EXTENSION OF THE TERM OF THE MIAMI BEACH MARINA LEASE, TO INCLUDE OPTIONS FOR BOTH A SHORT-TERM (LESS THAN 10 YEARS) AND LONG-TERM (10 YEARS OR MORE) EXTENSION, AND TO PRESENT A DRAFT TERM SHEET THAT INCLUDES BOTH OPTIONS TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE (FERC) AND THE PUBLIC SAFETY NEIGHBORHOODS AND QUALITY OF LIFE COMMITTEE (PSNQLC) FOR REVIEW BY EACH COMMITTEE AS SOON AS REASONABLY PRACTICABLE.**

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Public Safety and Neighborhood Quality of Life Committee Members

FROM: Rickelle Williams, Interim City Manager

DATE: June 5, 2024

SUBJECT: **DISCUSS REGULATIONS PERTAINING TO ELECTRIC VEHICLES AND DEVICES, ALONG WITH THE CITY'S ENFORCEMENT EFFORTS AND ANY ADDITIONAL REGULATIONS THAT MAY BE NECESSARY TO AID IN ENSURING THE SAFE OPERATION OF ELECTRIC VEHICLES AND DEVICES FOR ALL**

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No