

MIAMI BEACH

Commission Meeting / Presentations & Awards

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

April 25, 2018 - 5:00 PM

Mayor Dan Gelber
Commissioner John Elizabeth Aleman
Commissioner Ricky Arriola
Commissioner Michael Gongora
Commissioner Kristen Rosen Gonzalez
Commissioner Mark Samuelian
Commissioner Micky Steinberg

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the Office of the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the Office of the City Clerk. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

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In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to an alternate meeting. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

AGENDA KEY

Consent Agenda:

C2 - Competitive Bid Reports
C4 - Commission Committee Assignments
C6 - Commission Committee Reports
C7 - Resolutions

Regular Agenda:

R2 - Competitive Bid Reports
R5 - Ordinances
R7 - Resolutions
R9 - New Businesses & Commission Requests
R10 - City Attorney Reports

PA - Presentations and Awards

AGENDA

1. CALL TO ORDER

CONSENT AGENDA

C4 - Commission Committee Assignments

- C4 A REFERRAL TO THE PLANNING BOARD - TESLA SUPER CHARGER STATIONS TEN (10) YEAR AGREEMENT.

Parking

- C4 B REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO DISCUSS A MID-YEAR CAPITAL BUDGET AMENDMENT TO FUND THE INSTALLATION OF A PERIMETER FENCE AT POLO PARK, ALONG 42ND STREET AND MERIDIAN AVENUE.

Parks and Recreation

Commissioner John Elizabeth Aleman

C7 - Resolutions

- C7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATE OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH FROM MARCH 8, 2018 TO APRIL 20, 2018, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT; AND (2) SETTING A PUBLIC HEARING ON JUNE 6, 2018, AT 2:30 P.M., FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED OR ANY OTHER INTERESTED PERSONS TO BE HEARD BY THE CITY COMMISSION AS TO THE PROPRIETY AND ADVISABILITY OF MAKING SUCH IMPROVEMENTS AND PROVIDING SUCH SERVICES (AND FUNDING THEM WITH SPECIAL ASSESSMENTS ON PROPERTY), AS TO THE COST THEREOF, AS TO THE MANNER OF PAYMENT THEREFOR, AND AS TO THE AMOUNT TO BE ASSESSED AGAINST EACH PROPERTY SO IMPROVED, FOLLOWING WHICH THE CITY COMMISSION SHALL MEET AS AN EQUALIZING BOARD TO HEAR AND CONSIDER ANY AND ALL COMPLAINTS AS TO THE SPECIAL ASSESSMENTS AND TO ADJUST AND EQUALIZE THE ASSESSMENTS ON A BASIS OF JUSTICE AND RIGHT.

Office of the City Attorney/Office of the City Clerk

Addendum added on 4/24/2018

REGULAR AGENDA

R5 - Ordinances

- R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," ARTICLE II, "PUBLIC PLACES," DIVISION II, "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, AND MOTORIZED MEANS OF TRANSPORTATION," TO CREATE DEFINITIONS FOR "ELECTRIC BICYCLE," "MOPED," "MOTORCYCLE," "MOTORIZED BICYCLE," AND "MOTORIZED SCOOTER"; ESTABLISH REGULATIONS FOR THE RENTAL OR LEASE OF ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS; AND PROHIBIT THE RENTAL OR LEASE OF A MOPED, MOTORCYCLE THAT IS POWERED BY A MOTOR WITH A DISPLACEMENT OF 50

CUBIC CENTIMETERS OR LESS, OR MOTORIZED BICYCLE, DURING SPECIFIED DATES EACH YEAR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

First Reading

April 11, 2018 - R5 U

Office of the City Attorney

Commissioner John Elizabeth Aleman

R7 - Resolutions

- R7 A A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2017-30119, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER/HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE CITY ATTORNEY. **JOINT CITY COMMISSION AND REDEVELOPMENT AGENCY**

Tourism, Culture and Economic Development

- R7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RECOGNIZING UNITED NATIONS ANTI-BULLYING DAY ON MAY 4TH; DIRECTING THE CITY ADMINISTRATION TO REVIEW AND, IF APPLICABLE, PROPOSE AMENDMENTS TO ANY EXISTING ANTI-BULLYING POLICIES (OR TO PROPOSE NEW ANTI-BULLYING POLICIES) FOR CITY SERVICES, CITY-SUPPORTED SERVICES, AND CITY FACILITIES; ESTABLISHING GUIDELINES FOR SUCH POLICIES; REQUIRING THAT SUCH POLICIES PROTECT INDIVIDUALS ON THE BASIS OF THE PROTECTED CLASSES SET FORTH IN THE CITY'S HUMAN RIGHTS ORDINANCE, AS MAY BE APPLICABLE; AND PROVIDING THAT THE CITY ADMINISTRATION SHALL PRESENT SUCH POLICIES TO THE AD HOC ANTI-BULLYING TASK FORCE PRIOR TO CITY COMMISSION APPROVAL.

Office of the City Attorney

Deferred from April 11, 2018 - R7 H

Commissioner John Elizabeth Aleman and Co-sponsored by Commissioner Gongora

R9 - New Business and Commission Requests

- R9 A UPDATE ON THE PLANNED ACTIVITIES FOR MEMORIAL DAY WEEKEND 2018.

Tourism, Culture and Economic Development

- R9 B DISCUSSION REGARDING THE NAMING OF MIAMI BEACH CONVENTION CENTER BALLROOMS TO DEVELOP CONSENSUS REGARDING PROPOSED NAMES, WITH ANY NAMES NOT PREVIOUSLY RECOMMENDED BY THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE ("NCAC") TO BE REFERRED TO NCAC FOR ITS RECOMMENDATIONS.

Tourism, Culture and Economic Development

Supplemental updated on 4/25/2018 (Revised Memorandum)

REDEVELOPMENT AGENCY (RDA)

1. A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY, AMENDING RDA RESOLUTION NO. 627-2017, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER/HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE RDA GENERAL COUNSEL. **JOINT CITY COMMISSION AND REDEVELOPMENT AGENCY**

Tourism, Culture and Economic Development

PRESENTATIONS AND AWARDS (COMMENCES AT APPROXIMATELY 5:00 P.M.)

- PA 1 CERTIFICATES OF RECOGNITION TO BE PRESENTED TO OFFICER GONZALEZ AND OFFICER CHARLES, FOR SAVING THE ELDERLY WOMEN TRAPPED FOR 6 DAYS.
Vice-Mayor Micky Steinberg
- PA 2 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO JACOB ROSENFELD, A MIAMI BEACH RESIDENT, FOR BEING SELECTED AS A SUNSHINE STATE SCHOLAR FOR 2018.
Vice-Mayor Micky Steinberg and Commissioner
John Elizabeth Aleman
- PA 3 PRESENTATION OF PROCEEDS FROM THE SECOND ANNUAL MIAMI BEACH YOUTH MUSIC FESTIVAL TO YOUNG MUSICIANS UNITE, FIENBERG-FISHER K-8, NAUTILUS MIDDLE SCHOOL, AND MIAMI BEACH SENIOR HIGH SCHOOL REPRESENTATIVES.
Commissioner John Elizabeth Aleman
- PA 4 SPECIAL RECOGNITION TO HELMUT MULLER ESTRADA FOR BEING A GOOD SAMARITAN.
Commissioner Michael Gongora
- PA 5 CERTIFICATES OF RECOGNITION TO BE PRESENTED TO THE MEMBERS OF THE NORTH BEACH ELEMENTARY SCHOOL PARENT PATROL INITIATIVE.
Commissioner John Elizabeth Aleman
- PA 6 CERTIFICATES OF RECOGNITION TO BE PRESENTED TO THE MIAMI BEACH POLICE OFFICERS WHO HEROICALLY ASSISTED A DANGEROUS RESIDENTIAL FIRE RESCUE.
Commissioner John Elizabeth Aleman
- PA 7 CERTIFICATE OF RECOGNITION TO BE PRESENTED TO THE NORTH BEACH ELEMENTARY ODYSSEY OF THE MIND TEAM FOR WINNING THE STATE COMPETITION.
Vice-Mayor Micky Steinberg
Co-sponsored by Commissioner Aleman
- PA 8 EARTH DAY PROCLAMATION TO BE PRESENTED TO THE CHAIR OF THE SUSTAINABILITY COMMITTEE FOR THE 11TH ANNIVERSARY ESTABLISHMENT.
Commissioner Michael Gongora

- PA 9 CERTIFICATES OF APPRECIATION TO BE PRESENTED TO THE MEMBERS OF THE SUSTAINABILITY COMMITTEE FOR THE 11TH ANNIVERSARY ESTABLISHMENT.
Commissioner Michael Gongora
- PA 10 CERTIFICATES OF COMPLETION TO BE PRESENTED TO CITY OF MIAMI BEACH NEIGHBORHOOD LEADERSHIP ACADEMY GRADUATES FOR SPRING 2018.
Marketing and Communications
- PA 11 PROCLAMATION TO BE PRESENTED TO CARLOS CORDEIRO FOR BEING ELECTED U.S. SOCCER PRESIDENT.
Commissioner Ricky Arriola
- PA 12 PROCLAMATION TO BE PRESENTED TO THE HEALTH INFORMATION PROJECT (HIP) FOR ITS WORK IN SUPPORTING OUR YOUTH.
Commissioner Ricky Arriola
- PA 13 CERTIFICATES OF RECOGNITION TO BE PRESENTED TO SERGEANT CAMACHO AND OFFICER LAURENT FOR SAVING A LIFE.
Commissioner Ricky Arriola

Notices

1. TIME CERTAIN

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: REFERRAL TO THE PLANNING BOARD - TESLA SUPER CHARGER STATIONS
TEN (10) YEAR AGREEMENT.

RECOMMENDATION

Approve the referral to the Planning Board.

ANALYSIS

On October 18, 2017, the Mayor and Commission approved Resolution No. 2017-30048, authorizing the Mayor and City Clerk to execute an agreement with Tesla Motors, Inc. to install, operate, and maintain Super Charger Stations at certain municipal parking facilities at the sole expense of Tesla for a term of ten (10) years.

The agreement is structured as a concession agreement with a ten (10) year term. Pursuant to City Charter Section 1.03(f), it must be approved by the Planning Board by a 4/7th vote and subsequent approval by the Mayor and Commission by a 6/7th vote.

This referral is on the April 25th agenda in order to timely meet the Planning Board's notice requirements for their meeting on June 26, 2018. If approved favorably by the Planning Board, an item would then be placed on the July 25, 2018, City Commission meeting. This timeline provides the greatest expediency to execute an agreement with Tesla and their installation of Super Charger stations at the Pennsylvania Avenue Garage in the Fall of this year.

CONCLUSION

The Administration recommends the Mayor and Commission approve the referral of this item to the Planning Board.

Legislative Tracking

Parking

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: REFERRAL TO THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO DISCUSS A MID-YEAR CAPITAL BUDGET AMENDMENT TO FUND THE INSTALLATION OF A PERIMETER FENCE AT POLO PARK, ALONG 42ND STREET AND MERIDIAN AVENUE.

RECOMMENDATION

Referral to the Finance and Citywide Projects Committee to discuss a mid-year capital budget amendment for the funding of the installation of a perimeter fence at polo park, along 42nd Street and Meridian Avenue.

ANALYSIS

Nautilus Middle School parents along with community members surrounding Polo Park have requested for a fence to be installed along the southern and eastern perimeters of the park (42nd Street and Meridian Avenue) in order to enhance safety within the school and park. This fence will assist in controlling access to and from the park during school hours.

Currently, there are no funds to execute this project and a mid-year capital budget amendment will be necessary.

Legislative Tracking

Parks and Recreation

Sponsor

Commissioner John Elizabeth Aleman

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, City Attorney
DATE: April 25, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATE OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH FROM MARCH 8, 2018 TO APRIL 20, 2018, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT; AND (2) SETTING A PUBLIC HEARING ON JUNE 6, 2018, AT 2:30 P.M., FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED OR ANY OTHER INTERESTED PERSONS TO BE HEARD BY THE CITY COMMISSION AS TO THE PROPRIETY AND ADVISABILITY OF MAKING SUCH IMPROVEMENTS AND PROVIDING SUCH SERVICES (AND FUNDING THEM WITH SPECIAL ASSESSMENTS ON PROPERTY), AS TO THE COST THEREOF, AS TO THE MANNER OF PAYMENT THEREFOR, AND AS TO THE AMOUNT TO BE ASSESSED AGAINST EACH PROPERTY SO IMPROVED, FOLLOWING WHICH THE CITY COMMISSION SHALL MEET AS AN EQUALIZING BOARD TO HEAR AND CONSIDER ANY AND ALL COMPLAINTS AS TO THE SPECIAL ASSESSMENTS AND TO ADJUST AND EQUALIZE THE ASSESSMENTS ON A BASIS OF JUSTICE AND RIGHT.

ANALYSIS

Attached for consideration by the City Commission is a Resolution adopting the Certificate of the Canvassing Board for the Special Mail Ballot Election held in the City of Miami Beach from March 8, 2018 to April 20, 2018, to determine whether a majority of the affected property owners approve the creation of a special assessment district to be known as the Washington Avenue Business Improvement District, and declaring the results thereof. The Certificate of Election Results is attached to the Resolution.

The Resolution also sets, pursuant to Chapter 170, Florida Statutes, a public hearing on June 6, 2018, at 2:30 p.m., for the owners of the property to be assessed or any other interested persons to be heard by the City Commission as to the propriety and advisability of making such improvements and providing such services (and funding them with special assessments on property), as to the cost thereof, as to the manner of payment therefor, and as to the amount to be assessed against each property so improved, following which the City Commission shall meet as an equalizing board to hear and consider any and all complaints as to the special assessments and to adjust and equalize the assessments on a basis of justice and right.

Legislative Tracking

Office of the City Attorney/Office of the City Clerk

ATTACHMENTS:**Description**

- ▣ Reso to Accept Election Results/Set PH, Washington Avenue BID

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (1) ADOPTING THE OFFICIAL ELECTION CERTIFICATE OF THE CANVASSING BOARD FOR THE SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH FROM MARCH 8, 2018 TO APRIL 20, 2018, TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT; AND (2) SETTING A PUBLIC HEARING ON JUNE 6, 2018, AT 2:30 P.M., FOR THE OWNERS OF THE PROPERTY TO BE ASSESSED OR ANY OTHER INTERESTED PERSONS TO BE HEARD BY THE CITY COMMISSION AS TO THE PROPRIETY AND ADVISABILITY OF MAKING SUCH IMPROVEMENTS AND PROVIDING SUCH SERVICES (AND FUNDING THEM WITH SPECIAL ASSESSMENTS ON PROPERTY), AS TO THE COST THEREOF, AS TO THE MANNER OF PAYMENT THEREFOR, AND AS TO THE AMOUNT TO BE ASSESSED AGAINST EACH PROPERTY SO IMPROVED, FOLLOWING WHICH THE CITY COMMISSION SHALL MEET AS AN EQUALIZING BOARD TO HEAR AND CONSIDER ANY AND ALL COMPLAINTS AS TO THE SPECIAL ASSESSMENTS AND TO ADJUST AND EQUALIZE THE ASSESSMENTS ON A BASIS OF JUSTICE AND RIGHT.

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution No. 2017-30065, which created, pursuant to Chapter 170, Florida Statutes, and subject to the approval of a majority of the affected property owners, a special assessment district to be known as the Washington Avenue Business Improvement District (the "District"), for a term of ten (10) years, to stabilize and improve the Washington Avenue retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services; and

WHEREAS, on January 17, 2018, the Mayor and City Commission adopted Resolution No. 2018-30150, which called for a special mail ballot election (the "Election") to be held from March 8, 2018 to April 20, 2018, to determine whether a majority of the affected property owners approve the creation of the District; and

WHEREAS, pursuant to Resolution No. 2018-30150, the Mayor and City Commission designated Rafael E. Granado, City Clerk; Raul J. Aguila, City Attorney; and Nick E. Kallergis, Senior Assistant City Attorney, to serve as the members of the Canvassing Board for the Election; and

WHEREAS, on April 20, 2018, at 6:30 p.m., the Canvassing Board tabulated and certified the results of the Election; and

WHEREAS, 67 ballots were cast in favor of the creation of the District, 12 ballots were cast in opposition to the creation of the District, 5 ballots were rejected as improperly cast, and 26 ballots were not returned; and

WHEREAS, the Official Election Certification of the Canvassing Board is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to Chapter 170, Florida Statutes, the City must fix a time and place at which the owners of the property to be assessed or any other interested persons may appear before the City Commission and be heard as to the propriety and advisability of making such improvements and providing such services (and funding them with special assessments on property), as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property so improved; and

WHEREAS, following the testimony, the Mayor and City Commission shall make a final decision on whether to levy the special assessments; and

WHEREAS, thereafter, pursuant to Chapter 170, Florida Statutes, the City Commission shall meet as an equalizing board to hear and consider any and all complaints as to the special assessments and shall adjust and equalize the assessments on a basis of justice and right.

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 (1) adopt the Official Election Certification of the Canvassing Board for the Special Mail Ballot Election held in the City of Miami Beach from March 8, 2018 to April 20, 2018, to determine whether a majority of the affected property owners approve the creation of a special assessment district to be known as the Washington Avenue Business Improvement District; and (2) set a public hearing on June 6, 2018, at 2:30 p.m., in the Commission Chambers, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida 33139, at which the owners of the property to be assessed or any other interested persons may be heard by the City Commission as to the propriety and advisability of making such improvements and providing such services (and funding them with special assessments on property), as to the cost thereof, as to the manner of payment therefor, and as to the amount to be assessed against each property so improved, following which the City Commission shall meet as an equalizing board to hear and consider any and all complaints as to the special assessments and to adjust and equalize the assessments on a basis of justice and right.

PASSED and ADOPTED this _____ day of _____, 2018.

ATTEST:

Rafael E. Granado
City Clerk

Dan Gelber
Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

22081
City Attorney

4/23/18
Date

NK

MIAMI BEACH

**SPECIAL MAIL BALLOT ELECTION HELD IN THE CITY OF MIAMI BEACH
FROM MARCH 8, 2018 TO APRIL 20, 2018,
TO DETERMINE WHETHER A MAJORITY OF THE AFFECTED PROPERTY OWNERS
APPROVE THE CREATION OF A SPECIAL ASSESSMENT DISTRICT
TO BE KNOWN AS THE WASHINGTON AVENUE BUSINESS IMPROVEMENT DISTRICT**

****OFFICIAL ELECTION CERTIFICATION OF THE CANVASSING BOARD****

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE**

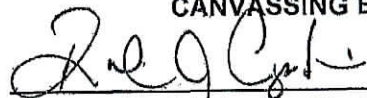
We, the undersigned, Raul J. Agulla, City Attorney, Nick Kallergis, Assistant City Attorney, and Rafael E. Granado, City Clerk, constituting the Canvassing Board for the Special Mail Ballot Election to approve the creation of the Washington Avenue Business Improvement District, do hereby certify that we met on the 20th day of April, 2018, and proceeded to publicly count the votes cast.

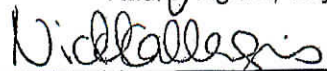
We do hereby certify the results as follows:


Shall a special assessment district known and designated as the Washington Avenue Business Improvement District (the "District") be created for a term of ten (10) years, with an estimated annual budget of \$511,331, to stabilize and improve the Washington Avenue retail business district, which is located within a nationally recognized historic district, through promotion, management, marketing, and other similar services, which district is to be funded by special assessments against benefited properties?

67 YES VOTES
12 NO VOTES
5 REJECTED BALLOTS
26 UNRETURNED BALLOTS

CANVASSING BOARD


Raul J. Agulla, City Attorney


Nick Kallergis, Assistant City Attorney


Rafael E. Granado, City Clerk

Date: April 20, 2018

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, City Attorney
DATE: April 25, 2018

First Reading

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," ARTICLE II, "PUBLIC PLACES," DIVISION II, "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, AND MOTORIZED MEANS OF TRANSPORTATION," TO CREATE DEFINITIONS FOR "ELECTRIC BICYCLE," "MOPED," "MOTORCYCLE," "MOTORIZED BICYCLE," AND "MOTORIZED SCOOTER"; ESTABLISH REGULATIONS FOR THE RENTAL OR LEASE OF ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS; AND PROHIBIT THE RENTAL OR LEASE OF A MOPED, MOTORCYCLE THAT IS POWERED BY A MOTOR WITH A DISPLACEMENT OF 50 CUBIC CENTIMETERS OR LESS, OR MOTORIZED BICYCLE, DURING SPECIFIED DATES EACH YEAR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ANALYSIS

Pursuant to the request of Commissioner John Elizabeth Aleman, the attached Ordinance is hereby submitted for consideration by the Mayor and City Commission.

The Ordinance amends Chapter 70 of the City Code, entitled "Miscellaneous Offenses," to create definitions for "electric bicycle," "moped," "motorcycle," "motorized bicycle," and "motorized scooter"; establish regulations for the rental or lease of electric bicycles, mopeds, motorcycles, motorized bicycles, and motorized scooters; and prohibit the rental or lease of a moped, motorcycle that is powered by a motor with a displacement of 50 cubic centimeters or less, or motorized bicycle, during certain specified dates each year.

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner John Elizabeth Aleman

ATTACHMENTS:

Description	
<input type="checkbox"/>	Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," ARTICLE II, "PUBLIC PLACES," DIVISION II, "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, AND MOTORIZED MEANS OF TRANSPORTATION," TO CREATE DEFINITIONS FOR "ELECTRIC BICYCLE," "MOPED," "MOTORCYCLE," "MOTORIZED BICYCLE," AND "MOTORIZED SCOOTER"; ESTABLISH REGULATIONS FOR THE RENTAL OR LEASE OF ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS; AND PROHIBIT THE RENTAL OR LEASE OF A MOPED, MOTORCYCLE THAT IS POWERED BY A MOTOR WITH A DISPLACEMENT OF 50 CUBIC CENTIMETERS OR LESS, OR MOTORIZED BICYCLE, DURING SPECIFIED DATES EACH YEAR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") is an internationally renowned tourist destination; and

WHEREAS, due to the City's domestic and international popularity as a resort destination, many events, both authorized by City permits and otherwise, occur on a regular and frequent basis; and

WHEREAS, in recent years, the City has seen an increasingly large number of visitors during the period when high schools, colleges, and universities across the country recess for Spring Break, which occurs primarily during the month of March, as well as during Memorial Day weekend; and

WHEREAS, the large influx of visitors during these periods places stresses on the City's infrastructure, including the City's beaches, parks, roadways, and sidewalks, and places increased demands on City police, fire, code compliance, and sanitation resources; and

WHEREAS, these additional stresses include, without limitation, the large number of visitors who rent electric bicycles, mopeds, motorcycles powered by motors with a displacement of 50 cubic centimeters or less, motorized bicycles, and motorized scooters, in order to move around the City; and

WHEREAS, due to their small size, electric bicycles, mopeds, motorcycles powered by motors with a displacement of 50 cubic centimeters or less, motorized bicycles, and motorized scooters may be used to weave in and out of traffic, and on and off of sidewalks and bicycle paths, endangering pedestrians, cyclists, and operators of other motor vehicles; and

WHEREAS, City Police Department records demonstrate that the increased presence of these vehicles during the Spring Break period results in a large number of traffic citations; and

WHEREAS, in March 2018, at least 140 traffic citations were issued to operators of mopeds and/or motorcycles in the area south of Dade Boulevard; and

WHEREAS, in light of the dangers posed by increased numbers of electric bicycles, mopeds, motorcycles (many of which are powered by motors with a displacement of 50 cubic centimeters or less), motorized bicycles, and motorized scooters in the City during the Spring Break period and Memorial Day weekend, the Mayor and City Commission desire to adopt the amendments set forth herein, to promote the public safety of the City's residents, visitors, and businesses.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Division 2 of Article II of Chapter 70 of the Code of the City of Miami Beach is hereby amended as follows:

**CHAPTER 70
MISCELLANEOUS OFFENSES**

* * *

ARTICLE II. PUBLIC PLACES

* * *

**DIVISION 2. - BICYCLING, SKATEBOARDING, ROLLER SKATING,
IN-LINE SKATING, AND MOTORIZED MEANS OF TRANSPORTATION,
ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND
MOTORIZED SCOOTERS**

* * *

Sec. 70-66. - Definitions.

The following definitions are applicable to this division:

Bicycle means every vehicle propelled solely by human power, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device. The term does not include non-motorized vehicles for hire as defined in section 106-463 of the city Code.

Bicycle path means any road, path or way that is open to bicycle travel which road, path, or way is physically separated from motorized vehicular traffic by an open space or by a barrier and is located either within the highway right-of-way or within an independent right-of-way, and as defined and authorized by state law and the city Code, and includes the city's coastal pathways, beachwalk, baywalk, and cutwalk that are within the Atlantic Greenway Network as set forth in appendix A.

Code compliance officer means a code inspector as defined in section 30-3 of the City Code and, for purposes of this division shall include without limitation police officers.

Electric bicycle means a bicycle propelled by an electric motor, having two tandem wheels, and including any device generally recognized as a electric bicycle though equipped with two front or two rear wheels.

Electric personal assistive mobility device means any self-balancing, two non-tandem wheeled device, designed to transport only one person, with an electric propulsion system, and includes the definition set forth in F.S. § 316.003(83), as may be amended.

Grinding means the process by which a skater or skateboarder attaches to a curb or rail and slides along the edge of the curb or rail.

High impact periods means those periods of time as annually designated by the city manager during which one or more of the following occur:

- (1) There is a designated major event period;
- (2) A maintenance of traffic plan is required (e.g., including, but not limited to, street closures, lane closures, shuttle service);
- (3) Hotel occupancy levels are anticipated to be greater than 75 percent;
- (4) Mutual aid or other assistance from outside agencies is required to provide for the safety and well-being of residents and visitors to the destinations; or
- (5) An event on public property is anticipated to result in more than 25,000 visitors to the destination.

Launching means using any angled or elevated surface which the skater, skateboarder, or cyclist can jump from in order to get airborne.

Moped means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

Motorcycle means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground (including those vehicles commonly known as motor scooters), but excluding a tractor or a moped.

Motorized means of transportation means any devices or means of transportation which are propelled other than solely by human power and includes, but is not limited to, electric personal assistive mobility devices, motorized skateboards, motorized skates, and any other motorized device not defined as a vehicle in F.S. § 316.003, as may be amended; but shall not include motorized devices and wheelchairs when used by disabled persons.

Motorized bicycle means a bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground, having two tandem wheels, and including any device generally recognized as a motorized bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device.

Motorized scooter means any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

Rail sliding means an activity similar to curb or edge grinding. Handrails are often used for rail sliding, in which the skater jumps to the top of the rail and slides down the decline.

Stalling means the process by which a skater or skateboarder attaches to a curb or edge in the space between the second and third wheel of the in-line skate or any part of the skateboard.

* * *

Sec. 70-68. – Exemptions.

Police department and code compliance department bicycle, in-line skate, and electric personal assistive mobility device, electric bicycle, moped, motorcycle, motorized bicycle, and motorized scooter patrol units, vehicles, and motorized means of transportation; city service and transit vehicles; city-contracted security and maintenance service vehicles, service vehicles authorized by the city for use by city lessees, concessionaires, or other city contractors operating pursuant to any agreement with the city; and a person dismounted from and walking a bicycle shall be exempt from the restrictions of this division.

* * *

Sec. 70-70.1 - Responsibilities of persons and business entities providing rentals or leases of mopeds, motorcycles, and motorized bicycles.

- (a) It shall be unlawful for any person or business entity to rent, lease, offer for rent or lease, or permit to be rented or leased, with or without compensation, a moped, motorcycle that is powered by a motor with a displacement of 50 cubic centimeters or less, or a motorized bicycle, from March 1st at 12:00 a.m. through March 31st at 11:59 p.m. of each year, and from Thursday at 12:00 a.m. through Monday at 11:59 p.m. of the weekend ending on the last Monday in May of each year.
- (b) Any person or business entity that engages in the rental or lease of mopeds, motorcycles that are powered by a motor with a displacement of 50 cubic centimeters or less, or motorized bicycles, must securely affix the name of the person or business entity that rents or leases such mopeds, motorcycles, or motorized bicycles, as well as a unique device ID number, all of which shall be in lettering and numbers at least four inches in height, on the front and back of each moped, motorcycle powered by a motor with a displacement of 50 cubic centimeters or less, and motorized bicycle that is leased or rented.

Sec. 70-70.2 - Responsibilities of persons and business entities providing rentals or leases of electric bicycles and motorized scooters.

- (a) It shall be unlawful for any person or business entity to rent, lease, offer for rent or lease, or permit to be rented or leased, with or without compensation, an electric bicycle or motorized scooter, unless such electric bicycle or motorized scooter is intended to be used exclusively on private property.
- (b) Any person or business entity that engages in the rental or lease of electric bicycles or motorized scooters must prominently display at the place of business a notice that such

electric bicycles and motorized scooters are not legal to operate on public roads and may not be operated on sidewalks. This required notice must also appear in all forms of advertising offering electric bicycles or motorized scooters for rent or lease. The notice must also be provided to each consumer prior to the consumer renting or leasing an electric bicycle or motorized scooter.

- (c) Any person or business entity that engages in the rental or lease of electric bicycles or motorized scooters must securely affix the name of the person or business entity that rents or leases such electric bicycles or motorized scooters, as well as a unique device ID number, all of which shall be in lettering and numbers at least four inches in height, on the front and back of each electric bicycle and motorized scooter that is leased or rented.

Sec. 70-71. - Enforcement, penalties.

- (a) A violation of the provisions in subsections 70-67 and 70-69(a) and (c) by persons operating electric personal assistive mobility devices or engaged in bicycling, skateboarding, in-line skating, roller skating, or operating any motorized means of transportation, shall be enforced by a police officer and shall be deemed a noncriminal infraction as defined in F.S. § 318.13(3) and shall be subject to the penalties set forth in F.S. § 316.655, as may be amended.
- (b) A violation of the provisions in subsections 70-69(b), and (d), or (e); and 70-70; 70-70.1; or 70-70.2 shall be enforced by a code compliance officer (which, as defined in section 70-66, includes a police officer) in accordance with the following procedures and penalties:
- (1) If a code compliance officer finds a violation, the compliance officer shall issue a notice of violation to the violator as provided in chapter 30. The notice shall inform the violator of the nature of the violation, amount of fine for which the violator may be liable, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within ten days after service of the notice of violation, and that failure to do so shall constitute an admission of the violation and waiver of the right to a hearing.
- (2) A violator who has been served with a notice of violation shall elect either to:
- a. Pay the civil-fine as follows for violations of sections 70-69(b), and (d), and (e):
- (i) First offense \$100.00;
 - (ii) Second offense \$250.00;
 - (iii) Third offense \$500.00;
 - (iv) Fourth and subsequent offenses \$1,000.00;
- b. Pay the civil fine as follows for violations of subsections 70-70(a) and (c)—(n); 70-70.1; and 70-70.2:
- (i) First offense \$250.00;
 - (ii) Second offense \$500.00;
 - (iii) Third offense \$1,000.00;
 - (iv) Fourth and subsequent offenses \$2,000.00;

- c. Pay the civil fine as follow for violations of subsection 70-70(b):
 - (i) First offense \$1,000.00;
 - (ii) Second offense \$2,500.00;
 - (iii) Third and subsequent offenses \$5,000.00;
 or
 - d. Request an administrative hearing within ten days before a special master appointed as provided in article II of chapter 30 to appeal the decision of the code compliance officer which resulted in the issuance of the notice of violation. If the offense is a violation of subsection 70-70(b), the operation of the business must cease until the required insurance is obtained.
- (3) If the offense is a fourth or subsequent offense of subsection 70-69(b), and (d), or (e); or subsections 70-70(a) or (c)—(n); section 70-70.1; or section 70-70.2, it shall also be considered an habitual offender offense and, in addition to the penalty set forth in subsections 70-71(b)(2)a(iv) and 70-71(b)(2)b(iv), the city manager may issue an administrative complaint for the suspension or revocation of a business tax receipt and certificate of use as provided in sections 102-383 through 102-385.
 - (4) If the named violator, after notice, fails to pay the civil fine or fails to timely request an administrative hearing before a special master, the special master shall be informed of such failure by report from the code compliance officer. Failure of the named violator to appeal the decisions of the code compliance officer within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing before the special master. A waiver of the right or an administrative hearing shall be treated as an admission of the violation and penalties may be assessed accordingly. The special master shall be prohibited from hearing the merits of the notice of violation or consideration of the timeliness of the request for an administrative hearing if the violator has failed to request an administrative hearing within ten days of the issuance of the notice of violation.
 - (5) Any party aggrieved by the decision of the special master may appeal the decision in accordance with law.
 - (6) The city may institute proceedings in a court of competent jurisdiction to compel payment of civil fines.
 - (7) A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the city may foreclose or otherwise execute upon the lien.
 - (8) The procedures for appeal of the notice of violation by administrative hearing shall be as set forth in sections 30-72 and 30-73.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2018.

PASSED and ADOPTED this ____ day of _____, 2018.

ATTEST:

Dan Gelber
Mayor

Rafael E. Granado
City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Commissioner John Elizabeth Alemán)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

2018
City Attorney

4-26-18
Date

NK

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2017-30119, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER/HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE CITY ATTORNEY. **JOINT CITY COMMISSION AND REDEVELOPMENT AGENCY**

RECOMMENDATION

The Administration recommends adoption of the proposed Fourth Amendment which incorporates the following provisions:

- The allocation of \$6,914,221 of the excess Trust Fund revenues to the Convention Center Project to fund additional costs in connection with expenses resulting from Hurricane Irma, among other unforeseen circumstances.
- The Fourth Amendment is projected to generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY 2022/23, for a total of approximately \$42 million over the next six years (approximately \$33 million net of beach renourishment).

The distribution of certain excess Trust Fund revenues (based on each entity's proportionate share of the total payments expended for Administration, Community Policing) be distributed to the County and the City beginning FY2017-18, and continuing until FY2022-23, with the County and the City each setting aside \$1.5 million per year from the foregoing distribution of excess Trust Fund revenues to fund beach renourishment efforts, which can be used to leverage State or Federal funding for beach renourishment projects. It is estimated that this would generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY

2022/23.

Under the proposed amendment, the City funding for beach renourishment will be limited to projects in Miami Beach, while the County share may be used within Miami Beach and adjacent jurisdictions.

- The distribution, from excess Trust Fund revenues, an amount up to \$20,000,000, to fund the Lincoln Road Project previously authorized as part of the Third Amendment, for a total project amount of up to \$40,000,000 for the Lincoln Road Project.

Further, the Administration recommends that the amount of additional funding to be allocated from the Fourth Amendment for the Lincoln Road Project be determined through the annual budget process.

Background

On January 26, 1993, Miami-Dade County (the "County") adopted Resolution No. R-14-93, which, among other things, (i) found the area of Miami Beach (the "City") bounded on the east by the Atlantic Ocean, on the north by 24th Street, on the west by West Avenue, and on the south by 14th Lane (the "City Center Redevelopment Area" or "Redevelopment Area") to be a "blighted area" within the meaning of Part III of Chapter 163, Florida Statutes, and (ii) delegated to the City of Miami Beach, pursuant to Section 163.410, Florida Statutes, certain powers conferred upon the County Commission as the governing body of Dade County by Part III of Chapter 163, Florida Statutes, with regard to the Redevelopment Area, so that the City Commission, either directly or through its duly designated community redevelopment agency, could exercise such powers. On February 3, 1993, the City adopted Resolution No. 93-20709, which established a community redevelopment agency (the "Miami Beach Redevelopment Agency" or the "Agency"), and declared the members of the City Commission as the members of the Agency. Subsequently, on February 12, 1993, the City adopted Resolution No. 93-20721, which adopted the Agency's City Center/Historic Convention Village Redevelopment and Revitalization Area Plan (the "Plan") for the redevelopment and revitalization of the Redevelopment Area.

The County and the City then approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First, Second and Third Amendments defined below, the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan.

The 332-acre City Center/Historic Convention Village Redevelopment and Revitalization Area ("City Center RDA" or "RDA"), established in 1993, provided the funding mechanism to foster the development of a new convention hotel development (ultimately the Loews hotel) within proximity of the Miami Beach Convention Center and established the necessary link between the City's many core area civic, cultural and entertainment uses in order to create the fabric of a true urban downtown.

The Board of Miami-Dade County Commissioners ("the Board"), through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives.

The Board, through Resolution No. R-958-04, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half

percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items. After debt service and all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area.

The Board, through Resolution No. R-512-14, and the City Commission, through Resolution No. 2014-28835, also approved an amendment to the Redevelopment Plan and Interlocal Agreement ("Third Amendment") to provide a share of funding for the Miami Beach Convention Center ("Convention Center") Renovation and Expansion Project:

- i. amended the Plan to include the Convention Center Renovation and Expansion Project;
- ii. amended the Interlocal Agreement to, among other things, extend the life of the Redevelopment Area to March 31, 2044;
- iii. authorized the issuance of tax increment revenue bonds in one or more series by the RDA in an amount not to exceed \$430,000,000 for purposes of refunding current outstanding debt, funding eligible community redevelopment project costs, including the Convention Center Renovation and Expansion Project, and any reserves and costs of issuance;
- iv. provided for an ongoing adequate operating and maintenance subsidy for the Miami Beach Convention Center, in addition to the existing \$4.5 million per year and annual year-end revenue sharing that the City currently receives from Convention Development Taxes through 2048;
- v. provided for ongoing funding of City operations in the RDA;
- vi. established that from FY 2014-15 through FY 2021-22, any funding not used for debt service and operating expenses will go into a fund to be used for shortfalls and eventually prepayment of debt;
- vii. established that from FY 2022-23 until FY 2043-44, the County will receive a refund of City Center Agency operating expenses based on its proportion of revenues contributed to the Trust Fund; and
- viii. any remaining funding will be used to extinguish debt early.

With respect to the prepayment of debt, although the County extended the life of the RDA to March 31, 2044, the City and the County anticipated that the RDA Bonds would be repaid well before March 31, 2044. In January, 2015, when the City entered into the Interlocal Agreement, the City estimated that the RDA bonds would be paid off by Fiscal Year (FY) 2036/37 (based on growth rates between 3.5% and 5%). Assuming a similar rate of growth, the City currently estimates that the RDA Bonds may be paid off as early as FY 2026/27, as actual growth rates since we entered into the Interlocal Agreement have averaged approximately 10%.

To this end, the year-end audited fund balance for excess RDA trust fund revenues in FY 2015/16 was \$19.5 million. Pending our year-end close-out for FY 2016/17, the City estimates that the balance of excess RDA trust fund revenues will be approximately \$34 million.

During the December 13, 2017 City Commission meeting, the Administration presented the Fourth Amendment to the Interlocal Agreement (the Fourth Amendment). The Fourth Amendment was proposed as a way to further address and fund the impacts from Hurricane Irma and the August rain bomb on the Convention Center. The items within the proposed amendment are as follows:

1. Of the approximately \$34 million in revenues remaining on deposit in the Trust Fund as of the Agency's year-end for FY2016/17, the Agency shall disburse \$6,914,221.00 to the City, for

the limited purpose of funding a portion of the additional construction, delay and repair costs for the Convention Center Project arising from Hurricane Irma and the rain bomb in August.

2. After disbursement of \$6,914,221.00 to the City, for the Convention Center Project, the Agency shall disburse to each taxing authority, by March 31, 2018, the total of 50% of the revenues remaining on deposit in the Trust Fund, in the proportionate manner as it was deposited. It is estimated that this would generate \$7.6 million to the City in FY 2017/18.

3. In addition, beginning FY2017/18, the Agency shall annually disburse to each taxing authority, by March 31 of each year, the total of 75% of the current fiscal year's projected excess revenues to be deposited in the Trust Fund, if any, in the proportionate manner as it was deposited. It is estimated that this would generate \$5.9 million to the City in FY 2017/18, which would grow each year proportionate to property tax values in the RDA.

As part of the discussion on the item, a request was made by representatives of the Lincoln Road Business Improvement District that the amendment also include an allocation of \$13 million from the available balance for the Lincoln Road capital improvements project. The Mayor and City Commission approved Resolution No. 2017-30119 adopting the proposed amendment as outlined above without the additional \$13 million for the Lincoln Road capital improvements project. However, the City Commission directed the City to explore with Miami-Dade County the possibility of including an allocation of \$13 million in funding for the Lincoln Road capital improvements project.

ANALYSIS

Upon initial discussions with Miami-Dade County, as directed by the City Commission at the December 2017 Commission meeting, the County reconsidered the previously negotiated proposed Fourth Amendment and expressed the following concerns:

- The County no longer desired to significantly extend the projected early debt payoff date and the associated early date of expiration for the RDA district.
- When the Third Amendment was originally adopted in December 2014, the projected date for expiration was Fiscal Year 2037/38, based on a projected increase in assessed property values between 3.5 and 5 percent. Under similar projected growth rates, not including the proposed Fourth Amendment, in the project debt payoff date is projected to be Fiscal Year 2026/27. The original proposed Fourth Amendment would have a projected date of expiration for Fiscal Year 2038/39. The County seeks to remain within the current schedule of completion, 2025/26. At the time of expiration, the County Tax Increment revenues will be returned to the County's General Fund, and the City Tax Increment Revenues will return to the City's General Fund.
- The County needs funding for beach re-nourishment to provide a matching source for potential State and Federal Funds.

The revised proposed Fourth Amendment will:

- Provide the \$6,914,221.00 million in funding for the Convention Center project to address the impacts from Hurricane Irma and the August rain bomb. These events impacted the facility and created delays which severely challenged the City's ability to deliver the facility at the level required by Art Basel Miami Beach and have created costs impacts. Some of these costs ultimately may be covered by Builder's Risk insurance, through the

City Manager at Risk contract, or through reimbursement from the Federal Emergency Management Agency ("FEMA"). However, there are costs related to the delays caused by Hurricane Irma that are unlikely to be reimbursed.

Due to these delays, Hurricane Irma had a direct impact of at least three (3) weeks on the Convention Center construction including one (1) week of storm preparation and demobilization, one (1) week of storm clean-up, loss of power and additional delays due to a widely displaced workforce returning to work two to three weeks after the storm. Also significant was the impact of Hurricane Irma on the work being performed by Florida Power & Light ("FPL") on the electrical upgrades needed for the renovated Convention Center.

- Provide a portion of year-end excess funding to be distributed pro-rata to the County and the City from FY 2017/18 through FY 2022/23.
- Provides for the City and County to each contribute, from the pro rata distribution of excess Trust Fund revenues, \$1.5 million a year of year to the County for beach renourishment between FY 2017/18 and 2022/23.

Under the proposed amendment, the City funding for beach renourishment will be limited to projects in Miami Beach, while the County share may be used within Miami Beach and adjacent jurisdictions.

- Provides discretion to the City to fund, from excess Trust Fund revenues, up to an additional \$20 million for the Lincoln Road capital project. Any such amounts would serve to supplement the \$20 million previously appropriated for the Lincoln Road Project from excess RDA tax increment revenues, in addition to approximately \$6,865,154 appropriated in FY 2017/18 from non Tax Increment RDA funds, for a total of approximately \$26.9 million appropriated to date, and a potential for up to \$46.9 million in total funding, for the Lincoln Road Project.

The Fourth Amendment is projected to generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY 2022/23, for a total of approximately \$42 million over the next six years (approximately \$33 million net of beach renourishment).

Under the proposed amendment, if the City elects to provide no additional funding for the Lincoln Road capital improvements project, and similar growth rates to prior projections for assessed property values in the RDA are used, the projected pay off year for debt and expiration of the RDA would be FY 2028/29.

If the City elects to provide the full \$20 million in additional funding for Lincoln Road capital improvements project, and similar growth rates to prior projections for assessed property values in the RDA are used, the projected pay off year for debt and expiration of the RDA would be FY 2029/30. The County estimates that, if the Lincoln Road improvements are funded, growth rates could increase to between 6 and 10 percent in the early years, and the resulting debt payoff year and expiration of the district would be FY 2026/27.

CONCLUSION

The Administration recommends adoption of the proposed Fourth Amendment. Further, it is recommended that determination of the amount of additional funding for the Lincoln Road project be through the annual budget process.

Legislative Tracking

Tourism, Culture and Economic Development

ATTACHMENTS:

Description

- ▣ Form Approved Reso
- ▣ RDA Fourth Amendment to Interlocal

RESOLUTION NO. 2018-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2017-30119, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER /HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE CITY ATTORNEY.

WHEREAS, on March 30, 1993, the Miami-Dade County Board of County Commissioners (the "County Commission") adopted Resolution No. R-317-93, approving, among other things, the City Center/Historic Convention Village Redevelopment and Revitalization Plan (the "Plan"), and delegating certain powers conferred on the County Commission by Part III, Chapter 163, Florida Statutes (the "Act"), to implement the Plan to the Mayor and City Commission of the City of Miami Beach (the "City Commission"), all for the project area commonly called "City Center/Historic Convention Village Redevelopment and Revitalization Area" (such Area previously referred to in the Interlocal Agreement described below, as the "Project" and herein referred to as the "Redevelopment Area"); and

WHEREAS, the County Commission also enacted Ordinance No. 93-28 on April 27, 1993, which among other things, established a trust fund ("Fund" or "Trust Fund") to fund improvements in the Redevelopment Area; and

WHEREAS, the County and the City also approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First Amendment (defined below), by the Second Amendment (defined below), and by the Third Amendment (defined below) (the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan; and

WHEREAS, the County and the City adopted Resolution No. R-889-03 and Resolution No. 2003-2537, respectively, approving an amendment to the Plan to incorporate the development and implementation of community policing initiatives; and

WHEREAS, the County Commission, through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives; and

WHEREAS, the County Commission, through Resolution No. R-958-05, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items, after debt service and all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area; and

WHEREAS, the County Commission, through Resolution No. R-1110-14, and the City Commission, through Resolution No. 2014-28835, also approved a third amendment to the Interlocal Agreement ("Third Amendment"), which, among other terms, extended the life of the Agency to March 31, 2044, authorized the issuance of tax increment revenue bonds ("RDA Bonds") to support the Convention Center Renovation and Expansion Project (the "Convention Center Project"), and further provided for related payment terms, with the intent that all available excess Trust Fund revenues remaining on deposit in the Trust Fund be used for the prepayment or redemption of debt prior to maturity of the RDA Bonds, with such prepayment or redemption of debt commencing in FY 2023-2024; and

WHEREAS, after distribution of Tax Increment Revenues in the order, priority, and amounts required by this Interlocal Agreement, the available revenues remaining on deposit in the Trust Fund, as of the Agency's year-end for FY2016/17, are estimated to be at approximately \$34,000,000; and

WHEREAS, the City has incurred certain additional costs in connection with the Convention Center Project, including expenses resulting from Hurricane Irma, among other unforeseen circumstances, and has requested that \$6,914,221 of the excess Trust Fund revenues be allocated to the Convention Center Project; and

WHEREAS, as the excess Trust Fund revenues are in excess of what the City and County previously anticipated, the County and the City have proposed that certain excess Trust Fund revenues (based on each entity's proportionate share of the total payments expended for Administration, Community Policing) be distributed to the County and the City beginning FY2017-18, and continuing until FY2022-23, with the County and the City each setting aside \$1.5 million per year from the foregoing distribution of excess Trust Fund revenues to fund beach renourishment efforts, which can be used to leverage State or Federal funding for beach renourishment projects; and

WHEREAS, the County and the City have also proposed for the Agency to distribute, from excess Trust Fund revenues, an amount up to \$20,000,000, to fund the Lincoln Road Project previously authorized as part of the Third Amendment, for a total project amount of up to \$40,000,000 for the Lincoln Road Project; and

WHEREAS, after the foregoing distributions, any remaining excess Trust Fund revenues to be used for the early prepayment of debt, as originally contemplated in the Third Amendment to the Interlocal Agreement; and

WHEREAS, on December 13, 2017, the Mayor and City Commission adopted Resolution No. 2017-30119, approving, in substantial form, a proposed Fourth Amendment to the Interlocal Agreement ("Fourth Amendment"); and

WHEREAS, the revised Fourth Amendment is attached as an exhibit to the Commission Memorandum accompanying this Resolution; and

WHEREAS, upon approval by the Agency and the City, respectively, the Fourth Amendment to the Interlocal Agreement will be transmitted to the County, for consideration and approval by the Board of County Commissioners.

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 amend Resolution No. 2017-20119, and approve and authorize the Mayor and City Clerk to execute, in substantial form, a Fourth Amendment, by and among the City, Miami-Dade County (County) And the Miami Beach Redevelopment Agency (RDA), to the November 16, 1993 Interlocal Cooperation Agreement, as amended (the "Interlocal Agreement"), related to the City Center /Historic Convention Center Village Redevelopment and Revitalization Area (City Center RDA); with said Fourth Amendment attached as Exhibit "A" to the Commission Memorandum accompanying this Resolution; and further authorize the Mayor and City Clerk to execute the final Fourth Amendment, in a form approved by the City Attorney.

PASSED and ADOPTED this ____ day of April, 2018.

DAN GELBER
MAYOR

ATTEST:

RAFAEL E. GRANADO
CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *RAP* 4-18-18
Date

**FOURTH AMENDMENT TO
THE INTERLOCAL COOPERATION AGREEMENT**

This Fourth Amendment to the Interlocal Agreement ("Fourth Amendment"), made this _____ day of _____, 2018 ("Effective Date"), by and among Miami-Dade County, a political subdivision of the State of Florida (hereinafter referred to as the "County"), the City of Miami Beach, a municipal corporation under the laws of the State of Florida (hereinafter referred to as the "City"), and the Miami Beach Redevelopment Agency, a public agency and body corporate created pursuant to Section 163.356, Florida Statutes (hereinafter referred to as the "Agency").

WHEREAS, the Miami-Dade County Board of County Commissioners (the "Board") adopted Resolution No. R-317-93 on March 30, 1993, approving, among other things, the City Center/Historic Convention Village Redevelopment and Revitalization Plan (the "Plan") and delegated certain powers conferred on the Board by Part III, Chapter 163, Florida Statutes (the "Act"), to implement the Plan to the Mayor and City Commission of the City of Miami Beach (the "City Commission"), all for the project area commonly called "City Center/Historic Convention Village Redevelopment and Revitalization Area" (such Area previously referred to in the Interlocal Agreement described below, as the "Project" and herein referred to as the "Redevelopment Area"); and

WHEREAS, the Board also enacted Ordinance No. 93-28 on April 27, 1993, which among other things, established a trust fund ("Fund" or "Trust Fund") to fund improvements in the Redevelopment Area; and

WHEREAS, the County and the City also approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First Amendment

(defined below), by the Second Amendment (defined below), and by the Third Amendment (defined below) (the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan; and

WHEREAS, the County and the City adopted Resolution No. R-889-03 and Resolution No. 2003-2537, respectively, approving an amendment to the Plan to incorporate the development and implementation of community policing initiatives; and

WHEREAS, the Board, through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives; and

WHEREAS, the Board, through Resolution No. R-958-05, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items, after debt service and all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area; and

WHEREAS, the Board, through Resolution No. R-1110-14, and the City Commission, through Resolution No. 2014-28835, also approved a third amendment to the Interlocal

Agreement (“Third Amendment”), which, among other terms, extended the life of the Agency to March 31, 2044, authorized the issuance of tax increment revenue bonds (“RDA Bonds”) to support the Convention Center Renovation and Expansion Project (the “Convention Center Project”), and further provided for related payment terms, with the intent that all available excess Trust Fund revenues remaining on deposit in the Trust Fund be used for the prepayment or redemption of debt prior to maturity of the RDA Bonds, with such prepayment or redemption of debt commencing in FY 2023-2024; and

WHEREAS, after distribution of Tax Increment Revenues in the order, priority, and amounts required by this Interlocal Agreement, the available revenues remaining on deposit in the Trust Fund, as of the Agency’s year-end for FY 2016-17, are estimated to be at approximately \$34,000,000; and

WHEREAS, the City has incurred certain additional costs in connection with the Convention Center Project, including expenses resulting from Hurricane Irma, among other unforeseen circumstances, and has requested that a portion of the excess Trust Fund revenues be allocated to the Convention Center Project; and

WHEREAS, the City and County, along with the City of Miami, collectively joined the Rockefeller Foundation’s 100 Resilient Cities network as Greater Miami and the Beaches to develop a resilience strategy that, among other things, aggressively combats the risks of rising sea levels, coastal erosion, and hurricanes.

WHEREAS, well developed beach and dune systems provide protection from storm surges associated with hurricanes and other storm events, and maintaining our coastal beaches provides direct benefit and protection to the people, property, and infrastructure developed on the barrier islands; and

WHEREAS, in addition to the storm protection benefits that the beach system provides our community, beaches are a major feature of our tourism industry attracting visitors from all over the world to our community; and

WHEREAS, the County and City recognize the importance of continually funding beach renourishment projects for the future resilience of our community.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants recorded herein, the County, the City and the Agency agree as follows:

A. The recitations set forth above are true and correct and adopted as part of this Fourth Amendment.

B. Paragraph XII, "Distribution of Trust Fund Revenues," sub-paragraphs "E and H" of the Interlocal Agreement, are hereby amended to read as follows:

E. The Agency agrees to:

1. Beginning FY 2017-18, and until the earlier of March 31, 2044, or the termination or expiration of the taxing authorities' obligation to appropriate the Tax Increment Revenues to the Fund, grant to the County an amount equal to the County's proportionate share of the total payments expended by the Agency in the prior fiscal year for Administration, Community Policing, and Capital Project Maintenance (defined below). Such grant shall be paid to the County by March 31 of each year and shall be based on the previous year's expenses for Administration, Community Policing, and Capital Project Maintenance. The amount granted annually shall be calculated as follows:

The County's share of total Tax Increment Revenues deposited into the Trust Fund for that particular year divided by the total Tax Increment Revenues collected from all taxing authorities and deposited in the Trust Fund for that particular year, multiplied by the amount of expenses paid by the Agency in the previous fiscal year for Administration, Community Policing and Capital Project Maintenance.

Beginning FY 2017-18, and until FY 2022-23, the County shall set aside \$1.5 million per year of the payments received from the Agency for the purpose of funding beach renourishment for beaches within or adjacent to the City of Miami Beach. This funding can be used to leverage State or Federal funding for beach renourishment purposes. Such funding shall be set aside in a separate account established by the County to be used for the purposes described herein.

2. Beginning FY 2017-18, until FY 2022-23, grant to the City an amount equal to the City's proportionate share of the total payments expended by the Agency in the prior fiscal year for Administration, Community Policing, and Capital Project Maintenance (defined below). Such grant shall be paid to the City by March 31 of each year and shall be based on the previous year's expenses for Administration, Community Policing, and Capital Project Maintenance. The amount granted annually shall be calculated as follows:

The City's share of total Tax Increment Revenues deposited into the Trust Fund for that particular year divided by the total Tax Increment Revenues collected from all taxing authorities and deposited in the Trust Fund for that particular year, multiplied by the amount of expenses paid by the Agency in the previous fiscal year for Administration, Community Policing and Capital Project Maintenance.

Beginning FY 2017-18, and until FY 2022-23, the City shall set aside \$1.5 million per year of the grant received from the Agency for the purpose of funding beach renourishment for beaches within the City of Miami Beach. This funding can be used to leverage State or Federal funding for beach renourishment purposes. Such funding shall be set aside in a separate account established by the City to be used for the purposes described herein.

* * *

H. Beginning FY 2014-15 and ending on the earlier of March 31, 2023, or the termination or expiration of the taxing authorities' obligation to appropriate Tax Increment Revenue to the Trust Fund, the Agency shall, within ninety (90) days from the conclusion of each fiscal year, deposit any unencumbered amounts on deposit in the Trust Fund and all available revenues remaining after distribution of Tax Increment Revenues in the order, priority and amounts set forth in Sections A through G above, into a fund to be used for the purposes of financing any shortfalls associated with the payment of the expenses as listed in Section F above. Such deposits to such fund shall only be made if it will not negatively affect

the exclusion from gross income, for federal income tax purposes, of interest on any tax-exempt Agency Indebtedness. After the above application, the excess funds in the Trust Fund as of the end of FY 16/17 shall be distributed as follows:

1. Of the approximately \$34 million in revenues remaining on deposit in the Trust Fund as of the Agency's year-end for FY 2016-17, the Agency shall distribute \$6,914,221.00 to the City, for the limited purpose of funding a portion of the construction costs for the Convention Center Project; and
2. After disbursement to the City pursuant to Section H.1 above, the Agency may distribute an amount up to \$20,000,000 to the City, for the limited purpose of funding a portion of the design and construction costs for the Lincoln Road / Collins Avenue to West Avenue Project, for the refurbishment of the Lincoln Road pedestrian mall from Collins Avenue to West Avenue, and adjacent corridors (the "Lincoln Road Project"), which distribution pursuant to this Section H.2, together with the \$20 million previously authorized for the Lincoln Road Project, provides for total funding from excess Tax Increment Revenues of up to \$40,000,000 for the Lincoln Road Project.

All other remaining revenues in the Trust Fund (including, without limitation, any remaining excess revenues at the end of FY16/17) will be used to extinguish Agency Indebtedness early, but not prior to FY 2023-24, to the extent such Agency Indebtedness is subject to prepayment or redemption prior to maturity at such time or, if such Agency Indebtedness is not then subject to prepayment or redemption prior to maturity, to establish an escrow for the prepayment or redemption prior to maturity of such Agency Indebtedness at such time as the Agency Indebtedness is subject to prepayment or redemption prior to maturity; provided, however, that such escrow shall only be established if it will not negatively affect the exclusion from gross income, for federal tax purposes, of interest on any such tax-exempt Agency Indebtedness. The City and the Agency agree not to issue Capital Appreciation Bonds or similar debt that does not pay interest on a current basis. The City and the Agency also agree that any Agency Indebtedness pledging Tax Increment Revenues issued for the purposes set forth herein shall include a call provision allowing such Agency Indebtedness to be called no later than ten (10) years after initial issuance. If the Agency Indebtedness is not subject to repayment or redemption prior to maturity, and an escrow cannot be established, then the Agency shall distribute annually any revenues remaining on deposit in the Fund after distribution as set forth in Sections A through H of this Paragraph XII, to the taxing authorities in the proportionate manner as it was deposited.

- C. All provisions of the Interlocal Agreement, other than the provisions specifically amended herein, remain in full force and effect.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first written above.

CITY OF MIAMI BEACH

MIAMI-DADE COUNTY

By: _____
Dan Gelber
Mayor

By: _____
Carlos A. Gimenez
Mayor

ATTEST

ATTEST

By: _____
City Clerk

By: _____
Deputy Clerk

MIAMI BEACH REDEVELOPMENT
AGENCY

Approved for form and legal sufficiency

By: _____
Dan Gelber
Chairman

By: _____
Assistant County Attorney

Attest:

By: _____
City Clerk

Approved for form and legal sufficiency

By: 
City Attorney **PAZ**

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, City Attorney
DATE: April 25, 2018

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RECOGNIZING UNITED NATIONS ANTI-BULLYING DAY ON MAY 4TH; DIRECTING THE CITY ADMINISTRATION TO REVIEW AND, IF APPLICABLE, PROPOSE AMENDMENTS TO ANY EXISTING ANTI-BULLYING POLICIES (OR TO PROPOSE NEW ANTI-BULLYING POLICIES) FOR CITY SERVICES, CITY-SUPPORTED SERVICES, AND CITY FACILITIES; ESTABLISHING GUIDELINES FOR SUCH POLICIES; REQUIRING THAT SUCH POLICIES PROTECT INDIVIDUALS ON THE BASIS OF THE PROTECTED CLASSES SET FORTH IN THE CITY'S HUMAN RIGHTS ORDINANCE, AS MAY BE APPLICABLE; AND PROVIDING THAT THE CITY ADMINISTRATION SHALL PRESENT SUCH POLICIES TO THE AD HOC ANTI-BULLYING TASK FORCE PRIOR TO CITY COMMISSION APPROVAL.

RECOMMENDATION

ANALYSIS

Pursuant to the request of Commissioner John Elizabeth Aleman, the attached Resolution is submitted for consideration by the Mayor and City Commission.

Legislative Tracking

Office of the City Attorney

Sponsor

Commissioner John Elizabeth Aleman and Co-sponsored by Commissioner Gongora

ATTACHMENTS:

Description

- ▣ Resolution
- ▣ Exhibit A
- ▣ Exhibit B

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, RECOGNIZING UNITED NATIONS ANTI-BULLYING DAY ON MAY 4TH; DIRECTING THE CITY ADMINISTRATION TO REVIEW AND, IF APPLICABLE, PROPOSE AMENDMENTS TO ANY EXISTING ANTI-BULLYING POLICIES (OR TO PROPOSE NEW ANTI-BULLYING POLICIES) FOR CITY SERVICES, CITY-SUPPORTED SERVICES, AND CITY FACILITIES; ESTABLISHING GUIDELINES FOR SUCH POLICIES; REQUIRING THAT SUCH POLICIES PROTECT INDIVIDUALS ON THE BASIS OF THE PROTECTED CLASSES SET FORTH IN THE CITY'S HUMAN RIGHTS ORDINANCE, AS MAY BE APPLICABLE; AND PROVIDING THAT THE CITY ADMINISTRATION SHALL PRESENT SUCH POLICIES TO THE AD HOC ANTI-BULLYING TASK FORCE PRIOR TO CITY COMMISSION APPROVAL.

WHEREAS, bullying creates a climate of fear and disrespect that can seriously impair the physical and psychological well-being of its victims, creating conditions that negatively affect learning, and thereby undermining the ability of students or other individuals to achieve their full potential; and

WHEREAS, bullying has become the subject of local, state, and national concern, resulting in an increased focus on prevention in Florida schools; and

WHEREAS, on September 27, 2016, the Mayor and City Commission adopted Ordinance No. 2016-4034, amending the protected classes set forth in the City of Miami Beach Human Rights Ordinance to include ancestry, height, weight, domestic partner status, labor organization membership, familial situation, and political affiliation, and to provide that the Human Rights Ordinance shall apply to actual and perceived membership in a protected class; and

WHEREAS, in 2012, the United Nations dedicated May 4th as "U.N. Anti-Bullying Day," in recognition of the severe social and societal harms associated with bullying; and

WHEREAS, in view of the 10th anniversary of Miami Beach Gay Pride, and U.N. Anti-Bullying Day, SAVE has approached City of Miami Beach ("City") elected officials to encourage the City to further develop its anti-bullying policies (see Exhibit "A"); and

WHEREAS, in 2012, Washington, D.C. Mayor Vincent C. Gray signed into law the Youth Bullying Prevention Act of 2012 (attached hereto as Exhibit "B"), creating a Youth Bullying Prevention Task Force, which later developed a District-wide Model Bullying Prevention Policy; and

WHEREAS, on December 13, 2017, the Mayor and City Commission adopted Resolution No. 2017-30109, accepting the recommendation of the LGBTQ Advisory Committee

and creating an Ad Hoc Anti-Bullying Task Force to provide recommendations to the Mayor and City Commission for the development of anti-bullying policies and laws to protect youth from bullying in all City services, City-supported services, and City facilities; and prescribing the duties, composition, manner of appointment, and term of office of Task Force members; and

WHEREAS, in furtherance of the objectives set forth in Resolution No. 2017-30109, the Mayor and City Commission now desire to (1) direct the City Administration to review and, if applicable, propose amendments to any existing anti-bullying policies (or to propose new policies) for City services, City-supported services, and City facilities; (2) establish guidelines for such policies; (3) require that such policies protect individuals on the basis of the protected classes set forth in the City's Human Rights Ordinance, as may be applicable; and (4) provide that the City Administration shall present such policies to the Ad Hoc Anti-Bullying Task Force prior to City Commission approval.

NOW, THEREFORE; BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, as follows:

(1) The City Administration is hereby directed to review and, if applicable, propose amendments to any existing anti-bullying policies (or propose new anti-bullying policies) for City services, City-supported services, and City facilities.

(2) Each policy should include the following:

- a. A definition of bullying;
- b. A statement prohibiting bullying;
- c. A statement that the policy applies to participation in City-sponsored functions;
- d. The expected code of conduct;
- e. A list of the consequences that can result from an identified incident of bullying, which are designed to:
 - i. Appropriately correct the bullying behavior;
 - ii. Prevent another occurrence of bullying or retaliation;
 - iii. Protect the target of the bullying;
 - iv. Be flexible so that in application they can be unique to the individual incident and varied in method and severity based on the:
 1. Nature of the incident;
 2. Developmental age of the person bullying; and
 3. Any history of problem behavior from the person bullying;
- f. A procedure for reporting bullying or retaliation for reporting an act of bullying;

- g. A procedure for offering or referring behavioral health or counseling services to a person accused of bullying as well as to a person who is the target of bullying;
 - h. A procedure for prompt investigation of reports of violations of the policy and of complaints of bullying or retaliation, including the name and contact information of the person responsible for investigating reports;
 - i. An appeal process for a person accused of bullying or a person who is the target of bullying who is not satisfied with the outcome of the initial investigation; and
 - j. A statement that prohibits retaliation against any person who reports bullying, including the possible consequences for a person who engages in retaliatory behavior.
- (3) As may be applicable to each particular City department or program, the City's anti-bullying policies must protect individuals on the basis of the protected classes set forth in the City's Human Rights Ordinance: actual or perceived differences of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, age, disability, ancestry, height, weight, domestic partner status, labor organization membership, familial situation, and political affiliation.
- (4) The City Administration shall present any proposed anti-bullying policies to the City's Ad Hoc Anti-Bullying Task Force prior to City Commission approval.

PASSED and **ADOPTED** this ____ day of _____, 2018.

ATTEST:

Rafael Granado
City Clerk

Dan Gelber
Mayor

(Sponsored by Commissioner John Elizabeth Alemán)

F:\ATTOR\KALN\RESOLUTIONS\Anti-bullying policies.docx

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

REC. F 4-20-18

City Attorney Date
NK

Kallergis, Nick

From: Aleman, John
Sent: Monday, April 02, 2018 11:58 AM
To: Kallergis, Nick
Subject: FW: Conversion Therapy & Anti-Bullying
Attachments: DC Code.pdf; District-wideModelBullyingPreventionPolicy (2).docx

From: Justin Klecha [mailto:justin@save.lgbt]
Sent: Wednesday, September 27, 2017 1:09 PM
To: Ruiz-Paz, Cilia Maria; Aleman, John
Cc: Tony Lima
Subject: Conversion Therapy & Anti-Bullying

Hi Commissioner Aleman,

Miami-Dade County is voting next Tuesday (10/03) to ban conversion therapy in unincorporated Dade, and we are now expecting the opposition (the Christian Family Coalition) to show up in mass. Public hearing was supposed to be closed, but Bovo is going to reopen it because of the CFC. **We were hoping that you'd be able to join and testify before the commission.**

Also, not as urgent, but we'd love to find a time to meet with you about an anti-bully ordinance that we want to start introducing beginning with the Beach. DC did this a few years back and put together a pretty comprehensive roadmap for it. In essence, the idea is to make sure there are anti-bullying protections and procedures in place for youth everywhere that they interact with the city outside of the school system (Parks and Rec, libraries, after-school programs, etc.). I've attached DC's ordinance and roadmap. We were originally trying to work with Commissioner Grieco on this but had trouble getting off the ground because of his workload.

Thank you,

--

Justin Klecha - Deputy Director
Pronouns: He/Him/His
(305) 751-SAVE office | (207) 217-7183 mobile
1951 NW 7th Avenue, Suite 600 | Miami, FL 33136
www.SAVE.lgbt | justin@save.lgbt
Safeguarding American Values for Everyone

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official Code*

2001 Edition

2012 Fall
Supp.

West Group
Publisher

To require the Mayor to establish a bullying prevention task force, to require an agency, educational institution, and grantee that works with youth to establish a bullying prevention policy, to establish an appeal process for a party dissatisfied with the outcome of an initial investigation of an incident of bullying, to prohibit retaliation against a target, witness, or reporter of bullying, to provide immunity for an employee, volunteer, or youth who in good faith reports an incident of bullying, to authorize agencies, educational institutions, and grantees as defined in this act to establish bullying prevention programs to inform youth and train employees and volunteers about bullying, to require the Mayor to review the effectiveness of this act every 2 years and to submit the findings to the Council by a date certain, and to authorize the Mayor to issue rules to implement this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Youth Bullying Prevention Act of 2012”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Agency” means a District government entity that provides services, activities, or privileges to youth, including the:

- (A) Office of the State Superintendent of Education;
- (B) Department of Parks and Recreation;
- (C) District of Columbia Public Library; and
- (D) University of the District of Columbia.

(2)(A) “Bullying” means any severe, pervasive, or persistent act or conduct, whether physical, electronic, or verbal that:

(i) May be based on a youth’s actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place of residence or business, or any other distinguishing characteristic, or on a youth’s association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics; and

(ii) Can be reasonably predicted to:

(I) Place the youth in reasonable fear of physical harm to his or her person or property;

(II) Cause a substantial detrimental effect on the youth's physical or mental health;

(III) Substantially interfere with the youth's academic performance or attendance; or

(IV) Substantially interfere with the youth's ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee.

(B) For the purposes of this paragraph, the terms "familial status," "family responsibilities," "gender identity or expression," "genetic information," "intrafamily offense," "marital status," "matriculation," "personal appearance," "political affiliation," "sexual orientation," and "source of income" shall have the same meaning as provided in section 102 of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 13-38; D.C. Official Code § 2-1401.02).

(3) "Educational institution" means any local education agency that receives funds from the District of Columbia.

(4) "Electronic communication" means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, tablet, pager, or video or audio recording.

(5) "Employee" means an individual who performs a function for the District government for an agency, educational institution, or grantee who receives compensation for the performance of that function.

(6) "Grantee" means an entity or a contractor of an entity that, on behalf of the District government or through District funding, provides services, activities, or privileges to youth.

(7) "Human Rights Act" means the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 13-38; D.C. Official Code § 2-1401.01 *et seq.*).

(8) "Party" means a person accused of bullying, a target of bullying, or a parent or guardian of either a person accused of bullying or a target of bullying.

(9) "Youth," depending on the context, means:

(A) An individual of 21 years of age or less who is enrolled in an educational institution or who accesses the services or programs provided by an agency or grantee, or an individual of 22 years of age or less who is receiving special education services from an educational institution; or

(B) Individuals as described in subparagraph (A) of this paragraph considered as a group.

Sec. 3. Bullying prevention task force.

(a) Within 90 days of the effective date of this act, the Mayor shall establish a bullying prevention task force.

(b)(1) The task force shall consist of representatives from a diversity of the educational institutions and agencies that will be affected by this act, as well as community representatives, including:

- (A) Teachers;
- (B) Administrators from educational institutions and agencies;
- (C) School mental health professionals;
- (D) Parents, and legal guardians;
- (E) Youth;
- (F) Direct service providers; and
- (G) Advocates.

(2) In constituting this task force, the Mayor shall consider geographic and socioeconomic diversity as well as other forms of diversity.

(c) The task force shall:

- (1) Provide guidance to the Mayor on the implementation of this act;
 - (2) Within 180 days of the effective date of this act, publicize a model policy, which shall contain each of the components required in section 4(b);
 - (3) Assist educational institutions and agencies with developing policies in accordance with section 4;
 - (4) Compile, and make available to each agency, educational institution, and grantee, a list of free or low-cost methods for establishing the bullying prevention programs authorized in section 7;
 - (5) Within 180 days of receipt of the bullying prevention policies submitted pursuant to section 4(c), review each adopted policy for compliance with the requirements of section 4(b); and
 - (6) Promulgate guidelines to assist the Mayor in evaluating the effectiveness of the bullying prevention policies that have been established.
- (d) The task force shall disband 2 years after its initial meeting; provided, that at the discretion of the Mayor, a one-year extension may be granted by the Mayor.

Sec. 4. Bullying prevention policy.

(a) Within 365 days of the effective date of this act, in coordination with the task force established pursuant to section 3, each agency, educational institution, and grantee shall adopt a bullying prevention policy to be enforced:

- (1) On its property, including electronic communication on, or with, its property;

- (2) At sponsored functions;
- (3) On its transportation, or transportation sponsored by it; and
- (4) Through electronic communication to the extent that it is directed at a youth and it substantially interferes with the youth's ability to participate in or benefit from the services, activities, or privileges provided by the agency, education institution, or grantee.

(b) Each agency, educational institution, and grantee shall control the content of its policy; provided, that each policy includes:

- (1) The definition of bullying set forth in section 2(2);
 - (2) A statement prohibiting bullying;
 - (3) A statement that the policy applies to participation in functions sponsored by the agency, educational institution, or grantee;
 - (4) The expected code of conduct;
 - (5) A list of the consequences that can result from an identified incident of bullying, which are designed to:
 - (A) Appropriately correct the bullying behavior;
 - (B) Prevent another occurrence of bullying or retaliation;
 - (C) Protect the target of the bullying;
 - (D) Be flexible so that in application they can be unique to the individual incident and varied in method and severity based on the:
 - (i) Nature of the incident;
 - (ii) Developmental age of the person bullying; and
 - (iii) Any history of problem behavior from the person bullying;
 - (6) A procedure for reporting bullying or retaliation for reporting an act of bullying, including for reporting bullying anonymously; provided, that no formal response shall be taken solely on the basis of an anonymous report;
 - (7) A procedure for prompt investigation of reports of violations of its policy and of complaints of bullying or retaliation, including the name and contact information of the person responsible for investigating reports;
 - (8) An appeal process, in accordance with section 5, for a person accused of bullying or a person who is the target of bullying who is not satisfied with the outcome of the initial investigation; and
 - (9) A statement that prohibits retaliation against any person who reports bullying, including the possible consequences for a person who engages in retaliatory behavior.
- (c) Within 365 days of the effective date of this act, each agency, educational institution, and grantee shall submit a copy of its adopted policy to the task force, pursuant to section 3(c)(5).
- (d) The requirements of this act and any policy adopted pursuant to this act shall be deemed to constitute health and safety requirements for educational institutions.
- (e) Information on the bullying prevention policy shall be incorporated into new employee training.

(f) Each agency, educational institution, and grantee shall develop a plan for how the policy is to be publicized, including the plan for:

- (1) Discussing its bullying policy with youth; and
- (2) Publicizing that the policy applies to participation in functions sponsored by an agency, educational institution, or grantee.

Sec. 5. Secondary investigation appeal.

(a)(1) A party who is not satisfied with the outcome of the initial investigation conducted pursuant to section 4(b)(7) may request a secondary investigation by submitting a written appeal to the higher-level authority in the agency, educational institution, or grantee designated to hear appeals within 30 days of the conclusion of the investigation conducted pursuant to section 4(b)(7).

(2) The secondary investigation shall be completed within 30 days of receipt of the appeal, unless:

- (A) Circumstances require additional time to complete a thorough investigation;
- (B) The higher-level authority sets forth those circumstances in writing; and
- (C) The additional time does not exceed 15 days.

(b)(1) When an appeal for a secondary investigation is submitted, the agency, educational institution, or grantee shall inform the party about his or her ability to seek further redress under the Human Rights Act.

(2) This section shall not be construed to limit the right of a person to assert or seek redress for a claim arising under the Human Rights Act.

Sec. 6. Retaliation.

(a) An employee, volunteer, or youth shall not retaliate against a victim or witness of bullying or a person who reports bullying.

(b) An employee or volunteer who has witnessed bullying in violation of a bullying prevention policy that is consistent with section 4(a), or has reliable information that a person has been subject to bullying in violation of a bullying prevention policy that is consistent with section 4(a), shall report the incident or information to the person designated by the agency, educational institution, or grantee, in accordance with section 4(b)(7), as responsible for investigating the reports.

(c) An employee, volunteer, or youth who promptly and in good faith reports an incident of, or information on, bullying in compliance with the policy of the agency, educational institution, or grantee shall be immune from a cause of action for damages arising from the making of such report.

Sec. 7. Bullying prevention programs.

Following the adoption of a bullying prevention policy, as required by section 4, each agency, educational institution, and grantee may:

- (1) Establish an annual bullying prevention program for youth, which for each educational institution should align with established health-education standards;
- (2) Inform youth about their right to be free from discrimination in public accommodations and education, and of the redress available for a violation of their rights under the Human Rights Act; and
- (3) Provide training on bullying prevention to all employees and volunteers who have significant contact with youth.

Sec. 8. Reporting requirement.

(a) Each educational institution shall provide to the Mayor, by a date determined by the Mayor, an annual report regarding the aggregate incidents of bullying, and any other information that the Mayor determines is necessary or appropriate.

(b) By September 1, 2014, and biennially thereafter, the Mayor shall:

- (1) Review the programs, activities, services, and policies established pursuant to this act of each agency, educational institution, or grantee to determine their effectiveness and whether the agency, educational institution, or grantee is in compliance with this act; and
- (2) Report the findings to the Council by December 31 of each year that a report is due, along with an assessment of the current level and nature of bullying in agencies, educational institutions, and grantees and recommendations for appropriate actions to address identified problems.

Sec. 9. Availability of other remedies.

This act does not create a new private right of action or provide a statutory basis for a claim for damages against the District of Columbia or its employees.

Sec. 10. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.

Sec. 11. Fiscal impact statement.

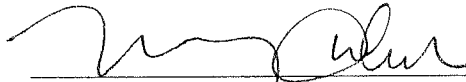
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 12. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

ENROLLED ORIGINAL

Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman Pro Tempore
Council of the District of Columbia

Mayor
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

Docket No. **B19-11**

☒ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FIRST READING, 05-01-12

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

BARRY

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Mendelson	X			
Alexander	X				Cheh	X				Orange	X			
Barry				X	Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				McDuffie	X								

X – Indicate Vote

AB – Absent

NV – Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

6-8-12

Date

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

ADOPTED FINAL READING, 06-05-12

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

APPROVED

ABSENT

ALL PRESENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Mendelson	X			
Alexander	X				Cheh	X				Orange	X			
Barry	X				Evans	X				Wells	X			
Bowser	X				Graham	X								
Brown, M	X				McDuffie	X								

X – Indicate Vote

AB – Absent

NV – Present, Not Voting

CERTIFICATION RECORD

Secretary to the Council

6-8-12

Date

☐ ITEM ON CONSENT CALENDAR

☐ ACTION & DATE

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown					Catania					Mendelson				
Alexander					Cheh					Orange				
Barry					Evans					Wells				
Bowser					Graham									
Brown, M					McDuffie									

X – Indicate Vote

AB – Absent

NV – Present, Not Voting

CERTIFICATION RECORD

Page 51 of 89



Secretary to the Council

Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: UPDATE ON THE PLANNED ACTIVITIES FOR MEMORIAL DAY WEEKEND 2018.

ANALYSIS

As requested at the April 11, 2018 Commission Meeting, Staff will provide a verbal update on the planned activities and programming for Memorial Day Weekend 2018.

Legislative Tracking

Tourism, Culture and Economic Development

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: DISCUSSION REGARDING THE NAMING OF MIAMI BEACH CONVENTION CENTER BALLROOMS TO DEVELOP CONSENSUS REGARDING PROPOSED NAMES, WITH ANY NAMES NOT PREVIOUSLY RECOMMENDED BY THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE ("NCAC") TO BE REFERRED TO NCAC FOR ITS RECOMMENDATIONS.

RECOMMENDATION

The Administration strongly recommends that the Mayor and Commission develop a consensus on the names for the remaining 4 ballrooms for the Miami Beach Convention Center to ensure a Neighborhood/Community Affairs Committee recommendation on May 22, 2018, that could thereafter be accepted by the City Commission for formal approval on June 27, 2018.

ANALYSIS

During the March 7, 2018 City Commission Meeting, Agenda Item C4I - Naming of ballroom facilities in the Miami Beach Convention Center was referred to the Neighborhood/Community Affairs ("NCAC") Committee.

During the March 21, 2018 NCAC meeting, proposed ballroom names were presented as developed by a collaborative team, including the Greater Miami Visitor and Convention Bureau ("GMCVB"), Spectra Management, JLL Consulting Services, and City staff for the five (5) Convention Center ballrooms:

1. Ocean Drive Room
2. Lincoln Road Room
3. Sunset Vista Salon
4. Carl Fisher Grand Ballroom
5. Collaboration Corner

NCAC recommended that staff present all names except "Collaboration Corner" to the full Commission for approval, and requested that staff present alternative names for "Collaboration Corner" at the same meeting.

At the April 11, 2019 City Commission meeting, staff recommendations for "Collaboration Corner" included:

1. Collins Collaboration Corner
2. Banyan Ballroom
3. Mangrove Corner

4. Mangrove Shade
5. Espanola Way Room
6. Art Deco Room
7. Star Island Room

During the discussion, the Mayor and Commission unanimously approved a modification on the name “Carl Fisher Grand Ballroom” to simply “Grand Ballroom.”

Alternative names were recommended and discussed for Collaboration Corner including: “Art Deco Corner” and “Collins Corner.”

Specific names not previously recommended by NCAC must first go back to NCAC for a recommendation by that Committee before being re-presented to the Commission. However, ultimately the recommended names need to be approved by a 5/7 vote of the Mayor and Commission. To avoid having to go back and forth between NCAC and the City Commission multiple times, the Administration strongly recommends that to Commission develop consensus on all five ballroom names at the April 25, 2018 Commission Meeting.

If the Commission approves all five final ballroom names on April 25, 2018, the timeline for approval of the ballroom names is as follows:

April 25, 2018 - (R9L) Commission discusses and refers all proposed ballroom names to NCAC to be considered at May 22, 2018 NCAC meeting.

May 22, 2018 - NCAC considers and makes recommendations for the ballroom names.

June 6, 2018 - Commission passes a Resolution accepting NCAC’s recommendations regarding names for the ballrooms and setting the Public Hearing for June 27, 2018.

June 7, 2018 - City Clerk provides notice of Public Hearing to Miami Herald.

June 17, 2018 - Last day to publish 10 day notice of Public Hearing.

June 27, 2018 - (P&A Commission meeting) - Public Hearing on the five (5) ballroom names to be approved by **5/7th vote** (R7 item)

CONCLUSION

The Administration recommends the approval of the following Convention Center ballroom names, as recommended by NCAC, GMCVB, Spectra, JLL and City staff:

1. Ocean Drive Room
2. Lincoln Road Room
3. Sunset Vista Salon

Approval of these names, recommended by NCAC, along with the name “Grand Ballroom” do not need to go back to NCAC. However, any changes for these three names would need to go back to NCAC for recommendation.

The Administration is also seeking direction for the fifth ballroom, previously recommended as “Collaboration Corner.” Proposed names discussed to date are as follows:

1. Collins Collaboration Corner
2. Banyan Ballroom
3. Mangrove Corner
4. Mangrove Shade
5. Espanola Way Room
6. Art Deco Room
7. Star Island Room
8. Collins Corner

9. Art Deco Corner

Legislative Tracking

Tourism, Culture and Economic Development

ATTACHMENTS:

Description

- ▣ Convention Center Backup
- ▣ Revised Memorandum - Supplemental

Miami Beach Convention Center Proposed Room Names

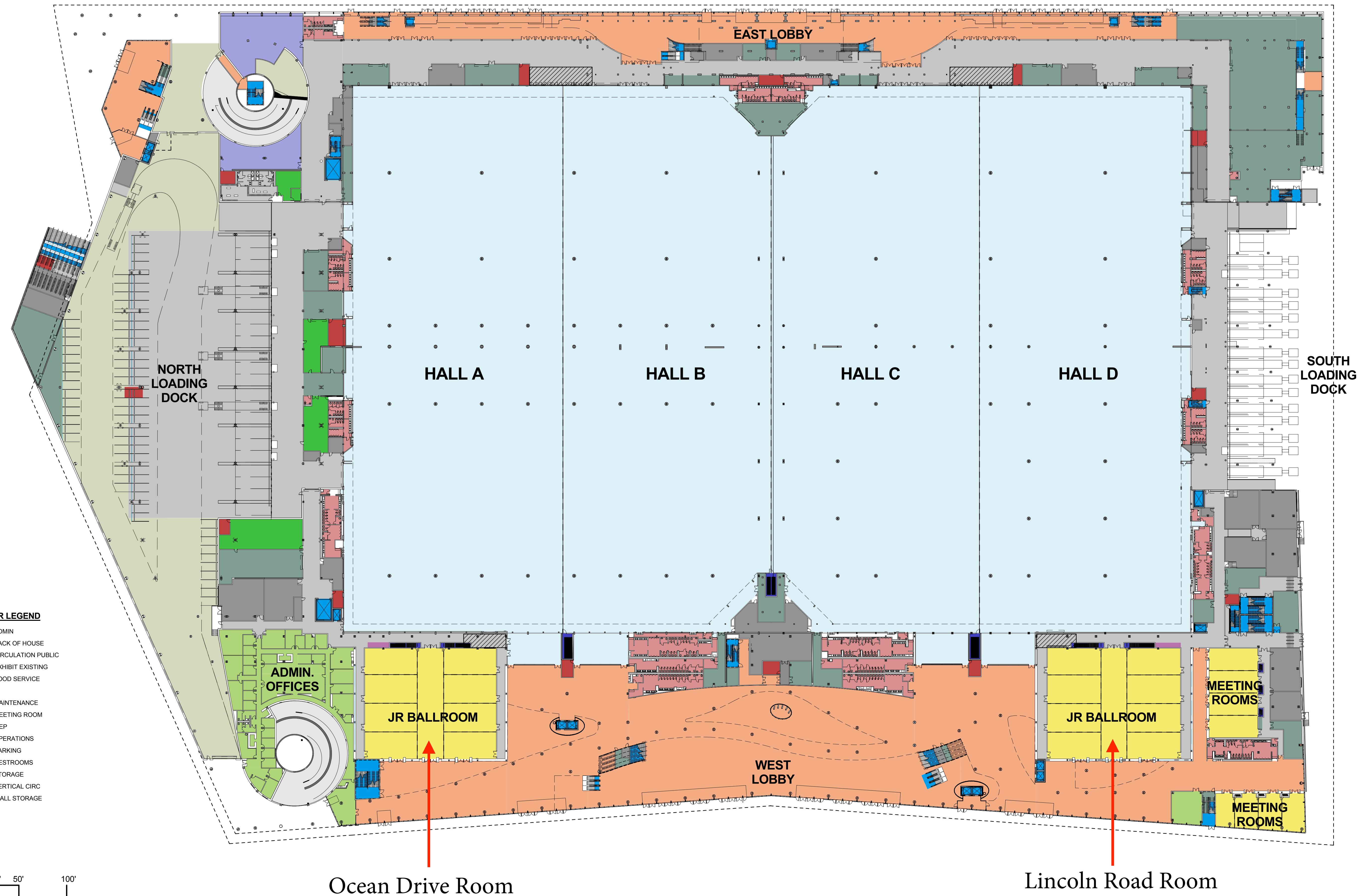
JLL, in collaboration with the MBCC and GMCVB's sales and marketing teams and brand consultants, have developed the suggested room names to reflect a variety of Miami Beach's famous landmarks, history, beauty and spirit of collaboration. The process has included a full session with the sales and marketing teams and two follow up sessions with the senior leadership. The overall consistent feedback was to create names that were unique to Miami Beach and had a "story" that could be told to future meeting planners and attendees.

The team believes these names will enhance the attendees' overall Miami Beach experience by tying their meeting sessions with iconic places, history, creativity and surroundings making the convention portion of their trip as unique as the destination. These room names correlate directly to the destination place-making and themes of inspiration, innovation and possibility that is the new, iconic Miami Beach Convention Center Brand.

The following are the recommendations and a brief description:

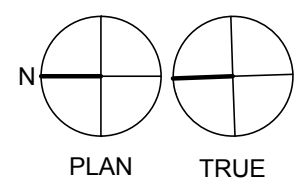
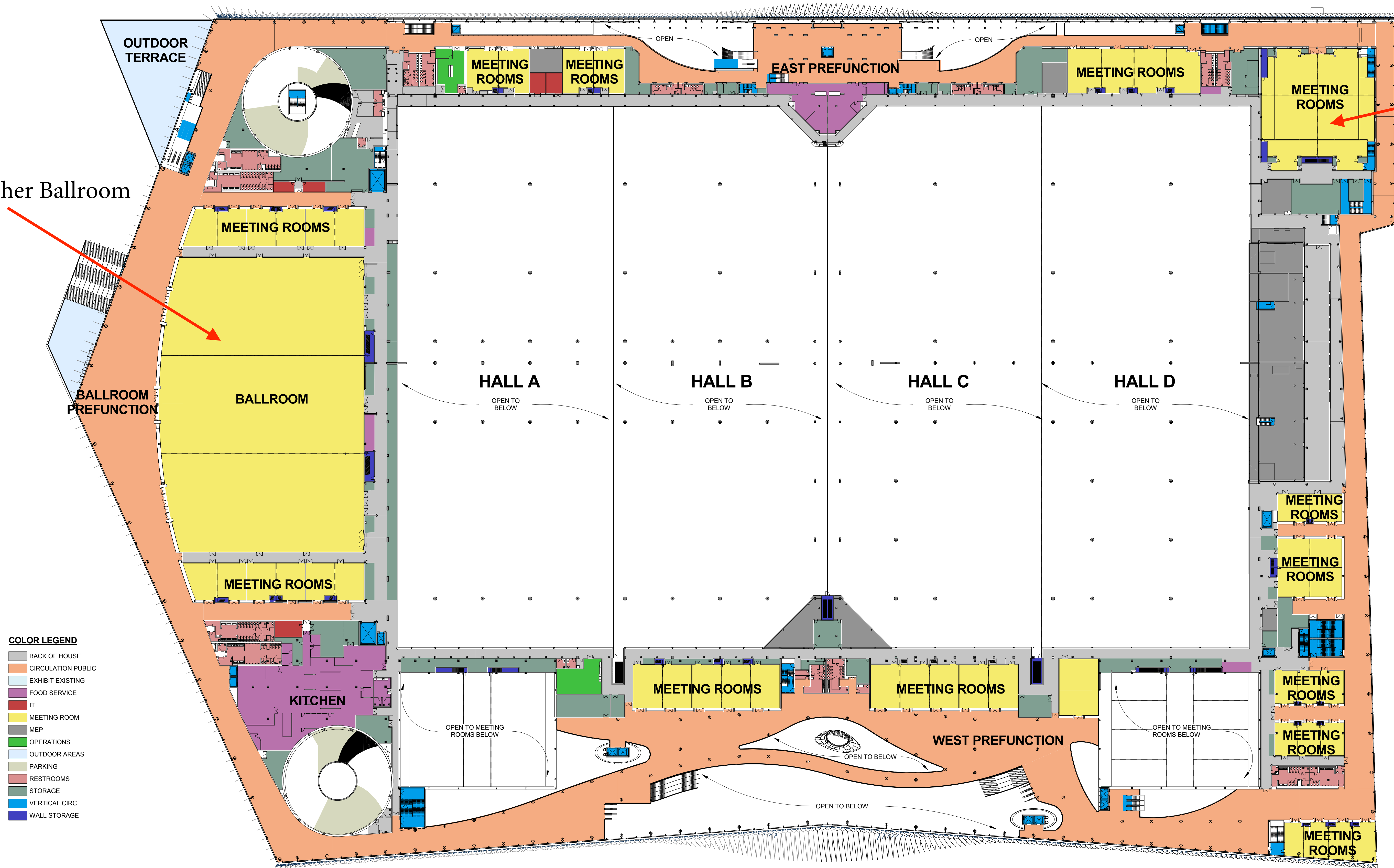
Room Name	Description
Ocean Drive Room (in front of Hall A)	Often ranked in the top ten in the US for iconic landmarks and considered a "must see" for visitors.
Lincoln Road Room (in front of Hall D)	Listed as a top ten attraction in the Miami/Miami Beach area with a lively atmosphere for shopping and dining.
Sunset Vista Salon (Specialty Space)	The positioning of this exciting space provides an opportunity to the attendees to experience the sunsets of Miami Beach from inside the Convention Center.
Grand Carl Fisher Ballroom	Cited as one of the "founders" of Miami Beach, adding Carl Fisher's name to the grand ballroom provokes thoughts of a visionary who imagined what is now Miami Beach.
Collaboration Corner (Junior ballroom level 2)	The location of this room enables more consideration in design to allow the attendees to feel creative and inspired to accomplish their goals with their fellow attendees in this section of the new MBCC.

These are the names that are submitted for consideration on behalf of the MBCC, CVB and City staff. Attached is a floor plan with the names associated with the location of the rooms rooms.



Grand Carl Fisher Ballroom

Collaboration
Corner



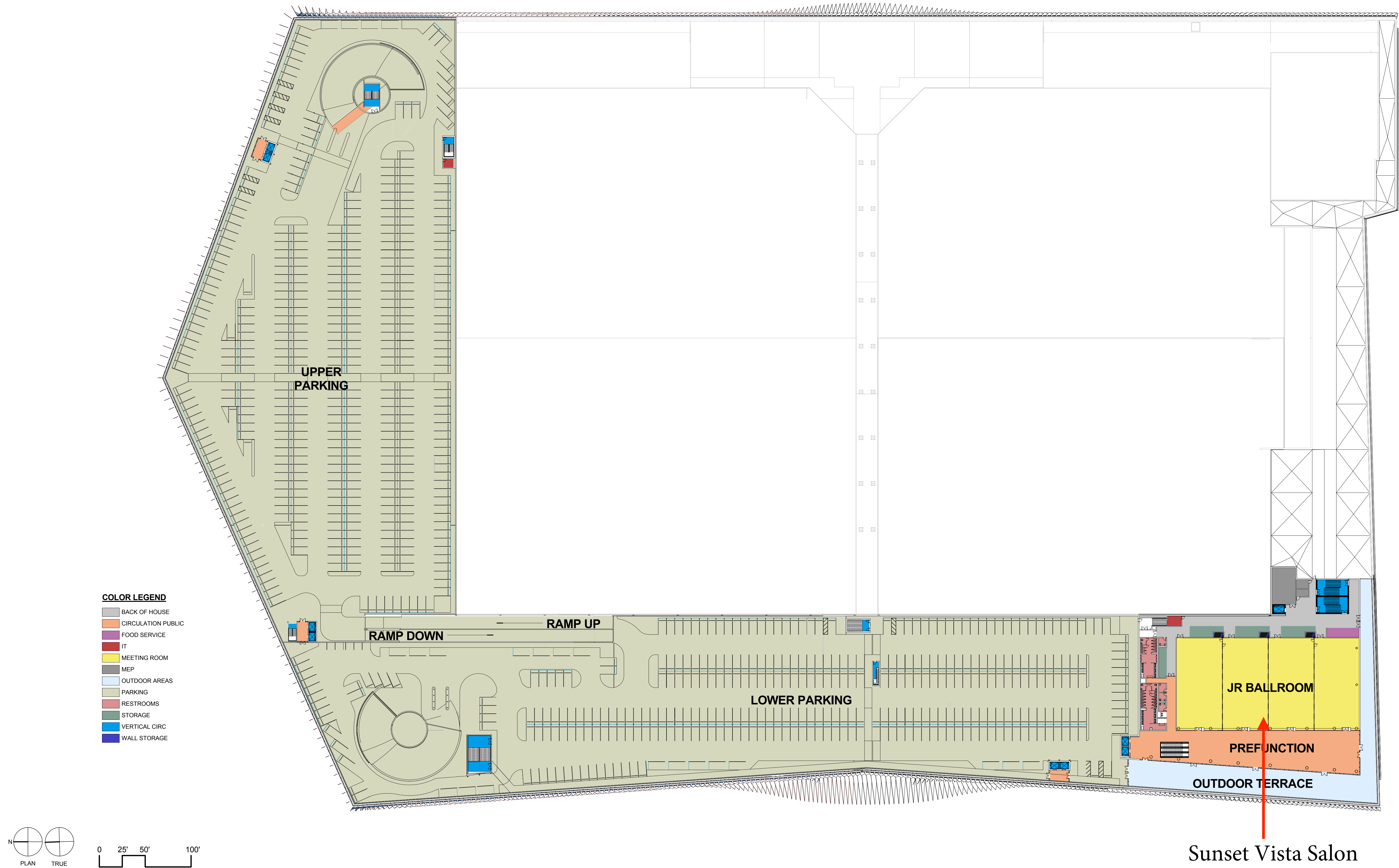
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MIAMI BEACH

MIAMI BEACH CONVENTION CENTER RENOVATION & EXPANSION OVERALL LEVEL 2 PLAN

04/07/15







MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: DISCUSSION REGARDING THE NAMING OF MIAMI BEACH CONVENTION CENTER BALLROOMS TO DEVELOP CONSENSUS REGARDING PROPOSED NAMES, WITH ANY NAMES NOT PREVIOUSLY RECOMMENDED BY THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE ("NCAC") TO BE REFERRED TO NCAC FOR ITS RECOMMENDATIONS

RECOMMENDATION

The Administration strongly recommends that the Mayor and Commission develop a consensus on the names for each of the ballrooms to ensure Neighborhood/Community Affairs Committee ("NCAC") name recommendations on May 22, 2018, which recommendations could thereafter be accepted by the City Commission on June 6, 2018 and a public hearing set for consideration and formal approval of the names on June 27, 2018.

ANALYSIS

During the March 7, 2019 City Commission Meeting, Agenda Item C41 (Naming of ballroom facilities in the Miami Beach Convention Center) was referred to the NCAC.

During the March 21, 2018 NCAC meeting, the following referred proposed ballroom names were presented as developed by a collaborative team, including the Greater Miami Visitor and Convention Bureau ("GMCVB"), Spectra Management, JLL Consulting Services, and City staff for the five (5) Convention Center ballrooms:

1. Ocean Drive Room (in front of Hall A)
2. Lincoln Road Room (in front of Hall D)
3. Sunset Vista Salon (Specialty Space)
4. Carl Fisher Grand Ballroom (Grand Ballroom)
5. Collaboration Corner (Junior Ballroom/Level 2)

NCAC recommended all names, except "Collaboration Corner," to the full Commission for approval and requested that staff present alternative names for "Collaboration Corner" at the same Commission meeting.

At the April 11, 2019 City Commission meeting, staff recommendations for "Collaboration Corner" included:

1. Collins Collaborations Corner
2. Banyan Ballroom
3. Mangrove Corner
4. Mangrove Shade
5. Espanola Way Room

6. Art Deco Room
7. Star Island Room

During the discussion, the Mayor and Commission considered modifying the name “Carl Fisher Grand Ballroom” to simply “Grand Ballroom.”

Also, alternative names were recommended and discussed for “Collaboration Corner,” including: “Art Deco Corner” and “Collins Corner.”

Specific names not previously recommended by NCAC must first go back to NCAC for a recommendation by the Committee before being re-presented to the Commission. However, ultimately, the recommended names need to be approved by a 5/7 vote of the Mayor and Commission at a public hearing to be set in conjunction with the acceptance of NCAC’s recommended names. To avoid having to go back and forth between NCAC and the City Commission multiple times, the Administration strongly recommends that the Commission develop consensus on all five ballroom names at the April 25, 2018 Commission Meeting.

If the Commission accepts the NCAC recommendations as to Ocean Drive Room, Lincoln Road Room, and Sunset Vista Salon, then, only the name “Grand Ballroom” for the grand ballroom space, and a proposed name for the junior ballroom space on level 2 would need to be referred to NCAC for its recommendations. If any of the NCAC’s prior three (3) recommendations are not accepted on April 25, 2018, then names for those spaces would need to be referred to NCAC as well on April 25, 2018. The timeline for approval of the ballroom names is as follows:

April 25, 2018 - (R9B) Commission discusses and refers all proposed ballroom names to NCAC to be considered at May 22, 2018 NCAC meeting.

May 22, 2018 - NCAC considers and makes recommendations for the ballroom names.

June 6, 2018 - Commission passes a Resolution accepting NCAC’s recommendations regarding names for all five (5) of the ballrooms and setting the Public Hearing for June 27, 2018.

June 7, 2018 - City Clerk provides notice of Public Hearing to Miami Herald.

June 17, 2018 - Last day to publish 10 day notice of Public Hearing.

June 27, 2018 - (P&A Commission meeting) - Public Hearing on the five (5) ballroom names to be approved by 5/7th vote (R7 item)

CONCLUSION

A. The Administration recommends the approval of the following Convention Center ballroom names, as recommended by NCAC, GMCVB, Spectra, JLL, and City staff:

1. Ocean Drive Room (in front of Hall A)
2. Lincoln Road Room (in front of Hall D)
3. Sunset Vista Salon (specialty space)

These three (3) names, which were already recommended by NCAC, do not need to go back to NCAC. However, any changes to these three (3) names would need to go back to NCAC for its recommendation.

B. The Administration is also seeking direction for the grand ballroom (previously proposed as “Grand Carl Fisher Ballroom”) and the junior ballroom on Level 2 (previously proposed as “Collaboration Corner”). Proposed new names discussed to date are as follows:

Grand Ballroom

Grand Ballroom

Junior Ballroom, Level 2

1. Collins Collaboration Corner
2. Banyan Ballroom
3. Mangrove Corner
4. Mangrove Shade
5. Espanola Way Room
6. Art Deco Room
7. Star Island Room
8. Collins Corner
9. Art Deco Corner

Thus, names for these two (2) ballroom spaces are requested by the Administration to be referred to NCAC.

Legislative Tracking

Tourism, Culture and Economic Development

ATTACHMENTS:

Description

- ▢ Convention Center Backup



Miami Beach Convention Center Proposed Room Names

JLL, in collaboration with the MBCC and GMCVB's sales and marketing teams and brand consultants, have developed the suggested room names to reflect a variety of Miami Beach's famous landmarks, history, beauty and spirit of collaboration. The process has included a full session with the sales and marketing teams and two follow up sessions with the senior leadership. The overall consistent feedback was to create names that were unique to Miami Beach and had a "story" that could be told to future meeting planners and attendees.

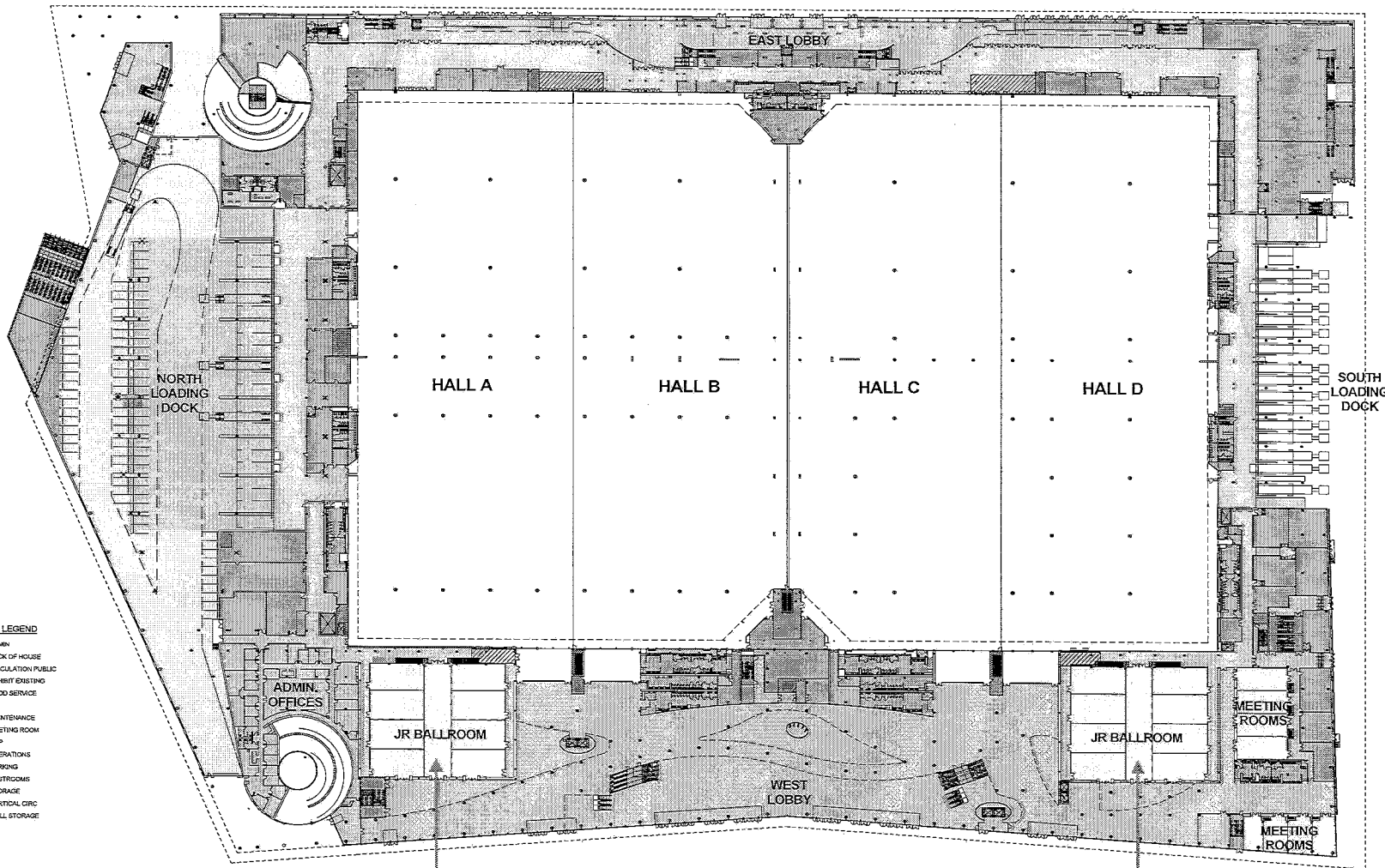
The team believes these names will enhance the attendees' overall Miami Beach experience by tying their meeting sessions with iconic places, history, creativity and surroundings making the convention portion of their trip as unique as the destination. These room names correlate directly to the destination place-making and themes of inspiration, innovation and possibility that is the new, iconic Miami Beach Convention Center Brand.

The following are the recommendations and a brief description:

Room Name	Description
Ocean Drive Room (in front of Hall A)	Often ranked in the top ten in the US for iconic landmarks and considered a "must see" for visitors.
Lincoln Road Room (in front of Hall D)	Listed as a top ten attraction in the Miami/Miami Beach area with a lively atmosphere for shopping and dining.
Sunset Vista Salon (Specialty Space)	The positioning of this exciting space provides an opportunity to the attendees to experience the sunsets of Miami Beach from inside the Convention Center.
Grand Carl Fisher Ballroom	Cited as one of the "founders" of Miami Beach, adding Carl Fisher's name to the grand ballroom provokes thoughts of a visionary who imagined what is now Miami Beach.
Collaboration Corner (Junior ballroom level 2)	The location of this room enables more consideration in design to allow the attendees to feel creative and inspired to accomplish their goals with their fellow attendees in this section of the new MBCC.

These are the names that are submitted for consideration on behalf of the MBCC, CVB and City staff. Attached is a floor plan with the names associated with the location of the rooms.

- COLOR LEGEND**
- ADMIN
 - BACK OF HOUSE
 - CIRCULATION PUBLIC
 - EXHIBIT EXISTING
 - FOOD SERVICE
 - IT
 - MAINTENANCE
 - MEETING ROOM
 - MCP
 - OPERATIONS
 - PARKING
 - RESTROOMS
 - STORAGE
 - VERTICAL CIRC
 - WALL STORAGE



MIAMI BEACH

MIAMI BEACH CONVENTION CENTER RENOVATION & EXPANSION
OVERALL LEVEL 1 PLAN

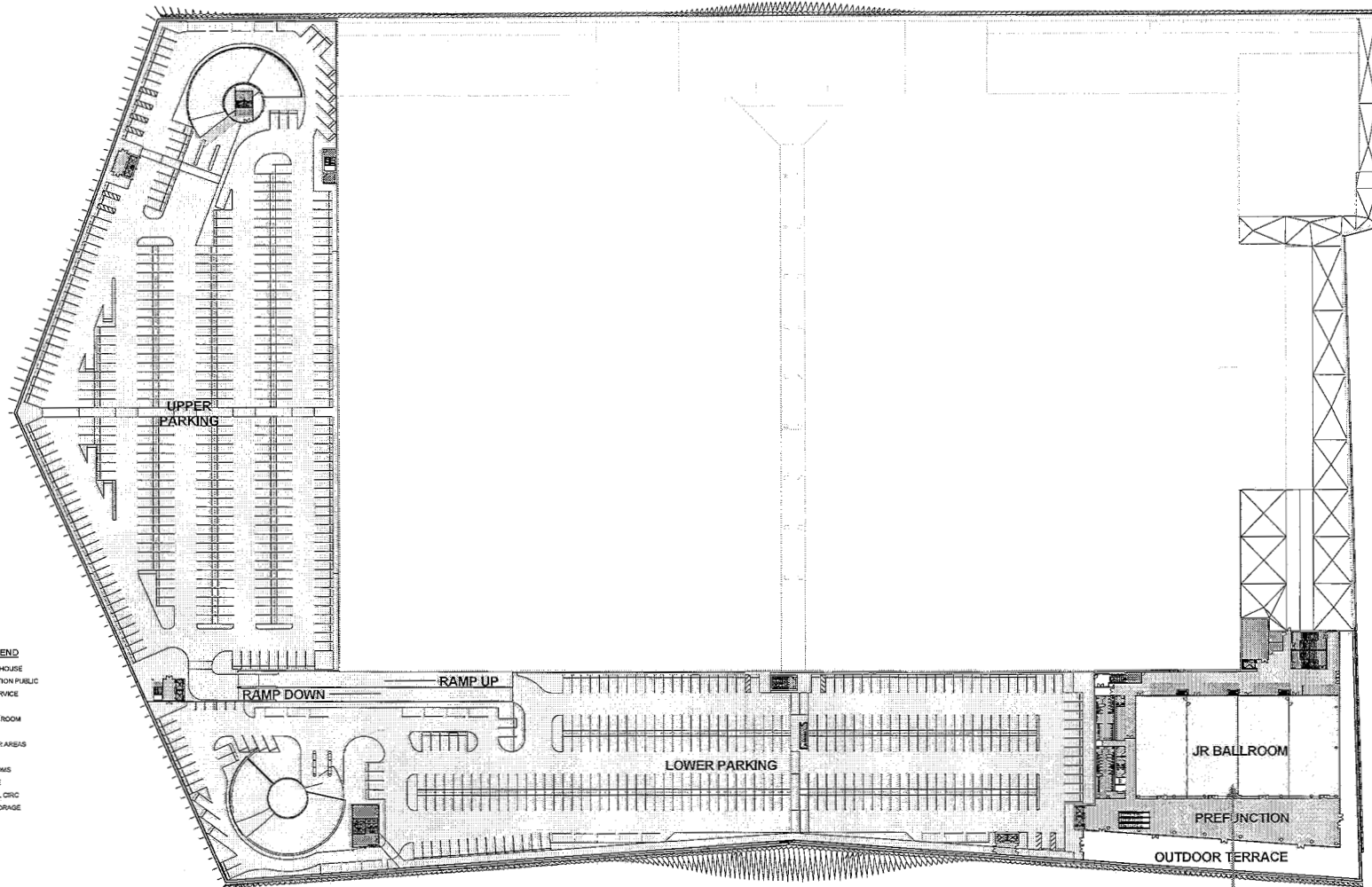
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- COLOR LEGEND**
- BACK OF HOUSE
 - CIRCULATION PUBLIC
 - FOOD SERVICE
 - IT
 - MEETING ROOM
 - MEP
 - OUTDOOR AREAS
 - PARKING
 - RESTROOMS
 - STORAGE
 - VERTICAL CIRC
 - WALL STORAGE



Sunset Vista Salon

MIAMI BEACH

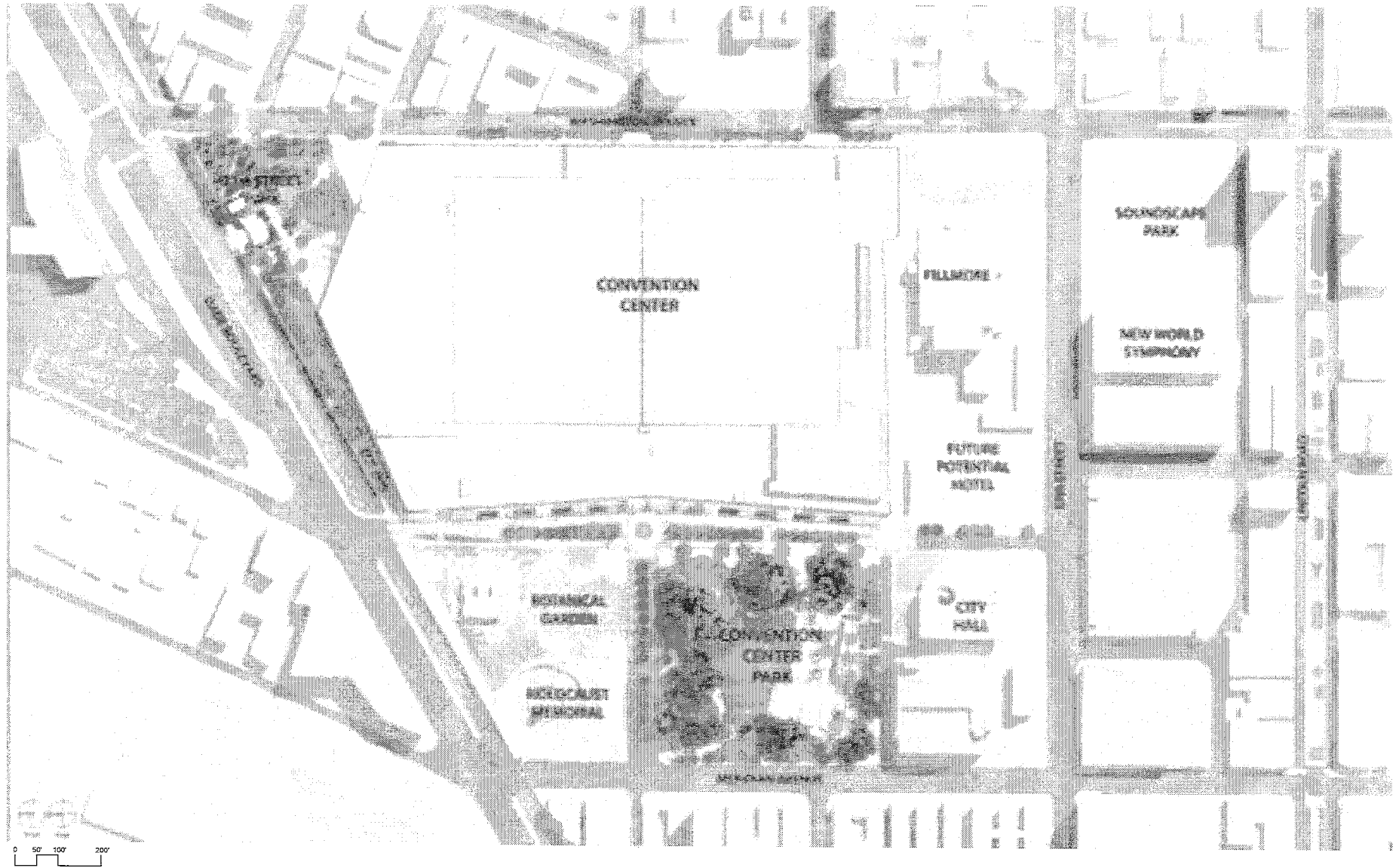
MIAMI BEACH CONVENTION CENTER RENOVATION & EXPANSION
OVERALL LEVEL 4 & 5 PLAN

04/07/15

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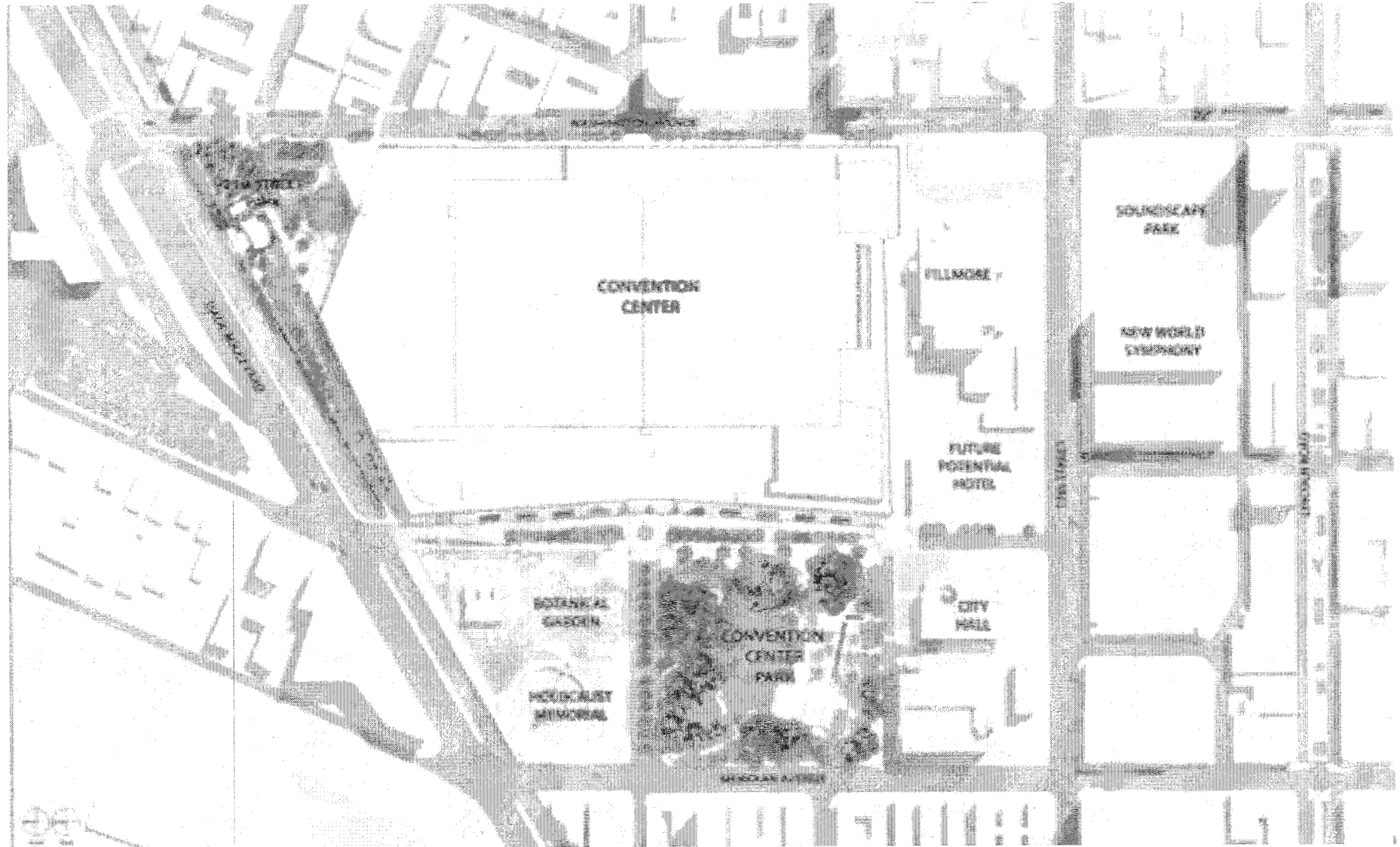
MIAMI BEACH

MIAMI BEACH CONVENTION CENTER RENOVATION & EXPANSION
LANDSCAPE PLAN

Page 345 of 345



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MIAMI BEACH

MIAMI BEACH CONVENTION CENTER RENOVATION & EXPANSION
LANDSCAPE PLAN

FENTRESS

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: April 25, 2018

SUBJECT: A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY, AMENDING RDA RESOLUTION NO. 627-2017, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER/HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE RDA GENERAL COUNSEL. **JOINT CITY COMMISSION AND REDEVELOPMENT AGENCY**

RECOMMENDATION

The Administration recommends adoption of the proposed Fourth Amendment which incorporates the following provisions:

- The allocation of \$6,914,221 of the excess Trust Fund revenues to the Convention Center Project to fund additional costs in connection with expenses resulting from Hurricane Irma, among other unforeseen circumstances.
- The Fourth Amendment is projected to generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY 2022/23, for a total of approximately \$42 million over the next six years (approximately \$33 million net of beach renourishment).

The distribution of certain excess Trust Fund revenues (based on each entity's proportionate share of the total payments expended for Administration, Community Policing) be distributed to the County and the City beginning FY2017-18, and continuing until FY2022-23, with the County and the City each setting aside \$1.5 million per year from the foregoing distribution of excess Trust Fund revenues to fund beach renourishment efforts, which can be used to leverage State or Federal funding for beach renourishment projects. It is estimated that this would generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY 2022/23.

Under the proposed amendment, the City funding for beach renourishment will be limited to projects in Miami Beach, while the County share may be used within Miami Beach and adjacent jurisdictions.

- The distribution, from excess Trust Fund revenues, an amount up to \$20,000,000, to fund the Lincoln Road Project previously authorized as part of the Third Amendment, for a total project amount of up to \$40,000,000 for the Lincoln Road Project.

Further, the Administration recommends that the amount of additional funding to be allocated from the Fourth Amendment for the Lincoln Road Project be determined through the annual budget process.

Background

On January 26, 1993, Miami-Dade County (the "County") adopted Resolution No. R-14-93, which, among other things, (i) found the area of Miami Beach (the "City") bounded on the east by the Atlantic Ocean, on the north by 24th Street, on the west by West Avenue, and on the south by 14th Lane (the "City Center Redevelopment Area" or "Redevelopment Area") to be a "blighted area" within the meaning of Part III of Chapter 163, Florida Statutes, and (ii) delegated to the City of Miami Beach, pursuant to Section 163.410, Florida Statutes, certain powers conferred upon the County Commission as the governing body of Dade County by Part III of Chapter 163, Florida Statutes, with regard to the Redevelopment Area, so that the City Commission, either directly or through its duly designated community redevelopment agency, could exercise such powers. On February 3, 1993, the City adopted Resolution No. 93-20709, which established a community redevelopment agency (the "Miami Beach Redevelopment Agency" or the "Agency"), and declared the members of the City Commission as the members of the Agency. Subsequently, on February 12, 1993, the City adopted Resolution No. 93-20721, which adopted the Agency's City Center/Historic Convention Village Redevelopment and Revitalization Area Plan (the "Plan") for the redevelopment and revitalization of the Redevelopment Area.

The County and the City then approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First, Second and Third Amendments defined below, the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan.

The 332-acre City Center/Historic Convention Village Redevelopment and Revitalization Area ("City Center RDA" or "RDA"), established in 1993, provided the funding mechanism to foster the development of a new convention hotel development (ultimately the Loews hotel) within proximity of the Miami Beach Convention Center and established the necessary link between the City's many core area civic, cultural and entertainment uses in order to create the fabric of a true urban downtown.

The Board of Miami-Dade County Commissioners ("the Board"), through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives.

The Board, through Resolution No. R-958-04, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items. After debt service and

all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area.

The Board, through Resolution No. R-512-14, and the City Commission, through Resolution No. 2014-28835, also approved an amendment to the Redevelopment Plan and Interlocal Agreement ("Third Amendment") to provide a share of funding for the Miami Beach Convention Center ("Convention Center") Renovation and Expansion Project:

- i. amended the Plan to include the Convention Center Renovation and Expansion Project;
- ii. amended the Interlocal Agreement to, among other things, extend the life of the Redevelopment Area to March 31, 2044;
- iii. authorized the issuance of tax increment revenue bonds in one or more series by the RDA in an amount not to exceed \$430,000,000 for purposes of refunding current outstanding debt, funding eligible community redevelopment project costs, including the Convention Center Renovation and Expansion Project, and any reserves and costs of issuance;
- iv. provided for an ongoing adequate operating and maintenance subsidy for the Miami Beach Convention Center, in addition to the existing \$4.5 million per year and annual year-end revenue sharing that the City currently receives from Convention Development Taxes through 2048;
- v. provided for ongoing funding of City operations in the RDA;
- vi. established that from FY 2014-15 through FY 2021-22, any funding not used for debt service and operating expenses will go into a fund to be used for shortfalls and eventually prepayment of debt;
- vii. established that from FY 2022-23 until FY 2043-44, the County will receive a refund of City Center Agency operating expenses based on its proportion of revenues contributed to the Trust Fund; and
- viii. any remaining funding will be used to extinguish debt early.

With respect to the prepayment of debt, although the County extended the life of the RDA to March 31, 2044, the City and the County anticipated that the RDA Bonds would be repaid well before March 31, 2044. In January, 2015, when the City entered into the Interlocal Agreement, the City estimated that the RDA bonds would be paid off by Fiscal Year (FY) 2036/37 (based on growth rates between 3.5% and 5%). Assuming a similar rate of growth, the City currently estimates that the RDA Bonds may be paid off as early as FY 2026/27, as actual growth rates since we entered into the Interlocal Agreement have averaged approximately 10%.

To this end, the year-end audited fund balance for excess RDA trust fund revenues in FY 2015/16 was \$19.5 million. Pending our year-end close-out for FY 2016/17, the City estimates that the balance of excess RDA trust fund revenues will be approximately \$34 million.

During the December 13, 2017 City Commission meeting, the Administration presented the Fourth Amendment to the Interlocal Agreement (the Fourth Amendment). The Fourth Amendment was proposed as a way to further address and fund the impacts from Hurricane Irma and the August rain bomb on the Convention Center. The items within the proposed amendment are as follows:

1. Of the approximately \$34 million in revenues remaining on deposit in the Trust Fund as of the Agency's year-end for FY2016/17, the Agency shall disburse \$6,914,221.00 to the City, for the limited purpose of funding a portion of the additional construction, delay and repair costs for the Convention Center Project arising from Hurricane Irma and the rain bomb in August.

2. After disbursement of \$6,914,221.00 to the City, for the Convention Center Project, the Agency shall disburse to each taxing authority, by March 31, 2018, the total of 50% of the revenues remaining on deposit in the Trust Fund, in the proportionate manner as it was deposited. It is estimated that this would generate \$7.6 million to the City in FY 2017/18.

3. In addition, beginning FY2017/18, the Agency shall annually disburse to each taxing authority, by March 31 of each year, the total of 75% of the current fiscal year's projected excess revenues to be deposited in the Trust Fund, if any, in the proportionate manner as it was deposited. It is estimated that this would generate \$5.9 million to the City in FY 2017/18, which would grow each year proportionate to property tax values in the RDA.

As part of the discussion on the item, a request was made by representatives of the Lincoln Road Business Improvement District that the amendment also include an allocation of \$13 million from the available balance for the Lincoln Road capital improvements project. The Mayor and City Commission approved Resolution No. 2017-30119 adopting the proposed amendment as outlined above without the additional \$13 million for the Lincoln Road capital improvements project. However, the City Commission directed the City to explore with Miami-Dade County the possibility of including an allocation of \$13 million in funding for the Lincoln Road capital improvements project.

ANALYSIS

Upon initial discussions with Miami-Dade County, as directed by the City Commission at the December 2017 Commission meeting, the County reconsidered the previously negotiated proposed Fourth Amendment and expressed the following concerns:

- The County no longer desired to significantly extend the projected early debt payoff date and the associated early date of expiration for the RDA district.
- When the Third Amendment was originally adopted in December 2014, the projected date for expiration was Fiscal Year 2037/38, based on a projected increase in assessed property values between 3.5 and 5 percent. Under similar projected growth rates, not including the proposed Fourth Amendment, in the project debt payoff date is projected to be Fiscal Year 2026/27.

The original proposed Fourth Amendment would have a projected date of expiration for Fiscal Year 2038/39. The County seeks to remain within the current schedule of completion, 2025/26. At the time of expiration, the County Tax Increment revenues will be returned to the County's General Fund, and the City Tax Increment Revenues will return to the City's General Fund.

- The County needs funding for beach re-nourishment to provide a matching source for potential State and Federal Funds.

The revised proposed Fourth Amendment will:

- Provide the \$6,914,221.00 million in funding for the Convention Center project to address the impacts from Hurricane Irma and the August rain bomb. These events impacted the facility and created delays which severely challenged the City's ability to deliver the facility at the level required by Art Basel Miami Beach and have created costs impacts. Some of these costs ultimately may be covered by Builder's Risk insurance, through the City Manager at Risk contract, or through reimbursement from the Federal Emergency

Management Agency ("FEMA"). However, there are costs related to the delays caused by Hurricane Irma that are unlikely to be reimbursed.

Due to these delays, Hurricane Irma had a direct impact of at least three (3) weeks on the Convention Center construction including one (1) week of storm preparation and demobilization, one (1) week of storm clean-up, loss of power and additional delays due to a widely displaced workforce returning to work two to three weeks after the storm. Also significant was the impact of Hurricane Irma on the work being performed by Florida Power & Light ("FPL") on the electrical upgrades needed for the renovated Convention Center.

- Provide a portion of year-end excess funding to be distributed pro-rata to the County and the City from FY 2017/18 through FY 2022/23. Provides for the City and County to each contribute, from the pro rata distribution of excess Trust Fund revenues, \$1.5 million a year of year to the County for beach renourishment

Under the proposed amendment, the City funding for beach renourishment will be limited to projects in Miami Beach, while the County share may be used within Miami Beach and adjacent jurisdictions.

- Provides discretion to the City to fund, from excess Trust Fund revenues, up to an additional \$20 million for the Lincoln Road capital project. Any such amounts would serve to supplement the \$20 million previously appropriated for the Lincoln Road Project from excess RDA tax increment revenues, in addition to approximately \$6,865,154 appropriated in FY 2017/18 from non Tax Increment RDA funds, for a total of approximately \$26.9 million appropriated to date, and a potential for up to \$46.9 million in total funding, for the Lincoln Road Project.

The Fourth Amendment is projected to generate \$6.6 million to the City in FY 2017/18 (\$5.1 million net of beach renourishment), which would grow each year proportionate to property tax values in the RDA through FY 2022/23, for a total of approximately \$42 million over the next six years (approximately \$33 million net of beach renourishment).

Under the proposed amendment, if the City elects to provide no additional funding for the Lincoln Road capital improvements project, and similar growth rates to prior projections for assessed property values in the RDA are used, the projected pay off year for debt and expiration of the RDA would be FY 2028/29.

If the City elects to provide the full \$20 million in additional funding for Lincoln Road capital improvements project, and similar growth rates to prior projections for assessed property values in the RDA are used, the projected pay off year for debt and expiration of the RDA would be FY 2029/30. The County estimates that, if the Lincoln Road improvements are funded, growth rates could increase to between 6 and 10 percent in the early years, and the resulting debt payoff year and expiration of the district would be FY 2026/27

CONCLUSION

The Administration recommends adoption of the proposed Fourth Amendment. Further, it is recommended that determination of the amount of additional funding for the Lincoln Road project be through the annual budget process.

Legislative Tracking

Tourism, Culture and Economic Development

ATTACHMENTS:

Description

- ▣ Form Approved Reso
- ▣ RDA Fourth Amendment to Interlocal

RESOLUTION NO. _____

A RESOLUTION OF THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY, AMENDING RDA RESOLUTION NO. 627-2017, AND APPROVING, IN SUBSTANTIAL FORM, A FOURTH AMENDMENT, BY AND AMONG THE CITY, MIAMI-DADE COUNTY (COUNTY) AND THE MIAMI BEACH REDEVELOPMENT AGENCY (RDA), TO THE NOVEMBER 16, 1993 INTERLOCAL COOPERATION AGREEMENT, AS AMENDED (THE "INTERLOCAL AGREEMENT"), RELATED TO THE CITY CENTER /HISTORIC CONVENTION CENTER VILLAGE REDEVELOPMENT AND REVITALIZATION AREA (CITY CENTER RDA); WITH SAID FOURTH AMENDMENT ATTACHED AS EXHIBIT "A" TO THE MEMORANDUM ACCOMPANYING THIS RESOLUTION; AND FURTHER AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE THE FINAL FOURTH AMENDMENT, IN THE FORM APPROVED BY THE RDA GENERAL COUNSEL.

WHEREAS, on March 30, 1993, the Miami-Dade County Board of County Commissioners (the "County Commission") adopted Resolution No. R-317-93, approving, among other things, the City Center/Historic Convention Village Redevelopment and Revitalization Plan (the "Plan"), and delegating certain powers conferred on the County Commission by Part III, Chapter 163, Florida Statutes (the "Act"), to implement the Plan to the Mayor and City Commission of the City of Miami Beach (the "City Commission"), all for the project area commonly called "City Center/Historic Convention Village Redevelopment and Revitalization Area" (such Area previously referred to in the Interlocal Agreement described below, as the "Project" and herein referred to as the "Redevelopment Area"); and

WHEREAS, the County Commission also enacted Ordinance No. 93-28 on April 27, 1993, which among other things, established a trust fund ("Fund" or "Trust Fund") to fund improvements in the Redevelopment Area; and

WHEREAS, the County and the City also approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First Amendment (defined below), by the Second Amendment (defined below), and by the Third Amendment (defined below) (the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan; and

WHEREAS, the County and the City adopted Resolution No. R-889-03 and Resolution No. 2003-2537, respectively, approving an amendment to the Plan to incorporate the development and implementation of community policing initiatives; and

WHEREAS, the County Commission, through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives; and

WHEREAS, the County Commission, through Resolution No. R-958-05, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items, after debt service and all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area; and

WHEREAS, the County Commission, through Resolution No. R-1110-14, and the City Commission, through Resolution No. 2014-28835, also approved a third amendment to the Interlocal Agreement ("Third Amendment"), which, among other terms, extended the life of the Agency to March 31, 2044, authorized the issuance of tax increment revenue bonds ("RDA Bonds") to support the Convention Center Renovation and Expansion Project (the "Convention Center Project"), and further provided for related payment terms, with the intent that all available excess Trust Fund revenues remaining on deposit in the Trust Fund be used for the prepayment or redemption of debt prior to maturity of the RDA Bonds, with such prepayment or redemption of debt commencing in FY 2023-2024; and

WHEREAS, after distribution of Tax Increment Revenues in the order, priority, and amounts required by this Interlocal Agreement, the available revenues remaining on deposit in the Trust Fund, as of the Agency's year-end for FY2016/17, are estimated to be at approximately \$34,000,000; and

WHEREAS, the City has incurred certain additional costs in connection with the Convention Center Project, including expenses resulting from Hurricane Irma, among other unforeseen circumstances, and has requested that \$6,914,221 of the excess Trust Fund revenues be allocated to the Convention Center Project; and

WHEREAS, as the excess Trust Fund revenues are in excess of what the City and County previously anticipated, the County and the City have proposed that certain excess Trust Fund revenues (based on each entity's proportionate share of the total payments expended for Administration, Community Policing) be distributed to the County and the City beginning FY2017-18, and continuing until FY2022-23, with the County and the City each setting aside \$1.5 million per year from the foregoing distribution of excess Trust Fund revenues to fund beach renourishment efforts, which can be used to leverage State or Federal funding for beach renourishment projects; and

WHEREAS, the County and the City have also proposed for the Agency to distribute, from excess Trust Fund revenues, an amount up to \$20,000,000, to fund the Lincoln Road Project previously authorized as part of the Third Amendment, for a total project amount of up to \$40,000,000 for the Lincoln Road Project; and

WHEREAS, after the foregoing distributions, any remaining excess Trust Fund revenues to be used for the early prepayment of debt, as originally contemplated in the Third Amendment to the Interlocal Agreement; and

WHEREAS, on December 13, 2017, the Chairman and Members of the RDA adopted RDA Resolution No. 627-2017, approving, in substantial form, a proposed Fourth Amendment to the Interlocal Agreement ("Fourth Amendment"); and

WHEREAS, the revised Fourth Amendment is attached as an exhibit to the Memorandum accompanying this Resolution; and

WHEREAS, upon approval by the Agency and the City, respectively, the Fourth Amendment to the Interlocal Agreement will be transmitted to the County, for consideration and approval by the Board of County Commissioners.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CHAIRMAN AND MEMBERS OF THE MIAMI BEACH REDEVELOPMENT AGENCY, that the Chairman and Members hereby amend RDA Resolution No. 627-2017, and approve, in substantial form, a Fourth Amendment, by and among the City, Miami-Dade County (County) And the Miami Beach Redevelopment Agency (RDA), to the November 16, 1993 Interlocal Cooperation Agreement, as amended (the "Interlocal Agreement"), related to the City Center /Historic Convention Center Village Redevelopment and Revitalization Area (City Center RDA); with said Fourth Amendment attached as Exhibit "A" to the Commission Memorandum accompanying this Resolution; and further authorize the Chairman and Secretary to execute the final Fourth Amendment, in a form approved by the RDA General Counsel.

PASSED and ADOPTED this ____ day of April, 2018.

DAN GELBER
CHAIRMAN

ATTEST:

RAFAEL E. GRANADO
SECRETARY

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 4-18-18
Redevelopment Agency General Counsel Date


**FOURTH AMENDMENT TO
THE INTERLOCAL COOPERATION AGREEMENT**

This Fourth Amendment to the Interlocal Agreement ("Fourth Amendment"), made this _____ day of _____, 2018 ("Effective Date"), by and among Miami-Dade County, a political subdivision of the State of Florida (hereinafter referred to as the "County"), the City of Miami Beach, a municipal corporation under the laws of the State of Florida (hereinafter referred to as the "City"), and the Miami Beach Redevelopment Agency, a public agency and body corporate created pursuant to Section 163.356, Florida Statutes (hereinafter referred to as the "Agency").

WHEREAS, the Miami-Dade County Board of County Commissioners (the "Board") adopted Resolution No. R-317-93 on March 30, 1993, approving, among other things, the City Center/Historic Convention Village Redevelopment and Revitalization Plan (the "Plan") and delegated certain powers conferred on the Board by Part III, Chapter 163, Florida Statutes (the "Act"), to implement the Plan to the Mayor and City Commission of the City of Miami Beach (the "City Commission"), all for the project area commonly called "City Center/Historic Convention Village Redevelopment and Revitalization Area" (such Area previously referred to in the Interlocal Agreement described below, as the "Project" and herein referred to as the "Redevelopment Area"); and

WHEREAS, the Board also enacted Ordinance No. 93-28 on April 27, 1993, which among other things, established a trust fund ("Fund" or "Trust Fund") to fund improvements in the Redevelopment Area; and

WHEREAS, the County and the City also approved and entered into the Interlocal Cooperation Agreement, executed on November 16, 1993 (as amended by the First Amendment

(defined below), by the Second Amendment (defined below), and by the Third Amendment (defined below) (the "Interlocal Agreement"), by which the County delegated to the City certain redevelopment powers granted by the Act, including but not limited to the creation of the Redevelopment Area and implementation of the Plan; and

WHEREAS, the County and the City adopted Resolution No. R-889-03 and Resolution No. 2003-2537, respectively, approving an amendment to the Plan to incorporate the development and implementation of community policing initiatives; and

WHEREAS, the Board, through Resolution No. R-889-03, and the City Commission, through Resolution No. 2003-25241, also approved an amendment to the Interlocal Agreement ("First Amendment") to delegate to the City the power to implement the community policing initiatives; and

WHEREAS, the Board, through Resolution No. R-958-05, and the City Commission, through Resolution No. 2004-25560, also approved a second amendment to the Interlocal Agreement ("Second Amendment") whereby (i) the County, City, and Agency agreed that the Agency would remit one and one-half percent (1.5%) of the Tax Increment Revenue paid to the Agency for said fiscal year to the County to defray administrative costs for oversight and processing Agency related items, after debt service and all other obligations related to the bonds or future indebtedness issued by the Agency and approved by the County was satisfied for the fiscal year, and (ii) the County approved the Agency's issuance of refunding bonds in an amount not to exceed a principal amount of \$101,090,000.00 to refinance all or a portion of the outstanding principal amount of bonds issued with respect to the Redevelopment Area; and

WHEREAS, the Board, through Resolution No. R-1110-14, and the City Commission, through Resolution No. 2014-28835, also approved a third amendment to the Interlocal

Agreement (“Third Amendment”), which, among other terms, extended the life of the Agency to March 31, 2044, authorized the issuance of tax increment revenue bonds (“RDA Bonds”) to support the Convention Center Renovation and Expansion Project (the “Convention Center Project”), and further provided for related payment terms, with the intent that all available excess Trust Fund revenues remaining on deposit in the Trust Fund be used for the prepayment or redemption of debt prior to maturity of the RDA Bonds, with such prepayment or redemption of debt commencing in FY 2023-2024; and

WHEREAS, after distribution of Tax Increment Revenues in the order, priority, and amounts required by this Interlocal Agreement, the available revenues remaining on deposit in the Trust Fund, as of the Agency’s year-end for FY 2016-17, are estimated to be at approximately \$34,000,000; and

WHEREAS, the City has incurred certain additional costs in connection with the Convention Center Project, including expenses resulting from Hurricane Irma, among other unforeseen circumstances, and has requested that a portion of the excess Trust Fund revenues be allocated to the Convention Center Project; and

WHEREAS, the City and County, along with the City of Miami, collectively joined the Rockefeller Foundation’s 100 Resilient Cities network as Greater Miami and the Beaches to develop a resilience strategy that, among other things, aggressively combats the risks of rising sea levels, coastal erosion, and hurricanes.

WHEREAS, well developed beach and dune systems provide protection from storm surges associated with hurricanes and other storm events, and maintaining our coastal beaches provides direct benefit and protection to the people, property, and infrastructure developed on the barrier islands; and

WHEREAS, in addition to the storm protection benefits that the beach system provides our community, beaches are a major feature of our tourism industry attracting visitors from all over the world to our community; and

WHEREAS, the County and City recognize the importance of continually funding beach renourishment projects for the future resilience of our community.

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants recorded herein, the County, the City and the Agency agree as follows:

A. The recitations set forth above are true and correct and adopted as part of this Fourth Amendment.

B. Paragraph XII, "Distribution of Trust Fund Revenues," sub-paragraphs "E and H" of the Interlocal Agreement, are hereby amended to read as follows:

E. The Agency agrees to:

1. Beginning FY 2017-18, and until the earlier of March 31, 2044, or the termination or expiration of the taxing authorities' obligation to appropriate the Tax Increment Revenues to the Fund, grant to the County an amount equal to the County's proportionate share of the total payments expended by the Agency in the prior fiscal year for Administration, Community Policing, and Capital Project Maintenance (defined below). Such grant shall be paid to the County by March 31 of each year and shall be based on the previous year's expenses for Administration, Community Policing, and Capital Project Maintenance. The amount granted annually shall be calculated as follows:

The County's share of total Tax Increment Revenues deposited into the Trust Fund for that particular year divided by the total Tax Increment Revenues collected from all taxing authorities and deposited in the Trust Fund for that particular year, multiplied by the amount of expenses paid by the Agency in the previous fiscal year for Administration, Community Policing and Capital Project Maintenance.

Beginning FY 2017-18, and until FY 2022-23, the County shall set aside \$1.5 million per year of the payments received from the Agency for the purpose of funding beach renourishment for beaches within or adjacent to the City of Miami Beach. This funding can be used to leverage State or Federal funding for beach renourishment purposes. Such funding shall be set aside in a separate account established by the County to be used for the purposes described herein.

2. Beginning FY 2017-18, until FY 2022-23, grant to the City an amount equal to the City's proportionate share of the total payments expended by the Agency in the prior fiscal year for Administration, Community Policing, and Capital Project Maintenance (defined below). Such grant shall be paid to the City by March 31 of each year and shall be based on the previous year's expenses for Administration, Community Policing, and Capital Project Maintenance. The amount granted annually shall be calculated as follows:

The City's share of total Tax Increment Revenues deposited into the Trust Fund for that particular year divided by the total Tax Increment Revenues collected from all taxing authorities and deposited in the Trust Fund for that particular year, multiplied by the amount of expenses paid by the Agency in the previous fiscal year for Administration, Community Policing and Capital Project Maintenance.

Beginning FY 2017-18, and until FY 2022-23, the City shall set aside \$1.5 million per year of the grant received from the Agency for the purpose of funding beach renourishment for beaches within the City of Miami Beach. This funding can be used to leverage State or Federal funding for beach renourishment purposes. Such funding shall be set aside in a separate account established by the City to be used for the purposes described herein.

* * *

H. Beginning FY 2014-15 and ending on the earlier of March 31, 2023, or the termination or expiration of the taxing authorities' obligation to appropriate Tax Increment Revenue to the Trust Fund, the Agency shall, within ninety (90) days from the conclusion of each fiscal year, deposit any unencumbered amounts on deposit in the Trust Fund and all available revenues remaining after distribution of Tax Increment Revenues in the order, priority and amounts set forth in Sections A through G above, into a fund to be used for the purposes of financing any shortfalls associated with the payment of the expenses as listed in Section F above. Such deposits to such fund shall only be made if it will not negatively affect

the exclusion from gross income, for federal income tax purposes, of interest on any tax-exempt Agency Indebtedness. After the above application, the excess funds in the Trust Fund as of the end of FY 16/17 shall be distributed as follows:

1. Of the approximately \$34 million in revenues remaining on deposit in the Trust Fund as of the Agency's year-end for FY 2016-17, the Agency shall distribute \$6,914,221.00 to the City, for the limited purpose of funding a portion of the construction costs for the Convention Center Project; and
2. After disbursement to the City pursuant to Section H.1 above, the Agency may distribute an amount up to \$20,000,000 to the City, for the limited purpose of funding a portion of the design and construction costs for the Lincoln Road / Collins Avenue to West Avenue Project, for the refurbishment of the Lincoln Road pedestrian mall from Collins Avenue to West Avenue, and adjacent corridors (the "Lincoln Road Project"), which distribution pursuant to this Section H.2, together with the \$20 million previously authorized for the Lincoln Road Project, provides for total funding from excess Tax Increment Revenues of up to \$40,000,000 for the Lincoln Road Project.

All other remaining revenues in the Trust Fund (including, without limitation, any remaining excess revenues at the end of FY16/17) will be used to extinguish Agency Indebtedness early, but not prior to FY 2023-24, to the extent such Agency Indebtedness is subject to prepayment or redemption prior to maturity at such time or, if such Agency Indebtedness is not then subject to prepayment or redemption prior to maturity, to establish an escrow for the prepayment or redemption prior to maturity of such Agency Indebtedness at such time as the Agency Indebtedness is subject to prepayment or redemption prior to maturity; provided, however, that such escrow shall only be established if it will not negatively affect the exclusion from gross income, for federal tax purposes, of interest on any such tax-exempt Agency Indebtedness. The City and the Agency agree not to issue Capital Appreciation Bonds or similar debt that does not pay interest on a current basis. The City and the Agency also agree that any Agency Indebtedness pledging Tax Increment Revenues issued for the purposes set forth herein shall include a call provision allowing such Agency Indebtedness to be called no later than ten (10) years after initial issuance. If the Agency Indebtedness is not subject to repayment or redemption prior to maturity, and an escrow cannot be established, then the Agency shall distribute annually any revenues remaining on deposit in the Fund after distribution as set forth in Sections A through H of this Paragraph XII, to the taxing authorities in the proportionate manner as it was deposited.

- C. All provisions of the Interlocal Agreement, other than the provisions specifically amended herein, remain in full force and effect.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment as of the date first written above.

CITY OF MIAMI BEACH

MIAMI-DADE COUNTY

By: _____
Dan Gelber
Mayor

By: _____
Carlos A. Gimenez
Mayor

ATTEST

ATTEST

By: _____
City Clerk

By: _____
Deputy Clerk

MIAMI BEACH REDEVELOPMENT
AGENCY

Approved for form and legal sufficiency

By: _____
Dan Gelber
Chairman

By: _____
Assistant County Attorney

Attest:

By: _____
City Clerk

Approved for form and legal sufficiency

By: 
City Attorney **PAZ**

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rafael E. Granado, City Clerk
DATE: April 25, 2018

SUBJECT: TIME CERTAIN

Legislative Tracking
Office of the City Clerk

ATTACHMENTS:

Description

- ▣ Time Certain
- ▣ Agenda Items List

MIAMI BEACH

Commission Meeting / Presentations & Awards

TIME CERTAIN

April 25, 2018

TIME	ITEM	TITLE
5:00 p.m. Time Certain		Presentations & Awards
	PA 1	Certificates of Recognition/Officers Gonzalez & Charles, Saving Elderly Women. (Steinberg)
	PA 2	Certificate of Recognition/Jacob Rosenfeld, Sunshine State Scholar. (Steinberg/Aleman)
	PA 3	Presentation of Proceeds/Youth Music Festival. (Aleman)
	PA 4	Special Recognition/Helmut Muller Estrada, Good Samaritan. (Gongora)
	PA 5	Certificates of Recognition/N. Beach Elementary Parent Patrol. (Aleman)
	PA 6	Certificates of Recognition/MBPD Officers, Residential Fire Rescue. (Aleman)
	PA 7	Certificates of Recognition/North Beach Elementary Odyssey of the Mind Team. (Steinberg/Aleman)
	PA 8	Earth Day Proclamation/Chair of Sustainability Committee. (Gongora)
	PA 9	Certificates of Appreciation/Members of Sustainability Committee, 11th Anniversary. (Gongora)
	PA 10	Certificates of Completion/Neighborhood Leadership Academy Graduates.
	PA 11	Proclamation/Carlos Cordeiro, Elected U.S. Soccer President. (Arriola)
	PA 12	Proclamation/Health Information Project, Supporting Our Youth. (Arriola)
	PA 13	Certificates of Recognition/Sgt. Camacho & Ofc. Laurent, Saving a Life. (Arriola)
5:01 p.m. Time Certain		Consent Agenda
5:02 p.m. Time Certain		Regular Agenda
	R5 A	Ch. 70, Rental of Mopeds. (Aleman) 1st Rdg
	R7 B	Review/Amend, Anti-Bullying Policies. (Aleman/Gongora)
	R9 A	Update on Planned Activities for Memorial Day Weekend 2018.
	R9 B	Discuss Naming of MBCC Ballrooms.
5:03 p.m. Time Certain		Redevelopment Agency Items
	1/R7 A	Joint , Execute 4 th Amendment, RDA Interlocal Agmt - City Center.
ADDENDUM 1	C7 A	Accept Election Results/Set PH, Washington Avenue BID.

SUPPLEMENTAL 1 (HANDOUT)	R9 B	<p>Discuss Naming of MBCC Ballrooms. (Revised Memorandum)</p> <p>The memo has been revised to reflect that the recommendation of the Commission at the April 11, 2018 meeting to modify the “Carl Fisher Grand Ballroom” to “Grand Ballroom” must also be referred to the Neighborhood/Community Affairs Committee in addition to any other names not previously recommended by the Neighborhood/Community Affairs Committee.</p>
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Unless indicated with an asterisk (), all Non-Presentation (i.e. proclamation, award, certificate and other recognition) items listed above were approved by the Mayor or deferred from a previous Commission Meeting for inclusion in the Presentations & Awards/Commission Meeting and do not need a 5/7th vote to be added to the agenda (pursuant Ordinance 2015-3954).*

The sponsor of the Non-Presentation (i.e. proclamation, award, certificate and other recognition) agenda item deems that such item either constitutes a public emergency affecting life, health, property, or public safety and should be considered immediately; or does not constitute a public emergency, but should be considered immediately. See Miami Beach Code Sec. 2-12 (e).

MIAMI BEACH

Commission Meeting / Presentations & Awards

AGENDA ITEM LIST

April 25, 2018

PRESENTATIONS & AWARDS (5:00 p.m.)

- PA 1 Certificates of Recognition/Officers Gonzalez & Charles, Saving Elderly Women. (Steinberg)
- PA 2 Certificate of Recognition/Jacob Rosenfeld, Sunshine State Scholar. (Steinberg/Aleman)
- PA 3 Presentation of Proceeds/Youth Music Festival. (Aleman)
- PA 4 Special Recognition/Helmut Muller Estrada, Good Samaritan. (Gongora)
- PA 5 Certificates of Recognition/N. Beach Elementary Parent Patrol. (Aleman)
- PA 6 Certificates of Recognition/MBPD Officers, Residential Fire Rescue. (Aleman)
- PA 7 Certificates of Recognition/North Beach Elementary Odyssey of the Mind Team. (Steinberg/Aleman)
- PA 8 Earth Day Proclamation/Chair of Sustainability Committee. (Gongora)
- PA 9 Certificates of Appreciation/Members of Sustainability Committee, 11th Anniversary. (Gongora)
- PA 10 Certificates of Completion/Neighborhood Leadership Academy Graduates. - MC
- PA 11 Proclamation/Carlos Cordeiro, Elected U.S. Soccer President. (Arriola)
- PA 12 Proclamation/Health Information Project, Supporting Our Youth. (Arriola)
- PA 13 Certificates of Recognition/Sgt. Camacho & Ofc. Laurent, Saving a Life. (Arriola)

CONSENT AGENDA

- C4 A Ref: PB - Tesla Super Charger Stations Agreement. PK
- C4 B Ref: FCWPC - Capital Budget Amendment for Polo Park Fence. (Aleman) P&R
- C7 A Accept Election Results/Set PH, Washington Avenue BID. CA/CC **AM1**

REGULAR AGENDA

- R5 A **1st Rdg**, Ch. 70, Rental of Mopeds. (Aleman) CA
- R7 A **Joint**, Execute 4th Amendment, RDA Interlocal Agmt - City Center. TCED
- R7 B Review/Amend, Anti-Bullying Policies. (Aleman/Gongora)
- R9 A Update on Planned Activities for Memorial Day Weekend 2018. TCED
- R9 B Discuss Naming of MBCC Ballrooms. TCED **SM1**

REDEVELOPMENT AGENCY

- 1 **Joint**, Execute 4th Amendment, RDA Interlocal Agmt - City Center. TCED

OBPI=Office of Budget & Performance Improvement / BD=Building / CIP=Capital Improvement Projects / CA=Office of the City Attorney / CC=Office of the City Clerk / CO = Code Compliance / CM=Office of the City Manager / EM=Emergency Management / EN=Environmental & Sustainability / FD=Fire Dept. / FN=Finance / HCS=Housing & Community Services / HR=Human Resources / IT=Information Technology / Mayor's Office=MO / MC=Marketing & Communications / OBPI = Organizational Development Performance Initiatives / PK=Parking / P&R=Parks & Recreation / PL=Planning / PD=Police / PR=Procurement / PM=Property Management / PW=Public Works / TCED=Tourism, Culture & Economic Development / TR=Transportation

D-Deferred; W-Withdrawn; O/C-Open & Continued; SM-Supplemental; AM-Addendum; T-Tabled